FINAL REPORT OF AN AUDIT
CARRIED OUT IN
THE UNITED KINGDOM
FROM 03 MARCH 2015 TO 13 MARCH 2015
IN ORDER TO
EVALUATE THE FOOD SAFETY CONTROL SYSTEMS IN PLACE GOVERNING THE
PRODUCTION AND PLACING ON THE MARKET OF EGGS AND EGG PRODUCTS

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 the United Kingdom, from 3 to 13 March 2015.

The objective of the current audit was to assess the control system in place concerning the production and placing on the market of eggs and egg products destined for human consumption.

The report concludes that the official control system in place meets the main elements of Regulation (EC) No 882/2004. It includes regular and risk based controls, covering all stages of production and placing on the market of eggs and egg products. However, there are no guarantees that means of transport used for eggs and egg products are under official control, as no documented evidence of official controls carried out on such vehicles was provided by the central competent authority.

The report concludes also that in the areas where the Local Authorities are responsible for official controls, in particular in liquid egg and egg products establishments, there are weaknesses as regards: approval of establishments, respecting inspection frequency, detection and follow-up of non-compliances during official controls, verification of food business operator compliance with microbiological/analytical criteria, identification marking and labelling of unpasteurised liquid egg.

The official control system is supported by a network of official laboratories which meet EU requirements and can provide guarantees concerning the reliability of results.

Concerning traceability and labelling of eggs (including the method of production i.e. free range/organic) the official controls have ensured compliance with the relevant EU legislation.

The report includes a number of recommendations addressed to the United Kingdom competent authorities, aimed at rectifying the shortcomings identified and enhancing the implementation of the official control system in place.
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<th>Explanation</th>
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<tbody>
<tr>
<td>APHA</td>
<td>Animal and Plant Health Agency</td>
</tr>
<tr>
<td>CA / CCA</td>
<td>Competent Authority / Central Competent Authority</td>
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<tr>
<td>CB</td>
<td>Control Body</td>
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<tr>
<td>Defra</td>
<td>Department for Environment, Food and Rural Affairs</td>
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<tr>
<td>EC</td>
<td>European Community</td>
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<tr>
<td>EMI</td>
<td>Egg Marketing Inspector</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>ISO</td>
<td>International Organization for Standardization</td>
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<tr>
<td>FVO</td>
<td>Food and Veterinary Office</td>
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<tr>
<td>FBO</td>
<td>Food Business Operator</td>
</tr>
<tr>
<td>FSA</td>
<td>Food Standards Agency</td>
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<tr>
<td>HACCP</td>
<td>Hazard Analysis Critical Control Points</td>
</tr>
<tr>
<td>LA</td>
<td>Local Authority</td>
</tr>
<tr>
<td>NRL</td>
<td>National Reference Laboratory</td>
</tr>
<tr>
<td>PASS</td>
<td>Public Analyst Scientific Services</td>
</tr>
<tr>
<td>OJ</td>
<td>Official Journal</td>
</tr>
<tr>
<td>PCB</td>
<td>Polychlorinated Biphenyl</td>
</tr>
<tr>
<td>RASFF</td>
<td>Rapid Alert System for Food and Feed</td>
</tr>
<tr>
<td>SANTE</td>
<td>Health and Food Safety Directorate General of the European Commission</td>
</tr>
<tr>
<td>SNCP</td>
<td>Salmonella National Control Programme</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>UKAS</td>
<td>United Kingdom Accreditation Service</td>
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1 INTRODUCTION

The audit took place in the United Kingdom (UK) from 3 to 13 March 2015 and was undertaken as part of the Food and Veterinary Office's (FVO) audit programme.

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

An opening meeting was held on 3 March 2015 with the Central CA (CCA) - the Food Standards Agency (FSA). At this meeting the team confirmed the objective of, and itinerary for the audit, requested the clarification of certain points of the information provided by the CCA before the audit and requested additional information regarding specific elements of the control system in place.

2 OBJECTIVE AND SCOPE OF THE AUDIT

The objective of this audit was to assess the control system in place concerning the production and placing on the market of eggs and egg products destined for human consumption. In particular, to verify whether the official controls are organised and carried out in accordance with the relevant provisions of Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules and with specific EU requirements applicable to the eggs and egg products sector.

The scope of the audit included:

- Eggs produced by farmed birds and egg products.
- Food business establishments (e.g. laying poultry farms, egg collectors, packing centres, processing plants, cold stores, re-wrapping establishments, importers' premises, wholesale/retail establishments, etc.) and laboratories.
- Public health: general and specific requirements covering eggs and egg products.
- Identification marking, labelling and traceability including aspects related to the origin of the commodities (e.g. organic or conventional production, methods of production).
- Central, regional and local competent authorities.

In terms of scope the audit focused on the organisation and performance of the CAs and on the official control system in place covering production, processing and distribution chains applicable to eggs and egg products. Accordingly, relevant aspects of the EU legislation referred to in Annex 1 and any EU implementing measures were used as a technical basis for the audit.

A full list of the EU legal instruments referred to in this report is provided in Annex 1 and refers, where applicable, to the last amended version.
The table below lists the sites visited (England and Wales) and the meetings held in order to achieve the above objective:

<table>
<thead>
<tr>
<th>COMPETENT AUTHORITY</th>
<th>Opening and closing meetings</th>
<th>Animal and Plant Health Agency (APHA) Office in Cardiff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Regional</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laboratories</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

- National Reference Laboratory (NRL)
- Official food testing microbiology laboratory
- Public Analyst chemical laboratory

<table>
<thead>
<tr>
<th>FOOD BUSINESS ESTABLISHMENTS</th>
<th>Producing unpasteurised liquid egg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laying poultry farms</td>
<td>2 Hens: one enriched cages and one organic free range production method</td>
</tr>
<tr>
<td>Egg collectors</td>
<td></td>
</tr>
<tr>
<td>Packing centres</td>
<td>3 One stand-alone and two attached to laying farms</td>
</tr>
<tr>
<td>Liquid egg plants</td>
<td>2</td>
</tr>
<tr>
<td>Processing establishments</td>
<td>3</td>
</tr>
<tr>
<td>Retail establishments</td>
<td>1</td>
</tr>
</tbody>
</table>

3 LEGAL BASIS FOR THE AUDIT

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 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.

4 BACKGROUND

4.1 PREVIOUS FVO AUDIT

The previous FVO audit on eggs and egg products was carried out in 2002 (DG(SANCO)/8508-2002), prior to the introduction of the hygiene package, and focused on the hygiene conditions relating to egg production and egg products from laying hens.

4.2 PRODUCTION AND TRADE INFORMATION

The information in the tables below was provided by the CCA and indicates:

a) the quantity of liquid egg and egg products produced in 2013 and 2014.

<table>
<thead>
<tr>
<th></th>
<th>2013 (tonnes)</th>
<th>2014 (tonnes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquid egg</td>
<td>62,338</td>
<td>66,910</td>
</tr>
<tr>
<td>Egg products</td>
<td>32,667</td>
<td>34,968</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>95,005</strong></td>
<td><strong>101,878</strong></td>
</tr>
</tbody>
</table>
b) the quantity of Class A eggs packed in egg packing centres (2013 and 2014).

<table>
<thead>
<tr>
<th>Production method</th>
<th>2013 (thousand cases)*</th>
<th>2014 (thousand cases)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enriched cages</td>
<td>13,606</td>
<td>14,097</td>
</tr>
<tr>
<td>Barn</td>
<td>890</td>
<td>782</td>
</tr>
<tr>
<td>Free range</td>
<td>11,795</td>
<td>11,591</td>
</tr>
<tr>
<td>Organic</td>
<td>610</td>
<td>627</td>
</tr>
<tr>
<td>Total</td>
<td>26,901</td>
<td>27,097</td>
</tr>
</tbody>
</table>

*the number of eggs in a case is 360

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION AND IMPLEMENTING MEASURES

Legal requirements

Article 291 of the Treaty on the Functioning of the EU.


Findings

1. The audit team was informed by the CCA that for the egg production and processing sector, the CAs follow the relevant EU and national legislation.

2. Implementation of the official control system is based mainly on:-
   - The Food Safety & Hygiene (England) Regulations 2013.
   - The Food Hygiene Regulations 2006 (for Scotland, Wales and Northern Ireland).
   - General Food Regulations 2004.
   - The "Framework Agreement on Official Feed and Food Controls by Local Authorities" which sets minimum expected standards and outlines the CCA’s (FSA) audit and monitoring arrangements.
   - The Registration of Establishments (Laying Hens) Regulations 2003.
   - The Eggs and Chicks Regulations 2009 which enables the enforcement of egg marketing regulations (Regulation (EU) No 1308/2013 and Regulation (EC) No 589/2008) including record keeping, some welfare controls, and the enforcement of Salmonella National Control Programme (SNCP) for laying hens and controls on eggs.
   - The Welfare of Farmed Animals Regulations which lays down conditions under which laying hens must be kept.
3. In addition the CAs have issued guidance documents for Food Business Operators (FBOs) and enforcement bodies on the implementation of the relevant legislation.

- Guidance on Legislation Covering the Marketing of Eggs (issued by APHA).
- Food Law Practice Guidance relates to advice on eggs and egg products (issued by FSA).
- Guidance for Enforcement Bodies: Enforcement of Hygiene Regulations on Egg Production Sites in the UK (issued by FSA).

4. Regarding FBOs' compliance with temperature requirements related to eggs during storage and transport, the audit team was informed that no national legislation has been issued. Temperature requirements are contained in APHA's Guidance on Legislation Covering the Marketing of Eggs which refers to the requirements contained in Article 2(3) of Regulation (EC) No 589/2008.

5. While a comprehensive review of UK legislation was not carried out by the audit team, the national laws and implementing measures (including guidelines), seen by the audit team during the current audit were in line with EU requirements related to the audit scope.

<table>
<thead>
<tr>
<th>Conclusions on legislation and implementing measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. The UK has issued national legislation and guidelines necessary to implement EU requirements relevant to eggs and egg products and, from a summary analysis, they are in line with EU legislation.</td>
</tr>
<tr>
<td>7. National temperature requirements for storage facilities and for vehicles transporting eggs, in the context of Point 2 of Chapter I, Section X, Annex III to Regulation (EC) No 853/2004, have not been fixed in national legislation.</td>
</tr>
</tbody>
</table>

5.2 COMPETENT AUTHORITY

**Legal requirements**


**Findings**

8. The CCA for the control of eggs and egg products is the FSA. The FSA is an independent, non-Ministerial Government Department responsible for food safety and hygiene across the UK established under the Food Standards Act 1999.

9. The CAs involved in official controls of eggs and egg products in England and Wales are¹:

¹ CAs and certain official procedures differ in Scotland and Northern Ireland.
• **Local Authorities (LAs)** carry out inspections and enforce the relevant hygiene regulations in egg collectors, egg packing centres, egg products establishments and at retail level on behalf of FSA. LAs are the CAs responsible for hygiene controls on eggs in laying farms of poultry species other than *Gallus gallus*.

• **APHA** - (which is an executive agency working for the Department for Environment, Food and Rural Affairs (Defra), Scottish Government and Welsh Government) is responsible for:
  
o Hygiene controls on eggs in egg laying farms (*Gallus gallus*) on behalf of FSA.
  
o The enforcement of egg marketing regulations in egg laying farms, egg collectors, egg packing centres and wholesalers. The above mentioned tasks are carried out by APHA’s Egg Marketing Inspectors (EMIs).
  
o Monitoring and auditing border inspection posts and the effectiveness of their controls. (More information on the official control system for imports into the UK can be found in FVO audit report DG(SANCO)2014-7014 [http://ec.europa.eu/food/fvo/audit_reports/details.cfm?rep_id=3314](http://ec.europa.eu/food/fvo/audit_reports/details.cfm?rep_id=3314)).

• **Port Health Authority** carries out checks at Border Inspection Posts (may collaborate with APHA on imported eggs).

• In England, **Defra** is responsible for food labelling where it does not relate to food safety or nutrition. FSA retains responsibility for all these areas in Scotland, Wales and Northern Ireland.

• By agreement with the Devolved Administrations, **Defra’s Organics Team** is the CA responsible for organic production. Private Control Bodies (CBs) under Defra approval are responsible for registration and control of FBOs producing organic products. At present, six UK based organic CBs are currently approved by Defra, three CBs based in Ireland are also approved to operate in the UK. The UK CBs are subject to annual Defra approval on the basis of an evaluation of their activities by the United Kingdom Accreditation Service (UKAS). The LAs have the power to enforce the organic regulations at point of sale.

10. The structure of the CAs and the allocation of responsibilities are described in the UK country profile available in DG SANTE webpage at:– [http://ec.europa.eu/food/fvo/country Profiles/details.cfm?co_id=GB](http://ec.europa.eu/food/fvo/country_profiles/details.cfm?co_id=GB)

**Training**

11. The audit team saw evidence that FSA provides various training courses for LA officers. The training sessions provided in 2014 covered topics such as approval of establishments under Regulation (EC) No 853/2004; assessment of Hazard Analysis Critical Control Points (HACCP) plans; risk rating of establishments, enforcement and sanctions. The audit team saw evidence in two egg products establishments visited that LA inspectors participated in these training sessions.
12. The audit team was informed by CCA that also several training courses were organised by APHA for EMIs on procedures to be followed while conducting hygiene inspections on laying hen farms. The audit team was provided with evidence of participation in these training courses.

**Audit**

13. LAs are audited against the Feed and Food Law Enforcement Standard in the Framework Agreement on Official Feed and Food Controls by Local Authorities, which sets out the minimum performance standards expected from LAs across the full range of their feed and food law enforcement activities. The FSA’s audit reports of LA’s enforcement services are published on the FSA website.

14. The audit team noted and saw evidence that the FSA carried out audits on LAs which also included on-site visits to establishments. However the FSA audits carried out prior to this FVO audit had not included visits to egg products establishments.

15. The FSA conducted an internal audit in 2014 in order to assess the effectiveness of egg hygiene official controls carried out by APHA in England and Wales. The FSA audit included visits to six primary production sites. The report was available to the FVO audit team. The final report of this internal audit concludes that “generally, the controls evaluated are adequate, appropriate and effective to provide reasonable assurance that risks are being managed and objectives should be met, but some improvements are needed to ensure achievement of the FSA’s Official Control delivery objectives”. The audit team noted that in order to address the identified deficiencies a corrective action plan was prepared and deadlines were agreed.

**Conclusions on competent authorities**

16. The CAs responsible for the official control system over the production of eggs and egg products are clearly designated. The CAs' structure and organisation are adequate for the performance of their tasks.

17. A training system aimed to ensure that official staff can execute its tasks effectively is in place.

18. The UK complies with the requirement of Article 4(6) of Regulation (EC) No 882/2004 as an audit system which includes measures to be taken in the light of the results of the audits carried out has been established.

**5.3 REGISTRATION/APPROVAL OF FOOD BUSINESS ESTABLISHMENTS**

**Legal requirements**

Article 6(2) and (3) of Regulation (EC) No 852/2004.

Article 31 (1) and (2) of Regulation (EC) No 882/2004.


Findings

Registration of laying farms (Gallus gallus)

19. The audit team was informed by APHA that FBOs keeping laying hens are required to register as a producer with APHA if:
   a) they have 350 or more hens and/or
   b) have 50 or more laying hens and any of their eggs are marketed at local public markets and/or
   c) any of eggs are marketed to registered packing centres (regardless of number of hens).

20. The audit team was informed that in order to be registered a producer should submit an application and then APHA EMI will perform an on-site visit in order to verify hygiene requirements and compliance with egg marketing requirements (including production methods). If the outcome of this inspection is satisfactory a unique registration number is assigned to the producer which includes the methods of production (e.g. 0UK refers to eggs from organic production systems). This unique number should be used to mark the eggs whenever required by the legislation. The audit team noted that FBOs are required by the CA to notify any change related to the method of production, even if this change is temporary (e.g. from free-range to barn).

21. All the registered farms in England and Wales are recorded in APHA’s electronic database.

Registration of laying farms of poultry species different from Gallus gallus

22. The audit team was informed by the FSA that FBOs keeping laying poultry other than Gallus gallus (e.g. ducks, quails, etc.) and placing their eggs on the market are required to be registered with their LAs in accordance with the procedure laid down in the Food Law Code of Practice.

23. The audit team was provided with evidence of such registration.

Registration of egg collectors

24. Collectors, who by definition (Article 1(c) of Regulation (EC) No 589/2008) transport ungraded eggs from registered producers to packing centres, food industry or non-food
industry, must be registered as a FBO with their LA and with APHA under the egg marketing legislation.

Approval of establishments

25. The approval process for premises under LA supervision (i.e. egg packing centres, liquid egg plants, egg products establishments) is set out in the FSA's documents "Food Law Code of Practice", in the accompanying "Practice Guidance" and in the document “Guidance for local authority authorised officers on the approval of establishments”.

26. A FBO has to submit an application to the CA for the approval of an establishment before an onsite visit is carried out by the CA. If the establishment is compliant with infrastructure and equipment requirements in the Regulations, a conditional approval may be given. Full approval is given at a subsequent separate visit if an establishment fully complies with all the legal requirements. An approval number is assigned to the establishment by the LA and communicated to the FSA. The FSA is responsible for keeping the list up-to-date based on information supplied by LAs.

27. The audit team noted that, in general, this procedure was followed and the establishments visited had been approved for the specific activities being carried out. However, the audit team also noted in one egg products establishment visited that the approval document did not include all activities currently being carried out (e.g. hard boiled eggs and mayonnaise). The approval of this establishment was issued in 1993 by the LA and has not been updated in accordance with the requirements of the applicable EU legislation. This is not in compliance with the requirements of Article 31(2)(c) and (e) of Regulation (EC) No 882/2004 which requires that the CA shall approve an establishment for the activities concerned and shall keep the approval under review when carrying out official controls. Moreover, the LA did not follow the mentioned FSA guidelines which foresee egg products establishments to be approved under Regulation (EC) No 853/2004.

28. The audit team noted that the listing of approved establishments was not fully up-to-date as not all the activities for which the establishments are approved are included (e.g. an egg packing centre with unpasteurised liquid egg production was listed only as an egg packing centre; an egg products establishment was listed as a liquid egg plant only), contrary to the provisions of Article 31(2)(f) of Regulation (EC) No 882/2004.

29. The audit team also noted that the list of establishments approved as egg packing centres, liquid egg plants or egg products establishments is not published on the internet, as is the case for any other establishment lists, due to data protection considerations. Nevertheless, as the FSA informed the audit team, such a list is available upon request.
Conclusions on registration/approval procedures

30. Procedures are in place for the registration of laying farms (including *Gallus gallus* and other poultry species), egg collectors and for the approval/registration of other food establishments. These procedures are in line with EU legislation. However, there are weaknesses in their implementation, in particular as regards approval of egg products establishments and keeping the list of approved establishments up-to-date.

31. The system in place allows the CAs to identify the different types of farms by method of production and species of poultry kept. Therefore the CAs are aware of the farms for which they are responsible for carrying-out the official controls for verification of FBO compliance with the relevant EU rules.

5.4 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

5.4.1 Organisation of Official Controls

Legal requirements


Findings

32. Establishments under control of LAs are subject to official controls at frequencies based on risk assessment criteria. Assessment criteria depend on potential hazards (e.g. type of food, method of handling and processing, target population), level of compliance and confidence in management in accordance with the relevant FSA guidelines. However, the audit team noted in the egg products establishments visited that the set frequency was not respected in all cases (see paragraph 65).

33. Checklists are used during official controls.

34. The inspection frequency for laying farms other than *Gallus gallus* is based on procedures contained within the Food Law Practice Guidance. To determine the frequency of inspections, under these procedures, several risk factors may be taken into account: e.g. participation in farm assurance schemes, change of activity, history of compliance, consumer complaints, products associated with food-borne illness, etc. (see also paragraph 51).

35. Hygiene inspections by APHA at laying hen farms are carried out on a risk basis. Risks factors taken into account to determine inspection frequency are: FBO’s compliance history with hygiene rules, compliance with SNCP testing, compliance with egg marketing rules, size of business, geographical distribution of products, etc. A specific checklist is used to perform these inspections. This checklist is contained in FSA Guidance for Enforcement Bodies “Enforcement of Hygiene Regulations on Egg Production Sites in the UK”. The hygiene inspections focus on the following areas:
cleanliness of birds and housing, egg collection and storage, personnel hygiene and record keeping.

36. APHA is obliged to report hygiene inspection data to FSA on a monthly basis as APHA undertakes these tasks on behalf of FSA. In addition, the audit team was informed that regular meetings are held between FSA and APHA to discuss issues noted during hygiene inspections on farms.

37. During EMI visits in farms, basic checks on animal welfare of birds are carried out (i.e. compliance with production method requirements under egg marketing legislation e.g. organic, free range, barn and enriched cages). The audit team was informed that if during inspections, EMI detected significant deficiencies related to animal welfare, these would be reported to the official veterinarian responsible for the farm.

38. In egg packing centres EMIs carry out official controls on quality of eggs, egg marking, labelling and weight in accordance with the relevant egg marketing legislation. The audit team was informed by APHA that if during their inspections in egg collectors or egg packing centres non-compliances related to hygiene conditions were observed, they would be communicated to the LA.

39. The audit team noted in all cases reviewed that after inspection visits an official control report was issued and given to the FBO.

40. Food Law Code of Practice defines enforcement sanctions and penalties to be imposed on FBOs in cases where non-compliances are detected during official controls. The audit team saw several examples of enforcement actions taken by the CAs (see e.g. paragraphs 45 and 62).

41. Concerning enforcement, the audit team noted that in some cases, an appropriate follow-up of deficiencies detected was not carried out by the LAs (see paragraph 66).

<table>
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<th>Conclusions on organization of official controls</th>
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42. Official controls are organised in line with EU legal requirements. However, there are weaknesses in their implementation. In particular, the LAs:

- do not ensure that the official controls at egg products establishments are carried out at the frequency which has been established on a risk analysis in accordance with Article 3.1 of Regulation (EC) No 882/2004 (see also paragraph 65) and

- do not provide guarantees that enforcement actions are taken when non-compliances are detected. This is not in line with Article 54 of Regulation (EC) No 882/2005 (see also paragraph 66).
5.4.2 Controls at farm level

Legal requirements


5.4.2.1 Laying hen farms

Findings

43. The audit team noted that all laying hen farms visited were registered in the APHA EMI electronic database and were regularly inspected by EMI for hygiene and for egg marketing standards. The inspection reports (checklist) were available to the audit team and these reports were recorded in the electronic database.

44. APHA informed the audit team that when, during the egg marketing inspections, non-compliances with hygiene requirements were observed, the EMI would also perform a hygiene inspection.

45. The audit team reviewed a case when the FBO was prosecuted and fined (in total £3,750) by the court in relation to infringements of hygiene requirements in a laying hen farm. The audit team noted that enforcement measures (two warning letters and a hygiene improvement notice) were taken by APHA in a timely manner, when deadlines given to the FBO to rectify the deficiencies, were not respected. As the FBO did not comply with the hygiene improvement notice, the case was referred to FSA. Following referral, an investigation was carried out by FSA and the FBO was prosecuted.

46. In all farms visited biosecurity conditions were adequate. FBO flock records were kept and available to the audit team.

47. In one of the laying hen farms visited, the audit team reviewed a Salmonella Enteritidis positive case from 2014. Documentary evidence was provided by APHA, that after detection of Salmonella Enteritidis within the SNCP in the laying flocks, restrictive measures were imposed on the movement of eggs. These eggs were sent for heat processing to an egg products establishment, as Class B eggs, in compliance with the requirements of Regulation (EC) No 2160/2003.

48. The audit team visited a laying farm with two different production methods in operation (free range and organic free range laying hens). The audit team noted that in this farm, there was a system in place to ensure a clear distinction between free range and organic free range farming, and both types of eggs produced, were traceable and correctly marked.

49. The audit team noted on this farm that the EMI, during one of the inspections under egg marketing regulations, recorded a non-compliance related to the production method (free
range): as an electric wire was present at the pop-holes preventing the birds from having free access to the external area. Corrective action was taken by the FBO.

50. The audit team noted that the FBO was approved as an organic farm operator by one of the UK Organic CBs. In order to maintain its approval the FBO has to undergo an annual inspection carried out by the CB. The inspection reports were available. The audit team noted that feed used was certified as organic and also saw evidence that the eggs were sent to a packing centre which was certified as organic.

5.4.2.2 Laying farms of poultry species different from *Gallus gallus*

Findings

51. During the audit it was intended to visit a duck laying farm. However this was not possible as the farmer refused to give his agreement at the last moment as he had concerns concerning biosecurity measures since the audit team had been visiting other poultry farms. Consequently the audit team could not visit this particular farm and requested the CCA to provide documentary evidence on the official controls carried out on this farm. The CCA did not provide such evidence during the course of the audit.²

<table>
<thead>
<tr>
<th>Conclusions on controls at farm level</th>
</tr>
</thead>
<tbody>
<tr>
<td>52. Official controls at farm level for verification of FBO compliance with relevant EU requirements are in place. In particular the controls provide guarantees that:-</td>
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<tr>
<td>- The requirements of Articles 3 and 4 of Regulation (EC) No 852/2004 are met;</td>
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<tr>
<td>- Class B eggs are not destined to direct human consumption and</td>
</tr>
<tr>
<td>- there is no risk of deviation of eggs originating from different methods of production;</td>
</tr>
</tbody>
</table>

5.4.3 Controls at egg collectors

Legal requirements


Findings

53. The audit team was informed by APHA that currently there are 12 egg collectors in the UK.

² After the audit the CCA informed the audit team that this farm is in the process of registration and an on-site inspection is being organised by the LA. FSA also provided the audit team with documentary evidence of official controls carried out in other laying duck farms (i.e. risk assessment documents, inspection reports and associated checklists).
54. The audit team visited one egg collector. In general the establishment visited met the relevant EU requirements concerning the structural, sanitary and hygiene requirements laid down in Regulations (EC) Nos 852/2004 and 853/2004.

55. APHA informed the audit team that a documentary check related to traceability is carried out annually and evidence was provided to the audit team of the traceability check for the collector visited (see also paragraph 94). APHA also informed the audit team that if any hygiene shortcomings are observed during on-site inspections, these are communicated to the CA (LA) responsible for enforcement on hygiene. The audit team was informed by APHA that no such shortcoming had been detected so far for this collector.

**Conclusions on controls at egg collectors**

56. Official controls at egg collectors for verification of FBOs' compliance with the relevant EU requirements are in place.

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### 5.4.4 Controls at packing centres

**Legal requirements**


**Findings**

57. The audit team visited three egg packing centres of which two are attached to laying hen farms while the third is a packing centre with a liquid egg plant attached.

58. All egg packing centres visited were under official control by both LAs and EMIs. The fixed inspection frequency was followed and official control reports were available to the audit team.

59. In general all the packing centres visited met the relevant EU requirements as regards structure, maintenance and sanitary conditions.

60. In all packing centres visited the HACCP plans in place were being implemented and were subject to official control.

61. The audit team saw evidence in all cases that eggs graded as Class B eggs were sent to a processing establishment or to the liquid egg plant attached to the packing centre.

62. The audit team noted that when eggs not meeting Class A standards were found during official controls in a distribution centre, a “Notice of contravention” was issued by the
EMI in the egg packing centre from where the eggs originated. As a result, Class A eggs were downgraded to Class B eggs.

Conclusions on controls at packing centres

63. Official controls for verification of FBOs' compliance with the relevant EU requirements at packing centres are in place and provide guarantees that the establishments meet those requirements. In particular the controls verify that the packing centres:

- Meet the structural, sanitary and hygiene requirements of Regulations (EC) Nos 852/2004 and 853/2004, including implementation of HACCP;
- Class B eggs are not destined to direct human consumption;

5.4.5 Controls at liquid egg plants and egg processing establishments

Legal requirements


Findings

64. The audit team visited two establishments producing unpasteurised liquid eggs (both attached to egg packing centres) and three egg products establishments. The CCA informed the audit team that no egg powder is produced in the UK.

65. All the establishments were under regular official control by the LAs and checklists were used. Records of official controls were always available to the audit team. The audit team noted that the frequency of official controls was based on risk assessment. However, the fixed frequency was not respected in all cases (e.g. in one establishment two years instead of 18 months and in another establishment there has been no inspection for more than four years although the set frequency was every three years).

66. In these cases when deficiencies were identified during official controls, no follow-up was carried out to verify that the FBO had remedied the situation.

67. In the establishments visited the audit team identified some non-compliances which had not been detected during official controls (not all present in each establishment):

- Some rusty elements of equipment, rusty fittings in processing areas. These are not in line with point 1 (f), Chapter II of Annex II to Regulation (EC) No 852/2004.
- Water pipes not ducted into waste water systems, resulting in the water running on the floor; Drainage channels were not designed to avoid the risk of contamination (open flow of waste water in close proximity to exposed liquid egg in the low care part of
the establishment). These are not in line with point 8, Chapter I, Annex II to Regulation (EC) No 852/2004.

- Doors/openings leading to the clean processing area from dirty areas without any hygiene control or sanitary facilities available for personnel which is not in line with point 2(c), Chapter I and point 1, Chapter II, Annex II to Regulation (EC) No 852/2004.

- Damaged floors in some areas which are not in line with point 1 (a), Chapter II of Annex II to Regulation (EC) No 852/2004.

- Packaging/wrapping material not fully protected from contamination which is not in line with points 1 and 2, Chapter X of Annex II to Regulation (EC) No 852/2004.

- In a chiller, bagged liquid egg was stored below dirty/damaged wooden pallets, which is not in line with point 3, Chapter IX of Annex II to Regulation (EC) No 852/2004.

- Unclean/damaged/rusty intermediate bulk containers in use for transport of liquid egg in bags, which is not in line with point 1, Chapter IV of Annex II to Regulation (EC) No 852/2004.

68. All establishments visited had procedures based on HACCP principles in place and the relevant records were kept. However, in the two liquid egg plants visited, the audit team noted that some elements of the HACCP plans were not in line with the requirements established in Part III.7, Chapter II, Section X of Annex III to Regulation (EC) No 853/2004, in particular regarding:-

- The storage temperature for unpasteurised liquid egg: The plans indicated 5 °C instead of the required “not more than 4 °C”, and

- The legal time limit (maximum storage period of unpasteurised liquid egg before processing of not more than 48 hours) was not part of HACCP plans. In some cases this time limit was exceeded.

69. While HACCP plans are subject to official control, the above issues had not been detected/recorded by the CAs (LAs) during their visits.

Conclusions on controls at liquid egg plants and egg processing establishments

70. Official controls are carried out in liquid egg plants and egg processing establishments. However they do not ensure that:

- the establishments/facilities meet all the structural and hygiene requirements of Regulation (EC) No 852/2004, and

- the HACCP plans in liquid egg plants include all the relevant EU requirements applicable to unpasteurised liquid egg (Regulation (EC) No 853/2004).
5.4.6 Controls on health requirements for egg products

Legal requirements


Article 2 of Regulation (EC) No 315/1993 and Articles 1, 2 and 8 of Regulation (EC) No 1881/2006.

Articles 3 and 9 and Chapters IV and V of Directive 96/23/EC and Decision 97/747/EC.


Findings

FBO sampling activities

71. There was a comprehensive FBO own-check sampling plan for microbiological and analytical parameters in the egg products establishments visited.

72. Microbiological analyses on products, water and surfaces are carried out either in the FBO's in-house laboratory or in external ones. The audit team noted that most of these external laboratories are accredited by UKAS. This goes beyond EU requirements for the analyses concerned. The samples were taken according to the FBO sampling plan and laboratory results were available. No non-compliant results concerning FBO conformity with microbiological criteria were found by the audit team in the establishments visited.

73. However, some non-compliances related to these sampling plans were noted by the audit team such as:-

- Insufficient number of sample units (i.e. for Salmonella and Enterobacteriaceae analyses) of egg products (only one instead of the required five) taken from the same batch in two egg products establishments visited. This is not in line with the requirements of Regulation (EC) No 2073/2005.
- Laboratory analyses methods used were not the reference ones as specified in Regulation (EC) No 2073/2005 nor were the methods employed validated against the reference methods (in one egg products establishment).

74. As regards the required analytical tests, the audit team observed that unmodified finished egg products were not tested for 3-OH-butyric acid and the raw material (liquid egg) used to manufacture egg products, was not tested for lactic acid content (in one egg products establishment). These are not in line with the requirements of Part IV. 1 and 2, Chapter II, Section X of Annex III to Regulation (EC) No 853/2004.
75. The audit team noted in each establishment visited that the CA verifies FBO records of sampling programmes and their results with regard to compliance with microbiological/analytical criteria. However, from the reports examined by the audit team there was no record that the above-mentioned non-compliances had been detected or reported during official controls.

**Official controls on eggs and egg products**

76. The CCA informed the audit team that, in the UK, official samples for microbiological tests are not routinely taken. Verification of FBO compliance with requirements of Regulation (EC) No 2073/2005 is performed checking records and results of the FBO own-check sampling programmes in place.

77. The CCA provided the audit team with data on official samples (tested for chemical and microbiological parameters) taken from foodstuffs by the LAs as part of their official control activities (e.g., enforcement, consumer complaints, food-borne outbreak investigations, etc.). These official samples are registered in the UK Food Surveillance System database (sample registration is voluntary). According to the data provided, in 2013, 149 official samples were taken from eggs and egg products. These figures also include samples taken for dioxins, dioxin like Polychlorinated Biphenyls (PCBs) and non-dioxin like PCBs from free range and organic eggs (priority in the national coordinated sampling programme). 85% of the results were satisfactory. In 2014, out of 79 samples tested, all but one of the results were satisfactory.

78. The audit team saw evidence on several occasions in laying farms visited that EMIs took official samples at farm level for the Veterinary Medicines Directorate (an executive agency of Defra responsible for the assessment, issue and maintenance of all national marketing authorisations for veterinary medicines) under the National Surveillance Scheme for Residues in Eggs primary production.


**Controls on food additives**

80. The audit team noted in establishments visited that, where used, the use of food additives was in line with EU requirements.

81. The audit team noted in all egg packing centres visited that the ink used for marking eggs was approved for its use on food.
Conclusions on controls on health requirements for eggs and egg products

82. The control system in place includes official controls aimed at verifying FBO compliance with Regulation (EC) No 2073/2005 and the respect of analytical parameters laid down in Regulation (EC) No 853/2004. However, the effectiveness of the verification is weakened by some non-compliances, remaining undetected during CA controls. These non-compliances relate to the sampling programmes for microbiological criteria implemented by FBOs (sampling protocols/analytical methods used) and to the non-performance of some mandatory analytical tests.

83. The official control system in place also includes taking official samples for microbiological, chemical and residue analyses in order to guarantee the safety of eggs and egg products.

5.4.7 Controls on transport

Legal requirements


Findings

84. The LAs are the CAs responsible for official controls on food transport vehicles (e.g. tankers for liquid egg transport). The audit team was informed by the CCA that food transport vehicles must be registered as FBOs by the LA CAs, unless the vehicles used are owned by the approved establishment and fall in the scope of the approval of the establishment. The CAs carry out official controls on food transport vehicles owned by the FBO of establishments in their area. If an FBO uses a food transport vehicle owned by a third party (e.g. transport or logistics company) then the third party must register the vehicle with their local CA, who is responsible for its official control.

85. In the case of the liquid egg processing establishments visited, the CCA confirmed that vehicles used were owned by the approved establishment and within the scope of the LA CA approval. Although the audit team requested the CCA to show evidence of official controls carried out on transport vehicles (i.e. tankers for liquid egg transport), no documentary evidence was provided to the team.

Conclusions on controls on transport

86. No documented evidence of official controls carried out on vehicles transporting eggs or egg products, was provided to the audit team calling into question guarantees that means of transport used for eggs and egg products are under adequate official control in order to ensure they meet the relevant EU requirements.
5.4.8 Controls on imports

Legal requirements


Article 1 of Directive 97/78/EC.


Findings

87. The CCA informed the audit team that no imports of Class B eggs from third countries have occurred during recent years.

5.4.9 Controls on Identification marking – Traceability - Labelling

Legal requirements


Regulation (EU) No 1169/2011, in particular Article 3, Chapter III, Sections 1 and 2 of Chapter IV and Chapter VI.

Findings

Identification marking

88. An identification mark is applied to the documentation accompanying bulk liquid egg. However, in two establishments visited the marks used were not oval in shape. This is not fully in line with Part C.12, Section I of Annex II to Regulation (EC) No 853/2004.

89. Although identification marking was under regular official control, the CA had not detected or recorded this shortcoming.

Traceability

90. During the course of the audit, the audit team selected three boxes of hen eggs (one organic, one free range and one enriched cages) and one case of duck eggs in a retail establishment visited. The CA was asked to trace back these samples to the farms of origin and provide the audit team with supporting documentation related to each step of the trace-back.

91. The CAs were able to provide comprehensive dossiers for successful tracing back along the entire chain to the laying farms concerned After review, the audit team could
confirm the links between the different steps and qualitative tracing. The CAs provided also supporting documents in relation to the production method indicated on the label.

92. In all establishments visited the audit team noted that traceability systems were in place and were subject to regular official controls. In all establishments visited the FBOs were requested by the audit team to demonstrate the implementation of these systems which were satisfactory in all cases.

93. In one of the liquid egg plants visited the audit team selected a consignment of unpasteurised liquid egg and reviewed the related documentation. Following this, the audit team visited the establishment to which the liquid egg had been sent to verify the accuracy of the information contained in this documentation and the appropriate treatment of the liquid egg concerned. The documents proved reliable and the liquid egg was treated within the 48 hour mandatory timeframe.

94. In the egg collector visited the audit team saw documentary evidence that in 2014 during an avian flu outbreak in the area, APHA successfully traced back all the eggs collected/distributed by this establishment.

**Labelling**

95. The audit team gathered evidence in the establishments visited that the labels applied by the FBOs on the final products indicated the correct information related to the production method in use on the farm of origin.

96. In one of the two establishments visited producing unpasteurised liquid egg, the audit team noted that the label applied to the product to be dispatched for further processing indicated the temperature at which the product should be maintained (i.e. 4 °C) but there was no indication of the period during which, conservation may be assured. This is not in compliance with Part V.1, Chapter II, Section X of Annex III to Regulation (EC) No 853/2004.

97. The audit team was informed by the CA that this shortcoming had not been identified during official controls and therefore not recorded in the inspection reports.

98. Nevertheless, in both liquid egg plants visited, the labels were in compliance with the requirements of Part V.2, Chapter II, Section X of Annex III to Regulation (EC) No 853/2004 as they bore the words "non-pasteurised liquid egg – to be treated at place of destination" and indicated the date and hour of breaking.
Conclusions on Identification marking – Traceability - Labelling

99. Official controls were generally adequate in relation to traceability and labelling of eggs. However, there are weaknesses in CAs' controls to detect non-compliances related to identification marking and labelling of unpasteurised liquid egg.

5.5 Official Laboratories

Legal requirements

Article 15 of Directive 96/23/EC, Article 1 of Decision 97/747/EC and Article 1 of Decision 98/179/EC.

Findings

100. The audit team visited two official laboratories performing microbiological analyses on official samples.

101. Public Health England Food, Water and Environmental Microbiology Laboratory undertakes tasks associated with NRL functions for Salmonella, E.coli, Listeria monocytogenes, Campylobacter, Staphylococci and Anti-Microbial Resistance. The audit team noted that there is a clear separation between the functions as official laboratory and NRL concerning staff and facilities.

102. Accreditation according to ISO 17025 had been granted by UKAS. The audit team noted that the methods used in both laboratories are under their scopes of accreditation. The laboratories are annually audited by UKAS to verify whether the conditions for accreditation are being maintained. The reports of these audits were available. When non-compliances were detected, corrective actions were taken by the laboratories.

103. The audit team reviewed the documents related to participation by the laboratories in proficiency tests for microbiological parameters and noted that the results were satisfactory. The audit team also noted that the NRL regularly participates in proficiency tests organised by EU Reference Laboratories with satisfactory results.

104. The audit team was informed that the NRL provides assistance to other official laboratories in case of need and also carries out audits on them every three years. The last audit was in 2013.

105. The CA showed evidence to the audit team that training relevant for the tasks to be carried out by the laboratory staff had been provided.
106. In addition, the audit team visited the Public Analyst Scientific Services (PASS) Limited which is a provider of public and agricultural analyst services to LAs in the UK. Their laboratories (designated by the CCA) carry out chemical analyses from official samples taken by the LAs. These analyses include dioxins, PCBs, non-dioxin-like PCBs and heavy metals.

107. The audit team noted that not all of these official analyses are carried out in laboratories within the UK but outsourced by PASS to laboratories (accredited to ISO 17025 and also audited by PASS) located in other Member States.

108. PASS provided the audit team with a summary of analyses data on food samples tested in the UK between 1 December 2013 and 29 December 2014 ("Sample Planning Report 2015").

109. The report is designed to be used by LA enforcement officers to assist in planning their targeted sampling for 2015-16. The report highlights areas where gaps in sampling were present. Concerning eggs and egg products it recommends for the LAs that more frequent sampling should be carried out during the forthcoming years as less than 1% of total samples were made up from eggs and egg products during the period covered by the report.

110. The audit team was informed that in 2014 only 12 official samples related to eggs or egg products were analysed in PASS laboratories.

111. More detailed information can be found on the networks of official laboratories in the UK country profile (see also paragraph 10 of this report).

<table>
<thead>
<tr>
<th>Conclusions on official laboratories</th>
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<tbody>
<tr>
<td>112. Laboratories designated by the CA to perform official analyses of eggs and egg products are in compliance with the requirements laid down in Articles 11 and 12 of Regulation (EC) No 882/2004 and should therefore be able to provide reliable results.</td>
</tr>
</tbody>
</table>

### 5.6 Rapid Alert System for Food and Feed (RASFF)

#### Legal requirements


#### Findings

113. There have been no RASFF notifications linked to eggs or egg products from the UK in the past three years.
6 **Overall Conclusions**

The official control system in place meets the main elements of Regulation (EC) No 882/2004. It includes regular and risk based controls, covering all stages of production and placing on the market of eggs and egg products. However, there are no guarantees that means of transport used for eggs and egg products are under official control, as no documented evidence of official controls carried out on such vehicles was provided by the CCA.

In the areas where the LAs are responsible for official controls, in particular in liquid egg and egg products establishments, there are weaknesses as regards: approval of establishments, respecting inspection frequency, detection and follow-up of non-compliances during official controls, verification of FBO compliance with microbiological/analytical criteria, identification marking and labelling of unpasteurised liquid egg.

The official control system is supported by a network of official laboratories which meet EU requirements and can provide guarantees concerning the reliability of results.

Concerning traceability and labelling of eggs (including the method of production i.e. free range/organic) the official controls have ensured compliance with the relevant EU legislation.

7 **Closing Meeting**

During the closing meeting held in Cardiff on 13 March 2015, the audit team presented the main findings and preliminary conclusions of the audit to the CAs.

During this meeting, the CCA acknowledged the findings and conclusions presented.
## 8 Recommendations

<table>
<thead>
<tr>
<th>No.</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>1.</td>
<td>The CCA should ensure that egg products establishments are approved for the activities they actually carry out, that approval is kept under review and that the list of approved establishments is kept up to date in order to comply with the requirements of Article 31 (2)(c), (e) and (f) of Regulation (EC) No 882/2004. Recommendation based on conclusion: No 30. Associated findings: Nos 27 and 28.</td>
</tr>
<tr>
<td>2.</td>
<td>The CCA should ensure that official controls at egg products establishments are carried out at the frequency established based on risk analysis, in line with Article 3 Point 1 of Regulation (EC) No 882/2004 and that enforcement actions are taken when non-compliances are detected, in order to meet the requirements of Article 54 of Regulation (EC) No 882/2004. Recommendation based on conclusion: No 42. Associated findings: Nos 65 and 66.</td>
</tr>
<tr>
<td>3.</td>
<td>The CCA should ensure that establishments producing egg products meet the relevant structural and hygiene requirements (in particular Annex II to Regulation (EC) No 852/2004) and that the provisions included in the HACCP plans in liquid egg plants are in compliance with Part III. 7, Chapter II, Section X of Annex III to Regulation (EC) No 853/2004. Recommendation based on conclusions: No 70. Associated findings: Nos 67, 68 and 69.</td>
</tr>
<tr>
<td>4.</td>
<td>The CCA should ensure that own-check sampling programmes implemented by FBOs comply with Article 5 of Regulation (EC) No 2073/2005, in particular the sampling protocols and test methods described in Annex I to this Regulation have to be used. Recommendation based on conclusion: No 82. Associated finding: No 73.</td>
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<tr>
<td>5.</td>
<td>The CCA should ensure that FBOs comply with Article 3(1) of Regulation (EC) No 853/2004, in particular concerning the requirements established in Part IV (1) and (2) of Chapter II, Section X of Annex III to this Regulation on analytical specifications, in order to fulfil the requirement of Article 4(2)(a) of</td>
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<td>No.</td>
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| 6.  | The CCA should carry-out official controls on vehicles transporting eggs or egg products for verification of FBOs' compliance with Article 4(2) of Regulation (EC) No 852/2004, in particular with the provisions in Chapter IV of its Annex II, in order to meet the requirement of Article 4(2)(a) of Regulation (EC) No 854/2004.  
Recommendation based on conclusion: No 86.  
Associated finding: No 85. |
| 7.  | The CCA should ensure that official controls on the application of the identification mark fulfil all the requirements of Part C.12, Section I of Annex II to Regulation (EC) No 853/2004, in particular regarding the application of the mark on the accompanying documentation of liquid egg in bulk.  
Recommendation based on conclusion: No 99.  
Associated finding: No 88. |
| 8.  | The CCA should ensure that unpasteurised liquid egg destined for use as an ingredient in the manufacture of another product is properly labelled, in particular the period during which, conservation may be assured should be indicated on the label, in compliance with the requirements of Part V.1, Chapter II, Section X of Annex III to Regulation (EC) No 853/2004.  
Recommendation based on conclusion: No 99.  
Associated finding: No 96. |

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

<table>
<thead>
<tr>
<th>Legal Reference</th>
<th>Official Journal</th>
<th>Title</th>
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<tbody>
<tr>
<td>Regulation</td>
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<td>Description</td>
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<td>798/2008</td>
<td>226</td>
<td>23.8.2008, p. 1-94</td>
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