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HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office

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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

CHINA

FROM 07 TO 21 NOVEMBER 2013

IN ORDER TO EVALUATE THE OPERATION OF CONTROLS OVER THE PRODUCTION OF CASINGS AND FRESH MEAT OF RABBITS DESTINED 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

The report describes the outcome of an audit carried out by the Food and Veterinary Office (FVO) in China from 7 to 21 November 2013. The main objective of the audit was to evaluate the operation of controls over the production of casings and fresh meat of rabbits for human consumption destined for export to the European Union (EU), as well as certification procedures. In addition the FVO audit team assessed the measures taken by the Chinese authorities in order to address the conclusions and recommendations of the FVO audit report DG(SANCO)/2009-8292.

In the last years a number of alerts have been issued through the Rapid Alert System for food and feed (RASFF) that indicate the finding of chloramphenicol and nitrofuran metabolites in casings exported from China to the EU. Due to these findings it was decided that new casings establishments would not be added to the existing list until audits from Health and Consumers Directorate-General (DG(SANCO)) were carried out to verify that the measures taken by the Chinese authorities are effective in preventing residues of these substances. There has also been one RASFF alert in 2011 concerning the finding of mercury and in 2012 concerning the finding of chloramphenicol in frozen rabbit meat exported from China to the EU.

The FVO audit team visited two rabbit slaughterhouses, one rabbit meat product establishment wrongly listed as a rabbit slaughterhouse and five casing establishments. In all establishments visited the structure, layout, equipment maintenance and operational hygiene, including Hazard Analysis Critical Control Points (HACCP)-based procedures were in line with EU requirements with only some minor maintenance issues highlighted in two establishments.

The situation was therefore largely considered to be satisfactory. However, the action taken by the CCA in response to some of the recommendations in report DG(SANCO)2009-8292 has not been fully effective. Some shortcomings were again identified in relation to the updating of the list of establishments approved for export to the EU and in relation to animal welfare during stunning of rabbits.

The FVO audit team also identified some shortcomings in relation to certification procedures. Due to Chinese legal requirements the certifying officers cannot sign the export certificates before all the supporting documentation is made available, which leads to certificates being back-dated, in some cases signed several days after the consignments have left the establishments. The FVO audit team also identified that the minimum 30 days salting requirement for casings in some cases had not been met on the date appearing on the export certificates.

An extensive follow up of the RASFF notification had taken place and despite not identifying the source of contamination the situation appears to have been rectified with no new cases being identified.

A number of recommendations have been made to the Competent Authority (CA) with a view to addressing the deficiencies identified during this audit.

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Abbreviations and definitions used in this report

Abbreviation	Explanation
AHVS	Animal Husbandry and Veterinary Stations
AQSIQ	General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China
BSE	Bovine Spongiform Encephalopathy
CA(s)	Competent Authority(ies)
CCA(s)	Central Competent Authority(ies)
CFDA	China Food and Drug Administration
CIQ	Entry-Exit Inspection and Quarantine Bureau of the People's Republic of China
CNCA	Certification and Accreditation Administration of the People's Republic of China
DG(SANCO)	Health & Consumers Directorate General
EC	European Community(ies)
EU	European Union
FBO(s)	Food Business Operator(s)
FVO	Food and Veterinary Office
HACCP	Hazard Analysis of Critical Control Points
MoA	Ministry of Agriculture
OV(s)	Official Veterinarian(s)
RASFF	Rapid Alert System for feed and food
SFDA	State Food and Drug Administration

1 Introduction

The audit took place in China from 7 to 21 November 2013 as part of the planned audit programme of the Food and Veterinary Office (FVO). The audit team comprised two auditors from the FVO.

The opening meeting was held on 7 November 2013 with the Central Competent Authorities (CCA), the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (AQSIQ) and representatives from the Ministry of Agriculture (MoA) in Beijing. At this meeting the FVO audit team confirmed the objectives of, and itinerary for the audit, and additional information required for the satisfactory completion of the audit was requested.

The FVO audit team was accompanied by representatives from the Entry-Exit Inspection and Quarantine Bureau (CIQ) of the CCA throughout the audit.

2 Objectives

The main objective of the audit was to evaluate the operation of controls over the production of casings and fresh meat of rabbits destined for export to the European Union (EU). In addition the FVO audit team assessed the measures taken by the Chinese authorities in order to address the conclusions and recommendations of the FVO audit report DG(SANCO)/2009-8292 (hereafter referred to as report 2009-8292).

The scope of the audit covered the official controls and certification of animal casings and fresh meat of rabbits for human consumption intended for export to the EU.

In particular, controls over casings and meat of rabbits in the framework of Regulations (EC) No 178/2002, No 852/2004, No 853/2004, No 854/2004 and No 882/2004 as well as Council Directive 97/78/EC were subject to this evaluation. In pursuit of these objectives, the audit itinerary included the following meetings and site visits:

COMPETENT AUTHORITIES			Comments
Competent Authorities	Central	2	AQSIQ and MoA
	Regional	5	CIQ
	Local	8	In the establishments visited (CIQ & MoA)
FOOD PRODUCTION / PROCESSING / DISTRIBUTION – ACTIVITIES			
Slaughterhouses		2	Rabbit slaughterhouses
Cutting premises		2	Co-located
Meat products establishments		1	Wrongly listed as an EU approved rabbit slaughterhouse besides meat products
Casing establishments		5	
Cold stores		3	Co-located

3 Legal Basis

The audit was carried out under the general provisions of European Union (EU) legislation, 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 performed to ensure the verification of compliance

with feed and food law, animal health and animal welfare rules.

In addition the following audit specific legislation will be taken into account:

- Commission Regulation (EC) No 119/2009 laying down a list of third countries or parts thereof, for imports into, or transit through the Community of meat of wild leporidae, of certain wild mammals and of farmed rabbits and the veterinary certification requirements;
- Commission Decision 2003/779/EC laying down animal health requirements and the veterinary certification for the imports of animal casings from third countries;
- Commission Decision 2002/994/EC concerning certain protective measures with regard to the products of animal origin imported from China.

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

4 BACKGROUND

The previous audit concerning the operation of controls over the production of casings and fresh meat of farmed rabbits destined for export to the EU was carried in China from 26 October to 5 November 2009, the results of which are described in report 2009-8292. This report is accessible at:

http://ec.europa.eu/food/fvo/ir_search_en.cfm

The action plan received from the Chinese authorities provided satisfactory guarantees in response to all of the report's five recommendations. However, it was highlighted that these guarantees needed to be verified in other establishments during the following FVO audit.

In recent years a number of alerts have been issued through the Rapid Alert System for food and feed (RASFF) that indicate the finding of chloramphenicol and nitrofuran metabolites in casings exported from China to the EU. There has also been one RASFF alert in 2011 concerning the finding of mercury and in 2012 concerning the finding of chloramphenicol in frozen rabbit meat exported from China to the EU.

Due to these findings the Director of the FVO in November 2012 informed the Deputy Director General of the Department for Registration under the Certification and Accreditation Department of the People's Republic of China (CNCA) that new casings establishments would not be added to the existing list until audits from DG(SANCO) are carried out to verify that the measures taken by the Chinese authorities are effective to prevent findings of these substances.

Production and trade information

The following export data for casings was provided by the AQSIQ:

	EU		USA		Other countries		Total
Pigs	98 841	55%	44 476	25%	36 318	20%	179 635
Ovine/Caprine	27 648	61%	4 737	10%	12 805	28%	45 190
Total:	**126 489**	**56%**	**49 213**	**22%**	**49 123**	**22%**	**224 825**

Exported casings expressed in tonnes (period 01/01/2011 – 30/09/2013)

The main destinations in the EU are Germany, Czech Republic, the Netherlands, France, United

Kingdom, Poland, Italy and Spain but some exports takes place to most of the EU Member States.

The following data regarding the origin of imported raw materials used for the production of casings was provided by AQSIQ:

	EU	North America	Oceania	Total
Pigs	164 581	69 885	15 079	249 544
Ovine/Caprine	7 012	4 343	106 295	117 650
Total:	**171 593**	**74 228**	**121 373**	**367 194**

Source of casings expressed in tonnes (period 01/01/2011 – 30/09/2013)

Most of the sheep and goat casings are imported from Australia and New Zealand. The FVO audit team was informed that most of the sheep and goat raw materials are received in the form of frozen intestines and that 1,000 kg of frozen intestines would produce 150 kg of casings (15%)[1].

The FVO audit team also requested data regarding the volume of Chinese raw materials used for the production of casings but this information was not provided by the AQSIQ[2].

5 Findings And Conclusions

5.1 Legislation and implementing measures

Legal requirement

Article 46 of Regulation (EC) No 882/2004.

Findings

The implementation of the official controls in the area covered by this audit is based on a high number of Chinese laws, regulations, guidelines and documented procedures. A comprehensive review of the Chinese legal framework was not carried out but the effectiveness of its implementation was evaluated as part of the FVO audit.

It should be noted that the AQSIQ (or MoA) Order [2005] No. 424 on registration of rabbit farms has not yet been approved and despite its implementation at the farms delivering rabbits to the EU listed rabbit slaughterhouses is still considered to be a trial version.

The FVO audit team was informed that the administrative procedures that have to be followed in relation to exports to the EU are laid down in the AQSIQ Notice [2009] No. 38. A copy of this notice was requested during the audit but the CA in the provinces visited refused to provide it to the FVO audit team. A hard copy in the Chinese language was later handed over to the FVO audit team during the closing meeting.

1 In their response to the draft report the CAs noted that this is a misunderstanding as imports of frozen intestines into China is banned. However, a traceability exercise in one establishment visited with reconciliation between volumes of imported intestines (e.g. Description of products: Frozen green lamb runners) covered by the Australian and New Zealand certificates and the corresponding volumes of casings produced for export to the EU confirms this finding (the yield was 13.1%).

2 In their response to the draft report the CAs provided the following data supplement: “from January 1, 2011 to September 30, 2013, total volume of Chinese hog raw material is 97 554 tons; total volume of sheep/goat Chinese raw material is 28 090 tons.”

Conclusion

National legislation is in place and implemented in the area covered by this audit.

5.2 Competent Authorities

Legal requirement

Article 46 of Regulation (EC) No 882/2004.

Findings

The AQSIQ and the MoA with its Veterinary Bureau and Provincial Animal Husbandry Offices including their local sub divisions; the Animal Husbandry and Veterinary Stations (AHVS), are the two main CAs in the field of sanitary and phytosanitary issues.

According to the Chinese Law on Import and Export Commodity Inspection, the AQSIQ is the CCA with responsibility for inspection of imports and exports. AQSIQ is a ministerial-level department under the State Council of the People's Republic of China that is in charge of national quality, methodology, entry-exit commodity inspection, entry-exit health quarantine, entry-exit animal and plant quarantine, import-export food safety, certification, accreditation and standardisation, as well as administrative law enforcement. AQSIQ directly administers the provincial CIQs.

The functions of the MoA are, amongst others to draft laws and provisions on animal and plant disease prevention and quarantine, sign inter-governmental agreements and accords and formulate related standards; to organise veterinary administrations and veterinary medical products administration and inspection; to organise and supervise domestic animal and plant disease prevention and quarantine, publicise epidemic information and organise disease eradication.

However, recently announced changes will affect food regulation in China. The government restructuring will give three agencies control over food safety regulation. The new China Food and Drug Administration (CFDA) will be in charge of regulating food production, with the MoA overseeing primary production and the Ministry of Health in charge of establishing food safety standards and risk evaluation. Thirteen government agencies are currently involved in four aspects of food safety, with the health authorities in charge of co-ordination, the quality inspection authorities in charge of production, the industry and commerce authorities in charge of food distribution and the State Food and Drug Administration (SFDA) in charge of restaurant food.

The CFDA was founded on the basis of the former SFDA. In March 2013 the regulatory body was re-branded and restructured as the CFDA, elevating it to a ministerial-level agency. The preliminary plan is to combine the functions of the existing State Council's Food Safety Office, the SFDA as well as the food supervision duties from the AQSIQ and the State Administration for Industry and Commerce. The CFDA is directly under the State Council of the People's Republic of China and replaces a large group of overlapping regulators streamlining regulation processes for food and drug safety.

Conclusion

The organisation, competence and operation of the CAs generally can provide satisfactory assurances in line with the requirements in Article 46 of Regulation (EC) No 882/2004 for export of casings and fresh meat of farmed rabbits to the EU.

5.3 Approval and listing of Food Businesses

Legal requirement

Article 12 of Regulation (EC) No 854/2004.

Findings

Recommendation 1 of report 2009-8292 requested the CCA "*to ensure that lists of the establishments approved for export to the EU – in particular, casings establishments and rabbit slaughterhouses – are kept up to date and communicated to the Commission as required by Article 12 (3) of Regulation (EC) No 854/2004*".

In their action plan the CCA stated that the list of casing establishments and rabbit slaughterhouses are kept up to date and communicated to the Commission three times per year as required by Article 12 (3) of Regulation (EC) No 854/2004.

The FVO audit team found that a procedure for national registration and approval for export is in place based on AQSIQ Order No 142.

However, when checking the most recent list of EU approved rabbit slaughterhouses in one province visited it was disclosed that only 7 of the 11 establishments listed for the slaughter and processing of rabbit meat in this province were in operation and exporting rabbit meat to the EU. The most recent list was published 30 December 2011 and valid as of 12 January 2012.

One of these establishments had wrongly been listed as a slaughterhouse, cutting plant and cold store for rabbit meat although this was only an establishment producing meat product from rabbit meat. The incorrect listing had been requested by the CCA in January 2011 and the mistake had not been discovered by the CA at provincial level (CIQ) when requesting the EU listing for meat products six months later or during later verification of the approval conditions and eligibility for export.

In the same province it was also disclosed that three of the nine casings establishments listed for exports to the EU had no export activities and therefore should be de-listed.

In four other provinces visited the EU lists had been kept up to date and no errors were identified. Some EU listed casing establishments did not have any exports to the EU during the past three years for commercial reasons but they were in activity and exported to other markets and their eligibility for export to the EU was therefore maintained and verified by the CA. It was explained that establishments without any export activities during a two year period would automatically have their export licence withdrawn.

Conclusion

The CCA does not ensure still that lists of the establishments approved for export to the EU are kept up to date in all provinces and communicated to the Commission as required by Article 12 (3) of Regulation (EC) No 854/2004 despite the commitments provided in their action plan to report 2009-8292.

5.4 Official controls over Food business operators' compliance with hygiene rules at establishment level

5.4.1 General and specific hygiene requirements

Legal requirements

Article 4 of Regulation (EC) No 852/2004, Article 3 of Regulation (EC) No 853/2004 and Article 4 of Regulation (EC) No 854/2004.

Findings

Recommendation 3 of report 2009-8292 requested the CCA "*to ensure that imported casings and casings produced in China, to be used for further processing in China and intended to be exported to the EU, are in line with Regulations (EC) No 852/2004 and No 853/2004 and with Commission Decisions 2003/779/EC and 2007/777/EC, in particular concerning packaging and identification*".

In their action plan the CCA stated that the official controls on imported casings as well as casings of Chinese origin has been strengthened with regard to eligibility, labelling and packaging.

In all establishments visited, structure, layout, equipment maintenance, cleaning and operational hygiene were in line with EU requirements with some minor maintenance issues highlighted in one rabbit slaughterhouse and in one casing establishment.

The standard of the barrels imported from EU and Chinese establishments was good and the problem identified during the previous FVO audit concerning the hygienic standard of barrels has been solved.

Conclusion

The general and specific hygiene standard in the establishments visited was generally in line with the EU requirements. Recommendation 3 of report 2009-8292 has been addressed in a satisfactory manner.

5.4.2 HACCP-based systems

Legal requirements

Article 5 of Regulation (EC) No 852/2004 and Article 4 of Regulation (EC) No 854/2004.

Findings

Principles of the HACCP based systems were implemented in all the establishments visited and no problems were identified by the FVO audit team.

Conclusion

HACCP-based systems in line with EU requirements were implemented in all establishments visited.

5.4.3 Laboratory testing

Legal requirement

Commission Decision 2002/994/EC concerning certain protective measures with regard to the production of animal product imported from China.

Findings

All consignments of rabbit meat and casings have to be tested for chloramphenicol and nitrofuran metabolites in accordance with Commission Decision 2002/994/EC. In all cases verified, the food business operator (FBO) carried out own checks for chloramphenicol and nitrofuran metabolites and official samples were taken by the CIQ from each export consignment intended for export to the EU and tested in an official laboratory prior to certification and dispatch.

The FVO audit team was informed that none of the samples tested for chloramphenicol and nitrofuran metabolites in private or official laboratories in China has been found positive for these compounds.

Conclusion

Laboratory testing was carried out on all export consignments for EU in line with the requirements of Commission Decision 2002/994/EC.

5.4.4 Traceability, labelling and identification marking

Legal requirements

Article 18 of Regulation (EC) No 178/2002, Article 5 of Regulation (EC) No 853/2004, Article 3 of Directive 2000/13/EC and Article 4 of Regulation (EC) No 854/2004.

Findings

Traceability systems were in place in all the establishments visited.

In the two rabbit slaughterhouses visited the lot identification applied to each box of frozen rabbit meat identified the slaughterhouse, the slaughter date and the rabbit farm of origin. However, in one of the slaughterhouses the labels for one Member State indicated that the meat was produced from "controlled ground raised" rabbits. However, only one out of the eight registered farms delivering rabbits to this establishment was certified under the "controlled ground raised" scheme and rabbits from other farms had been used for these products.

In the casing establishments, the situation varied depending on the origin of frozen intestines or salted casings for calibration.

- All establishments visited had chosen to process solely imported casings (three establishments) or Chinese origin (two), reducing the traceability difficulties considerably.

- Two adjacent casing establishments with the same ownership had a clear separation; one dealing only with imported casings, the other only with casings of Chinese origin. In three establishments that processed only imported salted casings or frozen intestines on a batch by batch basis each batch of final product was correctly labelled and could be traced back to the incoming batch or batches.
- In all establishments visited, the casings received, either imported or from Chinese origin and the processed casings ready for dispatch, were properly packed and labelled or identified. However, in one establishment processing salted casings of Chinese origin the traceability could only be documented back to the previous owner, which could also be a dealer[3].

3 In their response to the draft report the CAs noted that "according to the animal quarantine certificate issued by Chinese agricultural agencies, Chinese Competent authorities believes that tracing back to the slaughterhouse is capable."

- In one establishment processing only imported casings, a traceability exercise was done. However, although the information was available, it was a time consuming exercise indicating that neither the FBO nor the official veterinarian (OV) was familiar with the system and therefore would not have done this on a routine basis. With the correct approach using the computer data directly, it was possible to carry out a comprehensive tracing exercise within minutes.
- In one of the establishments processing casings of Chinese origin only, the tracing could only be done to the previous supplier. The slaughterhouses could not be identified.
- In the other establishment, the FBO had developed a system identifying all its suppliers which included the slaughterhouses of origin. The supplier list included a copy of the approval for both the processing establishment and the slaughterhouses supplying raw materials.

Conclusion

Traceability, labelling and identification markings were generally acceptable but with some traceability shortcoming for casings of Chinese origin.

5.4.5 Food chain information

Legal requirements

Article 3 of Regulation (EC) No 853/2004 and Article 5 of Regulation (EC) No 854/2004.

Findings

At arrival of rabbits into slaughterhouses, the animal health status, rearing records and drug use statements are presented for each consignment. Their presence and content is controlled by the veterinarian employed by the FBO.

Conclusion

The documents for the transport of live rabbits can be considered to be equivalent to the food chain information required by EU legislation.

5.4.6 Ante-mortem and post-mortem inspection

Legal requirement

Article 5 of Regulation (EC) No 854/2004.

Findings

In the rabbit slaughterhouses, the ante-mortem inspection was carried out by the OVs employed by the local Animal Husbandry and Veterinary Station (AHVS), at the farm of origin, prior to loading the rabbits for the slaughterhouse. A set of three documents accompanied every consignment: a certificate of animal health supervision issued by the MoA, the rearing log and the treatment record covering the group of animals. The documentation requested was present for all the consignments of live animals checked.

At arrival in the establishment documentary controls were carried out by a private veterinarian employed by the FBO. Visual ante-mortem inspection is carried out by the OV before the animals are accepted for slaughter.

Post mortem inspection was carried out in line with EU requirements by officials employed by the MoA and no problems were identified.

The CIQ stated that ante-mortem and post-mortem inspections are not part of their responsibility although under point II.1.c of the export certificate the signing OV from the CIQ in relation to the consignment declares that "*it has been found fit for human consumption after ante-mortem and post-mortem inspections...*". No evidence was seen of any CIQ verification of the performances of the OV in relation to ante-mortem and post-mortem inspections[4].

Conclusion

Ante-mortem and post-mortem inspections were carried out in line with the EU requirements by staff employed by the MoA.

5.4.7 Action in case of non-compliances

Legal requirement

Article 54 of Regulation (EC) No 882/2004.

Findings

The FVO audit team requested and verified information in relation to the action taken in response to the RASFF notifications that had identified chloramphenicol or nitrofuran metabolites in casings and rabbit meat exported from China to the EU.

- In the case where chloramphenicol had been identified in frozen rabbit meat a comprehensive follow up had been carried out by the CA. The investigation had identified the source as one of the supplying rabbit farms where chloramphenicol had been used illegally (empty bottles found). The farm had been removed from the list of registered farms that could supply the slaughterhouse.
- In one case, where chloramphenicol had been identified (above the EU acceptable level of 0.3 mg/kg) in several consignment exported from one EU listed casing establishment, a high number of samples from casings as well as salt and brine used in the production had been tested for the presence of chloramphenicol and nitrofuran metabolites. However, all the extra samples taken within the establishment had been negative (<0.1 mg/kg) and the source of the contamination could therefore not be established. The establishment's own control checks as well as the official pre-export tests had always been below the detection level (<0.1 mg/kg). The last RASFF notification regarding chloramphenicol was reported in November 2012 and since then there has been no problems with any of the consignments of casings exported from China to the EU.

The FVO audit team also requested and verified information in relation to the action taken in response to the RASFF notification that had identified mercury in rabbit meat exported from China to the EU.

- In the case where mercury had been identified (above the EU acceptable level of <0.01 mg/kg) in frozen rabbit meat a comprehensive follow up had been carried out by the CA. The investigation included the testing of a high number of water and feed samples from the rabbit farms as well as testing of the returned consignment. The finding of 0.017 mg/kg in the RASFF notification could not be confirmed and the consignment had been released on the Chinese market where the acceptable level is <0.05 mg/kg.

4 In their response to the draft report the CAs noted that "....CIQ is to control the whole process which includes to verify the ante-mortem and post-mortem inspections and it is not true that CIQ does not supervise this process."

Conclusion

The follow-up action taken by the Chinese authorities in relation to the RASFF notifications has been comprehensive and is considered to be satisfactory despite the source of the contamination not being identified in all cases.

5.4.8 Animal welfare at the time of slaughter or killing

Legal requirements

Article 5 of Regulation (EC) No 854/2004.

Regulation (EC) No 1099/2009 lays down detailed EU requirements with regard to the protection of animals at the time of slaughter or killing. Regulation (EC) No 1099/2009 repealed Council Directive 93/119/EC on the protection of animals at the time of slaughter or killing and was applied from 1 January 2013.

Findings

Recommendation 5 of report 2009-8292 requested the CCA "*to ensure that the stunning in all rabbit slaughterhouses is in accordance with the provisions of Council Directive 93/119/EC on the protection of animals at the time of slaughter or killing*".

In their action plan the CCA stated that slaughterhouses should take a number of corrective measures and that the OV should check the effect of these and if found to be unsatisfactory supervise modifications in a timely manner.

Some deficiencies in regard to the stunning of rabbits were seen mainly in one slaughterhouse visited, i.e. cornea reflex, agitation, gasping and partly recovering before death by bleeding. The area was very dark, with no possibility of turning on the light making it impossible to verify the efficiency of the stunning.

In the second slaughterhouse, the OV had identified some deficiencies but the FBO had never noted any deficiencies during their own supervision[5]. New equipment had been ordered at the request of the CIQ but had not yet been installed.

The FBO and CIQ were aware of the new Regulation (EC) No 1099/2009 and training had been organised in October 2013 at Provincial level for CIQ staff and two staff from each rabbit slaughterhouse. However the implementation of Chapter 2, Article 5, Point 1 concerning the checks on stunning is not complied with: the FBOs are not carrying out these checks on a sufficiently representative sample of animals (only check 10 animals every 2 hours).

In both slaughterhouses seen by the FVO audit team, the unloading of rabbits, and their handling prior to stunning were done correctly.

Conclusion

Recommendation 5 of the previous FVO report had not been addressed satisfactorily. The stunning of rabbits was not in line with the requirements of Regulation (EC) 1099/2009 in one of the two slaughterhouses visited.

5 In their response to the draft report the CAs noted that "the problem had been identified by the establishment and recorded in an earlier time, which is not included in the files checked by FVO auditors".

5.4.9 Documentation of official controls

Legal requirement

Article 9 of Regulation (EC) No 882/2004.

Findings

The OV from the local CIQ inspects the establishments three to four times per month. More comprehensive supervisory inspections are required at least once per year in casing establishments and twice per year in rabbit slaughterhouses by the Provincial CIQ. Evidence was seen that these frequencies were respected and reports were available.

Conclusion

The documentation of official controls was in line with the requirements of Article 9 of Regulation (EC) No 882/2004.

5.5 Official certification

Legal requirement

Regulation (EC) No 119/2009 provides the legal requirements for certification of meat of farmed rabbits, Commission Decision 2003/779/EC laying down animal health requirements and the veterinary certification for the import of animal casings from third countries and Council Directive 96/93/EC of 17 December 1996 sets out the rules to be observed in issuing the certificates.

Findings

The general system for official certification is in place and evidence was seen of its application. The AQSIQ has issued instruction [2009] No 38 on the Administrative Measures on Entry-Exit Inspection and Quarantine Visa, which provides the procedure for certification for export.

The OV from the CIQ has a check list of supporting documents to be checked before signing the export certificate.

The FVO audit team found that:

- The information of the new model of certificate as implemented by Regulation (EC) No 119/2009 was passed on to the CIQs and the new models are being used. An additional statement concerning the application of the requirements of Regulation (EC) No 1099/2009 will become mandatory from the end of November 2013 and, in some local CIQs, was already added since the beginning of 2013. However, the training on the application of the Regulation (EC) No 1099/2009 only took place in October 2013.
- In all cases checked by the FVO audit team the certification procedures related to farmed rabbit meat and casings, as foreseen in the Chinese instruction, was complied with. However, the FVO auditors noticed that the certifying officers from the CIQ signed export certificates for rabbit meat without any documented verification of the performance of the staff carrying out ante-mortem and post-mortem inspections.
- The underlying documentation was always available allowing the OV to certify all the statements included in the certificate. Evidence was seen that all consignments are tested for chloramphenicol and nitrofuran metabolites and the results are available prior to issuing the export certificates and the results are included as an annex to the certificate, as required by Commission Decision 2002/994/EC.

- In relation to casings, copies of the import documents/certificate were available.
- The situation concerning the Bovine Spongiform Encephalopathy (BSE) status of China has not changed since the last FVO audit. The FVO audit team was informed that China, according to the position of the MoA, is considered as BSE free and that the use of bone meal is forbidden. However, its status is not mentioned in Commission Decision 2007/453/EC, and therefore has to be considered as "status undetermined".
- Although some deficiencies on the identification marks on incoming raw material of Chinese origin were identified, the casings were still identifiable and traceable to the certificate of origin with the help of internal traceability systems.
- The transport document issued by the MoA for the semi-finished casings covering the transport from a slaughterhouse or from a non-EU approved casing establishment (nationally registered or approved) states only that the products covered by this document do "comply". It does not provide the guarantee that these products are produced in a nationally approved slaughterhouse or establishment, and does not include additional guarantees needed for the certification of sheep casings. Therefore, the BSE statement included on export certificates for ovine casings of Chinese origin was not supported by any guarantee or certification from the slaughterhouse of origin.
- The load-out checks are carried out by FBO staff and the OV is seldom present during load-out. In one CIQ it was mentioned that official load-out checks were to be carried out on 5% of the consignments.
- Article 25 of the AQSIQ Notice [2009] No 38 stipulates that the export certificate cannot be signed before all documents have been checked and approved. However, according to the CA the date appearing on the certificate has to be the date of the Customs clearance document which could be up to two weeks prior to the actual signing of the export certificate. In one case it was noted that the date on the export certificate and the Customs clearance document were different.
- The loading of the consignment can take place 2 to 15 days after the issuing date shown on the export certificate.
- The requirement of the export certificate as in point 9.b "*have been cleaned, scraped and salted for 30 days*" is not systematically verified during signing. In some certificates verified by the FVO audit team the time between the end of production and the signing date appearing on the export certificate was only 20 days.

Conclusion

Export certificates for the EU are back-dated and in most cases signed after the products have passed out of the control of the certifying officers, which is not in line with the requirements of Council Directive 96/93/EC, Article 3 (3).

Certifying officers sign export certificates for rabbit meat without having any personal knowledge or documented evidence regarding ante-mortem and post-mortem inspections, which is not in line with the requirements of Council Directive 96/93/EC, Article 3 (2).

Export certificates for casings are in some cases signed without having respected the 30 days salting requirement in point 9 (b) of the export certificate (Commission Decision 2003/779/EC, Annex IA (Model CAS)).

6 Overall Conclusion

The situation is largely satisfactory. However, the action taken by the CCA in response to some of the recommendation in report 2009-8292 has not been fully effective. Some shortcomings were again identified in relation to the updating of the list of establishments approved for export to the EU and in relation to animal welfare during stunning of rabbits.

Some shortcomings were also identified in relation to certification procedures. The Chinese legal requirement that the certifying officers cannot sign the export certificates before all the supporting documentation is made available and the procedures for customs clearance lead to certificates being back-dated, in some cases signed several days after the consignments have left the establishments. The minimum 30 days salting requirement for casings had in some cases not been met on the date appearing on the export certificate.

An extensive follow up of RASFF notification had taken place and despite not identifying the source of contamination the situation appears to have been rectified with no new cases being identified.

7 Closing Meeting

A closing meeting was held on 21 November 2013 with the CCA, the AQSIQ, and the MoA. At this meeting the FVO audit team presented the findings and preliminary conclusions of the audit and advised the CCA of the relevant time limits for production of the report and their response.

The representatives of the CCA acknowledged the findings and conclusions presented by the FVO audit team. In addition, information on action already taken and planned, in order to address particular findings in the establishments visited, was provided.

8 Recommendations

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

N°.	Recommendation
1.	To ensure that the list of establishments approved for export to the European Union (EU) are kept up to date and communicated to the Commission as required by Article 12 (3) of Regulation (EC) No 854/2004 (repeat recommendation).
2.	To ensure that the stunning of rabbits is carried out in accordance with the requirements of Council Regulation (EC) No 1099/2009 on the protection of animals at the time of slaughter or killing (repeat recommendation).
3.	To ensure that certification for exports to the European Union is carried out in line with the requirements of Council Directive 96/93/EC, Article 3 (points 2 and 3).
4.	To ensure that salted casings for export to the European Union have been salted in

N°.	Recommendation
	NaCl for at least 30 days as required by Commission Decision 2003/779/EC laying down animal health requirements and the veterinary certification for the import of animal casings from third countries.

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=2013-6864

Annex 1 - Legal References

Legal Reference	Official Journal	Title
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. 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

Legal Reference	Official Journal	Title
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
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
Reg. 119/2009	OJ L 39, 10.2.2009, p. 12-28	Commission Regulation (EC) No 119/2009 of 9 February 2009 laying down a list of third countries or parts thereof, for imports into, or transit through, the Community of meat of wild leporidae, of certain wild land mammals and of farmed rabbits and the veterinary certification requirements
Reg. 1162/2009	OJ L 314, 1.12.2009, p. 10–12	Commission Regulation (EC) No 1162/2009 of 30 November 2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council
Reg. 206/2010	OJ L 73, 20.3.2010, p. 1–121	Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements
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

Legal Reference	Official Journal	Title
Dir. 97/78/EC	OJ L 24, 30.1.1998, p. 9-30	Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries
Dir. 98/83/EC	OJ L 330, 5.12.1998, p. 32-54	Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption
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
Dir. 2002/99/EC	OJ L 18, 23.1.2003, p. 11-20	Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption
Dec. 2002/994/EC	OJ L 348, 21.12.2002, p. 154-156	2002/994/EC: Commission Decision of 20 December 2002 concerning certain protective measures with regard to the products of animal origin imported from China
Dec. 2003/779/EC	OJ L 285, 1.11.2003, p. 38-41	2003/779/EC: Commission Decision of 31 October 2003 laying down animal health requirements and the veterinary certification for the import of animal casings from third countries
Dec. 2007/453/EC	OJ L 172, 30.6.2007, p. 84-86	2007/453/EC: Commission Decision of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk
Dec. 2011/163/EU	OJ L 70, 17.3.2011, p. 40-46	2011/163/EU: Commission Decision of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC