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FINAL REPORT OF A MISSION  
CARRIED OUT IN  
MEXICO  
FROM 04 SEPTEMBER TO 11 SEPTEMBER 2008  
IN ORDER TO  
EVALUATE PUBLIC HEALTH CONTROL SYSTEMS AND CERTIFICATION  
PROCEDURES OVER PRODUCTION OF HORSE MEAT INTENDED FOR  
EXPORT TO THE EU

### ***Executive Summary***

*This mission was the first carried out to Mexico since 2001 in order to evaluate the system of public health controls and the certification conditions of the production of red meat, and specifically of horse meat.*

*The SENASICA (National Service of Food Quality and Safety) under the Secretariat of Agriculture, Livestock, Fisheries and Food has been designated as the Competent Authority (CA) responsible for the evaluated sector and has the necessary legal powers to carry out effective supervision and to impose sanctions in case of non compliance. No problems of staffing were detected.*

*The national legislation provides similar guarantees to Community legislation with regard to structural and hygienic requirements of establishments, Food Business Operators' (FBO) obligations and animal welfare at slaughter, but differs for some, for example, the parameters of potable water, microbiological testing and post-mortem examination, while no provisions are in place with regard to certification.*

*Currently there is no procedure in place to verify that establishments requesting authorisation to export are in line with Community requirements, nor is there a system in place to specifically approve establishments for export to the EU.*

*Supervision is carried out by official veterinarians for daily inspection and by State Supervisors for monthly auditing/supervision. However, effectiveness of such supervision is jeopardised by the limited knowledge of EU legislation at all levels, the absence of instructions and guidelines and by the ineffectiveness of the training provided.*

*The establishments visited were reasonably maintained and complied with EU requirements, with some shortcomings with regard to microbiological checks of production process, potable water controls and, in one establishment not yet exporting, traceability.*

*In-house laboratories for Trichinella detection have not been audited for many years until just before the FVO mission or undergone proficiency tests, and their staff in many cases have not received training in recent times. The method used for the detection of Trichinella was as laid down in Commission Regulation (EC) No 2075/2005, however, not correctly implemented.*

*The certifying officials are not fully aware of the significance of the contents of the certificate they sign, which could lead to export of meat that does not comply with the requirements set out in the relevant certificate as laid down in Council Decision 79/542/EEC.*

*Although the establishments visited could generally be considered to be in compliance with Community requirements, the system of official controls is not sufficient to guarantee that the EU standards are always met.*

*No immediate risk for animal or human health was identified; however, several recommendations have been made to the Mexican CAs.*

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## ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
AO	Animal Origin (product of AO)
AV	Authorised Veterinarian
CA(s)	Competent Authority (ies)
CCA	Central Competent Authority (SENASICA - <i>Servicio Nacional de Sanidad, Inocuidad y Calidad Agroalimentaria</i> )
CP	Cutting Plant
DG	General Directorate of the CCA
EU	European Union
FBO	Food Business Operator
FVO	Food and Veterinary Office
HACCP	Hazard Analysis and Critical Control Points
NOM	<i>Norma Oficial Mexicana</i> (National legislation)
NRL	National Reference Laboratory
OIC	<i>Organo Interno de Control</i> (Internal Control Unit for internal audits)
OIE	World Organisation for Animal Health
OISA	<i>Oficina de Inspeccion sanitaria Agropecuaria</i> (Border Inspection Office)
OV	Official Veterinarian
SAGARPA	<i>Secretaria de Agricultura, Ganaderia, Desarrollo Rural, Pesca y Alimentacion</i> (the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food)
SH	Slaughterhouse
SS	State Supervisor
TIF	<i>Tipo Inspección Federal</i> (Food processing establishment with industrial capacity and approved for export)
USA	United States of America

## 1 INTRODUCTION

The mission took place in Mexico from 4 to 11 September 2008, as part of the planned mission programme of the Food and Veterinary Office (FVO). The mission team comprised two FVO inspectors and was accompanied during the whole mission by representatives from the central competent authority (CCA), the National Service for Health, Food Safety and Food Quality (*Servicio Nacional de Sanidad, Inocuidad y Calidad Agroalimentaria* – SENASICA) under the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food (*Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación* – SAGARPA).

The mission itinerary in pursuit of the mission's objectives included the following:

Competent authorities			Comments
Competent authorities	Central	3	Opening and closing meeting, and one intermediate meeting
	State	1	State Supervisor
	Local	√	Official veterinarians met during the visits in the establishments
<b>Food production/processing / distribution - Activities</b>			
Slaughterhouses		3	
Cutting plants		3	Attached to the slaughterhouses
Border Inspection Office - <i>OISA</i>		1	

At the opening meeting, the objectives, itinerary, and reporting procedures were confirmed, and information complementary to that received in the course of the preparation of the mission was requested by the mission team.

## 2 OBJECTIVES OF THE MISSION

The objectives of the mission were the evaluation of:

- the competent authorities control system (central, regional and local)
- the controls in place over the production of horse meat (FBOs' compliance with general and specific rules on the hygiene of food of animal origin)
- the public health laboratory network, including the in-house facilities for *Trichinella* examination
- the official controls over animal welfare at the time of slaughter and killing
- the system in place for certification of horse meat intended for export to EU.

### **3 LEGAL BASIS FOR THE MISSION**

The mission was carried out under the provisions of Article 46 of Regulation (EC) No 882/2004 of the European Parliament and of the Council.

### **4 BACKGROUND**

The previous FVO mission to Mexico in order to evaluate the performance of the competent authorities in controlling the production of red fresh meat intended for export to EU was carried out in November 2001.

Following the FVO mission carried out in September 2005 to evaluate the control of residues and contaminants, special conditions for import of meat and meat products of equidae were laid down by Commission Decision 2006/27/EC: each consignment must be tested for the presence of certain residues when entering the EU. In February 2008 a new FVO mission was carried out to evaluate the control of residues and contaminants, and the report was published in the website of DG SANCO.

In the OJ L 261 of 30/09/2008 Commission Decision 2008/752/EC was published, amending model certificates set out by Decision 79/542/EEC intended to accompany consignments of fresh meat for export to EU; this Decision shall apply from 1 July 2008. However, by way of derogation, consignments for which veterinary certificates were issued in accordance with the models established by Decision 79/542/EEC before the amendments introduced by Decision 2008/752/EC and with an issue date prior to 31 December 2008, shall be accepted for import into the Community.

Two establishments are currently exporting horse meat to the EU; a third one was added to the list of approved establishments with effect from 9th September 2008, and was at the time of the mission not yet exporting.

### **5 MAIN FINDINGS**

#### **5.1 COMPETENT AUTHORITIES**

### 5.1.1 Designation of competent authorities and operational criteria

The SENASICA is the decentralised body of SAGARPA which is designated as a CCA: the central level is divided into a Head Directorate and into 6 General Directorates (DGs). Relevant for the official controls over the production and certification of horse meat are:

- DG of Agrifood, Aquaculture and Fishery Safety is responsible for supervision in food processing establishments approved for export: it has 25 staff at central level, one SS in each State of the Union and one in the specialised agricultural region denominated *Comarca Lagunera*. Within the DG the Directorate of Establishments TIF (*Tipo Inspección Federal - TIF*) is especially in charge of supervision of exporting TIF establishments
- DG Animal Health is responsible for animal health issues, for setting the model of export certificate for live animals and products of animal origin (AO) and for the training of veterinary practitioners and their approval to perform official tasks
- DG of Phyto-zoosanitary Inspection, responsible for controls on imports and exports, both of live animals and products of AO: it has offices for the inspection of animal and plant health (*Oficinas de Inspección Sanitaria Agropecuaria - OISA*) at the borders, which shall perform physical and documentary checks on incoming consignments
- DG Legal is responsible for sanctions (suspension or withdrawal of approvals) in case of the persistence of non compliances

In addition, an internal audit unit (OIC – *Organo Interno de Control*) is responsible for internal audits over the activities of the CAs.

Within the CAs, 3 professional grades are foreseen in the national legislation:

- State Supervisor (SS), hosted by the offices of the SAGARPA Delegation in each State of the Mexican Federation, are in charge of the supervision and audit of the TIF establishments
- Official Veterinarians (OVs) who, in teams led by a responsible OV, ensure the daily inspection and audit tasks in the TIF establishments. They may sign export certificates
- Authorised Veterinarians (AVs), who are approved for some official tasks (certification for animal movements within the country, official tasks in animal health field, etc.) by SAGARPA, and act, paid by the FBOs, as auxiliary staff in TIF establishments. They cannot issue export certificates.

#### Observations

- according to the national legislation, SENASICA has been clearly designated as the only CA; in the TIF establishments visited supervision of SENASICA staff was documented



- at the time of the mission, there were no AVs carrying out official tasks in the TIF establishments visited
- in the States of Zacatecas and Aguascalientes one SS is currently performing supervision on TIF establishments located in both States.

### 5.1.2 *Legal powers*

#### Observations

- according to the national legislation (Articles 109 and 110 of the Federal Law on Animal Health) CAs have the right to enter the premises at any time for inspections, verification, certification and sampling purposes; the FBO are obliged to co-operate.

### 5.1.3 *Audits of competent authorities*

Three levels of auditing are foreseen in the national legislation: the highest one is the Federal Audit, carried out by staff of the Federal Government 1-2 times per year on the fiscal budget and the compliance of activities.

The second level is performed by SAGARPA, and the third one is the *OIC*, which is independent of the CCA.

#### Observations

- the *OIC* establishes an annual programme of audits covering almost all activities of SENASICA (TIF establishments, plant health, administration, import/export controls, etc.) and the CCA stated that it also identifies specific risk areas for audits (fight against corruption, transparency, specific improvements). It was stated that 2-3 audits per year have been carried out at random, to which other targeted audits (e.g. following information from citizens, or for follow-up) can be added
- deficiencies detected by *OIC* related to a lack of a specific programme of inspections of TIF establishments by the CCA and delays in implementation of follow-up measures. Some of the deficiencies noted during the previous audits were still present at the time of the last audit in 2007, and the intervention of the Head Directorate was requested in order to speed up the process
- the last Federal Audit was carried out in 2007 on the implementation of the programme of financial support to farmers for slaughtering bovines in TIF plants.

### 5.1.4 *Staff performing official controls*

Two different systems of recruitment of staff are in place: in addition to the normal procedure for recruitment of statutory staff following a competition, a faster procedure for recruitment of temporary personnel (6 months renewable) was introduced in 2008.

Both staff must attend an induction course at central level before starting professional activities within the Services.

#### Observations

- no shortage of staff was noted at the different levels of the CAs. Temporary staff is generally trained on-the-spot
- staff recruited under the normal scheme must undergo 40 hours of compulsory training per year, which may include in-house and on-line courses. Attendance of on-line training is free and no final tests or examinations are required
- there was evidence of training provided during 2008: it included a 3 day course for SS (on sampling, ethics, human and financial resources management, administrative procedures), a one week course for OVs (on contingency plans and, among others, exotic diseases such as African Horse Sickness) and a 3 day training course for OVs of TIF establishments (on slaughter and meat processing of ruminants)
- a course on EU legislation had been organised during 2008 and all the responsible OVs of horse TIF establishments attended. However, the OVs met did not know the EU requirements and Community legislation applicable to the production of horse meat.

#### *5.1.5 General obligations with regard to the organisation of official controls*

##### *5.1.5.1 Organisation, periodicity and frequency of the official controls*

There is a permanent presence of at least one OV in the TIF establishments. The SS must carry out at least one visit to each TIF establishment under his/her responsibility.

The CCA also performs audits to the TIF establishments.

#### Observations

- there are no criteria to establish the number of OVs that should be allocated to each establishment, nor to establish the frequency of visits from the central levels to the establishments. However, no shortage of official staff was noted in the establishments visited.

##### *5.1.5.2 Control and verification procedures*

A documentary system is in place to ensure that a given consignment of live horses imported for slaughter arrive at the slaughterhouse (SH) of destination: the OV of the SH must send monthly reports on consignments of imported live animals received at the OISA of entry. The OV responsible for Border Offices, in turn, must send a monthly report on issued import certificates to the CCA.

The OV at the meat processing establishment has to send to the CCA a copy of all export certificates issued, monthly summaries on *post-mortem* findings and data on the activities of the establishment.

#### Observations

- except for the reports of OIC, no other procedures are in place to verify the

effectiveness of the official controls carried out and to ensure that corrective actions are taken when needed

- no cross-checks are carried out at *OISA* on the feedback received from the TIF establishments: in one case, details of an import certificate for live horses appeared on the report from the SH to *OISA*, but not in the report from *OISA* to CCA. At the request of the mission team, a copy of such a certificate could be found in the archives of *OISA*
- the OV of one establishment visited was not sending any feedback to the *OISA* on imported consignments received
- there is no procedure in place at CCA level in order to verify the authenticity of issued export certificates, by means of cross-checks or other verification.

#### 5.1.5.3 *Procedures on control methods and techniques*

##### Observations

- there is a manual of procedures for the use of officials in the *OISAs*, describing how to check the incoming consignments
- there is no manual of procedures, instructions or guidelines on the control methods and techniques to be used by the OVs in the TIF horse establishments: the OVs carry out their task following the Law and Regulation on meat inspection of 1953, which is very general. The CCA stated that a manual for horse meat inspectors that was published on the web site of the CCA, was never made official nor was it distributed to the OVs
- no guidelines or instructions are available to evaluate the results of microbiological or physico-chemical tests on potable water, carcasses or contact surfaces, and to take the subsequent decisions.

#### 5.1.5.4 *Actions following official controls*

The Federal Law on Animal Health of 2007 establishes the amount of fines to be paid for non-compliances with the law, which are imposed by the Legal Department of the CCA.

The OV of the establishment can stop or restrict the production, and the head of the DG of Agrifood, Aquaculture and Fishery Safety can suspend or withdraw the approval, if serious shortcomings are identified in an establishment.

##### Observations

- deadlines for corrective actions were present in all the inspection reports seen in the establishments visited: the CA representatives stated that, in case of shortcomings regarding hygienic practices, corrective action is prescribed with immediate effect, while, in the case of structural problems, a period of up to 6 months can be granted. In case the deficiency is not solved within the prescribed deadline, it is possible to extend the deadline, if the shortcoming does not affect the safety of the products
- no written procedures or instructions on measures to be applied in case of

non-compliance are available to the OVs

- when non-compliances are identified, the OV categorises them according to their importance and their risk for the safety of the products (high or low); a deadline for their correction is set in agreement with the FBO
- deadlines set for the correction of deficiencies were respected in the reports seen.

#### 5.1.5.5 Reports

##### Observations

- a standardised template for reporting the findings of the visits and to list the deficiencies are used by SS and CCA inspectors. The FBO must sign the report and is provided with a copy
- standard forms were used to document pre-operational official checks.

## 5.2 NATIONAL LEGISLATION

Several national norms (*Normas Oficiales Mexicanas* - NOMs) have been issued to define general and specific structural and hygienic requirements for meat processing establishments with industrial capacity: the most relevant are NOM-008-ZOO-1994 and NOM-009-ZOO-1994. Animal welfare at slaughter is regulated by NOM-033-ZOO-1995. OM-127-SSA1-994, as amended, defines the parameters for potable water.

Official controls in EU exporting establishments are based on such national legislation.

##### Observations

- NOMs define requirements for meat processing establishments and animal welfare at stunning which are equivalent to the EU standards, while procedures for *post-mortem* examination differ from EU rules
- limits set in NOM-127-SSA1-1994 differ for several parameters from those in the Community legislation (Council Directive 98/83/EC): in particular, total coliforms (with a limit of 2 UFC/100 ml) are tested instead of Enterococci, and faecal coliforms (with a limit of 0 UFC/100 ml) instead of E.coli
- national legislation does not provide requirements for official certification
- Neither additional legislation nor administrative instruments are in place to ensure implementation of all EU requirements in the EU approved establishments.

## 5.3 ANIMAL HEALTH INFORMATION

Notification of several equine diseases (all equine encephalities, equine viral arteritis, dourine, African Horse Sickness, vesicular stomatitis and glanders) is compulsory in Mexico, according to the national rules.

The National System for Animal Health Emergencies was established in 1988, and was integrated in 2001 into the National System of Epidemiological Surveillance.

### Observations

- no diseases of former OIE list A have been recorded in Mexico. The last outbreak of vesicular stomatitis in equidae was registered in Mexico during 2006
- results of the epidemiological active surveillance carried out in 2007 have been provided to the mission team and are presented in the following table:

<b>Disease</b>	<b>Samples</b>	<b>Positive results</b>
Infectious Equine Anemia	2 057	45
Piroplasmosis	561	32
Anaplasmosis	31	9
West Nile Disease	1 605	660 (◇)
Glanders	192	0

(◇): without virus isolation.

## **5.4 HOLDING REGISTRATION, ANIMAL IDENTIFICATION AND INTERNAL MOVEMENT CONTROLS**

### *5.4.1 Holding registration*

There are no procedures or legal requirements for registration of any holding, horse owners or dealers at Federal or State level; hence there is no list of such premises.

### *5.4.2 Animal identification*

No federal legislation is in place for mandatory or voluntary identification of equidae intended for human consumption.

According to data provided by SAGARPA, the Mexican horse population accounted for 6 350 000 heads in 2007.

### Observations

- equidae of Mexican origin were often hot-branded, and the shape of brand, when existing, was reported in the accompanying documents. However, the fact that such a identification is not mandatory, tracing back to the farm of origin cannot be ensured
- equidae imported from the United States of America (USA) for slaughter were identified by a green label attached to the skin bearing a serial number and the logo of United States Department of Agriculture. In one establishment visited, in the framework of a private agreement between the FBO and its USA supplier, all horses were identified by an ear-tag with microchip
- the mission team was informed that the introduction of a pilot project for

identification of Mexican horses is planned for end of 2008 under an EU-Mexican project of co-operation (proTLcuem); it foresees the development of a central database (managed by SAGARPA) and the identification of the animals by microchips free of charge for the owners. It is planned to identify horses at the time of their first movement, sale, registration or import.

#### 5.4.3 Internal movement controls

All equidae moving within the country must be accompanied by a zoosanitary certificate and must be certified either as originating from an area free of ticks, or otherwise they have to undergo a specific treatment against ticks.

NOM-024-ZOO-1995 and NOM-051-ZOO-1995 regulate animal welfare issues during transport.

Imported horses intended for slaughter must travel directly to the SH of destination accompanied by an import certificate issued by the *OISA* of entry which is valid for 8 days.

### 5.5 IMPORT CONTROLS

The CCA stated that there were no imports of fresh meat from equidae.

An Agreement between SENASICA and the Customs administration has been published in the Official Journal, defining the respective competencies and responsibilities.

Movement controls of live horses imported from USA are carried out by SENASICA OVs at the *OISAs* of entry. The official document specifying the requirements for import of live horses intended for slaughter is available in the CCA's website and contains the list of authorised *OISAs*.

#### Observations

- the last version of the manual of procedures for inspection of imported live animals at the point of entry was available to the staff of the *OISA* visited: it specifies that the requirements for import listed in the official document (animal health certificate issued by the USA OV, identity of animals and their number, indication of route and SH of destination and documented evidence of cleaning and disinfection of the truck) have to be checked.
- the procedure described was followed when controls were performed. The physical checks on incoming animals were performed at premises approved by SAGARPA in the USA Customs area, which could not be visited by the mission team. When some animals or the whole consignment does not meet the requirements, they could be easily rejected before crossing the border. Once the consignment has been accepted for import, the truck is sealed and the seal number appears on the import certificate issued by *OISA*, electronically numbered and signed. Only the OVs of the SH of destination are authorised to break the seals.

### 5.6 OFFICIAL CERTIFICATION

No written procedures or instructions are in place for official certification.

A computerised system for the issuing of export certificates is in place for some commodities but not for horse meat. This allows the CCA to withdraw the authorisation given to the certifying officers to sign the documents directly from central level.

The model certificate in use for export of horse meat is provided by the *DGSA* of the CCA which also distributes the paper with security features to the requesting officials.

### Observations

- certificates for export of horse meat to EU are not issued through the computerised system, but are still printed and issued in paper form by each OV. The export certificate is sent as an annex to the internal Mexican certificate, which is issued on numbered paper with security features.
- certifying officers met had no knowledge of the basic principles of official certification as laid down in Council Directive 96/93/EC and, in general, of the applicable relevant Community legislation; consequently they did not know what they had to verify before issuing the export certificate and did not understand the significance of the certified statements
- different models of certificates for export to EU were in use in the establishments visited. They mainly differed in languages: one model was provided in English, Spanish and French, whilst another was in English only. In this latter case, the certifying officer issued certificates in English language only, although he had no knowledge of this language
- the origin of the horses whose meat was exported was certified sometimes as of Mexican origin or of USA origin, whereas the true origin of the horse consignment was a mix of both
- the certifying officers did not have, in the majority of the cases seen, any supporting documentation regarding the certified consignments at the moment of certification, contrary to provisions laid down in Directive 96/93/EC: the sworn statement regarding 3 months residence and medical treatment requirements (see 5.9.) was not available to the OV in the two exporting establishments
- data about the consignments (packing list) was documented in one establishment only, but referring only to type of cuts and their weight
- in the establishments currently exporting horse meat to the EU, no link existed between the consignments and the certificates (e.g. cutting production date, batch number, container's seal)
- official controls do not include checks on traceability and reconciliation of amounts of meat produced in, and exported from, the establishments, in order to verify that only EU eligible meat could be certified for export.

## **5.7 APPLICATION OF HYGIENE RULES AT ESTABLISHMENT LEVEL**

### *5.7.1 Food business operators' obligations*

The FBOs visited were generally aware of their obligations.

#### *5.7.1.1 General hygiene requirements*

##### Observations

- the structure of the establishments visited met the general structural and hygiene requirements as laid down in Regulation (EC) No 852/2004 of the European Parliament and of the Council, Annex II. Shortcomings were noted, in relation to maintenance of structures and handling of animal by-products in containers indistinguishable from those used for meat intended for human consumption
- the layout and equipment of the establishments visited generally met the hygiene requirements set in Regulation (EC) No 852/2004 and Regulation (EC) No 853/2004 of the European Parliament and of the Council, Annex III. In one establishment the layout foreseen for the cleaning and disinfection of crates was not suitable (only one room and one entry/exit for dirty and clean equipment).

#### *5.7.1.2 Specific requirements*

##### Observations

- one of the cutting plants (CP) visited was not fully in operation; the cutting performed was aimed to train the staff and the equipment was not properly adjusted (e.g. the gap at the end of the conveyor belt for cut meat was too wide and many pieces of meat dropped onto the floor).

#### *5.7.1.3 HACCP-based systems and pre-requisite programmes*

Implementation of HACCP-based systems and pre-requisite programmes are required by the CCA to grant TIF approval.

##### Observations

- all the establishments visited had pre-requisite programmes and HACCP-based systems in place. Critical control points had been identified and monitoring activities were described and followed. However, one FBO did not indicate in its manual the corrective actions in case of visible faecal contamination of carcasses
- some problems were detected in the potable water controls: the limits established for free chlorine were beyond the legal Mexican requirements and the EU limits in two establishments and unclear in the third
- frequently, no corrective actions were implemented when the values exceeded the set limits. In one establishment, when the microbiological limits for contamination of water with coliforms were reached, no evidence of the 3 consecutive days of sampling (required for monitoring of corrective action) was provided
- in another establishment the water samples for microbiological analyses were taken before chlorination, and the results were compared against the legal national requirements, which require sampling after chlorination



- according to national legislation and differing from EU requirements (Directive 98/83/EC), water has to be tested for total and faecal coliforms; many of the laboratory test reports did not express the results according to applicable legislation (e.g. they indicated "<2 UFC" instead of "absence or not-detectable")
- two out of 3 establishments carried out microbiological testing on carcasses and working surfaces. However, there were no analyses of the trends, contrary to the requirements of Art. 9 of Commission Regulation (EC) No 2073/2005, and in one of them they did not include checks on *Salmonella*
- the third establishment (recently approved for export) was only slaughtering a small number of animals for training purposes: no microbiological testing of carcasses has been carried out, and the testing regime foreseen was not in line with Regulation (EC) No 2073/2005
- in one establishment, in case of visible faecal contamination of the carcasses the corrective action indicated in the procedures was washing, trimming and application of steam for 30 seconds, contrary to requirements of Annex I, Section II, Chapter V, Point 1.s. of Regulation (EC) No 854/2004 of the European Parliament and of the Council, according which meat showing faecal contamination shall be declared unfit for human consumption (and consequently trimmed before any other treatment takes place).

#### 5.7.1.4 Health and identification marking

##### Observations

- the health marks used on the carcasses had different shapes in the establishments visited (round in one, square in the other). The CCA indicated that both were adequate according to 2 different national rules
- the green ink used for health marking was approved for use in food by the national legislation; however, it was not included in those approved by the European Parliament and Council Directive 94/36/EC
- health marking was illegible on several carcasses in one establishment
- in one establishment, the carcasses seen did not bear any health mark; the OV stated it was a mistake and then stamped them at the entrance of cutting room
- in two establishments visited the carton boxes seen, intended for export to EU, were identified: they bear 2 official stickers with an oval shaped identification mark with the approval number of the establishment and the name of the country. The individually wrapped meat cuts bear an oval identification mark in one establishment and a round one in the other. The third establishment, which had not yet exported to the Community, could not show the models of labelling that would be used in the case of export.

#### 5.7.1.5 Traceability

##### Observations

- internal traceability was checked in the 3 establishments visited. In 2 cases, the records and procedures were clear and allowed to trace from the final product to the date of slaughter and a group of suppliers. In the third establishment it was possible to trace back from the final product to the supplier, but several changes occurred in the last months and the final procedures and records were not yet definitely decided.

#### *5.7.1.6 EU eligibility of live animals and their products*

##### Observations:

- all the establishments approved for export to EU stated that they received only EU eligible animals and produced only EU eligible meat
- in order to minimise the risk of residues in the meat, and to comply with EU legislation, the 3 approved horse SHs have an agreement with their suppliers: they can accept only live animals accompanied by a sworn statement of the seller about medical treatments and 3 months residence requirements. The model of declaration was set by each FBO and there were small differences in their contents. The CAs are not involved in the control of such a system.

## **5.8 OFFICIAL CONTROLS AT ESTABLISHMENTS ESTABLISHMENT LEVEL**

### *5.8.1 Approval of establishments*

TIF establishments are the only establishments allowed to slaughter, in addition to animals of Mexican origin, also imported live animals and to export fresh and processed meat.

A procedure for their approval has been published in the Official Journal of the Mexican Federation following the requirements laid down in national legislation. The FBO has to present the documentation to the CCA for verification of its compliance with national requirements.

##### Observations

- no specific procedure exists for approval of establishments which intend to export to countries such as the EU, where standards differ from the Mexican national standards
- the third establishment visited was recently approved by the CCA as in line with Community requirements. However, it was not in line with EU standards (e.g. traceability, potable water analyses, microbiological testing of carcasses and HACCP-based systems)
- the FBOs met stated that compliance with the EU requirements was generally verified by audits from their European counterparts, or by private consultants. Only very limited information and guidance was offered by the CAs to the FBOs on how to fulfil EU requirements.

### *5.8.2 Official audit tasks in establishments*

#### *5.8.2.1 Audits of good hygiene practices and HACCP-based systems*

##### Observations

- some of the Good Hygiene Practices and pre-operative checks carried out by the FBOs are controlled during the daily supervision carried out by the OVs and during the monthly visits performed by the SS
- official supervision in establishments did not include audits of the HACCP-based systems implemented: there is no system in place to check the documentation of the programmes or the records kept by the FBO (water analyses, microbiological testing of carcasses and surfaces, etc.)
- in one establishment, the official control of free chlorine in water showed continuous compliance with national legislation, when in the same period the records of the FBO were non-compliant. This discrepancy was not identified by the OV who did not investigate the possible origin of the problem
- none of the OVs, SS and CCA representatives met during the visits was able to evaluate the compliance of water testing with the national or EU rules or to verify that microbiological testing of carcasses was in line with EU requirements.

#### *5.8.2.2 Controls over the application of health or identification mark*

##### Observations

- there were no controls over the application of the health or identification mark, as OVs in the establishments did not know the relevant EU requirements
- in one establishment half carcasses stored in the chilling room and ready to be brought into the cutting room were not health marked. The OV did not identify this as a problem.

#### *5.8.2.3 Verification of traceability requirements*

##### Observations

- the official controls in establishments did not include verification of traceability of meat or reconciliation checks between animals slaughtered and quantities of meat produced, stored and dispatched, in order to verify that only EU eligible meat could be certified.

#### *5.8.3 Official inspection tasks in establishments*

Daily pre-operational checks on hygiene and structure are foreseen in the TIF establishments.

##### Observations

- records on pre-operational checks were present in all establishments visited and their results were communicated to the FBO. Production was not allowed to start until the hygienic deficiencies (e.g. poor cleaning) were corrected. Small problems

of structural maintenance were often not recorded.

#### 5.8.3.1 *Ante-mortem inspection*

*Ante-mortem* inspection shall be performed at arrival of live animals and on the day of slaughter. Random checks are also performed on live animals during their stay in the lairage.

##### Observations

- records were kept of results of *ante-mortem* inspections performed the day of slaughter and, when problems are detected (e.g. broken limb, suspicion of melanosis in grey or white horses, etc.) an individual card was issued where the results of *ante-* and *post-mortem* inspections are noted
- in one establishment most of the horses seen were emaciated and an abnormal death rate (10-20 per month, 1.5% of incoming animals) of horses during their stay in the lairage was noted. No particular investigation was carried out and no corrective actions were requested by the OV, in order to certify the Point 11 of the relevant export certificate set out in Decision 79/542/EEC.

#### 5.8.3.2 *Post-mortem inspection*

In TIF establishments *post-mortem* inspection shall be carried out according to the Law and Regulation on meat inspection of 1953 and NOM-009-ZOO-1994.

##### Observations

- with one exception, *post-mortem* inspection was performed adequately and in line with the requirements of Regulation (EC) No 854/2004
- in one establishment the OV was not aware of the procedure used by the FBO to identify carcasses of white or grey horses, for detection of melanosis. The procedure for inspection of such carcasses did not include the incision through the kidneys contrary to the requirements of Regulation (EC) No 854/2004, Annex I, Section IV, Chapter III.13. In the other 2 establishments, the kidneys of all animals were systematically cut.

#### 5.8.3.3 *Trichinella examination*

All carcasses must be submitted to *Trichinella* examination by digestion method and in-house laboratories must be approved and supervised by the National Reference Laboratory (NRL).

##### Observations

- trichina examination was performed by the magnetic stirrer method for pooled sample digestion. However, the mesh size of the sieves used was 177 microns in 2 establishments and 187 microns in the third one, instead of 180 microns as prescribed by Regulation (EC) No 2075/2005. The 3 in-house laboratories visited did not have the equipment to examine the samples between 80 and 100 times magnifications in case of suspicion, as required

- records were kept of all pools analysed, their results and the amount of pepsin and hydro chloridric acid solution used. In one laboratory, up to 23 samples (115 g) were pooled, contrary to Annex III (c) to Regulation (EC) No 2075/2005
- in 2 laboratories analyses were performed by OVs, and in the third one they were performed by trained staff of the FBO, under the supervision of the OV
- in one case, the OV in charge of *Trichinella* examination was trained in 1997, while in another establishment the training was delivered 2005, and in the third establishment FBO staff were trained in June 2008
- it was stated by representatives of the CAs that the staff of the NRL had not audited the in-house laboratories between 2003 and September 2008
- no proficiency tests have been carried out by the NRL on the in-house laboratories since 2002-2003.

#### 5.8.3.4 *Animal welfare at the time of slaughter or killing*

The check list for the monthly visits carried out by the SS includes a point regarding the check of animal welfare at the time of slaughter.

#### Observations

- the stunning of animals was correctly performed in all establishments. Spare stunning equipment was available and ready to be used in all establishments visited
- the FBO kept detailed records on maintenance performed on the stunning equipment (captive bolt pistols). However, the official controls did not include their check
- poor welfare conditions were noted in the lairage (see 5.8.3.1).

## 6 CONCLUSIONS

### 6.1 COMPETENT AUTHORITIES

The CAs performing official controls over the production of meat from equidae are clearly designated and have the legal powers and the necessary staff to carry out the controls.

The official controls carried out over the establishments approved for export to the EU cannot offer equivalent guarantees to those foreseen by Regulation (EC) No 882/2004 and Regulation (EC) No 854/2004, which seriously limits the effectiveness of the controls to ensure compliance with EU requirements.

### 6.2 NATIONAL LEGISLATION

National legislation provides for similar guarantees to Community legislation with regard to structural requirements of premises and animal welfare; however, some differences

were noted with regard to other EU requirements, e.g. for potable water parameters and *post-mortem* examination.

No additional legislation or procedures are in place to ensure that all relevant EU requirements, as certified in Point 9.1 of the export certificate, are complied with (e.g. microbiological testing according to Regulation (EC) No 2073/2005).

### **6.3 ANIMAL HEALTH INFORMATION**

No cases of OIE list A diseases in equidae (relevant to certify Point 10.3 of the export certificate) have recently been recorded in Mexico.

### **6.4 HOLDING REGISTRATION, ANIMAL IDENTIFICATION AND MOVEMENT CONTROLS**

The absence of registration of animal holdings and the fact that identification of equine is not mandatory within the country do not offer the guarantees certified at point 10.2 of the relevant export certificate: therefore, traceability of live animals and consequent verifiability of the sworn statement signed by the last owner cannot be ensured.

### **6.5 IMPORT CONTROLS**

Controls on imported live horses intended for slaughter are carried out as described and according to national legislation, and include identity and documentary checks equivalent to those foreseen in the Community legislation.

### **6.6 OFFICIAL CERTIFICATION**

Official certification of meat from equidae from Mexico is not fully reliable due to the certifying officials' lack of knowledge of the EU legislation as regards the production of horse meat and of the rules to be followed for drawing up and issuing the certificates. There is also a lack of knowledge of the nature and extent of the enquiries and examination which should be carried out before certification according to Directive 96/93/EC.

The certifying officials are not fully aware of the significance of the contents of the certificate they sign, which could lead to export of meat that does not comply with the requirements set out in the relevant certificate as laid down in Decision 79/542/EEC.

### **6.7 APPLICATION OF HYGIENE RULES AT ESTABLISHMENT LEVEL**

Establishments and FBOs generally comply with national structural, hygiene and animal welfare requirements, offering equivalent guarantees to those laid down in Community legislation. However, microbiological testing programmes and HACCP-based systems were not implemented according to Regulation (EC) No 2073/2005 and Regulation (EC) No 852/2004, and do not provide equivalent guarantees to the requirements set in Community law as stated in Part 9.1 of the relevant export certificate.

## **6.8 OFFICIAL CONTROLS AT ESTABLISHMENTS LEVEL**

Approval procedures for establishments are established on national requirements and do not take into account EU requirements; the current system in place cannot ensure that only establishments in line with the relevant Community legislation according to Article 12 of Regulation (EC) No 854/2004 are approved for export of fresh meat to the EU.

Due to ineffective training of the staff and the lack of documented procedures, officials do not undertake their duties competently and in a consistent way, undermining the uniformity and consistency of the controls performed.

Official controls in establishments approved for export to EU do not cover all aspects of Community legislation. The weaknesses identified in supervision of in-house laboratories for *Trichinella* examination (including training and assessment of method as laid down in Article 5 of Regulation (EC) No 2075/2005), HACCP-based systems, potable water controls, performance of *post-mortem* examination and traceability of production indicate that the controls do not provide equivalent guarantees to the requirements set in Community law as stated in Part 9.1 of the relevant export certificate.

In addition, official controls performed during *ante-mortem* examination are not sufficient to ensure that EU animal welfare requirements are met, contrary to the statement of Part 10 of the relevant export certificate.

## **6.9 OVERALL CONCLUSION**

The level of official controls in exporting establishments is not sufficient to guarantee that the horse meat is obtained and handled according to all relevant Community legislation, as certified at point 9.1 of the export certificate set out in Decision 79/542/EEC.

Official certification of horse meat from Mexico cannot guarantee the reliability of the statements of the export certificate, due to the lack of knowledge of the certifying officers of the relevant EU veterinary legislation, of the rules to be followed for drawing up and issuing the certificates and of the nature and extent of the enquiries and examinations which should be carried out before export certification.

However, no immediate animal and public health risk was identified.

## **7 CLOSING MEETING**

A closing meeting was held on 11 September 2008 with the representatives of the CCA, during which the mission team presented its initial findings.

Certain additional information was received by the mission team.

## **8 RECOMMENDATIONS**

The competent authorities are invited to provide, within 25 working days of receipt

of the draft report, an action plan containing details of the actions taken and planned, including deadlines for their completion, to address the following recommendations.

No.	Recommendation
1	To guarantee that the officials at all levels involved in audits and supervision of exporting establishments have adequate knowledge with regard to the relevant Community legislation concerned by export certification, as stated in point 9.1 of export certificate set out by Council Decision 79/542/EEC.
2	To ensure that staff in charge of official controls at all levels perform adequate official controls as stated in point 9.1 of the relevant export certificate set out by Council Decision 79/542/EEC.
3	To urgently implement a reliable system of official certification of consignments of fresh meat intended for export to the EU, in order to have: control measures to prevent the issuing of incorrect or misleading certification, as required by Article 5 of Council Directive 96/93/EC, a unique type of certificate in a language understood by the certifying officer and at least in one of the languages of the country of destination, as laid down by Article 4 of Council Directive 96/93/EC, certifying officers with a satisfactory knowledge of the Community legislation as regards the products to be certified and of the rules to be followed for issuing the certificates, as foreseen by Article 3 of Council Directive 96/93/EC.
4	To guarantee that only establishments in line with the relevant Community requirements (in particular those of Regulation (EC) No 853/2004) are included in the list of establishments authorised for export to EU, as laid down in Article 12 of Regulation (EC) No 854/2004.
5	To ensure that FBOs produce fresh horse meat in accordance with the relevant Community legislation (including proper implementation of HACCP-based systems, microbiological controls and pre-requisites such as water controls), as stated in part 9.1 of the relevant export certificate set out in Council Decision 79/542/EEC.
6	To ensure that live animals have been treated in the establishments, before slaughtering, in accordance with the relevant provisions of Community legislation, and in particular with Article 5 and Annex A.II of Council Directive 93/119/EC, as stated in part 11 of the relevant export certificate set out in Council Decision 79/542/EEC.
7	To review the system of official controls over Trichinella examination, to ensure that the examination of samples and the results offer equivalent guarantees to the methods laid down in Regulation (EC) No 2075/2005.

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

[http://ec.europa.eu/food/fvo/ap/ap\\_mexico\\_7979\\_2008.pdf](http://ec.europa.eu/food/fvo/ap/ap_mexico_7979_2008.pdf)



## ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Directive 93/119/EC	OJ L 340, 31.12.1993, p. 21–34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
Directive 96/22/EC	OJ L 125, 23.5.1996, p. 3–9	Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of $\beta$ -agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC
Directive 96/23/EC	OJ L 125, 23.5.1996, p. 10–32	Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC
Directive 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
Directive 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
Directive 94/36/EC	OJ L 237, 10.9.1994, p. 13–29	European Parliament and Council Directive 94/36/EC of 30 June 1994 on colours for use in foodstuffs
Directive 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
Regulation (EC) No 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
Regulation (EC) No 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226,	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs

Reference	OJ Ref.	Detail
	25.6.2004, p. 3	
Regulation (EC) No 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
Regulation (EC) No 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
Regulation (EC) No 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
Regulation (EC) No 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
Regulation (EC) No 2075/2005	OJ L 338, 22.12.2005, p. 60–82	Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for Trichinella in meat
Decision 79/542/EEC	OJ L 146, 14.6.1979, p. 15–17	79/542/EEC: Council Decision of 21 December 1976 drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine and fresh meat
Decision 2007/777/EC	OJ L 312, 30.11.2007, p. 49–67	2007/777/EC: Commission Decision of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC
Decision	OJ L 19,	2006/27/EC: Commission Decision of 16 January

<b>Reference</b>	<b>OJ Ref.</b>	<b>Detail</b>
2006/27/EC	24.1.2006, p. 30–31	2006 on special conditions governing meat and meat products of equidae imported from Mexico and intended for human consumption