

Response of the Competent Authorities of Switzerland to the recommendations of Report ref. DG(SANCO)/2012-6350-MR of an audit carried out from 17 to 27 April 2012 in order to evaluate the control systems pertaining to food safety aspects in relation to certain animal products (casings, gelatine and raw materials for gelatine) under the auspices of the agreement between the European Community and the Swiss Confederation on trade in agricultural products

N°.	Recommendation	Action Proposed by the Competent Authority
1	To ensure that information on official controls and enforcement actions are gathered by the Central Competent Authority from all the cantons in line with Article 36 of the Swiss Law on Foodstuffs (Lebensmittelgesetz, LMG) in order to verify the effectiveness of the official controls.	Das BAG (Swiss Federal Office for Public Health) entwickelt ein Datenmanagementsystem zur Berichterstattung der Kantonalen Lebensmittelvollzugsbehörden (CL) zu diversen Themen gegenüber dem BAG. Darin enthalten sind Themen wie die Übermittlung von Daten zu den durchgeführten Betriebskontrollen (Inspektionen) und Produktkontrollen. Insgesamt sind zur Zeit 18 Berichtsthemen vorgesehen. Mit einer Vereinbarung (Memorandum of Understanding) haben sich die Kantone dazu verpflichtet, die Daten zu den Themen zu liefern. Die vollständige Datenlieferung aus allen Kantonen zu den 18 Themen wird voraussichtlich ab 2013 möglich sein. Die Vereinbarung wird durch einen spezifischen Artikel im neuen Lebensmittelgesetz abgelöst werden. Das Gesetz wird zur Zeit im Parlament diskutiert und wird voraussichtlich 2015 in Kraft treten.
2	To ensure that official controls are carried out with the frequencies established in accordance with Article 56 of the Swiss Regulation on food and commodities (Lebensmittel- und Gebrauchsgegenständeverordnung, LGV) and Article 54 of the Swiss Regulation on slaughter and meat inspection (Verordnung über das Schlachten und die Fleischkontrolle, VSFK).	Die Kantone sind dafür zuständig, Kontrollen mit entsprechenden Frequenzen nach der Vorgabe von Art. 56 der LGV bzw. Art. 54 VSFK durchzuführen. Der Bund und die kantonalen Lebensmittelvollzugsbehörden (CL) haben gemeinsam Minimalfrequenzen für die verschiedenen Betriebskategorien festgelegt. Es ist vorgesehen, diese bis Ende 2012 als Empfehlung zu publizieren. Gemäss VSFK müssen die Schlachthöfe mindestens ein Mal jährlich kontrolliert werden. Die Kantonstierärzte werden in einem Schreiben aufgefordert werden, die Umsetzung dieses Artikels zu überprüfen. Für eine bessere Kontrolle in den jeweiligen Kantonalen Veterinärämtern

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		<p>und für eine verbesserte Oberaufsicht werden spätestens 2013 diese Kontrollen im bestehenden Datenmanagementsystem des Veterinärdienstes integriert.</p> <p>Über die ganze Schweiz standardisierte und verbindliche Kontrollfrequenzen werden mit der Umsetzung des neuen Lebensmittelgesetzes realisiert, frühestens ab 2015. Voraussetzung ist, dass das Gesetz vom Parlament verabschiedet und die dazugehörigen Verordnungen in Kraft gesetzt werden können.</p>
3	<p>To take appropriate action in cases where non-compliances are identified in order to ensure that the operator remedies the situation as required in Article 56 of the Verordnung des EDI über den Vollzug der Lebensmittelgesetzgebung (SR 817.025.21) Swiss Regulation on food and commodities (LGV). The follow-up action taken should be documented in order to allow the effectiveness of the enforcement to be verified.</p>	<p>Die kantonalen Behörden werden in einem Schreiben aufgefordert werden, im Falle von festgestellten Mängeln konsequent die Nachkontrollen zeitnah durchzuführen und zu dokumentieren.</p> <p>Für eine klare und systematische Übersicht über die ausstehenden Nachkontrollen in den Kantonalen Veterinärämtern und für eine verbesserte Oberaufsicht ist die Aufnahme der Nachkontrollen in das bestehende Datenmanagementsystem des Veterinärdienstes in Planung.</p>
4	<p>To ensure that all listed food businesses have a valid approval obtained in accordance with the requirements of Article 8 of the Swiss Regulation on slaughter and meat inspection (VSFK) or Article 13 of the Swiss Regulation on food and commodities (LGV) and relevant guidance documents.</p>	<p>Wir werden die Kantone in einem Schreiben nochmals darauf hinweisen, dass sie zur Führung der Liste der bewilligten Betriebe verpflichtet sind und alle diese Betriebe, im Besitz einer gültigen Bewilligung sein müssen. Die Frist für die Bewilligungserneuerung ist gemäss den Übergangsbestimmungen von Art. 80 LGV und Art. 66 der VSFK am 30.6.2006 abgelaufen. Wir werden die Kantone auffordern vor dem 1.1.2006 erteilte Bewilligungen bis Ende 2012 zu erneuern und uns auf</p>

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		<p>Ende Jahr zu jedem Betrieb, welcher auf der Internetseite des BVET gelistet ist, das Datum der Bewilligungsinspektion und das Datum der Ausstellung der Bewilligung in einer Tabelle schriftlich mitzuteilen.</p> <p>Der Leitfaden zur Inspektion von bewilligungspflichtigen Betrieben, nach Artikel 13 der Lebensmittel- und Gebrauchsgegenständeverordnung wird durch genauere Angaben über den Inhalt der Bewilligungserteilung (Verfügung) ergänzt.</p>
5	<p>To ensure that identification markings on products are applied in accordance with the requirements in Article 30 of the Swiss Regulation on Identification and Advertising of Foodstuffs (Verordnung des EDI über die Kennzeichnung und Anpreisung von Lebensmitteln, LKV).</p>	<p>Wir werden die Kantone in einem Schreiben auffordern, die Überprüfung der Identitätskennzeichnung als festen Bestandteil einer Inspektion aufzunehmen.</p>
6	<p>To ensure that the information included in trade documents in line with the model document in the Appendix to Annex III of Regulation (EC) No 853/2004 for raw materials for the production of gelatine within the European Union are correct and not misleading.</p>	<p>Die kantonalen Vollzugsstellen werden in einem Schreiben darauf hingewiesen werden, dass die Betriebe die Handelsdokumente korrekt auszufüllen haben.</p>

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1	To ensure that information on official controls and enforcement actions are gathered by the Central Competent Authority from all the cantons in line with Article 36 of the Swiss Law on Foodstuffs (Lebensmittelgesetz, LMG) in order to verify the effectiveness of the official controls.	The Swiss Federal Office for Public Health (BAG) is developing a data management system for the cantonal food safety authorities (CL) to report on various topics to the BAG. Topics include the transfer of data on holding and product inspections that have been carried out. To date, a total of 18 reporting topics are included. The Cantons are bound by the Memorandum of Understanding to provide the data concerning the topics. It is expected that Cantons will be able to provide complete data on the 18 topics from 2013. The Memorandum of Understanding will be replaced by a specific Article in the new Food Act, which is before Parliament and is expected to enter into force in 2015.
2	To ensure that official controls are carried out with the frequencies established in accordance with Article 56 of the Swiss Regulation on food and commodities (Lebensmittel- und Gebrauchsgegenständeverordnung, LGV) and Article 54 of the Swiss Regulation on slaughter and meat inspection (Verordnung über das Schlachten und die Fleischkontrolle, VSFK).	The Cantons are responsible for performing checks with the appropriate frequencies pursuant to Article 56 of the LGV and Article 54 of the VSFK. The federal authorities and cantonal food safety authorities (CL) have jointly established minimum frequencies for the different categories of holding, which are expected to be published as a recommendation by the end of 2012. Slaughterhouses must be inspected at least once a year pursuant to VSFK. The cantonal veterinarians will be requested in writing to check the implementation of the Article. Checks will be integrated in the existing Veterinary Service's data management system by 2013 at the latest in order to improve checks at the respective cantonal veterinary offices and to improve supervision. Standardised and binding control frequencies for all of Switzerland will be put into practice when the new Food Act is implemented in 2015 at

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		the earliest. It is assumed that the Act will be approved by Parliament and the accompanying Regulations can be implemented.
3	To take appropriate action in cases where non-compliances are identified in order to ensure that the operator remedies the situation as required in Article 56 of the Verordnung des EDI über den Vollzug der Lebensmittelgesetzgebung (SR 817.025.21) Swiss Regulation on food and commodities (LGV) . The follow-up action taken should be documented in order to allow the effectiveness of the enforcement to be verified.	The cantonal authorities will be requested in writing to carry out and report on the follow-up checks in cases where considerable shortcomings were noted. In order to have a clear and systematic overview of the outstanding follow-up checks of cantonal veterinary offices and to improve supervision, plans are being made for follow-up checks to be included in the veterinary service's existing data management system.
4	To ensure that all listed food businesses have a valid approval obtained in accordance with the requirements of Article 8 of the Swiss Regulation on slaughter and meat inspection (VSFK) or Article 13 of the Swiss Regulation on food and commodities (LGV) and relevant guidance documents.	We will remind the Cantons in writing that they must keep a list of authorised establishments. These establishments must have a valid authorisation. The renewal period for authorisation lapsed in accordance with the transitional provisions of Article 80 of the LGV and Article 66 of the VSFK on 30 June 2006. We will request that the Cantons renew the authorisations issued before 1 January 2006 by the end of 2012 and that they inform us in writing, in the form of a table, of the date of the authorisation inspection and the date the authorisation was issued for each establishment listed on the BVET website before the end of the year. Further details on the content of the authorisation (notification) will be included in the guidelines for the inspection of establishments subject to

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		approval pursuant to Article 13 of the Swiss Regulation on Food and Commodities.
5	To ensure that identification markings on products are applied in accordance with the requirements in Article 30 of the Swiss Regulation on Identification and Advertising of Foodstuffs (Verordnung des EDI über die Kennzeichnung und Anpreisung von Lebensmitteln, LKV).	We will request the Cantons in writing to incorporate checks on identification markings as an integral part of inspections.
6	To ensure that the information included in trade documents in line with the model document in the Appendix to Annex III of Regulation (EC) No 853/2004 for raw materials for the production of gelatine within the European Union are correct and not misleading.	The cantonal enforcement authorities will be informed in writing that establishments must correctly complete trade documents.