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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

CHILE

FROM 04 TO 14 MARCH 2013

IN ORDER TO EVALUATE THE CONTROL SYSTEMS IN PLACE GOVERNING THE
PRODUCTION OF POULTRY MEAT AND PRODUCTS DERIVED THEREFROM INTENDED
FOR EXPORT TO THE EUROPEAN UNION

In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of a footnote.

Executive Summary

This report describes the outcome of an audit carried out by the Food and Veterinary Office in Chile, from 4 to 14 March 2013.

The objectives of the audit were to evaluate whether the official control systems for poultry meat and products derived therefrom destined for export to the EU can provide equivalent guarantees to those required by EU legislation and to evaluate the follow-up actions taken by the competent authorities in response to the recommendations made in report DG(SANCO)/2009-8345.

The report concludes that there is an adequate control system in place covering the production chain of poultry meat and products derived therefrom intended for export to the EU. However, the effectiveness of this system is weakened by the facts that not all existing deficiencies are identified during official controls and for those which are identified enforcement measures are not properly taken by the competent authority to ensure that corrective actions to remedy the situation are implemented by the food business operators.

In addition, the credibility of the system is undermined by the lack of implementation of the guarantees provided by the competent authority in response to the recommendations of the previous FVO poultry audit.

Overall the system of official controls is capable of ensuring that the poultry meat exported to the EU meets most of the relevant standards.

The report includes a number of recommendations addressed to the Chilean competent authorities and aimed at rectifying the identified shortcomings and enhancing the control system in place.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

| Abbreviation | Explanation |
|---------------------|--|
| AV | Authorised Veterinarian |
| CA | Competent Authority |
| CCA | Central Competent Authority |
| CCP | Critical Control Point |
| EC | European Community |
| EU | European Union |
| FBO | Food Business Operator |
| FVO | Food and Veterinary Office |
| GHP | Good Hygiene Practices |
| GMP | Good Manufacturing Practices |
| HACCP | Hazard Analysis Critical Control Point |
| ISO | International Organization for Standardization |
| LEPP | List of Establishments Exporting Livestock Products |
| OA | Official Auxiliary |
| OV | Official Veterinarian |
| PABCO | Animal Establishments under Official Certification (<i>Planteles de Animales Bajo Certificacion Oficial</i>) |
| RASFF | Rapid Alert System for Food and Feed |
| SAG | Agriculture and Livestock Service (<i>Servicio Agricola y Ganadero</i>) |
| SIIO | Integrated Official Inspection System |

1 INTRODUCTION

The audit took place in Chile from 4 to 14 March 2013 and was undertaken as part of the Food and Veterinary Office's (FVO) planned audit programme.

The audit team comprised two auditors from the FVO. Representatives from the Competent Authority (CA) accompanied the audit team during the whole audit.

An opening meeting was held on 4 March 2013 with the Central CA (CCA) - The Agriculture and Livestock Service¹ (SAG) of the Ministry of Agriculture. At this meeting the audit team confirmed the objective of, and itinerary for the audit, and requested additional information required for the satisfactory completion of the audit.

2 OBJECTIVES

The objectives of the current audit were to:

- evaluate whether the official controls systems for poultry meat and products derived therefrom destined for export to the European Union (EU) can provide equivalent guarantees to those required by EU legislation and in particular Regulation (EC) No 798/2008 and Decision 2007/777/EC.
- evaluate the follow-up actions taken by the CA in response to the recommendations made in report DG(SANCO)/2009-8345.

In terms of scope the audit focused on the organisation and performance of the CA, the export certification procedure, the official control system in place covering production, processing and distribution chains applicable to poultry meat and products derived therefrom to be exported to the EU. Accordingly, relevant aspects of the EU legislation referred to in Annex 1 were used as technical basis for the audit.

The table below lists the sites visited and the meetings held in order to achieve the above objective.

| Competent authority visits | | |
|-----------------------------------|---|---|
| Central CA (CCA) | 1 | Opening and closing meeting |
| Regional/Local CA | 1 | |
| Laboratory visits | | |
| Official laboratories | 2 | |
| Primary production | | |
| Poultry farm | 1 | Broiler farm |
| Food processing facilities | | |
| Slaughterhouses | 4 | |
| Cutting plants | 4 | Attached to the slaughterhouses visited |
| Meat Product establishments | 3 | Attached to the slaughterhouses visited |
| Other sites | | |
| Cold store | 1 | |

¹ Servicio Agrícola y Ganadero

3 LEGAL BASIS

The audit was carried out in agreement with the Chilean Authorities and under the general provisions of:

- The Agreement on Sanitary and Phytosanitary measures (and in particular its Article 10) applicable to trade in animals and animal products, plants, plant products and other goods and animal welfare - (Annex IV of the Association Agreement between the European Community and its Member States of the one part and the Republic of Chile of the other part). The Agreement was approved by the Community with Council Decision 2005/269/EC in February 2005- hereinafter referred to as "the Agreement";
- EU legislation and, in particular Article 46 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls in third countries performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

Full legal references are provided in the Annex. Legal acts quoted in this report refer, where applicable, to the last amended version.

4 BACKGROUND

4.1 HISTORICAL BACKGROUND

Chile is included in the list of third countries from which the import of poultry meat and poultry meat products into the EU is authorised (Part 1 of Annex I to Regulation (EC) No 798/2008 and Part 2 of Annex II to Decision 2007/777/EC).

Article 8(1) of the Agreement stipulates that for products of animal origin the import conditions of the importing Party shall be applicable to the total territory of the exporting Party.

There has been no Rapid Alert System for Food and Feed (RASFF) notifications linked to poultry meat or products derived therefrom imported from Chile since 2002.

The most recent FVO poultry audit to Chile took place in 2009 (ref. DG(SANCO)/2009-8345). The report of this earlier audit highlighted deficiencies – *inter alia* – in relation to listing establishments for EU export, to ante-mortem inspection procedures and to animal welfare. The report - published on the Health and Consumers Directorate-General Internet site at http://ec.europa.eu/food/fvo/ir_search_en.cfm – made a number of recommendations to the CA. Written guarantees have been received from the CA in relation to the implementation of those recommendations.

4.2 PRODUCTION AND TRADE INFORMATION

The information in the table below was provided by the CCA and indicates the quantity of poultry meat and poultry meat preparations exported to the EU in 2011 and 2012.

| | 2011 (tonnes) | 2012 (tonnes) |
|---|---------------|---------------|
| Frozen poultry meat | 7,838 | 14,879 |
| Frozen poultry meat preparations | 18,749 | 10,314 |
| Total | 26,587 | 25,193 |

No poultry meat products were exported to the EU.

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION AND IMPLEMENTING MEASURES

Legal requirements

Article 46 of Regulation (EC) No 882/2004 states that Commission experts may carry out official controls in third countries in order to verify the compliance or equivalence of third-country legislation and systems with the relevant Community legislation.

Point 1.2. of Appendix VII to the Agreement outlines that verifications should be designed to check the effectiveness of the controls of the auditee.

Findings

The Chilean Laws 18755 and 19283 provide the legal basis for the CAs to perform official controls on poultry meat and products derived therefrom to comply with EU requirements. Furthermore, several resolutions, circulars and procedural instructions have been issued by the CCA in order to set out clear instructions for performance of inspections, sampling and supervision in the exporting establishments. The audit team was informed by the CCA that a law on animal welfare was adopted in 2009 (Law 20380), however its implementing regulations are not yet in force. Nevertheless, the requirements of Regulation (EC) No 1099/2009 have been addressed in CCA circular letters.

National Norm No 117 lays down requirements on the veterinary inspection of poultry meat. According to this Norm, each lot of birds should be subject to an ante-mortem inspection. However, the audit team noted in some of the establishments visited that according to the CA's interpretation of this provision, only the first truck of each lot of birds received at the slaughterhouse are subject to an official ante-mortem inspection. This is not in line with point B.1. (a) Chapter II Section I of Annex I to Regulation (EC) No 854/2004 which requires that the official veterinarian (OV) carries out an ante-mortem inspection of all animals before slaughter. The same finding was detected during the audit in 2009 (DG(SANCO)/2009-8345) and the CA provided guarantees to the FVO that this deficiency would be eliminated.

Conclusions

While a comprehensive analysis of the Chilean legislation was not carried out by the audit team, the domestic laws and implementing measures, with the exception of ante-mortem inspection, applicable for export to the EU are broadly in line with EU requirements related to the scope of this audit.

5.2 COMPETENT AUTHORITY

Legal requirements

Article 46 of Regulation (EC) No 882/2004 specifies that official controls carried out in third countries by Commission experts shall have particular regard to the organisation of the third country's CAs, their powers and independence. This article also refers to other issues such as the training of staff in the performance of official controls, the existence and operation of documented control procedures and control systems based on priorities.

Point 4(d) of Part B of Appendix V to the Agreement outlines that the verification concerns the structure and organisation of the CA as well as the powers available regarding the implementation of importing Party's rules.

Article 5 of the Agreement defines that CAs of the Parties are the authorities competent for the implementation of the measures referred to in the Agreement.

Findings

SAG is the CA responsible for official controls on poultry meat and products derived therefrom to be exported to the EU. Within SAG the Livestock Protection Division² functions as the CCA and amongst other responsibilities it is in charge of animal health and welfare policies and their implementation, epidemiological surveillance, veterinary medicines and exports. SAG is a territorial based organisation, composed of 15 regional departments³ and 65 local offices⁴. Official controls carried out by SAG cover the whole export chain from farm to the final dispatch of the products intended for export. SAG is responsible also for preparing and signing the veterinary certificates for EU exports.

SAG has the powers and independence to enforce the applicable legislation on establishments approved for exports to the EU as well as to suspend or delist them or restrict the export of production batches if they no longer comply with the EU requirements. The audit team saw examples with documented evidence when SAG temporarily suspended the export certification in establishments due to non-compliances found.

SAG is present, through its local offices, on a permanent basis in all establishments (including cold stores) approved for export. In slaughterhouses the inspection team consists of one head of team, OVs and official auxiliaries (OAs).

There are periodical supervisory visits by the regional departments at least three times a year to verify the compliance of the establishments and to evaluate the performance of official controls carried out by the inspection teams. The audit team found evidence that these supervisory controls were carried out, in most cases on a monthly basis and the reports of these visits were available.

The audit team was informed by the CA that at least once a year SAG Central level (Department of Food Safety and Certification) as a part of the Integrated Official Inspection System (SIIO) carries out supervisory visits in the regional departments which include visits to export establishments (e.g. slaughterhouses supplying to EU exporters). The objective of these visits is to evaluate the performance of official controls carried out by regional/local officials and to harmonise the level of these controls. Reports were available for the audit team.

The audit team was informed by the CA that only those veterinarians who have participated in an inspection training course (in addition to their veterinary qualification) and passed a special exam which consists of both theoretical and practical elements or have had one year's experience of inspection can work in an establishment as a SAG OV.

For OAs there is a minimum qualification requirement ("Livestock or Agricultural Technician") to perform official inspection in a slaughterhouse. In addition, OAs have to participate in a special training course (380 hours) organised by one of the Chilean universities. This training consists of theoretical and practical modules and includes ante-mortem and post-mortem inspection.

A training programme for OVs and OAs is prepared annually by the CA. The training programme covers different areas including those related to EU export requirements.

The audit team was provided by the CA with several documents relative to these training sessions.

² *Division Protección Pecuaria*

³ *Direcciones regionales*

⁴ *Oficinas sectoriales*

The audit team noted that, although the EU legislation was available for CA staff through SAG's internal website, it was difficult for the OVs to follow the amendments (e.g. they were not aware of food safety criteria in fresh poultry meat; labelling requirements of frozen food of animal origin; poultry meat intended for freezing; food additives used in meat preparations; etc.).

The audit team noted that SAG has organised a special training course on EU animal welfare legislation (including Regulation (EC) No 1099/2009) with the involvement of EU experts. The audit team also noted that Animal Welfare Officers of establishments participated in this training course.

Conclusions

The CA has appropriate structure, legal powers and sufficient number of qualified staff to perform official controls on poultry meat and products derived therefrom intended for EU export, however control staff were not always aware of the latest updates of EU legislation.

5.3 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

5.3.1 Listing procedures

Legal requirements

Article 8(6b) of the Agreement outlines that for the import of animal products, the exporting Party shall inform the importing Party of its list of establishments meeting the exporting Party's requirements.

Appendix V to the Agreement lays down conditions and provisions for provisional approval of establishments.

Findings

Registration of farms eligible for participation in the EU export chain

Poultry to be slaughtered for EU export must only come from farms under the programme "Animal Establishments under Official Certification"⁵ (PABCO). The purpose of the PABCO programme is to give guarantees at animal production level in order to back up the certification of products fit for human consumption needed for national regulations and those of the Official Veterinary Services of the countries or markets of destination. There are documented procedures in place to describe how poultry farms can participate in PABCO programme. All PABCO farms are under the supervision of an authorised veterinarian (AV) (a private veterinarian authorised by SAG for the supervision of PABCO farms) who is obliged to evaluate the farms initially and then annually by using a checklist contained in the PABCO manual of procedures. To acquire such an accreditation, the veterinarian has to be trained (including PABCO requirements) and has to pass a special exam. The accreditation is issued at SAG central level and is valid for three years.

After the initial evaluation of a farm, which is carried out by the AV, a SAG OV from the local office verifies the compliance of the farm during an on-site visit. If the OV confirms that the farm is in compliance with the PABCO requirements, a unique registration number is granted to it by the regional CA office. The list of PABCO farms is available on the SAG internal website.

Approval of Food Establishments

The CA has a written procedure (Ref. I-PP-IT-022) describing the approval of establishments exporting products of animal origin intended for human consumption. This procedure states that any establishment wishing to be listed as eligible for export has to be initially approved by the Ministry

5 Planteles de Animales Bajo Certificación Oficial

of Health (i.e. it must comply with the national requirements).

Furthermore, SAG performs a control prior to registration to determine whether the establishment complies with export requirements in general. This includes a documentary review and an on-site inspection of the establishment concerned, carried out by the regional CA office. If the establishment is found to be in compliance, the CA allocates a registration number and the establishment is added to the "List of Establishments Exporting Livestock Products"⁶ (LEEPP). This list is publicly available on the SAG website.

As regards exports to the EU, in addition to the registration procedure, an approval document is issued by CA headquarters indicating the type of products and activity for which the establishment has been approved. SAG Resolution No 4577 stipulates that an establishment must fulfil all requirements of the importer country to be eligible for exports. A special evaluation form (uniform checklist specially designed for this purpose) is used nationwide by the CA. Assessments by the CA of Good Hygiene Practices (GHPs), Hazard Analysis Critical Control Point (HACCP) plans and compliance with microbiological criteria are part of the approval procedure for establishments wishing to export poultry meat or products derived therefrom to the EU.

In all establishments visited the audit team found evidence that the procedures were followed and both approval documents (Ministry of Health and SAG) were available.

Conclusions

There are procedures in place for the approval and listing of establishments participating in the EU export chain and these procedures were correctly implemented by the CA.

5.3.2 Controls specific to farms and to slaughterhouses: Ante-mortem and post-mortem inspection. Animal welfare provisions.

Legal requirements

The poultry meat export certificate established in Part 2 of Annex I to Regulation (EC) No 798/2008 indicates that the poultry meat to be exported has to be obtained in accordance with several requirements. In particular:

- It has to be found fit for human consumption following ante and post-mortem inspections carried out in accordance with Chapter V of Section IV of Annex I to Regulation (EC) No 854/2004.
- It comes from poultry that has been treated in accordance with the relevant provisions of Regulation (EC) No 1099/2009 in the slaughterhouse before and at the time of slaughter or killing (Animal welfare attestation).

Findings

Controls at farm level

Apart from the routine visits and treatments of the flocks, the AV is obliged to carry out an on-site evaluation of compliance with the PABCO requirements annually. The special instructions for poultry (I-PP-IT-02Q) contain a mandatory "Assessment schedule" (F-PP-IT-Q54) to be used. As a result of this evaluation, farms either maintain their PABCO registration or in case of critical non-compliances their registration can be withdrawn by the CA.

Depending on the results of the annual evaluation carried out by the AV, a SAG OV may also carry out an on-site verification.

⁶ *Listado Nacional de Establecimientos Exportadores de Productos Pecuarios*

The AV is responsible for issuing and signing the "report of origin" at least 72 hours before birds are sent to a slaughterhouse. This document contains the relevant food chain information contained in the records kept at the holding of provenance (vaccination, treatments, mortality, occurrence of diseases, feed and water consumption, etc.).

In the farm visited the audit team found evidence that it was appropriately registered in the PABCO programme and it was under regular supervision by both an AV and a SAG OV. All the records and reports required by the official documentation for the PABCO poultry programme were available to the audit team. Biosecurity conditions were found adequate. The audit team noted that water samples are regularly taken by the operator and analysed for microbiological and chemical parameters.

Ante-mortem inspection

National Norm No 117 and the written procedure (Ref. I-PP-IT-023) for inspection of poultry meat for export provide the legal basis for the CA and the methods to be used to carry out ante-mortem and post-mortem inspection in slaughterhouses participating in the EU export chain.

The audit team was informed by the CA that ante-mortem inspection is carried out in the slaughterhouse by an OV or by an OA under the supervision of an OV. The ante-mortem inspection is comprised of a documentary check, identification of the consignment, visual inspection of animals, a check on animal welfare issues and an autopsy on animals found dead on arrival at the slaughterhouse.

According to the procedures, all birds arriving at the slaughterhouse must be accompanied by the "report of origin" certifying among others that they come from a PABCO farm. Furthermore, this document has to be submitted to the slaughterhouse 72 hours prior to the arrival of the birds. The audit team noted in all slaughterhouses visited, that these documents were available. The CA informed the audit team that, if birds arrive at the slaughterhouse without a report of origin, they may be permitted to be slaughtered, but their meat must be withheld from the EU export chain until the food chain information has been obtained.

- In two out of the four slaughterhouses visited the audit team noted that only the first truck of each lot of birds received at the slaughterhouse are subject to an official ante-mortem inspection (see Chapter 5.1) carried out by an OV or an OA in line with the National Norm 117. In one of them when the audit team reviewed the ante-mortem inspection records, found that out of the 77 truckloads of birds arrived at the slaughterhouse during one day, only two trucks of birds were subject to documented ante-mortem inspection. In the other two slaughterhouses visited by the audit team, all trucks of birds were subject to ante-mortem inspection. Nevertheless, in one of them the CA had only begun to implement this total control system only two months before this FVO audit.

Post-mortem inspection

The audit team noted that post-mortem inspection is carried out by OAs under the supervision of an OV. In all but one slaughterhouse visited the OV carried out a detailed inspection of parts of birds or entire birds having the same origin and declared unfit for human consumption by the OAs as required in paragraph 1 (b) Part B Chapter V, Section IV of Annex I to Regulation (EC) No 854/2004.

- However, in all slaughterhouses visited the OV did not personally carry out the daily inspection of the viscera and body cavities of a representative sample of birds which is not in line with EU legislation (paragraph 1 (a) Part B Chapter V, Section IV of Annex I to Regulation (EC) No 854/2004). There was an exception in an establishment slaughtering

broilers and turkeys where this procedure was applied for a part of the production (broiler slaughter) only.

In all establishments visited, no slaughterhouse staff was involved in deciding on the fitness of the meat for human consumption. They provided only physical assistance to the official inspection team during post-mortem inspection.

- However, the audit team noted in one slaughterhouse visited that Food Business Operator's (FBO) staff cut off parts of carcasses with abnormalities before the post-mortem inspection point (after scalding and de-feathering). The OV informed the audit team that even entire carcasses with abnormalities may be removed by the FBO staff. This is not in line with EU requirements (Regulation (EC) No 854/2005 which stipulates that all birds are to undergo post-mortem inspection and all external surfaces must be viewed during post-mortem inspection).

Records of results of post-mortem inspection were available in all slaughterhouses visited.

Animal welfare

In all slaughterhouses visited, animal welfare officers were appointed by the FBOs and trained. The certificates and Animal Welfare Standard Operating Procedures were available. The stunning parameters and stunning effectiveness were monitored by FBO staff and verified by OVs.

- In one turkey slaughterhouse visited the audit team noted that the hanging line between unloading and stunning of birds was long. The OV informed the audit team that birds remain conscious before stunning for 3.5 minutes. This is not equivalent to the provisions of paragraph 5.2 of Annex II to Regulation (EC) No 1099/2009 which requires that turkeys will not remain hung conscious longer than two minutes.

The same finding had been noted during the 2009 FVO audit in the same slaughterhouse. Although guarantees had been provided by the CA that the deficiencies related to animal welfare would be eliminated, the situation remained unchanged.

Conclusions

Bio-security conditions and documentation kept on farms were adequate.

Ante-mortem and post-mortem inspections were not performed fully in line with EU requirements.

EU requirements concerning animal welfare were satisfied except in one establishment.

5.3.3 Controls at establishment level

Legal requirements

The export health certificates for the relevant commodities contained in Regulation (EC) No 798/2008 and Decision 2007/777/EC indicate that products shall come from an establishment implementing a programme based on HACCP principles in accordance with Regulation (EC) No 852/2004.

Article 4 and 10 and Annex II to Regulation (EC) No 852/2004.

Chapter II and III of Section II of Annex III to Regulation (EC) No 853/2004.

Findings

a) General findings

All establishments visited (slaughterhouses, cutting establishments, meat product establishments

and cold stores) were under permanent official supervision by a team of SAG officials from local offices including OV's and OAs.

In poultry establishments approved for export to the EU, apart from the ante-mortem and post-mortem inspections (described in Chapter 5.3.2), the OV (or OA) carries out on a daily basis a series of official controls laid down in the relevant manuals of procedures. Inter alia, these controls include: verification of establishment's pre-operational and operational Sanitation Standards Operating Procedures (sanitation checks covering randomly selected parts of the premises); verification of Good Manufacturing Practices (GMPs) and GHPs; verification of the establishment's monitoring of the Critical Control Points (CCPs). In all establishments visited the reports of these controls were available to the audit team.

The audit team noted that when deficiencies were detected, the OV issued a non-compliance note requesting the FBO to provide a corrective action plan. Its implementation is followed-up by the OV's on the spot and is documented. The audit team was informed by the CA that if the non-compliance persists, the regional supervisor is informed and enforcement measures can be taken against the FBO (e.g. the batch of product is detained, export certification is suspended or in cases of serious non-compliances the establishment is delisted).

The audit team was informed by the CA that each establishment approved to export poultry meat and products derived therefrom to the EU must be inspected with regards to compliance with EU requirements at least once a year by the head of the inspection team (OV) using a uniform checklist (the same checklist as used during initial approval). This includes among others, a full evaluation of the establishment's HACCP plan. The audit team found evidence that these annual checks were performed in all establishments visited. However, the audit team noted:

- In two of the establishments visited 100% compliance was recorded in the most recent annual EU checklist but the audit team found several deficiencies related to the maintenance and sanitary conditions of the premises which more than likely existed at the time of the official inspection. Some of these deficiencies had also been recorded in official control reports but were not corrected.
- The audit team noted in all slaughterhouses visited that the contaminated poultry carcasses have undergone antimicrobial treatment (washed with hyper-chlorinated water). However, in all slaughterhouses visited, the audit team found documented procedures and practices in place preventing these carcasses from entering the EU export chain. The audit team saw their implementation during the on-site visits.

b) Slaughterhouses, cutting plants, poultry meat products establishments and cold stores

Three of five establishments visited were found by the audit team to be broadly in line with EU requirements. Some minor deficiencies were noted. For example (Note: not all deficiencies were present in all establishments):-

- Insufficient number of facilities for washing hands was available in the cutting room (paragraph 1. (d), Chapter III, Section II of Annex III to Regulation (EC) No 853/2004).
- Ceilings were not maintained in sound condition (paragraph 1 (c), Chapter II of Annex II to Regulation (EC) No 852/2004).
- Premises were not protected against the formation of condensation (paragraph 2(b), Chapter I of Annex II to Regulation (EC) No 852/2004).
- Surfaces of equipment were not maintained in sound condition (surface of product carrier on the cutting line) (paragraph 1 (f), Chapter II of Annex II to Regulation (EC) No 852/2004).
- Inadequate hygiene practices related to cleaning of equipment (e.g. washing of containers in

the presence of clean crates).

- Inadequate operational cleaning of the cutting line (e.g. excessive accumulation of meat debris in the cutting equipment; inadequate washing of hooks) (paragraph 1(a), Chapter V of Annex II to Regulation (EC) No 852/2004).

Most of these deficiencies had not been detected or reported during official controls.

However, in the other two establishments the audit team detected major deficiencies. For example (Note: not all deficiencies were present in all establishments):-

- In a chicken and turkey slaughterhouse visited, the same water chilling tank was used for cooling of carcasses of both species. However the tank was not completely emptied and cleaned between the two operations. This is not in line with the provisions of Regulation (EC) No 853/2004 which requires that where an establishment is approved for the slaughter of different animal species, precautions must be taken to prevent cross contamination by separation (paragraph 2(e), Chapter II, Section II of Annex III). Furthermore, every precaution must be taken to avoid contamination of carcasses when immersion process used (paragraph 9(a), Chapter IV, Section II of Annex III).
- Premises were not protected against the formation of condensation (paragraph 2(b), Chapter I of Annex II to Regulation (EC) No 852/2004). Condensation was observed in some instances above exposed product.
- Surfaces (floor and wall junctions; ceilings) were not maintained in a sound condition (peeling paint, peeling of silicon sealer; broken floors, dirty surfaces) and were not easy to clean and disinfect (paragraph 1 (a), (b), (f) Chapter II of Annex II to Regulation (EC) No 852/2004).
- Open drainage channels were not designed to avoid the risk of contamination (in some cases close proximity to exposed products); (paragraph 8, Chapter I, Annex II to Regulation (EC) No 852/2004).
- Pooling of water and blood on the floor where exposed products were stored (paragraph 1(a), Chapter II, Annex II to Regulation (EC) No 852/2004).
- Absence of adequate facilities for cleaning, disinfecting and storage of equipment (e.g. containers, bins, crates, etc.); (paragraph 2, Chapter II, Annex II to Regulation (EC) No 852/2004).
- Leaking of blood from containers stored on the top of each other with not fully protected products (paragraph 2, Chapter IX, Annex II to Regulation (EC) No 852/2004).

Only some of these deficiencies had been detected and reported during official controls. For those which had been detected and reported enforcement measures were not properly taken by the CA to ensure that corrective actions to remedy the situation were indeed implemented by the FBOs, despite the different levels of official controls which visited the establishments (i.e. OV, regional supervisor, SAG central level).

The audit team also noted, in some of the establishments visited, that meat preparations intended for EU export are produced with food additives (such as phosphates and carrageenan) which are not permitted for that purpose within the EU (Annex IV to Directive 95/2/EC and, from 1 June 2013, under Regulation (EC) No 1333/2008).

c) HACCP and own-checks

According to the Resolution No 4577 (3 August 2012), all establishments shall have a Quality Assurance System based on HACCP principles. The audit team noted that all establishments visited

had documented HACCP plans which were duly implemented. However, the audit team found some deficiencies related to these plans. For example:

- In the cold store visited, although freezing of chilled products supplied by cutting establishments was carried out, no procedures (e.g. monitoring the time elapsed between cutting and freezing) were in place to ensure that poultry meat is frozen without undue delay (paragraph 5, Chapter V, Section II of Annex III to Regulation (EC) No 853/2004).
- In one of the establishments visited not all hazards (e.g. *aflatoxin*) related to paprika used for seasoning of products were taken into account.
- One of the establishments visited dispatches frozen products at a temperature higher than -18 °C (the audit team noted values between -12 to -14 °C), although its HACCP system requires not more than -18 °C.

In each establishment visited the audit team noted that there was a daily official verification of CCPs covering all of them over a period of one week. Records of these checks were available in all establishments visited. A full evaluation of the establishment's HACCP plan is carried out by the OV once a year by using the uniform checklist described under Chapter 5.3.3(a). However, the above mentioned deficiencies had not previously been recorded during CA controls.

d) Traceability

Traceability systems were in place and well implemented in all establishments visited.

Conclusions

There is a comprehensive system of official controls of poultry establishments which is capable of ensuring compliance with the relevant EU standards. However, deficiencies (mainly sanitary, maintenance and HACCP issues) found by the audit team and not reported by CA controls or when reported the corrective actions were not enforced. This demonstrates that this official control system is not fully effective.

5.3.4 Microbiological analyses: Official sampling – FBO sampling

Legal requirements

Regulation (EC) No 2073/2005.

The statements contained in section II.1 of the poultry meat certificate included in Regulation (EC) No 798/2008, in particular points (c), (e) and (f), and in sections II.2.6 and II.2.7 of the certificate provided in Commission Decision 2007/777/EC, oblige the CA to take samples for laboratory analyses.

Findings

FBO sampling

In all poultry establishments visited, there was a regular and comprehensive own-check sampling programme for microbiological analysis, which included product, water and surface samples.

Five samples units are taken from a batch of poultry meat preparations on a weekly basis (in line with EU requirements). These samples are analysed for at least *Salmonella* and *E. coli*. However, the food safety criterion for fresh poultry meat required by Regulation (EC) No 2073/2005 was not fully respected (i.e. only one sample/batch/week instead of five samples; in some cases samples were taken on a monthly basis instead of weekly).

The audit team noted that the method used for *Salmonella* analysis was not the reference method (i.e. ISO 6579) as laid down in Regulation (EC) No 2073/2005, however evidence of the validation of the method used against the reference method was provided.

Regular analysis of drinking water for microbiology and for physico-chemical parameters was carried out in all establishments visited.

In all establishments visited the programmes and results of analyses were available to the audit team.

Official sampling

There is a manual of procedures in place (Ref. P-PP-IT-I) on the microbiological sampling of meat processed in export slaughterhouses. This manual includes official sampling programmes of poultry carcasses to comply with the requirements on process hygiene criteria of the importing countries and to verify FBOs' own-checks. The audit team noted that the samples are analysed in official laboratories accredited to ISO 17025 (see point 5.4).

Neck skin samples are taken every 15 days from bird carcasses at two stages of the slaughter process: before and after chilling. At least five carcasses are randomly selected at each stage (in total 30 samples collected on the same day). Samples are analysed individually for *Salmonella*, *E. coli* and Total Plate Count.

Furthermore carcasses are sampled with specific methods such as whole bird rinsing or sponging and tested for *Salmonella* on a weekly basis (five samples are collected on the same day). The FBO is obliged to take corrective measures (e.g. improvement in slaughter hygiene, revision of the HACCP plan, etc.) in case of unsatisfactory results.

According to the CA no official sampling for microbiological analysis is carried out on poultry meat preparations or poultry meat products. However, the OV regularly verifies the results of FBOs' own-check analyses by documentary review or by the observation of sample taking if need be.

The audit team noted that the sampling programmes specified in the manual of procedures were implemented, the results were available and corrective actions were carried out when needed in all regions visited.

Conclusions

A comprehensive own-check sampling programme for microbiological analysis is implemented with some deficiencies regarding the sampling plans used.

A comprehensive official sampling programme for microbiological analysis is implemented in line with CA procedures to verify production hygiene in slaughterhouses.

5.4 LABORATORIES

Legal requirements

Article 46 of Regulation (EC) No 882/2004 indicates how Commission controls in third countries will have particular regard to the resources available to the CA, including diagnostic facilities. The Codex Alimentarius Guidelines require adequate quality controls and the use of validated analytical methods.

Regulation (EC) 2073/2005 sets out the EU reference analytical methods for microbiological analyses.

Findings

There are three laboratories carrying out official analyses of poultry meat and products derived therefrom intended for export to the EU (SAG central and two authorised private laboratories).

The audit team was informed by the CA that all laboratories eligible to perform analyses of official samples have to be accredited by the National Accreditation Body⁷ according to ISO 17025. Furthermore, they have to obtain authorisation from SAG. The audit team noted that experts from the SAG central laboratory participate in this authorisation procedure.

SAG authorisation is valid for three years. There is a comprehensive audit performed every year by the SAG central laboratory on the private laboratories. The reports of these audits were available to the audit team.

The audit team visited two laboratories involved in official controls in the poultry sector (the SAG central laboratory and one authorised private laboratory).

The audit team noted that the analytical methods used for detection of *Salmonella* in official samples were not always the reference methods (i.e. ISO 6579) as per Annex I to Regulation (EC) No 2073/2005. However, evidence of validation against the reference method was provided to the audit team in both laboratories visited.

The audit team also noted in the SAG central laboratory that the scope of accreditation did not include the EU reference method for *Salmonella* detection (ISO 6579) although this method was being used for analyses of official samples. Evidence was provided to the audit team during the course of the audit that the scope of accreditation had already been extended and included the aforementioned method.

According to the CA, the two private laboratories in addition to analyses of official samples carry out microbiological analysis on samples taken by FBOs.

The laboratories visited have adequate facilities and participate on a regular basis in proficiency testing (including proficiency tests on *Salmonella* and *Listeria*) with satisfactory results. These proficiency tests were organised by the Public Health Institute under the Ministry of Health within the framework of the External Evaluation Programme of Quality⁸ and by other international organisations.

The audit team noted that the laboratories visited have Standard Operating Procedures in place for the reception of samples. The audit team was informed by the laboratories that non-compliant official samples would be rejected. However, in the case of non-compliant FBOs' own-check samples in the private laboratory, they would contact the FBO for further advice.

The audit team was informed by the CA that SAG central laboratory provides training annually for OVAs involved in sampling in export establishments (e.g. how to send samples to laboratories).

The audit team noted that all sample analyses are properly documented and recorded by the laboratories visited and the results from the sampling within the framework of official controls are communicated to the CA and in the case of the private laboratories also to the SAG central laboratory.

Conclusions

Laboratories involved in microbiological analyses of poultry meat and products derived therefrom meet the relevant EU requirements.

⁷ Instituto Nacional de Normalización

⁸ Programa de Evaluación Externa de Calidad

5.5 OFFICIAL CERTIFICATION

Legal requirements

Article 9 of the Agreement lays down requirements for certification procedures.

Council Directive 96/93/EC lays down several certification principles. Article 6 of the Directive stipulates that the Commission shall ensure that the rules and principles applied by third-country certifying officers offer guarantees at least equivalent to those laid down in this Directive.

Annex VI to Regulation (EC) No 854/2004 lays down requirements for certificates accompanying imports.

The model certificate for poultry meat is established in Regulation (EC) No 798/2008 and for poultry meat products in Decision 2007/777/EC.

Findings

The CA has established a comprehensive EU export certification procedure, which is laid down in a written procedure (Ref. P-PP-IT-001) that is ISO 9001 certified. The export certificate is issued and signed by the official SAG veterinarian of the establishment from where the product is dispatched.

A request is prepared by the FBO including information on the origin of the birds, results of own-check analyses carried out on products to be exported to the EU, labelling and destination of products. Then the request and the supporting documentation are presented to the OV who verifies the reliability of this information and carries out a physical check on the lot and issues the certificate.

In the case of cold stores the products arrive with a pre-certificate issued by the OV of the establishment where the products have been produced. This pre-export certificate contains all the necessary information (e.g. product description, weight, traceability, eligible country(ies) of destination, etc.) for the OV to be able to sign the final certificate. The export certificate is issued then by the OV of the cold store.

The audit team was informed by the CA that only those OVs whose signatures are registered in the Ministry of Foreign Affairs' database can sign export certificates.

In all establishments visited the audit team noted that there is a reliable traceability system in place operated by the FBO, which facilitates the identification by the OV of the origin of the product.

The audit team found evidence that the documented procedure was followed and certificates and the related documents were available. The issued certificates are registered in SAG's electronic database.

Conclusions

There is a detailed procedure in place for issuing of EU export health certificates. The system is well organised and implemented and is in line with EU requirements.

6 OVERALL CONCLUSIONS

There is an adequate control system in place covering the production chain of poultry meat and products derived therefrom intended for export to the EU. However, the effectiveness of this system is weakened by the facts that not all existing deficiencies are identified during official controls and for those which are identified enforcement measures are not properly taken by the competent authority to ensure that corrective actions to remedy the situation are indeed implemented by the FBOs.

In addition, the credibility of the system is undermined by the lack of implementation of the guarantees provided by the CA in response to the recommendations of the previous FVO poultry audit.

Overall the system of official controls is capable of ensuring that the poultry meat exported to the EU meets most of the relevant standards.

7 CLOSING MEETING

During the closing meeting held in Santiago on 14 March 2013, the audit team presented the findings and preliminary conclusions of the audit to the CA.

During this meeting, the CA acknowledged all findings and preliminary conclusions presented by the audit team and provided a commitment to correct the deficiencies.

8 RECOMMENDATIONS

The CCA should provide Commission services with an action plan, including a timetable for its completion, within one month of receipt of the report, in order to address the following recommendations for poultry meat and poultry meat products exported to the EU.

| Nº. | Recommendation |
|-----|--|
| 1. | In order to guarantee equivalence with EU requirements, the CA should ensure that the deficiencies recorded by the audit team are corrected in the establishments visited and are not present in other listed ones (see Annex II to Regulation (EC) No 852/2004, and Section II of Annex III to Regulation (EC) No 853/2004). |
| 2. | The CA should ensure that ante-mortem inspection is carried out in accordance with Regulation (EC) 854/2004. In particular, requirements laid down in point B.1. (a) Chapter II Section I of Annex I to Regulation (EC) No 854/2004 shall be taken into account (the official veterinarian is to carry out ante-mortem inspection of all animals before slaughter). |
| 3. | The CA should ensure that post-mortem inspection is carried out in accordance with Regulation (EC) 854/2004. In particular, requirements laid down in paragraph 1 Part B Chapter V, Section IV of Annex I to Regulation (EC) No 854/2004 shall be taken into account (checks to be carried out personally by the official veterinarian). |
| 4. | In order to comply with the requirements of the animal welfare attestation contained in the veterinary certificate for poultry meat in Regulation (EC) No 798/2008, the CA should ensure that the deficiencies in relation to animal welfare identified by the audit team are corrected (see paragraph 5.2 of Annex II to Regulation (EC) No 1099/2009 regarding the design of the shackle lines). |

| N°. | Recommendation |
|------------|--|
| 5. | The CA should ensure that FBOs' own-check sampling plans for poultry meat involve the taking of five sample units per batch on a weekly basis in line with the requirements of Chapter 1 of Annex I to Regulation (EC) No 2073/2005. |
| 6. | The CA should ensure that procedures based on HACCP principles maintained by FBOs are in line with the requirements of Article 5 of Regulation (EC) No 852/2004. |

The competent authority's response to the recommendations can be found at:

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2013-6723

ANNEX 1 - LEGAL REFERENCES

| Legal Reference | Official Journal | Title |
|------------------|---|--|
| Dec. 2005/269/EC | OJ L 84, 2.4.2005, p. 19-20 | 2005/269/EC: Council Decision of 28 February 2005 on the conclusion of the Agreement establishing an association between the European Community and its Member States of the one part, and the Republic of Chile, of the other part |
| Dec. 2007/777/EC | OJ L 312, 30.11.2007, p. 49-67 | 2007/777/EC: Commission Decision of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC |
| Dir. 95/2/EC | OJ L 61, 18.3.1995, p. 1-40 | European Parliament and Council Directive No 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners |
| Dir. 96/93/EC | OJ L 13, 16.1.1997, p. 28-30 | Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products |
| Reg. 852/2004 | OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3 | Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs |
| Reg. 853/2004 | OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22 | Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin |
| Reg. 854/2004 | OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83 | Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption |

| Legal Reference | Official Journal | Title |
|------------------------|--|--|
| Reg. 882/2004 | OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1 | 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 |
| Reg. 2073/2005 | OJ L 338, 22.12.2005, p. 1-26 | Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs |
| Reg. 798/2008 | OJ L 226, 23.8.2008, p. 1-94 | Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements |
| Reg. 1333/2008 | OJ L 354, 31.12.2008, p. 16-33 | Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives |
| Reg. 1099/2009 | OJ L 303, 18.11.2009, p. 1-30 | Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing |