

Food Standards Scotland

**Earned Recognition Practice Guidance (Scotland)
2016**

1.0 Overview

1.1 Introduction

Article 3 of EU Regulation 882/2004 requires Member States to consider a number of parameters when determining the frequency of inspections to ensure controls are carried out on a risk basis and with appropriate frequency. These parameters take into account risk associated with feed and business activity, record of compliance, the reliability of any own checks and any information that might indicate non-compliance. The frequency of delivering official controls is not prescribed by law.

The general approach to earned recognition has been designed with these parameters in mind and has been designed to better recognise feed business operators 'own checks'. Whilst there is no definition of 'own checks' in EU Regulation 882/2004, FSS considers a feed business operator, who is a compliant member of an assurance scheme can be used as the basis for certain feed establishments to qualify for earned recognition. An assurance scheme sets specific safety and quality standards. They use regular independent inspections to check that members are meeting those specific standards. Such assurance schemes, whose standards require compliance with feed law and include independent third party audit of member establishments to verify compliance, are referred to as being 'approved' in this guidance document.

Earned recognition results in a reduction in the frequency at which inspections are carried out, taking into account compliance history, risk and or individual steps a business takes to ensure compliance. Earned recognition aims to reduce the burden on compliant businesses whilst focussing enforcement activity at those businesses which are less compliant.

In addition, recognition of current compliance levels and management controls should be applied to all feed business operators depending on whether a Feed Business Operator is a member of an approved assurance scheme or not.

This guidance document describes two approaches as to how a feed business may qualify for earned recognition:

- a business which is a member of an approved assurance scheme and demonstrates satisfactory or broad compliance; or
- a business which is not a member of an assurance scheme but demonstrates broad compliance.

1.2 Scope

The scope of this guidance is restricted to feed production *beyond* primary production. Section 1.3 provides an overview of the arrangements put in place for primary production, and is provided for completeness only. There are no changes being made to these arrangements.

1.3 Primary Production

Earned recognition for primary feed and food production was introduced as a pilot scheme in Scotland in 2008. Information on membership of assurance schemes and levels of compliance were gathered over a three year period. According to statistical analysis of the data, differences in levels of compliance between members and non-members were negligible leading to the conclusion that membership of assurance schemes was not a useful predictor for compliance in Scotland.

Businesses that were members of assurance schemes showed satisfactory levels of compliance as did those that were not members and it was considered that assurance scheme membership drives up compliance amongst members and non-members alike due to competitive forces.

As a result of this work, in 2012, FSA in Scotland agreed that the local authority inspection schedule should be developed in accordance with the following table, as detailed in Annex 10 of the Food Law Code of Practice
<http://www.foodstandards.gov.scot/sites/default/files/CoPFood-FSS-final.pdf>

	2% list	25% list
What goes on the list	All unrated establishments shall default to a 2% risk rating (regardless of assurance scheme membership) AND Previously inspected establishments that were given a 2% rating	Previously inspected establishments that were given a 25% rating
Developing the inspection schedule	Randomly select 2% from this list for inspection. Priority should be given to those where: <ul style="list-style-type: none"> • local knowledge exists to suggest there may be issues • they are readily identified as not being members of assurance schemes 	All establishments on this list must be inspected every 4 years

FSS does not intend to change this primary production risk rating, as agreed in Scotland, at present although it will be subject to review in the future. It is therefore outside the scope of this guidance and previous guidance issued on primary production must be followed (Guidance issued 29 March 2012).

However, if a primary producer also carries out non-primary production activities on farm e.g. on farm mixing with additives (R10), then those activities (but not the farm) will not be covered by the primary production risk rating, and will be covered by the scope of this guidance.

1.4 Earned Recognition Process Overview

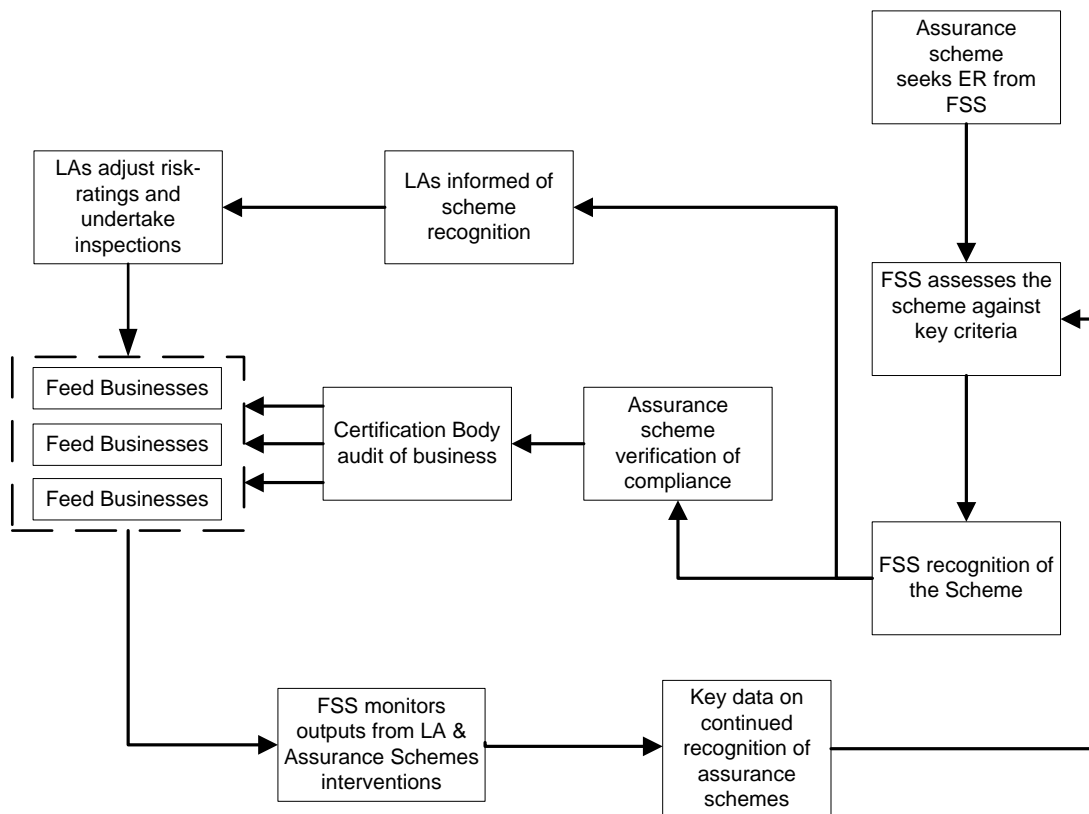
<i>FSS – process steps</i>	<i>Local Authority – process steps</i>	<i>Additional Guidance</i>
<p>2.0 Assessment and approval of assurance scheme</p>	<p>3.1 Initial risk assessment</p> <p>3.2 Determine if business qualifies for earned recognition (1) assurance scheme (2) broad compliance (3) businesses with older history of inspection</p> <p>3.3 Amend inspection frequency</p> <p>3.5 Inspection outcomes and action: Loss of ER: (1) Assurance scheme (1.1) Minor non-compliance (1.2) Major non-compliance (1.3) Exception report (1.4) Other reasons for loss (2) Broad compliance</p> <p>3.7 Quarterly returns</p>	<p>3.4 Alternative Enforcement Strategy</p> <p>3.6 Joint visits</p>
<p>4.0 On-going monitoring</p> <p>5.0 Internal Governance</p>		

2.0 Assessment and Approval of Assurance Schemes

Together with the Food Standards Agency (FSA), it is the FSS's role to assess individual assurance schemes which have applied for 'approved' status. This is done using the criteria set out in Annex 1 below, and monitored as described in Section 4.

The process and criteria by which an assurance scheme obtains 'approved' status is set out in **Figure 1**.

Figure 1: The process for gaining earned recognition and the verification process



When FSS is confident that an assurance scheme meets the criteria, a Memorandum of Understanding (MOU) is agreed by FSS with the assurance scheme, which details:

- the relevant scheme standard for which earned recognition has been awarded.
- any limitations to the scope of earned recognition awarded.

- arrangements which permit FSS to regularly review the approved status of the scheme.
- the expected frequency of inspection for members of the scheme.
- how Enforcement Authorities can access the membership details of the assurance scheme.

FSS shall regularly update Annex 2 of this document to include all those assurance schemes which currently have approved status, together with a copy of the relevant MOU.

FSS will review and verify the approved status of assurance schemes on a regular basis using both information provided by the assurance schemes and enforcement authorities together with other relevant intelligence e.g. RASFF¹ notifications. FSS will agree actions to be taken by an assurance scheme where the general standards of compliance by its members are causing concern. This does not affect the role of the enforcement authority in ensuring that individual establishments take corrective action to deal with non-compliance or their role in removing earned recognition from an establishment if it fails to attain a minimum level of satisfactory compliance.

FSS will also work with enforcement authorities through national and regional fora, such as the National Agricultural Panel, to channel information on non-compliances found during inspections (which do not lead to establishments losing their earned recognition status) to assurance schemes. This information will help FSS identify trends of minor non-compliances which it anticipates will be useful information to improve compliance levels. It will also share the outcome of reviews of approved assurance schemes, including sharing relevant summary data on assurance scheme audit findings.

¹ Rapid Alert System for Feed and Food

3.0 Role of the Local Authorities (Enforcement Authorities)

3.1 Initial Risk Assessment

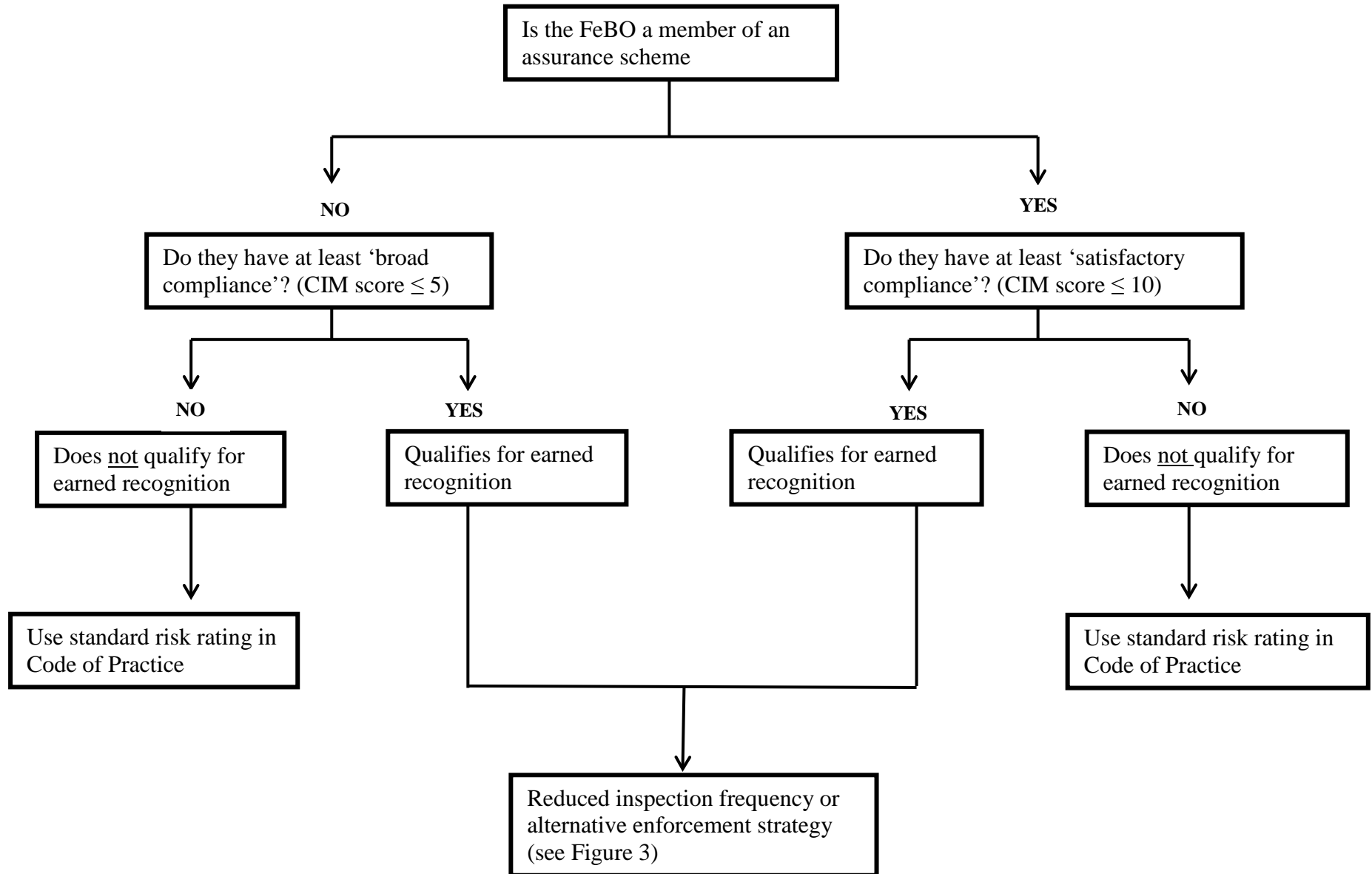
It is the role of the enforcement authorities to assess compliance of all feed business operators with feed law.

The risk rating provided in Annex 5 of the Feed Law Code of Practice lays down the criteria for this assessment, and unless the business is new or has changed its activities to any significant degree, this assessment should have already taken place.

The enforcement authority may then take one of two approaches to applying earned recognition (Figure 2):

- if a business which is a member of an approved assurance scheme and demonstrates satisfactory or broad compliance; or
- if a business which is not a member of an assurance scheme but demonstrates broad compliance.

Figure 2



3.2 Determine if a Business Qualifies for Earned Recognition

The determination of whether a business qualifies for earned recognition and the amendments made to the risk rating and inspection frequency as a result of earned recognition (membership of an approved assurance scheme or broad compliance) shall be a **desktop exercise** only.

3.2.1 Business is a Member of an Approved Assurance Scheme

In order to qualify for earned recognition, a business that is a member of an assurance scheme must also have a satisfactory level of compliance.

The list of FSS approved assurance schemes is detailed in Annex 2 of this guidance. If there are any additions to the list, enforcement authorities shall be advised and the authorities must adjust the frequency of inspection of all members of the assurance scheme in their area to that required by this guidance. The adjusted inspection frequency may include Alternative Enforcement Strategy (AES) (see Section 3.4).

In order to determine if a business is a member of one or more of the approved assurance schemes, enforcement authorities should check the scheme websites (see Annex 2). In addition, FSS has provided a full list of members for each local authority area and will share monthly updates of suspended/withdrawn and new members for each area.

Except in those circumstances where an initial inspection is required for new establishments, or for a change of Feed Business Operator, earned recognition shall be applied to members of approved assurance schemes by making the adjustments set out in the table in figure 3 below. This adjustment should be made retrospectively to feed businesses that have received an inspection since **1 April 2015**. Such establishments should be regarded as being 'assessed' and having satisfactory levels of compliance.

MEMBERS OF ASSURANCE SCHEME	
Businesses inspected on or since 1/4/15	Apply earned recognition – amend risk rating
Businesses inspected before 1/4/15	Inspect those businesses scheduled for inspection in 2016/17, then amend risk rating.

Feed establishments that are subject to on-going enforcement or are known not to have at least satisfactory levels of compliance must not qualify for earned recognition until the next programmed inspection shows that they meet qualifying criteria for earned recognition.

3.2.2 Business has Broad Compliance

A business that is not a member of an approved assurance scheme can qualify for earned recognition if it is broadly compliant. Whether a business has broad

compliance or not is determined by the **Confidence in Management** score, part of the risk rating process detailed in Annex 5 of the Feed Law Code of Practice (definitions of compliance are replicated in Annex 3 of this guidance document).

If there is knowledge of non-compliance, then earned recognition cannot be applied.

A feed business may approach the enforcement authority on the basis that it believes it qualifies for earned recognition. The enforcement authority should consider the requirements of the Code, and as described in this Guidance document, and notify the business as to whether it qualifies for earned recognition or not. Earned recognition will then be awarded. Should a dispute arise, this will be dealt with under the enforcement authority's complaints procedure.

3.2.3 Businesses that have not received an inspection since April 2011

If an inspection has not taken place in the last 5 years, enforcement authorities may assume that businesses are broadly compliant, unless there is knowledge of non-compliance, and may apply earned recognition accordingly. This is based on evidence from the enforcement returns across Scotland for 2010 – 2015 which indicate broad compliance at more than 96% of inspections carried out, using indicators of revisits, written warnings and enforcement action.

Businesses that are not members of assurance schemes, shall be handled according to the table below:

REMAINDER OF BUSINESSES (NON-ASSURED)	
Businesses inspected since 1/4/15	Apply earned recognition – amend risk rating based on Confidence in Management score from previous inspection
Businesses inspected between 1/4/11 and 1/4/15	Inspect those businesses scheduled for inspection in 2016/17, then amend risk rating based on Confidence in Management score from that inspection. For those not due an inspection in 2016/17, assume broad compliance and amend risk rating accordingly.
Businesses inspected before 1/4/11	Assume broad compliance and amend risk rating accordingly.

For the businesses that have not been inspected since April 2011 or have never received an inspection, local authorities should carry out inspections of a small sample of a cross section of feed businesses.

3.3 Amend Inspection Frequency

Figure 3 below provides the inspection frequency of businesses that qualify for earned recognition. The adjusted risk rating for membership of assurance schemes and broad compliance differ, and so care should be taken to apply the correct adjustment.

Primary Production is included in the table for completeness only.

Figure 3: Earned Recognition – Adjusted Inspection Frequency

Standard Risk Rating (Annex 5 Feed Law Code of Practice)			Application of Earned Recognition				
Category	Points range	Minimum inspection frequency	Member of Assurance Scheme with <i>minimum satisfactory</i> compliance		Non-member of assurance scheme with <i>broad compliance*</i>		<i>Primary producers</i>
			Manufacturers, importers, former food stuffs producer), storage facilities), high risk feed primary producers (e.g. R10s, grain dryers), co- product producers, mobile mixers, all approved premises	Others, except primary producers	Manufacturers, importers, former food stuffs producer), storage facilities), high risk feed primary producers (e.g. R10s, grain dryers), co- product producers, mobile mixers, all approved premises	Others, except primary producers	
A	101 – 180	1 year	3 years	3 years, alternated with AES	2 years	2 years, alternated with AES	<i>Based on evidence collected from 2008 – 2011, all primary producers have inspection frequency of 2%. If known problems, 25% risk rating (once every 4 years).</i>
B	46 – 100	2 years	5 years	5 years, alternated with AES	4 years	4 years, alternated with AES	
C	0 - 45	5 years, alternated with AES	N/A	10 years, alternated with AES	N/A	10 years, alternated with AES	

3.4 Alternative Enforcement Strategy

An Alternative Enforcement Strategy may include:

- questionnaires;
- surveys;
- project based inspections;
- customer complaint response;
- intelligence gathering visits;
- random percentage of premises subject to inspection.

It may also include an official control for another purpose (e.g. food hygiene, animal health and welfare).

AES can also assist in maintaining contact with feed businesses to enable advice and information to be provided as appropriate. It also provides a mechanism for topic based coaching and education as businesses are able to request further feed safety information that may highlight a training need. The AES should be a two way process to enable feedback to be generated by the business. A failure to engage on the AES, for example, failure to return a questionnaire, or non-attendance at a seminar should always be follow up.

The enforcement authority should determine the exact nature of its AES, which should be documented. The use of AES at individual establishments must be alternated with an inspection visit (an official control), at the frequency indicated in Figure 3.

3.5 Outcomes of Inspections

3.5.1 Members of Assurance Scheme

3.5.1.1. Minor Non-Compliances

Enforcement authorities may find minor non compliances when inspecting a feed business that qualifies for earned recognition. Providing the matter is not subject to enforcement sanctions and can be rectified immediately or within a reasonable timescale of being identified, earned recognition should not be removed. The enforcement authority should use its discretion in determining whether they need to revisit to check that the matter has been resolved.

Examples of minor non-compliances could include:

- failure to complete records in full on occasion;

- minor hygiene breaches such as unclean hopper etc. but evident that it is cleaned from time to time;
- minor pest control matters (in view of the environment, e.g. birds in shed), but there is a pest control system in place and action has been taken to minimise or eliminate contamination;
- chemicals stored in feed areas (but in sealed/closed containers).

3.5.1.2. Major Non-Compliances

Major non-compliances would lead to an increase in the establishment's risk-rating score as a result *of loss of earned recognition*. Examples include the list below and, whilst this is not an exhaustive list, they provide a broad indication as to when earned recognition should be removed:

- non-compliances requiring the use of formal enforcement powers e.g. improvement notice;
- an imminent risk to public health through the consumption of food from animals which have received contaminated feed;
- the welfare of food producing animals is threatened through the use of contaminated feed;
- serious infestation of pests (one which affects the welfare of animals or the safety of feed/food stocks) with no pest control system in place;
- serious breaches of hygiene such as unclean equipment which indicates no cleaning for some considerable time;
- controls to prevent cross contamination (e.g. segregation of medicated and non-medicated feed) are inadequate;
- lack of feed traceability;
- a significant change of activity, e.g. which is outside of the scope of the assurance scheme standard.

3.5.1.3. Exception Report

Should the enforcement authority be aware that an individual member of an assurance scheme is not meeting satisfactory levels of compliance, then it should not apply earned recognition to that establishment. They must report this to FSS as soon as possible using the Earned Recognition Exception Report Form that can be found in Annex 4 of this guidance and at: <http://www.foodstandards.gov.scot/feed-earned-recognition-exception-report-enforcement-authorities>

and send to the mail box at animal.feed.enforcement@fss.scot. This information is important in helping FSS carry out its verification role of approved assurance schemes.

3.5.1.4 Other Reasons for Loss of Earned Recognition

As well as the occurrence of serious or major non-compliance, circumstances in which the removal of earned recognition is appropriate, include:

- (a) the assurance scheme is no longer approved by FSS;
- (b) a significant change of activity takes place which is outside the scope of the business operator's membership of the assurance scheme;
- (c) the feed business operator has been suspended or withdrawn from the approved assurance scheme

Suspension from an assurance scheme can occur as a result of:

- Critical or major non-conformance which has, or is likely to have, an adverse effect on food/feed safety or legality
- Failure to resolve major and/or minor non-conformance within agreed timescale
- Refusal of entry to establishment
- Non-payment of fees

When a business is suspended by the assurance scheme, FSS shall be notified immediately by the assurance scheme, who will in turn notify the relevant local authority. As a suspension could be due to a number of reasons, not necessarily related to compliance, no action should be taken on a suspension notice, as most businesses will be suspended for a short time before being reinstated. If a suspension is due to a critical non-conformance, FSS will be separately informed, and will inform the local authority, and the business is required to inform their local authority.

The term "withdrawn" applies to businesses that have had their certificate withdrawn by the scheme as a result of

- failing to address non-compliances (which led to suspension initially). Local authorities should take action when a business is notified as "withdrawn" for this reason. The business should be inspected and re-risk rated.
- voluntarily withdrawing from the scheme (for example, membership may no longer benefit them). In this case, no visit is required to the business.

A monthly update (withdrawn and new members) issued by AIC to FSS, who passes it on to local authorities, provides reasons for withdrawals. FSS will liaise with local authorities to enquire about action for dealing with businesses that are no longer within a scheme as a result on non-compliance.

When a business that loses earned recognition as a result of loss of membership of an assurance scheme (for all reasons described above), the risk rating of that

business reverts to that in Annex 5 of the Feed Law Code of Practice. The business must be advised of the loss of earned recognition.

3.5.2 Loss of Earned Recognition for non-members of Assurance Schemes (Broad compliance)

When a business that earns recognition as a result of board compliance, is no longer broadly compliant as a result of the outcomes of an inspection, the risk rating of that business reverts to that in Annex 5 of the Feed Law Code of Practice. The business must be advised of the loss of earned recognition.

3.6 Joint Visits

Where earned recognition has been obtained by virtue of membership of an approved assurance scheme, inspections by the enforcement authority must not coincide with the assurance scheme audit. If officers wish to witness an assurance scheme audit, this should be arranged to take place at an establishment outside of the local authority area or areas in which the officer is authorised. This is to avoid any conflict of interest and to ensure independency of the official controls.

3.7 Quarterly Returns

Local authorities will be asked to provide numbers of interventions undertaken as a result of the implementation of earned recognition, for businesses other than primary producers. This will replace the annual returns for these types of premises. FSS will request this information at the end of each quarter for return within 3 weeks.

4.0 Continued Monitoring of Approved Assurance Schemes

Once FSS has approved an assurance scheme, steps will be taken to ensure continuing confidence in the scheme through verification. The verification process will enable FSS to be assured that the scheme continues to deliver high standards, good governance and impartiality that lead to approved status. The inspections and audits of feed business establishments which are members of an approved assurance scheme will form an essential element in this process and enforcement data provided to FSS, and other intelligence gathered from official controls carried out by the enforcement authorities will be key sources of information.

This on-going positive verification will enable FSS and enforcement authorities to have continued confidence in the approved assurance scheme. Verification will also allow FSS to intervene should the scheme fail to meet criteria that lead to approved status. FSS will work with the assurance scheme to ensure criteria for approval is met, but ultimately FSS can remove approved status. Should this step be taken, FSS will liaise with competent authorities and issue advice as to what adjustments will be made to the risk rating / visit frequency for those businesses concerned.

FSS will meet with FSA on a regular basis to review the following:

- the assurance scheme against the earned recognition requirements, criteria referred to in Annex 1 and the MOU;
- agreed and up to date data is exchanged between the FSA, FSS, enforcement authorities and the assurance scheme;
- levels of compliance, non-conformities and rectification timescales;
- contact details are maintained for the FSA, FSS, enforcement authorities and the assurance scheme;
- membership information is made available to enforcement authorities, including businesses that have left or joined the scheme;
- the assurance scheme and certification body maintain a plan of work to ensure assessments are delivered in line with schemes requirements;
- work with the assurance scheme to understand the type and frequency of non-conformities found to inform the support that the FSA, FSS, enforcement authorities and assurance scheme can provide;
- assess compliance through enforcement authority inspections;
- verify audit performance through the assurance scheme;
- check the quality of audits through direct assessment with the assurance scheme and through enforcement authorities undertaking relevant sample checks of qualifying businesses

- the criteria that lead to approved status being awarded, to ensure assurance schemes continue to meet such criteria.

5.0 On-going Internal Governance Arrangements

To support the implementation of feed earned recognition the internal governance arrangements will ensure:

- a continuing connection between operational implementation and strategic development of earned recognition within FSS;
- the decision making process for approval, continuing approval or termination of approval is fair, consistent, robust and evidence based;
- a system of accountability exists to define responsibilities for approval and monitoring of earned recognition;
- earned recognition supports the FSS's Strategic Plan² and the delivery of official feed controls.

² Under development (February 2016)

Annex 1: Criteria for the Approval of Assurance Scheme for Earned Recognition

To be approved, an industry scheme must meet the FSA/FSS key requirements and criteria in the following areas:

1. Standard Setting

The industry scheme and its standards should cover applicable legislative requirements for the sector it covers, and include the following aspects of governance surrounding the establishment and setting of standards:

- **Governance:** The role and governance of the standard setting body should be clearly defined within the scheme and include representatives of all relevant stakeholders;
- **Standards:** There should be clearly defined processes for developing standards, with access to expertise and experience in relation to the sector to which the standards relate;
- **Legislation:** Processes should be in place to ensure standards are reviewed and developed in line with legislative changes; and,
- **Risk based:** A risk based approach to standard setting should be used, drawing upon HACCP or an equivalent risk assessment process that identifies safety hazards and controls.

2. Compliance and Certification

The assurance schemes should clearly describe compliance as well as processes for assessment and review, in particularly:

- **Compliance:** The scheme should provide guidance on interpretation and assessment of compliance and how non conformities with standards are dealt with;
- **Review:** Systems should be in place to monitor and adjust scheme requirements to ensure they achieve acceptable standards of compliance; and,
- **Assessment:** The scheme should have appropriate mechanism for the development and review of inspection criteria, with the ability of relevant stakeholders, including central competent authorities, to contribute to this process.

The assurance scheme must have the following processes / criteria in place for its certification bodies:

- UKAS accreditation or equivalent having EN45011 accreditation;
- a quality management system, including clearly defined management structure, processes for monitoring audits and the objective collection and recording of evidence as part of the certification process;
- a certification process that is reviewed at least annually to ensure it is operating effectively and in accordance with the requirements of the assurance scheme;
- a process to ensure non-conformances are tracked, closed off or otherwise addressed subject to the scheme's requirements;
- a process to monitor the competence / performance of assessors;
- a process to ensure those responsible for certification are kept up to date with developments in standards and guidance for interpretation of standards; and
- a certification decision-making process that is clear, transparent, proportional, consistent and documented.

3. Assessment Process

The industry scheme will need to demonstrate the following:

- the assessment process must be underpinned with guidance that deals with the assessment of standards and how non conformities are dealt with in relation to the risk posed by non-compliance. Guidance should include procedures for dealing with repeat non conformities, failure to rectify non conformities and situations when certification should be withheld or suspended and circumstances in which it might be re-instated. In addition the guidance must include verification of corrective action;
- the assessment must be carried out by assessors who are impartial, competent and maintain relevant sector knowledge;
- frequency of assessments must be no less than the minimum set by regulation or code of practice for the sector covered by the assurance scheme, risk based and take into account previous history;
- assessment must review all the standards set by the scheme applicable to the business and as a minimum must include a visual inspection of the site, observation of operations and examination of records;

- comprehensive records of assessment findings should be maintained. (date, name of assessor, scope of assessment, non-conformities, timescales for rectification etc); and
- where possible assessments should be unannounced or at short notice.

4. Assessor Authorisation / Competence

The industry scheme should have defined the following and have systems in place to ensure the certification body has:

- criteria for appointing and authorising assessors including reference to professional qualifications, auditing skills, relevant experience and arrangements for ensuring on-going competency; and
- induction and continued learning to enable assessors to demonstrate a clear understanding of scheme requirements, procedures and guidance for interpretation of standards and how non conformities are handled.

5. Standard Mapping

Scheme standards will need to encompass legislation applicable to the sector the scheme identifies with. The FSA/FSS will work with the scheme to ensure applicable feed legislation is identified.

If the FSA/FSS identifies that the scheme fails to cover any of the relevant legislative measures, the assurance scheme will be notified and invited to amend the scheme.

- Directive 2002/32 on Undesirable Substances in Animal Feed;
- Regulation (EC) No. 178/2002 on the Principles of Feed and Food Law.
- Regulation (EC) No. 1829/2003 on Genetically Modified Food and Feed;
- Regulation (EC) No. 1831/2003 on Feed Additives;
- Regulation (EC) No. 767/2009 on the Marketing and Use of Feed; and
- Regulation (EC) No. 1831/2003 on Feed Hygiene (as amended by Commission Regulation 225/2012 on feed oils and fats).

6. Data Sharing and Communications

The assurance scheme must ensure that:

- information is made available to the FSA/FSS and enforcement authority to determine membership of the scheme (ie new members / members that leave or are suspended from the scheme) and such data is kept up to date;

- processes are in place to ensure the FSA/FSS and the enforcement authority are informed by the assurance scheme about members that are suspended from the scheme or where assessors have doubts that a member can manage or control risks as a result of repeat non conformities; and,
- processes are in place to ensure that the FSA/FSS and enforcement authority are informed immediately if an immediate threat to public health, animal health (including welfare) or the environment is identified.

The industry scheme must be in a position to agree the following processes with the FSA/FSS:

- the review of planned and actual assessments;
- the review of high level non-conformity / compliance data and rectification timescales;
- the establishment of effective communications, between the assurance scheme, FSA/FSS and enforcement authorities;
- how the FSA/FSS is notified of changes to the scheme with particular reference to standards that reflect legislative requirements;
- the review of criteria that lead to earned recognition being approved for the scheme;
- key contact details; and
- regular meetings with the FSA/FSS to discuss the operation of the scheme.

ANNEX 2: LIST OF FSA/ FSS APPROVED ASSURANCE SCHEMES

The MOU recognises the following **Agricultural Industries Confederation** schemes for earned recognition www.aictradeassurance.org.uk.

- Universal Feed Assurance Scheme (UFAS)
- Feed Materials Assurance Scheme (FEMAS)
- Trade Assurance Scheme for Combinable Crops (TASCC)

**ANNEX 3: DEFINITION OF LEVELS OF COMPLIANCE (FROM
ANNEX 5, CONFIDENCE IN MANAGEMENT SCORE, FEED LAW
CODE OF PRACTICE)**

Guidance on the Scoring System
<p>“Poor compliance”: Poor track record of compliance. Little or no technical knowledge. Little or no appreciation of hazards or quality control. No feed management.</p>
<p>“Varying compliance”: Varying record of compliance. Poor appreciation of hazards and control measures. No feed management system.</p>
<p>“Satisfactory compliance”: Satisfactory record of compliance. Access to and use of technical advice either in-house, from trade associations and/or from Guides to Good Practice. Understanding of significant hazards and control measures in place. Making satisfactory progress towards a feed safety management system.</p>
<p>“Broad compliance”: Reasonable record of compliance. Technical advice available in-house or access to and use of technical advice from trade associations or feed assurance schemes and/or from Guides to Good Practice. Have satisfactory documented procedures and systems. Able to demonstrate effective control of hazards. Will have a satisfactory documented food safety management system. Audit by feed authority confirms general compliance with documented system.</p>
<p>“Broad Compliance” (or better): Good record of compliance. Access to technical advice within organisation. Will have satisfactory documented HACCP based feed safety management system which may be subject to external audit process. Audit by feed authority confirms compliance with documented management system with few/minor non-conformities not identified in the system as critical control points.</p>
<p>“Broad Compliance” (or better): Excellent record of compliance. Very effective management. Total confidence in management to manage, maintain and adapt the feed management system as appropriate and to advise of any significant changes to the business.</p>

ANNEX 4: FEED EARNED RECOGNITION EXCEPTION REPORT FOR ENFORCEMENT AUTHORITIES

Name of Local Authority	
Name of Reporting Officer	
Contact telephone number/email	
Date of Local Authority inspection	
Local Authority reference number	
Date report submitted to FSS	
Name and address of business	
Assurance scheme to which the business is affiliated	
Summary of the contraventions found (including legislative reference as appropriate) and what action the LA has taken or intends to take against the business	
<i>Note: This box expands as you type</i>	
Enforcement authority to confirm that earned recognition has been removed from the business, assigned a new risk rating and the business informed about the loss of earned recognition Y / N (Add any further comments below)	
<i>Note: This box expands as you type</i>	
Assurance Scheme update	
<i>Note: This box expands as you type</i>	
Date:	
Local Authority update (if required)	Name of Reporting Officer (if different):
Contact telephone number/email:	
<i>Note: This box expands as you type</i>	
Date:	
Assurance Scheme update	
<i>Note: This box expands as you type</i>	
Date:	

Please email completed forms to: animal.feed.enforcement@fss.scot

***PLEASE NOTE:** The purpose of this form is for FSS monitoring purposes only between FSS and the Local Authority and complies with the Data Protection Act.