



# **Single integrated national control plan for the United Kingdom January 2007 to March 2011:**

## **Progress in 2008 towards implementation - report for the European Commission**

**Note**

Whilst care has been taken to ensure that the web links contained in this report are correct at the time of publication and submission to the European Commission, changes may occur.

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## Abbreviations

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AFBI	Agri-Food Biosciences Institute for Northern Ireland
AHDH	Animal Health Dairy Hygiene
AHW	Animal Health and Welfare
AMI	Animal Medicines Inspectorate
APHIS	Animal and Public Health Information System
BIP	Border Inspection Post
BSE	Bovine Spongiform Encephalopathy
Cefas	Centre for Environment, Fisheries and Aquaculture Science
CRD	Health and Safety Executive's Chemicals Regulation Directorate
CVO	Chief Veterinary Officer
DARD	Department of Agriculture and Rural Development for Northern Ireland
Defra	Department for Environment, Food and Rural Affairs
DSP	Diarrhetic shellfish poisoning
EC	European Community
EEC	European Economic Community
EMI	Egg Marketing Inspectorate
EU	European Union
FHI	Fish Health Inspectorate
FSA	Food Standards Agency
FVO	Food and Veterinary Office
GM	Genetically modified
HACCP	Hazard Analysis Critical Control Point
HQ	Head Quarters
HMRC	Her Majesty's Revenue and Customs
HPA	Health Protection Agency
HSE	Health and Safety Executive
ISO	International Standardisation Organisation
LACORS	Local Authorities Co-ordinators of Regulatory Services
LV	Lead Veterinarian
MHS	Meat Hygiene Service
MRL	Maximum Residue Level
NBU	National Bee Unit
NCP	National Control Plan
NRCP	National Residues Control Program
NRL	National Reference Laboratory
OTM	Over thirty months
OV	Official Veterinarian

PCBs	Polychlorinated biphenols
PETS	Pet Travel Scheme
PFA	Point for Action
POAO	Products of Animal Origin
PSD	Pesticides Safety Directorate
PSP	Paralytic shellfish poisoning
QAB	Quality Assurance Branch
RA	Welsh Assembly Government, Department for Rural Affairs
RASFF	Rapid Alert System for Feed and Food
RPA	Rural Payments Agency
SASA	Science Advice for Scottish Agriculture
SFBB	Safer Food Better Business
SG RD	Scottish Government Rural Directorate
SGRPID	Scottish Government Rural Payments and Inspections Directorate
SI	Statutory Instrument
SLA	Service Level Agreement
SR	Statutory Rule
SRM	Specified Risk Material
SSI	Scottish Statutory Instrument
TRACES	Trade Control and Expert System
TSEs	Transmissible Spongiform Encephalopathies
UKAS	United Kingdom Accreditation Service
VMD	Veterinary Medicines Directorate
VS	DARD Veterinary Service
VS-VPHU	DARD Veterinary Service – Veterinary Public Health Unit

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## Executive summary

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Regulation 882/2004 on official controls requires Member States to produce annual reports for the European Commission on the implementation of their national control plans covering the delivery of official controls in the feed and food, animal health and animal welfare, and plant health sectors. This is the second such report on the UK's Plan and it covers the period 1 January to 31 December 2008.

During the second year of implementing the Plan, the UK competent authorities continued to deliver a comprehensive and integrated system of official controls from 'farm to fork' for monitoring and verifying compliance with feed and food law, animal health and animal welfare rules and plant health law. In delivering these controls, account has been taken of the UK Government's regulatory reform agenda and the Better Regulations Commission's *Principles of Good Regulation*.<sup>1,2</sup> The aim was to continue to ensure a proportionate risk-based approach that protects public, animal, and plant health, and consumer interests, without imposing unnecessary burdens on the authorities responsible for undertaking these controls or those that are subject to them.

The UK has built steadily on the progress made in 2007 towards meeting the overall objectives of the Single Integrated National Control Plan for the United Kingdom for January 2007 to March 2011 (the NCP) - to ensure the effective implementation of Community law, and to ensure that effective control arrangements are in place. During 2008 we continued to review, challenge and improve the way we work and sought to become more effective by initiating programmes for using resources more efficiently.

The mechanisms in place for co-ordination and co-operation of the competent authorities at central and local Government level were tested and their importance emphasised during 2008 in controlling successfully two high-profile feed and food incidents that impacted on official control arrangements in the UK: dioxins in pork and melamine in milk. During these incidents, appropriate measures were taken to protect consumers and guidance was provided to businesses on preventing and responding to incidents together with an online system to make it easier for local authorities to report feed and food incidents.

There have been some major animal health and welfare successes across the UK in 2008. The voluntary Bluetongue (BTV) vaccination campaign in England and Wales was delivered in partnership with the veterinary profession and livestock industries. Scotland successfully delivered a compulsory BTV vaccination campaign and Northern Ireland chose to maintain freedom without vaccination. No circulating Bluetongue disease was found in the UK in 2008.<sup>3</sup>

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<sup>1</sup> Further information at: <http://www.berr.gov.uk/>

<sup>2</sup> Further information at: <http://archive.cabinetoffice.gov.uk/brc/publications/principlesentry.html>

<sup>3</sup> See: <http://www.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/bluetongue/latest/index.htm>

Two outbreaks of Highly Pathogenic Avian Influenza in England were controlled effectively.<sup>4</sup> The coordinated response by Defra, Animal Health, the Veterinary Laboratories Agency, the Health Protection Agency, the Environment Agency, local authorities, and – in the Oxfordshire case in June – the police, protected the health of people working with affected birds and limited spread to wild birds or poultry populations. Similarly a coordinated response and enactment of the Defra contingency plans also helped to contain in quarantine the case of rabies in an imported puppy.<sup>5</sup>

In addition, a revised Framework Agreement on the delivery of services by local authorities was published towards the end of the year. This new Framework will help to meet the objectives of the Animal Health and Welfare Strategy, by maintaining and improving standards.

In the plant health sector, action continued against on-going disease threats, including a review of future management options for *Phytophthora ramorum*, a pathogen responsible for the widespread death of oak trees in California, and a related pathogen, *Phytophthora kernoviae*, which are now infecting trees and natural heathland in the UK.

The performance of the component authorities undertaking official controls in the feed, food, animal health and animal welfare sectors, continued to be audited during 2008 as part of on-going programmes, and updated arrangements were introduced during the year in some areas. Where audits identified the need for additional measures or remedial action, this work is being taken forward. Where good practice was identified, this has been disseminated and published. In the other areas, further progress has been made towards establishing audit arrangements.

The UK Plan continues to be extremely useful in raising awareness of the roles and responsibilities of the competent authorities in the UK and in identifying the official control priorities in the various sectors. It was reviewed again during 2008. No substantive changes to the Plan were required as a result, but a number of amendments were made as regards changes to structure of some competent authorities and the development of arrangements for audit of the competent authorities. The plan has also been updated to reflect publication of new or revised guidance material, national legislation and the appointment of National Reference Laboratories.

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<sup>4</sup> See: <http://www.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/ai/latest-situation/outbreak-archive.htm>

<sup>5</sup> See: <http://www.defra.gov.uk/news/2008/080425d.htm>



## Chapter 1 – Introduction

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### Background

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- 1.1 The UK Single Integrated National Control Plan (January 2007 to March 2011) - NCP - was prepared jointly by the Food Standards Agency (FSA), the Department for Environment, Food and Rural Affairs (Defra), the Scottish Government Rural Directorate (SG RD), the Welsh Assembly Government Department for Rural Affairs (RA), and the Department of Agriculture and Rural Development for Northern Ireland (DARD). The Plan was prepared in order to meet the requirements of European Community Regulation 882/2004 on official controls.<sup>6</sup> It:
- describes the roles and responsibilities of the competent authorities (regulatory authorities) and associated bodies responsible for official feed and food, animal health and animal welfare, and plant health controls in the UK;
  - outlines how these authorities meet the requirements of Regulation 882/2004;
  - provides an overview of how these authorities and other bodies work together to safeguard public and animal health, and to protect consumers; and
  - sets out the strategic objectives of the plan, and the planned control activities of the various authorities for the period of the plan.

The latest version of the NCP is published on the FSA website at:

<http://www.food.gov.uk/multimedia/pdfs/uknationalcontrolplan.pdf>

- 1.2 Regulation 882/2004 on official controls also requires Member States to produce annual reports for the European Commission (the Commission) on the implementation of their national control plans. This is the second report on the UK NCP and it covers the period 1 January to 31 December 2008. As with the Plan itself, this has been prepared jointly by the FSA, Defra, SG RD, the Welsh Assembly Government RA, and DARD.

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<sup>6</sup> Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules. Official Journal L191, 28.5.2004, 1-52.

## Purpose of this report

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- 1.3. The purpose of the report is to update the Commission on progress towards implementing the NCP. This is achieved by assessing the effectiveness of the control arrangements and control systems set out in the NCP. This, in turn, is based on the results of official controls and associated activities and on the findings of audits of the competent authorities undertaken during 2008. It also reports on developments and improvements that are being made to control arrangements as a consequence of these results and findings.
- 1.4. The report is being submitted to the Commission and will be used by its Inspection Services, the Food and Veterinary Office (FVO), to inform future inspection missions/audits carried out in the UK. Additionally, the Report will be fed in, together with similar reports prepared by the other Member States, to a Commission report to the Council and European Parliament on the overall operation of official controls within the European Community.

## Scope and content of this report

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- 1.5. The scope of this report is consistent with that of the NCP and covers control systems in the UK in respect of feed and food law, animal health and animal welfare rules, and plant health rules under Directive 2000/29/EC.<sup>7</sup>
- 1.6. The Commission has developed guidance on the content of annual reports on implementation of national control plans and this has been taken into account in preparing this UK report.<sup>8</sup>
- 1.7. It should be noted that in the UK much of the data on official controls and associated activities is collected on a financial year (which runs from April to March) rather than a calendar year basis. Additionally, responsibility for many of the control activities covered is de-centralised and the collection, validation, collation, and analysis of data at the central level is a major and complex exercise given the number of authorities involved. In many cases, the established timetables for these exercises extend over several months following the end of the financial year. As a result, analysis of the data for the financial year 2008/09 has not yet been completed in time for inclusion in this second report. Where

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<sup>7</sup> Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community. Official Journal L 169, 10.7.2000, 1-112.

<sup>8</sup> Commission Decision on guidelines to assist Member States in preparing the annual report on the single integrated multi-annual national control plan provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council (notified under document number C(2008) 3756). Official Journal L 214, 9.8.2008, 56-65.

this is the case, the data for the 2007/08 period has been reported. As reporting is an on-going annual process throughout the period of the NCP, future reports will be able to assess more accurately the progress towards implementing the NCP and identify trends in the results of control activities and the performance of the component authorities.

1.8 This second report:

- outlines the progress that has been made towards achieving the objectives of the UK NCP - Chapter 2;
- describes changes to the regulatory landscape in the UK - Chapter 3;
- outlines the improvements that have been made to the mechanisms in place for the competent authorities and other bodies involved in official controls to work together to safeguard public, animal and plant health, to protect consumers, and to promote animal welfare - Chapter 4;
- provides an analysis of the performance of the competent authorities and control bodies - Chapter 5; and
- summarises the official controls that have been undertaken and their outcome (including the level of compliance by business operator) and provides information on the actions taken to address non-compliance with the requirements of feed and food law, animal health and welfare rules and plant health law - Chapter 6.

## Chapter 2 - The UK NCP: what have we achieved so far?

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### Overall objectives

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2.1 The overall objectives of the UK NCP are to:

- ensure the effective implementation of relevant Community law;
- ensure that the UK enforces feed and food law and monitors and verifies that relevant requirements are met, and, that systems of official controls and other appropriate surveillance and monitoring activities, covering all stages of production, processing and distribution of feed and food, are maintained;
- ensure that the UK has an effective system of official controls for monitoring and verifying compliance with animal health and welfare rules; and
- ensure that the UK has an effective system of official controls for monitoring and verifying compliance with plant health law under Council Directive 2000/29/EC.

2.2 The arrangements set out in the NCP 2007-2011 for delivering a comprehensive and integrated system of official controls to monitor and verify compliance with feed and food law, animal health and welfare rules and plant health law were maintained throughout 2008. This was achieved by working across central Government and in partnership with our enforcement stakeholders and their representative and professional bodies to take a flexible and proportionate, risk-based approach aimed at protecting public, animal and plant health, and consumer interests without imposing unnecessary burdens on the authorities that are responsible for undertaking official controls or on those that are subject to these controls.

2.3 This approach proved again to be particularly important in relation to animal diseases outbreaks, with their potential for rapid spread, devastating consequences and disregard for national boundaries. The application of effective contingency planning, together with the voluntary vaccination campaign in England and Wales,<sup>9</sup> ensured that there were no indigenous cases of bluetongue during the year. Two outbreaks of highly pathogenic avian influenza in England were controlled effectively.<sup>10</sup>

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<sup>9</sup> More information at:

<http://www.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/bluetongue/control/vaccination/index.htm>

<sup>10</sup> More information at: <http://www.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/ai/latest-situation/outbreak-archive.htm>

- 2.4 The extent to which planned activities for 2008 in the various sectors, including the animal health and animal welfare sectors, were achieved is described elsewhere in this report.

## **Specific objectives**

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### **Feed and food sectors**

- 2.5 In these sectors, the specific objectives for the UK NCP are:

- reducing foodborne illness;
- limiting and monitoring the risks to consumers from chemical and radiological contamination
- making it easier for consumers to make informed choices; and,
- protecting consumers from food fraud and illegal practices.

These objectives link closely to key targets in the current Strategic or Business Plans for the Government Departments and Agencies that have responsibility at central level for official feed and food controls.

- 2.6 The Food Standards Agency (FSA) has reported progress on meeting these objectives in its Annual Report for 2008/09.<sup>11</sup> Key achievements include:

- working with caterers and retailers to help them adopt food safety management procedures;<sup>12</sup>
- working with local authorities to help them monitor and enforce compliance with feed and food law; and
- working with food businesses and local authorities on preventing and responding to food incidents.<sup>13</sup>

- 2.7 The other competent authorities responsible for official feed and food controls such as the Meat Hygiene Service (MHS), Defra (including its agencies, the Veterinary Medicines Directorate - VMD) the Chemicals Regulation Directorate (CRD), the Scottish Government Rural Directorate, the Welsh Assembly Government's Department for Rural Affairs, and the Department of Agriculture and Rural Development for Northern Ireland have also made progress on meeting their objectives (which are also referred to in the NCP). In the case of the MHS and Defra and its agencies, this progress is outlined in their annual reports which are available at:

<http://www.food.gov.uk/multimedia/pdfs/publication/mhsara0809.pdf>

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<sup>11</sup> FSA Annual report is at: <http://www.food.gov.uk/multimedia/pdfs/publication/annualreport0709.pdf>

<sup>12</sup> More information at: <http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/sfbb/>

<sup>13</sup> More information at: <http://www.food.gov.uk/foodindustry/incidents/>

<http://www.defra.gov.uk/corporate/about/how/deprep/index.htm>

<http://www.vmd.gov.uk/About/ara0809web/index.html>

<http://www.pesticides.gov.uk/corporate.asp?id=913>

2.8 In the 2007 annual report, we highlighted a further specific objective of the FSA set out in the UK NCP which is to develop, agree and work towards implementing an ‘enforcement strategy for the 21<sup>st</sup> century’. This started with a major policy review referred to as the *Changes to Local Authority Enforcement Project* (CLAE). As part of CLAE, the FSA undertook a review of enforcement policy in 2007 with the objective of encouraging greater flexibility to allow authorities to target resources at high-risk areas and to use a wider range of interventions to support and improve levels of compliance with food law. A revised policy was largely in place in 2008 with the following main outcomes:

- a revised Food Law Code of Practice was introduced in England, Northern Ireland and Wales. The Code for Scotland was introduced in March 2009;<sup>14</sup>
- a new food law monitoring system was launched;<sup>15</sup>
- updated arrangements for audit of local authorities have been introduced from 2008/09 - these include business reality checks, and more focus on HACCP approaches and business compliance; and
- a draft update of the Framework Agreement, which provides the FSA with a mechanism to influence and oversee local authority enforcement activity, was published for comments in October 2008 – this work will be completed in 2009.<sup>16</sup>

### **Animal health and animal welfare sectors**

2.9 The specific objectives for the UK NCP in these sectors are to:

- protect public and animal health;
- promote the welfare of animals; and
- protect the interests of the wider economy, environment and society by preventing, controlling and eradicating diseases, and to encourage international trade.

These link closely to the Animal Health and Welfare (AHW) Strategy for Great Britain and also that for Northern Ireland.<sup>17,18</sup>

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<sup>14</sup> The Codes of Practice and Practice Guidance for each of the four UK countries are available at: <http://www.food.gov.uk/enforcement/enforcework/foodlawcop/>

<sup>15</sup> More information is available at: <http://www.food.gov.uk/enforcement/auditandmonitoring/laems/>

<sup>16</sup> More information is available at: <http://www.food.gov.uk/multimedia/pdfs/enforcement/enfe08066.pdf>

<sup>17</sup> Strategy for Great Britain is available at: <http://www.defra.gov.uk/foodfarm/policy/animalhealth/index.htm>

<sup>18</sup> Strategy for Northern Ireland is available at: <http://www.dardni.gov.uk/animal-health-and-welfare-strategy.pdf>

- 2.10 The AHW Strategy recognises the importance of co-operation, collaboration and the need for personal and collective responsibility by all those with an interest in animal health and welfare. Partnership working and a clear understanding of roles and responsibilities of all parties involved are key elements in achieving the AHW Strategy aims. Key developments in 2008 include:
- Publication in January 2008 of Defra's Action Plan in response to David Eves' Review of the Animal Health & Welfare Delivery Landscape - this sets out in detail how the Department will take forward each of the 55 recommendations.<sup>19</sup> The Action Plan is available at:  
[http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/action\\_plan180108.pdf](http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/action_plan180108.pdf)
  - Publication in November 2008 of the revised Framework Agreement on the delivery of animal health and welfare services by local authorities<sup>20</sup>. This new Framework will help to meet the objectives of the AHW Strategy, by maintaining and improving standards in animal health and welfare. It will also help to address the requirements of Regulation (EC) 882/2004, in ensuring verification of compliance with animal health and welfare rules. In producing this Framework, account has been taken of the Department for Business, Innovation and Skills Regulators' Compliance code "Statutory Code of Practice for Regulators" which aims to embed a risk-based, proportionate and targeted approach to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens.<sup>21</sup>
- 2.11 In England, the Implementation Group<sup>22</sup> continued its work to oversee delivery of the Animal Health and Welfare Strategy in England. More details can be found at: <http://www.defra.gov.uk/foodfarm/policy/animalhealth/eig/keydocs.htm>
- 2.12 In Wales, the Animal Health and Welfare Steering Committee, which advised the Welsh Assembly Government on taking forward the Wales Action Plan 2008-09 assisted the Welsh Assembly Government in promoting developments under the Plan. One of its key priorities was to ensure a state of preparedness for the introduction of an exotic disease. It also supported efforts to encourage the take up of the initiatives developed under the Plan, advised on engagement with the farming community and advised on the identification and dissemination of best practice.
- 2.13 In Scotland, the Scottish Government continued to work with stakeholders to support the health and welfare of the livestock industry. At the forefront of this was the bluetongue vaccination campaign designed by a joint Scottish Government and industry stakeholder group. The Scottish Government

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<sup>19</sup> Defra - Review of the Animal Health and Welfare Delivery Landscape. A report by David Eves CB, June 2006. This is available at: [http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/action\\_plan180108.pdf](http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/action_plan180108.pdf)

<sup>20</sup> See: <http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/pdf/ahw-framework2009.pdf>

<sup>21</sup> See: <http://www.berr.gov.uk/files/file45019.pdf>

<sup>22</sup> An independent advisory committee, appointed by the Government to oversee delivery of the Animal Health and Welfare Strategy in England.



committed to a compulsory programme of vaccination in cattle and sheep for which the costs of the campaign were shared with industry. The compulsory vaccination programme began in November 2008. All adult cattle and sheep were required to be vaccinated by end April 2009, and since then vaccination of young stock as they reach eligible age has been continuing.

2.14 The Scottish Government also published Jim Scudamore's Review into Scotland's handling of the 2007 Foot and Mouth Disease outbreak,<sup>23</sup> along with substantial reviews of the livestock movement patterns and industry structure. In light of the review the Scottish Government has revised the Exotic Diseases Contingency Plan.

2.15 The Scottish Government commissioned a research pilot project to learn practical lessons about how electronic sheep identification systems can be used on farms and in markets and abattoirs. The results of this pilot will inform the introduction of electronic identification in the industry in order to improve traceability in the sector.

2.16 In Northern Ireland, DARD continued to focus on developing the Island of Ireland Animal Health Strategy and on closer working with colleagues in the Department of Agriculture and Food in the Republic of Ireland on animal health and welfare issues. This has resulted in uniformity of implementation, especially on import controls which has contributed to the Island of Ireland remaining free from bluetongue. Further details can be found on the DARD website at:

<http://www.dardni.gov.uk/index/animal-health.htm>

### **Plant health sector**

2.17 The strategic objectives as regards plant health controls are to contribute to:

- protecting the countryside and natural resources; and
- ensuring sustainable farming and food supply.

These link closely with the objectives of the strategic plans for Defra and the Agriculture/Rural Affairs Departments in the Devolved Administrations and to Defra's Plant Health Strategy for England.

2.18 During 2007/08, action continued against on-going disease threats, including a review (in conjunction with the Forestry Commission and the Scottish Government Rural Payments and Inspections Directorate) of future management options for *Phytophthora ramorum*, a pathogen responsible for the widespread death of oak trees in California, and a related pathogen, *Phytophthora kernoviae*, which are now infecting trees and natural heathland in the UK.

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<sup>23</sup> See: <http://www.scotland.gov.uk/Publications/2008/06/23130049/2>



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## Chapter 3 - the Regulatory landscape: what has changed?

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### Overview

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- 3.1 For the most part, the division of responsibility for official controls within the UK as described in the NCP has remained unchanged since the first report. There have, however, been a number of organisational changes at central Government level, and new National Reference Laboratories have been designated. These changes are described briefly below.

### Competent authorities

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#### Organisational changes at central Government level

- 3.2 A number of organisational changes took place in 2009;
- At the beginning of April, the functions of the Pesticides Safety Directorate, the competent authority for plant protection products (including pesticide residues in food) became part of the work of the Chemicals Regulation Directorate of the Health and Safety Executive (more details are available at <http://www.pesticides.gov.uk/>)
  - Also at the beginning of April, a new executive agency of Defra - the Food and Environment Research Agency - was created and took over responsibility for plant health controls and bee health. This new Agency includes the former Plant Health Division, the Plant Health and Seeds Inspectorate, Plant Varieties and Seeds Division and the Central Science Laboratory, (including the National Bee Unit). For forestry matters in Great Britain, policy responsibility still rests with the Forestry Commission's Plant Health Service with scientific support provided by the Forest Research Agency.
- 3.3 During 2008, the MHS started a major restructuring programme to become more effective in fulfilling its purpose of protecting public health and animal health and welfare, and make efficiency gains. The new structure was implemented fully in February 2009 and resulted in the closure of the five regional offices and centralisation of administrative support to operational activities at Head Quarters (HQ) and the introduction of a new management structure based on 39 clusters of approved establishments. Each cluster has between eight and 66 establishments. MHS staff in individual establishments within a cluster are led by an Official Veterinarian (OV) who reports to a Lead Veterinarian (LV). LVs are managed by Business Managers (12 in total) and each Business Manager

reports to one of two Business Directors (North and South). Technical support and advice to LVs and OVVs is provided by a team of five Veterinary Managers based at HQ who report to the Veterinary Director. The Veterinary Director reports to the MHS Chief Executive and is a member of the Senior Management Team.<sup>24</sup>

- 3.4 The current division of responsibility for official feed, food, animal health and animal welfare controls within the UK is summarised in Figures 3.1 to 3.3.

## National Reference Laboratories

- 3.5 New National Reference Laboratories have been designated by the relevant competent authorities for certain analytical activities in 2008.<sup>25</sup> Details are given in Table 3.1 below.

**Table 3.1: New NRLs appointed in 2008**

Analytical activity	Competent authority responsible for appointing the NRL	NRL
Crustacean diseases	Defra	<p><u>England</u> Centre for Environment, Fisheries and Aquaculture Science (Cefas) - Weymouth Laboratory The Nothe, Barrack Road, Weymouth, Dorset DT4 8UB</p> <p><u>Wales</u> Cefas</p> <p><u>Scotland</u> Fisheries Research Services (FRS) Marine Laboratory PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB</p> <p><u>Northern Ireland</u> Cefas and FRS</p>

<sup>24</sup> The new organisation chart is available at: <http://www.food.gov.uk/multimedia/pdfs/mhsplan0910.pdf>

<sup>25</sup> Most of the NRLs designated in 2008 were reported in the 2007 annual report because they were appointed before it was submitted and thus have not been included in this year's report.

**Figure 3.1 - Division of responsibility for official food controls - at a glance**

<p><b>Developing and Implementing food law</b></p>	<p><b>FSA</b></p> <ul style="list-style-type: none"> <li>• General - traceability, rapid alert system (RASFF), official controls</li> <li>• Import controls - public health aspects, fish/fishery products and products of non-animal origin (non-POAO)</li> <li>• Labelling - general, nutritional, health claims</li> <li>• Composition and standards - e.g. bottled waters, fat spreads, chocolate, foods for particular nutritional use, irradiation</li> <li>• Biological safety - e.g. food hygiene, TSEs.</li> <li>• Chemical safety - e.g. additives, contaminants, food contact materials,</li> <li>• Biotechnology - GM food</li> </ul> <p><b>Defra (and its agencies), the SG DG Environment, RA and DARD; HSE</b></p> <ul style="list-style-type: none"> <li>• Imports controls - animal health aspects for products of animal origin (POAO)</li> <li>• Labelling - beef labelling and protected food names</li> <li>• Composition and standards - organic produce</li> <li>• Biological safety - certain rules relating to TSEs</li> <li>• Residues of pesticides (HSE)</li> <li>• Residues of veterinary products (VMD)</li> </ul>																				
<p><b>Ensuring that food satisfies the requirements of food law</b></p>	<p style="text-align: center;">Farm <span style="margin-left: 150px;">All stages of production, processing and distribution</span> <span style="float: right;">Fork</span></p> <p style="text-align: center;"> </p>																				
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**Figure 3.2 - Division of responsibility for official feed controls - at a glance**

<p><b>Developing and Implementing feed law</b></p>	<p><b>FSA</b></p> <ul style="list-style-type: none"> <li>• General - traceability, rapid alert system (RASFF), official controls</li> <li>• Import controls</li> <li>• Labelling</li> <li>• Composition and standards</li> <li>• Biological safety - e.g. feed hygiene</li> <li>• Chemical safety - prohibited and undesirable substances</li> <li>• Biotechnology - GM feed</li> </ul>		<p><b>Defra (and its agencies), the SG DG Environment, RA and DARD</b></p> <ul style="list-style-type: none"> <li>• Animal by-products - feed ban, <i>Salmonellas</i> etc.</li> <li>• Medicated feed</li> <li>• Chemical safety - specified feed additives</li> </ul>									
<p><b>Ensuring that feed satisfies the requirements of feed law</b></p>	<p style="text-align: center;">Farm <span style="margin-left: 100px;">—————→</span> Fork</p> <p style="text-align: center;">All stages of production, processing and distribution</p> <p style="text-align: center;">Feed business operators (Approximately 140,000 business in the UK - this includes farms.)</p>											
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**Figure 3.3 - Division of responsibility for official animal health and welfare controls**

<p><b>Policy and Development and implementation of animal health and animal welfare legislation</b></p>	<ul style="list-style-type: none"> <li>• Department for Environment, Food and Rural Affairs (Defra)</li> <li>• SG DG Environment</li> <li>• Welsh Assembly Government, Department for Rural Affairs (RA)</li> <li>• Department of Agriculture and Rural Development for Northern Ireland (DARD)</li> </ul>					
<p><b>Official controls (Delivery landscape)</b></p>	<p><b>Defra Executive Agencies</b></p> <ul style="list-style-type: none"> <li>• Animal Health (including local veterinary inspectors)</li> <li>• Rural Payments Agency (including the British Cattle Movement Service)</li> <li>• Veterinary Laboratories Agency</li> <li>• Veterinary Medicines Directorate</li> <li>• Central Science Laboratory - Bee Health Unit</li> <li>• Cefas Fish Health Inspectorate</li> <li>• Food and Environment Research Agency</li> </ul>	<p><b>Devolved Administrations</b></p> <ul style="list-style-type: none"> <li>• SG DG Environment (Scottish Government Field Officers and Fisheries Research Services)</li> <li>• RA (Rural Payments Wales)</li> <li>• DARD (Veterinary Service and Grants and Subsidies Division)</li> </ul>	<p><b>Other Government Departments</b></p> <ul style="list-style-type: none"> <li>• Food Standards Agency (Meat Hygiene Service)</li> <li>• Her Majesty's Revenue and Customs</li> </ul>	<p><b>Local Government</b></p> <ul style="list-style-type: none"> <li>• Local authorities in Great Britain</li> <li>• Port health authorities</li> <li>• LACORS (Local Authority Co-ordinators of Regulatory Services) - co-ordination role</li> </ul>	<p><b>Non-departmental Public Bodies</b></p> <ul style="list-style-type: none"> <li>• Environment Agency</li> <li>• Meat and Livestock Commission</li> </ul>	<p><b>Other bodies</b></p> <ul style="list-style-type: none"> <li>• Royal Society for the Prevention of Cruelty to Animals</li> <li>• Scottish Society for the Prevention of Cruelty to Animal</li> </ul>

## **Chapter 4 - Working together to safeguard public, animal and plant health, to protect consumers, and to promote animal welfare: what improvements have we made?**

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### **Overview**

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- 4.1 The National Control Plan (NCP) outlines the main mechanisms that are in place in the UK for facilitating co-ordination and co-operation, on a day-to-day basis and for dealing with emergencies, between the various competent authorities and other bodies that are responsible for undertaking official controls. It also outlines the mechanisms in place for the competent authorities in the UK to assist and co-operate with the European Commission and with other Member States where issues are identified that may have a potential impact in more than one Member State or across the Community.
- 4.2 These mechanisms operated throughout 2008 and have played a significant part in ensuring that the overall objectives of the UK NCP were achieved during this period. A number of improvements to existing mechanisms and a number of new mechanisms were also put in place during 2008 and these are reported below.

### **Co-ordination and co-operation in the feed and food sectors**

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#### **Local Authorities Co-ordinators of Regulatory Services (LACORS) Regional and National Liaison Groups for feed and food**

- 4.3 LACORS and the FSA continued working together in 2008 to establish a system of Regional Liaison Groups in England to provide a more strategic forum for representatives of Local Food Liaison Groups to raise issues or concerns with the FSA and provide informal feedback on Official Control activity. There have also been separate meetings in 2008 with the Regional Liaison Groups for each of Scotland, Wales and Northern Ireland. The FSA will host further meetings during 2009, via the new Regional Liaison Groups and via the smaller county Food Liaison Groups to establish more effective coordination and communication of feed and food policy and enforcement.
- 4.4 Local Authorities in England and Wales participate in 'Food Liaison Group Meetings' where co-ordination of activities through the different regions is discussed. Animal Health Dairy Hygiene, who carry out official controls in England and Wales also attend Food Liaison Group Meetings in order to facilitate better communication between the local authorities and Animal Health.

- 4.5 In addition, during the year a meeting was held to discuss enforcement arrangements in the event of loss of 'Officially Tuberculosis Free' (OTF) status in dairy cattle herds. The aim of these arrangements being to ensure that milk from reactor animals does not enter the food chain and that milk from other animals is heat-treated. A co-ordinated input is required from a number of competent authorities, in particular Animal Health and local authorities, to ensure appropriate action is taken. At the meeting, the roles and responsibilities of each party were discussed and the need for some improved practices were identified, e.g. the most appropriate information to be included in notifications of loss of OTF status to local authorities to ensure action can be taken quickly. Action points were identified to put these changes into effect.

## **Food Standards Agency support mechanisms**

### **Stakeholder groups**

- 4.6 The UK NCP highlights that the FSA has set up a number of stakeholder groups for facilitating co-ordination and co-operation as regards feed and food controls. These Groups continued to meet during 2008 and the discussions that took place helped to contribute to achieving greater co-ordination and co-operation. It is expected that these discussions will lead to better targeting of official controls in areas of greatest risk and reduce unnecessary burdens on businesses by the Agency having a greater understanding of the practical implications of regulations, and also considering more collaborative activity to support business compliance.
- 4.7 The report for 2007 highlighted that the Animal Feed Law Enforcement Liaison Group (AFLELG) agreed a memorandum of understanding (MoU) between the various competent authorities that have responsibility for official feed controls setting out how greater co-ordination can be achieved. Key to this was an agreement to develop bi-lateral MoUs to deal with the overlap in responsibilities between the various authorities and agencies involved. A second bi-lateral MoU, between LACORS and Animal Health, was agreed in 2008 and can be found, together with the other MoUs, at:

[www.food.gov.uk/enforcement/enfcomm/aflelg/aflelgmembertor#h\\_4](http://www.food.gov.uk/enforcement/enfcomm/aflelg/aflelgmembertor#h_4).

During 2008, a sub-group of AFLELG, the National Animal Feed Ports Panel, was created to specifically examine import controls of animal feed in the UK. The minutes and papers of Panel meetings can be found at:

<http://www.food.gov.uk/enforcement/enfcomm/aflelg/nafpp/>.

## FSA training for local authority enforcement officers

4.8 The following training courses were held in 2008:

- Training programme for local authority enforcement officers – Training was provided across the UK in the following areas: enforcement of the Food Hygiene Regulations; food hygiene enforcement interventions; HACCP training; fish and shellfish risks and controls; FSA Guidance and protocols; shellfish sampling for official control as well as statutory monitoring programmes and shoreline survey's; health claims and labelling; food allergens; imported food; the UK food sampling and surveillance database; Safer Food Better Business; vacuum-packing; modified atmosphere packing and cooking; chilling of meat products and feed hygiene. Other subjects for training included HACCP assessment, lead auditing, investigation skills, on-farm pasteurisation, food allergens, food labelling and vacuum-packing.
- Local authority enforcement monitoring system - A series of training seminars on this new monitoring system was provided for all local authorities in March and April 2008.
- Training for on-farm hygiene enforcement - Training was provided across the UK for officers involved in undertaking feed hygiene enforcement on-farm. This consisted of five two-day courses which followed on from the training in this area provided during 2007. In addition, six one-day courses introducing officers to HACCP were also delivered during 2008.
- Food controls at egg production sites - Training was provided to Egg Marketing Inspectorate (EMI) inspectors in May 2008 to explain why the new on-farm hygiene inspections were required, provide the information on standards expected in the new enforcement guidance that had been produced, and on how to apply the guidance consistently.
- Meat Hygiene Service (MHS) training for OV's and Official Auditors - Significant training initiatives in 2008 related to the introduction of the Lead Veterinarian role, Official Veterinarian as establishment Team Leader, and those relating to changes introduced to SRM (Specific Risk Material) and BSE (Bovine Spongiform Encephalopathy) testing controls. Other training initiatives included: emergency slaughter in cattle; animal identification - cattle and sheep; edible co-products and animal by products; risk based enforcement; Campylobacter (e-learning); and wild game.

## Grants and expertise

4.9 The following were provided in 2008:

- Safer Food Better Business (SFBB) - This has been developed to help micro and small catering and retail businesses comply with the legal requirements for food safety management procedures based on HACCP principles. The programme provides free SFBB packs and guidance for businesses. A toolkit of support for local authorities and grants to assist local business support projects has also been provided. To date, FSA grant-funded activity has provided face to face support to over 55,000 businesses. In addition, regional



training has been provided to around 1,500 local authority officers to help them deliver the SFBB programme. The Agency launched an interactive SFBB DVD in February 2008, which has voiceovers in 16 languages. The package consists of a disc with an accompanying A4 leaflet, which is aimed at new staff working in food businesses. The DVD complements the SFBB packs for caterers and retailers and provides guidance for managers on implementing SFBB. It can also be used for training staff. An on-line version of the DVD is also available on the Agency website at: <http://www.sfbtraining.co.uk>. In addition, a supplement for small residential care homes was launched in May 2008. It is to be used with the SFBB pack for caterers and contains three additional safe methods which cover specific food safety issues found in care homes.

- Safe Catering – Your Guide to Making Food Safely – This initiative in Northern Ireland has been developed to help catering businesses produce a food safety management plan based on HACCP principles and keep records appropriate to their business. During 2008, a further 2000 ‘Safe Catering’ packs and 9000 recording books were provided to local authorities in Northern Ireland. More information on the Safe Catering initiative is available at:

<http://www.food.gov.uk/northernireland/safetyhygieneni/safecateringni/>

- CookSafe and RetailSafe – In Scotland, two packs have been produced to help businesses implement food hygiene legislation successfully. CookSafe is designed to help catering businesses understand and implement HACCP-based systems and RetailSafe is designed for retailers handling high-risk foods. In 2008 these packs were made available through a commercial publisher<sup>26</sup>. The Royal Environmental Health Institute of Scotland<sup>27</sup> established a programme which delivers CookSafe training. More information on CookSafe and RetailSafe is available at:

<http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/cookretailsotland/>

- Food co-products entering the animal feed chain - In Northern Ireland, the FSA facilitated a number of meetings between DARD Quality Assurance Branch (QAB) (Animal Feed) and district council representatives to discuss this issue. A pilot programme whereby district council Environmental Health Officers inspect this area at their routine visits and report to DARD QAB was agreed and implemented. This pilot was evaluated and deemed successful. It was hoped to roll the programme out across Northern Ireland by the end of 2008 but this was delayed to April/May 2009.
- Feed hygiene controls - In 2008, the FSA agreed to pay £1.5 million per year to local authorities for undertaking official controls in respect of Regulation

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<sup>26</sup> TSO (The Stationery Office) - <http://www.tso.co.uk/>

<sup>27</sup> Information on the Royal Environmental Health Institute of Scotland is available at: <http://www.royal-environmental-health.org.uk/>

(EC) 183/2005 on feed hygiene<sup>28</sup> in England in 2008/2009. Separate arrangements have been made in Scotland, Wales and Northern Ireland to fund official controls in respect of this legislation.

- Primary Production controls – in 2008, local authorities in Scotland were provided with funding to carry out official food and feed hygiene controls at primary production level.
- Monitoring of chemical migration - Grants were made available to the local authorities to carry out additional monitoring of chemical migration from food contact materials and articles being imported from third countries. Awareness of the rules in place governing chemical migration from food contact materials and articles was included among the topics discussed in a series of regional workshops designed and run for Small and Medium-sized Enterprises to increase their awareness of their responsibilities and improve their ability to comply with the law.
- Monitoring irradiated food - FSA funding was provided to local and port health authorities to support additional sampling for irradiated Asian noodle-type meals, soups and sauces and food supplement products as requested by the Commission.<sup>29</sup>

### **Food sampling and surveillance database**

4.10 In order to provide a clear view of the national enforcement sampling by local authorities, the FSA has invested over £1.5 million to develop and rollout the UK Food Surveillance System (UKFSS) to local authorities across the UK. UKFSS provides a national database that retains consistent records of food sampling data submitted for analysis. UKFSS will make it easier to identify any gaps, emerging risks or duplication of effort in the national sampling. In 2008, the system was being used in 26 authorities in Northern Ireland, and 29 of the 32 Scottish authorities. Less than 10% of authorities in England and Wales were using the system in 2008 but the programme will continue to be rolled out in England, Wales and the three remaining Scottish authorities in the period until December 2010.

### **FSA presence in Regional Government Offices in England**

4.11 During 2008/09, a number of local partnership events took place in the four English regions where the FSA has a regional presence (East Midlands, South East, South West and North West) to embed key FSA messages and support the local delivery of key FSA targets on food safety, healthy eating and labelling. There has been a particular focus during the year on a series of workshops with local authority and local food industry partners to improve food incident prevention, reporting and handling. In February 2009 it was agreed that the FSA

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<sup>28</sup> Regulation (EC) No 183/2005 of the European Parliament and of the Council laying down requirements for feed hygiene. Official Journal L35, 8.2.2005, 1-22.

<sup>29</sup> Report from the Commission on food irradiation for the year 2006 (Official Journal C 282, 6.11.2008, 3-19).

Regional Unit would extend its cover into all nine of the Government Regions of England from 1 April 2009.

## Guidance material

4.12 The following guidance material was issued in 2008:

- Official controls and enforcement of hygiene regulations on UK egg production sites - This Guidance outlines areas that will be subject to inspection and the standards expected for producers to comply legal requirements. The guidance is available at:  
<http://www.food.gov.uk/foodindustry/guidancenotes/>
- Notification of deoxynivalenol (DON) in wheat - The Agency issued a guidance letter to local authorities to aid in the handling and notification of DON in wheat incidents, where there is a suspicion that they may be non-complaint with the requirements of Commission Regulation (EC) No. 1881/2006.<sup>30</sup> This is available at:  
<http://www.food.gov.uk/multimedia/pdfs/enforcement/enfe08060.pdf>
- Official Controls in approved meat establishments - The Manual for Official Controls (MOC) is an MHS document that provides guidance to MHS field staff in relation to the delivery of Official Controls in approved meat establishments. The MOC was amended seven times during 2008 to reflect changes in legislation and policy. A copy of the manual is available at:  
<http://www.food.gov.uk/foodindustry/meat/mhservice/mhsmanual2006/>
- Managing foodborne illness - Guidance providing a framework for England and Wales for environmental health professionals and others for managing outbreaks of infectious intestinal disease caused by eating microbiologically contaminated food was revised. The Guidance covers the arrangements that should be in place, ways in which outbreaks may be detected, ways in which outbreaks are investigated and controlled and advice on communications. The updated document is available at:  
[www.food.gov.uk/foodindustry/guidancenotes/hygguid/outbreakmanagement](http://www.food.gov.uk/foodindustry/guidancenotes/hygguid/outbreakmanagement)
- Principles for preventing and responding to food incidents - Guidance providing step-by-step advice for the prevention and identification of potential hazards and practical recommendations on responding to incidents as they happen - from notification to post-incident actions was updated. The updated document is available at:  
<http://www.food.gov.uk/foodindustry/guidancenotes/incidentsguidance/principlesdoc>
- Guidance on the contamination of feed and food with melamine – The Agency produced various guidance for stakeholders, including enforcement authorities, on the emergency controls implemented during 2008

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<sup>30</sup> Commission Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs (Text with EEA relevance) Official Journal L 364, 20.12.2006, 5–24.

(Commission Decision 2008/798/EC<sup>31</sup>) as a result of the contamination of feed and food originating from China with melamine. This may be found at:

<http://www.food.gov.uk/foodindustry/farmingfood/animalfeed/melamine/>

Latest information about food products tested in the UK and found to be contaminated with melamine is available at:

[http://www.food.gov.uk/news/newsarchive/2008/nov/latestonmelamine#h\\_1](http://www.food.gov.uk/news/newsarchive/2008/nov/latestonmelamine#h_1)

### **Defra support mechanisms**

- 4.13 The Beef Labelling Scheme inspectors and the Meat Technical Schemes Unit meet every quarter to discuss issues and ways of resolving them, and to highlight and discuss any new legislation coming into force. Beef labelling scheme literature has been updated, including Guidance Notes and Inspection Report Form, incorporating amendments to the legislation.<sup>32</sup>

### **Co-operation and co-ordination for official controls of imported feed and food**

4.14 Developments in this area that took place during 2008 include:

- Imported Food Control Resource Pack - This provides guidance to local and port health authorities and was reviewed and updated. The revised Resource Pack is available at:  
[http://www.food.gov.uk/foodindustry/imports/enforce\\_authorities/resourcepack](http://www.food.gov.uk/foodindustry/imports/enforce_authorities/resourcepack)
- Raising awareness of chemical migration issues - A dedicated seminar was held for enforcement officers of the Port Health Authorities to increase their awareness of the rules in place governing chemical migration from food contact materials and articles.
- Training - A further programme of training courses on imported food controls (including on enforcement, sampling and post import control of imported foods) was updated and provided for enforcement practitioners.
- Guidance and Regulatory Advice on Import Legislation (GRAIL) - An internet-based database on imported food legislation and guidance for all enforcement practitioners in local and port health authorities went online in March 2008. GRAIL now has over 1,300 registered users, including enforcement and industry both in the UK and globally. GRAIL is at:  
<https://grail.foodapps.co.uk/grail/general/home.aspx>
- Sampling and analysis of imported feed and food - The Imported Food Sampling Group met to co-ordinate food sampling activity for 2008/2009 and

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<sup>31</sup> Commission Decision 2008/798/EC imposing special conditions governing the import of products containing milk or milk products originating in or consigned from China, and repealing Commission Decision 2008/757/EC (notified under document number C(2008) 6086) (Text with EEA relevance) Official Journal L 273, 15.10.2008, 18–20.

<sup>32</sup> See: <http://www.rpa.gov.uk/rpa/index.nsf/UIMenu/85A11F090B05298D802574D50046D5DB?Opendocument>

grants for additional sampling of imported food up to a total of £900,000 made available to local and port health authorities. For the first time an additional £140,000 was also available for the sampling of feed originating from outside the EU. Grants were also available to the authorities for controls on 'high-risk' food of non-animal origin at points of entry pending the application of the draft EC Regulation under Article 15.5 of Regulation (EC) 882/2004 on official controls.

- Web-based information - The dedicated website section on imported food was updated regularly (see: <http://www.food.gov.uk/foodindustry/imports/> ).
- Border Inspection Post (BIP) manual - An updated manual was issued in April 2008 which incorporated changes to legislation over the previous six months. The manual can be found at:  
<http://www.defra.gov.uk/foodfarm/animaltrade/imports/bips/pdf/bipmanual.pdf>
- Official veterinary surgeon (OVS) Notes - A total of 103 OVS Notes, which are used by Defra and the FSA to keep BIPs up-to-date with changes to import controls, were issued. They can be found at:  
<http://www.defra.gov.uk/foodfarm/animaltrade/imports/ovsnotes/08/index.htm>
- Guidance for enforcement bodies on the control and disposal of international catering waste (ICW) - This was revised and issued in July 2008. This is intended to provide clarity of roles and responsibilities, increase communication between delivery partners and thus generate a consistent enforcement approach for effective enforcement of regulatory requirements relating to the correct disposal of ICW from ports and airports. The guidance can be found at:  
<http://www.defra.gov.uk/foodfarm/animaltrade/icw/guidance.htm>
- BIP update training - Training courses, organised by Animal Health, were held in June and November 2008. Topics included cascade training from the Better Training for Safer Food courses held by the Commission.
- Sampling Guidance – On 1 April 2008 UK BIPs began taking samples under the UK National Monitoring Plan for imported products of animal origin. Samples are taken from 1% of consignments which are physically checked. The plan includes guidance from the FSA which enables BIPs to target samples based on the risk each product presents. The Plan is incorporated in the BIP manual (see link above).

## **Pesticide residue monitoring**

4.15 Developments in this area that took place during 2008 include:

- Standing operating procedures for the administrative tasks associated with processing the results of the national monitoring programme were drawn together into a single document for internal use. The Pesticides Safety Directorate met with control bodies to ensure that they were aware of any changes to the requirements.

- PSD wrote to the food production and supply industry to request that they provide information on their own pesticide residues monitoring programmes.

## **Co-ordination and co-operation in the animal health and welfare sectors**

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### **Liaison groups**

4.16 As in the feed and food sectors, there are a number of liaison groups in the animal health and welfare sectors which held meetings during 2008 and the discussions that took place helped to contribute to achieving greater co-ordination and co-operation.

### **LACORS**

4.17 The important partnership between LACORS, local authorities and Defra has continued to develop during 2008 and this has led to a greater understanding of each others needs and working practices. Most local authorities with responsibility for animal health and welfare in England and Wales are signed up to a Framework Agreement for the delivery of services.<sup>33</sup> The Framework was revised in 2008 and is being further supported and enhanced in England by the successful introduction of a National Indicator for Animal Health (No 190).<sup>34</sup> It is expected that together they should ensure an enhanced universal approach to animal health work and performance assessment.<sup>35</sup> The National Indicator and the Framework Agreement will help authorities to understand the key national priorities of contingency planning, risk assessment, intelligence sharing and changing the behaviour of non-compliant businesses. At the same time, they allow flexibility for authorities to respond to the particular needs of their farming communities, whether these be bovine TB, poultry disease or supporting isolated rural areas.

### **Wales**

4.18 During the review of the Framework Agreement in 2008, in consultation with local authorities in Wales, LACORS/WLGA, the Welsh Assembly Government selected two “national priorities” (Sheep Scab and the TB Eradication programme). To achieve a consistent approach to these key areas of policy across Wales, enforcement guidance was drafted jointly by Assembly Government officials and LAs in Wales.<sup>36</sup>

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<sup>33</sup> <http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/pdf/ahw-framework2009.pdf>

<sup>34</sup> More information at: <http://www.defra.gov.uk/corporate/about/what/localgovindicators/ni190.htm>

<sup>35</sup> Both the revised Framework and the National Indicator became active from 1 April 2009.

<sup>36</sup> Guidance at: <http://new.wales.gov.uk/topics/environmentcountryside/ahw/disease/sheepscabpi/?lang=en>



## National Animal Health and Welfare Panel

- 4.19 In addition to the Animal Health and Welfare Panel in Wales, a Red Tape Review stakeholder group was set up in spring 2008 including representatives from the farming unions, Environment Agency, Food Standards Agency, local authorities and Farm Assured Schemes amongst others. The Group was formed to help identify opportunities to reduce bureaucracy within the farming industry in Wales, to prioritise the areas to be looked at and to deliver on these.<sup>37</sup>

## Scotland

- 4.20 In Scotland, the Scottish Government (SG), Animal Health and Welfare Division have worked closely with the Convention of Scottish Local Authorities (COSLA) and partner agencies to produce the '*Animal Health & Welfare Statutory Obligations and Main Activity Areas for Local Authorities*'.<sup>38</sup> The creation of this guidance and the regular meetings that have taken place during its production have served to enhance the already close working relationship that exists between SG and local authorities in Scotland. This, in turn, has led to a greater understanding of each other's needs and working practices.

## Training initiatives

- 4.21 Animal welfare - A series of five training events took place across Great Britain in October and November 2008 covering all the relevant aspects of animal welfare issues. The aim was to improve delivery of the welfare work carried out by Animal Health on farms, during transport, and at slaughter outside licensed slaughterhouses. Part of the training was dedicated to enforcement and liaison with local authorities and a review of welfare inspections (supervised loadings) before a long-distance journey and welfare surveillance at ports. In total approximately 250 members of staff attended.
- 4.22 Central Government Resilience Training - These courses (which Defra initiated and which are now being rolled out by the Cabinet Office) are being promoted throughout the emergency planning community in Defra. The aim of the training is to equip people with the knowledge, skills and awareness necessary for their role in crisis management. More details can be found at:

<http://www.cabinetoffice.gov.uk/ukresilience/response/ukgovernment/cgert.aspx>.

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<sup>37</sup> Further information available at: <http://wales.gov.uk/docs/drah/publications/090814redtapeprogressen.pdf> or <http://www.wales.gov.uk/environmentandcountryside>

<sup>38</sup> Further information available at: <http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/AHWStrategy/ActivityAreasLocalAuth>

- 4.23 Northern Ireland - An Investigation and enforcement training course, now accredited at NQF<sup>39</sup> Level 4 by the Open College Network, was delivered by local trainers assisted by a solicitor and a Gloucester Trading Standards Officer. In total 35 members of Veterinary Service staff attended. The main topics of the course were how to implement Veterinary Service Enforcement policy, conduct investigations, understand animal health and welfare legislation, and the responsibilities involved in presenting evidence in Court.

### **Other mechanisms**

- 4.24 During 2008, Defra, and the Agriculture/Rural Affairs Departments in the Devolved Administrations and Animal Health continued with their regular meetings. These meetings provided an interface between Defra and the main bodies responsible for the delivery of policies to implement the Animal Health and Welfare Strategy. Meetings confirmed that the delivery chain was working effectively on agreed priorities to deliver desired outcomes. In addition, regular meetings between the Animal Health Regional and Divisional Offices and the local authorities (formalised in the new Framework Agreement) provided an excellent opportunity to review and promote best practice in an open forum.
- 4.25 Defra has also developed a notification system for plant health controls linked to Her Majesty's Revenue and Customs on single window principles. This was launched in November 2008 and will enable more efficient implementation of the plant health import controls introduced by Directive 2002/89.<sup>40</sup>
- 4.26 For Bee health, there are regular contacts between policy, laboratory and Inspection staff. The annual Bee Health Meeting involving stakeholders and other Government Departments took place in December 2008. Meetings also took place during the year to discuss the formulation of the Healthy Bees plan. The Healthy Bees plan is aimed at protecting and improving the health of honey bees in England and Wales and will help determine priorities for the Bee Health Programme and associated research and will define responsibility for action on bee pests and diseases. Details available at:
- <http://www.fera.defra.gov.uk/plants/beeHealth/documents/healthyBeePlan.pdf>
- 4.27 The National Bee Unit (NBU) and its inspectors have been pro-active in promoting better husbandry techniques, disease recognition and control with the beekeeping industry. In 2008, the NBU carried out 344 talks (increased from 150 in 2007) and 362 practical demonstrations (increased from 225 in 2007). These include educational activities such as Integrated Varroa Management and Disease Recognition workshops.

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<sup>39</sup> The National Qualifications Framework (NQF) sets out the levels against which a qualification can be recognised in England, Wales and Northern Ireland. Further information at: [http://www.qca.org.uk/qca\\_5967.aspx](http://www.qca.org.uk/qca_5967.aspx).

<sup>40</sup> Council Directive 2002/89/EC amending Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community Official Journal L 355, 30.12.2002, 45–60.



## **Emergency and contingency planning**

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### **Feed and food sectors**

#### **Food Standards Agency**

- 4.28 To help us reduce the number and impact of food safety incidents, in 2008 the Agency published an incident prevention strategy. The strategy is focused on intelligence gathering and horizon scanning to identify emerging risks to the food chain. Collaborative work with industry will continue to identify root causes of incidents and to produce best practice guidance to further target incident prevention work. As part of the work to make it easier to report incidents, an online incident report form was rolled out to local authorities in July to enable easier and quicker incident notification. This was followed by the launch of a new incidents section on the FSA website at: [www.food.gov.uk/foodindustry/incidents](http://www.food.gov.uk/foodindustry/incidents).

#### **Meat Hygiene Service**

- 4.29 The MHS invoked its contingency planning processes in 2008 in Great Britain in response to outbreaks of Avian Influenza. The planning processes for notifiable disease as documented in the MHS Manual for Official controls are reviewed on a regular basis. The MHS fully reviewed its contingency plan in October 2008. The MHS also commenced a detailed review and re-drafting of its disaster recovery/ business continuity plan relating to its HQ facilities in York.

### **Animal health and welfare sectors**

- 4.30 Great Britain has the status of a single epidemiological zone. A co-ordinated disease control approach will therefore be taken across Great Britain to an outbreak of an exotic notifiable animal disease. A single unified agency (Animal Health) with responsibility for delivering Governments' operational response has input to the English, Scottish and Welsh Contingency plans. Animal Health exercises these plans locally, regionally and in large-scale exercises with all partners.
- 4.31 A Great Britain-wide exercise to test the Classical Swine Fever contingency plan took place in June 2008. A number of smaller national level exercises were also undertaken to test various elements of the overall animal health contingency plan. In addition during 2008 each Animal Health Office carried out at least one local exercise as part of the Animal Health agency's national contingency planning programme to examine disease scenarios, test local contingency plans and make sure that local operational partners and industry representatives were fully involved.

## England

- 4.32 Defra successfully deployed its contingency plans and operational instructions in order to respond to an incident of highly pathogenic Avian Influenza in wild birds in February 2008 and an outbreak of highly pathogenic Avian Influenza in poultry in June. The Department also responded to a case of rabies in a dog although this was not classified as a disease outbreak as it occurred in a quarantine premises. Defra also managed the ongoing disease threat posed by the current outbreak of Bluetongue (BTV-8) and successfully facilitated a major programme of vaccination.
- 4.33 Defra's Contingency Plan for Exotic Animal Diseases, which is reviewed annually, is produced for the Department by the Animal Health agency. Defra's revised Contingency Plan for Exotic Animal Diseases was issued for public consultation during the summer and laid before Parliament on 9 December 2008.<sup>41</sup> The Plan was amended to reflect the lessons identified from the outbreaks and incidents handled during 2008. The Plan has also been updated to address recommendations made in Sir Iain Anderson's review of the 2007 outbreak of Foot and Mouth disease.<sup>42</sup>

## Scotland

- 4.34 Scottish Government has consolidated its existing exotic disease contingency plans into a single generic contingency framework plan. Control responses to specific exotic diseases have been appended as annexes. This work is expected to be published in September 2009 following Ministerial approval. The new generic plan will support a rapid and flexible approach to the containment, control and eradication of exotic disease outbreaks within Scotland. The Scottish Government's Exotic Animal Disease Communications Strategy, which compliments the framework plan has also been reviewed to reflect the updated framework plan and to build upon experience and lessons from recent incidents.

## Wales

- 4.35 The Welsh Assembly Government published updated contingency plans in March 2008. The Welsh Assembly Government Framework Response Plan for Exotic Animal Diseases and the Welsh Assembly Government Overview of Emergency Preparedness for Exotic Animal Diseases compliment the plans for Great Britain produced by Defra and were updated to incorporate lessons learned from dealing with outbreaks. These plans were again revised in March 2009.<sup>43</sup>

## Northern Ireland

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<sup>41</sup> <http://www.defra.gov.uk/corporate/about/what/contingency/topics/animal.htm> and <http://www.defra.gov.uk/foodfarm/farmanimal/diseases/control/contingency/exotic.htm>

<sup>42</sup> <http://archive.cabinetoffice.gov.uk/fmdreview/>

<sup>43</sup> This is available at: <http://new.wales.gov.uk/topics/environmentcountryside/ahw/exoticdisease/?lang=en>

- 4.36 The Department carried out two operational exercises involving Foot and Mouth Disease and Avian Influenza, and two desktop contingency exercises on Avian Influenza and Rabies during 2008. These exercises involved outside agencies such as the Police Service for Northern Ireland, the Fire Service and Local Councils. Feedback from these exercises was utilised in enhancing Contingency Plans.

### **Aquatic animal health**

- 4.37 The new Aquatic Animal Health Directive 2006/88/EC<sup>44</sup> that replaced the existing legislation on fish and shellfish diseases requires the publication of contingency plans for exotic aquatic animal diseases. Existing contingency plans were subject to comprehensive review to ensure that the operational plans developed by the delivery agencies interact with the national contingency plans held by Defra.

### **Bee health**

- 4.38 Two simulation exercises were conducted. A surveillance programme for exotic pests was completed in identified 'at risk' apiaries.

### **Plant health**

- 4.39 Following initial detections in late 2006 and a further survey in spring 2007, a campaign continued in 2008 to try to eradicate Oak Processionary Moth (OPM) (*Thaumetopoea processionea*) in south-west London, given the threats presented by this pest which is native to central and southern Europe. As well as causing serious defoliation to oak trees, OPM also presents a threat to human and animal health through a toxin, Thaumetopin, found in hairs during the larval stages which causes serious skin irritation or, in worse cases, respiratory problems. The campaign is co-ordinated by the Forestry Commission under its Contingency Planning procedures and involves Defra, affected Borough Councils, Kew Gardens and the HPA.
- 4.40 Adult Pine-tree Lappet moths (*Dendrolimus pini*) were trapped in a forest location near to Inverness in July 2008 and the Forestry Commission has implemented its Contingency Plan for this pest to determine whether there is an established population and, if so, how best to deal with it. This involved surveys for over-wintering larvae in December to be followed by more surveys and the deployment of traps for larvae and moths in the spring and summer, respectively, in 2009.

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<sup>44</sup> Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. Official Journal L 328, 24.11.2006, 14-56.

## **Working across the EU**

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### **Feed and food**

- 4.41 The Food Standards Agency is the designated liaison body in the UK for the purposes of Article 35 of Regulation (EC) No 882/2004 and, as such, is responsible for assisting and co-ordinating communication between competent authorities and the transmission and reception of requests for assistance. In 2008 the major categories of cases dealt with were: Labelling irregularities 54; physical/microbiological contamination 44; and others 10. In each case, details of the complaint were forwarded to the relevant authority, investigation/inspection was undertaken where appropriate and reports provided back to the originating authority and appropriate enforcement action taken where necessary. All cases were logged on the FSA's Incidents Database.
- 4.42 In October 2008, the Irish authorities advised Chemicals Regulation Directorate<sup>45</sup> that they had tested a sample of UK potatoes which contained chlorpropham in excess of the MRL. Since this finding was indicative of illegal (unauthorised) use of chlorpropham in the UK a formal investigation was initiated, and is continuing.
- 4.43 At the end of 2008, melamine was found in imports from the People's Republic of China of organic soya expeller for animal feed use. The European Commission advised that any product found to contain melamine at more than 2.5mg/kg should be destroyed. Commission Decision 2008/798/EC set out the requirements for official checks that should be made on feed and food products originating from China and the action that should be taken following where contamination is found. Defra ensured that the organic inspection bodies followed this requirement and asked them to maintain surveillance of such imports as well as work with their licensees to strengthen guarantees that organic standards are complied with. The inspection bodies investigated imported organic soya expeller from China in conjunction with importers holding authorisations to import such products. The results showed that melamine contamination was not a problem in the UK. The Food Standards Agency provided advice to enforcement authorities who were responsible for enforcing the provisions of the Decision as they applied to materials originating from China used for animal feed – see paragraph 4.12 above.

### **Animal health and welfare sectors**

- 4.44 Enforcement of animal health and welfare legislation remains an important strand in the support of all DARD programmes and during 2008 the Veterinary Service

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<sup>45</sup> Which was then the Pesticide Safety Directorate (PSD)

Central Enforcement Team strengthened relationships with investigators from across the EU by organising and hosting a meeting of the Heads of Medicines Agencies, Working Group of Enforcement Officers.

## **Chapter 5 - Raising standards and sharing good practice: what was achieved in 2008?**

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### **Background**

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5.1 The UK National Control Plan (NCP) sets out how the performance of the competent authorities responsible for official controls is assessed through audit and other mechanisms in order to verify that they are providing an effective and consistent service. It highlights where audit systems have been established and where systems are still being developed. Where systems are in place, details of the audits that took place during 2008 are reported in this Chapter. Progress on establishing arrangements for the audit of other authorities is also reported. In addition, information is provided in respect of missions undertaken to the UK in 2008 by the Commission's inspection services, the FVO.

### **Feed and Food sectors**

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#### **Official controls for which the Food Standards Agency (FSA) is responsible at central Government level**

##### **Annual reporting**

5.2 The FSA has now put in place a new local authority audit/reporting programme. This includes arrangements for producing an annual UK high-level audit report summarising central audit activity and the performance of all the authorities that undertake official controls in respect of the feed and food law for which the FSA is responsible. The aim is to facilitate the analysis of the effectiveness of the control arrangements and the identification of good practice. The first of these annual audit reports, covering the 2007/08 period, was presented to the FSA Board in February 2009. The report is available at:

<http://www.food.gov.uk/multimedia/pdfs/board/info090201.pdf>

##### **Local and port health authorities**

5.3 Arrangements for the assessment of local authority feed and food law regulatory services by the FSA have been in place since April 2001. Authorities are audited against the 'the Standard' in the *Framework Agreement on Local Authority Food Law Enforcement*,<sup>46</sup> which sets out the minimum standards of performance

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<sup>46</sup> The Framework Agreement is available at: <http://www.food.gov.uk/enforcement/enforcework/frameagree/>

expected across the range of feed and food law regulatory activities. A draft updating of the Framework Agreement was published in October 2008, for comments by local authorities<sup>47</sup>. This will be finalised and published during 2009. The aim of the review is to update the Agreement in line with other changes to audit, the *Food Law Code of Practice* and monitoring arrangements.

- 5.4 The audit scheme is implemented on a UK basis, with the FSA in England, Scotland, Wales and Northern Ireland each co-ordinating their own audit programmes. Details of the 2008 programmes are given in Table 5.1.
- 5.5 Individual audit reports and related local authority action plans are published on the FSA website. Audit programme summary reports are compiled, where appropriate, and also published. These analyse and identify wider policy issues and trends for consideration by relevant central competent authorities, local authorities and their representative groups. All reports can be found at:  
<http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/>
- 5.6 Although the various audit programmes identified a number and range of issues for further action, all recommendations were accepted by the relevant authorities and appropriate corrective actions agreed. Follow-up audit verification checks ensured that agreed actions were prioritised appropriately and remedial actions implemented within acceptable timescales.
- 5.7 One of the key stated aims of the FSA audit process is to identify and disseminate good practice. Good practice identified during audit programmes is published on the FSA's website at:  
<http://www.food.gov.uk/enforcement/workwithenforcers/goodpractice/>
- 5.8 Following earlier audit review and UK consultation, the FSA continued development of UK audit policy and piloting of revised audit processes, to:
- incorporate 'reality checks' at food establishments as a more routine component of individual audits of competent authorities;
  - improve pre-audit intelligence and data gathering and analysis;
  - utilise this information to enhance risk-based audit scoping, the selection of competent authorities for audit and audit effectiveness;
  - achieve a greater focus on the monitoring and audit of outcomes from the delivery of official controls and enforcement in food establishments; and
  - support and encourage enhanced monitoring and peer review at the local competent authority level ('internal audit'), to complement and inform the central 'external' audit function.

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<sup>47</sup> More information is available at: <http://www.food.gov.uk/multimedia/pdfs/enforcement/enfe08066.pdf>

**Table 5.1 - FSA Audit of Competent Authorities ('local authorities' and DARD QAB): 2008**

Programme	Dates	Number of authorities	Number of establishment 'reality checks'	Final report(s) issued/published/due	Number of new recommendations
<b>ENGLAND</b>					
Audit of the Food Law Enforcement Service	February	1	N/A	Final report can be found at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	20
Pilot audits of official controls in approved meat products establishments.	March	2	2	One final report published. It can be found at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	17
Audit of food and feed law enforcement & enforcement of imported food and feed controls	March	3	N/A	Final reports can be found at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	47
'Business Compliance Audit' - Food Law Enforcement Services' arrangements for food premises database management, food premises inspections and internal monitoring	April to June July to Sept Oct to Dec	10 8 1	N/A	Final reports can be found at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	223
Local Authority use of contractors/consultants for Food and Feed Law Enforcement Services	Oct to Dec	20	10	18 individual LA reports issued. Summary report to be issued.	63
Follow-up audits	When due	12	N/A	Where appropriate, updated audit action plans have been published at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	-



Programme	Dates	Number of authorities	Number of establishment 'reality checks'	Final report(s) issued/published/due	Number of new recommendations
<b>NORTHERN IRELAND</b>					
Audit of delivery of official controls by DARD Quality Assurance Branch in respect of milk production holdings in Northern Ireland	March to April	1	4	August 2008	
Audit of delivery of official controls by DARD Quality Assurance Branch in respect of egg packing stations in Northern Ireland	December	1	3	April 2009	
Follow-up audit	When due	1	N/A	(Where appropriate) updated audit action plans published: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	N/A
<b>SCOTLAND</b>					
Core audit programme	Jan to March 2008	3	0	Final reports can be found at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	22
Follow-up audits	March to December 2008	12	0	Where appropriate, updated audit action plans have been published at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>	N/A
<b>WALES</b>					
No audits undertaken in 2008. Programme of focused audits for 2009/10 now confirmed; 10 LAs to be audited between September 2009 and March 2010.	-	-	-	-	-
Follow-up audits undertaken following Focused audit on the control and investigation of outbreaks of food related communicable disease on all 22 Welsh authorities in 2007.	January to March 2008	22	N/A	Final report published April 2008	

## Meat Hygiene Service

5.9 The MHS is responsible in Great Britain for official meat hygiene and TSE controls in approved meat plants subject to veterinary audit and the FSA operates a system of audits of these activities. Details of the 2008 programme is given in [Table 5.2](#)

**Table 5.2 - FSA audit of the MHS in 2008**

Programme	Dates	Number of establishment 'reality checks'	Final report issued
Delivery of official controls in Smithfield Meat Market and approved meat establishments supplying the market	January to February	10	Individual reports issued
Follow-up audit of MHS delivery of official controls in approved meat products establishments	April to June	6	Summary report issued
Audit of FSA and MHS structure and systems that support delivery of official controls in persistently non-compliant business in approved meat establishments	July	9	Summary report issued
Review of FSA's approval programme for meat establishments in the UK	October to December	10	Final report issued <sup>48</sup>

5.10 The MHS itself also has an internal audit system in place which audits MHS operational teams in approved meat plants. MHS Veterinary Auditors carry out routine audits in approved establishments in order to assess and report on the effectiveness of arrangements and procedures established by the MHS to ensure operator compliance with relevant legislative requirements. Instructions and guidance for MHS teams working in approved establishments are contained in the Manual for Official Controls and various policy documents which together provide the standards against which performance of MHS teams is measured.

5.11 During 2008, a new audit approach was adopted by the Internal Audit Unit following a review of effectiveness and efficiency of the previous approach of targeting individual establishments. Each audit is now designed examine a specific policy or theme and covers development and implementation of procedures, their application at a randomly selected sample of establishments and management monitoring, reporting and review arrangements. One high level

<sup>48</sup> Final report is available at: <http://www.food.gov.uk/multimedia/pdfs/meatapprovalreviewjan2009.pdf>

report is then issued for each audit including prioritised recommendations and agreed timescales for implementation, aimed at addressing root causes.

- 5.12 For each audit, an overall opinion is also given based on Auditors' assessment of the effectiveness of the policy audited and hence assurance that the policy is meeting the objectives that it has been designed to achieve. Three levels of audit assurance opinion are used; "Substantial", "Limited" and "Poor". Audits with a "Poor" assurance opinion are followed up within 12 months of the report being issued. The current status of each of the audits planned for the year and progress on implementation of agreed recommendations is reported to the MHS Senior Management Team and the FSA/MHS Audit Committee quarterly. The Audit Committee is made up of five non-executive members of the FSA Board.
- 5.13 Eight audits were carried out between January and December 2008 involving visits to 114 approved establishments.<sup>49</sup> [Table 5.3](#) shows the audit opinion and number of recommendation for each audit. The main issues giving rise to opinions given during the year were weaknesses in management monitoring, reporting and review arrangements. Recommendations in the audit reports included improvements to written instructions and guidance for staff, supervision and monitoring of teams carrying out official controls and in the collection and use of management information.

**Table 5.3: MHS audits of approved establishments in 2008**

Audit	Audit Assurance Opinion	Number of establishments	Number of recommendations
Animal by Products	Limited	22	2
TB Sampling	Limited	18	6
Step 1 Changes to supervision of SRM Controls	Limited	20	3
Authorisation Certification and Slaughterer Licensing	Limited	17	5
Animal Welfare & Notifiable Disease	Limited	23	5
TSE Sampling	Limited	18	5
Step 2 Changes to supervision of SRM Controls	Limited	17	6
MHS Audits of Food Business Operator Controls	Poor	17	5

### **Audit of the approval of meat establishments requiring veterinary attendance in the UK**

- 5.14 During the reporting period, an audit of the approval of meat establishments requiring veterinary attendance in the UK was carried out. Ten establishment checks were carried out during this review of the FSA Approvals Programme for Meat Establishments in the UK. The audit report is available at the link below.

<sup>49</sup> This is not the same as the aggregate number of establishments in the table as some establishment visits involved two separate audits.

An action plan has been agreed to meet the audit recommendations and is now being implemented. This area of work has now been included in the rolling FSA audit plan. Future audit will be at a risk-based frequency.

<http://www.food.gov.uk/foodindustry/meat/meatplantsprems/meatapprovalreview>.

### **Department of Agriculture and Rural Development for Northern Ireland, Veterinary Service - Veterinary Public Health Unit (VS-VPHU)**

- 5.15 In Northern Ireland, the MHS role is provided on behalf of the FSA by DARD's VS-VPHU. As with the MHS, the FSA undertake audit of the service and the VS-VPHU has an internal audit system in place.
- 5.16 In 2008, Northern Ireland took part in the UK approval of meat establishments audit. Two establishment checks were carried out during this review and the audit report has been issued<sup>50</sup>.

### **DARD Quality Assurance Branch (QAB)**

- 5.17 DARD QAB undertakes hygiene controls on behalf of the FSA in milk production units, liquid milk premises and egg packing establishments. Further to audit of these controls in liquid milk establishments in 2007, audits were undertaken in 2008 in relation to controls on milk production holdings and at egg packing establishments. Table 5.1 gives details of the 2008 programme.

### **Progress towards establishing arrangements for other authorities**

- 5.18 As regards other areas for which the FSA has direct responsibility for official control functions, and other authorities that undertake controls on the FSA's behalf, audit arrangements are still being developed. Progress made in 2008 is indicated in Table 5.4.

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<sup>50</sup> Final report is available at: <http://www.food.gov.uk/multimedia/pdfs/meatapprovalreviewjan2009.pdf>

**Table 5.4: Progress towards establishing audit arrangements for authorities undertaking controls on behalf of the FSA**

Competent authority	Control activity	Progress
FSA	Approval & inspection of food irradiation facilities	<p>The one authorised UK facility is scheduled to be inspected in late 2009 or early 2010 and the inspection will be audited by a qualified auditor from the FSA.</p> <p>This facility was originally scheduled to be inspected late in 2008, but as the facility has not processed any food since the last inspection in 2006, it was deemed to be a low risk. With the introduction of the new Food Irradiation (England) Regulations 2009, it was decided to delay the inspection, and associated audit, until after these new regulations come into force on the 31 July 2009.</p>
FSA	Designation & classification of shellfish harvesting areas	FSA has started discussions regarding audit arrangements with Cefas and FSA audit branch.
FSA	Recognition of non-EEA natural mineral waters	FSA Audit Branch plan to carry out an audit of FSA licensing of 3 <sup>rd</sup> country origin mineral water during July and December 2009.
AHDH	Hygiene controls at milk production holdings	A pilot audit of Animal Health Dairy Hygiene was carried out in 2007 by the FSA. To implement the recommendations made following the pilot audit, a revision of the Operating Procedures was put in hand during 2008 together with a programme of amendments to the database used to schedule and record the results of inspections.
Egg Marketing Inspectorate (EMI) and Scottish Government's Rural Payments and Inspections Directorate (SGRPID)	Hygiene controls at egg production units	<p>These controls are carried out, on behalf of the FSA, by the EMI in England and Wales, SGRPID in Scotland, and DARD QAB in Northern Ireland.</p> <p>As regards England and Wales, advisory inspections commenced in April 2008 following production of draft guidance on enforcement of hygiene regulations on UK egg production sites. Official enforcement inspections commenced in June 2008.</p> <p>It was decided that audit would not be worthwhile until enforcement inspections had been taking place for some time, probably during 2009. However, in April 2009 there was significant reorganisation within Animal Health involving changes to the management structure &amp; EMI. As it is unclear what effects this may have on delivery of enforcement inspections, plans to audit EMI's activities in this area have been put on hold until the organisation is more settled. This is expected to be late 2009 at the earliest.</p>

## **Official laboratories designated by the Food Standards Agency**

- 5.19 All official control laboratories designated by the FSA are required to be accredited and audited by United Kingdom Accreditation Service (UKAS - the designated National Accreditation Agency for the UK). In the event that UKAS audit identifies any serious non-compliances with agreed performance and accreditation standards, this is reported to the FSA. In 2008 no such non-compliances were reported.

## **Control bodies**

- 5.20 In England and Wales, a statutory programme of sampling and testing of raw cows' drinking milk is carried out on behalf of the FSA by Eclipse Scientific Ltd. The laboratories which carry out testing of raw cows' drinking milk are audited yearly by UKAS. The most recent audit was carried out in September 2008 with a satisfactory finding.

## **Official controls for which the Agriculture/Rural Affairs Departments are responsible at central Government level**

- 5.21 In those areas where Defra and the Agriculture/Rural Affairs Departments in the Devolved Administrations are responsible for legislation, there is an established system in place for the inspection of Border Inspection Posts (BIPs) by AH and DARD Veterinary Service. Details of inspections undertaken in 2008 are provided in para 5.24. For Defra's other official control functions, its Internal Audit Unit is developing an audit strategy and progress on this is also outlined.

## **Veterinary Medicines Residues Monitoring**

- 5.22 Further to the three audits carried out in 2007, audits have been completed for the Animal Health Agency and the Meat Hygiene Service, involved in sample collection/analysis for the Great Britain National Residues Control Program. One audit is planned for 2009. For each completed audit, a list of recommendations has been produced and these are currently being implemented. The audits have identified a range of issues where there is potential to improve the way the control programme is undertaken. No evidence of significant failings was found.

## **Animal Medicines Inspectorate (AMI)**

- 5.23 At the start of the period for this Annual Report, audit arrangements were in place for the VMD's AMI. Defra was responsible for arranging the audit of the AMI carried out by an independent consultant. Since that time, however, Defra has been reviewing its audit arrangements for the Defra Agencies and VMD is awaiting further information from Defra. Under the previous strategy an audit was carried out on the VMD's AMI in March 2008 by the independent auditors, RSM Bentley Jennison. Three recommendations that were made as a result of the audit findings are being carried forward:

- Full risk-based inspections - these will be fully implemented in October 2010:
- A report of visits to do and overdue visits - this was implemented from 1 August 2008: and
- The inspection documents i.e Confirmation of Inspection Report or Manufacturer's Inspection Report to be ticked or dated to show that the visit has been entered on the Inspectors Record of Visits database. These should be reviewed from time to time to ensure completeness. The spreadsheet listing visits to premises and non compliances should also be reviewed to ensure completeness and missing data should be updated - this was implemented from 1 May 2008.

### Border inspection posts

5.24 Animal Health is responsible for the evaluation of BIP facilities, documentation and procedures in Great Britain. In Northern Ireland, the DARD Veterinary Service undertakes these functions. Arrangements and guidance for carrying out inspections has been provided to Senior Animal Health Officers and lead Veterinary Officers via Animal Health's Operations manual. During 2008 a total of 72 visits were carried out in the UK. All BIPs were inspected at least once in 2008. These visits identified some deficiencies in the controls, structure and facilities in some BIPs. In most cases, action to correct these deficiencies has been taken or is underway however one border inspection post was suspended by the Scottish Government as the BIP operator failed to correct several deficiencies. For 2009 we aim to extend Animal Health inspections to cover enforcement of public health aspects of import controls.

### Development of audit strategy

5.25 A project is planned to implement an audit Strategy across Defra and its delivery partners. This strategy will ensure that all major aspects of the official control functions of the Department and its Agencies, and the control functions designated to local authorities, are fully reviewed through a programme of risk-based audits at least once during a five-year period. It will cover the control activities listed in [Table 5.5](#).

**Table 5.5: Official feed and food control activities covered by Defra's audit strategy**

Competent authority	Control activity
Defra	Organisation of protected food names scheme. Organisation of beef labelling scheme. Overseeing system for certification of organic produce.
VMD (including AMI)	Veterinary residues surveillance of feed and food. Medicated feed and specified feed additives controls (the first planned audit of AMI is scheduled for the first half of 2008 and will be reported in the next NCP report).
RPA	Beef labelling controls in England and Wales.

## **Pesticides Safety Directorate**

- 5.26 The Pesticides Safety Directorate (now part of the HSE Chemicals Regulation Directorate (CRD)) has been subject to a high level internal audit carried out by Defra internal auditors in February 2008. Follow-up has occurred following 2008 internal audit. An action plan has been produced for the regular review of the actions proposed. Of the 9 actions identified, 7 are complete and 2 are in progress. It is envisaged that providing satisfactory performance is reached, such audits of the competent authority will take place on a rolling three year cycle. With the move to a new organisational structure CRD are in the process of formulating their audit requirements. At this stage it is proposed that HSE internal auditors would be involved in the future audit arrangements of CRD.
- 5.27 HSE is subject to an annual external audit by the National Audit Office. It also has an independent internal audit function - Internal Audit (IA) based in Redgrave Court Bootle - providing assurance to the Accounting Officer of HSE on the effectiveness of their: risk management; control; and governance processes. IA has a mandatory requirement to adopt and comply with the Government Internal Audit Standards (GIAS). The Standards are based on the *International Standards for the Professional Practice of Internal Auditing* (international standards) issued by the Internal Audit Standards Board of The Institute of Internal Auditors. IA is subject to internal and external quality assurance and improvement reviews to check compliance with GIAS. IA also has its own peer review arrangements.

## **Control bodies**

- 5.28 Defra and its agencies employ control bodies: for the collection of samples for residue monitoring and surveillance programmes; to certify organic produce, to verify protected food name; and to verify claims under Defra's 'Beef Labelling Scheme'. Arrangements are in place through contracts or Service Level Agreements to ensure conditions and standards of performance are met. Details of audits/inspections during 2008 are given in [Table 5.6](#).



**Table 5.6: Summary of audits/inspections of control bodies designated by Defra to carry out feed and food control activities covered out in 2008**

Control body	Control tasks	Progress
Mintel International Group Ltd	Sample collection for pesticide residues surveillance on behalf of PSD	CRD are exploring audit requirements for 2010 onwards
LGC Ltd AFBI Eurofins SASA	Official laboratories used in pesticide residue monitoring on behalf of PSD	All the laboratories are audited by the independent body UKAS which is sufficiently detailed to cover obligations for audit.
LGC Ltd	Analysis of statutory veterinary residue surveillance samples on behalf of VMD	The VMD audits LGC using independent auditors. Audits include the suitability of maintenance of facilities and equipment. The last audit was in July 2008, and included the Director of the RIVM (Rijksinstituut voor Volksgezondheid en Milieuhygiene; (National Institute of Public Health and Environment Protection, The Netherlands), Community Reference Laboratory as a technical adviser. The laboratory demonstrated sound knowledge and competence of the areas assessed during the visit, this competence was supported by the good results achieved in the external exchange and Proficiency Testing (PT) schemes. United Kingdom Accreditation Service (UKAS) / VMD conclude that the requirements of accreditation and customer contract are understood and adhered to. Some non-conformities have been raised during the assessment, these were generally minor and improvement actions have been implemented.
Government recognised independent verifiers <sup>51</sup>	Verifying claims under the Beef Labelling Scheme (as required by EC Regulation 1760/2000) <sup>52</sup>	Product Authentication Inspectorate Ltd (PAI) have been providing EN 45011 accredited independent verification services for organisations that are required to undergo assessment and certification under the voluntary Beef Labelling Scheme since the scheme started – the systems and controls are therefore completely implemented.
Approved private organic inspection bodies <sup>53</sup>	Control and certification of organic production (as required by Council Regulation 2092/91) <sup>54</sup>	UKAS visited all Certification Bodies operating in the UK in 2008 to verify compliance with EN45011. No serious issues were found in the operation of the control bodies' audit/ inspection arrangements.

<sup>51</sup> <http://www.rpa.gov.uk/rpa/index.nsf/vContentByTaxonomy/C256DB965D95B47A802574C20047B8F9?opendocument>

<sup>52</sup> Regulation (EC) No 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97. Official Journal L 204, 11.8.2000, 1-10.

<sup>53</sup> A list of these bodies is available at:

<http://www.defra.gov.uk/foodfarm/growing/organic/standards/certbodies/approved.htm>

<sup>54</sup> Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs. Official Journal L198 , 22.7.1991, 1-15.

Control body	Control tasks	Progress
Private and public inspection bodies (public bodies are Trading Standards Officers) <sup>55</sup>	Ensuring that producers of registered protected food names are complying with the registered specification for those products (as required by Council Regulations 509/2006 and 510/2006) <sup>56 57</sup>	The private inspection bodies are accredited to the relevant EN and ISO standards by UKAS. However, UKAS has no specific audit programme with respect to those bodies. This is something we intend to discuss with UKAS.

## **FVO missions undertaken in 2008**

5.29 One FVO mission took place in 2008 to assess the effectiveness of official controls relevant to the feed and food sectors - see [Table 5.7](#). The report of this mission is published on the Commission website, together with the UK response to the recommendations made (web-links are given in [Table 5.7](#)).

**Table 5.7: Summary of FVO missions in 2008 to assess the effectiveness of official feed and food controls in the UK**

Control activities	Report/UK response
UK controls on baby food and infant formulae (MR 2008/7819)	Report: <a href="http://ec.europa.eu/food/fvo/act_getPDF.cfm?PDF_ID=7335">http://ec.europa.eu/food/fvo/act_getPDF.cfm?PDF_ID=7335</a> UK response: <a href="http://ec.europa.eu/food/fvo/ap/ap_united_kingdom_7819_2008.pdf">http://ec.europa.eu/food/fvo/ap/ap_united_kingdom_7819_2008.pdf</a>

5.30 The recommendations made during these missions have been undertaken or are being addressed as discussed with the FVO.

## **Animal health and welfare sectors**

### **England**

5.31 Defra's Internal Audit Unit developed an audit strategy to provide assurance on the Department's animal health & welfare official control functions. The strategy will ensure that all major aspects of official controls work are reviewed in risk-based audits at least once during a five year period. During 2008, some progress was made on implementing official controls audit provision across Defra, its agencies and local authorities in terms of establishing the audit working

<sup>55</sup> Defra website is being revamped with the aim of including more information about the inspection process, role of control bodies and its own role. This will include a list of the UK control bodies and their contact details. Currently information can be found at: [http://ec.europa.eu/agriculture/foodqual/quali1\\_en.htm](http://ec.europa.eu/agriculture/foodqual/quali1_en.htm)

<sup>56</sup> Council Regulation (EC) No 509/2006 on agricultural products and foodstuffs as traditional specialities guaranteed. Official Journal L 93, 31.3.2006, 1-11.

<sup>57</sup> Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs. Official Journal L93, 31.3.2006, 12-25.

group and planning to implement the strategy. However, changes in the delivery landscape need to be reflected in the strategy. This work is ongoing. A proposed project will include the development of assurance and reporting arrangements for local authorities once the delivery landscape changes have been completed. Until this work is completed Defra's Internal Audit will not be able to give the level of assurance required by the EC on animal health & welfare official controls.

## **Wales**

5.32 Welsh Assembly Government Internal Audit services issued a report in April 2008 of an Audit carried out between November 2007 and January 2008 of the controls and systems in place to comply with Regulation 882/2004. The report proposed two recommendations which were accepted by management. Work is being undertaken to address the recommendations.

## **Scotland**

5.33 In 2008, Internal Audit Division (IAD) developed a 5 year audit strategy covering the key areas for which the Scottish Government had specific responsibility and where in the view of IAD audit input was required. The remit for the first year (2008/09) of the strategy was to provide for an initial overarching scoping study across the areas for which the Scottish Government has responsibility in order for IAD to gain a better understanding of the framework of controls in place, given the complexities of the animal health and welfare controls procedures in Scotland. The fieldwork for this scoping study began in late December 2008.

## **Northern Ireland**

5.34 During 2008, DARD Internal Audit Branch (IAB) finalised an audit strategy covering the audit arrangements for animal health and welfare controls to cover all areas for which DARD are responsible. DARD IAB has completed audits in the following areas:

- Fisheries Inspectorate - This audit is currently at draft report stage. DARD IAB is awaiting formal management responses prior to finalising. A limited assurance rating was given.
- Veterinary Service Controls – The audit fieldwork on the BR Prevention & Control area was completed and a draft report is being prepared for management consideration.

## **Control bodies**

5.35 In the area of animal health most control bodies employed by Defra and its agencies are:

- the private laboratories undertaking diagnostic analysis in relation to animal health controls; and

- various commercial carrier companies undertaking the basic checks required to ensure that animals entering the UK under Pet Travel Scheme<sup>58</sup> comply with the law.

Arrangements are in place through contracts or Service Level Agreements between the competent authority and the controls bodies to ensure conditions and standards of performance are met. Details of audits/inspections of control bodies during 2008 are given in Table 5.8.

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<sup>58</sup> Details of the UK Pet Travel Scheme, approved commercial transport carrier companies, routes and countries are available at: <http://www.defra.gov.uk/wildlife-pets/pets/travel/index.htm>

**Table 5.8: Audits/inspections of control bodies in relation to animal health controls during 2008**

Control body	Control tasks	Progress
Orchid Cellmark Ltd <sup>59</sup>	Scrapie genotyping service under contract to Defra in support of Great Britain National Scrapie Plan (NSP), <sup>60</sup> and separately to DARD for the Northern Ireland Scrapie Plan <sup>61</sup>	<ul style="list-style-type: none"> <li>July 2008 - ISO 17025:2005 audit by UKAS. Several improvement actions and recommendations raised, of which only two related directly to the scrapie genotyping service.</li> <li>September 2008 - ISO 9001:2000 audit by SGS UK Ltd<sup>62</sup>.</li> <li>Improvements were implemented within the specified timeframe with evidence of satisfactory completion.</li> <li>Overall UKAS and SGS adjudged the systems in place at Cellmark to manage conformity with the required standards for testing to be effective, efficient and robust. Re-accreditation was recommended and granted following the audits.</li> <li>Throughout 2008 Cellmark participated in DEFRA's proficiency testing scheme and all proficiency samples were genotyped correctly.</li> <li>Defra officials and AH met with Cellmark in February and November 2008 to review delivery of the scrapie genotyping service. No major issues were identified.</li> </ul>
Private laboratories authorised to undertake work in respect of the Animal By-Products Regulations 2005, the Control of <i>Salmonella</i> in Poultry Order 2007 and the Poultry Health Scheme.	Laboratory examination of samples for the detection of <i>Salmonella</i> , <i>Enterobacteriaceae</i> , <i>Clostridium perfringens</i> and <i>Mycoplasma</i> .	During 2008, most laboratories complied with the test samples Quality Assurance requirements. No laboratory inspections were carried out in 2008 due to poor Quality Assurance results. No further action was required or was taken in that year.
Pet travel scheme (PETS) - Commercial Transport carrier companies <sup>63</sup> approved by Defra to bring dogs, cats or ferrets to the UK	Basic checks of pet passports (including microchips)	During 2008, 104,031 animals entered the UK under PETS. AH carried out spot checks/inspections on approximately 10% of those animals. This surveillance is carried out randomly at entry points throughout a 24 hour period. Where any non-compliance was found, the carrier was informed and the animal was either re-exported or placed in quarantine depending on the circumstances. No carriers were suspended or had their agreements terminated during the year.

<sup>59</sup> The most recent issue of the schedule of accreditation to ISO 17025:2005 is available on the UKAS website at [www.ukas.org](http://www.ukas.org) (testing laboratory no.2045).

<sup>60</sup> Information on the NSP is available at: <http://www.defra.gov.uk/animalhealth/managing-disease/NSPAC/>

<sup>61</sup> Information on the Northern Ireland Scrapie plan is available at: <http://www.dardni.gov.uk/index/animal-health/animal-diseases/bse/scrapie-introduction/northern-ireland-scrapie-plan.htm>

<sup>62</sup> Information about SGS is available at: <http://www.quality-register.co.uk/bodies/body38.htm>

<sup>63</sup> Details of the UK Pet Travel Scheme, approved commercial transport carrier companies, routes and countries are available at: <http://www.defra.gov.uk/wildlife-pets/pets/travel/index.htm>

## **FVO missions**

5.36 Three FVO missions took place in 2008 to assess the effectiveness of official controls relevant to animal health and welfare sectors - see [Table 5.9](#). The reports of these missions are published on the Commission website, together with the UK response to the recommendations made (web-links are given below).

**Table 5.9: Summary of FVO missions in relation to animal health and welfare controls during 2008**

<b>Control activities and reference</b>	<b>Report/UK response</b>
Animal Welfare during transport (MR 2008/7690)	Report: <a href="http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2006">http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2006</a> UK response plan: Annex A - <a href="http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_7690_2008.pdf">http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_7690_2008.pdf</a> Annex B - <a href="http://ec.europa.eu/food/fvo/act_getPDFannx.cfm?ANX_ID=5710">http://ec.europa.eu/food/fvo/act_getPDFannx.cfm?ANX_ID=5710</a>
Certain animal-by products (MR 2008/7742)	Report: <a href="http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2238">http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2238</a> UK's response: <a href="http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_7742_2008.pdf">http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_7742_2008.pdf</a>
UK controls on imports of animals and products of animal origin (MR 2008/7761)	Report: <a href="http://ec.europa.eu/food/fvo/act_getPDF.cfm?PDF_ID=7540">http://ec.europa.eu/food/fvo/act_getPDF.cfm?PDF_ID=7540</a> <a href="http://ec.europa.eu/food/fvo/act_getPDFannx.cfm?ANX_ID=6073">http://ec.europa.eu/food/fvo/act_getPDFannx.cfm?ANX_ID=6073</a> UK comment on draft report <a href="http://ec.europa.eu/food/fvo/act_getPDFannx.cfm?ANX_ID=6072">http://ec.europa.eu/food/fvo/act_getPDFannx.cfm?ANX_ID=6072</a> UK response: <a href="http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_7761_2008.pdf">http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_7761_2008.pdf</a>

## **Plant health sector**

### **FVO missions**

5.37 There was one FVO mission during 2008 which looked at the UK's implementation of Phytophthora controls for plant health (MR 2008/7868). The FVO was satisfied that the UK was meeting the EC obligations arising from the Plant Health Directive.

The report is available at:

[http://ec.europa.eu/food/fvo/act\\_getPDF.cfm?PDF\\_ID=7260](http://ec.europa.eu/food/fvo/act_getPDF.cfm?PDF_ID=7260)

The UK response is at;

[http://ec.europa.eu/food/fvo/ap/ap\\_the\\_united\\_kingdom\\_7868\\_2008.pdf](http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_7868_2008.pdf)

## **Chapter 6 – Planning for the future: how far have we got in 2008?**

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### **Background**

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6.1 The Food Standards Agency (FSA), Department for Environment, Food and Rural Affairs (Defra), and its agencies, and the Agriculture/Rural Affairs Departments in the Devolved Administrations have continued to work together during 2008 in order to help ensure that the system of official controls in the UK operates effectively. The UK National Control Plan (NCP) sets out the planned control activities of the various competent authorities involved for the period of the Plan and this Chapter provides information on the implementation of these control activities in 2008 and reports on the results.

### **Overview**

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6.2 The results of official controls for 2008 in the UK demonstrate that the overall level of compliance of business operators in all sectors was satisfactory. In the animal health and welfare sector contingency plans were enacted as a result of outbreaks of Avian Influenza (AI). Defra also managed the ongoing disease threat posed by the outbreak of Bluetongue (BTV-8) and successfully facilitated a major programme of vaccination.

### **Official controls in the feed sector**

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#### **Competent authorities**

6.3 Responsibility for monitoring and verifying compliance with and enforcement of feed law is divided in the UK. In Great Britain, responsibility rests mainly with local authorities (203 are involved), DARD in Northern Ireland and the City of London Port Health Authority. The Veterinary Medicines Directorate's Animal Medicines Inspectorate undertakes official controls in relation to medicated feed and specified feed additives and Animal Health (AH) is responsible for ensuring compliance with the prohibition on the use of animal protein in animal feed. In Northern Ireland, Department of Agriculture and Rural Development for Northern Ireland (DARD) has responsibility for all feed controls.

- 6.4 In carrying out controls, local authorities are required to have regard to the Feed Law Enforcement Code of Practice issued by the FSA.<sup>64</sup> This includes a risk-rating scheme for determining the frequency of controls (three categories are defined, A, B and C where A represents the highest risk to animal and human health). In Scotland, a pilot of primary production feed law enforcement is being undertaken where the risk rating applied to feed primary producers is in line with the risk rating for food primary producers, namely 2% and 25% (see para 6.47). DARD follow Practice Guidance which is based on this Code and the AMI's Standard Operating Procedures also take account of the direction given in the Code.
- 6.5 As regards planned controls for 2008, each local authority's activities are set out in a Service Delivery Plan. To assist local authorities in targeting their feed control activities, guidance on particular priorities was provided by the FSA.<sup>65</sup> This was based on RASFF and feed incident alerts, results of feed sample analyses received by the FSA, and changes to animal feed legislation. The main priorities identified were:
- checks for the presence of contaminants and unauthorised substances in feed materials from third countries as notified by RASSF during 2006;
  - systems and practices in place on-farm to prevent contamination of animal feed through inappropriate storage, mixing or preparation of animal rations; and
  - random monitoring of feed materials and feedingstuffs for the presence of mycotoxins, dioxins and dioxins-like PCBs where resources permit in line with Commission Recommendations 2006/576/EC and 2006/88/EC.<sup>66, 67</sup>

## **Feed businesses**

- 6.6 There are approximately 140,000 feed businesses in the UK connected with the supply of feeding stuffs for food producing animals. This includes producers of feed materials, primary producers, manufacturers of additives and premixtures, importers and distributors - see Table 6.1. The FSA and the VMD have published lists of the feed businesses approved in accordance with Article 19 of Regulation (EC) 1831/2003 on feed hygiene. These lists have been sent to the Commission and can be accessed at the link below. The lists for 2008 contain 1,195 feed businesses approved for the production of feedingstuffs which contain

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<sup>64</sup> This is available at: <http://www.food.gov.uk/enforcement/enforcework/feedlawcop/>

<sup>65</sup> Guidance for enforcement authorities in England for 2008/2009 (parallel guidance was issued for feed authorities in Scotland and Wales) is available at: <http://www.food.gov.uk/multimedia/pdfs/enforcement/enfe08023.pdf>

<sup>66</sup> Commission Recommendation on the presence of deoxynivalenol, zearalenone, ochratoxin A, T-2 and HT-2 and fumonisins in products intended for animal feeding (Text with EEA relevance). Official Journal L 229, 23.8.2006, 7-9.

<sup>67</sup> Commission Recommendation on the reduction of the presence of dioxins, furans and PCBs in feedingstuffs and foodstuffs (notified under document number C(2006) 235) (Text with EEA relevance). Official Journal L 42, 14.2.2006, 26-28.



medicines and other specified products and 331 premises approved for the production feedingstuffs which contain other additives. For more information see <http://www.food.gov.uk/multimedia/pdfs/ukfeedapproved.pdf>.

**Table 6.1: Registered and approved feed business in the UK - 2008**

Type of feed business	Number of businesses
Primary producers	111,000
Manufacturers and packers	1,277
Importers	55
Distributors/transporters	1,037

### **Local authority and DARD controls**

6.7 Local authorities and DARD report statistical information on their annual control activities to the FSA. The information collected includes details of number of inspections, re-visits, sampling visits, advisory visits and other types of intervention activity. Details of the numbers of non-compliances and of the types and numbers of formal enforcement actions taken are also provided.

6.8 Summary data on the controls undertaken in 2008 is given in [Table 6.2](#).

**Table 6.2: Controls undertaken by local authorities and DARD in 2008**

Control type	Number
Scheduled inspections	7,173
Revisits	199
Advice visits	2,467
Other active interventions (e.g. use of targeted drives to obtain information on the activities of feed businesses operators, and subsequent follow-up visits)	2,431
Sampling visits	830
Total samples of feeding stuffs	1,881

6.9 In 2008, local authorities and DARD continued to give priority to the official controls at those businesses risk-rated as category A and B in accordance with the Feed Law Enforcement Code of Practice. These premises require to be inspected once a year and every two years respectively. The bulk of feed business operators 'new' to the requirements of Regulation (EC) 1831/2003 on feed hygiene are risk-rated category C, requiring inspection once every five years.

6.10 In general terms, it is considered that there was a good level of compliance by feed business operators with feed law relating to non-medicated feed. A total of

148 warning letters were, however, issued, 117 of which were to livestock farmers. This is a significant reduction from 2007. Warning letters are issued for minor infringements which have been identified for the first time as part of a graduated approach to enforcement. During 2008, local authorities/DARD initiated one prosecution against one feed manufacturer, and three other feed businesses received a formal caution.

### **Additional sampling activities**

6.11 The FSA provided funding to enforcement authorities during 2008 in relation to the sampling of feedingstuffs originating from outside the EU. The results of these analyses will be submitted to the European Commission during 2009. In addition to the above sampling survey, the competent authorities in the UK sampled a wide range of feedingstuffs produced in the EU and from third countries. The results of analysis indicated few problems generally and where feed materials were found to contain undesirable substances or these related to products originating from outside of the EU. The non-compliances relating to additives were in the main to do with inaccurate declarations of vitamins in compound feeds. A summary of the results of analysis is given in [Table 6.3](#).

**Table 6.3: Summary of analysis of feeding stuffs in the UK for 2008**

	<b>Total No of analysis's</b>	<b>% pass</b>
Constituents	7,603	96.5
Undesirable Substances	7,904	97.0
Feed Additives	2,241	91.0
<b>Total</b>	<b>17,748</b>	<b>96.0</b>

### **Animal Medicines Inspectorate (AMI) controls**

6.12 The AMI carries out inspection of feed business operators' premises on a planned frequency of between 12 and 18 months. During those inspections, both compliances and non-compliances are brought to the attention of the feed business operators in a written report. Where appropriate advice is also given or enforcement measures taken. Summary data on the controls undertaken by AMI in 2008 is given in [Table 6.4](#). This includes inspections and sampling and analysis. As regards inspections, AMI classifies its visits as 'scheduled', 'special/follow-up' and 'other'. 'Scheduled' visits are those which are planned, based on the number of feed business operators and current inspection frequencies. 'Special/follow-up' visits are those to approved feed business operators' premises for enforcement purposes or to check that non-compliances noted at a scheduled inspection have been rectified. 'Other' visits are those to non-approved feed business operators' premises for enforcement purposes e.g. the unlawful incorporation of veterinary medicinal products into feedingstuffs.

**Table 6.4: Summary of official controls undertaken by AMI in 2008**

Control type	Number
Scheduled inspections	522 (of a total of 851 planned)
Special/follow-up visits	67
Other inspections	15
Feed safety incident investigations	20
Samples	156

- 6.13 The planned official control programme was not achieved due to resources being diverted from planned inspections to other duties (an increasing number of investigations, including feed safety incidents and breaches of relevant legislation, in particular the illegal importation, supply and administration of unauthorised veterinary medicines). There was also a temporary reduction in staff resources. Whilst the planned official control programme was not achieved, those feed business operators that were deemed to be of highest risk, were prioritised for inspection.
- 6.14 As regards samples, these were taken from all categories of manufacturers and a wide range of products, both feedingstuffs and premixtures, were tested for the presence of a range of veterinary medicinal products and specified feed additives; and residues of those substances.
- 6.15 In general terms, it is considered that there was a good level of compliance with legal requirements by manufacturers and distributors of specified feed additives, premixtures and medicated feedingstuffs (MFS) in 2008. The non-compliances observed were generally minor and did not warrant more formal action being taken. Six Improvement Notices were, however, served for more serious non-compliance.
- 6.16 With regard to on-farm manufacturers using veterinary medicinal products/specified feed additives in feed for feeding to their own livestock, the non-compliances observed were generally identified as documentary and quality control issues, sample retention issues, medicated feedingstuffs prescription issues, record keeping issues and hygiene/tidiness issues. For Commercial Feed Compounders the main areas of non compliance were hygiene/tidiness issues, MFS prescriptions and declaration label issues. The main areas for non-compliance for Distributors were HACCP/Documented procedure issues and MFS Prescription issues.

### **Animal Health Controls - protein in animal feed ban**

- 6.17 Compliance with the transmissible spongiform encephalopathy (TSE) - related livestock feed controls in Great Britain is monitored by Animal Health through the

National Feed Audit<sup>68</sup>. In Northern Ireland, these controls are carried out by DARD. The inspection programme is risk-based in accordance with Regulation (EC) No.882/2004. The risk assessment establishes the level of visits needed to audit feed production and handling standards throughout the feed supply chain. Feed samples are tested for prohibited animal proteins at the Veterinary Laboratories Agency (the National Reference Laboratory for animal proteins in feedingstuffs) using the microscopic analysis test (MAT) and other methods as appropriate. The programme also covers investigation of any potential breaches of the ban, and the taking of appropriate protection and enforcement action. The results of the feed survey in 2008 indicated a high level of compliance with the controls. The results of the 2008 inspection programme are provided in Tables 6.5, 6.6 and 6.7.

**Table 6.5: Summary of 2008 sampling programme for controls of animal protein in animal feed in Northern Ireland**

Stage	Number of samples tested for the presence of processed animal proteins	Positive
At Import	134	0
Feed mills	164	0
Home Mixers	48	0
<b>Total</b>	<b>346</b>	<b>0</b>

**Table 6.6: Summary of 2008 inspection programme for controls of animal protein in animal feed in Great Britain**

Stage	Number of inspections for checks on the presence of processed animal proteins	Number of breaches not based on laboratory testing but, e.g. on documentary checks
Import of feed materials	29	0
Storage of feed materials	38	0
Feed mills	710	2
Home mixers/mobile mixers	244	0
Intermediaries of feedingstuffs	36	0
Means of transport	28	1
Farms keeping non-ruminants	24	0
Farms keeping ruminants	654	0
Farms keeping both ruminants and non-ruminants	559	2
<b>Total</b>	<b>2322</b>	<b>5</b>

<sup>68</sup> Information on the National Feed Audit is available at:  
[www.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/bse/statistics/nfa.htm](http://www.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/bse/statistics/nfa.htm)

**Table 6.7: Summary of 2008 sampling programme for controls of animal protein in animal feed in Great Britain**

Premises	Number of samples collected by Animal Health Divisional Office staff tested by MAT testing			Number of non-compliant samples <sup>69</sup>					
				Presence of bone/ muscle from terrestrial animals			Presence of bone/ muscle from fish		
	Feed materials	Compound feedingstuffs		Feed materials	Compound feedingstuffs		Feed materials	Compound feedingstuffs	
For ruminants		For non-ruminants	For ruminants		For non-ruminants	For ruminants		For non-ruminants	
At import	852	28	0	2	0	0	2	0	0
Feed mills	1,261	2,357	753	21	13	0	1	0	0
Intermediaries/ storage	1059	53	8	3	0	0	1	0	0
Means of transport	0	3	0	0	3	0	0	0	0
Home mixers/ mobile mixers	179	275	206	0	0	0	0	1	0
On farm	357	1,665	531	0	0	0	0	0	0
Fats & vegetable oils	11	0	0	0	0	0	0	0	0
<b>Total</b>	<b>3,719</b>	<b>4,381</b>	<b>1,498</b>	<b>26</b>	<b>16</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>0</b>

<sup>69</sup> Four non-compliant samples contained both terrestrial animal and fish bone, which is recorded separately, making 43 non-compliant samples in total.

## Official controls in the food sector

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### Competent authorities

6.18 Responsibility for monitoring and verifying compliance with and enforcement of food law is divided in the UK. For the most part, responsibility lies with local and port health authorities of which there were 469 in 2008. For the remaining controls, responsibility is divided between central Government Departments and their agencies (see Figure 3.1). Details of the control activities of these authorities during 2007/8 are outlined in the following paragraphs.

### Local and port health authority controls

6.19 In carrying out controls, local authorities are required to have regard to the Food Law Enforcement Codes of Practice - there are separate but parallel Codes in each of the four UK countries.<sup>70</sup> These Codes include intervention-rating schemes, one for food hygiene and one for food standards, for determining the frequency of inspections. For food hygiene, five categories are defined - A to E - and for food standards there are three categories - A to C. For each scheme, A represents the highest-risk premises.

6.20 The control and enforcement activities of local authorities are monitored by the FSA. This includes controls in relation to general food law (food safety, traceability, withdrawals and recalls), imported food, labelling (general, nutritional etc.), composition and standards (e.g. bottled waters, fat spreads, chocolate, foods for particular nutritional use, irradiation) biological safety (e.g. food hygiene), chemical safety (e.g. additives, contaminants, food contact materials) and biotechnology (GM food). The relevant data is collected annually on a financial year basis and is published on the FSA's website, as both national totals and individual authority figures. The data currently collected focuses mainly, but not solely, on actions by the local authorities - on service inputs rather than outcome measures. The main indicators for assessing service delivery by individual authorities are the numbers of planned inspections achieved (to show whether the authority is delivering its planned work and sampling levels).

6.21 Details of the official controls on food carried out in the year April 2008 to March 2009 will not be available until late 2009. The most recent data available is that for the financial year April 2007 to March 2008 - the data is for three quarters of the year (the nine months April to December 2007) to allow local authorities to install and test the new monitoring system.<sup>71</sup> The key findings for 2007/08 are:

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<sup>70</sup> The Codes are available by following the links at: <http://www.food.gov.uk/enforcement/enforcework/foodlawcop/> .

<sup>71</sup> The data is therefore not comparable on an annual basis to previous years (see para 5.2).

- the total number of food establishments at 31 December 2007 showed no significant change from 31 March 2007: 583,101 compared to 582,125;
- the number of food establishments subject to an official control during nine months to December 2007 was 275,222, compared to 360,857 in the twelve months of 2006/07. The change is not significant since the data for 2007/08 are for three quarters of the year;
- 163,399 planned inspections for food hygiene were completed by 31 December 2007, which suggests that planned inspection levels were being maintained;
- 45,630 planned inspections for food standards were completed by 31 December 2007, which also suggests that planned inspection levels were being maintained;
- the number of samples tested by end December 2007 was 113,968. This is 26% lower than the figure for the twelve months of 2006/07, which suggests that levels have been broadly maintained across all of the United Kingdom, although there may have been a decline in England; and
- the total number of establishments subject to a formal enforcement action by 31 December 2007 was 123,619, compared to 166,513 in the twelve months of 2006/07. The data for 2007/08 being for three quarters of the year, suggest no significant change. As in previous years, written warnings formed 95% of all enforcement actions;
- the number of establishments subject to prosecutions and formal cautions taken to 31 December 2007 was 754, compared to 804 in the twelve months of 2006/07. Of these, 368 were prosecutions and 394 were formal cautions.

6.22 For Local Authority food law controls, prosecutions and formal cautions amounted to 0.6% of all enforcement actions, whereas written warnings comprised 95%. These relativities were unchanged from previous years. They show that local authorities are prepared to take cases to court where appropriate, but in the large majority of cases it is appropriate to work with the food business to help it to achieve compliance with the law.

## Import controls

6.23 In 2008, local and port health authorities (PHA) undertook official controls on food being imported from third countries under imported food legislation to check compliance with EU food law requirements, and applied EU safeguard measures. The level of controls for products of animal origin were applied as set out in Directive 97/78/EC,<sup>72</sup> and for food of plant origin risk based controls were applied as set out in Article 16 of Regulation (EC) 882/2204. Additional controls were applied to relevant products as required under EU safeguard measures, under

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<sup>72</sup> Council Directive 97/78/EC laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries. Official Journal L 24, 30.1.1998, 9.



Article 53 of Regulation (EC) 178/2002<sup>73</sup>. For safeguard measures which require the PHA to take samples, information on whether the analysis was satisfactory or not is sent to the Commission. Defra may also be required to provide information to Commission on POAO controls at BIPs. However, for routine checks information on where consignments were satisfactory (eg on non-POAO imports) is held at local level. Results of non-compliant products are submitted to the Commission as RASFF notifications.

- 6.24 The Food Standards Agency provided grants to enforcement authorities for sampling and analysis of imported food for the financial years 2007/2008 and the 2008/2009. The summary report and key findings for 2007/2008 are available on the Agency's website at the link below. This includes the number of samples taken, number of adverse results, and the analysis of the results. The results for 2008/2009 are undergoing analysis and will be published in due course at the link below.

[http://www.food.gov.uk/foodindustry/imports/enforce\\_authorities/samplingandsurveillance/](http://www.food.gov.uk/foodindustry/imports/enforce_authorities/samplingandsurveillance/)

- 6.25 In 2008, live animals and products of animal origin imported from third countries were subject to veterinary checks at the point of entry into the UK, at Border Inspection Posts. All consignments received a documentary and identity check, with physical checks being carried out in accordance with the percentages laid down in Decision 1994/360.<sup>74</sup> Data on these checks was recorded on the TRACES system<sup>75</sup> and information on any samples taken as part of these controls was recorded on the TRACES system. During the year, additional samples were taken under the requirements of Commission safeguard measures on imports of fish and fishery products but this additional work did not affect the level of controls undertaken in other areas. Where the results of the checks revealed a public health risk, the Commission and other Member States were alerted via the RASFF system. Where checks on products of animal origin revealed excess residues, serious infringements or repeated infringements additional checks are carried out on the next ten consignments. In 2008, there were 11 instances where the next ten consignments were, or will be subject to additional checks.

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<sup>73</sup> Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety. Official Journal L 31, 1.2.2002, 1–24.

<sup>74</sup> Commission Decision 1994/360/EC on the reduced frequency of physical checks of consignments of certain products to be implemented from third countries, under Council Directive 90/675/EEC. Official Journal L 158, 25.06.1994, 41-45.

<sup>75</sup> TRACES - Trade Control and Expert System is an internet based service providing information on intra-Community movements and imports of live animals, animal products and germplasm for competent authorities, official veterinary surgeons and traders.



- 6.26 As regards products of animal origin, 69,320 consignments underwent veterinary checks in the UK during 2008. Of these, 958 consignments were rejected, and of the rejected consignments, 392 were re-exported and 566 were destroyed. Details of samples taken at border inspection posts are required by Commission Decision 2004/360/EC.<sup>76</sup> The UK return was submitted on 9 June.
- 6.27 Commission Regulation 2004/745<sup>77</sup> requires details of checks for illegal personal imports of products of animal origin to be sent to the Commission. The UK return was sent on 12 March. The Annual Review of Controls on Imports of Animal Products: April 2008 - March 2009 was published in July recognising the continued joint efforts made during the year across Government Departments to combat the risk of major diseases entering Great Britain through illegal imports from non-European Union (EU) countries. It concludes that much has been achieved in raising public awareness, on enforcement and in assessing the risks. The Review is located at:
- <http://www.defra.gov.uk/foodfarm/food/personal-import/pdf/review0408-0309.pdf>

### Additional sampling activities

- 6.28 Additional controls and prohibitions on imported food were implemented, and guidance issued on the application of the controls to enforcement authorities at points of entry to the UK. Results of tests under EU safeguard measures on fishery products from Indonesia and on crustaceans from Bangladesh showed compliance, with no unsatisfactory results. Details of the results were sent quarterly to the Commission. A summary is provided in Table 6.8.

**Table 6.8: Summary results of official controls in the UK on fishery products from Albania, Gabon and Indonesia, and crustaceans from Bangladesh - 2008**

Decision/Regulation	Country	Product	Hazard	Number of Consign.	Number testing satisfactory	Number testing unsatisfactory
2007/642/EC	Albania	Fishery products (certain species)	Histamine	0		
2008/630/EC	Bangladesh	Crustaceans	Certain vet residues	3	3	0
2008/601/EC	Gabon	Fishery products	Heavy metals/sulphites	0		

<sup>76</sup> Commission Decision 2004/360/EC laying down special conditions for imports of fishery products from Zimbabwe (notified under document number C(2004) 1328) Official Journal L 113, 20.4.2004, 48–53.

<sup>77</sup> Commission Regulation (EC) No 745/2004 laying down measures with regard to imports of products of animal origin for personal consumption (Text with EEA relevance) Official Journal L 122, 26.4.2004, 1–9 [Now repealed by Commission Regulation (EC) No 206/2009 on the introduction into the Community of personal consignments of products of animal origin and amending Regulation (EC) No 136/2004 (Text with EEA relevance) Official Journal L 77, 24.3.2009, 1–19]

Decision/Regulation	Country	Product	Hazard	Number of Consign.	Number testing satisfactory	Number testing unsatisfactory
2006/236/EC	Indonesia (to 15 August)	Fishery products	Heavy metals	356	356	0
2006/236/EC	Indonesia (to 15 August)	Fishery products (certain species)	Histamine	56	56	0
2008/660/EC	Indonesia (from 16 August)	Fishery products (wild caught)	Heavy metals	19	19	0

6.29 Results of other additional controls in 2008 are summarised below:

- delisting of Fiji as an approved third country for fishery products;
- delisting of fishery products establishments requested by Malaysia;
- suspension of bivalve molluscs from Peru;
- pork and pork products from Chile due to dioxins - RASFFs requested enhanced controls, no safeguard Decision was issued which would require results to be provided;
- aquaculture fishery products from China due to malachite green and crystal violet - no reports;
- products from China containing milk/milk products, soya/ soya products, due to melamine and for ammonium bicarbonate (Decisions 2008/798/EC and 2008/921/EC); - 191 results were received from LA/PHA on melamine tests for feed and food, of these 24 were positive. There have been no positive results since November 2008.
- specified rice products from China due to the presence of genetic modification “Bt 63” - 17 incidents were detected and reported;
- Guar Gum and Guar Gum products from India due to pentachlorophenol and dioxins - there were no recorded reports of non-compliance; and
- sunflower oil from Ukraine due to mineral oil<sup>78</sup> - no unsatisfactory consignments.

<sup>78</sup> Commission Decision 2008/433/EC imposing special conditions governing the import of sunflower oil originating in or consigned from Ukraine due to contamination risks by mineral oil (notified under document number C(2008) 2709) Official Journal L 151, 11.6.2008, 55–56 from 10 June 2008 (Commission Decision 2008/388/EC: from 23 May 2008 – 9 June 2008).

## Mycotoxins in Food

6.30 In 2008, official controls in relation to mycotoxins in imported foods were carried out in accordance with Commission Decision 2006/504/EC<sup>79</sup> at designated points of entry and reported to the Commission on a quarterly basis. Information on official controls has been used to inform review on the effectiveness of the Commission Decision on aflatoxins and contribute to the revision of restrictions imposed as part of the Decision. A total of 2213 consignments were presented for import. Of these, 260 were subject to physical sampling and analysis and 50 were found to be non-compliant (including failure to present required documentation). A summary of the results of these controls is provided in [Table 6.9](#). Additional official controls were carried out as follows:

- official controls on consignments under Commission Decision 2008/47/EC,<sup>80</sup> These consist of documentary checks of the sampling and analysis results and the signed health certificate as set out in the Annex.
- unplanned official controls carried out on food lots to check compliance with maximum levels laid down in EC Regulation 1881/2006<sup>81</sup> e.g. following suspicion of non-compliance from informal sampling. These would include checks on peanut products from Ghana, which were increased as a result of repeated non-compliance issues being identified through informal sampling conducted by local authorities. Another example would be where Border Inspection Posts identify certain commodities that may be at higher risk of contamination and sample these, such as in the case of pine nuts from Pakistan.
- as part of the Agency's Imported Food Sampling Plan during 2008. Non-compliant food lots were dealt with as appropriate - 22 samples were found to be non-compliant for aflatoxin levels, including in corn meal, peanut products and spices.

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<sup>79</sup> Commission Decision 2006/504/EC on special conditions governing certain foodstuffs imported from certain third countries due to contamination risks of these products by aflatoxins (notified under document number C(2006) 3113) Official Journal L 199, 21.7.2006, 21–32.

<sup>80</sup> Commission Decision 2008/47/EC approving the pre-export checks carried out by the United States of America on peanuts and derived products thereof as regards the presence of aflatoxins (notified under document number C(2007) 6451) Official Journal L 11, 15.1.2008, 12–16.

<sup>81</sup> Commission Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs (Text with EEA relevance) Official Journal L 364, 20.12.2006, 5–24.

**Table 6.9: Results of official controls in the UK regarding mycotoxins in imported foods carried out in accordance with Commission Decision 2006/504/EC in 2008**

Product	No of consignments			
	Imported	Tested	Non-compliant for mycotoxins	Non-compliant for insufficient documentation
Products originating from Brazil - Brazil nuts in-shell	0	0	0	0
Products originating from Brazil - Peanuts	177	85	6	0
Peanuts and compound products from China	781	83	18	0
Peanuts from Egypt	1	0	0	1
Pistachios and pistachio products from Iran	9	7	4	2
Products originating from Turkey - Hazelnuts and hazelnut products including hazelnut paste	510	28	1	5
Products originating from Turkey - Pistachios and derived products containing pistachios	152	4	0	3
Products originating from Turkey - Products containing mix of pistachios and hazelnuts	90	10	1	1
Products originating from Turkey - fig and fig products	100	22	5	0
Products originating from Turkey - miscellaneous products	111	3	2	0
Almonds and products thereof imported from USA	283	18	1	0
<b>Totals</b>	<b>2,213</b>	<b>260</b>	<b>38</b>	<b>13</b>

### Illegal Personal Imports

6.31 Defra, Her Majesty's Revenue and Customs/United Kingdom Border Agency and the Food Standards Agency have continued to work together on publicity campaigns, including the creation of two campaign websites – one targeted at the general travelling public (<http://www.direct.gov.uk/dontbringmeback>) and one Black and Minority Ethnic targeted (<http://www.direct.gov.uk/foodimports>) – to raise awareness of the rules and understanding of the risks posed by illegal imports of products of animal origin. During the European Commission EU Veterinary Week to communicate key messages on biosecurity both at farm level and in international trade (in November), Defra highlighted the programme of work already ongoing in respect of UK cross-government personal imports campaign at border control points. A previous Defra public information film "*I Packed My Bags*" was also adapted in 35 different language versions for use by other EU Member States. Further information on personal imports and the film is available at:

[http://ec.europa.eu/food/animal/animalproducts/personal\\_imports/index\\_en.htm](http://ec.europa.eu/food/animal/animalproducts/personal_imports/index_en.htm)

## Meat hygiene and TSE controls

- 6.32 The Meat Hygiene Service (MHS) is responsible in Great Britain for these controls in approved meat plants subject to veterinary audit. This service is provided on behalf of the FSA in Northern Ireland (FSANI) by DARD's VS-VPHU. Local authorities are responsible for enforcing these controls other than at approved meat plants. Inspection data is collected on the results of ante and post-mortem checks and audit data in relation to animal by-products (including Specified Risk Material (SRM), application and implementation of HACCP etc.
- 6.33 During 2008, 1,772 Written Advice Notices (in 222 establishments), 173 Hygiene Improvement Notices (54 establishments), 53 Remedial Action Notices (24 establishments) and 103 Recommendations for Prosecution (46 establishments) were served by the MHS in slaughterhouses/game handling establishments and cutting plants that were awarded a poor or unacceptable score in one or more of the sections of part 2 of the food business operator audit.
- 6.34 Meat containing SRM was discovered to have been imported into the UK on two occasions in 2008. In addition, there were two instances of carcasses containing SRM being released for human consumption from UK establishments. Details of all breaches in SRM controls were published on the FSA website<sup>82</sup>. Where breaches occurred at UK plants, the food business operators were recommended for prosecution.
- 6.35 In accordance with Article 9(2) of Regulation (EC) No. 999/2001 on TSE,<sup>83</sup> the FSA reported to the Commission, within the deadline of 1 July 2008, on the use and the production method of mechanically separated meat (MSM) in the UK. Seven UK plants produced MSM from poultry, lagomorphs or pork bones. Most of the companies concerned intended to continue production. No production from ruminant bones, which is prohibited under the the TSE Regulation, was reported.

## VS-VPHU controls

- 6.36 A Service Level Agreement (SLA) exists between FSANI and VS-VPHU, which records the services, requirements and targets to be met. Official control information is divided into inspection and audit data. Inspection data covers results of ante- and post-mortem checks. Ante- and post-mortem examination inspections results are held electronically on the Animal and Public Health Information System (APHIS) managed by DARD and results are available to food business operators. Audit data covers the verification of food business operator activities (e.g. food business operator controls on animal by-products (including SRM), application and implementation of pre-requisites and HACCP, etc). No unplanned official controls were undertaken during 2008. An annual report,

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<sup>82</sup> Details at: <http://www.food.gov.uk/safereating/animaldiseases/bse/facts/bsecontrol/2008/srmbreaches08>

<sup>83</sup> Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies. Official Journal L 147, 31.5.2001, 1–40.

under SLA requirements, is now available (but not published). In the period 1 April to 31 December 2008, 183 Corrective Action Request letters, 3 Remedial Action Notices and 12 Hygiene Improvement Notices were served by VPHU staff in approved premises during inspection and audit activities.

### **Approvals of meat establishments**

- 6.37 The FSA is responsible for the approval of those fresh meat premises in the UK that are subject to veterinary audit and has been undertaking a programme to approve, under Regulation 853/2004,<sup>84</sup> all meat establishments that were licensed under the previous legislation and certain catering butchers and game handling establishments that were previously exempt from approval. This programme is contributing to reducing foodborne illness by raising standards in meat plants. The approvals programme is, in the majority of cases, prompting operators to carry out the necessary improvements to gain approval.
- 6.38 The approvals programme in Scotland, Wales and Northern Ireland will be completed by autumn 2009. In England, all slaughter houses will have an approval decision by the end of September 2009; all catering butchers to be approved as cutting plants will receive an approval decision by the end of 2009. This was due to the proportion of establishments granted conditional approval and, therefore, requiring additional visits within the three and six month deadlines set in Regulation (EC) 882/2004. The volume of catering butchers requiring approval as cutting plants has also contributed to the extension of the completion date. As at 31 December 2008, 681 previously licensed meat establishments had received conditional approval or approval under Regulation 853/2004 in accordance with Regulation 882/2004 and 69% of these establishments was given conditional approval at the first inspection visit.
- 6.39 Eight meat establishments subject to veterinary audit were refused approval in 2008. All were previously licensed (four poultry slaughterhouses, one red meat slaughterhouse and three cutting plants). Two of these subsequently upgraded their establishments and obtained conditional or full approval.

### **Hygiene controls at milk production holdings (in UK) and liquid milk processing establishments (in Northern Ireland)**

- 6.40 Animal Health Dairy Hygiene (AHDH), on behalf of the FSA, is responsible for hygiene controls at milk production holdings in England and Wales. DARD Quality Assurance Branch (QAB) is responsible for milk hygiene controls on behalf of the FSA in Northern Ireland and local authority food law enforcement services are responsible for controls in Scotland. During 2008, there were approximately 12,000 milk production holdings in England and Wales, 3,827 in Northern Ireland and 1,734 in Scotland. In Northern Ireland, DARD QAB, on

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<sup>84</sup> Corrigendum to Regulation (EC) No 853/2004 of the European Parliament and of the Council of laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004. Corrected version in OJ L 226, 25.6.2004). Official Journal L 204, 4.8.2007, 26–26.

behalf of FSANI, is also responsible for hygiene controls at liquid milk processing establishments, of which there were ten in 2008.

6.41 AHDH carried out a full programme of inspections in 2008 to enforce the relevant provisions of the food hygiene legislation at milk production holdings in England and Wales. It achieved this by carrying out a risk based programme of inspections to ensure that a satisfactory standard of hygiene was maintained. No unplanned inspections were carried out.

6.42 The numbers of primary inspections and secondary inspections (to check on correction of non-compliances) carried out in 2008 by AHDH, DARD and local authorities in Scotland are given in [Table 6.10](#). There were two successful prosecutions by AHDH against dairy farmers who had failed to rectify hygiene deficiencies at their farms. In addition one farmer was given a formal caution for obstructing inspection of his premises. The number of inspections and the extent to which any problems are resolved after secondary inspections indicates that current official controls are effective. AHDH offered guidance and advice to business on compliance with the legislation and supervised the sampling of raw cows' drinking milk to ensure that microbiological criteria set out in national legislation were not exceeded. It contributed to the overall objectives by adhering to the Hampton principles of inspection and enforcement.<sup>85</sup>

**Table 6.10: Summary of hygiene controls on milk production holdings in England Scotland and Wales and liquid milk processing establishments in Northern Ireland in 2008**

	Primary inspections	Secondary inspections	Formal enforcement actions
<b>Milk production holdings</b>			
AHDH	10,477	2005	<ul style="list-style-type: none"> <li>• 3,480 Guidance Letters</li> <li>• 38 Hygiene Improvement Notices</li> <li>• 2 successful prosecutions</li> </ul>
Local Authorities in Scotland	378	24	
DARD QAB	3,316	1,070	<ul style="list-style-type: none"> <li>• 244 warning letters</li> <li>• 575 confirmatory (guidance) letters</li> </ul>
<b>Liquid milk processing establishments</b>			
DARD QAB	11	33	<ul style="list-style-type: none"> <li>• 26 confirmatory (guidance) letters</li> </ul>

### Hygiene controls at egg production units

6.43 These controls are carried out, on behalf of the FSA, by the Egg Marketing Inspectorate (EMI) in England and Wales, the Scottish Government's Rural Payments and Inspections Directorate in Scotland, and DARD QAB in Northern Ireland. As regards England and Wales, the FSA's SLA with EMI included a

<sup>85</sup> Reducing administrative burdens: effective inspection and enforcement. March 2005. Philip Hampton - this is available at: <http://www.berr.gov.uk/files/file22988.pdf>



target to inspect 580 production sites in the year April 2008 – March 09, one quarter of the 1,880 registered egg production sites. On a pro rata basis, this equated to a target of 435 inspections between April and December 2008. Between January and December 2008 a total of 355 formal enforcement inspections were carried out. This was below the programmed level due to delays in publication of draft guidance on enforcement inspections and in formally authorising EMI inspectors. Once these issues had been resolved (June 2008), the majority of inspections expected were carried out at a satisfactory rate. In addition to formal enforcement inspections, a further 190 informal ‘advisory’ inspection visits had been made to premises to trial the enforcement guidance. No enforcement action was taken as a result of these formal or informal inspections.

6.44 As a result of enforcement inspections carried out by EMI, 12 (3.5%) producers were judged to be not fully compliant with the legislative requirements, which were due to minor issues with premises or failure to have completed action identified at previous inspections. No major or critical non-compliances were found at any premises inspected and it was not necessary to take formal enforcement actions or issue formal notices. To date, this suggests that control priorities are effective and that resource allocated are appropriate and that the overall level of compliance by operators with legislative requirements is good. The results of inspections carried out by DARD QAB in 2008 are given in Table 6.11

6.45 In 2008, there were a total of 272 registered egg production sites in Scotland, of which 143 have 350 or more hens (the ones requiring to be inspected under the hygiene regulations) housing approximately 2.9 million laying hens. The outcome of inspections has not yet been verified.

**Table 6.11: Summary of hygiene controls at egg production holdings and egg packing establishments in Northern Ireland in 2008**

	Primary inspections	Secondary inspections	Formal enforcement actions
<b>170 Egg production holdings</b>			
DARD QAB	17	1	<ul style="list-style-type: none"> <li>• 1 warning letter</li> <li>• 1 conformity (guidance) letter</li> </ul>
<b>40 Egg packing establishments (at end of 2008)</b>			
DARD QAB	29	33	<ul style="list-style-type: none"> <li>• 38 conformity (guidance) letters</li> </ul>

### Hygiene controls at other primary producers

6.46 The frequency of food and feed inspections at primary production level differs from other establishments: animal feed - 1, 2 or 5 yearly risk rating and food - 2% (low risk) and 25% (high risk) based on local knowledge and membership of a recognised assurance scheme. These schemes address the relevant requirements of the hygiene legislation. Furthermore, as part of the ‘local knowledge’ criteria, arrangements have to be in place to enable enforcers to



access all relevant information readily. Where farms are mixed, the highest inspection rating determines the frequency. The Agency recognising that rationalisation of on-farm inspection would be in line with the 'better regulation' principles, is currently running a pilot in Scotland to integrate food and feed hygiene inspections under a single risk-rating regime for primary production food law. The pilot will be evaluated and outcomes applied to the rest of the UK, as appropriate. DARD QAB, undertakes these controls, on behalf of the FSA, in Northern Ireland. In 2008, 519 on-farm inspections were carried out. Only one confirmatory letter was issued; a summary report form is left with each food business operator at the completion of the inspection.

## **Classification and monitoring of UK shellfish harvesting areas**

6.47 The position in 2008 was as follows:

- In England and Wales, five beds exceeded the statutory limits for Diarrhetic shellfish poisoning (DSP) and one bed exceeded the statutory limits for Paralytic shellfish poisoning (PSP), in 2008. In total, 14 beds were closed due to toxin exceedances in flesh samples. The higher number of closures is due to North Cornwall District Council issuing a Temporary Closure Notice for the whole of the Camel Estuary (nine beds) when DSP limits were exceeded in Trebetherick Rocks in August 2008. In the following week all samples from the Camel tested negative for DSP, so North Cornwall District Council lifted the Temporary Closure Notice for the rest of the Camel Estuary, keeping Trebetherick Rocks closed as required by law.
- In Scotland, there were no closures due to microbiological contamination.
- In Northern Ireland, there were no harvesting areas that exceeded the statutory limits for marine biotoxins or microbiological contamination during 2008. As a result, there were no bed closures. There were no harvesting areas that exceeded the statutory limits for DSP, PSP or Amnesic shellfish poisoning during 2008. As a result, there were no bed closures.

## **Food irradiation**

6.48 The FSA is responsible for the licensing and inspection of food irradiation facilities in the UK of which there is currently only one. This was not inspected during 2008.

6.49 The FSA is required under Directive 1999/2/EC<sup>86</sup> to provide a report each year to the Commission on compliance of food irradiation on foods and food ingredients treated with ionising irradiation, facilities subject to official controls, the quantities of food irradiated and the radiation dose administered, and on the results of checks for irradiated food at the product marketing stage. The data for 2008 was provided to the Commission in June. In summary:

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<sup>86</sup> Directive 1999/2/EC of the European Parliament and of the Council on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation. Official Journal L 66, 13.3.1999, 16-23.

- no food was irradiated in the one approved UK food irradiation facility;
- at the product marketing stage, 284 individual food samples were analysed and 12 (4.2%) were found to be irradiated and either not labelled as irradiated or had not been irradiated at an approved facility;
- non-compliant products included dried herbs, spices, vegetable seasonings, food supplements, honey and bee products, fruit and dried seasonings in Asian type noodle meals; and
- there is no evidence that the products were irradiated at facilities in the European Community and it is likely that most non-compliant products originated from third countries.

### **Protected food names**

- 6.50 Defra is responsible for the operation within the UK of the schemes for the protection of food names on a geographical or traditional recipe basis. Producers of registered food names are inspected by Defra approved inspection bodies to ensure that the appropriate specification is being met for the 38 protected food name products registered. In 2008, inspections were carried out to ensure compliance against the registered specification on each producer using a protected food name. As a result of these checks no formal action was taken to de-register any UK producer.
- 6.51 UK local authorities also have an enforcement role with respect to ensuring that protected food product names are not used fraudulently and that general rules are complied with. Information on local authority control activities is included in paras 6.19 to 6.22 above.

### **Organic products**

- 6.52 In the UK, Defra has responsibility for the organic inspection and certification system and is required to submit an annual report to the European Commission on its operation. This includes information on inspections and sampling undertaken, as well as sanctions imposed. Defra-approved Inspection Bodies are required to visit the organic operators for which they have responsibility at least once a year but may also undertake unannounced visits. In 2008 there were 5,472 registered organic operators which received routine inspections. A further 355 unannounced inspections also took place. As a result, 8,114 infringements of the organic standards were reported. This resulted in 50 penalties being applied by the organic certification bodies. There were, however, no major incidents of mis-selling of non-organic or contaminated produce as certified organic produce. The number of infringements is significantly higher than in 2007 (1003) because in 2007, the European Commission had introduced a new reporting system for infringements and there had been confusion about the irregularities that should be reported. This meant that some of the control bodies did not report all of the irregularities they found. As all irregularities found in 2008 have been reported, the figure is significantly higher than in 2007.

- 6.53 Of the 8,114 infringements of the organic standards that were reported, 8,108 were classed as irregularities and the remaining 6 classed as manifest infringements. Of the 50 penalties that were applied by the organic certification bodies, 26 penalties were applied to the lot or production run (meaning that indications referring to the organic production method were removed from the entire lot or production run affected by the irregularity concerned) and 24 penalties were applied on the operator (meaning that the operator concerned was prohibited from marketing products with indications referring to the organic production method for an agreed period).
- 6.54 Article 15 of Council Regulation (EEC) 2092/91<sup>87</sup> requires the competent authority of each Member State that oversees the control and certification of organic production to complete a return that gives the measures taken in the previous calendar year for the implementation of the Regulation. The UK's return for the 2008 calendar year shows that the organic control system is working effectively in the UK with no major concerns about the competence of the organic inspection bodies to control their licensees.

### **Beef labelling controls**

- 6.55 The beef labelling system is designed to provide consumers with more reliable information about the beef they buy. The rules apply to all fresh and frozen beef and veal for sale at all stages of the supply chain from slaughterhouse to final point of sale. Claims about the origin, production methods and characteristics of beef which are not compulsory may be approved under the *Beef Labelling Scheme* on a voluntary basis. Under the scheme, prior approval of an application and verification of voluntary claims is carried out by recognised independent third parties or 'verifiers'. Risk based, inspections are undertaken at licensed abattoirs and cutting plants. The beef labelling in the retail sector is inspected by the local authorities.
- 6.56 The following official controls were undertaken for beef labelling by each competent authority:
- At abattoirs and cutting plants:
- In England and Wales (with an MHS presence) by the Rural Payments Agency's (RPA) Technical Inspectors (on behalf of DEFRA);
  - In Scotland by the Scottish Government's Meat and Livestock Inspectors;
  - In Northern Ireland by the Department of Agriculture and Rural Affairs (DARD) Senior Technical Inspectors;

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<sup>87</sup> Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs. Official Journal L198 , 22.7.1991, 1-15.

At retail level:

- UK-wide by local authorities to ensure that all beef (cuts and carcasses) sold/supplied by operators were correctly labelled with the required compulsory indications and that traceability of the beef was maintained at all times, in accordance with Title II of EC Regulation 1760/2000<sup>88</sup>. Also check any approved voluntary labelling in use to ensure that operators have received permission to use those specific claims by way of independent verification and a valid approval certificate issued through the competent authority.

6.57 In England and Wales, the RPA achieved its planned official controls for 2008 and a total of 803 inspections were carried out. Of these, 69 were plants in Wales. Where non-compliance was found, plants were revisited until compliance was achieved (which is what the RPA term as a ‘follow up’). Of the 803 inspections, 332 resulted as requiring a follow up inspection to be made to check that corrective action was being taken. The type and number of non-compliances identified were:

- Lack of full traceability – 169
- Carcasses not labelled – 4
- Boxes/cuts/trays/dolavs/quarters received not labelled – 91
- Boxes/cuts/trays/dolavs/quarters for despatch not labelled – 184
- Approved labelling not satisfactory – 42

For 2008, the overall level of compliance by operators was approximately 59.0%.

In comparison with 2007 data, the overall level of compliance by operators has dropped by 10% as the RPA continues to add more new premises to visit, following new FSA approval. These plants often have little or no knowledge of what is expected under the Beef Labelling Scheme compliance, therefore our unsatisfactory figures have risen. Besides, Commission guidance states that the beef of bovine animals aged 12 months or less is also labelled with additional information which has added to the level of deficiencies seen.

6.58 In Scotland, overall, 35 inspections took place at licensed abattoirs and cutting plants in 2008. Closure of plants resulted in the reduction of the 40 inspections planned. Three non compliance letters were issued to the operators. The overall level of compliance with the beef labelling requirements in Scotland was found to be good with only a small number of operators identified in the medium to high-risk category. These operators were visited on a more frequent basis. Where minor problems were found on any part of the beef labelling scheme, remedial action was taken without a non compliance letter being issued. No Scottish operators were restricted or prohibited from placing on to the market beef or

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<sup>88</sup> Regulation (EC) No 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97). Official Journal L 204, 11.8.2000, 1–10.

animals. Neither were any approvals to operate withdrawn, suspensions, fines or legal action administered. The type and number of non-compliances identified were:

- Lack of full traceability - 3
- Carcasses incorrectly labelled - 2
- Quarters received unlabelled - 1

6.59 In Northern Ireland, DARD achieved its planned official controls for 2008. Unscheduled (follow-up) inspections were undertaken where non-compliance was found. These inspections had little or no impact on planned inspections. In abattoirs and cutting plants 19 instances of non-compliance were detected in 13 out of 55 premises inspected, resulting in four verbal warnings, ten follow-up inspections; nine warning letters, one final warning letter, and one court case resulting in conviction and a fine of £1,000. Non-compliances recorded related to labels with information omitted or inaccurate information and inaccurate company records. For 2008, the overall level of compliance by operators was 76%.

6.60 The planned control programme carried out by verifiers was generally achieved to agreed targets. Non-compliances are categorised at two levels, Major and Minor. For example, of the 329 inspections conducted 35 (10.6%) resulted in major non-compliances and 134 (40.7%) resulted in minor non-compliances. Although the level of minor non-compliance at the time of inspection appears to be significant, the sectors were proactive in correcting non-compliance and instances where certification had to be suspended were rare.

### **Recognition of non-EEA natural mineral water sources**

6.61 The FSA is directly responsible for controls for the recognition of non-EEA natural mineral water sources. One new application was received during 2008 and no new recognitions were granted. One existing recognition was revoked at the request of the producer. At present there is one non-EEA waters recognised by the UK. Details are available on the FSA website at:

<http://www.food.gov.uk/enforcement/sectorrules/mineralwaters>

### **Pesticide residues**

6.62 The Pesticide Safety Directorate (PSD) is responsible for the national monitoring and surveillance programmes for pesticide residues in food and drink. The PSD is required to report monitoring and surveillance data under EC Regulation 396/2005<sup>89</sup> which requires Member States to check regularly the compliance of foodstuffs with MRLs. The purpose of the UK monitoring programme for pesticide residues in food and drink is to monitor the risk to consumers, and check for compliance with legislation. Information on the origin of all foods

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<sup>89</sup> Regulation (EC) No 396/2005 of the European Parliament and of the Council on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC. Official Journal L 70, 16.3.2005, 1-16.

analysed are published (known as the “Brand Name Policy”). PSD reports to the Commission the results of the monitoring programme for pesticide residues carried out both under their national programme and under the EU co-ordinated programme. More detailed information on the particular activities of the PSD is provided at Appendix K of the NCP.

- 6.63 All planned official controls were achieved with the exception of surveys of chilli peppers and baby foods. The intention was to use local authority officers to carry out this sampling but this was not possible during 2008 due to their other work commitments. This work will therefore be reported on next year. There were no unplanned official controls – ones that involved a significant temporary departure from the national control plan due to unforeseen circumstances. There is provision within the national monitoring plan for a small survey to be carried out in response to any information that arrives during the year: in 2008 this was used to carry out a small survey of root ginger in the light of information about residues of concern found in root ginger in California, USA.
- 6.64 Complete results for 2008 will be compiled in time for submission as required under Directive 396/2005, therefore compiled results are not available for 2008 at the time of writing. Examination of the results to date suggest that the largest percentage of non-compliances were found in the fruit and vegetable sector. This sector of the programme has been designed to include a wider range of commodities than the others (animal products, cereal products and groceries). Fruit and vegetables also receive proportionally more financial resources. There were no changes identified to the overall control priorities and resource allocation as a result of the official controls.
- 6.65 Results for 2008 have been published online in quarterly reports at <http://www.pesticides.gov.uk/prc.asp?id=2536>. The Pesticide Residues Committee’s annual report for 2008 will be published in September 2009 and will also be available at the same link. The time between sample collection and publication is used to: analyse the samples; peer review the results; compile the reports; consult with brand owners of the sample and, discuss findings with the Pesticide Residues Committee. Results for 2007 are available at: <http://www.pesticides.gov.uk/prc.asp?id=2223>
- 6.66 PSD conducted a screening risk assessment on all the residues found. Consumer risk assessments were carried out for both short-term (peak) and long-term intakes. When a residue level could lead to intakes above the Acute reference dose for any group of consumers, then a detailed risk assessment was produced and a draft RASSF notification was submitted to the Food Standards Agency for appropriate action to be taken.

### **Medicated feed and specified feed additives**

- 6.67 The Animal Medicines Inspectorate (AMI) inspects and approves manufacturers and distributors of specified feed additives, medicated animal feedingstuffs and retailers of certain restricted veterinary medicines. The AMI also carry out routine



audits of feedingstuffs manufacturers and distributors, (which include taking samples of feed for quantitative analysis), and conduct follow up visits where serious non compliance necessitates additional control activities. In 2008, six Improvement Notices were served on Feed Business Operators:

- four Notices were served on Category 6 (on farm) manufacturers; two for Medicated Feedingstuffs Prescription non-compliances and two for Quality Assurance non-compliances;
- one Notice was served on a Category 2 Manufacturer for supplying medicated feed to a non-approved Distributor; and
- the other Notice was served on the aforementioned Distributor for selling medicated feeds whilst not approved to do so.

### **Veterinary residue surveillance**

6.68 The VMD is responsible for the national veterinary drug residue surveillance programmes. The UK National Residues Control Plan (NRCP) was agreed in time for 2008. Samples were allocated to Northern Ireland on the basis of their production. All information in relation to the sampling in Great Britain was captured on the VMD's database. Key performance indicators are defined in Service Level Agreements/contracts with the competent authorities involved in the sampling and analysis for the NRCP. Performance was monitored through the VMD's database. Details of the UK results for the NRCP (including the follow-up action taken) are provided to the Commission via the EU database. A report will be provided to the Commission in line with the deadline of 1 June 2009. In 2008 around 33,300 samples were tested under the UK NRCP. The results show no evidence of the use of synthetic growth promoters. On-farm investigations into confirmed residues of natural hormones found no evidence of abuse for growth promotion purposes. None of the non-compliant residues of authorised veterinary medicines were considered to be a risk to human health.

6.69 Non-complaint residues were confirmed for antibiotics, anthelmintics and Non Steroidal Anti-Inflammatory Drugs (NSAIDs). A summary of the results is provided in [Table 6.12](#). The incidences of non-compliant antibiotic residues in poultry milk and eggs were low. With respect to NSAIDs; residues of phenylbutazone were found in three samples of horse plasma. Phenylbutazone is not authorised for use in food producing animals. Investigations show that although the horses had been treated, the horse passports were not updated and they were submitted for slaughter.

**Table 6.12: Summary of non-complaint residues for antibiotics and anthelmintics in UK in 2008**

Residue	Animal Type	No of Samples	Non-compliant
Antibiotic	Calves	197	3
Antibiotic	Pigs	1,482	5*
Anthelmintics	Cattle	1115	3
Anthelmintics	Sheep	1,399	1

\* Residues were due to the animals being sent to slaughter within the withdrawal period and also cross-contamination of feed on farm.

6.70 The male cattle on two farms were put under movement restriction following non-compliant samples for alpha-nortestosterone. These were subsequently lifted following further follow up sampling which proved compliance.

### Environmental contaminants and insecticides

6.71 Non-compliant residues were confirmed for heavy metals in cattle, sheep, goat and wild deer; residues due to the age of the animals. Incidence for cattle was 1 out of 84 tests. Incidence for sheep was 1 out of 49 tests and incidence for goats was 1 out of 7 tests. The non-compliant sample for wild deer was likely to be due to the shot that killed the animal. One non-compliant sample for DDT in sheep which was due to contaminated feed. One honey sample was also non-compliant for Dichlorobenzene/ Napthalene; this was due to the use of these substances within the hive to prevent wax moth.

6.72 A programme of testing for nitrate in lettuce and spinach, in accordance with Article 7.1 and 7.2 of Commission Regulation (EC) 1881/2006, was conducted throughout 2008. A report is in preparation for submission to the Commission by June 2009.

### Feed and food incidents in 2008

6.73 During 2008, the Agency investigated 1,298 feed and food related incidents in the UK. Although this represents a very slight fall compared with 2007, the number of incidents reported has now remained fairly constant at around 1,300 for the past three years. There were 14 high level incidents where the Agency was involved in a wider Government response. This included: elevated levels of aflatoxin in fig paste imported into the UK from Turkey; the largest known outbreak of *Salmonella agona*, which affected 163 people in ten European countries; melamine contamination of milk products from China; and dioxin contamination of pork in Ireland. The major categories of incidents were: natural chemical contamination (18%); environmental contamination (14%); microbiological incidents (14%); and on-farm incidents (11%). The number and types of incidents reported is summarised in [Table 6.13](#).



6.74 Where appropriate, action was taken by the FSA to ensure that consumers' interests were protected in relation to food safety. This included the issue of 149 Food Alerts<sup>90</sup> including 59 Allergy Alerts. These alerts give consumers and enforcement officers the information that they need directly by email or SMS text message as well as on our website. More detailed information is available in the FSA's annual report of incidents at:

<http://www.food.gov.uk/multimedia/pdfs/incidents08.pdf>

**Table 6.13: Summary of incidents reported in the UK in 2008**

Incident type	Number
Allergens	84
Animal feed (on market)	13
Biocides	1
Counterfeit products	6
Environmental contamination	186
Food contact materials	35
Illegal import/export	7
Irradiated ingredient	10
Labelling/documentation	126
Microbiological contamination	186
Natural chemical contamination	230
On-farm	139
Pesticides	16
Physical contamination	110
Process contaminants	14
Radiological	6
TSE	4
Use of an unauthorised ingredient	66
Veterinary medicines	47
Water quality	12
<b>Total</b>	<b>1,298</b>

<sup>90</sup> Food Alerts inform local authorities and consumers about problems associated with feed and food and, in some cases, provide details of specific action to be taken. These are issued under two categories, 'Food Alerts: for Action' and 'Food Alerts: for Information'. More information on the Food Alert system is available at: <http://www.food.gov.uk/enforcement/alerts/>

## Official controls in the animal health sector

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### Competent authorities

6.75 In Great Britain, AH is responsible for veterinary controls in the area of animal health. In Northern Ireland, this role is undertaken by DARD. Enforcement of legislation is mainly the responsibility of local authorities. In England and Wales, this is organised through a Framework Agreement between Defra, the Welsh Assembly Government and LACORS.<sup>91</sup> Table 6.14 provides details of the Animal Health inspections carried out during 2008.

6.76 Defra has a legal responsibility under Section 80 of the Animal Health Act 1981 (as amended)<sup>92</sup> to produce an annual report for Parliament. The report covers England and Wales, and includes the enforcement activity of the local authorities (e.g. details on legal proceedings which have resulted in criminal convictions under animal health and welfare related legislation) and the compensation paid out for animals slaughtered to prevent the spread of animal disease. The 2008 report 'Return of expenditure incurred and prosecutions taken under the Animal Health Act 1981 and incidences of diseases in imported animals' is available at:

[www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/annualreport-parlia.htm](http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/annualreport-parlia.htm)

A separate report is produced by the Scottish Government, and is available at:

<http://www.scotland.gov.uk/Topics/Agriculture/animal-welfare/Diseases/GenControls/Enforcement>.

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<sup>91</sup> The Framework Agreement is available at: <http://www.defra.gov.uk/foodfarm/policy/animalhealth/deliver/pdf/ahw-framework2009.pdf>

<sup>92</sup> Animal Health Act 1981, c 22.

**Table 6.14: Details of the Animal Health inspections in Great Britain carried out during 2008**

Disease	Status	No of inspections	No of control measures
Bovine TB (bTB) *	<p>One of the goals of the Government strategic framework for the sustainable control of bovine tuberculosis for Great Britain is to improve availability of information on bTB and raise awareness and understanding of bTB issues amongst all stakeholders.</p> <p>Public information focuses on improved compliance, emphasising on the benefits of timely testing of cattle as an important element of control.</p> <p>The annual review of Parish Testing Intervals for TB in England and Wales was completed and intervals calculated in line with Annex A of Council Directive 64/432/EEC<sup>93</sup> (as amended).</p> <p>On 1 October 2008 the Welsh Assembly Government introduced, as part of its TB Eradication Programme, the TB Health Check Wales with the intention of testing every herd in Wales over a 15 month period.</p> <p>The testing interval for Scotland was also reviewed (The whole country is defined as the relevant area). Statements of the revised Parish Testing Intervals were issued to all cattle keepers in July 2008.</p>	<p>53,804 surveillance herd tests were completed. bTB was confirmed in 2633 herds with 266 incidents remaining unclassified pending culture results.</p> <p>A total of 41,718 animals were slaughtered. TB was confirmed in 632 of the suspect cases.</p> <p>247,089 animals were traced from breakdowns, where bTB had been confirmed between January and December 2008, and where applicable, were tested to the agreed Ministerial standard of within 9 weeks. This represents 81.1% of a demand of 304,814 animals that required tracing. .</p> <p>As part of the TB Health Check Wales, a total of 3,661 herd tests have been completed to the end of January 2009 against a predicted demand of 3,030. This included 191 tests completed in September but qualify as TB Health Check Wales tests together with a number of overdue tests which were completed to TB Health Check Wales standard.</p>	<ul style="list-style-type: none"> <li>• 4986 new incidents recorded, movement restrictions were served within the 2 working day target for 1811 out of 1866 (97.1%) herds that were not already under restrictions.</li> <li>• 1096 slaughterhouse suspect cases were reported during 2008. Movement restrictions were served within the 2 working day target for 676 out of 678 (99.7%) herds of origin that were not already under restrictions.</li> <li>• 7952 herds were under restriction during 2008 due to the zero tolerance policy.<sup>94</sup></li> <li>• All high risk cattle movements are centrally monitored to ensure that cattle are subject to a pre-movement TB test. 91% of all consignments of cattle eligible for a pre-movement test in 2008 were compliant. Animal Health undertook a random and targeted check on 11.5% of non-compliant holdings. Herd owners were issued with official warnings and advisory letters. In 2008 576* of the non-compliant movements were investigated and 17 cases were referred to the Local Authority for further action.</li> </ul> <p>* A lot of manual checking is carried out by the PRMT Unit on the holdings selected and a good percentage are found to be compliant, by checking CTS, AMLS, Vetnet etc, without the need to send a letter to the farmer for more information.</p>

<sup>93</sup> Corrigendum to Council Directive No 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine (OJ No 121, 29.7.1964). Official Journal L 120, 13.5.1975, 13-13.

<sup>94</sup> Animal Health operates a zero tolerance policy on overdue tests, where herds not tested by the due date are automatically restricted until the tests are completed. The VETNET IT management and support system, automatically identifies herds with overdue tests and generates reports that are used to issue herd restriction notices and notify Local Authorities.

Disease	Status	No of inspections	No of control measures
BSE	<p>The incidence of BSE in the UK continued to decline.</p> <p>AH received 89 notifications of suspect BSE in cattle during 2008.</p>	<p>88 (98.9%) inspections of reported cases were carried out no later than the following day.</p>	<p>Of the 89 report cases:</p> <ul style="list-style-type: none"> <li>• 29 were restricted and compulsory slaughtered as clinical suspects;</li> <li>• 16 were confirmed, the remainder were examined but not diagnosed as affected by BSE</li> </ul> <p>Movement restrictions were served and passports seized within 5 working days for 65 out of 72 offspring ( 90.3%)and 748 out of 780 cohort animals (95.9%) from passive surveillance suspect cases and active surveillance confirmed cases.</p>
Scrapie	<p>Statutory EU controls on flocks and herds with confirmed cases of Scrapie are implemented through the Compulsory Scrapie Flocks Scheme (CSFS).</p>	<p>31 suspect cases of Scrapie in sheep or goats were investigated within the 2 days target.</p>	<p>13 Flocks were brought into CSFS, with 12,261 animals blood sampled and 5,793 animals culled.</p>
National Control Plan for salmonella in chicken breeding flocks	<p>Under the Poultry Breeding Flocks and Hatcheries (England) Order 2007 (and equivalent legislation in Scotland and Wales) and the Importation of Birds, Poultry and Hatching Eggs Order 1979, Divisional Veterinary Managers (DVMs) are responsible for the collection of specified official samples to be tested for Salmonella.</p>	<p>Across all adult breeding flocks (Broiler Breeders and Layer Breeders) a total of 1469 flocks were tested.</p>	<p>Eight adult breeding flocks were confirmed as infected with S. Thyphimurium during 2008. The estimated prevalence of SOPHs in adult breeding flocks is 8/1469 = 0.55% which is below the target of 1%</p> <p>A further 14 adult breeding flocks were identified with non-SOPH Salmonella serotypes during the year. The estimated prevalence of Salmonella positive adult flocks across all Serotypes of production line types is 22/1469.</p>
Artificial Insemination (Bulls and boars)		<p>During 2008 Animal Health carried out 155 approval visits. Also a total of 753 boars and 323 bulls were sampled.</p>	

Disease	Status	No of inspections	No of control measures
Animal By-Products controls	<p>Animal Health are responsible for the application of Regulation (EC) No 1774/2002<sup>95</sup> laying down health rules concerning animal by-products not intended for human consumption as amended and of the Animal By-Products Regulations 2003.</p> <p>Animal Health approve animal by-product premises and deliver a programme of inspections to monitor compliance. The frequency of the inspections is determined in accordance with risk assessments agreed with the policy partners.</p>	<p>There are currently 2398 approved premises in Great Britain and during 2008 Animal Health completed 5700 inspections out of the 6319 scheduled.</p>	<ul style="list-style-type: none"> <li>• A total of 315 inspections were carried out at premises that receive international catering waste. 14 operators who land international catering waste were found to be non-compliant: <ul style="list-style-type: none"> <li>○ 10 have since been re-inspected and were compliant</li> <li>○ 1 site has been suspended</li> <li>○ 2 sites have had subsequent inspections that resulted in non-compliance.</li> <li>○ 1 site has not been re-visited due to infrequency of use, however the company responsible for the non-compliance have been visited and are now compliant.</li> </ul> </li> <li>• Major unsatisfactory results were recorded at 182 inspections, where the handling and disposal of Specific Risk Material (SRM), structure, operation or record keeping were not to the required standards. In 155 cases the problems have been resolved within target at a subsequent follow-up inspection or the plants are no longer operating.</li> <li>• Minor unsatisfactory results were captured locally rather than on the SRABPI system as these were not deemed to be serious and could be dealt with by letter rather than an additional visit.</li> </ul>

<sup>95</sup> Corrigendum to Regulation (EC) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption ( OJ L 273, 10.10.2002 ) Official Journal L 30, 3.2.2007, 3.

## **Notifiable diseases**

### **Great Britain**

6.77 A summary of the investigation, identification and control of a number of notifiable diseases by AH in 2008 is provided on [Table 6.15](#). Further information on the actions undertaken to control confirmed incidents of exotic notifiable disease is included in *Animal Health 2008 - The Report of the Chief Veterinary Officer* at: <http://www.defra.gov.uk/corporate/about/who/cvo/report.htm>.

**Table 6.15: Exotic Notifiable Disease Investigations during 2008<sup>96</sup> in Great Britain**

<b>Disease</b>	<b>Negative investigations</b>	<b>Confirmed investigations</b>
Anthrax	1	0
Aujeszky's Disease	23	0
Notifiable Avian Disease	73	2
Bluetongue	387	71 (85 premises)
Brucellosis	9	0
Classical swine fever	5	0
Contagious Equine Metritis	2	2
Foot and Mouth Disease	14	0
Glanders	2	0
Rabies/Bat Rabies	10	2
Warbles	1	0
West Nile Virus	2	0

6.78 In the main, AH completed the planned programme of control activities despite having to redeploy staff resources to deal with outbreaks of notifiable diseases. To recognise this, the targets included activities to develop the Agency and set qualitative standards of operational performance rather than commitments to volumes of work to be achieved.

### **Northern Ireland**

6.79 In, Northern Ireland strict enforcement action is taken when unidentified animals are detected. During 2008, 71 producers had cattle slaughtered without payment due to animals and carcasses being unidentified, whilst 10 operators or producers were prosecuted and convicted in court. One producer received a warning letter, and two producers had their cases referred to other agencies.

6.80 The incidence of BSE in NI continued to decline. DARD Veterinary Service received eight notifications of suspect BSE in cattle during 2008, all of which were examined. Of the eight report cases in NI, 8 were restricted and compulsory

<sup>96</sup> More details available at: <http://www.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/ndi/ndi2008.htm>

slaughtered as clinical suspects. The remainder were examined, but not diagnosed as affected by BSE. In NI Movement restrictions were applied on DARD's APHIS to all relevant offspring and cohort animals within 24 hours of notification of the suspect animal or positive rapid BSE test result for active surveillance cases. Subsequent to this, formal movement restriction notices were served for the 16 offspring and 319 cohort animals of the clinical suspects and active surveillance cases with a positive rapid BSE. One suspect case of Scrapie in sheep or goats was investigated during 2008.

### **Cattle identification and registration**

6.81 In accordance with Regulation 1082/2003,<sup>97</sup> there is an annual programme of Cattle Identification Inspections in United Kingdom for which Defra and the Agriculture/Rural Affairs Departments in the devolved administrations are responsible. Defra shares responsibility for cattle identification and registration with the RPA and local authorities (in England), the Welsh Assembly Government Rural Inspectorate Team, Scottish Government and DARD officials. The programme runs from 1 May to 30 June. All inspections were completed on time in 2008 and the report was submitted to the Commission by the 31 August 2009 deadline. The report can be accessed at:

<http://www.defra.gov.uk/foodfarm/farmanimal/cattle/idmovement.htm>

6.82 During the inspection year 2007/2008 174 holdings were placed under temporary whole herd restrictions and 93 animals across 6 holdings were destroyed as part of sanctions imposed under EC Regulation 494/98.<sup>98</sup> The annual report to the Commission for 2008 shows that, of the 10% of inspected holdings:

- nearly half (49%) were fully compliant;
- a further 25% had only one breach, and
- just over a quarter (26%) had more than one breach.

Only 160 holdings (0.2% of registered cattle holdings) were subject to official sanctions for non-compliance.

### **Sheep and goat identification and movement reporting**

6.83 In Great Britain, Defra and the Agriculture/Rural Affairs Departments in the Devolved Administrations are the competent authorities for sheep and goat identification and movement reporting. In Northern Ireland, this role is carried out

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<sup>97</sup> Commission Regulation (EC) No 1082/2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals (Text with EEA relevance). Official Journal L 156, 25.6.2003, 9-12.

<sup>98</sup> Commission Regulation (EC) No 494/98 laying down detailed rules for the implementation of Council Regulation (EC) No 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals. Official Journal L 60, 28.2.1998, 78-79.

by DARD. In accordance with Regulation 1505/2006,<sup>99</sup> there is an annual programme of sheep and goat identification inspections in Great Britain and Northern Ireland. The programme runs from 1 January to 31 December. All inspections for 2008 were completed on time and the report will be submitted to the Commission by the deadline of 31<sup>st</sup> August 2009. The report will be available from this date at:

<http://www.defra.gov.uk/foodfarm/farmanimal/sheepgoats/index.htm>

## **Bee health controls**

6.84 During 2008, the National Bee Unit carried out a statutory inspection programme on behalf of Defra and the Welsh Assembly Government. Details of the inspections' programmes are available at <https://secure.csl.gov.uk/beebase/>. The website also includes interactive maps of where infected apiaries are confirmed. A summary of the NBU inspections carried out in 2008 is provided in Table 6.16.

6.85 Honey samples are also collected under statutory residue monitoring programmes on behalf of Defra's VMD. The stipulated number of honey samples under the National Surveillance Scheme, as directed under the Sampling plan for 2008 were collected to the required deadlines. Approx 110 samples were collected under Council Directive 96/23/EC.<sup>100</sup> Key performance indicators were met in 2008.

**Table 6.16: Summary of the bee health control inspections carried out in England and Wales in 2008**

Disease	Status	England	Wales
<b>Total Foul Brood Disease</b>	Despite the very poor weather conditions the number of inspections was higher than previous years	22,887 colonies in 3,521 apiaries were inspected	4,385 colonies in 907 apiaries were inspected
<b>American Foul Brood disease (AFB)</b>	Overall, these figures are similar to last year although cases in England increased due to the disease being found in larger beekeeping units. Control of AFB is very effective and disease incidence in recent years is at its lowest levels since controls began.	60 cases were confirmed in 21 apiaries, being 0.26 % of colonies inspected	4 cases were confirmed in 4 apiaries, being 0.09% of colonies inspected

<sup>99</sup> Commission Regulation (EC) No 1505/2006 implementing Council Regulation (EC) No 21/2004 as regards the minimum level of checks to be carried out in relation to the identification and registration of ovine and caprine animals (Text with EEA relevance). Official Journal L 280, 12.10.2006, 3-6.

<sup>100</sup> Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC. Official Journal L 125, 23.5.1996, 10-32.



Disease	Status	England	Wales
<b>European Foul Brood Disease (EFB)</b>	European foul brood disease is widespread in England and Wales, and there are ongoing research projects, which aim to better understand the disease and develop effective control methods for beekeepers. Where for example husbandry and IPM methods are adopted then the incidence in apiaries belonging to these beekeepers declines. The incidence of EFB has been in decline since 2000 but has started to increase in the last two years	807 cases were confirmed in 276 apiaries, being 3.53% of colonies inspected	39 cases were confirmed in 13 apiaries, being 0.89% of colonies inspected
<b>Pyrethroid resistant varroa mites</b>	These mites are to be found in most regions of England and Wales. The NBU is continuing with training events to advise beekeepers on appropriate control methods.	16 tests were carried out with 7 being positive	1 test; which was positive
<b>Exotic pests</b>	The NBU has continued searching to identify the exotic pests <i>Aethina tumida</i> (Small Hive Beetle) and <i>Tropilaelaps</i> mites. Twelve beekeeper voluntary suspect samples were also submitted. Neither of these pests has been confirmed to be present in the U.K. Surveillance programmes and use of at risk apiaries and sentinel hives will continue.	1,356 colonies in 369 apiaries were specifically examined - none were positive	323 colonies in 96 apiaries were specifically examined - none were positive

## Scotland

6.86 Science and Advice for Scottish Agriculture,<sup>101</sup> previously known as the Scottish Agricultural Science Agency, provides a diagnostic service to beekeepers to confirm the presence of Varroa or notifiable bee pests or disease. A summary of the inspections carried out in 2008 is provided in [Table 6.17](#).

**Table 6.17: Summary of bee health control inspections carried out in Scotland in 2008**

Disease	Outcome of Inspection
European Foul Brood	None
Varroa mite	273 hives from 134 apiaries were tested. Mite was present in 143 (52%) of the hives from 76 (57%) of the apiaries

<sup>101</sup> Further details are available at <http://www.sasa.gov.uk/>

## Northern Ireland

6.87 DARD's Quality Assurance Branch provides an inspection service for notifiable bee pests and diseases to Northern Ireland beekeepers, while the Agri-Food and Biosciences Institute (AFBI) provides a diagnostic service to confirm the presence of bee pests or diseases. A summary of the inspections carried out in 2008 is provided in Table 6.18 below.

**Table 6.18: Summary of bee health control inspections carried out in Northern Ireland in 2008**

Disease	Outcome of Inspection
American Foul Brood disease	6 Apiaries with 29 colonies were confirmed to have the disease. These along with the hive contents were subsequently destroyed and burnt.
European Foul Brood disease	No confirmed incidents of the disease.
Exotic Pests	Surveys continued for the exotic pests <i>Aethina tumida</i> (Small Hive Beetle) and <i>Tropilaelaps</i> mite using coriboard traps and samples of hive debris. At risk apiaries in close proximity to ports and those importing were targeted.
Pyrethroid resistant varroa mites	Sampling continues for Pyrethroid resistant varroa mites but no positive cases were recorded.

6.88 Two honey samples both with satisfactory analysis were collected under statutory residue monitoring programmes on behalf of Defra's Veterinary Medicines Directorate.

## Aquatic animal health controls

### England and Wales

6.89 The Cefas Fish Health Inspectorate (FHI)<sup>102</sup> is the official service for the control of diseases of fish and shellfish in England and Wales. The legislative basis for aquatic animal health controls were replaced in 2008 with a new Council Directive 2006/88/EC<sup>103</sup> on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. This new Directive brought fundamental changes to the control of aquatic animal disease including broadening the range of businesses and activities brought under the scope of the legislation, the listing of controlled diseases was revised, and a risk basis to surveillance and compliance was introduced. In addition the new Directive required the authorisation of all Aquaculture Production Businesses (APBs).

<sup>102</sup> Further details are available at <http://www.cefas.co.uk/fish-health-inspectorate.aspx>

<sup>103</sup> Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. Official Journal L 328, 24.11.2006, 14-56.

- 6.90 The FHI is required to undertake compliance inspections on all registered fish and shellfish farms in England and Wales, inspect stock for notifiable diseases and take appropriate measures to control and eradicate disease. The FHI undertook compliance visits to all APBs in advance of their authorisation to ensure compliance with regulatory requirements, and to ensure that conditions of authorisation were appropriate to the business activity. The FHI also prepared advice and guidance to assist stakeholders in the implementation of requirements of the new Directive in areas such as the preparation and documentation of biosecurity measures plans.
- 6.91 In 2008 the planned official control programme was successfully completed and fully met objectives documented in the quarterly and annual reports and in the Memorandum of Understanding between Defra and Cefas. Outbreaks of non-exotic diseases were dealt with by the official services, reducing the potential for spread of disease and therefore the impact on farmed and wild aquatic animals. Continued good progress was made with the control and eradication of non-exotic diseases under the additional guarantees programme. There were no unplanned official controls undertaken.
- 6.92 Historically, there has been a constant and systematic threat of disease brought about by non-compliance in relation to the illegal import of fish into the UK from the EU without appropriate health certification. This type of non-compliance is associated with the high demand and economic value of particular species of fish in the UK, combined with the costs of compliance in sourcing fish of an appropriate health status in the EU. Whilst the threat of such illegal imports continues to be the top priority for enforcement evidence suggests that such offences are significantly declining, particularly over the past 12 months. This improved situation has been brought about by a combination of firm enforcement, preventative sentencing and an increasing willingness by the trade to work with the authorities to prevent such offences and encourage good practice across the fish farming, fisheries and angling fraternities. Offending over the past year was mainly committed by individuals on an ad hoc basis, as distinct from the more organised large-scale smuggling operations.
- 6.93 The FHI worked closely with all other relevant government agencies and, importantly, most representative fish farming and angling bodies. This enabled the FHI to prevent offences on a number of occasions by confronting would-be offenders before offences have taken place. Other forms of non-compliance with fish health legislation related to lower risk offences, as set out in [Table 6.19](#). Most were addressed through advice and warnings. The current situation is one of continuing improvement and voluntary compliance, brought about by a growing appreciation by all parties that successful enforcement is beneficial to all if disease is to be prevented. Overall the level of compliance by fish and shellfish farmers and importers of live fish is high and improving.

**Table 6.19: Details of non-compliances found in aquatic animal health in England and Wales during 2008**

Category of non-compliances	Number	Enforcement actions
Trade irregularities (import/export)	13	1 prosecution 1 pending 1 prohibition on import 3 formal warnings 7 advice issued
Record keeping anomalies	5	All warned and advised
Failure to report mortalities	1	Warned
Illegal use of substances	1	Warned
Obstruction	1	Warned

### Scotland

6.94 Similar control arrangements are in place in Scotland and are administered by the Fish Health Inspectorate of the Fisheries Research Services. Details of non-compliances found during 2008 are provided in [Table 6.20](#).

### Northern Ireland

6.95 DARD Fisheries Division, together with the Agri Food and Bio-Sciences Institute (AFBI), have an effective disease monitoring and testing system in place. DARD Fisheries Inspectorate have a surveillance programme in place and inspect imports and exports of fish to ensure the necessary health requirements are met. DARD operates a Fish Movement database which records movement data for disease control purposes. The system is in the process of being updated to ensure compliance with the requirements of Directive 2006/88/EC. There were no unauthorised movements recorded in 2008 and the level of compliance is high.

**Table 6.20: Details of non-compliances found in aquatic animal health in Scotland during 2008**

Category of non-compliances	Number	Enforcement actions
Trade irregularities (import/export)	7	<ul style="list-style-type: none"> <li>- 2 Regulation 14(3) issued, imposing restrictions over imported stock until the irregularity was resolved.</li> <li>- 3 incidents of minor issues in health certificates – advice issued to resolve the issues.</li> <li>- 2 Regulation 22 notices issued by Border Inspection Posts on third country imports imposing restrictions over imported stock until the irregularity was resolved.</li> </ul>
Record keeping anomalies (documentation)	8	8 letters of non-conformity issued: <ul style="list-style-type: none"> <li>- 6 cases where farmers updated record and provided a copy within the agreed time period.</li> <li>- 2 cases where no record was received and Scottish Government Marine Directorate were informed</li> </ul>
Failure to Register	4	Resolved through advice.
Audit under the Aquaculture and Fisheries (Scotland) Act 2007 with respect to sea lice and /or containment	8	Programme began in November 2008. Recommendations made and follow up inspection pending.

## Official controls in the animal welfare sector

### Competent authorities

6.96 Responsibility for animal welfare controls on-farm, at slaughter and during transport lies with Defra in England and with Scottish Government, Welsh Assembly Government and DARD in the Devolved Administrations. Details of the control activities of these authorities during 2008 are outlined below.

### Control activities in 2008

6.97 On-farm animal welfare controls are primarily the responsibility of AH in Great Britain and DARD in Northern Ireland. Welfare controls during transport are carried out by AH and local authorities in Great Britain and DARD in Northern Ireland. Defra and the Scottish Government have delegated the responsibility for animal welfare implementation in slaughterhouses to the MHS. All welfare inspections where a non-compliance is disclosed, result in a letter being sent explaining what the problem is and advising how to resolve the problem. Revisits are carried out at a suitable interval following a risk assessment to monitor progress. When necessary, improvement notices are served under the appropriate legislation. In severe cases a report including a witness statement will be submitted so that a prosecution can be considered. During 2008 Animal

Health provided 104 witness statements to the enforcement bodies (Local Authorities/ Royal Society for the Prevention of Cruelty to Animals) in support of legal action.

## **Great Britain**

### **On-farm animal welfare<sup>104</sup>**

- 6.98 The on-farm inspection programme which was restructured in 2007, because of the introduction of welfare into cross compliance, remained the same in 2008. The inspection programme was successfully delivered overall. Defra, and the Devolved Administrations issued public consultation documents on proposals for new regulations and a code of practice to implement the new EU legislation - Council Directive 2007/43<sup>105</sup> on the welfare of meat chickens.<sup>106</sup>
- 6.99 ADAS<sup>107</sup>, on behalf of Defra, organised a series of welfare campaigns to promote farmers' understanding of topical welfare issues in response to industry's continued interest in keeping up to date with best practice on animal welfare and husbandry. Details are provided in Table 6.21. Defra continue to contribute to an increased awareness and better understanding of many of the key welfare issues.

**Table 6.21: Summary of animal welfare campaigns during 2008**

<b>Advisory Campaigns arranged in 2008</b>	
Poultry	Preparing for 2012 – Options for cage egg producers
Cattle	Lameness and Herd Mobility Scoring
Pigs	Health and Welfare of Finished Pigs
Sheep	The Welfare of Sheep in Low Input Systems

- 6.100 Animal Health completed a total of 1,013 on farm inspections at 4,133 visits during 2008. All complaints and allegations of poor welfare on specific farms were treated as a matter of urgency. 1,242 out of the 1,292 complaint inspections (96.1%) were carried out within 24 hours of receipt of the complaint. Inspection visits are classified into four score categories - A to D. The A and B scored inspections do not require any action. Details of C and D scored inspections during 2008 are provided in Table 6.22 below. In 2008 the level of non-compliance on farms was similar to that recorded in previous years.

<sup>104</sup> General information is available at: <http://www.defra.gov.uk/foodfarm/faranimal/welfare/onfarm/index.htm>

<sup>105</sup> Council Directive 2007/43/EC laying down minimum rules for the protection of chickens kept for meat production (Text with EEA relevance) Official Journal L 182, 12.7.2007, 19–28.

<sup>106</sup> <http://www.defra.gov.uk/foodfarm/faranimal/welfare/onfarm/meatchks.htm>

<sup>107</sup> Information on ADAS is available at: <http://www.adas.co.uk/>

**Table 6.22: Details of C & D scores from animal welfare inspections during 2008**

Type of inspections	Number
A <b>score of C</b> is recorded when there is a non-compliance with the welfare legislation, welfare potentially or actually compromised but no unnecessary pain, suffering or distress identified”	Non compliance with the legislation and potential compromise of animal welfare was found in 1,823 assessments at 1,191 inspections. 953 Advisory letters instructing the farmer on action to take to resolve the problems were issued. Between January and December 2008, 1,146 follow-up inspections following the disclosure of a C score were deemed necessary, of which 1,114 were completed.
A <b>score of D</b> is recorded when unnecessary pain or unnecessary distress was disclosed at any AH welfare inspection.	Results show that unnecessary pain or unnecessary distress was disclosed in 308 out of a total of 31,662 assessments. The majority of infringements related to inadequate animal care, inspection of livestock and staffing. The national average number of days taken to resolve D scores in Great Britain was 17.4 days against a target of less than 21 average days.

### Animal welfare during transport<sup>108</sup>

6.101 Welfare controls during transport are carried out jointly by AH and local authorities in Great Britain and DARD in Northern Ireland. AH approved 4,467 applications for transporter authorisations under the Welfare in Transport Regulations in 2008.<sup>109</sup> Of these:

- eight were approved conditionally, due to a history of non-compliance with welfare regulations, which will be reviewed after 12 months; and
- seven were refused because of previous Home Office cautions<sup>110</sup> or convictions.

6.102 Journey logs for 1,332 new journeys were approved for the transportation of livestock and unregistered equines. Of these, 150 were rejected due to either unrealistic journey times or inadequate rest periods.

6.103 The bulk of routine welfare in transport inspections are carried out by local authority inspectors. During 2008 a total of 2,968 infringements were found at 187,506 inspections. Enforcement action taken included:

- 1,058 oral and 462 written warnings;
- 429 statutory notices;
- 7 Home Office cautions;
- 42 prosecutions.

<sup>108</sup> General information available at: <http://www.defra.gov.uk/foodfarm/farmanimal/welfare/transport/index.htm>

<sup>109</sup> SI 2006/3260; SI 2007/1047 (W.105) SSI 2006/606 & SR 2007/32.

<sup>110</sup> Further information at: <http://www.homeoffice.gov.uk/police/powers/cautioning/>



6.104 AH at the port of Dover checked 129 out of a total of 362 vehicles (35.6%) transporting fattening and production cattle and sheep. The results were as follows:

- 32 vehicles were found not to comply with the Welfare in Transport Regulations either due to operation or structure;
- 12 notices were served under article 24 of the Welfare in Transport Regulations
  - in six instances the problems were resolved at the port and the vehicle allowed to continue;
  - none were ordered to return to the premises of origin;
  - three were ordered to a control post to resolve the problems and
  - three were allowed to continue as the problems were not sufficient to halt the journey.

### **Animal welfare at slaughter or killing<sup>111</sup>**

6.105 Defra and the Scottish Government have delegated the responsibility for animal welfare implementation in slaughterhouses to the MHS. When animals are killed on farms or at knackers' yards, AH monitors welfare. Where possible, Veterinary Officers monitor slaughter during visits to farms and, in particular, they make regular visits to knackers' yards and to as many seasonal poultry slaughterers as possible in the period immediately before Christmas. AH also follows up reports and allegations of poor practice and, when necessary, instigates investigation with a view to prosecution.

6.106 In 2008, welfare standards during slaughter or killing outside licensed slaughterhouses were similar to those reported in previous years with very few reported problems. All but 3 of the 211 inspections during 185 visits in 2008 were to unlicensed poultry slaughterhouses, mainly undertaken during the pre-Christmas peak period. No serious non-compliance was found. There were 144 applications for a slaughterman's licence, for which 144 certificates of competence were issued following an assessment of competence.

## **Northern Ireland**

### **On-farm animal welfare**

6.107 The Department of Agriculture and Rural Development (DARD) has an effective monitoring and control system in place for animal identification, animal health and welfare and is responsible for all livestock identification, registration and movement recording on the APHIS. In addition, DARD together with the AFBI, has an effective disease monitoring and testing system in place for the control of Tuberculosis and Brucellosis via programmes involving blood/skin testing, culling of reactors and dangerous contacts, additional surveillance measures and tracing

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<sup>111</sup> General information available at: <http://www.defra.gov.uk/foodfarm/farmanimal/welfare/slaughter/index.htm#3>



and investigating contacts between infected and other herds. Further details can be found at: <http://www.dardni.gov.uk/index/animal-health.htm>

6.108 In Northern Ireland, the responsibility for routine and targeted checks falls to DARD VS. In 2008, DARD VS carried out 715 on-farm welfare inspections. Inspections took place as a result of complaints or as part of the statutory surveillance requirement to assess whether on-farm welfare met the standards laid down in legislation and welfare codes. Of the inspections carried out in 2008 as a result of complaints (and targeted visits), 65.2% were fully compliant with legislation (compared with 68% in 2007), while for randomly selected cross compliance inspections 97.3% were fully compliant with legislation (compared with 95% in 2007). All complaints and allegations of poor welfare on specific farms were treated as a matter of urgency.

### **Animal welfare during transport**

6.109 In Northern Ireland the responsibility for routine and targeted checks against welfare in transport legislation falls to the DARD VS. Inspections can take place at the ports, at abattoirs and markets. In 2008 the DARD VS carried out 6,881 inspections involving various species. No document checks were recorded because DARD VS increased its focus on the implementation and enforcement of EC regulation 1/2005. Investigations by DARD VS identified 99 infringements and resulted in the issue of 19 notices, 5 written warnings and 71 oral warnings.

### **Animal welfare at slaughter or killing**

6.110 The VS-VPHU monitors animal welfare and provides information to DARD on prevailing animal welfare conditions in approved slaughterhouses and alerts divisional offices to farmers and hauliers that require investigation in respect of animal welfare issues. There were 73 applications for a slaughterman's licence, for which 32 certificates of competence were issued following an assessment of competence.

## **Official controls in the plant health sector**

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### **Great Britain**

6.111 In England and Wales, the Plant Health and Seeds Inspectorate maintained an inspection regime of plant/plant product imports into the country from third countries in accordance with Community-wide legislation and supplemented these border controls with a programme of quarantine surveillance. This included general surveillance and surveys against specific high-risk plant pests and diseases. In 2008/9, 112,979 inspections were carried out:

- imports (including potatoes from third countries): 48,969 inspections (43.3 %)
- general quarantine surveillance: 14,853 inspections (13.1 %);

- specific surveys
  - *Diabrotica virgifera*: 491 inspections (<1%)
  - *P. ramorum/kernoviae* 14,979 inspections (13.3%)
  - Potatoes - brown rot/ring rot: 2,036 inspections (1.8 %).

6.112 In Scotland, there were 128 import inspections during 2008. General quarantine surveillance totalled 5,816 inspections of which 3,485 were inspections for *P. ramorum/kernoviae*. During the growing season for home market, 4,407 (hectares) of seed potato crops were inspected. In addition, 65,090 tonnes of seed potato tubers and 5,405 tonnes of ware potatoes were inspected. For *Diabrotica virgifera*, 80 inspections were carried out.

6.113 In 2008, the Forestry Commission maintained an inspection regime of wood and wood products imported into Great Britain from third countries in accordance with Community legislative requirements and also carried out a range of surveys in accordance with Community provisions. A total of 7952 inspections of imports of wood and wood products, including 3,800 inspections of wood packaging material associated with goods of various commodities, were carried out. Noticeably the volume of controlled timber imported was approximately half that of previous years which was a reflection of the effects of the global economic difficulties. These were supplemented by specific surveys in relation to *Phytophthora ramorum*, *P. kernoviae*, Oak Processionary Moth and a newly reported bleeding canker disease of horse chestnut, *Pseudomonas syringae* pathovar *aesculi* as well as Pine-tree Lappet Moth (see para 4.40).

6.114 In 2008, 595 cases of non-compliance of imported plants and plant products into Great Britain were reported to the FVO. These included documentary problems, particularly in respect of the failure to include additional declarations in phytosanitary certificates. 359 cases of non-compliance with phytosanitary requirements were recorded by the Forestry Commission in respect of wood and wood products, including imports of goods with associated wood packaging material which accounted for 349 of them. Overall, the level of compliance was considered to be high.

6.115 The Forestry Commission investigated two suspected breaches of the Plant Health (Wood Packaging Material Marking) (Forestry) Order 2006<sup>112</sup> involving alleged unlawful marking of wood packaging material attesting it meets international phytosanitary treatment requirements. In one case it was decided here was insufficient evidence to pursue the case while in the second, a formal warning was served.

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<sup>112</sup> SI 2006/2695.

## **Northern Ireland**

6.116 In 2008, 531 general plant health inspections and 718 import inspections were carried out in Northern Ireland. In addition specific surveys were carried out. A summary of the results is provided in Table 6.23.

**Table 6.23: Results of specific plant health surveys carried out in Northern Ireland between April 2008 and March 2009**

<b>Plant pest /disease</b>	<b>Number of inspections</b>	<b>Number of positives</b>
Rhizomania	10	No positives
Ring Rot / Brown Rot survey	664	No positive finding for any samples taken
Diabrotica survey	46	No positive finding for any samples taken
Fireblight	485	2 positive sites
<i>P.ramorum/ kernoviae</i>	898	5 positive garden centres/nurseries 5 positive gardens/parks No <i>P.kernoviae</i> was found