OVERVIEW REPORT OF A SERIES OF AUDITS
CARRIED OUT IN MEMBER STATES
FROM 2006 TO 2011
IN ORDER TO EVALUATE THE IMPLEMENTATION OF
MEASURES CONCERNING OFFICIAL CONTROLS ON
FEED LEGISLATION
Executive Summary


Overall, the report concludes as follows:

The requirements for designation of the competent authorities carrying out official controls in the feed sector and resources at their disposal, including laboratories, were largely met. However, deficiencies in the co-operation between different competent authorities affected official controls along the feed chain. In addition, although arrangements for the training of staff were mostly in place, gaps in this respect resulted in a limited level of expertise of feed inspectors, notably as regards HACCP and cross-contamination. Finally, the verification of effectiveness of official controls was not always fit for purpose.

In most Member States regular and largely documented official controls were in place which, albeit with some gaps, tended to cover the entire feed chain. While the inspection and sampling programmes were largely risk-based, in an important number of Member States this approach did not take account of the reliability of operators' own-checks. Official controls on imported feed were not satisfactorily complied with in an important number of Member States, where certain risks posed by imported products were not adequately taken into account. The requirements for enforcement were largely complied with in most Member States, although there were significant deficiencies in this respect in a small number of Member States.

The procedures for approval of feed establishments were largely satisfactory, but the registration process was at various stages of completion and there were inaccuracies in the lists of approved/registered establishments.

The requirements for feed operators concerning infrastructure and hygienic conditions, as well as traceability were largely satisfactory. However, in many Member States measures to avoid or minimise cross-contamination, as well as HACCP-based procedures were deficient, with poor official controls on these topics.

The requirements for antibiotics, coccidiostats and histomonostats as feed additives and for undesirable substances (other than for coccidiostats) were, with some deficiencies, largely met. However, the requirements concerning maximum permitted levels of residues of coccidiostats in non-target feed and for prohibited food packaging material were not fully met.

The individual audit reports include a number of recommendations addressed to the competent authorities in the Member States concerned with a view to rectify the identified shortcomings and/or further enhancing the implementing and control measures in place. Following the audits, actions aimed at addressing these recommendations were taken or announced by these competent authorities. Therefore, it is emphasised that the picture described in this overview report reflects the situation found at the time of the audits.
Table of Contents

1. Introduction .................................................................................................................................................. 1

2. Objectives .................................................................................................................................................... 1

3. Legal Basis .................................................................................................................................................... 2

4. Background .................................................................................................................................................. 2

5. Main findings and conclusions ...................................................................................................................... 3

   5.1 Competent authorities ............................................................................................................................. 3

       5.1.1 Organisation and communication .................................................................................................. 3

       5.1.2 Resources and training .................................................................................................................... 4

       5.1.3 Internal supervision .......................................................................................................................... 5

   5.2 Official controls .................................................................................................................................... 6

   5.3 Laboratories carrying out official analyses ............................................................................................. 8

   5.4 Requirements for feed hygiene ............................................................................................................... 8

       5.4.1 Registration and approval of feed establishments ............................................................................ 8

       5.4.2 Obligations of primary producers ................................................................................................... 11

       5.4.3 Obligations of feed business operators ............................................................................................ 11

   5.5 Imports and exports ............................................................................................................................... 14

   5.6 Other requirements along the chain ......................................................................................................... 15

       5.6.1 Antibiotics, coccidiostats and histomonats as feed additives ......................................................... 15

       5.6.2 Undesirable substances .................................................................................................................. 16

       5.6.3 Prohibited materials ....................................................................................................................... 17

   5.7 Actions taken in case of non-compliance ................................................................................................. 19

6. Overall Conclusions .................................................................................................................................... 20

7. Overview of recommendations ...................................................................................................................... 20

8. ACTION taken or envisaged by the commission services ............................................................................ 21

   8.1 Follow-up of audit recommendations .................................................................................................... 21

   8.2 FVO audits following completion of the series ....................................................................................... 21

   8.3 Other actions ......................................................................................................................................... 21

Annex 1: Legal References .............................................................................................................................. 23

Annex 2: DETAILS OF INDIVIDUAL AUDITS ............................................................................................ 24
### ABBREVIATIONS AND SPECIAL TERMS USED IN THIS REPORT

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cross-contamination</td>
<td>Presence, due to production, of additives, medicines or ingredients in feedingstuffs that should not contain them</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FVO</td>
<td>Food and Veterinary Office</td>
</tr>
<tr>
<td>HACCP</td>
<td>Hazard analysis and critical control points</td>
</tr>
<tr>
<td>NRL</td>
<td>National Reference Laboratory</td>
</tr>
</tbody>
</table>

**References to the number of Member States concerned**

<table>
<thead>
<tr>
<th>Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>A small number of Member States</td>
<td>3-5</td>
</tr>
<tr>
<td>Some Member States</td>
<td>6-9</td>
</tr>
<tr>
<td>An important number of Member States</td>
<td>10-14</td>
</tr>
<tr>
<td>Many Member States</td>
<td>15-21</td>
</tr>
<tr>
<td>The large majority of (or most) Member States</td>
<td>More than 21</td>
</tr>
</tbody>
</table>
1. INTRODUCTION

This general report provides an overview of the outcome of 37 audits \(^1\) in the area of feed safety carried out between 2006 and 2011 in 25 Member States \(^2\) by the Food and Veterinary Office (FVO) of the European Commission’s Directorate-General for Health and Consumers. These audits were part of the annual audit programmes of the FVO.

The Member States visited and reference numbers of the individual reports are provided in Annex 1. FVO reports are available on the European Commission website at:

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

The original design of the series foresaw carrying out three pilot audits in 2006, in preparation for the rest of the series which was meant to be completed by the end of 2009. However, a dioxin contamination incident broke out at the end of 2008, linked to the feeding of animals with contaminated bread crumbs produced from bakery products. The contamination was due to the direct heating process (whereby combustion gases come into direct contact with the material to dry) for which an inappropriate fuel was used \(^3\).

The above incident resulted in the FVO attributing a greater priority to the area of feed with this series being revamped in several aspects. Firstly, the number of audits foreseen was increased substantially; secondly, the emphasis placed on compliance with requirements for procedures based on the principles of hazard analysis and critical control points (HACCP) was strengthened; lastly, where relevant, the drying of feed was explicitly targeted in the scope of audits, their itinerary included visits to establishments carrying out such activity.

Given the time span of the series, eleven Member States were visited more than once \(^4\), either for the purpose of updating the picture of the situation (notably in light of the above-mentioned re-design of the series), or because deficiencies had been detected that merited follow-up, or for both reasons. In these Member States, this report reflects the situation observed at the time of the last audit, although some references are made as to whether there has been progress in comparison with previous audits.

2. OBJECTIVES

The objective of audits within this series was to evaluate the implementation of requirements concerning:


---

\(^1\) Prior to 2010, FVO audits were referred to as missions. For convenience, the term audit is consistently used throughout this report.

\(^2\) With the exception of Luxembourg and Malta, all Member States have been included in this series.

\(^3\) Comprehensive information on this incident can be found on the European Commission website at: http://ec.europa.eu/food/food/chemicalsafety/contaminants/dioxins_en.htm

\(^4\) Ten Member States were visited twice and one was visited three times.

In terms of scope, the audits focused on the implementation of the requirements of the above legislation including those that are new in comparison with previous feed legislation now repealed (5). The audits covered all stages of the feed chain, including the traceability of feed.

3. LEGAL BASIS

The audits were carried out under the general provisions of European Union (EU) legislation and, in particular, Article 45 of Regulation (EC) No 882/2004. A full list of the legal instruments relevant for this report is provided in Annex 2 and refers, where applicable, to the last amended version.

4. BACKGROUND

A previous series of audits carried out by the FVO in Member States between 2002 and 2003 in the area of feed focused mainly on official controls and approval and registration of feed establishments, according to the requirements of the then European legislation, subsequently repealed. After completion of the series, a general report (reference DG(SANCO)/8501/2004 – GR) summarising the main findings and conclusions was produced, and a few follow-up audits were organised up until 2004.

Thereafter, there have been significant modifications in the relevant EU legislation on feed safety:

- Concerning official controls, Regulation (EC) No 882/2004 has introduced a harmonised framework of general rules for the organisation of official controls on food and feed so as to integrate them at all stages of production and in all sectors, using the “farm to fork” principle.

- Concerning feed hygiene, Regulation (EC) No 183/2005 recognises the need to ensure feed safety from, and including, primary production of feed up to, and including, its placing on the market and export. In particular, requirements have been introduced concerning the compulsory registration of all operators along the feed chain, and procedures based on the principles of HACCP for all feed business operators (except for those at the level of primary production of feed and certain associated operations).


5. **MAIN FINDINGS AND CONCLUSIONS**

5.1 **COMPETENT AUTHORITIES**

5.1.1 *Organisation and communication*

The enforcement of rules in the area of feed is contingent on designating the competent authorities responsible for carrying out official controls on compliance with the relevant legislation. Because of the diversity and complexity of the feed chain, which stretches from primary to industrial production, including establishments whose chief activity is not in the feed area, several competent authorities are usually involved in official controls. An adequate level of co-operation and co-ordination within and between these competent authorities is therefore necessary in order to ensure uniformity and avoid duplications or gaps. Requirements for the designation of competent authorities, and for their co-operation and co-ordination are laid down, respectively, by Article 4(1) and Article 4 (3 and 5) of Regulation (EC) 882/2004.

The relevant competent authorities have been designated in all Member States visited and their remit usually covers the entire feed chain, including primary production of feed, with the exception of one Member State, where no competent authority was in charge of farms not keeping animals, resulting in these being excluded from the scope of official controls. In most Member States, at all levels of organisation, there was a good understanding of the tasks and responsibilities of competent authorities; however, in one country a change in the competent authorities responsible for feed significantly affected official controls in this area (see section 5.2).

In the large majority of Member States, responsibilities for official controls in the area of feed are split on the basis of the activities carried out by the operators concerned; in particular, there were different competent authorities for official controls at primary production and other levels in many countries. In some Member States, competent authorities which were not (or not primarily) in charge of official controls in feed were responsible for certain activities in the feed area, including the supply of food products to the feed chain, production of medicated feed, transport of feed, imports of feed or other specific activities such as the supply of products from industrial activities. In some Member States, the competent authorities were appointed on a geographical basis, in particular (but not exclusively) in Member States with a federal structure.

Co-operation within different levels or units of the competent authority was usually satisfactory in Member States with the exception of one. More problematic was the co-operation between different competent authorities, in particular on activities at the interface of their respective remits, where audits detected limitations in co-operation and co-ordination in some Member States, resulting in official controls overlooking cross-contamination of feed with veterinary drugs or coccidiostats, or in an incomplete knowledge of activities carried out at farm level (including the mixing of feed with additives and premixtures). Finally, in two Member States, limited co-operation between competent authorities affected the registration process of feed establishments and the overall organisation of official controls.

It was concluded that the requirements for the designation of the relevant competent authorities laid down by Article 4 of Regulation (EC) No 882/2004 were largely...
complied with. However, limited co-operation between different competent authorities affected official controls along the feed chain.

5.1.2 Resources and training

The design and delivery of official controls on feed, in particular inspections and sampling for analysis, require that the competent authorities avail of an adequate level of human and other resources (e.g. equipment for official sampling and analyses). Moreover, the complexity of the feed chain, the range of hazards potentially occurring in feed, the broad scope of feed legislation and the diversity of products which can be used as feed necessitate that official controls are carried out by well qualified and experienced staff. Requirements on resources for competent authorities and on staff carrying out official controls are laid down, respectively, by Articles 4(2) and 6 of Regulation (EC) No 882/2004.

The human and other resources available for the implementation of official controls were usually sufficient to support the frequency of inspections decided upon by most Member States, although in a small number of them a certain lack of human resources was cited by the competent authorities either for not accomplishing plans to significantly step up the number of inspections or for delays in the organisation of official controls at primary producers. Concerning official sampling, the available resources were sufficient to support the risk-based sampling programmes in the large majority of Member States; however, in a small number of them, limitations in the sampling equipment available to feed inspectors led to sampling targets being missed.

In most Member States, the available analytical capacity was sufficient to ensure a smooth implementation of the official control programmes, with a range of analytical determinations offered by the network of official laboratories largely covering the relevant undesirable substances. However, in a couple of Member States the turnaround times for analytical results was several months due to some samples were held back for a time (this delay was mostly due to the fact that the competent authorities waited to gather a certain number of samples before testing); moreover, in another two Member States, some analyses (e.g. concerning dioxins or certain feed additives) were not performed due to the absence of adequate funding or analytical capacity.

Although general training arrangements were in place in most Member States, partly because of a certain lack of awareness of the training needs of their staff, some Member States did not provide training concerning feed controls; in particular, in a small number of Member States, this lack of training arrangements also concerned newly recruited staff with limited experience in the feed sector and, in another small number of Member States, changes in the competent authorities responsible for official controls in the area of feed resulted in a loss of expertise which has not been compensated by training of newly recruited staff. These deficiencies, combined with the existence of limited guidance documentation, resulted in official controls being poorly targeted or overlooking some important non-compliances:

- training on HACCP was superficial in an important number of Member States, resulting in limited expertise in this area leading to weaknesses in the assessment of HACCP-based procedures during official controls (see section 5.4.3); and

---

6 This is partially explained because some audits were carried out at an early stage of implementation of Regulation (EC) No 183/2005.
in some Member States feed inspectors had also limited knowledge on basic requirements of Regulation (EC) No 183/2005, in particular those pertaining to cross-contamination and homogeneity; as a result, deficiencies in these areas were frequently overlooked during official controls.

The participation in Better Training for Safer Food (see section 8.3) training sessions on HACCP and feed law was encouraged during FVO audits, and it could be observed that those inspectors who had participated in such training courses significantly improved their expertise.

In conclusion, with a small number of exceptions, the requirements laid down by Article 4(2) of Regulation (EC) No 882/2004 concerning resources at the disposal of the competent authorities for the organisation of official controls were largely complied with in Member States. However, although arrangements for the training of staff carrying out official controls were mostly in place, gaps in this respect in an important number of Member States resulted in a limited level of expertise of feed inspectors in certain areas; this concerned notably the assessment of procedures based on the HACCP principles, and of measures in place to minimise cross-contamination of feed.

5.1.3 Internal supervision

For any system of official controls, the verification of their effectiveness is an essential element, the importance of which is heightened by the relative novelty of some of the requirements laid down by EU legislation on feed, with the resulting challenges for the competent authorities responsible for these official controls. Requirements on the verification of effectiveness are laid down by Article 8(3) of Regulation (EC) No 882/2004.

All Member States have devised and implemented supervisory arrangements in order to verify that official controls on feed are conducted in a satisfactory manner, with the exception of two Member States where there was no system for internal supervision. These arrangements included the monitoring of the delivery of inspections and sampling programmes devised at central or regional level, review of inspection reports, joint inspections between feed inspectors and their hierarchy and/or, internal audits. However, the efficacy of the afore-mentioned systems varied significantly and, in many Member States, they presented a number of flaws which limited their capacity to improve the organisation and delivery of official controls, as follows:

- In some Member States, there were some deficiencies in the design of this internal supervision.
- In another small number of Member States, there were no records showing evidence that this verification had been carried out.
- In another small number of Member States the system of internal supervision did not encompass all activities or all levels of the competent authorities.
- In some Member States, the implementation of supervisory activities was adversely affected by insufficient knowledge of staff responsible for official controls; this was notably observed in establishments where both routine and joint inspections carried out as part of the internal supervision system overlooked shortcomings identified by FVO audits.
The operation of internal supervision was made difficult due to inspection reports which did not contain enough information to allow a verification of the requirements which had been checked during official controls (see section see 5.2) in some Member States; in a small number of these countries, staff in charge of supervision only had access to inspection checklists and the only possible verification was whether all boxes were ticked or not, gaining little insight into the way official controls had been carried out.

It was concluded that the requirements laid down by Article 8(3) of Regulation (EC) No 882/2004 were not satisfactorily met in an important number of Member States, where the system for verifying the effectiveness of official controls in the feed area showed deficiencies that made it not always fit for purpose.

5.2 OFFICIAL CONTROLS

For the sake of consistency and to ensure that all relevant risks along the feed chain are taken into account, official control must be carried out regularly and on a risk basis; moreover, the organisation and delivery of official controls must be documented. The principles for the organisation of official controls are laid down by Article 3 of Regulation (EC) No 882/2004, and Articles 8 and 9 lay down requirements for the documentation of these controls and their outcome.

In most Member States there were regular sampling and inspection programmes in place (although in one Member State, a change in the competent authorities in the area of feed led to inspections and sampling activities coming to a standstill – see section 5.1.1) which usually took account of the most recent Commission recommendations on this issue (7), and of the experience gained from the implementation of previous programmes. In particular:

- The frequency of inspections was usually determined on the basis of a risk assessment carried out on individual feed establishments. In most Member States, the risk rating of establishments took into account some or all risks linked to their activities and processes, type and destination of feed, past history of compliance and the reliability of own-checks.

- In most Member States official sampling plans usually took account of the risk rating of establishments when deciding on the number and the type of analyses to be carried out. In addition, risks linked to the use of additives and the potential presence of undesirable and prohibited substances were also taken into consideration.

However, in many Member States the principle of carrying out official controls on a risk-basis was adversely affected by limitations linked to the design or delivery of control programmes:

- The most common limitation was observed in some Member States where HACCP-based procedures were not taken into account or poorly assessed during official

---


controls (see section 5.4.3), making impossible a correct evaluation of the reliability of own-checks which, therefore, could not be taken into account appropriately in the design of official control programmes.

- In some Member States, the past history of compliance of operators was not taken into account (or only partially), or superficial inspections did not allow the competent authorities to build a reliable history of operators’ compliance.

- In some Member States, the official control programmes did not include some part of the feed chain, a decision taken without any risk-based consideration; this concerned food establishments supplying products to the feed chain, mobile mixers, farms mixing feed with additives and premixtures and/or establishments in operation without being approved/registered (see section 5.4.1).

- In a small number of Member States, risks linked to the activities were not (or only partially) taken into account for carrying out official controls, while in another small number of Member States, the frequency of inspections was exclusively based on these activities (e.g. the same frequency was attributed to all feed mills).

In the large majority of Member States, official controls were usually carried out without prior notification with the exception of audits (e.g. for the specific assessment of HACCP-based procedures) for which an appointment was generally made. However, in a small number of Member States, most inspections were announced more than a week in advance and, in another case, inspections and sampling were routinely announced.

In most Member States the organisation and delivery of official controls was supported by documented procedures; the planning of inspection and sampling was usually carried out on an annual basis, these programmes being incorporated in a detailed multi-annual framework. For the implementation of official controls, general procedures were usually available, known and followed, but in a small number of Member States inspectors did not routinely make use of these procedures (see section 5.6.2).

In the large majority of Member States reports were drafted following official controls and left with the operator, in particular when non-compliances were identified. However, in an important number of Member States, some requirements for reports on official controls were not complied with:

- in some Member States, the information contained in inspection reports was very concise, in particular as regards the extent to which compliance had been verified or as regards the control methods applied;

- in a couple of Member States, inspection reports were not always drafted following official controls or, in another couple of Member States, copies of reports were not left with the operators when non-compliances were identified; and

- in another couple of Member States, inspection reports did not contain deadlines for corrective actions to be taken by the operators.

Finally, as regards official reports on sampling, these were adequate in most Member States, although in a couple of them the information contained in these reports was not sufficient to enable tracing back the feed that had been sampled.

In conclusion, in most Member States regular official controls were in place which, albeit with some gaps, tended to cover the entire feed chain, and a risk-based approach was followed for the design of the inspection and sampling programmes. However, the reliability of own-checks was poorly assessed in an important number of Member States affecting the consideration of this criterion for carrying out official controls and,
therefore, compliance with the requirements laid down by Article 3 of Regulation (EC) No 882/2004.

The requirement for documented procedures when carrying out official controls was satisfactorily complied with, but in an important number of Member States there were deficiencies in the reports of the official controls carried out and, therefore, the relevant requirements laid down by Article 9 of Regulation (EC) No 882/2004 were not fully met.

5.3 LABORATORIES CARRYING OUT OFFICIAL ANALYSES

A reliable laboratory network is an essential element of official control systems; these laboratories must work in accordance with internationally approved procedures or criteria-based performance standards and be accredited. In addition, National Reference Laboratories (NRLs) in the area of feed must contribute to the quality and uniformity of analytical results, in particular through training and organisation of comparative testing. The requirements for laboratories carrying out analysis of samples taken during official controls and for NRLs are laid down, respectively, by Articles 12 and 33 of Regulation (EC) No 882/2004.

Most Member States have appointed NRLs and official laboratories in the area of feed. With the exception of one Member State, NRLs fulfilled their tasks satisfactorily, in particular through the dissemination of analytical methods, training and organisation of comparative (proficiency) testing for which, in case of non-satisfactory results, a follow-up was usually carried out by NRLs on the laboratories concerned (although in a couple Member States such activity was not foreseen). NRLs participated in comparative (proficiency) testing organised by EU Reference Laboratories with largely satisfactory results, with the exception of one Member State, where these results were not acceptable.

The accreditation of official laboratories and methods was largely in place although in a couple of Member States gaps were identified in this respect; in these countries, there were plans in place to address the lack of accreditation of some of the laboratories and analytical methods concerned. In general, progress has been made in the accreditation of laboratories in Member States which were revisited during this series of audits (8).

It was concluded that the relevant requirements laid down by Regulation (EC) No 882/2004 for laboratories carrying out analysis of samples taken during official controls and for NRLs were largely complied with.

5.4 REQUIREMENTS FOR FEED HYGIENE

5.4.1 Registration and approval of feed establishments

One of the main principles underpinning Regulation (EC) No 183/2005 is that an integrated, comprehensive approach is necessary to ensure feed safety. To achieve such an objective establishments at all levels of the feed chain must be registered or approved. While the scope of approval remained very similar to what was required by the previous feed legislation, the entry into force of Regulation (EC) No 183/2005 resulted in a

---

significant increase in the number of establishments subject to registration. The afore-
mentioned integrated approach is complemented by the recording of such establishments
in up-dated national lists that have to be made available to the public. This listing is
crucial for operators, ensuring that they only source and use feed from registered or
approved establishments.

Requirements for registration and approval of feed establishments are laid down,
respectively, by Articles 9 and 10 of Regulation (EC) No 183/2005, requirements for lists
of registered and approved establishments are laid down by Article 19, and requirements
for the sourcing and use of feed from registered/approved establishments are laid down
by Article 5(6).

In all Member States procedures for approving feed establishments were largely in place
and implemented. However, important delays in the approval process were observed in a
small number of Member States due either to the passive approach followed by the
competent authorities or to a sudden change in the responsibilities in this regard. As a
consequence, in these Member States, a number of feed establishments were operating
without being approved and without being subject to regular official controls. More
specifically, establishments involved in the production and trade of urea (a nutritional
additive) require approval and this was overlooked in some Member States.

Given that all establishments active in the feed chain need to be registered, this process
was usually a lengthy and difficult one, for which several information campaigns
were run by Member States and the feed industry. The time span necessary for achieving
the registration process depended on the number of establishments and the approach
followed by the competent authorities but, in general, progress was steadily made in most
Member States, something particularly visible comparing the situation in Member States
visited at the beginning and at the end of this series of audits. However, while some
Member States have concluded the registration process, many others have reached
variable levels of completion. In particular, in a small number of these Member States the
registration of feed establishments was quite incomplete due to insufficient attention paid
by the industry and the competent authorities to those operators from which feed mills
and traders were sourcing feed. The areas for which the registration process was usually
incomplete concerned:

- the supply of food products or co-products to the feed chain, due to the existence of
  limited exchange of information between the competent authorities in charge of food
  and feed (see section 5.1.1); and

- the mixing of feed at farm level, transporters and primary production of feed,
  because of the number of operators/establishments affected.

Moreover, there were shortcomings in the registration of on-farm mixers using additives
(other than silage additives) and premixtures in an important number of Member States,
since these were not adequately identified:

- in some Member States, although on-farm mixers had been surveyed for the use of
  these products, the questions were misunderstood resulting in a significant number
  of farms making declarations about the use of such products in the wrong way;

---

9 Due to the seriousness of this situation, the Member States concerned have committed to take urgent
actions, one of them reporting to the FVO on a regular basis on the progress made.

10 Article 18(2) of Regulation (EC) No 183/2005 laid down transitional measures for establishments for
which Directive 95/69/EC did not require registration.
- in some other Member States, little attention was paid during official controls to the potential supply of these products to on-farm mixers by traders, feed mills or premixture manufacturers; and

- in a small number of Member States, some feed inspectors responsible for farms were not in a position to differentiate which on-farm mixers had to comply with Annex II from those that had to comply with Annex I to Regulation (EC) No 183/2005 (see section 5.4.3).

Following the dioxins incident linked to drying of feed which occurred at the end of 2008 (see section 1), increased attention was paid to the drying of feed in most of the Member States concerned \(^{(11)}\). However, the level of knowledge about establishments carrying out this activity varied. Some Member States availed of only a partial picture of the situation in this respect (for instance, there was limited information on drying of feed at farms, because such activity was not a point of attention during inspections at this level), while others have gathered comprehensive information about drying, including the type of drying (direct or indirect), type of fuel used, temperature achieved during drying, and the design and maintenance of the equipment.

Driers of feed were subject to registration in all Member States, with the exception of one where national legislation required approval for establishments carrying out direct drying of forages and food co-products diverted into feed. However, where drying was taking place in establishments carrying out other activities (e.g. the manufacturing feed or trading of grains), drying was usually not registered as such but considered within these other activities, making it difficult to identify the establishments concerned.

In the large majority of Member States lists of approved and registered feed establishments have been established and the information they contain could be accessed by the public. However, the information present in the lists was inaccurate in many Member States, where such lists were either incomplete or contained outdated information for a significant period of time. This was usually due to difficulties linked to the number of entries, the consolidation of information held by the competent authorities at local level and, in some Member States, to the fact that official controls did not always verify that the activities carried out by establishments are those for which they had been registered. Moreover, although the lists identified the activities carried out by feed establishments, there were variations in the level of detail about these activities, and in the number of activities identified, which varied from 5 to 20.

In Member States where there is a high level of adherence of the industry to feed safety schemes, there was a tendency for the competent authorities and feed operators to assume that the participation in such schemes guaranteed the approval/registration of the operators concerned for the relevant activities and, although this was usually the case, there were a few exceptions in this regard. The obligation to obtain feed from registered or approved feed establishments was usually met in most Member States. However, in a small number of Member States the competent authorities and operators did not routinely check the registration/approval of suppliers.

In conclusion, the approval of feed establishments required by Article 10 of Regulation (EC) No 183/2005 was largely satisfactory in most Member States; however, the requirement for registration laid down by Article 9 was not fully met in many Member States, where this process was at various stages of completion. Inaccuracies in the lists of approved/registered establishments affected compliance with the relevant requirement, as

\(^{(11)}\) After this incident, 20 Member States were audited.
laid down by Article 19. Finally, the requirements for sourcing and use of feed laid down by Article 5(6) were largely met.

5.4.2 Obligations of primary producers

One striking difference between the current legal framework and the situation under the previous legislation is that activities at the level of primary production and associated operations are currently subject to a number of requirements concerning record-keeping, production, handling and storage of feed; these operators do not have to develop HACCP-based procedures. Requirements at this level are laid down by Article 5(1) of Regulation (EC) No 183/2005 and set out in its Annex I.

With one exception, all Member States audited as of January 2009 had arrangements in place for official controls at primary producers; inspections and sampling activities were often carried out as part of animal health visits or cross-compliance checks with annual frequencies varying from 1% to 20% (12). In most Member States, primary producers visited showed a good level of compliance with the relevant requirements. In particular, some Member States have considered that requirements applicable to primary producers of feed and food are similar enough in order to justify organising only one type of official controls at primary production level. However, although this approach facilitated official controls, it also had an impact in the proper identification of farms dedicated to the production of feed and on-farm mixers (see section 5.4.1).

It was concluded that compliance with the relevant requirements for primary producers laid down by Article 5(1) of Regulation (EC) No 183/2005 was largely satisfactory in Member States.

5.4.3 Obligations of feed business operators

Requirements for feed operators (other than at the level of primary production and associated operations) on facilities, quality control, traceability, etc. (where relevant for the operations carried out), as set out in Annex II to Regulation (EC) No 183/2005, are broadly similar to those specified by previous feed hygiene legislation. However, the current legal framework has enlarged the range of operations to which these apply, thus covering the entire feed chain (see section 5.4.1). Another major difference is that requirements for HACCP-based procedures have been introduced for these operators (13). Requirements for these feed operators are laid down by Article 5(2) of Regulation (EC) No 183/2005, and by Articles 6 and 7 as regards HACCP.

---

12 This is in contrast with the situation found in most Member States audited from 2006 to 2008, when official controls at primary producers had not started yet; this is explained by the significant number of affected operators, coupled with the fact that they were not included under the scope of Directive 95/69/EC.

13 HACCP systems are generally considered to be a useful tool for operators in order to control hazards that may occur. In view of the wide range of feed establishments covered by Regulation (EC) No 183/2005 and in view of the great diversity of feedingstuffs and manufacturing procedures HACCP based procedures should be implemented with flexibility so as to ensure that they can be applied in all situations.
In all Member States, official controls usually verified compliance with the relevant requirements for feed operators, although the standard of these controls varied significantly. While in all Member States, infrastructural and hygienic condition were adequately covered (with a small number of exceptions), the same did not occur as regards official controls on requirements concerning quality control and HACCP-based procedures, for which FVO audits identified shortcomings that had been overlooked by previous official controls. This happened in many Member States in relation to HACCP-based procedures (an area with which official inspectors had particular difficulties – see section 5.1.2), and in an important number of Member States concerning measures aimed at the minimisation of cross-contamination and at ensuring the homogeneity of feed. In a small number of Member States in particular, on-farm mixers were not subject to adequate official controls because feed inspectors were not always aware that, depending on their activity, on-farm mixers must comply with the requirements set out in Annex II instead of with those in Annex I to Regulation (EC) No 183/2005 (see section 5.4.1).

Official controls usually verified that procedures for feed recall were in place and that they were effective. However, in some Member States, the checks carried out were poorly documented and did not specify the nature and depth of the verification. For example, official records did not mention the type of products for which a traceability test had been carried out or whether it was a test on backward or forward traceability. In a small number of Member States feed inspectors based their assessments only on demonstrations prepared by the feed operators concerned.

Infrastructural and hygienic conditions were adequate in all Member States, with one exception (which concerned only small scale feed establishments, with shortcomings easily rectifiable). Calibration of measuring devices was satisfactorily conducted in all Member States with the exception of two where a number of feed manufacturing establishments did not pay attention to this matter.

Concerning requirements for production, feed operators were usually aware of the applicable requirements. However, in an important number of Member States, some operators did not verify that they achieved homogenous mixtures. This lack of verification concerned on-farm mixers (using additives and premixtures) and mobile mixers, but also a number of feed mills. In some Member States, the verification that the feed was produced homogeneously was based on visual examinations or on the analysis of only one sample.

Most Member States had in place measures to avoid or minimise cross-contamination derived from the prior use of coccidiostats or medicated premixes. These measures, which comprised a variety of actions at production level (using dedicated lines, setting up manufacturing sequences for production, flushing and/or in-depth cleaning of equipment) were usually implemented as designed, except in a couple of Member States, where some feed operators did not follow their flushing arrangements. However, in many Member States, feed operators did not ascertain the effectiveness of these measures related to cross-contamination and, therefore, it could not be ensured that they were sufficient (in order to avoid exceeding the maximum permitted level for residues of coccidiostats in non-target feed and/or, in some Member States, the presence of residues of antibiotics) because:

- in some Member States, cross-contamination tests were not performed, therefore the level of cross-contamination was not quantified by operators,

- in a couple of Member States, the level of cross-contamination measured by these tests was underestimated as samples were taken after the mixer,
in a couple of Member States, cross-contamination tests were run on a very limited number of samples, and/or

in a small number of Member States, the limit of detection of the analytical method used for these tests did not allow to quantify cross-contamination levels lower than 10%.

The implementation of procedures based on the HACCP principles is an area which proved to be problematic in an important number of Member States. While in most Member States feed operators maintained a set of documented procedures covering their activities, usually these procedures did not satisfy some key requirements:

- In some Member States, there were activities for which some operators did not maintain and implement HACCP-based procedures. This concerned small scale milling operations, intermediaries, driers, food surplus recyclers and on-farm mixers (using additives and premixtures) and, in a small number of Member States, food operators supplying products to the feed chain, whose HACCP-based procedures did not include this activity within the scope, resulting in such products being left outside any evaluation of the risks they may pose.

- Where HACCP-based procedures were in place the most frequent shortcomings concerned the design of these procedures rather than their implementation, as follows:
  - in some Member States, HACCP-based procedures devised by some feed operators contained critical controls points for which there were either no critical limits, no monitoring arrangements or no correctives actions envisaged; and
  - in some Member States, HACCP-based procedures were of a generic nature (especially as regards the raw materials used), they were not regularly updated and often no link could be made between the hazards and risks identified and the programme of own-checks run by some operators, leading to an inadequate level of monitoring of undesirable substances.

- Establishments participating in feed safety schemes tended to follow minimum frequencies of sampling for undesirable substances, when such frequencies were set in the schemes. However, in some Member States, the reliance of the fact that suppliers were also part of these safety schemes led operators not to implement some of these monitoring arrangements or not to consider them essential, assuming that their suppliers had already carried out such checks. This illustrates a commonly observed problem at feed establishments which was the limited awareness about the principle of validation of the control measures put in place as part of HACCP-based procedures.

- Driers of feed, in particular those using direct drying, were aware of the chemical risks linked to this activity. However, in a small number of Member States, some of such driers (using different types of fuels) had no monitoring arrangement for dioxins or heavy metals on dried products. In some Member States, this was due to the absence of HACCP-based procedures or to the exclusion of such hazards from the scope of HACCP without this decision being substantiated by prior own-checks or other evidence. Moreover, in a couple of Member States, artificial drying of feed at farm level (including direct drying) was wrongly considered an activity associated with primary production of feed (i.e. falling under Article 5(1) of Regulation (EC) No 183/2005) and consequently, the competent authorities took the view that such
operators did not need to carry out own-checks or implement procedures based on the HACCP principles.

In the majority of Member States, samples of ingredients and finished products were usually kept by feed operators. However, in a small number of Member States, no samples of certain ingredients (in particular liquid ingredients, additives and premixtures used for the production of feed) were kept.

Records maintained by feed operators were sufficient to ensure satisfactory traceability of feed in most Member States. However, in a couple of Member States a lack of (or incomplete) records were observed for activities such as mobile mixing and recycling of surplus food, and in another couple of Member States, gaps in the identification of ingredients and finished products as well as incomplete manufacturing histories could affect the ability of feed operators to ensure traceability. Recall procedures and record of complaints were usually in place at feed establishments.

In conclusion, the requirements for feed operators laid down by Article 5(2) of Regulation (EC) No 183/2005 and set out in its Annex II were met to a variable extent: infrastructural and hygienic conditions, as well as traceability were largely satisfactory, and these areas were usually adequately covered by official controls in Member States. However, there were deficiencies in compliance with the requirements for measures to avoid or minimise cross-contamination in an important number of Member States, as well as for the HACCP-based procedures laid down by Articles 6 and 7 of Regulation (EC) No 183/2005 in many Member States, with poor official controls on these topics.

5.5 IMPORTS AND EXPORTS

Member States currently authorise the import of feedingstuffs coming from establishments in third countries having a representative established within the EU (this is an interim measure pending the drawing up of lists of third countries from which imports of feed are permitted). For the sake of consistency, official controls on imported feed of non-animal origin must be carried out with a certain frequency and on a risk basis. Finally, feed which cannot be placed in the EU market can be exported if this is requested by the authorities of the third country of destination, or this practice is established in the legal or administrative procedures in force in the said third country.

Requirements concerning the import of feed are established by Article 24 of Regulation (EC) No 183/2005, which lays down that these continue to be authorised under the conditions of Article 6 of Directive 98/51/EC; the principles for the organisation of official controls on imports of feed of non-animal origin are laid down by Article 16 of Regulation (EC) No 882/2004. Finally, general conditions for the export of feed from the EU are laid down by Article 12 of Regulation (EC) No 178/2002 of the European Parliament and of the Council.

With regard to the existing transitional arrangements, most Member States maintained a list of third countries representatives, although there were variations in the scope of the lists, in particular as regards the inclusion of feed materials and compound feedingstuffs

14 Feed of animal origin is covered by EU legislation on animal by-products and derived products. Imports of such feed have not been covered within the scope of this series of audits.
The said list of representatives was not in place in a small number of Member States, all of which acceded to the EU immediately prior or after Regulation (EC) No 183/2005 (which repealed Directive 98/51/EC) started to apply.

In many Member States, the organisation of official controls on imported feed was largely adequate. However, there were weaknesses in the delivery of such official controls in an important number of Member States, some of which import a significant amount of feed. The most frequent deficiency identified was that the risks associated with the type of feed imported were not (or only partially) taken into account for official sampling and analyses, resulting in inadequate targeting or insufficient levels of sampling. Besides, in a small number of Member States, limited knowledge of what feedingstuffs were imported had an adverse impact in the ability of the competent authorities to devise control programmes which took account of all relevant risks.

In a small number of Member States there were establishments producing (with a view to export) substances whose use as feed additives is not authorised in the EU. However, in two of these Member States there was no evidence that such substances could be placed on the market of the third countries of destination. Moreover, in another two Member States where these substances were traded within the EU (in order to be incorporated into compound feed or premixtures before being exported), this trade was not always notified to the Member States of destination in order to facilitate the organisation of their official controls (see section 5.6.1).

It was concluded that the interim measures for the import of feed laid down by Article 24 of Regulation (EC) No 183/2005 were satisfactorily met. However, the requirements laid down by Article 16 of Regulation (EC) No 882/2004 concerning the organisation of official controls on imported feed were not satisfactorily complied with in an important number of Member States, where certain risks posed by imported products were not adequately taken into account. Finally, the general requirements for the export of feed laid down by Article 12 of Regulation (EC) No 178/2002 were largely met, with some exceptions regarding gathering information from the third country of destination on the requirements for placing on the market the feed concerned.

5.6 OTHER REQUIREMENTS ALONG THE CHAIN

5.6.1 Antibiotics, coccidiostats and histomonats as feed additives

The use of antibiotics as feed additives was banned in the EU as of 2006, although coccidiostats and histomonostats remain authorised as feed additives. The aforementioned ban does not affect the use of antibiotics in the form of medicated feedingstuffs, which is governed by Council Directive 90/167/EEC. Operators must monitor the presence of these substances and develop control strategies to minimise the risk they represent. Similarly, the competent authorities have to carry out official controls in this respect taking account of the relevant risks. Requirements for the placing on the market of feed additives are laid down by Regulation (EC) No 1831/2003.

15 This is related to the scope of products referred to by Article 6 of Directive 98/51/EC, which were those produced in establishments for which Directive 95/69/EC required approval/registration (see section 5.4.1).
Before the phasing out of antibiotics as feed additives took place in 2006, a lot of information had been circulated by the competent authorities and industry; this resulted in stakeholders being fully informed about the applicable restrictions. All Member States except one have developed programmes of inspection and sampling for detection of banned antimicrobial growth promoters and residues of veterinary drugs in feed, as well as for monitoring the level of coccidiostats used, and the large majority of Member States were satisfactorily implementing their inspection and sampling arrangements in this area. However, in some Member States there were limitations in the ability to detect any potential breaches of the applicable legislation due to a number of reasons (a low frequency of inspections/samples, feed samples tested for only a small fraction of the coccidiostats used by the industry, and/or sampling programmes which were poorly risk based in that users of coccidiostats and medicated premixtures were not targeted). Nevertheless, despite the afore-mentioned limitations, results of the monitoring programmes over the years have shown that the phasing out of antibiotics is now well implemented.

Some of the substances whose use as feed additives is not authorised in the EU are still produced and/or used for the production of feed intended to be placed on the market in third countries (see section 5.5); however, the risk posed by this activity was generally inadequately taken into account during official controls in the small number of Member States concerned. This was due:

- in a couple of Member States, to the incomplete overview of the relevant operators which did not allow the targeting of inspections and sampling, and
- in another small number of Member States, to official controls and operators' own-checks which did not (or only partially) involve taking samples in order to verify the level of cross-contamination (in feed destined to the EU) arising from the use of these banned additives.

In conclusion, the requirements laid down by Regulation (EC) No 1831/2003 for antibiotics, coccidiostats and histomonostats used as feed additives were largely met, with the exception of those concerning substances (intended to be placed on the market in third countries) whose use as feed additives is not authorised in the EU, for which there were some deficiencies in official controls in the small number of Member States concerned.

5.6.2 Undesirable substances

Feed may contain undesirable substances (e.g. arsenic, nitrites, dioxins, etc.) which can endanger animal health or, because of their presence in livestock products, human health or the environment. While it is impossible to eliminate fully the presence of these substances, it is important that their content is reduced to safe levels. Operators must monitor the presence of undesirable substances and develop control strategies to minimise the risk they represent. Similarly, the competent authorities have to carry out official controls taking account of the risks posed by these substances. The requirements concerning undesirable substances in feed are laid down by Directive 2002/32/EC.

Official controls and feed operators in all Member States have devised some monitoring arrangements for the presence of undesirable substances in feed. These official sampling programmes were usually risk-based, although in a small number of Member States there
was an absence (or very low level) of monitoring of certain undesirable substances in feed additives, premixtures and/or feed materials, which was not justified on a risk basis. In most Member States, sampling programmes usually took account of the recommendations issued by the Commission (see section 5.2) and of the risk linked to the drying of feed, in particular as regards dioxins and PCBs (with the exception of a couple of Member States, where dried feed was not considered during official sampling).

Targets set in terms of samples and analyses were usually met in most Member States, except in one where there was no official sampling plan in place due to changes in the responsible competent authorities, and in a small number of Member States where low percentages of completion were observed for dioxins and heavy metals (this was generally due to deficiencies in the planning of sampling rather than limitations in financial resources or analytical capacity). In all Member States some guidance documents were available to feed inspectors to help targeting of sampling activities. While the level of detail of these documents varied, they usually covered all relevant hazards and, in most Member States, the risks linked to the nature and processing of feed were considered. However, these guidance documents were not always taken into account by feed inspectors and, in a small number of Member States, this resulted in samples being poorly targeted (e.g. samples taken at random or trace elements never sampled for heavy metals).

In 2009, the introduction of maximum permitted levels of authorised coccidiostats in feed for non-target species helped to clarify the situation as regards the acceptable level of carry-over. However, in many Member States it could not be demonstrated that these maximum permitted levels were met because of deficiencies in the inspection and sampling programmes.

It was concluded that the requirements concerning undesirable substances in feed laid down by Directive 2002/32/EC were largely met, with the exception of those concerning maximum permitted levels of carry-over of coccidiostats in non-target feed, for which there were deficiencies in many Member States.

5.6.3 Prohibited materials

A list of materials whose presence in feed is prohibited has been established in EU legislation; this list includes in particular food packaging material. Operators must monitor the absence of prohibited materials and develop control strategies to minimise the risk they represent. Similarly, the competent authorities have to carry out official controls in this respect taking into account the relevant risks. The requirements concerning prohibited materials in feed are laid down by Article 6 of Regulation (EC) No 767/2009.  

The monitoring of the presence of residues of packaging material in feed was particularly relevant in the area of food products used in the feed chain. This concerns the recycling

---

Prior to September 2010, this issue was governed by Commission Decision 2004/217/EC adopting a list of materials whose circulation or use for animal nutrition purposes is prohibited, which was repealed by Regulation (EC) No 767/2009.
into feed of food products originally intended to be sold in packaged form (17). This surplus food could be diverted to the feed chain for several reasons, mainly of a quality or commercial nature, and it is usually supplied to feed operators responsible for converting the surplus food into a feed material ensuring the removal of packaging, a process which usually involves shredding, sieving and milling into flour-like final products.

In all Member States where audits confirmed the use of surplus food into feed, the final feed material always contained fragments of packaging material. This was despite the fact that some operators involved in the production of such feed usually took steps to remove packaging materials. However, in a couple of Member States packaging material was not seen as a potential hazard and was not removed and, in another Member State, surplus food was processed in a way that packaging material was shredded into particles so fine that they became visually undetectable and went easily through the sieves which were supposed to filter them out. The size and quantity of these fragments varied depending on the processes used but these always resulted in the presence of technically unavoidable levels of packaging material.

A small number of Member States have established tolerances (either formal or informal) for the presence of packaging material in feed, varying between 0.15 % and 0.25 % (of packaging material in weight) and, in these Member States, official controls paid attention to whether the tolerances set were respected or not. However, in all other Member States where surplus food recyclers are in operation, official controls did not enforce the zero tolerance foreseen in the EU legislation. In most Member States, this was due to such requirements being overlooked during official controls. Most operators involved in the processing of surplus food have also set tolerances for the presence of packaging material in finished products. However, in a couple of Member States with a significant number of such operators, these tolerances were not respected and feed which was not meeting the operators' standards was placed on the market. Given that EU legislation does not set out methods of analysis in order to detect residues of packaging material in feed, the competent authorities and operators were using different analytical methods for this purpose which varied, among others, regarding the type of packaging material detected, the minimum size of particles detected, and the method of prior processing of the feed sampled.

Concerning other prohibited materials, almost all operators visited carried out visual checks in order to verify their absence in incoming feed materials, although in a couple of Member States some operators did not record these checks. In addition, for the delivery of bulk feed, operators frequently imposed on transporters conditions aiming at minimising the risk of contamination with prohibited substances, as part of their feed safety quality schemes or contractual commitments. These own-checks and arrangements were routinely checked by the competent authorities as part of their official inspections in most Member States.

In conclusion, the requirements laid down by Article 6 of Regulation (EC) No 767/2009 concerning prohibited materials in feed, in particular food packaging material, were not satisfactorily complied with, either because tolerances for the presence of this material have been established (something which is not foreseen by EU legislation), or because official controls did not pay attention to this matter.

---

17 There is a well-known tradition of feeding food co-products to animals (e.g. wheat bran obtained during milling, spent grains from breweries or beet pulp from the sugar industry); however, these products are rarely packaged.
5.7 ACTIONS TAKEN IN CASE OF NON-COMPLIANCE

Enforcement of the relevant requirements of feed law requires that, when non-compliance is identified, the competent authorities take appropriate action to ensure that the situation is rectified by the operators concerned. Moreover, although Regulation (EC) No 183/2005 is directly applicable in all Member States, national provisions are required to lay down rules on sanctions for infringements. Requirements for action in case of non-compliance and for sanctions are laid down, respectively, by Articles 54 and 55 of Regulation (EC) No 882/2004.

When non-compliance was identified following official controls, actions were usually taken by the competent authorities. The decision on the nature of these actions was, in most Member States, supported by guidance documents made available to feed inspectors. There was usually a consistent approach to the nature of corrective actions that operators had to put in place. However, in a small number of Member States, the competent authorities did not ask for corrective actions in case of non-compliance. This was a systemic issue in one Member State and it referred to rather isolated and specific cases (non-complying results on samples where additives were under-dosed) in two Member States.

In many Member States, deadlines were imposed for the implementation of the said corrective actions and the competent authorities took these deadlines into account for planning their subsequent inspections or other activities, in order to carry out the necessary follow-up in a timely fashion. However, in some Member States, the deadlines imposed were not taken into account for follow-up activities, which were systematically carried out at the following routine inspection (in some Member States up to two or three years after the inspection where the shortcomings had been identified). In a couple of these Member States, this situation arose from a lack of flexibility in planning, and in another country it was due to the absence of tools enabling the competent authorities to keep track of the deadlines imposed and the required follow-up.

In some Member States, the same shortcomings were repeatedly observed over time in the same establishments following official controls; although corrective actions were prescribed, these were not undertaken by some operators.

In all Member States, there were national provisions covering sanctions applicable to infringements of feed legislation, with different levels of sanctions which could be imposed and which can be considered as dissuasive in most Member States. However, in a couple of Member States, a legal basis was missing to enable the competent authorities to impose sanctions in case of non-compliance pertaining to Regulation (EC) No 183/2005.

It was concluded that the requirements laid down by Articles 54 and 55 of Regulation (EC) No 882/2004 were largely complied with in the majority of Member States; however, in a small number of Member States there were significant deficiencies in enforcement.
6. **OVERALL CONCLUSIONS**

The requirements for designation of the competent authorities carrying out official controls in the feed sector and resources at their disposal, including laboratories, were largely met. However, deficiencies in the co-operation between different competent authorities affected official controls along the feed chain. In addition, although arrangements for the training of staff were mostly in place, gaps in this respect resulted in a limited level of expertise of feed inspectors, notably as regards HACCP and cross-contamination. Finally, the verification of effectiveness of official controls was not always fit for purpose.

In most Member States regular and largely documented official controls were in place which, albeit with some gaps, tended to cover the entire feed chain. While the inspection and sampling programmes were largely risk-based, in an important number of Member States this approach did not take account of the reliability of operators' own-checks. Official controls on imported feed were not satisfactorily complied with in an important number of Member States, where certain risks posed by imported products were not adequately taken into account. The requirements for enforcement were largely complied with in most Member States, although there were significant deficiencies in this respect in a small number of Member States.

The procedures for approval of feed establishments were largely satisfactory, but the registration process was at various stages of completion and there were inaccuracies in the lists of approved/registered establishments.

The requirements for feed operators concerning infrastructure and hygienic conditions, as well as traceability were largely satisfactory. However, in many Member States measures to avoid or minimise cross-contamination, as well as HACCP-based procedures were deficient, with poor official controls on these topics.

The requirements for antibiotics, coccidiostats and histomonostats as feed additives and for undesirable substances (other than for coccidiostats) were, with some deficiencies, largely met. However, the requirements concerning maximum permitted levels of residues of coccidiostats in non-target feed and for prohibited food packaging material were not fully met.

7. **OVERVIEW OF RECOMMENDATIONS**

The reports of the individual audits carried out within this series contain recommendations made to the competent authorities of the Member States visited; these recommendations mainly concerned the following areas:

- co-operation between different competent authorities;
- internal supervisory arrangements;
- risk-basing of official controls (both for inspections and sampling);
- completion of the registration of feed establishments;
- requirements set out by Annex II to Regulation (EC) No 183/2005, in particular as regards HACCP-based procedures and minimisation of cross-contamination of non-target feed with coccidiostats;
- risk-basing of physical checks on imported feed; and
rules applicable to substances whose use in feed is prohibited, in particular residues of packaging materials in feed.

8. ACTION TAKEN OR ENVISAGED BY THE COMMISSION SERVICES

8.1 FOLLOW-UP OF AUDIT RECOMMENDATIONS

For each audit, a copy of the final report was sent to the competent authorities of the Member States visited with a request for a proposal of actions aimed at addressing the report's recommendations. A deadline was set for the receipt of these proposed corrective actions, which were then reviewed by the FVO. In the majority of Member States, the FVO took the view that the proposed actions were satisfactory or largely satisfactory, but where it was considered that they did not address the recommendations, the Commission services actively pursued the matter with the competent authorities concerned. In a small number of Member States in particular, some of the issues detected were considered sufficiently serious to warrant active monitoring arrangements by the Commission services.

Finally, the above-mentioned corrective actions proposed by the competent authorities have been subject to regular FVO follow-up in the framework of general review audits. In addition, in many Member States, specific follow-up was carried out during subsequent audits within this series (this refers in particular to those audits carried out early in the series – see section 1), where it was confirmed that the proposed actions had been delivered, as well as a positive tendency towards compliance.

8.2 FVO AUDITS FOLLOWING COMPLETION OF THE SERIES

A clear inference from this series is the existence of important deficiencies across the board on the implementation and official controls on procedures based on the HACCP principles. Interestingly, a number of past feed safety crises (e.g. dioxins in fatty acids or in dried food co-products) were linked to poor hazard identification and risk management measures by the feed operators concerned. These crises have also shown that some activities can be considered more of a risk than others, resulting in EU legislation being amended (see below). For these reasons, a new series of audits has been rolled out as of 2012, focusing on some key requirements of the legislation concerning areas along the feed chain where hazards have been identified and where the consequent risks have therefore to be managed. This series also aims at gathering information on a selected number of key requirements laid down by Regulation (EC) No 767/2009 which are solely related to feed marketing in an attempt to establish the level of implementation of this Regulation in Member States.

8.3 OTHER ACTIONS

Better Training for Safer Food is an initiative of the European Commission's Directorate-General for Health and Consumer Protection launched in 2006, which provides training for Member State control staff and third country participants. The scope of the programme, which covered HACCP since its inception, was extended to include feed law in 2009 in recognition of the importance of the feed sector. These training courses have facilitated an exchange of information between officials dealing with official controls in
the area of feed and have served to foster a more uniform implementation of EU legislation.

Regulation (EC) No 767/2009, which applies from September 2010, has resulted in a major recast of the legislation concerning the placing on the market and use of feed.

Commission Regulation (EU) No 225/2012, which applies from September 2012, has amended Annex II to Regulation (EC) No 183/2005. Among others, the amended Annex lays down requirements for the approval of establishments placing on the market, for feed use, products derived from vegetable oils and blended fats and for dioxin testing of these products.
<table>
<thead>
<tr>
<th>Legal reference</th>
<th>Official Journal</th>
<th>Title</th>
</tr>
</thead>
</table>
## Annex 2: DETAILS OF INDIVIDUAL AUDITS

<table>
<thead>
<tr>
<th>Member State</th>
<th>Report number</th>
<th>Dates of audit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>DG(SANCO) 2007-7500</td>
<td>4 to 12 Sept. 2007</td>
</tr>
<tr>
<td>Belgium</td>
<td>DG(SANCO) 2006-8077</td>
<td>4 to 8 Sept. 2006</td>
</tr>
<tr>
<td>Belgium</td>
<td>DG(SANCO) 2010-8469</td>
<td>13 to 23 Apr. 2010</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>DG(SANCO) 2007-7272</td>
<td>2 to 10 Oct. 2007</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>DG(SANCO) 2010-8478</td>
<td>19 to 29 Oct. 2010</td>
</tr>
<tr>
<td>Cyprus</td>
<td>DG(SANCO) 2009-8086</td>
<td>21 to 25 Sept. 2009</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>DG(SANCO) 2009-8087</td>
<td>18 to 27 Nov. 2009</td>
</tr>
<tr>
<td>Denmark</td>
<td>DG(SANCO) 2006-8078</td>
<td>4 to 8 Sept. 2006</td>
</tr>
<tr>
<td>Denmark</td>
<td>DG(SANCO) 2009-8327</td>
<td>8 to 16 Oct. 2009</td>
</tr>
<tr>
<td>Estonia</td>
<td>DG(SANCO) 2007-7233</td>
<td>3 to 7 Sept. 2007</td>
</tr>
<tr>
<td>Finland</td>
<td>DG(SANCO) 2009-8088</td>
<td>1 to 9 July 2009</td>
</tr>
<tr>
<td>France</td>
<td>DG(SANCO) 2007-7263</td>
<td>19 to 28 June 2007</td>
</tr>
<tr>
<td>France</td>
<td>DG(SANCO) 2010-8464</td>
<td>17 to 28 May 2010</td>
</tr>
<tr>
<td>Germany</td>
<td>DG(SANCO) 2009-8322</td>
<td>8 to 18 Sept. 2009</td>
</tr>
<tr>
<td>Greece</td>
<td>DG(SANCO) 2008-7724</td>
<td>28 Jan. to 1 Feb. 2008</td>
</tr>
<tr>
<td>Hungary</td>
<td>DG(SANCO) 2008-7720</td>
<td>1 to 5 Sept. 2008</td>
</tr>
<tr>
<td>Ireland</td>
<td>DG(SANCO) 2008-7721</td>
<td>19 to 23 May 2008</td>
</tr>
<tr>
<td>Ireland</td>
<td>DG(SANCO) 2009-8320</td>
<td>15 to 23 Sept. 2009</td>
</tr>
<tr>
<td>Italy</td>
<td>DG(SANCO) 2007-7264</td>
<td>23 to 31 Jan. 2007</td>
</tr>
<tr>
<td>Italy</td>
<td>DG(SANCO) 2009-8321</td>
<td>17 to 27 Nov. 2009</td>
</tr>
<tr>
<td>Latvia</td>
<td>DG(SANCO) 2007-7265</td>
<td>3 to 7 Sept. 2007</td>
</tr>
<tr>
<td>Lithuania</td>
<td>DG(SANCO) 2011-8089</td>
<td>16 to 20 Mar. 2009</td>
</tr>
<tr>
<td>Netherlands</td>
<td>DG(SANCO) 2006-8079</td>
<td>11 to 15 Sept. 2006</td>
</tr>
<tr>
<td>Netherlands</td>
<td>DG(SANCO) 2009-8095</td>
<td>27 Oct. to 6 Nov. 2009</td>
</tr>
<tr>
<td>Netherlands</td>
<td>DG(SANCO) 2011-8943</td>
<td>4 to 11 Apr. 2011</td>
</tr>
<tr>
<td>Poland</td>
<td>DG(SANCO) 2010-8465</td>
<td>17 to 28 May 2010</td>
</tr>
<tr>
<td>Portugal</td>
<td>DG(SANCO) 2006-8084</td>
<td>21 to 29 Nov. 2006</td>
</tr>
<tr>
<td>Portugal</td>
<td>DG(SANCO) 2011-8942</td>
<td>10 to 21 Oct. 2011</td>
</tr>
<tr>
<td>Romania</td>
<td>DG(SANCO) 2007-7273</td>
<td>19 to 27 June 2007</td>
</tr>
<tr>
<td>Romania</td>
<td>DG(SANCO) 2010-8479</td>
<td>14 to 24 Sept. 2010</td>
</tr>
<tr>
<td>Slovak Republic</td>
<td>DG(SANCO) 2008-7722</td>
<td>16 to 20 June 2008</td>
</tr>
<tr>
<td>Slovenia</td>
<td>DG(SANCO) 2008-7998</td>
<td>24 to 28 Nov. 2008</td>
</tr>
<tr>
<td>Spain</td>
<td>DG(SANCO) 2008-7723</td>
<td>10 to 19 June 2008</td>
</tr>
<tr>
<td>Spain</td>
<td>DG(SANCO) 2011-8940</td>
<td>8 to 18 Feb. 2011</td>
</tr>
<tr>
<td>Sweden</td>
<td>DG(SANCO) 2009-8091</td>
<td>17 to 24 Feb. 2009</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>DG(SANCO) 2009-8092</td>
<td>16 to 26 June 2009</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>DG(SANCO) 2011-8955</td>
<td>15 to 25 Nov. 2011</td>
</tr>
</tbody>
</table>