



## FSA Response to the Farming Regulation Task Force

February 2012 update

## CONSIDERATION OF SPECIFIC RECOMMENDATIONS

Task Force Recommendation	Accept/ accept in part/ reject	Argument (November 2011)	Approach in devolved countries	Update February 2012
<b>Paperwork</b>				
<p><b>2.43</b> We recommend that Defra, its agencies and delivery partners, including the Food Standards Agency produce a coherent plan for Ministers of how they intend to further reduce and rationalise the process and paperwork for farming and food-processing businesses, with aim of improving efficiency and effectiveness. We recommend that the plan:</p> <ul style="list-style-type: none"> <li>- is produced by the end of 2011;</li> <li>- explains where paperwork and process</li> </ul>	<p><b>Partially accept – represents ongoing work</b></p>	<p>Work in this area has been ongoing for many years, with the Administrative Burden Exercise (2005 – 2010) providing a particular focus. The FSA fully accepts the importance of minimising paperwork and process burdens. This is recognised in the FSA’s strategic outcomes and priorities. Between 2005–2010 FSA delivered administrative burdens savings of £151m per year. This included things such as the discontinuation of butcher’s licensing, efficiency savings from meat hygiene official controls, reduction of official inspections for farms that are members of assurance schemes, and using pre-existing data to avoid farms and feed businesses having to register as food businesses. £44m was saved through guidance to aid compliance with European animal feed record keeping. Since the end of the administrative burdens initiative, the FSA</p>	<p><b>Wales, Northern Ireland</b> – Where there is merit, we will propose to devolved Ministers changes in the delivery of regulations in food businesses.</p> <p><b>Scotland</b> - On farm rationalising of inspections and recording is an existing policy in Scotland and the FSA has been fully participating in Scottish</p>	<p>The FSA continues to seek opportunities to reduce business administrative burdens.</p> <p>We are at present reviewing the forms we ask business to complete identifying and taking steps to reduce some unnecessary burdens. For example, we have updated all Wine Standards forms and they can be submitted electronically.</p>

<p>cannot be reduced, and address 'customer journey mapping' where it makes sense to do so; and</p> <p>- is based on the Task Force principles and recommendations elsewhere in this report.</p>		<p>has continued to seek further savings. The removal of certain labelling requirements for animal feeds resulted in further savings of £34m. In relation to FCI, which is specifically referenced by the Task Force in relation to paperwork burdens, the FSA is taking action in this area – detailed below.</p> <p>The FSA fully accepts the importance of guidance documents being as short as possible and that both guidance and forms are developed in consultation with stakeholders and that efficiency gains can be had from digital forms. We also support the usefulness of the Farming Theme on Business Link, with which we are involved.</p> <p>We do not, however, believe that a specific, separate, plan is necessary. Instead it would be more efficient to include plans for action in the plan that we will be drawing up in relation to the Red Tape Challenge exercise.</p>	<p>Government initiatives to reduce admin burdens and inspection footfalls. For other businesses where there is merit, we will propose to devolved Ministers changes in the delivery of regulations in food businesses</p>	
<p><b>Water in dairy premises</b></p>				
<p><b>6.47</b> The FSA plans to issue guidance on the use of private water supplies, including use in dairy</p>	<p><b>Accept – activity ongoing</b></p>	<p>Defra, the Drinking Water Inspectorate and their equivalents across the UK are responsible for the Private Water Supplies Regulations and the Drinking Water Directive.</p>	<p><b>Wales, Scotland, Northern Ireland –</b> Our aim is to promulgate</p>	<p>The FSA continues to work with water regulators to resolve this issue. Guidance is being developed on</p>

<p>premises, which will clarify the requirements of relevant food hygiene legislation and the relationship with the Private Water Supply Regulations. We recommend that the FSA acts promptly to issue this guidance.</p>		<p>The Private Water Supplies Regulations require that commercial users of private water supplies undergo a risk assessment and implement a monitoring regime to ensure that the water meets the definition of “wholesome” in the Drinking Water Directive. These Regulations were introduced in Scotland in 2006, prompting the dairy farmers in Scotland to launch a campaign citing that their counterparts in the other parts of the UK had an unfair advantage as they were not required to comply with the Private Water Supplies Regulations. The Scottish Government in conjunction with FSA Scotland produced clarification which aimed to assist dairy farmers in complying with the Regulations.</p> <p>When the corresponding Private Water Supply Regulations were introduced in England, Wales and Northern Ireland in 2010, it became apparent that the same problems faced by the dairy farmers in Scotland would be encountered by those in England and Wales. The Scottish Government requested that the FSA produce guidance which should be rolled out across the UK. The FSA has been working with water regulators and agriculture departments across the UK to resolve this relatively long term issue and over the last year or so, has made good progress in</p>	<p>consistent guidance across the UK.</p>	<p>potable and clean water, and pending further legal advice, will be issued for consultation.</p>
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<b>TSE Controls</b>				
<b>10.05</b> We recommend that the Government makes maximum use of existing derogations in EU legislation, fully supports moves to more proportionate and risk-based TSE controls, and implements changes without delay once revised EU legislation comes into effect.	<b>Accept – reflects ongoing activity</b>	The FSA has responsibility for advising government on food safety in relation to TSEs and leads on policy relating to SRM controls. The FSA is working closely with Defra, who lead on the other aspects of TSE Road Map 2. The FSA fully supports the approach taken by the European Commission in the TSE Road Map 2. FSA will continue to reduce controls where supported by scientific evidence and robust risk assessments whilst ensuring that effective consumer protection is maintained. For example, the FSA Board recently agreed to the raising of the age threshold for BSE testing of healthy cattle slaughtered for human consumption in May 2010 and in September 2011 advised on proposals to ease aspects of the feed ban relating to the use of non-ruminant protein in feed. Where changes have been agreed at EU level, these have been	<b>Wales, Scotland, Northern Ireland –</b> We will make recommendations to Ministers across the UK to reduce controls where this is supported by the science.	The FSA continues to work closely with Defra on the TSE Road Map 2. European Commission proposals for testing a sample of healthy cattle slaughtered for human consumption at over 72 months of age are expected later this year, for implementation from 1 January 2013. We will assess the Commission proposals and with Defra and colleagues in the devolved administrations, develop an appropriate implementation plan for the UK. As part of this process we will review the current statutory

		implemented without delay as soon as the EU legislation permitted.		<p>requirements for abattoirs that slaughter bovines that require BSE testing and undertake a formal consultation process.</p> <p>Following consultation, the FSA Board will provide advice to UK Ministers on the public health implications in relation to food. If agreed, we will ensure that the FSA does not delay implementation of the BSE testing sampling regime as soon as permitted by the EU legislation.</p>
<p><b>10.06</b> We recommend that official controls on BSE testing and SRM removal in abattoirs are reviewed to ensure that they are fully risk-based (not 'tick-box') and take account of the FBO record of compliance.</p>	<p><b>Accept – reflects ongoing activity begun in 2007</b></p>	<p>FSA keeps the official BSE controls in approved premises under review, to ensure that they remain proportionate and take risk factors into account, while maintaining a high level of consumer protection.</p> <p>In 2007 FSA began the process of introducing more risk-based official supervision of BSE controls with under thirty months cattle and sheep, extending this to include OTM cattle in 2009. Examples of the changes made are:</p> <ul style="list-style-type: none"> <li>• Introducing risk based checks on</li> </ul>	<p><b>Wales, Scotland, Northern Ireland –</b> We will make recommendations to Ministers across the UK to reduce controls where this is supported by the science.</p>	<p>The FSA continues to keep official BSE controls in slaughterhouses and cutting plants under review and to consider the introduction of more risk based and proportionate controls where appropriate. For example, the FSA has worked in partnership with industry to assess the effectiveness of alternative spinal cord</p>

		<p>separation, staining, storage and disposal of SRM.</p> <ul style="list-style-type: none"> <li>• Transfer of responsibility for dentition checks to age sheep and goats to the FBO.</li> <li>• Allowing cold inspection in small plants with good compliance record.</li> <li>• Replacing full time official presence in cutting plants removing SRM bovine vertebral column with risk based daily or random checks.</li> <li>• Replacing 100% official checks on cattle ID with a risk based audit of FBO checks.</li> <li>• Removing the requirement for abattoirs handling 30 – 48 month bovines to have a required method of operation (RMOP).</li> </ul> <p>The risk based approach also takes into account the FBO's track record of compliance such as, for example, with the staining and spinal cord requirements.</p>	<p>removal methods, which might replace the need for compulsory splitting of sheep carcasses. To date the technology available has not been sufficiently effective to enable a formal trial to be initiated, but if and when the weaknesses in the technology are rectified to the satisfaction of the industry representatives currently leading on this, then the FSA will assist in running a formal assessment trial. We would at that time also undertake the necessary risk assessments to inform decisions on a policy change.</p> <p>Following a review of the procedures for cattle ID checks, we agreed with Defra a more flexible approach to increases in the level of verification of the FBO's checks on cattle identification that takes into account the FBO's demonstration of compliance with the</p>
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<p><b>10.07</b> We recommend that the domestic TSE regulations are changed to take advantage of the existing derogation in EU law, which permits authorised cutting plants to harvest head meat.</p>	<p><b>Under consideration – research began in 2008, report available summer 2011</b></p>	<p>The FSA restricted harvesting of bovine head meat to slaughterhouses because of concerns about the potential contamination of the heads with central nervous system (CNS - brain and spinal cord) tissue during movement and transportation.</p> <p>The FSA is already in the process of reviewing this restriction, in liaison with industry, and has funded research to assess contamination from CNS on bovine head meat. Discussions with industry have shown that, to date, there is one cutting plant interested in harvesting head meat. The report of this project is to be published shortly and will inform the FSA’s consideration of whether or not to apply the EU derogation in the future.</p>	<p><b>Wales, Scotland, Northern Ireland –</b> We will make recommendations to Ministers across the UK to reduce controls where this is supported by the science.</p>	<p>requirements.</p> <p>Preliminary results are now available from the research to assess contamination from CNS on bovine head meat. The FSA has discussed with the industry and will be writing to key representative bodies by the end of April 2012 to explain the requirements set out in the EU Regulations. The industry representatives agreed this will enable them to gauge the level of interest more accurately which will then assist them in establishing the priority of this work stream relative to other issues of importance which the industry would like to see progressed over the next twelve months.</p>
<p><b>Earned recognition - general</b></p>				
<p>We recommend adoption of the approach of ‘earned recognition’. This is about</p>	<p><b>Accept – Enforcement strategy initiated</b></p>	<p>The FSA is developing a compliance and enforcement strategy which aims to deliver sustained improvements in compliance by</p>	<p><b>Wales, Scotland, Northern Ireland –</b> This is our policy</p>	<p>FSA is implementing the principles set out in the Compliance and Enforcement</p>

<p>giving official recognition to the effective efforts made by individuals and businesses in understanding legal requirements and getting things right. Adopting and applying this principle of earned recognition should reduce the burden on business and should help regulators to make risk-based decisions and to make better use of their expertise.</p>	<p><b>in Autumn 2010</b></p>	<p>food businesses. This includes developing a better understanding of what works to improve compliance in businesses and targeting controls to higher risk non-compliant premises. A key component of this is through 'earned recognition' where businesses' own means of securing compliance provide for a reduction in the type and/or frequency of regulator interventions, where those systems address legislative requirements.</p> <p>The approach the FSA has already established with Red Tractor scheme for hygiene of primary production and hygiene inspection in the dairy sector provide useful models. A Memorandum of Understanding was signed in January 2009 when we started to take AFS membership into account where regular independent verification of standards by accredited bodies have been utilised to provide improved intelligence on risk and evidence on standards within businesses. The dairy inspection model will deliver significantly reduced burdens on lower risk businesses in the sector. The approach necessitates partnership working by all parties based on trust and greater transparency and openness-essential to ensure that consumer protection is still maintained, whilst allowing regulators to focus attention and resources on higher risk</p>	<p>position across the UK.</p>	<p>Strategy agreed by the FSA Board in July 2011, including the application of earned recognition principles.</p> <p>FSA has discussed with industry representative bodies the extent to which earned recognition currently applies to the approved meat sector and the possibilities for the delivery of earned recognition in the future.</p>
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		<p>non-compliant businesses.</p> <p>We already reflect the principles behind earned recognition and the notion of “consistently competent” premises to a significant extent in the audit process, as the audit frequency for a plant is determined by, amongst other things, a risk assessment which also takes into account the compliance record. However, we continue to work on this issue and are researching whether accredited third-party schemes can be utilised to inform risk assessments and ultimately inspection levels.</p>		
<b>Earned recognition and meat hygiene</b>				
<p><b>10.08</b> We recommend that the Government supports moves to more proportionate and risk-based meat hygiene controls and inspection that take account of earned recognition.</p>	<p><b>Accept – ongoing activity.</b></p>	<p>The FSA is actively involved with the EU Commission and other Member States in reviewing current meat controls, with a view to developing new controls for the future that will be more risk based and proportionate. Whilst future EU legislation is likely to continue to require a degree of Competent Authority presence/controls in meat establishments, the Commission seems prepared to consider changes to the nature of these controls and who might carry them out, and it may therefore be possible to take fuller account of earned</p>	<p><b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.</p>	<p>The European Commission has indicated that it will publish a draft legislative proposal covering changes to meat controls in mid- 2012. The FSA will be able to provide more detail once the proposal is published. We continue to work with industry on various aspects of earned recognition, including exploring means to</p>

		<p>recognition in a future system of controls once it is clear what controls will be required.</p> <p>The FSA is also reviewing with industry stakeholders the flexibilities that can be applied to official meat control delivery under the present EU legislation and, as part of this work, will consider the application of earned recognition principles where there is scope to do so.</p> <p>In the current legislative framework, the key principles behind earned recognition and the notion of 'consistently competent' premises forms part of the audit process, as the audit frequency for a plant is determined by, amongst other things, a risk assessment which also takes into account the compliance record. We agree to consider further whether earned recognition, including accredited third-party schemes, can be used in the meat industry within the confines of current legislation.</p>		encourage wider take up of flexibilities.
<p><b>10.15</b> We recommend that consistently competent FBOs should be able to use accredited private sector bodies to provide meat inspection services.</p>	<p><b>Partially accept. The use of private sector bodies and control bodies was first discussed as part of the Tierney</b></p>	<p>With regard to the use of control bodies to deliver official controls, there are a number of legal limitations to this at present, e.g. the enforcement functions contained in article 54 of Regulation 882/2004 cannot be delegated to a control body. Therefore, if a control body,</p>	<p><b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.</p>	<p>The FSA Board considered the implementation of third party delivery of official controls during its initial discussions on the Task Force report in July 2011 and</p>

<p>We recommend that the FSA should approve and designate these accredited private-sector bodies as control bodies.</p>	<p><b>Report response in 2007</b></p>	<p>or control bodies, were to be introduced it would require a two tier system to deliver front line official controls, one to deliver official inspection and audit, and one to deliver official controls to deal with non compliance. In addition, the nature of official meat controls is likely to change species by species over the next few years with the first changes expected as early as 2012. It will be important to clarify what controls will be required in future before proceeding to identify how those controls can be delivered. We will continue to actively engage with the European Commission in the review of the design of future meat controls and on the review of the legislation that covers the requirements for the delivery of official feed and food controls (882/2004), including the definition of control bodies. In addition we will work with industry as this programme develops to explore what controls are needed and who carries them out.</p> <p>The FSA will consider a persuasive case from industry, providing support and advice as appropriate, on alternate model(s) that can provide suitable assurance and detail across a number of areas including the level of public health protection, its long term sustainability, any legal implications of the model, its viability and cost to the taxpayer</p>		<p>further considered the matter at the September 2011 Board meeting. The Board invited industry to develop a proposal for an alternative delivery model for official controls. The FSA agreed to provide information and support as necessary.</p> <p>The FSA continues to focus its efforts on engaging with the European Commission on the shape of future meat controls, looking at what inspection tasks are required and who could carry them out – details on various aspects of this programme of work can be found in the responses to recommendations 10.20, 10.22 and 10.39.</p>
<p><b>10.17 We recommend</b></p>	<p><b>Reject at this stage</b></p>	<p>The FSA, working with industry, will continue</p>	<p><b>Wales, Scotland,</b></p>	<p>The FSA wrote to the British</p>

<p>that a joint industry/official group with an independent Chair considers the criteria for accepting provision of meat inspection services by accredited third parties and reports to FSA as soon as possible.</p>		<p>to focus on engaging with the EU Commission review of hygiene regulations, which will give clarity on the future shape of official meat controls.</p> <p>The FSA will however consider a persuasive case from industry, providing support and advice as appropriate, on alternate model(s) that can provide suitable assurance and detail across a number of areas including the level of public health protection, its long term sustainability, any legal implications of the model, its viability and cost to the taxpayer.</p>	<p><b>Northern Ireland –</b> This is our policy position across the UK.</p>	<p>Meat Processors Association on 2 November 2011, setting out the key issues that the industry should consider when compiling a specification for this work, such as delivering equivalent levels of protection of public health and flexibility to adapt to future regulatory changes. The note confirmed that the FSA are prepared to assist the industry if, the industry wishes to analyse alternative models for delivering official controls. The FSA has provided the data that has been requested by the BMPA.</p> <p>This letter was copied to all members of the Current and Future Meat Controls Stakeholder Group (which includes other key industry bodies) and was discussed with the Group at the last meeting on 26/01/12.</p>
<p><b>10.19</b> We recommend greater use of cold</p>	<p><b>Accept - agreed policy since 2008</b></p>	<p>Cold inspection was introduced in small red meat abattoirs in July 2008, as part of the</p>	<p><b>Wales, Scotland, Northern Ireland</b></p>	<p>The FSA continues to work with industry to encourage</p>

inspection for small abattoirs.		<p>more risk-based approach to BSE controls. We agree that industry and the FSA should work together to ensure that this flexibility is used whenever it is possible to do so, on a case by case basis.</p> <p>A guidance leaflet for FBOs explaining the requirements for allowing 'cold inspection' was published in July 2008 and this was updated in 2009 when the scheme was extended to include cattle over 30 months of age.</p>	– This is our policy position across the UK.	take up of existing flexibilities, including cold inspection. We have set out the legislative requirements, including those for correlation of carcasses and offal, for interested FBOs. The use of cold inspection is considered on a case by case basis.
10.20 We recommend that the FSA continues to work with industry to develop trials of innovative inspection arrangements.	<b>Accept – trials begun in 2008 for indoor pigs and 2010 for lambs. Trial ongoing in pig and poultry processing will start in due course.</b>	The FSA has been working with industry on trials of innovative inspection arrangements, such as widening the use of visual inspection in various species. We will continue to conduct this research and take forward the findings.	<b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.	<p>Visual inspection of lambs is a permitted flexibility within the current legislation. We are working with industry to consider general and specific eligibility criteria for visual inspection of lambs, together with wider practical issues, A preliminary risk assessment of hazards will be carried out by June 2012 and this will help to shape a protocol for visual inspection of lambs.</p> <p>Visual inspection of indoor-reared pigs is already a permitted flexibility. Work continues to assess the risk of extending provisions for</p>

			<p>visual inspection to pigs from non-controlled housing conditions. A trial is being conducted in a pig processing plant and should be completed by summer 2012. Our work will inform the development of European policy on pig meat inspection, since changes would be required to EU legislation to allow this.</p> <p>We have initiated a major project to look at how the October 2011 EFSA Opinion on pig meat inspection could be applied in practice in the UK. We are developing our research protocol in partnership with BPEX and will this year be involving pig meat processors in taking forward the work.</p> <p>We are developing a major pilot trial in partnership with poultry processors to explore alternative approaches to poultry inspection, including</p>
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			<p>risk based ante-mortem inspection and risk-based supervision of PIAs. Given the very nature of the pilot it will not be possible to run the current meat inspection system in parallel. This means that birds will not be subject to official controls as required by the Hygiene Regulations. As a result we must notify the European Commission and submit our research proposal to the Commission and Member States for comments. This research project will only begin once this notification process is completed and the European Commission are content. However we hope to start the pilot in September 2012 and be completed by April 2013.</p>
<p><b>Various meat hygiene recommendations</b></p>			

<p><b>10.22</b> We recommend reviews of the following elements, where there appear to be issues of consistency, flexibility or propriety that should be addressed:</p>			<p><b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.</p>	
<ul style="list-style-type: none"> <li>consistency in permitted process for sterilising knives etc in abattoirs and cutting plants.</li> </ul>	<p><b>Accept – ongoing implementation</b></p>	<p><u>Knife sterilisation</u>: The FSA considers that it is appropriate to allow local authorisation of alternative systems in cutting plants and has taken a flexible approach to implementation since 1<sup>st</sup> January 2006, when the hygiene legislation required water at 82°C to be used for disinfecting knives in slaughterhouses and cutting plants or an alternative system having an equivalent effect. Since 2006, we have received one application to consider an alternative system for the disinfection of knives in one slaughterhouse. The letter authorising the proposed alternative was issued on 27 June 2011. Slaughterhouses pose a higher risk than cutting plants as the working environment is dirtier and no animals have at that point passed post mortem inspection. For the present, we consider requests for alternative systems in slaughterhouses on a case by case basis. We are in addition currently reviewing the process for approving other systems. This may however change</p>	<p><b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.</p>	<p>The FSA is working with industry to encourage the use of existing flexibilities, including for knife sterilisation.</p> <p>Two applications and data in support of a third application have been received since the legislation changed in 2006. To date, authorisation has been given for the use of an alternative system of disinfection of knives in two slaughterhouses, based on one of these applications.</p> <p>We continue to keep the process for authorising alternative systems in abattoirs under review as our experience of these systems</p>

		with greater knowledge and experience of alternative systems.		increases.
<ul style="list-style-type: none"> <li>inspection arrangements for udders and testicles</li> </ul>	<b>Accept</b>	<p><u>Inspection for udders and testicles</u>: Visual inspection only of the genital organs of cattle is required (except for the penis, if already discarded) and the udder is subject only to visual inspection if not intended for human consumption. The FSA will explore with industry what practical issues are associated with visual inspection of the udder and testicles.</p>	<p><b>Wales, Scotland, Northern Ireland</b> – This is our policy position across the UK.</p>	Initial discussions have been held with industry representative bodies. It has become clear that this is a lower priority issue compared to others such as earned recognition and third party delivery of official controls. We remain open to considering this issue with industry.
<ul style="list-style-type: none"> <li>greater flexibility for FBO staff to inspect and approve young animals and offal</li> </ul>	<b>Accept</b>	<p><u>FBO staff inspection of young animals and offal</u>: FBO staff may currently highlight any abnormalities in live animals of all ages to an official, but under the current EU hygiene legislation final approval and outcome of inspection of live animals, carcasses and offal must be carried out by an official (OV or OA).</p> <p>The FSA's Future Meat Controls programme has funded research since Spring 2010 to review aspects of the current system of meat inspection in terms of public health, animal health and animal welfare. This research will inform our future policy on what official controls could be carried out in</p>	<p><b>Wales, Scotland, Northern Ireland</b> – This is our policy position across the UK.</p>	The results of research carried out under the Future Meat Controls programme were published in September 2011. These indicated that some delegation of tasks might be possible without increased risk to public health. Currently this is not permitted in EU law but this research will inform our position for the upcoming EU negotiations.

		<p>slaughterhouses</p> <p>The current EU legislation provides flexibility for post mortem procedures for young animals to be reduced to mainly visual inspection provided certain conditions are met. We will explore with industry whether this flexibility could usefully be applied</p>		
<ul style="list-style-type: none"> <li>arrangements for moving edible co-products between licensed meat premises</li> </ul>	<p><b>Accept – already allowed in legislation</b></p>	<p><u>Moving edible co-products between licensed meat premises:</u> Movement of edible co-products between premises is allowed within the constraints of food hygiene and animal by-products legislation, taking account of the condition of the material concerned.</p>	<p><b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.</p>	<p>This is already permitted under existing regulations. We remain open to considering any further issues relating to movement of edible co-products on a case by case basis as and when raised by industry.</p>
<ul style="list-style-type: none"> <li>adopting risk-based controls to regulate the period between slaughter and minced-meat production</li> </ul>	<p><b>Accept – evidence gathered over a number of years on risk based controls.</b></p>	<p><u>Age of meat for mincing:</u> The FSA believes that the time limits prescribed in the food hygiene legislation, within which minced meat made from chilled meat can be prepared, does not fit with the risk based approach to food hygiene advocated in that legislation. For some years, the FSA has been collecting and evaluating the evidence on minced meat production to identify appropriate risk based controls that could be applied to allow minced meat made from chilled aged meat, to be produced safely. A review of the available</p>	<p><b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.</p>	<p>The final report of research commissioned by the FSA in conjunction with industry partners was received in November 2011. However, substantial additional supporting data was received from industry afterwards. The FSA considered this to be valuable evidence to augment the overall case and therefore extended the project to allow</p>

		<p>literature was commissioned in 2006 and then a research project in 2010 to generate data to strengthen the evidence base. Early findings were sent to the Commission in July 2010; further supporting data from industry will be sent to the Commission later this year with a request that the Commission services consider an amendment to the food hygiene legislation. The FSA has also issued guidance to enforcement officials on this aspect of the EU food hygiene legislation to ensure an appropriate and proportionate risk based approach to enforcement.</p>		<p>analysis and incorporation of the additional data into a revised final report. Agreement was obtained in December 2011 and a delivery date for the revised final report of mid- January 2012 agreed with the contractor. The FSA expects to be in a position to submit the data to the Commission in March 2012, after which the Commission is expected to put forward a mandate to EFSA for consideration</p>
<p>10.27 Consistent with the overall principles of this report, we agree that trichinella controls should derive from a proportionate risk-based approach. Therefore <b>we endorse EFSA's review into trichinella controls.</b> The review aims to achieve this approach and clarify the criteria for regions of negligible risk. We acknowledge that a</p>	<p><b>Accept</b></p>	<p>The FSA fully supports the EFSA review into Trichinella controls and agrees that future controls and the criteria for negligible risk should be proportionate and risk based. We have provided research to EFSA, setting out how a risk-based portfolio of evidence can be used to demonstrate negligible risk, to inform these deliberations. Testing requirements for a future UK case for recognition as a region of negligible risk will depend on the scientific evidence and will need to meet the criteria once they are established. We are working with industry to explore how further testing of pigs, particularly outdoor pigs which are the</p>	<p><b>Wales, Scotland, Northern Ireland –</b> reflects the position across the UK.</p>	<p>The EFSA opinion on Pig Meat Inspection was published in October 2011 and we are considering how this informs our position for the upcoming EU negotiations.</p> <p>We are also undertaking a major piece of research around how the principles outlined in the opinion could be applied in practice in the UK.(see 10.20)</p>

<p>risk-based approach may well involve increased testing of certain parts of the pig population, such as outdoor pigs. Although this would support a future resubmission of the UK case for negligible risk (which, if secured, would benefit the industry), we feel that the current testing regime provides a sound basis for identifying trichinella in the UK. Any further testing would seem excessive.</p>		<p>highest-risk group, can be achieved.</p>		<p>UK research and data analysis has been used to inform the EU's position in international standard-setting forums at CODEX and OIE, where Trichinella controls are now under active consideration. This is crucial to achieving international acceptance of a more risk based approach.</p>
<p><b>Antibiotic failures in milk and milk from TB-reactors</b></p>				
<p><b>10.24</b> We recommend that the FSA should reopen discussions with the European Commission about the interpretation of legislation relating to antibiotic failures in milk. We recommend that Defra and the FSA should work with industry to establish a</p>	<p><b>Partially accept – issue under ongoing consideration</b></p>	<p>The FSA accepts the recommendation to work with Defra and other stakeholders to ensure there are suitable disposal routes for milk that has failed antibiotic tests.</p> <p>The Task Force notes that there is a perception that the UK is interpreting the current EU rules on antibiotic failures in milk more strictly than other Member States (MS). The current requirements regarding antibiotic</p>	<p><b>Wales, Scotland, Northern Ireland –</b> Consistent guidance is in place across the UK. Our preferred approach of stakeholder engagement will take place across</p>	<p>There have been no further developments to report at this stage and the European Commission has not provided additional advice or reviewed its position on this matter.</p>

<p>suitable way forward for disposing of milk that has failed antibiotic tests.</p>		<p>testing are based on EC Regulations which apply directly to all MS. The wording of the regulation is fairly general, requiring food business operators to ensure that milk is not placed on the market if it contains antibiotic residues exceeding authorized levels. Following a FVO inspection in 2006, the European Commission and FVO had a clear view that practices previously in place in the UK did not comply with the legislation. The FSA was under pressure from the Commission to address this issue and therefore published guidance on antibiotic testing which reflected the Commission Decision that prohibits the placing on the market of curd cheese manufactured in a dairy establishment in the UK. This guidance, published in April 2009, aimed to provide clarification to food business operators on the requirements of the EU regulations which require producers to ensure that milk from animals under treatment or in the withdrawal period does not enter the food chain. The FSA planned to review the guidance if further advice was provided by the Commission. No further advice has been issued and there is no indication that the Commission has changed its position.</p> <p>Our preferred approach is to consider the recommendation further with industry and</p>	<p>the UK.</p>	
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		consumer stakeholders and possibly with other Member States before deciding whether it is appropriate to re-open discussion with the European Commission.		
<b>10.25</b> We recommend that Defra, the FSA and dairy trade associations should open discussions on how pasteurised milk from TB-reactor cows could safely enter the food chain.	<b>Further consideration needed – review commissioned in July 2010</b>	<p>The FSA needs to liaise with Defra officials to consider this issue carefully before establishing whether to accept or reject this recommendation.</p> <p>In July 2010 FSA Board asked for a review of the potential risks to consumers from meat and milk from cattle with evidence of <i>Mycobacterium bovis</i> infection. This will help establish public health impact associated with relaxing the current restrictions on milk from TB reactors. These restrictions contribute to a series of controls which aim to minimise the food safety risks and eradicate the disease in animals. The potential impact on controls which prevent the spread of TB in animals also needs to be considered to ensure animal health and public health controls support the holistic approach to tackling disease in primary production. The results are due to be presented to the FSA Board by the end of 2011.</p> <p>The EU Food Hygiene Regulations clearly state that milk from individual animals showing positive reaction to the tuberculosis test must</p>	<b>Wales, Scotland, Northern Ireland –</b> We will hold parallel discussions with devolved rural affairs Ministers in the light of the current review. However, in Scotland given the current TB free status of Scottish herds this might not be necessary.	The Advisory Committee on the Microbiological Safety of Food (ACMSF) reviewed available data and current controls and concluded that the risk to human health with regard to milk from cattle with evidence of <i>Mycobacterium bovis</i> infection from pasteurised milk was acceptably low and the risk from unpasteurised milk was very low. The FSA Board was updated on these conclusions in November 2011 and the FSA will liaise with Defra officials in the coming months.

		not be used for human consumption. Allowing milk from TB-reactor cows to enter the food chain would therefore require a change to the hygiene legislation and, given the current emphasis on TB control and eradication, we would not expect the Commission to be receptive to relaxing the current requirements and we have concerns about the Commission's reaction to an approach on this issue.		
<b>Abattoirs</b>				
<b>10.29</b> We recommend a dialogue between the haulage industry, abattoirs and the FSA to ensure that abattoirs provide vehicle-washing facilities in line with their obligations, and appropriate actions are taken against those that do not provide adequate facilities.	<b>Partially accept – ongoing issue</b>	Some former low throughput slaughterhouses are now exempt under national measures from the need to provide these facilities. In the first instance, the FSA would consider that this is a matter for resolution between the FBO and the haulier if the facilities at a particular slaughterhouse are deemed to be inadequate by the haulier. However, the FSA would be happy to discuss issues which cannot be resolved, on a case by case basis. The FSA has had discussions with the Road Haulage Association and Defra on this matter in the past, we last met with the Road Haulage Association at their request in January 2009.	<b>Wales, Scotland, Northern Ireland –</b> This is our policy position across the UK.	We remain open to considering this issue on a case by case basis as and when raised by industry.
<b>10.30</b> We recommend that	<b>Partially accept –</b>	Recycled water can be used for cleaning parts	<b>Wales, Scotland,</b>	This issue was discussed at

<p>the FSA should review the opinion, including the risk assessment, and discuss with Ministers whether the UK should press for revised arrangements to allow for greater recycling of water in slaughterhouses.</p>	<p><b>ongoing engagement with the European Commission</b></p>	<p>of slaughterhouses, such as the lairage and poultry crates. EU legislation is not prescriptive with regard to the use of recycled water in other places, such as for the first part of the cleaning process of the slaughterhall floors, provided that any equipment which comes into contact with fresh meat is thoroughly cleaned and disinfected afterwards (usually by using potable water and disinfectant). The use of recycled water in these cases must be verified by appropriate HACCP procedures and animal health cannot be compromised.</p> <p>With regard to the use of recycled water used in processing, such as for reducing the surface contamination of carcasses, this is being considered by the European Commission at present. The FSA has engaged fully with this review and will continue to work with industry and the Commission on this matter.</p>	<p><b>Northern Ireland –</b> This is our policy position across the UK.</p>	<p>SCOFCAH in October 2011. The UK position was supportive but a number of Member States were opposed to the proposals. We await the response of the European Commission on the next steps.</p>
<p><b>Food Chain Information</b></p>				
<p><b>10.39</b> We recommend that existing information from contractual arrangements between producers and slaughterhouses, and/or farm assurance schemes,</p>	<p><b>Partially accept – issue already under consideration with research project being</b></p>	<p>Current EU hygiene legislation already stipulates that it is not necessary for the slaughterhouse operator to request certain elements of the required food chain information (FCI), such as the health status of the holding or the animals’ health status, if he</p>	<p><b>Wales, Scotland, Northern Ireland –</b> The research we are commissioning will allow us to consider further the</p>	<p>The research project on FCI has begun, and is on track to deliver initial results by March 2012.</p>

<p>should replace the need for food chain information requirements.</p>	<p><b>commissioned</b></p>	<p>is already aware of that information through a standing arrangement or quality assurance scheme. However, under the current EU rules, these arrangements could not entirely replace the need for relevant FCI.</p> <p>In practice, the FSA has sought to implement the requirements for food chain information in such a way that the minimum requirements can be met simply and easily using model documents thereby minimising the burden on food business operators. However, there are still EU requirements to provide FCI so the Task Force recommendation could not be implemented without a change to EU law and as such would not be a change that could be introduced in the short term.</p> <p>In addition, it is possible that the European Commission will move towards risk-based meat controls based on harmonised epidemiological criteria. Within this there may be some scope for information from producers or assurance schemes to provide information on the health status of animals, but a continued requirement for FCI is likely to be necessary if we wish to achieve the main objective of moving to a more risk based, proportionate system of meat controls.</p>	<p>case for change across the UK.</p>	
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		In order to consider the Task Force recommendation, we would need to be able to demonstrate to the European Commission that contractual arrangements or assurance schemes provide an equivalent level of information and public health protection. We are in the process of commissioning a research project to evaluate the implementation of FCI and CCIR (Collection and Communication of Inspection Results). The research will also look at links with other information systems, including herd health plans and third party assurance schemes, with a view to identifying whether these can be integrated into FCI, or replace all or part of it. We anticipate that the results of the research will be delivered by March 2012.		
<b>Imports</b>				
<b>10.45</b> We recommend that the FSA work with trade bodies, ports and designated laboratories to minimise delays of products produced to internationally recognised standards. <i>[Relates to high risk products of non-animal</i>	<b>Accept-pilot monitoring exercise initiated</b>	This FSA initiated a pilot monitoring exercise on 1 April 2011 at UK designated points of entry to verify the compliance of certified consignments (to internationally recognised standards) with permitted levels of pesticides residues. This pilot is underway to establish the evidence as to the effectiveness of accredited certification schemes to ensure compliance with the permitted levels of	<b>Wales, Scotland, Northern Ireland</b> – This is our policy position across the UK.	The extended pilot ended on 31 December 2011, and research has been initiated to evaluate the findings, and to validate the approach to establishing an appropriate level of compliance.

<i>origin imported into the EU from third countries.]</i>		pesticide residues on products subject to increased checks and sampling under the relevant EC Regulation. This will inform subsequent actions that will address this recommendation.		
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