

# **National Feed Enforcement Priorities For Scotland 2017-2018**

**Animal feed law enforcement (at all stages of  
production, processing, storage, transportation and  
distribution, including import and the primary production  
of feed)**

**Food hygiene law enforcement at the level of primary  
production**

## Executive Summary

This document sets out the Food Standards Scotland's (FSS) National Feed Enforcement Priorities (NEPs) for Scotland in respect of:

- Animal feed law enforcement (at all stages of production, processing, storage, transportation and distribution, including import and the primary production of feed)
- Food hygiene law enforcement at the level of primary production.

They have been developed in consultation with Food Standards Agency, and take into account the following sources of information:

- Information on feed incidents notified via the European Commission's [Rapid Alert System for Food and Feed](#) (RASFF), as well as other feed incidents notified to FSS and the FSA;
- Enforcement and feed sampling monitoring data submitted to FSS and the FSA by LAs;
- UK on-farm incidents as [reported](#) by the Animal and Plant Health Agency ([APHA](#)) and the Scotland's Rural College;
- Non-compliance trends submitted to FSS and the FSA by LAs and FSS and FSA approved assurance schemes;
- European Food Safety Authority (EFSA) [scientific opinions](#) on the risks posed by food and feed not of animal origin; and
- Recommendations from [audits](#) of official controls on feed law by [DG Health and Food Safety](#) – Audits and Analysis (formerly known as the Food and Veterinary Office (FVO)).

However, LAs are encouraged to consider the use of their own sources of intelligence, based on local knowledge, to direct official control programmes particularly those designed to detect/prevent potential threats to feed safety for food producing animals and human health.

The priorities will be reviewed on a six monthly basis, in light of emerging issues in-year or as a result of other intelligence received by FSS and the FSA in respect of risks to human, animal health and welfare or the environment.

In Scotland, the regional feed model is planned to be implemented in 2017 which will be factored into the six monthly reviews of enforcement priorities.

Incorporating the NEPs into a programme of official controls helps:

## Aims



- Achieve a consistent and risk-based enforcement approach
- Improve adherence to the Feed Law Code of Practice<sup>1</sup>, on official feed and food controls
- Establish and improve levels of compliance by Feed Business Operators (FeBOs) with feed law

## Outcomes



- Ensure a consistent, targeted and proportionate level of enforcement takes place across the UK
- Safeguard animal and public health and contributes to the FSS Strategic Outcome<sup>2</sup> that Food is Safe
- Maintain a level playing field for honest and diligent FeBOs, which is in the interests of the industry as a whole
- Reduce unnecessary burdens on business by focusing the activity of LAs on agreed priorities

<sup>2</sup>

<http://www.foodstandards.gov.scot/sites/default/files/FSS%20Strategy%20Doc%20Final.pdf>

<sup>1</sup> Currently under review

## The NEPs for 2017/18

Note: The priorities are not listed in any particular order.



**Priority 1: Effective identification and appropriate registration and/or approval of feed business establishments, and identification of food businesses operating at the level of primary production**

- 1.1 LAs are responsible for maintaining a register of feed business establishments that have been registered and/or approved with them under [Regulation \(EC\) No 183/2005 on feed hygiene](#). They are also responsible for official food controls at the level of primary production on-farm.
- 1.2 It is important that FeBOs are registered and/or approved for the correct [activity](#) as this may affect the risk rating of the business and hence the required visit frequency. Correct approval and/or registration of FeBOs ensures that businesses can be effectively advised on their obligations under Regulation (EC) No 183/2005, which may vary depending on the type of activity taking place. In advance of the implementation of the revised delivery model, FSS requests that the lists of approved and registered businesses are as accurate as possible.
- 1.3 As necessary, responsible exchange of data between LAs, Veterinary Medicines Directorate ([VMD](#)) and SGRPID about new FeBOs and changes to registered and/or approved businesses supports an intelligence led, risk-based approach to enforcement, prevents duplication of work and aids effective use of resources.
- 1.4 LAs are therefore expected to give priority to:
  - a) The identification and appropriate registration and/or approval of feed business establishments in their area in consideration of the Feed Law Code of Practice (Scotland) and the [guidance](#)<sup>3</sup> on registration, amendment and revocation of FeBOs registrations' under Regulation (EC) No 183/2005 (available on Knowledge hub);
  - b) Ensuring that LA databases accurately reflect 'all' activities undertaken by FeBOs and that the potential risk score are consistent with the type of activity being undertaken.

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<sup>3</sup> Access will be required to the [Knowledge Hub](#) National Agriculture Community forum to view ACTSO (Association of Chief Trading Standards Officers) guidance referred to throughout the NEPs. LA feed officers are expected to engage with the [Knowledge Hub](#) – National Agriculture Community.

## Priority 2: Assessment of the effectiveness of systems and practices to prevent cross-contamination at Annex II establishments and contamination of feed on-farm

- 2.1 Contamination of feed often occurs through carry-over, inappropriate storage, mixing or preparation of animal rations, inadequate cleaning of equipment or ineffective implementation of HACCP by the FeBO.
- 2.2 LAs are expected to:
- a) Ensure that FeBOs understand legal requirements, are implementing and maintaining their feed safety management systems in accordance with HACCP principles, having regard to the nature, size and scale of business and in consideration of the following guidance:
- Community [guides](#) to good practice were developed in accordance with Article 22 of [Regulation \(EC\) No 1831/2003](#) laying down requirements for feed hygiene;
  - [Codex Alimentarius Standards](#) relevant to feed;
  - [PAS 222:2011](#) Prerequisite programmes for food safety in the manufacture of food and feed for animals;
  - FSA guidance on [mixing additives and premixtures directly in feeds and mixing compound feed with additives](#) and [HACCP-related requirements of the Feed Hygiene Regulation](#) for farmers;
  - FSA [guidance](#) on the requirements for food and drink businesses that supply material for animal feed use;
  - Defra [Code of Practice](#) for the control of *salmonella* during the production, storage and transport of compound feeds, premixtures, feed materials and feed additives;
  - European Feed Manufacturers (EMFC) [guide](#) published by the European Feed Manufacturers' Federation (FEFAC) on good practices for the industrial manufacturing of compound feed and premixtures for food producing animals;
  - EU community [guide](#) to good practice for feed additive and premixture operators;
  - EU [guide](#) to good practice for the industrial manufacture of safe feed materials;
  - EU [guide](#) to good hygiene practices for the collection, storage, trading and transport of cereals, oilseeds, protein crops, other plant products and products derived thereof; and
  - AIC [guidance](#) on the application of HACCP principles - a practical guide for the agri-food supply chain.

- b) Give priority to ensuring appropriate systems are in place to minimise cross-contamination between batches of feed (particularly in respect of those containing coccidiostats, veterinary medicines or [additives](#) with maximum permitted levels for particular target species), in accordance with the FSA sampling [protocol](#) and [guidance](#);
- Pay particular attention to the systems and practices farmers have in place to prevent contamination of feed in consideration of the following guidance: Food Standards Scotland [guide](#) on primary production food and feed hygiene inspections (currently under review);
  - Advisory Committee on Animal Feedingstuffs (ACAF) review of on-farm feeding practices - updated [recommendations](#) on identifying hazards and minimising risks;
  - [Guide](#) for the feed industry – implementing the Codex Alimentarius [Code of Practice on good animal feeding](#).

### Priority 3: Effective monitoring of consignments of feed originating from outside the European Union at points of entry

- 3.1 Imported feed makes up 40% of feed used in the UK annually. High risk products of non-animal origin must enter the EU via a designated point of entry (DPE). There are none in Scotland currently; however, it is possible that products may enter illegally through a port other than a DPE. LAs are expected to support a consistent and risk-based approach to monitoring third country imports using the ACTSO [guidance](#) on consistency and prioritisation of the delivery of official feed controls at points of entry.
- 3.2 Where they are responsible for a small point of entry, LAs should have regard to guidance on:
- Import controls at [smaller sea port and airports](#);
  - Imported feed checks undertaken by [inland authorities](#)

For reference, a list of [DPEs](#), [DPIs](#) and '[safeguard measures](#)' applicable to imports of animal feed can be found on the FSA website.



## Priority 4: Effective information sharing and communication between points of entry and inland authorities

- 4.1 Exchange of intelligence and findings between points of entry and inland LAs on sampling results and FeBOs importing feed is a key element to a robust system of official controls. LAs responsible for points of entry are expected to liaise with inland authorities which will allow checks to be carried out by inland authorities to ensure establishments:
- Are on the LA feed establishment register;
  - Are included in their inspection programme to enable follow-up action to be taken as appropriate; and
  - Have a [3<sup>rd</sup> country representative](#) within the EU, as appropriate.

If requested LAs are expected to acknowledge and respond to the originating authority, in respect of inland referrals, to confirm the action taken.

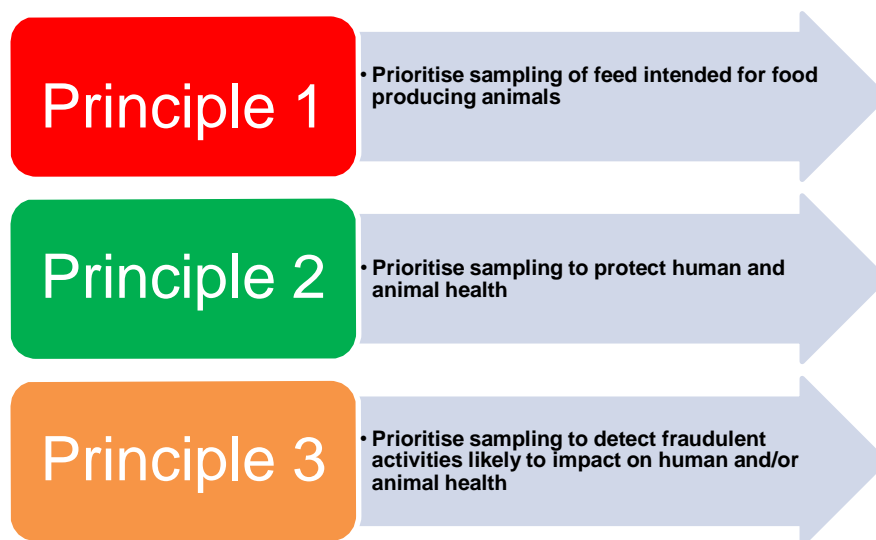
- 4.2 [Guidance](#) details the role of third country representatives, including which feed products trigger the requirement for representation.

## Priority 5: Development and implementation of risk-based regional feed sampling programmes

5.1 Sampling and analysis forms an important part of UK official feed controls. The main objectives of feed sampling are to:

- a) Protect animal and human health;
- b) Promote fair trade and deter bad practices;
- c) Detect fraudulent activities; and
- d) Provide advice and support to businesses.

5.2 To ensure resources for feed are used effectively, LAs are expected to embrace the following four principles.



LAs should also consider ACTSO [guidance](#) on how to plan and take samples, the most significant [RASFFs](#) relating to animal feed and have regard to the restrictions in paragraph 5.3.

- 5.3 To ensure that resources for feed are used effectively, LAs should ensure that:
- a) All sampling takes account of previous results of analysis carried out at feed businesses;
  - b) Feed materials rather than compound feed are prioritised for testing for the presence of [undesirable substances](#), unless there is good reason to believe systems in place to prevent contamination during the production of the feed are not effective;
  - c) Products which appear in Annex 1 of Regulation (EC) No 669/2009 on high-risk feed should already have undergone increased levels of official controls at points of entry and therefore should not require further prioritisation as part of a regional inland sampling programme;
  - d) Unless sampling is to validate the safety of a product, a misleading claim or to detect fraudulent activity, testing to ascertain levels of nutrients and analytical constituents are *not* priorities during 2017/18; and
  - e) Resources for sampling of feed are concentrated at establishments other than primary producers.

**IMPORTANT NOTE:** Should a LA, on the basis of intelligence, with a view to validation of a potential threat to feed safety, human and/or animal health and welfare and/or significant economic impact, determine the need to carry out sampling contrary to 5.3 (a) to (e) then they should do so.

### Sampling Priorities at Points of Entry

- 5.4 Sampling imported feed is a key mechanism to ensure the safety and quality of feed and food entering the UK from countries outside of the EU. All LAs with responsibility for points of entry should include provision in their programmes to sample products at points of entry on a risk basis. In addition, LAs should give priority to the sampling and analysis of products, particularly additives and feed materials originating from outside the EU to assess compliance with feed safety requirements.
- 5.5 LAs should have regard to the ACTSO [guidance](#) on consistency and prioritisation of the delivery of official feed controls at points of entry in respect of prioritising sampling at points of entry. Priority should be given to sampling consignments which have not been sampled recently or have not been seen before at the point of entry or where there is reason to believe they might fail to comply with EU requirements.

## Priority 6: Verification of presence and accuracy of food producing animal feed labelling particulars, which have the potential to compromise human and/or animal health

- 6.1 Information on feed labels is essential to enable FeBOs throughout the feed chain to make appropriate/best use of material they use either to manufacture feed or use as feed. The presence and accuracy of labelling information is critical in ensuring feed is provided to the correct species, age of animal and in quantities which does not affect the health of the animal, have adverse implications for human health or traceability. The presence of batch codes aids prompt recall and withdrawal of affected products in the event of a feed safety incident.
- 6.2 LAs are expected to concentrate on labeling of feed for food producing animals and prioritise the following aspects of labeling compliance in consideration of the EU Codes of Practice on the labeling of [food producing animal feed](#) and [feed additives and premixtures](#) and [FSA guidance](#).
- a) The verification of accuracy of claims as set out in Article 13 of [Regulation \(EC\) No 767/2009 on the placing on the market and use of feed](#);
  - b) Ensuring labelling and presentation of feed does not mislead the user such that it could be fed to the wrong target species; or category of animal for which it is intended;
  - c) Identification of FeBOs offering feed for sale by means of distance communication, ensuring they are appropriately registered/approved and providing mandatory labelling particulars as required by Article 11(3) of Regulation (EC) No 767/2009;
  - d) Ensuring information supporting traceability, in the event of a feed safety incident, is present and accurate; and
  - e) Verification that additives present in feed are [authorised](#)<sup>4</sup> in line with [Regulation \(EC\) No 1831/2003 on additives for use in animal nutrition](#). Any irregularities identified with the labelling of feed containing specified additives i.e. coccidiostats, histomonostats and non-antibiotic growth promoters should be referred to VMD.

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<sup>4</sup> [http://ec.europa.eu/food/safety/animal-feed/feed-additives/authorisation-types-withdrawal\\_en](http://ec.europa.eu/food/safety/animal-feed/feed-additives/authorisation-types-withdrawal_en)

## Earned Recognition

- 7.1 FSS aims to implement a revised official control delivery model including third party assurance. Earned recognition was rolled out in April 2016, however, this shall be refreshed for the implementation of the new delivery model.
- 7.2 LAs are expected to have recognition of the future intention to further develop ER when programming official controls.
- 7.3 The [Feed Law Code of Practice \(Scotland\)](#) and the [Earned Recognition Practice Guidance](#) describes implementation of earned recognition in Scotland.

## Other Useful Resources

- 8.1 A range of [guidance](#) has been published by NAP (National Agriculture Panel) and the NAFPP (National Animal Feed Ports Panel) through ACTSO to support the delivery of feed hygiene controls by LAs under the NTS Feed Delivery Programme in England. This guidance is equally applicable in Scotland.
- 8.2 In advance of the implementation of the revised delivery model in Scotland, FSS shall provide training.
- 8.3 [Guidance](#) for LAs and industry on reporting food and/or feed safety incidents is available on the FSS website. The FSA also has a designated NEPs [webpage](#) providing further guidance to support the implementation of the NEPs by LAs. FSS intends to replicate this during its refresh of the FSS website in May 2017.