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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

SPAIN

FROM 09 TO 19 APRIL 2013

IN ORDER TO EVALUATE THE CONTROL SYSTEM IN PLACE GOVERNING THE  
PRODUCTION AND PLACING ON THE MARKET OF MECHANICALLY SEPARATED  
MEAT

*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***

*The report describes the outcome of an audit carried out by the Food and Veterinary Office (FVO) in Spain from 9 to 19 April 2013, in order to evaluate the official control system in place governing the production of mechanically separated meat (MSM).*

*The report concludes that there is an official control system in Spain to control the production chain of MSM. This system however has only recently been fully implemented. Official controls were overall adequate, nevertheless failed to identify certain deficiencies, in particular, regarding some general hygiene requirements, compliance with microbiological criteria and labelling for final consumers.*

*The report includes a number of recommendations addressed to the Spanish competent authorities, aimed at rectifying the shortcomings and deficiencies identified and enhancing the implementation of the official control system in place.*

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## ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

<b>Abbreviation</b>	<b>Explanation</b>
CA(s)	Competent Authority(ies)
AESAN	Food Safety and Nutrition Agency ( <i>Agencia Española de Seguridad Alimentaria y Nutrición</i> )
AC, AACC	Autonomous Community(ies)
CCA(s)	Central Competent Authority(ies)
CMR	Convention on the Contract for the International Carriage of Goods by Road ( <i>Convention relative au contrat de transport international de marchandises par route</i> )
DG(SANCO)	Health & Consumers Directorate General
EC	European Community
EU	European Union
FBO(s)	Food Business Operator(s)
FVO	Food and Veterinary Office
HACCP	Hazard Analysis of Critical Control Points
Hygiene Package (HP)	Regulations (EC) No 852/2004, No 853/2004 and No 854/2004
MSM	Mechanically Separated Meat
OJ	Official Journal
RASFF	Rapid Alert System for Food and Feed

## 1 INTRODUCTION

The audit took place in Spain from 9 to 19 April 2013 and was undertaken as part of the FVO audit programme.

The audit team comprised three auditors from the FVO. Representatives from the competent authorities (CAs) of the Autonomous Communities (hereafter: AACC) and from the Spanish Food Safety and Nutrition Agency (*Agencia Española de Seguridad Alimentaria y Nutrición* - AESAN) accompanied the team during the whole audit.

An opening meeting was held on 9 April 2013 in Madrid with representatives from the Central Competent Authorities (hereafter: CCA): the Ministry of Health, Social Services and Equality (*Ministerio de Sanidad, Servicios Sociales e Igualdad*), the Ministry of Agriculture, Food and Environment (*Ministerio de Agricultura, Alimentación y Medio Ambiente*), the AESAN and representatives from the CAs of a number of AACC. At this meeting the FVO audit team confirmed the objectives of, and itinerary for the audit, requested clarification of certain points in the information provided by the CCA before the audit and requested additional information regarding specific elements of the control system in place.

## 2 OBJECTIVES

The objectives of this audit were to assess, in the sector of production of MSM, whether:

- the general rules for performance of official controls laid down in 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, are complied with, and
- the official control system in place for the production chain and placing on the market of MSM is in compliance with European Union (EU) requirements (MSM is defined in Regulation (EC) No 853/2004 (Annex I, point 1.14) and specific requirements for their production are described in Annex III, Section V of the same Regulation).

In pursuit of these objectives, the audit itinerary included the following meetings and visits:

Table 1

COMPETENT AUTHORITIES			Comments
Competent authorities	Central	3	Opening and closing meetings and one clarification meeting
	Regional	3	AACC of Catalonia, Castile La Mancha and Madrid
FOOD PRODUCTION / PROCESSING / DISTRIBUTION – ACTIVITIES			
MSM producing establishments		6	Three producing MSM from poultry, three producing MSM from pork
Cutting premises		5	Co-located in the MSM establishments visited
Meat products establishments		4	Using MSM as an ingredient

### 3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and, in particular Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

*Full EU legal references are provided in Annex 1. Legal acts quoted in this report refer, where applicable, to the latest amended version.*

### 4 BACKGROUND

#### 4.1 PREVIOUS FVO AUDITS

This was the first audit to Spain specifically on MSM.

#### 4.2 PRODUCTION AND TRADE INFORMATION

The information in the tables below was provided by the CCA. The first table indicates the quantity of MSM (in metric tonnes) produced in Spain in 2011 and in 2012, broken down by species:

*Table 2*

<b>Species</b>	<b>2011</b>	<b>2012</b>
Chicken	33 061	32 688
Turkey	7 252	7 916
Pork	14 825	17 120
<b>TOTAL</b>	<b>55 138</b>	<b>57 724</b>

The second table below details the trade and import/export of MSM from/to establishments producing and using or trading MSM. It does not include MSM directly traded and/or imported by meat preparation and meat product establishments. The Spanish CA stressed the difficulty to collect this type of information, which cannot be obtained from any existing database.

*Table 3*

	<b>2011</b>	<b>2012</b>
<b>MSM sent to Spain (metric tonnes)</b>		
From other Member States <sup>1</sup>	632	597
From Third Countries	0	0
<b>MSM sent from Spain (metric tonnes)</b>		
To other Member States	10 294	7 648
To Third Countries	76	181

<sup>1</sup> Only to Catalonia

In the past three years notifications from the Rapid Alert System for Food and Feed (RASFF) concerning MSM produced or traded to Spain have not been recorded.

## 5 FINDINGS AND CONCLUSIONS

### 5.1 COMPETENT AUTHORITIES

#### Legal Requirements

Articles 4, 8, 54 and 55 of Regulation (EC) No 882/2004.

Section III of Annex I to Regulation (EC) No 854/2004, in particular Chapter IV.

#### Findings

A detailed description of the CAs can be found in the Country Profile for Spain on the following web site:

[http://ec.europa.eu/food/fvo/country\\_profiles\\_en.cfm](http://ec.europa.eu/food/fvo/country_profiles_en.cfm)

and in the Spanish Multi-Annual National Control Plan available on the following web site:

[http://www.aesan.msssi.gob.es/AESAN/web/control\\_oficial/seccion/plan\\_plurianual\\_control\\_oficial.shtml](http://www.aesan.msssi.gob.es/AESAN/web/control_oficial/seccion/plan_plurianual_control_oficial.shtml)

The CCA responsible for the MSM sector is the Spanish Food Safety and Nutrition Agency – AESAN. In the AACC visited the CAs involved were the following:

- Catalonia: Department of Health - Catalan Agency of Public Health (*Departament de Salut - Agencia de Salud Publica de Catalunya*)
- Madrid: Department of Health - DG Controls and Inspection – SG Hygiene and Food Safety (*Consejería de Sanidad - DG de Ordenación e Inspección, S.G. Higiene y Seguridad Alimentaria*)
- Castile La Mancha: Department of Health and Social Affairs – DG Public Health, Drug addiction and Consumers – Food Safety Services (*Vice consejería de Sanidad y Asuntos Sociales, DG de Salud Pública, Drogodependencias Y Consumo, Servicio de Sanidad Alimentaria*).

The system of official controls over the production chain of MSM is the same as for all other food of animal origin. The FVO audit team noticed that officials have adequate legal powers to perform official controls and to enforce the relevant legislation.

In all three AACC visited the frequency of official controls was risk based, with several criteria taken into account and according to procedures established at AC level. In Castile La Mancha the frequency of official controls was adjusted by the official veterinarians management at district level, on the basis of their own perception of priority, risk and available resources. The official controls in the three establishments visited in this AC, located in three different districts, were in fact carried out with frequencies adapted by the district management. This resulted in different priorities and frequencies. In Madrid and in Catalonia such discretion was not allowed and the frequency of official controls was set at AC level. The set minimum frequency was generally met in the

establishments visited. In most cases additional inspections had been carried out e.g., for export certification or to follow-up deficiencies.

In all establishments visited reports of official controls were available. Deficiencies identified by the CA had been reported to the food business operator (FBO). Deadlines for corrective actions were generally set and evidence of follow-up was available, albeit with a few exceptions:

- In one establishment in Castile La Mancha there were no deadlines imposed for deficiencies considered as minor.
- In another establishment, in Catalonia, no deadlines were set for correcting deficiencies detected during inspections. An action plan was requested only in the case of deficiencies detected during an audit. The CAs showed as an example an action plan provided by the FBO following an audit performed in 2009, indicating a three-month deadline to complete all corrective actions. However, the first follow-up was performed after one year and, as some shortcomings were still present, another follow-up visit was performed six months later.

## **Conclusions**

The Spanish CAs are clearly designated and have adequate legal powers to perform official controls within the scope of this audit, which are generally carried out in line with the relevant requirements of Regulation (EC) No 882/2004.

## **5.2 LEGISLATION, IMPLEMENTATION MEASURES AND GUIDELINES**

### **Legal requirements**

Article 29(1) of the Treaty on the functioning of the EU requires that the Member States adopt all measures of national law necessary to implement legally binding Union acts.

Article 7 of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004, on the hygiene of foodstuff, stipulates that Member States shall encourage the development of national guides to good practise for hygiene and for the application of Hazard Analysis – Critical Control Points (HACCP) in accordance with Article 8 of the Regulation. Article 8(1) of the same Regulation stipulates that national guides to good practice shall be developed and disseminated by food business sectors in consultation with the stakeholders.

### **Findings**

The Spanish national legislation includes a number of Royal Decrees and other implementing measures for the Hygiene Package (HP). These documents are listed in the Spanish Multi-annual National Control Plan. An in-depth review of the relevant Spanish legislation was not performed.

Several documented procedures for the performance of official controls, in the form of manuals, instructions and checklists, have been issued by the AACC. These documents are available on the intranet for the inspectors and are regularly updated. The documented procedures for official controls issued by the AC of Madrid include a specific guidance to support inspections in the MSM sector. This guidance was last updated in January 2013 to include the restrictions of Regulation (EC) No 999/2001. In Catalonia one of the checklists to be used during an official control was



updated in December 2012 to include a specific section on MSM requirements. The above mentioned documents were in line with the EU requirements on MSM.

## **Conclusions**

The Spanish CAs have put in place adequate implementing legal measures and documented procedures for the performance of official controls, which are in line with the EU legal requirements applicable to MSM.

### **5.3 OFFICIAL CONTROLS OVER THE PRODUCTION AND PLACING ON THE MARKET**

#### *5.3.1 Approval procedures*

#### **Legal requirements**

Article 6 of Regulation (EC) No 852/2004.

Article 4 of Regulation (EC) No 853/2004.

Article 31 (2) of Regulation (EC) No 882/2004.

#### **Findings**

The system for approval of establishments is described in the Country Profile for Spain. The responsibility for approving establishments is at AACC level.

A representative from the CCA explained that with the entry into force of the HP, establishments did not receive a specific visit for the re-approval because before this date establishments were re-approved every five years and in addition, establishments were regularly inspected for the purpose of official controls<sup>2</sup>.

Procedures for the approval of establishments were in place. These procedures were reviewed by the FVO audit team in two AACC and were in line with the EU requirements. Nevertheless, in one establishment visited, the FVO audit team noticed that the CAs of Madrid had not followed their own procedures and this establishment operated under a conditional approval for one year instead of the maximum six months validity. The conditional approval was granted on 31.3.2011 and a new inspection within three months of conditional approval, as required by Article 31(2)(d) of Regulation (EC) No 882/2004, was not carried out. Instead, an audit was performed at the end of September 2011 and a second in February 2012. The final approval was then granted on 28.03.2012.

Before the entry into force of the HP, the production of MSM was included among the activities of meat products establishments. In 2011, with the entry into force of Royal Decree 191/2011 establishing the national General Register of Food Establishments (*Registro General Sanitario de Empresas Alimentarias y Alimentos*), a specific code was allocated to the activity of MSM production.

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<sup>2</sup> In their response to the draft report the CA noted that in the wake of the publication of RD 191/2011 regular re-approval was no longer mandatory, but was only needed when there was a change in the activity of the establishment, its processes, etc. Consequently, regular inspections were carried out for official control purposes.

The FVO audit team noticed that a number of establishments, supplying MSM to some of the establishments visited, did not appear on the list of establishments approved for the activity of MSM and published on the CCA web-site, nor were they on the list provided by the CCA to the FVO before the start of this audit. A representative from the AESAN explained that when the Register was updated in 2011, some CAs of the AACC failed to notify the AESAN of all establishments already processing MSM.

## **Conclusions**

The system for approval of establishments is overall in line with the relevant EU requirements.

The list of establishments approved for the production of MSM was not fully up-to-date, which is contrary to the provisions of Article 31 (2) of Regulation (EC) No 882/2004.

### *5.3.2 Official controls at MSM production establishment level*

## **Legal requirements**

Article 4 of Regulation (EC) No 854/2004

Article 9 of Regulation (EC) No 999/2001

## **Findings**

The FVO audit team visited six establishments producing MSM – three from pork and three from poultry. In particular:

- Two establishments produced the type of MSM as referred to in point 3, Chapter III, Section V, Annex III to Regulation (EC) No 853/2004.
- Two other establishments produced the type of MSM as referred to in point 4, Chapter III, Section V, Annex III to Regulation (EC) No 853/2004.
- The remaining two establishments produced both types of MSM but the FBOs preferred to consider and trade all production as of the type referred to in point 4, Chapter III, Section V, Annex III to Regulation (EC) No 853/2004, in order to comply with less stringent criteria.

### *Findings concerning general hygiene requirements*

In the establishments visited the general hygiene requirements were overall adequate. Some structural and maintenance issues were present but most of these had been identified during official controls and adequate corrective actions were included in the operators' action plans.

Nevertheless, the FVO audit team identified deficiencies which had not been detected and / or recorded during the official controls. For example (not all deficiencies were present in each establishment):

- Doors not fully pest proof.
- Containers for raw material damaged or insufficiently cleaned, and in one case the same containers were used both for products fit for human consumption and for products unfit for human consumption; containers inadequately stacked so that the exposed meat was in

contact with the dirty bottom of the container above.

- Exposed meat in contact with walls of chilling rooms; exposed products stored together in close proximity with packed products.
- Equipment for mechanical separation of meat, although not in use at the time of the visit, insufficiently cleaned.
- Presence of condensation, in some cases over exposed products.
- Inadequate lay-out of the room where trays were washed, with crossing of clean and dirty trays.
- Inadequate storage of products in the freezer, with damaged packaging and exposed products.

The above shortcomings are not in compliance with several provisions of Annex II to Regulation (EC) No 852/2004.

All establishments visited had HACCP based procedures in place and the relevant records were available. Official controls included audits on the HACCP based procedures.

#### Findings concerning specific MSM requirements

The CCA confirmed their understanding that MSM from ruminants' bones is not produced in Spain and referred to a circular note issued in 2000 concerning preventive measures against Transmissible Spongiform Encephalopathies.

All establishments visited by the FVO audit team had been recently re-inspected by the CAs, when this FVO audit was announced. The reports of the inspections showed that a number of shortcomings had been identified only on this occasion, such as the lack of evidence that -18°C for frozen MSM was reached within six hours; insufficient HACCP-based procedures; inadequate sampling frequency and procedures for microbiological criteria; incorrect denomination of MSM on labels and other relevant documentation. In most cases adequate corrective actions had already been taken by the operators.

During the visits the FVO audit team noticed that overall, the specific requirements for the production of both types of MSM were complied with, albeit with some minor shortcomings. As regards the denomination of MSM, the following observations were made:

- In two establishments, the MSM was clearly and correctly denominated.
- In two other establishments, product names other than "mechanically separated meat" (e.g. "*magro espinazo*" i.e. "lean spine"; "*carne de pollo*" i.e. "chicken meat"; "*carne picada pechuga pollo*" i.e. "minced chicken breast meat"; "*carne en grano*" i.e. "grain meat") had been used on pallets labelling and /or on technical specifications, invoices and CMR waybills until March – April 2013, i.e. when the most recent inspections were performed and followed up.
- In the fifth establishment, the most recent official controls had not identified that the MSM produced was labelled according to the customers' request, e.g. as 'pork minced meat', 'meat preparation', 'baader meat'.
- The sixth establishment did not trade the MSM produced, all of which was used for own

production of meat products.

In addition to the above, the FVO audit team reviewed a sample of technical specifications and invoices from other MSM establishments of Spain, not visited during this audit, and accompanying MSM supplied to meat product establishments. With few exceptions, a misleading denomination other than "mechanically separated meat" was commonly used. This problem was detected by the CA in one meat product establishment during the official control performed on 4 April 2013.

As regards the requirement of paragraphs 3(e) and 4(g) Chapter III, Section V, Annex III to Regulation (EC) No 853/2004 for the type of MSM which can only be used to manufacture heat treated meat products, in the establishments visited the relevant information was generally made available by the FBOs to their customers, except in one case (see also section 5.3.5).

The shelf life indicated for the type of MSM as referred to in point 4, Chapter III, Section V, Annex III to Regulation (EC) No 853/2004 was in line with the EU requirements (24 hours when fresh and 3 months when frozen).

Analysis of the calcium content of MSM (Annex IV to Regulation (EC) No 2074/2005) was generally performed in the establishments visited, with various frequencies. The results, in the cases reviewed by the FVO audit team in five establishments, were lower than 1 000 ppm.

## **Conclusions**

Official controls in establishments producing MSM were overall adequate in relation to general and specific hygiene requirements, although a significant improvement took place after the announcement of this FVO audit. Nevertheless, these official controls failed to identify some deficiencies within the provisions laid down in Regulation (EC) No 852/2004.

The MSM sold to other establishments for trade or for further processing was not always correctly identified to allow the other FBOs to label for final consumers the products in which MSM is incorporated in accordance with the requirements of Directive 2000/13/EC.

### *5.3.3 Official controls at level of establishments producing raw material*

## **Findings**

The FVO audit team visited only slaughterhouses and cutting plants co-located with where the production of MSM takes place. The visits were limited to the production of raw material such as flesh bearing bones and poultry carcasses.

Overall, the conditions of production and storage of raw material were in line with the relevant requirements of Regulations (EC) No 852/2004 and 853/2004, except for the observations described in the previous sections of this report.

### *5.3.4 Official controls at level of establishments using MSM*

## **Findings**

The FVO audit team visited four establishments using MSM as an ingredient in heat treated meat products, such as frankfurter-type and other types of sausages, cannelloni, lasagne and chicken

nuggets.

The main purpose of the visits was to assess the implementation of the provisions of Directive 2000/13/EC concerning labelling for final consumers (see section 5.3.6).

During the visits, the general hygiene requirements were found to be adequate overall, as well as the condition of storage and use of MSM as raw material.

## **Conclusions**

Official controls in establishments using MSM as an ingredient for meat products were overall adequate as regards the general and specific hygiene requirements of Regulations (EC) No 852/2004 and 853/2004.

### *5.3.5 Official controls on FBOs compliance with microbiological criteria for foodstuffs*

## **Legal requirements**

Official controls: Point 8 (c) of Article 4 of Regulation (EC) No 854/2004; Article 11 of Regulation (EC) No 882/2004.

FBOs controls: Article 4 of Regulation (EC) No 852/2004; Article 4.5 (a) of Regulation (EC) No 854/2004; Regulation (EC) No 2073/2005

## **Findings**

### *FBOs sampling activities*

In five out of the six MSM establishments visited the FBOs' sampling plans for microbiological analysis were assessed by the FVO audit team.

In the two establishments producing the type of MSM as referred to in point 3 of Chapter III, Section V, Annex III to Regulation (EC) No 853/2004, for which microbiological criteria are laid down in Regulation (EC) No 2073/2005, official controls carried out by the CAs (in one case in October 2012, in the other in March 2013) had identified deficiencies. In particular, that the sampling plans were incorrect as only one unit per sample was analysed and it was taken only once a month or even more irregularly.

In both cases, the operators had corrected their sampling procedures to align them with the requirements of Regulation (EC) No 2073/2005, although the correct implementation started only at the end of March 2013 or in the week preceding this FVO audit. It must be noted that the MSM produced in these two establishments was sold with denominations other than "mechanically separated meat" and in some cases, as minced meat, although the FBOs could not demonstrate that it complied with the relevant microbiological criteria. In addition, one of these two FBOs did not provide their customers with the information that the MSM could only be used for heat treated meat products (see also section 5.3.2).

### *Official sampling*

As part of the National Official Control Plan of the Food Chain 2011-2015, official samples are

taken and tested within the "programme of controls of biological risks in foodstuffs". As regards MSM, responsibility is with the nine AACC where this type of establishment is present to decide and organise sampling of MSM within their own control programmes. Within the three AACC visited, the following MSM official sampling plans were in place:

- In Madrid, samples were taken in 2007 and in 2008 and the results were negative for the presence of *Salmonella spp*, Aerobic Colonies and *E. coli*. The CA of Madrid decided to stop sampling MSM because of the difficulty in obtaining samples from big frozen blocks.
- In Castile la Mancha one sample of MSM was taken in 2012.
- In Catalonia, 14 samples of MSM were planned in 2013.

## **Conclusions**

Verification of the FBOs' compliance with microbiological criteria for foodstuffs is part of the official controls carried out by the Spanish CAs, in line with the requirements of Regulations (EC) No 854/2004 and 2073/2005.

Although a significant improvement took place after the announcement of this FVO audit, these official controls failed to ensure, in two out of six establishments visited, that FBOs comply with the obligations laid down in Regulation (EC) No 2073/2005 regarding microbiological criteria for MSM.

### *5.3.6 Traceability – Labelling – Identification marking*

## **Legal requirements**

Traceability: Regulation (EC) No 178/2002

Labelling: Chapter IV, Section V, Annex III of Regulation (EC) No 853/2004

Identification marking: Article 4.6 of Regulation (EC) No 854/2004; Section I, Annex II of Regulation (EC) No 853/2004

## **Findings**

### Traceability

Traceability systems were in place in the establishments visited. Where the FVO audit team performed traceability exercises in the establishments visited, the results were satisfactory.

### Labelling

In all four establishments visited where MSM was used as an ingredient in meat products, the FVO audit team noticed various non-compliances with the labelling requirements for final consumers laid down in Directive 2000/13/EC:

- In one establishment the MSM, although indicated in the list of ingredients, was imprecisely denominated in various languages. The quantity of MSM present was not indicated.
- In a second establishment, although MSM was indicated on all products where it was

present, on one product its quantity was not indicated. On some other products the label indicated the presence of MSM from turkey or pork, although these ingredients were not present, as confirmed by the recipe. Moreover, the wording used in English for MSM in another product was incorrect.

- In a third establishment, the label indicated the presence of MSM. However, its quantity was counted towards the meat content.
- In the fourth establishment, the labels for a number of products containing MSM had been modified following an official control carried out a few days before this FVO audit.

### Identification marking

Identification marking was always present on products and on documents in the establishments visited.

### **Conclusions**

Official controls were overall adequate in relation to traceability and identification marking.

Official controls failed to identify, in three out of four establishments visited using MSM as an ingredient in meat products, deficiencies to various degrees with the provisions of Directive 2000/13/EC concerning labelling for final consumers. In a fourth establishment a significant improvement of official controls took place after the announcement of this FVO audit.

## **6 OVERALL CONCLUSIONS**

There is a system of official controls in Spain to control the production chain of MSM. This system however has only recently been fully implemented. Official controls were overall adequate, nevertheless failed identify certain deficiencies in particular concerning some general hygiene requirements, compliance with microbiological criteria and labelling for final consumers.

## **7 CLOSING MEETING**

During the closing meeting held in Madrid on 19 April 2013, the FVO audit team presented the main findings and preliminary conclusions of the audit to the Autonomous Communities and to the Central competent authorities.

During this meeting, the competent authorities offered their initial comments and acknowledged the findings and preliminary conclusions presented by the FVO audit team and undertook to address them.

## **8 RECOMMENDATIONS**

An action plan describing the action taken or planned in response to the recommendations of this report and setting out a time table to correct the deficiencies found should be presented to the Commission within 25 working days of receipt of the report.

N°.	Recommendation
1.	The Competent Authority should ensure that the list of approved establishments producing mechanically separated meat is kept up to date, as required by Article 31(f) of Regulation (EC) No 882/2004.
2.	In order to comply with European Union requirements, the Competent Authority should ensure that deficiencies found are corrected in the establishments visited and are not present in other approved establishments (Article 54 of Regulation (EC) No 882/2004).
3.	The Competent Authority should ensure that when food business operators' sampling protocols are implemented, the sampling protocols are in compliance with those of Regulation (EC) No 2073/2005.
4.	The Competent Authority should ensure that products containing mechanically separated meat are correctly labelled in accordance with the requirements of Directive 2000/13/EC.
5.	The Competent Authority should ensure that mechanically separated meat sold to other establishments is correctly identified to allow food business operators to label the products destined to final consumers in accordance with the requirements of Directive 2000/13/EC.

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=2013-6873](http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2013-6873)



## ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 178/2002	OJ L 31, 1.2.2002, p. 1-24	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
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
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

<b>Legal Reference</b>	<b>Official Journal</b>	<b>Title</b>
Reg. 2074/2005	OJ L 338, 22.12.2005, p. 27-59	Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
Dir. 2000/13/EC	OJ L 109, 6.5.2000, p. 29-42	Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs
Reg. 999/2001	OJ L 147, 31.5.2001, p. 1-40	Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies
Reg. 16/2011	OJ L 6, 11.1.2011, p. 7-10	Commission Regulation (EU) No 16/2011 of 10 January 2011 laying down implementing measures for the Rapid alert system for food and feed