EUROPEAN COMMISSION
HEALTH & CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office
F5 Animal nutrition, import controls, residues

DG(SANCO)/2011-8955 – EP

AUDIT PLAN

AUDIT IN THE UNITED KINGDOM
FROM 15 TO 25 NOVEMBER 2011
IN ORDER TO EVALUATE
THE IMPLEMENTATION OF OFFICIAL CONTROLS
ON FEED LEGISLATION

Note to the Competent Authority

This Audit Plan is designed to provide information on the objectives, scope and organisation of the planned audit. It indicates the main areas that the audit team will wish to examine, and is intended to assist both national authorities and the FVO in the planning and preparation of the audit.

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AUDIT PLAN

1. INTRODUCTION

The audit will take place in the United Kingdom from 15 to 25 November 2011.

The audit will be undertaken as part of the FVO's planned audit programme.

The audit team should be accompanied throughout the audit by a representative of the central competent authority.

2. OBJECTIVE

The overall objective of the audit will be to evaluate the measures put in place to give effect to:

a. Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene [1,2].

b. Other feed legislation, including implementing measures, in particular Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition [3] and Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed [4].

c. Official controls on the above legislation, as laid down by Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules [5].

3. LEGAL BASIS

The audit will be carried out under the general provisions of Community legislation and, in particular Art. 45 of Regulation (EC) No 882/2004.

4. SCOPE AND DEPTH

In terms of scope, the audit will focus on the implementation of the requirements of the above legislation and it will cover all stages of the feed chain from primary production to the use of feed for farmed animals, including traceability. Within this context and where relevant, the audit will follow up on the outcome of previous audits concerning feed safety (specific audit DG(SANCO) 2009-8092) and the recommendations made in this respect.

The audit will be conducted through data and document review, interviews with officials and, where appropriate, other parties concerned, and on-the-spot verifications.

5. REQUIRED PRELIMINARY INFORMATION

In order to assist in the preparation of the audit and in ensuring that it may be conducted as efficiently as possible, please provide information concerning the topics listed in the Pre-audit questionnaire in the Annex as soon as possible, and no later than 10 October 2011. This information will be discussed during both the initial meeting and in the course of the audit.

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1 Legal acts quoted refer, where applicable, to the last amended version

2 OJ L 35, 8.02.2005, p. 1.

3 OJ L 268, 18.10.2003, p. 29. Art. 11 phased out the use of certain antibiotics as feed additives as of 1 January 2006.

4 Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed. OJ L 140, 30.05.2002, p 10.

5 OJ L 165, 30.04.2004, p. 1, corrected and re-published in OJ L 191, 28.05.2004, p.1.

Please send the information to Mr. Luc CAYUELA, Food and Veterinary Office, either by fax (+353 46) 9061 703 or by e-mail (Sanco-fvo-inspections@ec.europa.eu).

6. PREPARATION AND ORGANISATION

The audit team will consist of two sub-teams. It is foreseen that sub-team A will visit England and Scotland, while sub-team B will visit England and Wales.

The availability of the relevant departments during this period should be confirmed and a suitable itinerary proposed, preferably not later than 10 October 2011, which should cover the following points:

- ✓ An initial meeting between the audit team and the central competent authority. During the initial meeting, it would be appreciated to have a set of presentations explaining the actions taken and the progress made in addressing the recommendations made following the specific audit DG(SANCO) 2009-8092.
- ✓ A closing meeting between the audit team and the central competent authority, where the audit team will present the initial findings and preliminary conclusions of the audit, and confirm reporting procedures. At the end of the presentation, your services will be invited to give an initial response to the audit, and any possible other additional comments. Where necessary, any outstanding issues may be clarified during this meeting.

And for each of the sub-teams:

- ✓ Four meetings with local authorities responsible for feed law enforcement (sub-team B: three meetings in England and one in Wales, sub-team A: three meetings in England and one in Scotland).
- ✓ One entry point where feed is imported and undergoes official controls. To facilitate the selection of this entry point, a list of the five largest entry points for feed should be provided.
- ✓ Three feed mills, of which two approved and one registered under Regulation (EC) No 183/2005. A list of at least ten such establishments should be submitted. The information provided should contain the quantities of feed placed on the market, the species of destination and whether medicated feed or feed containing coccidiostats and histomonostats are manufactured.
- ✓ Two intermediaries, one approved and one registered under Regulation (EC) No 183/2005. A list of at least ten such establishments should be submitted.
- ✓ One primary producer of feed (ideally an on-farm mixer) registered under Regulation (EC) No 183/2005. This establishment will be selected by the audit team during one of the meetings with local authorities.
- ✓ Two feed business operators whose activity consists in collecting, handling and processing food industry co-products before eventually supplying them as feed to other feed operators (surplus food recycler). To facilitate the selection of these establishments, a list of the five largest surplus food recyclers should be provided.
- ✓ Two food business operators dispatching co-products to the feed industry. A list of at least six such establishments should be submitted.

During all the visits to premises, representatives from all concerned competent authorities responsible for their official controls should be present, and the relevant control records should be made available for the audit team.

Please note that the audit team may need to modify the proposed itinerary as a consequence of the assessment of the response to the pre-audit questionnaire, or in the light of other relevant information received prior to or during the audit.

7. LANGUAGE TO BE USED

The language used during the audit will be English.

8. CONFIDENTIALITY REQUIREMENTS

Subject to the provisions of Article 339 of the Treaty on the functioning of the European Union, the final report of this audit will be made available to the European Parliament, Member States and consumers, according to the provisions of the FVO Manual of Procedures.

9. PROCESSING AND DISTRIBUTION OF THE AUDIT REPORT

The draft report will be produced within 20 working days (10 working days where the findings indicate that urgent action is needed) of completion of the audit. The competent authority will receive a copy of the draft report, for comments. Comments should be provided within 25 working days (10 working days where the findings indicate that urgent action is needed) of receipt of the draft report. The report will be finalised within 15 (or 10) working days, respectively, after receipt of the competent authority comments.

ANNEX: PRE-AUDIT QUESTIONNAIRE

1. Competent authorities

a) Specify if there have been changes in the organisation of competent authorities in charge of feed law enforcement since specific audit DG(SANCO) 2009-8092. If so, explain if this resulted in practical changes in the organisation and implementation of official controls.

b) Provide up-to-date copies of the Memoranda of Understanding in place between the different competent authorities involved in feed law enforcement.

c) Provide copies of the minutes of the liaison groups (including regional groups in England, Wales and Scotland) which covered feed law enforcement in 2010 and 2011 (if they can be accessed on the internet, provide only the links to the relevant web pages).

d) Explain the system in place for the allocation of resources to competent authorities in charge of feed law enforcement. Outline the changes, if any, which occurred since specific audit DG(SANCO) 2009-8092. Provide an overview of the sums which were allocated for feed law enforcement in 2010 and 2011 and explain how it was verified whether such funding was used for the intended purpose.

e) Provide an overview of the training courses which were organised for or by local authorities (LAs) and the Animal Medicines Inspectorate (AMI) in relation to feed law enforcement in 2010 and 2011.

f) Explain the system in place, outlining the changes, if any, which occurred since specific audit DG(SANCO) 2009-8092, for verifying how LAs meet the standards of the Framework Agreement as regards feed law enforcement. In particular, describe the nature and content of the enforcement data received by the Food Standards Agency (FSA) and how this information is used. Provide copies of any instructions or guidance concerning this topic.

g) Provide an overview of the audits which were carried out on LAs, AMI or FSA as regards feed law enforcement, including on imports of feed of non-animal origin.

2. Official controls on feed

a) Provide up-to-date versions of the Codes of Practice and Guidance Documents for feed law enforcement (including those used by AMI). Provide copies of all instructions/letters addressed to LAs or AMI as regards feed law enforcement in 2010 and 2011 (whether these instructions/letters concerned inspections, sampling or import controls).

b) Provide for 2009, 2010 and 2011, the number and type of official inspections planned versus those carried out as well as the type of premises inspected, the scope of the inspections and their outcome (including inspections at primary producers). When non-compliance was found, specify the type of non-compliance detected and the measures taken.

c) Indicate, for 2009, 2010 and 2011, the number of samples per category of feed (additives, premixtures, compound feed or feed materials) which were planned versus those taken and the results obtained (total/non-complying) for antimicrobials (authorised and prohibited) and other undesirable substances. When non-compliance was found, specify the measures taken. Provide the same information for prohibited feed materials, in particular packaging material. Indicate if any tolerances have been set up for the presence of such material and describe the analytical methods used.

3. Laboratories carrying out official controls

a) Describe the network of laboratories carrying out controls in the area of feed. Indicate which of these laboratories have the analytical capability for the substances included in Commission Recommendations 2005/187/EC, 2005/925/EC and 2006/88/EC.

b) Indicate how the national reference laboratories in the area of feed meet the requirements laid down in Art. 33 of Regulation (EC) No 882/2004. In particular, explain if any ring tests have been carried out for laboratories performing analyses of feed samples taken during official controls. If yes, provide the results of such tests.

4. Compliance with requirements for feed hygiene

a) Provide a copy of the national lists of registered feed establishments (if these lists can be accessed on the internet, provide only the links to the relevant web pages).

5. Imports and exports

a) Explain whether specific monitoring arrangements are in place for undesirable substances in imported feed. If yes, give an overview of the results obtained in 2010 and 2011.

b) Provide details, for 2010 and 2011, on the consignments of feed imported from third countries, indicating the entry point, type of material and importer. Specify, for each consignment, if any checks were carried out, their nature (including, for physical checks, the substances which have been tested for), where they took place and, if any, the non-compliance detected.

c) Provide the list of establishments involved in trade or use of banned antimicrobial growth promoters destined to export to third countries.