

# Enforcement of EU food hygiene legislation on farms in England

## **ANNEX A**

Extract from: Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs – showing the provisions which apply to primary production.

## **ANNEX B**

The development of a risk-based approach to foodhygiene controls on farm and their enforcement

## **ANNEX C**

Compliance with the registration requirement

## **ANNEX D**

Identification of hazards to be controlled at the level of primary production

## **ANNEX E**

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**EXTRACT FROM: REGULATION (EC) No 853/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 29 April 2004 on the hygiene of foodstuffs – SHOWING THE PROVISIONS WHICH APPLY TO PRIMARY PRODUCTION**

***Article 1***  
**Scope**

1. This Regulation lays down general rules for food business operators on the hygiene of foodstuffs, taking particular account of the following principles:

- (a) primary responsibility for food safety rests with the food business operator,
- (b) it is necessary to ensure food safety throughout the food chain, starting with primary production;
- (c) it is important, for food that cannot be stored safely at ambient temperatures, particularly frozen food, to maintain the cold chain;
- (d) general implementation of procedures based on the HACCP principles, together with the application of good hygiene practice, should reinforce food business operators' responsibility;
- (e) guides to good practice are a valuable instrument to aid food business operators at all levels of the food chain with compliance with food hygiene rules and with the application of the HACCP principles;
- (f) it is necessary to establish microbiological criteria and temperature control requirements based on a scientific risk assessment;
- (g) it is necessary to ensure that imported foods are of at least the same hygiene standard as food produced in the Community, or are of an equivalent standard.

This Regulation shall apply to all stages of production, processing and distribution of food and to exports, and without prejudice to more specific requirements relating to food hygiene.

***Article 2***

**Definitions**

1. For the purposes of this Regulation:

- (a) 'food hygiene', hereinafter called 'hygiene', means the measures and conditions necessary to control hazards and to ensure fitness for human consumption of a foodstuff taking into account its intended use;
- (b) 'primary products' means products of primary production including products of the soil, of stock farming, of hunting and fishing; [...]
2. The definitions laid down in Regulation (EC) No 1782/2002 shall also apply.
3. In the Annexes to this Regulation the terms 'where necessary', 'where appropriate', 'adequate' and 'sufficient' shall mean respectively where necessary, where appropriate, adequate or sufficient to achieve the objectives of this Regulation.

*Article 3*  
**General obligation**

Food business operators shall ensure that all stages of production, processing and distribution of food under their control satisfy the relevant hygiene requirements laid down in this Regulation.

*Article 4*  
**General and specific hygiene requirements**

1. Food business operators carrying out primary production and those associated operations listed in Annex I shall comply with the general hygiene provisions laid down in part A of Annex I and any specific requirements provided for in Regulation (EC) No 853/2004.

*Article 6*  
**Official controls, registration and approval**

1. Food business operators shall cooperate with the competent authorities in accordance with other applicable Community legislation or, if it does not exist, with national law.
2. In particular, every food business operator shall notify the appropriate competent authority, in the manner that the latter requires, of each establishment under its control that carries out any of the stages of production, processing and distribution of food, with a view to the registration of each such establishment.

Food business operators shall also ensure that the competent authority always has up-to-date information on establishments, including by notifying any significant change in activities and any closure of an existing establishment.

## *ANNEX I* **PRIMARY PRODUCTION**

### **PART A: GENERAL HYGIENE PROVISIONS FOR PRIMARY PRODUCTION AND ASSOCIATED OPERATIONS**

#### *I. Scope*

1. This Annex applies to primary production and the following associated operations:

- (a) the transport, storage and handling of primary products at the place of production, provided that this does not substantially alter their nature;
- (c) the transport of live animals, where this is necessary to achieve the objectives of this Regulation; and
- (c) in the case of products of plant origin, fishery products and wild game, transport operations to deliver primary products, the nature of which has not been substantially altered, from the place of production to an establishment.

#### *II. Hygiene provisions*

2. As far as possible, food business operators are to ensure that primary products are protected against contamination, having regard to any processing that primary products will subsequently undergo.
3. Notwithstanding the general duty laid down in paragraph 2, food business operators are to comply with appropriate Community and national legislative provisions relating to the control of hazards in primary production and associated operations, including:
- (a) measures to control contamination arising from the air, soil, water, feed, fertilisers, veterinary medicinal products, plant protection products and biocides and the storage, handling and disposal of waste;

and

- (b) measures relating to animal health and welfare and plant health that have implications for human health including programmes for the monitoring and control of zoonoses and zoonotic agents.
4. Food business operators rearing, harvesting or hunting animals or producing primary products of animal origin are to take adequate measures, as appropriate:
- (a) to keep any facilities used in connection with primary production and associated operations, including facilities used to store and handle feed, clean and, where necessary after cleaning, to disinfect them in an appropriate manner;
  - (b) to keep clean and, where necessary after cleaning, to disinfect, in an appropriate manner, equipment, containers, crates, vehicles and vessels;
  - (c) as far as possible to ensure the cleanliness of animals going to slaughter and, where necessary, production animals;
  - (d) to use potable water, or clean water, whenever necessary to prevent contamination;
  - (e) to ensure that staff handling foodstuffs are in good health and undergo training on health risks;
  - (f) as far as possible to prevent animals and pests from causing contamination;
  - (g) to store and handle waste and hazardous substances so as to prevent contamination;
  - (h) to prevent the introduction and spread of contagious diseases transmissible to humans through food, including by taking precautionary measures when introducing new animals and reporting suspected outbreaks of such diseases to the competent authority;
  - (i) to take account of the results of any relevant analyses carried out on samples taken from animals or other samples that have importance to human health;

and

- (j) to use feed additives and veterinary medicinal products correctly, as required by the relevant legislation.

5. Food business operators producing or harvesting plant products are to take adequate measures, as appropriate:

- (a) to keep clean and, where necessary after cleaning, to disinfect, in an appropriate manner, facilities, equipment, containers, crates, vehicles and vessels;
- (b) to ensure, where necessary, hygienic production, transport and storage conditions for, and the cleanliness of, plant products;
- (c) to use potable water, or clean water, whenever necessary to prevent contamination;
- (d) to ensure that staff handling foodstuffs are in good health and undergo training on health risks;
- (e) as far as possible to prevent animals and pests from causing contamination;
- (f) to store and handle wastes and hazardous substances so as to prevent contamination;
- (g) to take account of the results of any relevant analyses carried out on samples taken from plants or other samples that have importance to human health;

and

- (h) to use plant protection products and biocides correctly, as required by the relevant legislation.

6. Food business operators are to take appropriate remedial action when informed of problems identified during official controls.

### III. *Record-keeping*

7. Food business operators are to keep and retain records relating to measures put in place to control hazards in an appropriate manner and for an appropriate period, commensurate with the nature and size of the food business. Food business operators are to make relevant information contained in these records available to the competent authority and receiving food business operators on request.
  
8. Food business operators rearing animals or producing primary products of animal origin are, in particular, to keep records on:
  - (a) the nature and origin of feed fed to the animals;
  
  - (b) veterinary medicinal products or other treatments administered to the animals, dates of administration and withdrawal periods;
  
  - (c) the occurrence of diseases that may affect the safety of products of animal origin;
  
  - (d) the results of any analyses carried out on samples taken from animals or other samples taken for diagnostic purposes, that have importance for human health;and
  - (e) any relevant reports on checks carried out on animals or products of animal origin.
  
9. Food business operators producing or harvesting plant products are, in particular, to keep records on:
  - (a) any use of plant protection products and biocides;
  
  - (b) any occurrence of pests or diseases that may affect the safety of products of plant origin;and
  - (c) the results of any relevant analyses carried out on samples taken from plants or other samples that have importance to human health.
  
10. The food business operators maybe assisted by other persons,
  - (g)
  
  - (h)
  
  - (i)

such as veterinarians, agronomists and farm technicians, with the keeping of records.

## PART B: RECOMMENDATIONS FOR GUIDES TO GOOD HYGIENE PRACTICE

1. National and Community guides referred to in Articles 7 to 9 of this Regulation should contain guidance on good hygiene practice for the control of hazards in primary production and associated operations.
2. Guides to good hygiene practice should include appropriate information on hazards that may arise in primary production and associated operations and actions to control hazards, including relevant measures set out in Community and national legislation or national and Community programmes. Examples of such hazards and measures may include:
  - (a) the control of contamination such as mycotoxins, heavy metals and radioactive material;
  - (b) the use of water, organic waste and fertilisers;
  - (c) the correct and appropriate use of plant protection products and biocides and their traceability;
  - (d) the correct and appropriate use of veterinary medicinal products and feed additives and their traceability;
  - (e) the preparation, storage, use and traceability of feed;
  - (f) the proper disposal of dead animals, waste and litter,
  - (g) protective measures to prevent the introduction of contagious diseases transmissible to humans through food, and any obligation to notify the competent authority;
  - (h) procedures, practices and methods to ensure that food is produced, handled, packed, stored and transported under appropriate hygienic conditions, including effective cleaning and pest-control;
  - (i) measures relating to the cleanliness of slaughter and production animals;
  - (j) measures relating to record-keeping.

**THE DEVELOPMENT OF A RISK-BASED APPROACH TO FOOD HYGIENE CONTROLS ON FARM AND THEIR ENFORCEMENT**

**Approach**

1. In keeping with the approach taken throughout the food chain, the legislation (see **Annex A**) is expressed in general terms and high level objectives. The requirements are therefore flexible depending on the nature of local circumstances relating to individual food businesses. This means that there will need to be emphasis on local decisions on arrangements for compliance. An overarching factor will be the need to prevent contamination entering the food chain and otherwise to control hazards to public health from food that can occur in primary production.
2. The requirements applying to food business operators and the requirements on new enforcement/inspection arrangements have similar flexibilities. In particular the legislation lays down no prescription on the nature and frequency of inspections. The nature and frequency and targeting of inspections is to be left to local discretion subject to the general expectation that it will be risk based and evidence based. The fact that these are new requirements provides the opportunity to develop arrangements specific to the nature of the primary production sector and drawing on best practice in relation to enforcement.

**How we have developed our proposals**

3. A UK-wide Technical Group has been brought together to provide input and comment as part of the process of achieving a consistent enforcement approach. The Group is chaired by the FSA and consists of representatives of the farming industry, the major farm assurance schemes and enforcement authorities, together with FSA representatives. Group members are encouraged to involve their constituencies in commenting on proposals and bringing an informed perspective to bear on the discussions. The Group will continue to meet over the course of the consultation to help refine proposals and to provide advice on how best to communicate with the industry and enforcement community. Membership of the Group and its terms of references are available from the website at

<http://www.food.gov.uk/foodindustry/hygiene/primprodqanda/>

**Review and evaluation**

4. In order to be able to ensure the arrangements for enforcement are proportionate and effective, we need to be able to review their operation in the light of experience. We therefore intend to review these arrangements from 1 December 2007.

**COMPLIANCE WITH THE REGISTRATION REQUIREMENT**

1. To facilitate food hygiene enforcement activities food businesses operators, including primary producers, must register their establishments with the Competent Authority<sup>1</sup>. The Regulations allow the Competent Authority to determine the details of the registration process.
2. The new EU food hygiene legislation requires primary producers to notify the competent authority of establishments under their control with a view to those establishments being registered. The details of the registration process for food business operators are detailed in EC Regulation No. 852/2004 while the Official Feed and Food Control (OFFC) Regulation (EC No. 882/2004) provides requirements for Competent Authorities to register and list those businesses.
3. The purpose of registration is to enable the Competent Authorities to have the business details available, from external sources if necessary, so businesses can subsequently be factored into official controls.
4. In the OFFC Regulation Article 31 1(b) states ‘ where such a list already exists for other purposes, it may also be used for the purposes of this Regulation’. The option to use existing lists is also detailed in the Commission’s guidance document on the implementation of 852/2004 where specific examples of suitable alternative registration information sources are made e.g. environmental or animal health data. A new dedicated food hygiene registration system at primary production level is not therefore required.
5. In line with better regulation principles, the intention has been to meet the registration requirement without setting up an entirely new registration system. This would reduce the regulatory burden on businesses and enforcers by avoiding duplicating requests for business information. We therefore propose to use those lists already held by DARD.

**Question: Are there other ways of fulfilling the registration requirement that should be included and if so will this entail any costs for food businesses?**

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<sup>1</sup> The legislation requires that certain types of establishments need to be approved if they handle products of animal origin for which Annex III of Regulation 853/3004 lays down requirements. Article 4(2)(a) of that Regulation states clearly that this does not apply to establishments only carrying out primary production.

**IDENTIFICATION OF HAZARDS TO BE CONTROLLED AT THE LEVEL OF PRIMARY PRODUCTION**

**Introduction**

1. This paper describes the approach to controlling hazards on farm that the legislation requires. It goes on to consider how hazards might be identified and suggests controls that would be appropriate. The tables that result are offered as a starting point for producing guidance for industry and for enforcers. **Your comments are sought on whether the content is complete and appropriate and on what forms of presentation would be most useful.**

**The approach of the legislation**

2. Part A of Annex I to Regulation 852/2004 establishes general hygiene provisions for primary production and associated operations (which are described in the Annex).
3. A hierarchical approach is adopted. Part A, Section II (2) establishes the over-arching requirement:

“2. As far as possible, food business operators are to ensure that primary products are protected against contamination, having regard to any processing that primary products will subsequently undergo.”
4. “Contamination” is defined as “...the presence or introduction of a hazard”. “Hazard” is defined as “...a biological, chemical or physical agent in, or condition of food .... with the potential to cause an adverse health effect”. “Primary products” is defined as “...products of primary production including products of the soil, of stock farming, of hunting and fishing”.
5. Part A, Section II (3) then requires that:

“3. Notwithstanding the general duty laid down in paragraph 2, food business operators are to comply with appropriate Community and national legislative provisions relating to the control of hazards in primary production and associated operations,....”. Examples are then given.
6. Part A, Section II (4) relates to primary products of animal origin and establishes requirement for cleanliness and the prevention of contamination. Part A, Section II (5) does the same for primary products of plant origin. These may be requirements contained in other pieces of legislation.

7. Section III establishes a requirement for record keeping. Paragraph 7 is a general requirement to keep and retain records relating to measures put in place to control hazards and to make these available. Paragraph 8 includes specific requirements for products of animal origin (which for slaughter animals will form the basis of food chain information). Paragraph 9 includes specific requirements for products of plant origin. As above, some of the requirements for record keeping may be contained in other pieces of legislation.

### **An approach to identifying hazards**

8. In order to be clear about what the hygiene legislation requires, it is suggested that food-related public health hazards at this level are identified, together with an indication of which primary production activities might constitute a risk of the hazard occurring. This can then form the basis for identifying whether the hazards are controlled under existing legal requirements, and therefore how it may be necessary to link up with other enforcement regimes. Any gaps identified will then need to be covered in order to comply with the hygiene requirements. This analysis can then be used to consider how best to offer guidance to primary producers on what they need to do to control the identified hazards and also to enforcers.

### **Hazard categories**

9. Existing food safety management systems usually consider hazards under three main categories, biological, chemical or physical hazards. To help identify the possible food safety hazards at primary production level the table below gives examples under each of the three categories.

Biological hazard*	Chemical hazard	Physical hazard
Bacteria	Veterinary medicines	Foreign bodies (i.e. metal, glass, plastic, asbestos)
Viruses	Pesticides	Fuel**
Moulds	Biocides	Pests**
Parasites	Fertilisers	Poisonous plants or fungi**
Prions	Mycotoxins	
	Heavy metals	
	Nitrates	
	Dioxins	
	Other organic chemicals***	

\* Where these are a hazard to public health through the consumption of food

\*\* May also be a chemical (and in some cases biological) hazard

\*\*\* This will vary considerably dependent on the individual situation so examples have not been given.

### Hazard Control Table

10. Having identified the key hazards that may be found on UK primary production holdings the following table has been developed to identify how these may be controlled. The hazard control table has been split into 2 sections, Section A relates to livestock production with section B concerning plant production.
11. It is recognised that there are significant differences between intensive and extensive livestock production. Initially the table was divided to reflect these two categories but, with generic legislation in Annex 1 of EC 852/2004 that does not differentiate between livestock sectors, this created significant duplication. A single section for livestock is therefore presented with the small number of controls that may apply to one particular sector being noted in the table.
12. The section on livestock also includes the requirements relating to the provision of food chain information (FCI) from producers to

slaughterhouse operators. These requirements are explained more fully in Annex II, Section III of Regulation 853/2004. This also sets out the circumstances under which the slaughterhouse operator does not need to be provided with certain information.

13. In Section B on crop and plant production, different issues arise depending upon whether the crop can be eaten raw (CER) or requires further processing. The table below shows a breakdown of crops commonly grown in the UK divided into these 2 categories. This table is indicative and does not provide exhaustive coverage of all crops grown in the UK.

Can be Eaten Raw		Cooked/processed before consumption
Apple	Loganberry	Artichoke
Asparagus	Mange tout	Aubergine
Baby leaf brassicas	Mushrooms	Beetroot
Beans (including runner, broad and dwarf French)	Onions (bulb) red and white	Brussel sprouts
Blackberry	Pear	Cereals
Blackcurrant	Peas	Kale
Blueberry	Peppers	Leek
Broccoli/calabrese	Plum	Marrow
Cabbage	Radish	Oilseed rape
Carrots	Raspberry	Parsnip
Cauliflower	Redcurrant	Potato
Celeriac	Salad leaves	Pumpkin
Celery	Salad onions	Rhubarb
Cherry	Shallot	Sugar beet
Chicory	Spinach	Sunflower
Courgette	Strawberry	Swede
Cucumber	Sugarsnap peas	Sweet potato
Garlic	Sweetcorn	Turnip
Gooseberry	Tayberry	
Herbs	Tomato	
Kohlrabi	Watercress	
Lettuce		

**Question: Do you agree with the classifications given?**

14. Six column headings are used throughout the hazard control table as follows:

What can go wrong: This identifies the possible source of a food hazard.

What can happen: This outlines the possible type of hazard that may be associated with the source, as outlined in the hazard categories outlined above.

What to do to comply: This outlines actions to deal with the hazard which would meet the requirements of the food hygiene legislation.

Examples of good practice/further guidance: This provides some examples of good practice and identifies additional sources of guidance that can help you.

Records: This column will be used to identify where records are already being kept for other requirements.

Does other law apply: This column will be used to identify where legislation already exists and is subject to other enforcement regimes.

15. The intention is to use the information in the table as a starting point for developing guidance. Once we are confident the table is complete, we can present the information in a variety of formats and could consider producing guidance in different forms for industry and enforcement authorities.

**Questions: We are seeking your views on a number of aspects regarding the hazard control table.**

**Concerning the overall presentation:**

- **Do you have suggestions for improving the layout or for aiding the comprehension of the table? In particular do you agree with the current division into livestock and crop production?**
- **As noted at paragraph 8 above, the hygiene legislation is meant to “plug gaps” and not duplicate other legislation. Should this material therefore exclude advice about anything controlled under other legislation or would the industry find it useful to have advice more generally in relation to public health hazards to food?**
- **Would you prefer to see references back to the specific provisions of the legislation? Should these replace or be in addition to the references to hazards in the first column?**

**Concerning the table columns:**

- **Do you find the second column useful?**
- **Do the titles used make the clear distinction between what is required and what is advice or examples of good practice?**
- **Are the ‘must do’ examples an acceptable interpretation of the legislative requirement?**
- **Are there particular issues in respect of organic production which need to be identified and covered?**

- **Can you give examples of the record keeping requirements already in place, identifying where possible if these are statutory or voluntary requirements?**
- **Can you identify areas already covered by existing enforcement regimes that could be included in the legislation column.**

## **GLOSSARY OF ABBREVIATIONS AND TERMS USED IN HAZARD CONTROL TABLE**

**CER:** can be eaten raw. Examples are salad and fruit crops but can apply to a wide range of foods.

**Contamination:** the presence or introduction of a hazard.

**Clean water:** Water that does not contain micro organisms, harmful substances or toxic marine plankton in quantities capable of directly or indirectly affecting the health quality of food

**Defra:** Department for Environment, Food and Rural Affairs

**DARD:** Department of Agriculture and Rural Development

**FCI:** Food Chain Information

**Food hygiene:** means the measures and conditions necessary to control hazards and to ensure fitness for human consumption of a foodstuff taking into account its intended use;

**Hazard:** a biological, chemical or physical agent in, or condition of, food with the potential to causes an adverse health effect.

**Primary products:** means products of primary production including products of the soil, of stock farming, of hunting and fishing

**Primary production:** means the production, rearing or growing of primary products including harvesting, milking and farmed animal production prior to slaughter. It also includes hunting and fishing and the harvesting of wild products

**Potable Water:** Water meeting the minimum requirements laid down in Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption.

**Zoonotic disease:** an animal disease that can be transmitted to humans. Some of these diseases, such as rabies required direct animal contact while a number of zoonotic diseases may be transferred via food products, for example tuberculosis (TB), *salmonella*, *E Coli* and *campylobacter*.

Animal diseases that affect animal health but which are not transmissible to humans are not considered in the following tables, which are concerned with the risk to human health.



## SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS

### 1. Site selection

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(A)1.1 Contaminated land used for keeping animals.	<ul style="list-style-type: none"> <li>Introduction of chemical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Select appropriate site, with history of previous use.</li> </ul> <p>FCI: Where necessary, results of relevant analyses.</p>	<ul style="list-style-type: none"> <li>Carry out risk assessment on new land selected for keeping animals to minimise risk of contamination.</li> <li>Codes of Good Agricultural Practice.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**2. Premises and equipment including transport**

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
<p>(A) 2.1 Inadequate or incorrect storage of hazardous waste and substances. <b>Question: Should this be split to cover wastes e.g. oils, effluent etc. and hazardous substances e.g. rat bait, crop protection products, medicines?</b></p>	<ul style="list-style-type: none"> <li>• Introduction of biological, chemical or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Handle safely and store securely to prevent misuse or accidents.</li> <li>• Dispose safely of animal carcasses</li> <li>• Dispose safely of harmful chemicals such as sheep dip.</li> <li>• Store muck, slurry, sewage sludge, abattoir waste etc. in a safe and secure area and take precautions to prevent spread of disease.</li> <li>• Prevent animals having access to waste materials.</li> <li>• Prevent animals having contact with drainage from farm waste stores.</li> <li>• Manage immediate surroundings to reduce contamination.</li> </ul>	<ul style="list-style-type: none"> <li>• Codes of Good Agricultural Practice.</li> <li>• Defra Safe Sludge Matrix*.</li> <li>• FSA and Defra guidance* on the application of animal manures and other fertilisers to grazing land to minimise risk of contamination.</li> <li>• BS5502 provides guidance on structures</li> <li>• COSHH requirements</li> </ul> <p>* and equivalents issued in devolved administrations.</p>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**2. Premises and equipment including transport (cont.)**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(A)2.2 Overstocking resulting in spread of zoonotic disease.	<ul style="list-style-type: none"> <li>• Introduction of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Animals should be kept in conditions that ensure their health and welfare, therefore limiting the potential for zoonotic diseases.</li> </ul>	<ul style="list-style-type: none"> <li>• Animal welfare codes.</li> <li>• Take the advice of your veterinary surgeon</li> </ul>		
(A) 2.3 Spread of zoonotic disease due to reuse of buildings or equipment without appropriate cleaning.	<ul style="list-style-type: none"> <li>• Introduction of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure buildings and equipment are appropriately cleaned and where necessary, disinfected.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that facilities and equipment are made of materials that can be effectively cleaned and disinfected.</li> <li>• Clean facilities and equipment on a regular basis to prevent the build up of excessive muck, dirt, dust or spoiled feed.</li> <li>• Clean and disinfect facilities and equipment after an outbreak of disease or as recommended by your vet.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**2. Premises and equipment including transport (cont.)**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(A) 2.3 Spread of zoonotic disease due to reuse of buildings or equipment without appropriate cleaning (cont.).	<ul style="list-style-type: none"> <li>• Introduction of biological hazards. (cont.)</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure buildings and equipment are appropriately cleaned and where necessary, disinfected. (cont.)</li> </ul>	<ul style="list-style-type: none"> <li>• Clean and disinfect any equipment that has been used to handle animal muck prior to use to store or handle animal feed, water supply or bedding.</li> <li>• Inspect the condition of your facilities regularly and maintain in good condition.</li> <li>• Clean and disinfect facilities and equipment at depopulation and where there is an extra risk of spread of contamination, such as at birth of animals and weaning.</li> <li>• Codes on Biosecurity.</li> </ul>		
(A) 2.4 Inadequate hygiene facilities for staff working with animals.	<ul style="list-style-type: none"> <li>• Introduction of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide access to adequate facilities e.g. handwashing and WCs.</li> </ul>			

## SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS

### 3. Animal health and disease, use of veterinary medicines and clean livestock

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(A) 3.1 Outbreak of zoonotic disease.	<ul style="list-style-type: none"> <li>Introduction or presence of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Report notifiable disease outbreaks.</li> <li>Isolate/treat sick animals.</li> <li>Dispose of dead animals correctly.</li> </ul> <p>FCI: Animal health status of holding/region.</p> <p>FCI: Occurrence of diseases that may affect the safety of meat.</p>	<ul style="list-style-type: none"> <li>Notify the SVS/DARD Veterinary Service if you suspect the presence of notifiable diseases in your animals.</li> <li>Take the advice of your veterinary surgeon.</li> <li>Make checks on the health of bought in animals prior to purchase and quarantine or segregate as advised by your vet.</li> <li>Always buy new stock from a reputable/known source.</li> <li>Consider vaccination or treatment of animals or birds where appropriate and where permitted.</li> <li>Ensure all visitors to your farm follow your biosecurity and hygiene rules.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**3. Animal health and disease, use of veterinary medicines and clean livestock (cont.)**

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(A) 3.1 Outbreak of zoonotic disease (cont.).	<ul style="list-style-type: none"> <li>• Introduction or presence of biological hazards(cont.).</li> </ul>	<ul style="list-style-type: none"> <li>• Report notifiable disease outbreaks.</li> <li>• Isolate/treat sick animals.</li> <li>• Dispose of dead animals correctly. (cont.)</li> </ul>	<ul style="list-style-type: none"> <li>• If you visit other farms or markets where there are livestock, clean and disinfect footwear and vehicles.</li> <li>• Isolate and treat sick animals in a designated area that can be cleaned and disinfected.</li> <li>• Dispose of dead animals promptly and safely, in accordance with current regulations.</li> <li>• Codes on Biosecurity.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**3. Animal health and disease, use of veterinary medicines and clean livestock (cont.)**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
<p>(A) 3.2 Incorrect use of feed additives or veterinary medicines leading to chemical residues in meat or products.</p>	<ul style="list-style-type: none"> <li>• Introduction of chemical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Follow legal requirements for use of medicated feeds and veterinary medicines, including withdrawal periods.</li> <li>• Use only authorised products obtained from a registered supplier.</li> <li>• Store medicines safely and securely.</li> <li>• Identify and record treated animals.</li> <li>• Ensure withdrawal periods are observed.</li> <li>• Record use of medication added to water supply and ensure correct withdrawal period after use (Intensive production)</li> </ul> <p>FCI: Veterinary treatments</p>	<ul style="list-style-type: none"> <li>• Keep medicated feeds separate from other feeds and clearly labelled.</li> <li>• Staff handling medicines to be trained in proper use.</li> <li>• Follow Responsible Use of Medicines in Agriculture (RUMA) guidelines.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**3. Animal health and disease, use of veterinary medicines and clean livestock (cont.)**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(A) 3.3 Broken needle in animal tissue.	<ul style="list-style-type: none"> <li>• Introduction of physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure control of animals containing broken needles.</li> <li>• Dispose of used needles carefully in a sharps container or box</li> </ul>	<ul style="list-style-type: none"> <li>• Mark the animal with a distinct and permanent form of identification.</li> <li>• Record date of the incident and identity of the animal in the Medicines Book.</li> <li>• Pass this information to the slaughterhouse or buyer.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**3. Animal health and disease, use of veterinary medicines and clean livestock (cont.)**

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(A) 3.4 Excessively dirty animals going to slaughter.	<ul style="list-style-type: none"> <li>• Introduction or presence of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Take measures to maintain the cleanliness of animals going to slaughter.</li> <li>• Ensure good animal health.</li> <li>• If necessary clean animals prior to transport e.g. by bedding on straw.</li> <li>• Ensure contractors' transport vehicles have been cleaned and disinfected before loading.</li> </ul>	<ul style="list-style-type: none"> <li>• Take care over diet – avoid feed that can produce wet muck.</li> <li>• Don't make sudden changes in diet that can cause scouring.</li> <li>• Avoid land / flooring that will cause gross soiling of animals.</li> <li>• Ensure buildings have good ventilation and drainage, clean and dry bedding with no build up of muck.</li> <li>• Protect animals from heavy rain while loading.</li> <li>• FSA codes on clean livestock.</li> </ul>		

**4. Feedingstuffs** – the hazards that were identified will be controlled under the feed hygiene legislation, to be applied fully from January 2008

**Question:** Should material concerning the public health risk to food from feedingstuffs be included in this document?

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**5. Personnel and training**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
<p>(A) 5.1 Lack of supervision or adequate training on health risks.</p> <p>(A) 5.2 Staff or contractors causing contamination or introducing disease to animals.</p>	<ul style="list-style-type: none"> <li>• Introduction of biological, chemical or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify and implement adequate training and supervision.</li> <li>• Provision of protective clothing and/or equipment.</li> <li>• Ensure contractors understand hygiene requirements.</li> <li>• Follow biosecurity rules.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure staff, contractors and visitors are aware of, and follow, basic hygiene principles, e.g. likely hazards and sources of contamination, importance of personal hygiene; need for clean hands, clothing and footwear; cleaning and disinfection methods; correct use of animal medicines.</li> <li>• Provide dedicated protective clothing and/or equipment.</li> <li>• Request that contractors and visitors sign a health declaration.</li> <li>• Codes on Biosecurity.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**6. Water**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(A) 6.1 Dirty water containers/drinkers/ water source.	<ul style="list-style-type: none"> <li>• Introduction of biological or chemical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Protect water from contamination.</li> <li>• Do not knowingly permit animals to drink from a contaminated source.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide potable water for drinking.</li> <li>• Inspect water supplies at least daily and clean out any visible muck or dirt present.</li> <li>• Thoroughly clean drinking water facilities at depopulation and disinfect.</li> <li>• Disinfect supply and equipment if pathogens detected in water. (Intensive production)</li> </ul>		
(A)6.2 Contaminated water used for cleaning.	<ul style="list-style-type: none"> <li>• Introduction of biological or chemical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Use clean water for cleaning.</li> </ul>	<ul style="list-style-type: none"> <li>• Use potable water for cleaning.</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**7. Pests, including wildlife and domestic animals**

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(A) 7.1 Presence of pest infestation.	<ul style="list-style-type: none"> <li>• Introduction of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Prevent pest infestation as far as possible</li> <li>• Maintain vigilance for evidence of pest activity.</li> <li>• Eradicate pests when present.</li> </ul>	<ul style="list-style-type: none"> <li>• Devise an effective pest control system, including pest prevention, to discourage infestation in animal housing and feeding areas.</li> <li>• Remove muck, dirt and spoiled feed regularly to minimise small and avoid attracting flies, birds or rodents.</li> <li>• Keep areas tidy.</li> <li>• Remove harbourage points e.g. – remove overgrown areas or redundant scrap metal stores which harbour vermin.</li> <li>• Clear feed/litter spillages inside and outside building.</li> <li>• Consider a specialist contractor to manage a baiting programme.</li> <li>• Ensure enclosed buildings are pest-proofed. (Intensive production)</li> </ul>		

**SECTION A: LIVESTOCK PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO ANIMALS**

**7. Pests, including wildlife and domestic animals (cont.)**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(A)7.2 Contamination from other animals/ domestic animals/wild birds.	<ul style="list-style-type: none"> <li>• Introduction of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Keep animals away from areas where food products are produced or stored.</li> <li>• Restrict access of other animals/ domestic pets/wild birds to areas where livestock are kept where possible.</li> </ul>			

## SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS

### 1. Site selection, premises, including storage and equipment

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(B) 1.1 Contaminated land used for growing crops.	• Introduction of biological, chemical or physical hazards.	• Select appropriate site, consider history of previous use.	• Carry out risk assessment on new land selected for growing crops to minimise risk of contamination.		
(B) 1.2 Inadequate or incorrect storage of hazardous waste and substances. <b>Question: Should this be split to cover wastes e.g. oils, effluent etc. and hazardous substances e.g. rat bait?</b>	• Introduction of biological, chemical or physical hazards.	• Handle safely and store securely to prevent misuse or accidents. • Dispose safely of harmful chemicals such as pesticides.	• Codes of Good Agricultural Practice. • Follow guidance in the Code of Practice for Using Plant Protection Products .		

**SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS**

**1. Site selection, premises, including storage and equipment (cont.)**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(B) 1.3 Spread of disease due to reuse of buildings/equipment without correct cleaning.	<ul style="list-style-type: none"> <li>• Introduction or presence of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure buildings and equipment are appropriately cleaned.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that facilities and equipment are made of materials that can be effectively cleaned and disinfected.</li> <li>• Clean facilities and equipment on a regular basis to prevent the build up of excessive dirt or dust.</li> <li>• Ensure all facilities equipment, containers, crates, packaging, vehicles and vessels used to transport or store harvested plant products (food) are clean before use, i.e. free from foreign matter that poses a risk to food safety, e.g. – animal or bird muck, dirty water</li> <li>• Clean premises and equipment (including mobile rigs) used for harvesting, transport and storage of plant products prior to use.</li> </ul>		

**SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS**

**1. Site selection, premises, including storage and equipment (cont.)**

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(B) 1.4 Dirty, broken or contaminated stores and storage containers.	<ul style="list-style-type: none"> <li>Introduction of biological, chemical or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Storage facility should be cleaned to prevent contamination.</li> </ul>	<ul style="list-style-type: none"> <li>Thoroughly clean stores (i.e. no visible residues of fuel, oil, pesticides, pest control chemicals; - glass, knives, blades, plasters, wood splinters, metal fragments.) when stores are emptied or when there is visible evidence of pest infestation or mould spoilage.</li> <li>Shield lights (and windows) in stores to avoid glass foreign material.</li> <li>Maintain stores/containers in good repair to avoid other foreign material.</li> </ul>		
(B) 1.5 Inappropriate or contaminated packaging.	<ul style="list-style-type: none"> <li>Introduction of biological, chemical or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Protect packaging from contamination.</li> </ul>			

## SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS

### 1. Site selection, premises, including storage and equipment (cont.)

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(B) 1.6 Mould damage causing formation of mycotoxins in store.	<ul style="list-style-type: none"> <li>Introduction or presence of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure crops are dried before storage.</li> <li>Prevent ingress of moisture.</li> <li>Check moisture and temperature periodically [and record]</li> </ul>	<ul style="list-style-type: none"> <li>Follow Defra Salmonella codes* and disinfect stores when recommended.</li> </ul> <p>*and equivalents issued in devolved administrations</p>		
(B) 1.7 Inadequate hygiene facilities for staff working with crops that could be eaten raw (CER).	<ul style="list-style-type: none"> <li>Introduction of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Provide access to adequate facilities e.g. handwashing and WCs.</li> </ul>			

## SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS

### 2. Safe use of crop protection products/fertilisers/manures

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(B) 2.1 Incorrect use of treatments to growing crops leaving excess residues in crops at harvest.	<ul style="list-style-type: none"> <li>Introduction of chemical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Follow recommendations/ legal requirements on rates of use/ harvest intervals.</li> <li>Follow guidance in the Code of Practice for using Plant Protection Products.</li> </ul>	<ul style="list-style-type: none"> <li>Codes of Good Agricultural Practice.</li> </ul>		
(B) 2.2 Incorrect use of post harvest treatments	<ul style="list-style-type: none"> <li>Introduction of chemical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Follow label recommendations on rates of use</li> </ul>	<ul style="list-style-type: none"> <li>Code of Practice for the safe use of pesticides</li> </ul>		
(B) 2.3 Inappropriate use of manures (including from animals grazing the site), sludge or fertilisers on food crops.	<ul style="list-style-type: none"> <li>Introduction of biological, chemical or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Follow recommendations/ legal requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Defra Safe Sludge Matrix*.</li> <li>FSA and Defra guidance* on the application of animal manures and other fertilisers to growing crops or land before planting.</li> </ul> <p>*and equivalents issued in devolved administrations</p>		
(B) 2.4 Development of in-field mycotoxins (e.g. by growth of Fusarium).	<ul style="list-style-type: none"> <li>Introduction of biological hazards.</li> </ul>	[FSA to issue Code of Practice late 2006]	<ul style="list-style-type: none"> <li>Practice crop rotation and use of resistant varieties.</li> <li>FSA mycotoxin guidance</li> </ul>		

**SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS**

**3. Personnel and training**

What can go wrong	What can happen	What to do to comply	Examples of good practice/ further guidance	Records	Does other law apply?
(B) 3.1 Staff in poor health or suffering illness handling CER crops.	<ul style="list-style-type: none"> <li>• Introduction of biological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Prevent anyone suffering from (or being a carrier of) a disease likely to be transmitted through food handling CER foods.</li> </ul>	<ul style="list-style-type: none"> <li>• If staff, contractors and visitors handle food products such as CER foods, have a personal hygiene policy that includes the need for staff to undergo health screening and to receive induction training in food hygiene or to be continually supervised.</li> </ul>		
(B) 3.2 Lack of supervision or adequate training on health risks.  (B) 3.3 Staff or contractors causing contamination or introducing disease to crops or foodstuffs.	<ul style="list-style-type: none"> <li>• Introduction of biological, chemical or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify and implement adequate training and supervision.</li> <li>• Provision of effective clothing and/or equipment.</li> <li>• Ensure management are competent and understand hygiene requirements.</li> <li>• Control of contractors.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure staff. Contractors and visitors are aware of basic hygiene, e.g. importance of personal hygiene; need for clean hands, clothing and footwear; cleaning and disinfection methods; correct use of pesticides and biocides.</li> <li>• All staff and contractors who handle CER foods must be instructed in the essentials of food hygiene before starting work for the first time.</li> </ul>		

**SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS**

**4. Water**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(B)4.1 Contaminated water used for cleaning.	<ul style="list-style-type: none"> <li>• Introduction of biological, chemical or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Protect water from contamination.</li> <li>• Use potable water for final washing of harvested CER crops or food contact equipment cleaning operations.</li> <li>• Disinfect supply and equipment if pathogens detected in water.</li> <li>• Potable water should be used for hand washing when handling CER crops.</li> </ul>	<ul style="list-style-type: none"> <li>• Undertake a risk assessment on all water sources used on the production holding to ensure water does not pose an unacceptable risk.</li> <li>• Test private water supplies for bacterial contamination at least every six months and take action if results are poor, i.e. repair supply or use alternative source.</li> </ul>		
(B)4.2 Contaminated water used for irrigation.	<ul style="list-style-type: none"> <li>• Introduction of biological or chemical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Protect water from contamination.</li> <li>• Water applied by overhead irrigation within two weeks of harvest to crops that may become CER foods should be of potable quality.</li> </ul>	<ul style="list-style-type: none"> <li>• Undertake a risk assessment on all water sources used on the production holding to ensure water does not pose an unacceptable risk.</li> <li>• Test private water supplies for bacterial contamination at least every six months and take action if results are poor, i.e. repair supply or use alternative source.</li> </ul>		

**SECTION B: CROP PRODUCTION – PUBLIC HEALTH HAZARDS SPECIFIC TO CROPS OR PLANT PRODUCTS**

**5. Pests including wildlife and domestic animals**

<b>What can go wrong</b>	<b>What can happen</b>	<b>What to do to comply</b>	<b>Examples of good practice/ further guidance</b>	<b>Records</b>	<b>Does other law apply?</b>
(B) 5.1 Presence of pest infestation.	<ul style="list-style-type: none"> <li>• Introduction of biological or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure enclosed buildings are pest proofed.</li> <li>• Maintain vigilance for evidence of pest activity.</li> <li>• Eradicate pests when present.</li> </ul>	<ul style="list-style-type: none"> <li>• Devise an effective pest control system, including pest prevention, to discourage infestation in and around buildings used to handle or store harvested crops.</li> <li>• Remove waste regularly to minimise smell and avoid attracting flies, birds or rodents.</li> <li>• Take action to discourage pests and vermin in and around buildings by removing harbourage points and keeping the area tidy.</li> <li>• Consider a specialist contractor to manage a baiting programme;</li> <li>• Minimise access of pests to growing crops by fencing or netting.</li> </ul>		
(B)5.2 Contamination from animals/domestic animals/wild birds.	<ul style="list-style-type: none"> <li>• Introduction of biological or physical hazards.</li> </ul>	<ul style="list-style-type: none"> <li>• Keep animals away from areas where food products are produced or stored.</li> </ul>	<ul style="list-style-type: none"> <li>• Minimise access of pests and pets to growing crops by fencing, netting and/or signage.</li> </ul>		

## INSPECTION FREQUENCY

1. Existing risk based schemes applying to other sectors in the food chain were developed and evolved in the light of practical experiences of risk and enforcement delivery over a period of many years. There is a growing body of opinion that existing enforcement arrangements should move to be more risk based and in particular to be more evidence driven than at present.
2. Because primary production hygiene enforcement is new for the areas under discussion there is no real experience to draw on to inform what any scheme will look like (targeting and frequency in particular). Furthermore, any attempt at drawing parallels between the primary production scheme and what operates elsewhere in the food chain is problematical because of differences in activities and levels of risk.
3. The approach that we propose should be adopted includes a number of elements with the intention that the scheme must make best possible use of evidence available. Examples of local or other intelligence, which the enforcement authority may use to consider whether inspection is necessary, include:
  - Membership of a 'recognised' farm assurance scheme
  - Change of activity;
  - Track record of compliance:
  - Intelligence generated by other statutory inspections;
  - Consumer and customer (industry) problems;
  - Surveillance information on problem products and products associated with foodborne illness
  - Other (to reflect local intelligence).
4. Membership and performance as part of a farm assurance scheme will provide relevant evidence where the conditions of the scheme address the requirements of the legislation in a credible and transparent way. For enforcers to utilise the evidence, and to help inform their judgements, arrangements will need to be in place for enforcers and assurance schemes to share information.
5. The following assurance schemes have been evaluated against the requirements of the hygiene legislation and are currently considered to meet those requirements. They are also covered by a Memorandum of Understanding between Assured Food Standards and LACoRS (to be extended to DARD) which enables information exchange:

- Assured British Meat (ABM)
- Assured British Pigs (ABP)
- Assured Chicken Production (ACP)
- Assured Combinable Crops Scheme (ACCS)
- Assured Produce (AP)
- Genesis Quality Assurance (GQA)
- Quality Meat Scotland (QMS)
- Farm Assured Welsh Livestock (FAWL)
- Northern Ireland Beef/Lamb Farm Quality Assured Scheme (NIBLFQAS)

Copies of the evaluations are on the FSA website at

<http://www.food.gov.uk/foodindustry/hygiene/primprodqanda/>

6. Subject to the views received in the consultation exercise and in light of the experiences with information generated by schemes it is proposed that the list of 'recognised' schemes can be extended as appropriate.
7. The enforcement authority will need access to membership information in order to form judgements about inspection frequency. In Northern Ireland, it is intended (subject to final resolution of data protection and other issues) that DARD will receive spreadsheets, on a quarterly basis, containing details of current scheme members. A national list of those suspended or withdrawn from scheme membership will be available monthly.
8. It is therefore proposed that the following categorisation and resultant inspection levels could be used as a starting point to enable enforcers to make local decisions about inspection frequencies. The intention is that the enforcement authority should have flexibility to establish inspection programmes which reflect local circumstances and priorities within the average inspection levels indicated. The subdivision of the farm types reflects the possibility that the inspection frequency may be changed in the future in the light of the planned review.

**PROPOSED INITIAL PRIMARY PRODUCTION INSPECTION FREQUENCIES**

<b>Farm type<sup>1</sup></b>	<b>Assured<sup>2</sup></b>	<b>Other Intelligence<sup>3</sup></b>	<b>Inspection Level %</b>
Non livestock – general cropping <sup>4</sup>	Yes	Nil/positive	2
Non livestock – general cropping	No	Positive	
Non livestock – can be eaten raw crops <sup>4</sup>	Yes	Nil/positive	
Non livestock – can be eaten raw crops	No	Positive	
Livestock	Yes	Nil/positive	2
Livestock	No	Positive	
Farms not featuring in categories above	Yes	Negative	25
Farms not featuring in categories above	No	Nil/Negative	

<sup>1</sup> Where farms are mixed, the highest inspection rating will determine the frequency. It will be left to enforcement authority discretion and planning to determine the need to inspect other aspects.

<sup>2</sup> Membership of a recognised assurance scheme (see paragraphs 4 and 5 above);

<sup>3</sup> Examples of local or other intelligence which the enforcement authority may use to consider whether inspection is necessary are given at paragraph 3 above:

<sup>4</sup> In relation to crops and plant products, a distinction has been made between those products that will be processed before they reach the consumer and those that can be consumed raw. More details are in the table in Annex D.

## **OTHER ENFORCEMENT ISSUES**

### **INSTRUCTIONS AND GUIDANCE FOR THE ENFORCEMENT AUTHORITY**

#### **Introduction**

1. In the UK, instructions and guidance for local authorities/district councils enforcing food law are laid down in the statutory Code of Practice and accompanying Practice Guidance. The latest copies of the NI versions can be found on the FSA's website at:

<http://www.food.gov.uk/enforcement/foodlaw/copni>

2. As Local authorities will be responsible for the enforcement of food hygiene legislation on farm in England and Wales, instructions and guidance will be produced in this format.

3. Where, currently, DARD enforces food hygiene legislation in NI that is enforced by local authorities in GB (e.g. in approved liquid milk premises) they do so in accordance with the relevant sections of the Code of Practice and Practice Guidance.

A similar arrangement will operate in relation to the enforcement of food hygiene legislation on farm.

#### **COMBINING OF INSPECTIONS**

4. Increases in the overall number of farm inspections due to enforcement action for food hygiene purposes should be minimised. Where possible the latter inspection activity should be undertaken in parallel with other actions where the enforcement body is the same. The enforcement authority will be responsible for planning its activities in order to avoid duplication of effort.

#### **TRAINING AND SUPPORT FOR ENFORCEMENT OFFICERS**

5. FSA is developing training material over the summer and will be running day courses across the UK in the late autumn for enforcement officers. These courses are expected to cover the legislation, identification of on farm hazards, enforcement action where appropriate and will emphasise authorised officers' role in giving business advice to the farming community.

**Question: Are there any issues you feel should be included in the training material for enforcement authorities?**

**Question: Have you any comments on what the competence requirements should be for authorised officers undertaking this work?**

## **MONITORING BY THE FOOD STANDARDS AGENCY**

6. The FSA is responsible for the audit of DARD food law enforcement.
7. To reflect the fact that this is a new requirement, to be reviewed in the light of experience gained after a year of operation, and to help DARD adjust to any new demands on their services, it is proposed that monitoring arrangements for this activity will not apply until after the review has taken place. This will allow us to develop monitoring arrangements on the basis of experience and in consultation with DARD.

## **EC FEED HYGIENE REGULATION**

8. The EC Feed Hygiene Regulation (1831/2003) also applies to livestock farms and arable farms that grow, use and sell crops for animal feed use. DARD is responsible for enforcing this legislation which requires farmers, as primary producers, to follow basic hygiene procedures in relation to the feed they use or grow and ensure that hazards are properly controlled. These requirements already apply to farms that mix feeds containing additives and, from January 2008, will extend to other farms. The FSA is currently assessing training needs and enforcement priorities for DARD, as well as guidance to help industry to comply with the requirements of this legislation.
9. Although the Feed Hygiene Regulation is a separate legislative measure to the Food Hygiene Regulations, there are similarities in the approach to the control of hazards. Therefore, in the implementation of these measures there needs to be a co-ordinated approach where appropriate and the Agency will take this into account when developing material concerning enforcement. It is envisaged that, as far as possible, food and feed hygiene inspection visits to farms should be combined.