FINAL REPORT OF A MISSION
CARRIED OUT IN THE UNITED KINGDOM
(GREAT BRITAIN & NORTHERN IRELAND)
FROM 20 TO 29 NOVEMBER 2006
CONCERNING PROTECTIVE MEASURES
AGAINST BOVINE SPONGIFORM ENCEPHALOPATHY
EXECUTIVE SUMMARY

This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in the United Kingdom (Great Britain and Northern Ireland) from 20 to 29 November 2006.

The overall objective of the mission was to evaluate certain protective measures put in place, and their application, to give effect to EC rules for the prevention, control and eradication of BSE as laid down in Regulation (EC) No 999/2001 and, in addition, to evaluate compliance with measures provided for in Regulation (EC) No 657/2006 and in Decision 2005/598/EC.

In terms of scope, the mission concentrated on BSE epidemi-surveillance, the identification and traceability of bovine animals and products derived therefrom insofar as it is relevant to BSE protective measures, measures taken after suspicion/confirmation of BSE, removal and disposal of SRM and the total feed ban, including the control and supervisory measures in place.

This was the first FVO inspection carried out on this subject in the UK since the lifting of the BSE related restrictions on the trade of cattle and their products in May 2006.

Overall, extensive control systems involving many competent authorities are in place. Although these systems are well implemented and can be considered, in general, effective and reliable, shortcomings were detected in relation to official controls in the feed and ABP chains. In particular, a largely satisfactory situation was noted in relation to testing of healthy cattle for human consumption, controls required to ensure compliance with requirements on trade of cattle and beef in line with Regulation (EC) No 657/2006, compliance with EU provisions on BSE eradication and, with some exceptions, controls on removal of SRM. However, weaknesses were still identified with respect to quality of samples taken from fallen stock, which could hinder reliability of BSE testing, and insufficient measures have been taken to ensure efficient and effective organisation, coordination, implementation and verification of controls of the feed ban and along the ABP chain.

The report makes a number of recommendations addressed to the UK competent authorities, aimed at rectifying the shortcomings identified and further enhancing the implementing and control measures in place.
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1. **INTRODUCTION**

The mission was carried out in the United Kingdom (UK) in the territories of Great Britain (GB), where England and Scotland were covered, and Northern Ireland (NI) from 20 to 29 November 2006. The mission team comprised two inspectors of the Food and Veterinary Office (FVO), and was accompanied throughout the mission by representatives from one of the central competent authorities (CCA), the Department for Environment, Food and Rural Affairs (DEFRA). During its stay in NI the mission team was accompanied by representatives of the Department for Agriculture and Rural Development (DARD), which is one of the competent authorities (CA) in this territory. An opening meeting was held on 20 November 2006 with the CCA during which the mission objectives and itinerary were confirmed, and additional information required for its satisfactory completion requested.

The mission team was also accompanied throughout the mission by two inspectors of the Canadian Food Inspection Agency (only one from 27 to 29 November), who acted as observers and whose participation in the mission had been agreed upon with the CCA in the framework of a meeting of the Joint Management Committee for the Agreement between the European Community and the government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products. The participation of the two inspectors of the Canadian Food Inspection Agency was aimed at witnessing how the Commission (FVO) assesses compliance of Member States with Community requirements on Bovine Spongiform Encephalopathy (BSE) and to see how the UK controls in relation to BSE and, in particular to Specified Risk Materials (SRM), are applied.

2. **OBJECTIVES OF THE MISSION**

The overall objective of the mission was to evaluate certain protective measures put in place, and their application, to give effect to EC rules for the prevention, control and eradication of BSE, as laid down in Regulation (EC) No 999/2001 (1,2) and, in addition, to evaluate compliance with measures provided for in Commission Regulation (EC) No 657/2006 (3) and in Commission Decision 2005/598/EC (4), and specifically addressing:

- Both active and passive BSE epidemi-surveillance,
- Provisions for BSE eradication,
- Removal and handling of SRM,
- The prohibition of feeding processed animal proteins (PAO) to farmed animals, and exceptions applicable to this total feed ban,

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(1) Legal acts quoted refer, where applicable, to the last amended version.
(4) Commission Decision 2005/598/EC of 2 August 2005 prohibiting the placing on the market of products derived from bovine animals born or reared within the United Kingdom before 1 August 1996 for any purpose and exempting such animals from certain control and eradication measures laid down in Regulation (EC) No 999/2001; OJ L 204, 5.08.2005, p. 22.
– Measures to ensure that sampling and testing of cattle born between 1 August 2005 and 1 August 2006 is done according to Regulation (EC) No 657/2006
– Controls required to ensure compliance with requirements on trade of cattle and beef in line with Regulation (EC) No 657/2006, and
– Controls required to ensure that no products consisting of or incorporating materials, other than milk, derived from bovine animals born or reared within the UK before 1 August 1996 are placed on the market in accordance with Decision 2005/598/EC.

In terms of scope, the mission concentrated on BSE epidemi-surveillance in bovines, including animal identification insofar as it is relevant to BSE protective measures, measures taken after suspicion and/or confirmation of BSE, removal and handling of SRM from bovines, and the prohibition of feeding PAO to farmed animals and exceptions applicable to the total feed ban.

In pursuit of the mission’s objectives, the following sites were visited:

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### ANIMAL PRODUCTS PROCESSING SITES (non-human consumption)

| Animal waste premises | 2 One incineration plant and one ABP processing plant where the sampling of fallen stock takes place |
| Animal feed processors/manufacturers | 3 One feed mill and two on-farm mixers producing feed for non-ruminant animals using fishmeal, and feed for ruminants |

### FOOD PROCESSING ESTABLISHMENTS

| Abattoirs | 3 Three slaughterhouses where OTM and UTM cattle are slaughtered |
| Cutting plants/Butcher shops | 2 One standalone cutting plant and one butcher shop handling SRM |

### LIVE ANIMAL SITES

| Cattle farms | 2 Two farms |

3. **LEGAL BASIS FOR THE MISSION AND OTHER RELEVANT LEGISLATION**

The mission was carried out under the general provisions of Community legislation and, in particular:

– Art. 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (5);
– Art. 21 of Regulation (EC) No 999/2001;

− Commission Decision 98/139/EC of 4 February 1998 laying down certain
detailed rules concerning on-the-spot checks carried out in the veterinary field by
Commission experts in the Member States (6).

Other legislation, including implementing measures, was considered during the
mission, in particular:
− Regulation (EC) No 178/2002 (7);
− Regulation (EC) No 1774/2002 (8);
− Regulation (EC) No 181/2006 (9);

4. BACKGROUND

4.1. PREVIOUS MISSIONS

The previous mission concerning BSE epidemi-surveillance, total feed ban and
SRM was undertaken from 6 to 15 June 2005 in GB, the results of which are
described in report DG(SANCO) 7614/2005-MR-Final (hereafter: report
7614/2005). A preceding mission on the same subjects had been undertaken from 26
April to 7 May 2004 covering GB and NI, the results of which are described in

These reports made a number of recommendations to the CCA, which subsequently
informed the Commission of actions that had been/would be taken aimed at
addressing the recommendations made (hereafter: action plan). Where appropriate,
both the recommendations and the action plan are outlined in more detail in the
relevant parts of Section 5.

In addition, a mission to evaluate the implementation of health rules on animal by-
products not for human consumption (ABP) was undertaken from 23 January to 1
February 2006 in the UK, the results of which are described in report DG(SANCO)

All these reports are available under their reference numbers in the Internet site of
the Health and Consumer Protection Directorate General at:

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

laying down the general principles and requirements of food law, establishing the European Food
laying down health rules concerning animal by-products not intended for human consumption; OJ
1774/2002 as regards organic fertilisers and soil improvers other than manure and amending that
Regulation; OJ L 29, 2.02.2006, p. 31.
establishing a system for the identification and registration of bovine animals and regarding the
labelling of beef and beef products and repealing Council Regulation (EC) No 820/97; OJ L 204,
11.08.2000, p. 1.
4.2. **LIFTING OF BSE RESTRICTIONS ON TRADE**

This was the first FVO inspection carried out on this subject in the UK since Regulation (EC) No 657/2006 came into force in 2 May 2006 providing for the lifting of the BSE related restrictions on trade from the UK of cattle and their products. The two conditions that had to be met before this happened were an incidence of less than 200 BSE cases per million adult bovine animals and a positive conclusion from a FVO inspection as to the enforcement of BSE controls in the UK, and its state of preparedness to comply with Community legislation particularly in relation to cattle identification and registration (cattle I&R) and testing. In relation to the first condition, the European Food Safety Authority concluded in March 2005 that, according to the Office International des Épizooties classification, the UK could be considered as a country with a moderate risk status in terms of BSE for its whole cattle population. Concerning the second condition, report 7614/2005 concluded that satisfactory progress had been noted in most areas.

The Board of the Food Standards Agency (FSA) agreed on 15 August 2005 that, firstly, an effective and reliable testing regime for over thirty months (OTM) cattle had been designed and trialled and, secondly, that arrangements were in place to ensure that, should this testing regime be implemented, it would be able to operate across the UK to the highest standards. On 7 November 2005, the UK replaced the OTM rule, which had banned OTM cattle from entering the food chain, by the pre-1996 rule, which introduced a system of BSE testing OTM cattle slaughtered for human consumption (additional information on the OTM rule can be found in report 7614/2005). Bovine animals born before 1 August 1996 will be permanently excluded from the food and feed chain.

Since October 2004, the UK applies the same BSE monitoring programme as the other Member States for the bovine population born after 31 July 1996.

5. **MAIN FINDINGS**

5.1. **BSE EPIDEMIO-SURVEILLANCE AND ERADICATION**

Mission report 7044/2004 contains a description of the authorities and services involved and their tasks. Further details on the relevant recommendations outlined below can be found in that report as far as NI is concerned and in report 7614/2005 with regard to GB.

5.1.1. **Identification and registration in bovine animals**

The relevant recommendation of report 7614/2005 with regard to GB concerned improvements for the Cattle Tracing System (CTS) and other elements in the system for cattle I&R, in particular in relation to on-farm registers.

In this respect, the action plan indicated that there were ongoing measures to improve CTS, which included electronic validation of events, issuing statements, investigation on floating animals, further development of the Management Information system, review of the national legislation enforcing the cattle I&R system rules and co-operation between the concerned agencies. The CCA outlined in the action plan that particular measures to improve on-farm registers were being taken. In addition, the CCA advised the mission team that a review and consolidation of domestic regulations for cattle identification and registration is taking place, new statutory instruments are being drafted and it is planned that the new regulations will come into force in April 2007. Amongst other objectives, the purposes are to consolidate all statutory instruments enforcing the EU legislation into
one document each for England, Scotland and Wales, to allow keepers in England and Wales to offer DNA test proof of the dam/calf link in support of passport applications if an application for a cattle passport is late and to stop the use of temporary calf passports in England, Scotland and Wales. Furthermore, DEFRA commissioned a comprehensive review of livestock movement reporting procedures in England and Wales whose resulting report was published on 21 July 2006 and whose recommendations are being considered. This report can be found in:


In relation to CTS, the CCA provided an update of further measures that have been undertaken after the action plan mentioned above had been submitted to the Commission, which were aimed at enhancing the accuracy and consistency of the system. The CCA reported that these measures have resulted in:

− A dramatic reduction of historic discrepancies.
− More reliable ongoing updating of CTS records as a result of the statements sent twice a year to cattle farmers (see report 7614/2005).
− Further decreasing of late applications as a result of the ongoing “late passport application policy” (see report 7044/2004).
− Automated cross-checks available between the Ear Tag Allocation System and CTS since June 2005.
− Regular production of reports from the CTS Management Information system in order to tackle shortcomings encountered.
− Prompt reaction to deficiencies identified anywhere in the system with respect to cattle identification by informing the enforcing CA in order to solve the problem.
− Much higher accuracy of the data on fallen stock (over 24 months) due to the report by farmers of cattle deaths by telephone to the "TSE Surveillance Helpline" run by British Cattle Movement Service (BCMS). In addition, operators of knackeries, hunt kennels and other collectors of fallen stock (KY/HK) have access to the same help line in order to request clarification and sent information in case of problems encountered with identification of bovine animals.

DEFRA has deferred the development of the Livestock Register which was planned to take over from CTS in 2007, and is reviewing its design. The CCA advised the mission team that it is unlikely that there will be any replacement for the CTS database in the immediate future.

With regard to on-farm registers, DEFRA representatives advised the mission team that in March 2006, a letter was sent to all GB keepers which included a paragraph about the importance of keeping good records.

No change has occurred in relation to the system introduced by the Rural Payments Agency (RPA) to be able to trace the animals collected for incineration in the event of lost ear tags or in respect of the communication and enforcement responsibilities of the CA involved in notification and taking of actions in case of shortcomings identified with identification of cattle sent to slaughterhouses or collected for destruction (see report 7614/2005).
In relation to functioning of the Animal and Public Health Information System (central cattle I&R database of NI - APHIS), see report 7044/2004. According to DARD representatives new options are continuously made available in the system to facilitate use of information contained therein for several monitoring and traceability activities, amongst which, BSE surveillance and eradication and controls on cattle exports are but some of the more important. They added that investigative reports of APHIS can be designed to meet any specific inquiry in relation to these areas.

No relevant changes in the organisation and implementation of official controls to ensure compliance with the relevant national legislation on cattle identification through the Cattle Identification Inspections (CII) have occurred in NI and GB since publication of reports 7044/2004 and 7614/2005, respectively. During the 2005/2006 period of CII:

- 8,577 inspections were carried out in GB checking just over one million cattle and records discovering that approximately 10% of the animals and 60% of the holdings had at least one discrepancy. Restriction of movements was imposed approximately on 8.5% of the holdings where discrepancies were detected and destruction of animals took place in four cases. No significant changes were found in patterns of compliance.

- In NI during the same period 1,502 inspections were carried out checking just over 128,000 cattle and records discovering that less than 3% of the animals and approximately 25% of the holdings had at least one discrepancy. Restriction of movements or destruction of animals was imposed on more than 90% of the holdings where discrepancies were detected.

The mission team confirmed the progress accomplished with implementation of the measures explained by the CCA and noted that:

- A new Web-based system providing for electronic notifications has been rolled out in GB since October 2005 and now accounts for 10% of birth registrations and 5% of movement notifications. It is aimed particularly at large users such as markets and abattoirs and it automatically validates all submissions before accepting them onto CTS.

- In comparison with 2004, when 554,355 amendments had to be done in CTS after the statements submitted, 136,427 movement queries have been cleared after the first 2006 statement. In addition, 6,093 amendments of notification of deaths had been done in 2005 and only 420 have had to be done after the first 2006 statement. According to the CCA, although the level of missing movements is more or less static most anomalies are less than 3 months old, with more than one third of the total having arisen in the month preceding the mission; which, according to the CCA, indicates that the majority of anomalous data is corrected within a relatively short period.

- Further progress occurred with regard to diminishing numbers of discrepancies in CTS, in particular with respect to the further decrease in numbers of cattle having moved off a holding without a timely on-movement notification (see report 7614/2005). In GB, farmers receive a series of enforcement letters if database cross-checks reveal that they have failed to notify fallen stock for testing. Persistent offenders are liable to be prosecuted. In NI, DARD has introduced a feedback system where hauliers complete a form on detection of decomposition when collecting a fallen animal. A copy of this form is given to the farmer which advises him that the animal being collected shows signs of decomposition and the requirement to notify fallen animals within the required 24 hours. On receipt of the
completed form DARD staff will write to the farmer requesting an explanation as to why
the animal showed signs of decomposition before collection. Records are kept of issue of
the form and repeat offenders may be subject to punitive action.

- Several CTS Management Information reports are now available and used
  routinely for supporting BSE epidemi-surveillance, e.g. death notifications by
  location, death registration by location and age at death, comparison of notified
  bovine on-farm deaths against animals notified for BSE testing, and replacement
  of ear tags. New reports continue to be developed as required.

- In one of the two farms visited, the mission team noted that the cattle on-farm
  register (“Keeper’s Handbook” – see report 7614/2005) was easy to follow and it
  provided a clear overview of the number of animals actually present at the farm, it
  included data on all movements occurred recently from/to the farm, recent fallen
  stock had been noted down and data on dams of calves born recently had been
  recorded. During the CII carried out during the period 2005/2006 some 20% of
  the holdings inspected in GB had at least one discrepancy in respect of on-farm
  registration. In NI these discrepancies were detected only in 1.5% of the holdings
  inspected.

- At the Animal Health Divisional Offices (AHDO) of the State Veterinary Service
  (SVS) visited in GB, it was confirmed that the local authorities (LA) were
  systematically notified for enforcement if cattle did not arrive properly identified
  to slaughterhouses or disposal sites. On the other hand, information obtained by
  LA on compliance with cattle I&R requirements from inspections carried out on
  farms is communicated to BCMS and SVS and, if appropriate, fed into CTS.

- At the ABP processing and incineration plants visited in GB, systematic
  notifications from the RPA to BCMS where there are discrepancies in the
  identification of animals were confirmed and records shown that the number of
  animals collected that had had identification deficiencies was negligible.
  According to DARD representatives this is not a problem either in NI.

- Late reporting of movements as well as births, along with information about non-
  compliance received from the LA, SVS, and Meat Hygiene Service (MHS) is
  used as part of the risk selection process for targeting CII.

- New options have been introduced in APHIS to enhance reliability of BSE
  monitoring, e.g. verification of sampling of cattle emergency slaughtered or found
  sick at ante-mortem inspection if older than 24 months (see 5.1.3), or to facilitate
  effective controls on export of cattle (see 5.4).

5.1.2. Passive surveillance

In 2005, there were 39 BSE cases detected by passive surveillance (82 in 2004 and
173 in 2003) and as of 1 September 10 have been confirmed in 2006; the percentage
of slaughtered suspects in which BSE was confirmed in 2005 was similar to the one
in 2004 (approximately 25%) and it has declined in 2006 (so far 10 confirmed cases
out of 92 slaughtered suspects). In 2005, the National (and Community) Reference
Laboratory (NRL) had found an alternative diagnosis in 13% of the cases not
confirmed whereas in 2006 it has diagnosed an alternative condition in 21% of the
animals. During 2005 and 2006, DEFRA has notified any alternative
histopathological findings on brain samples from unconfirmed BSE suspects, to the
submitting AHDO. Where alternative histopathological findings have been
available, they have almost always been consistent with Listeriosis.
In addition to the tools used by DEFRA in 2004 to train and raise awareness of veterinary practitioners and farmers, respectively, on the clinical signs of BSE (see report 7614/2005), in May 2005 DEFRA submitted letters for publication in the veterinary and farming press reminding of the continued importance of passive surveillance for BSE. The SVS also wrote directly to each veterinary practice containing practitioners undertaking farm animal work reminding them of the same.

In 2005, the NRL published a new DVD on the clinical signs and the diagnosis of BSE. Details are available at:


In August 2005, DEFRA distributed copies of the DVD to each of the 24 AHDO, the veterinary directors of the FSA and MHS and many other parties involved in veterinary education and practice.

In July 2006, DEFRA issued further advice to the SVS on the differential diagnosis of BSE including sources of additional training material and also reminded them to continue raising awareness of the clinical signs of BSE, its continued low incidence and the importance of passive surveillance, with private practitioners, farmers and other stakeholders.

5.1.3. **Active surveillance**

The relevant recommendation of report 7614/2005 concerned ensuring that sufficient information in order to identify the animals that need sampling is recorded in the *ante-mortem* registers.

In this respect, the action plan indicated that an amendment of the MHS manual of controls was to be issued, which would address the requirements of *ante-mortem* records, including the ear-tag number of bovines that require testing. In addition, the Transmissible Spongiform Encephalopathies Surveillance System (TSESS) database was to be amended to distinguish between emergency slaughtered animals and animals found sick at the *ante-mortem* inspection at OTM slaughterhouses.

Background information on replacement of the OTM rule by the pre-1996 rule and the BSE monitoring programme as applied in the UK since 2004 for the bovine population born after 31 July 1996 can be found in 4.2 and report 7614/2005.

MHS representatives advised the mission team that there were 62 approved OTM slaughterhouses that are not only dedicated to this category of animals but are allowed to slaughter separately animals under thirty months of age (UTM). In addition, any slaughterhouse licensed for killing cattle can slaughter animals between 24 and 30 months of age provided staff have been trained in brainstem sampling and that a Required Methods of Operation Procedures (RMOP) has been agreed with the MHS.

The Older Cattle Disposal Scheme (OCDS) is an exceptional market support measure providing for disposal of and compensation for cattle born before 1 August 1996. It started on 23 January 2006 and will end on 31 December 2008. It replaces the OTM Scheme, which was introduced in May 1996 to provide an outlet for cattle that could no longer enter the food or feed chain as a result of the OTM rule (see reports 7044/2004 and 7614/2005).

The OCDS is administered by the RPA and will only accept animals, including on farm casualties, that are born or reared within the UK before 1 August 1996 and would otherwise have been eligible for the food chain. The submission of cattle born or reared in the UK before 1 August 1996 to the OCDS works on a voluntary
basis but producers have been encouraged to avail of it as such animals are not
eligible for compensation after the OCDS comes to an end on 31 December 2008.
Compensation rates are paid on a flat rate per animal for each of the 3 years of
operation.

Specially authorised and dedicated slaughterhouses participate in the OCDS and all
cattle born between 1 August 1995 and 31 July 1996 going through this scheme have
to be sampled and tested for BSE. The free collection and disposal of fallen stock aged
over 24 months, provides a disposal outlet for the remaining cattle born before August 1996
which are ineligible for the OCDS, as they come to the end of their productive lives (see
below).

New rules on the emergency slaughter of animals came into place from 1 January
2006. From that date, where cattle are slaughtered on farm, only those animals that
have suffered an accident will be eligible for human consumption. It is also the case
that only those animals that have been emergency slaughtered on farm as a result of
suffering an accident will be eligible for the OCDS. Therefore, from 1 January
2006, if an animal is killed on farm for welfare reasons not associated with an
accident, it is ineligible for entry into the OCDS and needs to be disposed of as fallen
stock.

The mission team noted that:

- All slaughterhouses visited had gone through the approval system described in
  report 7614/2005 and all RMOP had been developed and regularly updated in
  agreement with the MHS. As regards details included in these RMOP and
  guidance and training given to OV with regards to sampling of OTM cattle, they
  were comprehensive and adequate in all establishments visited.

- As regards the requirements for ante-mortem inspection of animals older that 24
  months at slaughterhouses, in GB records kept on these events can still not be
easily matched to the individual animals subject to this inspection; nevertheless,
some information on the findings noted by OV on specific animals and sampling
of animals if older than 24 months, including details of the ear-tag numbers, could
be confirmed. The system of data recording makes it difficult to thoroughly audit
whether every animal to be slaughtered has been actually inspected ante-mortem
and the correlation between the ante-mortem register and the documentation that
accompanied the samples.

- In NI, specific provisions have been introduced to render APHIS able to help OV
  responsible for sampling animals found sick at ante-mortem inspection not to
  overlook such event. Whenever an OV enters data on APHIS of any ante-mortem
  finding, which is compulsory for such events, the database recognises the animal
  if older than 24 months and prompts the OV about the need for BSE sampling.

- In the OTM slaughterhouses visited, there was a satisfactory monitoring to
demonstrate that all eligible OTM and UTM animals were sampled (see report
7614/2005 for monitoring arrangements). Specific instructions have been
prepared and reminders thereon sent to all OV and meat hygiene inspectors in
relation to dentition checks to be carried out to ascertain the age (UTM or OTM)
of all animals slaughtered. Special attention has been drawn with regards to six
toothed animals, in particular due to the fact that many keepers send their animals
to the slaughterhouses just before they become OTM. In addition, provisions
were in place to handle these cases and in case of doubt OV in slaughterhouses
request a check by their colleagues from the LA (GB) or DARD Divisional
Veterinary Offices (DVO) in NI on the herd register to confirm the age of the
animal. No evidence was found of any breach of this rule and implementation of this verification was seen as acceptable.

- In one of the slaughterhouses visited, the OV confirmed that animals exhibiting abnormalities which prevented them from being transferred to the slaughter hall, were euthanised in the lairage and did not enter the food chain. Such cases were disposed of as fallen stock. Fallen stock aged over 24 months of age were collected for BSE sampling via DEFRA's fallen stock collection service. This was the commercial policy at this particular slaughterhouse. According to MHS representatives, new rules for on-farm emergency slaughtering have reduced dramatically the number of on-farm emergency slaughtered animals sent to slaughterhouses.

- In NI one incident had been detected where one OTM had entered the food chain without having passed a BSE test. A comprehensive investigation was carried out that identified some failures in the system in place to check the identification of all animals in the lairage before they are slaughtered and, in particular, were related to checks on UTM. In addition, weaknesses were detected in relation to measures taken in cases where accompanying movement documents raise doubts about a) information included therein, that should only be fixed under stricter checks that did not happen in this case, b) about amendments made in APHIS in cases of identification discrepancies without sufficient assurance that information introduced was accurate, c) RMOP not detailing how to perform identification checks and d) dentition checks that should have detected the age of the animal. DARD representatives discussed with the mission team the case and undertook to address immediately the weaknesses identified and keep the Commission services informed thereof.

- In the three slaughterhouses visited, official controls were in place as regards separation of carcasses of OTM and UTM animals and retention of OTM carcasses, offal and ABP until results of BSE tests were received.

5.1.4. BSE cases born after the reinforced feed ban

In July 2005, DEFRA published an independent review examining the possible reasons for the cases of BSE born after July 1996 when the UK’s reinforced feed ban is considered effective (BARB cases) and the Government’s BSE control measures in this regard. The review and DEFRA's response to its recommendations are available, respectively, at:


A number of the conclusions and recommendations included in this review and the measures proposed by DEFRA to address them merit being outlined in the context of this report:

The review concludes that DEFRA have made frequent and helpful summaries and analyses of the course of the BSE epidemic, and specifically of BARB cases. Epidemiological analyses of the BARB cases have been regularly updated. This information can be found on the DEFRA Internet site at:

http://www.DEFRA.gov.uk/animalh/bse/controls-eradication/feedban-bornafterban.html

The review further advises DEFRA that obtaining hard evidence on the crucial hypothesis on the identity of BSE in BARB and previous cases is highly desirable and the relevance of atypical molecular forms of BSE found by active surveillance in
other countries needs to be resolved. Moreover, the efficacy and interpretation of the tests used in active surveillance of animals for BSE should be kept under review.

Finally, the review supports the fact that DEFRA continues to operate on the basis that BSE transmission via feed is the major route involved in BARB cases, but with respect to control measures on feed, the review adds that the feed controls currently in place seemed adequate but required vigilant enforcement. It recommended that DEFRA should continue to review appropriate controls and to make efforts to obtain consistent quality of feed testing for animal derived material. Furthermore, in view of the likelihood that breaches of legal requirements have occurred and enabled BSE contaminated material to enter the cattle feed chain, DEFRA should help facilitate the recommendations included in the June 2005 FSA Advisory Committee on Animal Feedingstuffs assessment to ensure a more coordinated and risk-based programme of animal feed law enforcement. The report of this assessment can be found in:

http://www.food.gov.uk/multimedia/pdfs/acafeedlaw.pdf

The epidemiological investigation of BARB cases includes a visit to the holding of confirmation, the natal holding and all holdings on which the case was kept during its first 12 months of life. Cohorts of BARB cases are identified and culled. Offspring born within 2 years of the onset of clinical disease (or any time after) in a female BARB case are also identified and culled.

The mission team noted that:

- As of December 2006, 139 BARB cases have been confirmed in the UK, 19 of them in 2006, with two additional ones confirmed in January 2006 whose dates of birth are likely to have been after 1 July 1996, but could not be ascertained. One of the animals confirmed in 2006 was born in August 2002, another one in June 2001 and three in the first quarter of 2001. 29 BARB cases had been confirmed in 2005, out of which two had been born in September and October 2001 and one in May 2002.

- Epidemiological investigations of BARB cases were undertaken in line with the description given in report 7614/2005. DEFRA representatives confirmed that the most likely origin of the disease is the use of contaminated ingredients upstream the feed mill, although this could not be determined conclusively. According to the CCA, there has been a clear reduction of the estimated infection prevalence in successive birth cohorts since August 1996 (birth cohort 1996/97 with 131 animals infected/million) to the 2000/2001 birth cohort (as of September 2006 with 14 animals infected/million). These data must be interpreted carefully though as the confidence intervals for these figures are broad enough to merit some additional time to confirm the estimated decline.

- In relation to DEFRA approach concerning atypical molecular forms of BSE and review of efficacy and interpretation of the tests used in BSE active surveillance several research and implementing initiatives have been undertaken by the NRL for BSE, e.g. a retrospective study on samples collected during the BSE epidemic with wider and more detailed examinations using more recently developed methods is trying to exclude that these forms have been overlooked. However, some weaknesses with regard to quality of the samples tested from fallen stock preventing use of histopathology, which were even more prevalent at the time when most BARB cases were sampled, could have and still undermine a fully reliable assessment of the presence of atypical cases amongst the cases detected (see 5.1.7 for additional details). According to representatives of the NRL, use of
other confirmatory methods and their experience in their interpretation should be sufficient to detect any atypical BSE form.

- With respect to organisation, application in practice and coordination of the risk-based programme of animal feed law enforcement, see 5.2.

### 5.1.5. Eradication of BSE - Offspring and cohort animals

The relevant recommendations of report 7614/2005 were addressed to ensure that:

- Rules on movement restrictions following a BSE case, as laid down in Regulation (EC) No 999/2001, had to be in place when the OTM rule is replaced, and
- Hides from cohorts of BSE positive cases are completely destroyed as laid down in Annex VII to Regulation (EC) No 999/2001.

In the action plan DEFRA advised the Commission services that movement restrictions in line with the requirements of Regulation (EC) No 999/2001 were to be implemented before the OTM rule would be replaced and that, once this replacement happened, hides from animals born before August 1996 will be destroyed in line with requirements in the same Regulation.

Culling practices for cohort animals born after July 1996 as changed in March 2005 have been described in report 7614/2005.

At present, movement restrictions for cohorts and offspring, in case of a female, are applied as soon as BSE is suspected by an OV both in GB (staff of the AHDO of the SVS and of the MHS in slaughterhouses) and NI (staff of DARD in a DVO or a slaughterhouse). These procedures do not apply to animals born before August 1996 because, according to the CCA, neither these animals nor any of their products will enter the food or feed chain. DEFRA representatives advised the mission team that they are discussing with the Commission and other Member States the possibility of using hides from animals born before 1996, including cohorts and offspring of BSE cases, for technical uses (leather production).

DEFRA put in place already in 2005 the offspring and cohorts cull tracing system (OCC system) in order to facilitate their accurate and rapid tracing. The SVS enters the ear tag of the BSE suspect case into the OCC system, which subsequently interrogates the CTS to identify all the animals in the natal and rearing cohort, and the eligible offspring, if any. The OCC system immediately issues notifications to all AHDO in which the cohorts or offspring are kept. When a BSE suspect is notified in NI, a suspect status indicator is entered on APHIS database by DARD staff which automatically triggers the identification and restriction, on APHIS, of the offspring and potential cohorts of the suspect animal.

The relevant AHDO or DVO arranges for an OV to visit the affected farms as soon as possible. Among other things, the OV completes a retrospective preliminary report using the specific form used for BSE investigations on-farm in both GB and NI, checks the farm records to ensure that all cohorts and offspring have been identified correctly, confirms that the cohort and offspring cattle identified by the OCC system and APHIS are present on farm, restricts animals if this has not already been done by post in cases of suspects after positive rapid tests, and, in GB, seizes the passports of cohort animals.

Occasionally, there are cases of old animals where CTS does not hold the necessary data. In these cases, an OV will examine the farm records to identify the cohort and offspring manually. Cattle keepers are obliged to retain movement and breeding
records (electronic or manual) for 10 years (3 years if not a farm). In GB, if the OV is not confident that they are able to rapidly identify and restrict all of the cohort animals on any holdings where they suspect the presence of cohorts/offspring, prohibition of movement of all bovines off those holdings is applied.

Once BSE is confirmed, in GB the AHDO stamps the passports of BSE cohort animals, the OV arranges for slaughter of the BSE cohort and offspring animals and compensation is paid for slaughtering of these animals. Passports are stamped and the cohorts are gradually sent to a slaughterhouse accompanied by a specific official certificate issued by the AHDO for that purpose. Offspring are slaughtered on-farm and sent to a Category 1 ABP incineration plant. In NI, upon confirmation of a BSE case the local DVO arranges valuation and slaughter of the relevant offspring and an investigation into the feeding regime of the natal and rearing herds of the animal is carried out by DARD. This is to ensure that any potential cohorts that have not shared potentially contaminated feed can be ruled out as cohorts and any such animals will have the movement restrictions lifted. If animals are confirmed as cohorts, arrangements are made to value the animals and send them for slaughter and destruction in a Category 1 ABP processing plant.

The mission team noted that:

- According to the CCA, at present there is no backlog of offspring or cohort animals waiting to be culled, and the cohorts identified following new BSE cases are dealt with as they emerge.

- Provisions for tracing and slaughtering of offspring of BSE confirmed cases was brought in line with Community requirements in May 2006 to cover animals born two years before the BSE suspect was found. According to DEFRA representatives, testing of offspring was discontinued in GB after having tested 1,793 animals, all with negative results.

- New compensation systems have been introduced in GB for cohorts and offspring slaughtering.

- The correct functioning of movement restriction upon BSE suspicion and cohorts and offspring cull upon confirmation was confirmed in the AHDOs and slaughterhouses visited both in GB and NI.

- The OCC system and APHIS appear to be able to trace the offspring and cohort animals satisfactorily, and the dispatch of messages triggering the restriction of the animals was confirmed. However, some limitations related to information contained in CTS still restrict effectiveness of the OCC system to trace offspring and cohorts if the BSE confirmed case was born before 1996; in those cases, tracings have been usually completed manually. However, historical data supplied by DEFRA staff on tracing of cohorts or offspring of BSE confirmed cases show that 170 animals within the former and 181 offspring have never been traced, but they are flagged as such in CTS and would, consequently, be detected by the Cattle Export System (CES – see 5.4). However, these animals, if born after 31 July 1996, could not be detected if slaughtered in GB because their passports have never been seized and cross-checks on CTS are not carried out in slaughterhouses.

- According to SVS representatives, tracings provided by the OCC system are generally confirmed by checks of the on-farm records, but cases were seen where some animals where not present in the holding initially attributed to them and additional investigation of on-farm records and traceability of the animals had to be done to finally find the holding where they were present.
At the moment, destruction of hides of animals slaughtered within the OCDS is kept on hold; exception made of those from BSE confirmed cases. These hides are stored, including those from cohort animals born before August 1996 (not individually identified), under RPA official control.

5.1.6. Laboratory network

There is a private laboratory contracted by DEFRA to undertake certain categories of BSE testing. It has two sites in England and one in Scotland. They are responsible for all BSE active surveillance testing where the tested animal is destined for the food chain (24-30 month emergency slaughtered cattle, cattle found sick at ante-mortem inspection and OTM cattle). They are also responsible for the testing of cattle under the OCDS. They use the EU approved Biorad rapid test for all their BSE testing.

There is one site of the NRL in England that is responsible for testing all fallen stock in GB using also the Biorad rapid test. In NI, there is one laboratory responsible for active and passive surveillance, including confirmation of positive results. It is supervised by the NRL.

According to the CCA, none of the sites of the private laboratory has recorded any inconclusive result using the Biorad rapid test since they began testing in late 2001 (they run a system of double testing using the same rapid test whenever a positive test result is indicated). All positive Biorad rapid test results reported by them have been confirmed by the NRL. In the case of tested fallen stock, the responsible site of the NRL has reported one case as inconclusive in the period 2005-2006 (as of November 2006). This sample turned out to consist mainly of a blood clot which led to a potentially misleading result.

The NRL has an ongoing programme of supervisory activities that includes inspections in all participating laboratories, private and public, in GB and NI. Results of these inspections are communicated to DEFRA/DARD for further action, if necessary. In addition, proficiency testing for rapid and confirmatory tests is conducted regularly and an annual meeting gathering all laboratories together is aimed at contributing to the harmonisation of common standards and ensuring continuity. Finally, in relation to the ability of laboratory personnel to obtain the correct sample for testing, special importance is given to training and competence assessment of each laboratory maintained by their internal quality system. The NRL monitors these aspects by randomly evaluating a selection of samples which test negative in the rapid test.

The mission team noted that:

- All laboratories participating in active surveillance are accredited under ISO:17025 standards.
- The NRL inspected all the laboratories under its remit during 2005. It found performance of all of them acceptable. A comprehensive programme of inspections was set up for 2006 and it was ongoing at the time of the mission.
- The NRL carried out an investigation into sampling accuracy collecting brainstems that had tested negative, to assess the anatomical accuracy of the samples taken. The overall conclusion was that this issue needs to be generally improved to ensure accurate diagnosis and a plan was put in place for the NRL to retrain and monitor performance of all testing laboratories during 2006. A meeting was held in October 2006 and all laboratories must report back to the NRL indicating which actions have been taken to guarantee appropriate targeting.
Results from rapid tests are delivered within 14 hours from reception of the samples from OTM slaughterhouses.

Grading of sample quality and autolysis is done by all laboratories in the UK, but different systems are used in GB, where nine categories include details on consistency, autolysis, presence of identifiable obex or amount of tissue sufficient to perform Biorad test, and NI, where two systems are used, one for quality with five categories grading identification of the obex and target sampling areas identifiable, and one for autolysis with five categories too that define consistency of the samples and possibility of identifying target sampling areas.

Samples from OTM slaughterhouses have not created any problem with respect to their quality.

Regarding fallen stock, problems with quality of the samples taken in 2006 so far were seen in the statistics provided in GB and NI. Even though the percentage reported since June 2005 of samples not suitable for testing is under 1%, poor quality of an important percentage of samples was evident in the figures regularly sent to the RPA in GB and received by DARD in NI. In GB, on average more than 45% of the samples are considered “damaged”, meaning that, despite being still considered satisfactory, the obex was so damaged or unidentifiable that only the Biorad test can be applied to them, and if they turn out to be positive, neither immuno-histochemistry or histopathology could be used as confirmatory tests. In NI, between 20 and 40% of the samples have similar quality problems depending on the season. Instructions from the NRL indicate that even if the target areas for confirmatory testing are missing, provided some obex with target area is identifiable for the rapid test, this should be carried out. According to representatives of the NRL, other confirmatory tests such as a modified or standard (in line with provisions of the Office International des Epizooties) Western blot could be used without compromising reliability of the result (see also 5.1.7).

5.1.7. Supervision of BSE epidemi-surveillance

The relevant recommendations of reports 7044/2004 and 7614/2005 were addressed, respectively, to DARD in order to ensure sampling of all animals in the risk categories in NI and to DEFRA concerning regular operation in GB of the system for monitoring the sampling of fallen stock and ensure their testing.

In this respect, DARD action plan indicated that the BSE surveillance database in NI would be integrated with APHIS shortly and that weekly audits and reports for BSE sampling at UTM slaughterhouses had been introduced in July 2004. DEFRA action plan concerning GB indicated that the system in place to check the testing of all eligible animals would continue to operate, including warning letters and enforcement action.

The CCA advised the mission team that cross-checks are continuing to ensure that cattle aged more than 24 months are being sampled and BSE tested as appropriate. Monitoring of sampling of fallen stock is done by DEFRA by regularly carrying out cross-checks of reports of over 24 months cattle recorded on CTS as dead, but which did not die in slaughterhouses, with the TSESS database to confirm that, where appropriate, such cattle have been BSE tested. A similar system is ensured by the interaction of APHIS and the BSE surveillance database in NI where statistics are produced and monitored on a weekly basis and are also subject to a formal annual review. If there is no record on such cattle having been sampled and presented for
BSE testing, this is investigated by SVS or DARD and, if appropriate, acted upon by LA/DARD.

The mission team was advised by DARD representatives that a system of feed back to/from farmers and collectors of fallen stock has been established in NI in order to monitor the situation and take appropriate actions if needed to reduce delays with collection of fallen stock and improve quality of the samples drawn. In addition, regular meetings are held between DARD and the ABP plant responsible for handling of fallen stock to be sampled for BSE testing. They added that where there is a delay in notifying/collecting fallen stock which could impact on the quality of the sample taken for BSE testing warning letters are issued to herd owners or collection sites.

As regards the MHS, special monitoring is in place concerning casualty animals over 24 months to ensure that they are sampled, in particular in UTM slaughterhouses or elsewhere. Representatives of FSA advised the mission team that actions are still in place as described in report 7614/2005 and that the centralised system for collection of records from UTM slaughterhouses on animals that require sampling, which are cross-checked against the number of tests carried out by the laboratories, is in operation. In NI, specific provisions have been introduced to render APHIS able to help OV responsible for sampling this category of animals and DARD staff responsible for its monitoring, not to overlook such cases (see 5.1.3).

The CCA advised the mission team that testing of OTM cattle for human consumption has been kept under close scrutiny since the OTM rule was amended on 7 November 2005.

In deciding that the OTM rule should be replaced by BSE testing, the UK agreed that the FSA should report on the first six months of implementation of testing following the change. In addition, an OTM testing Implementation Review Group was set up to oversee implementation of the BSE testing system for its first 12 months of operation (ending November 2006) and to report on that. For doing so, the FSA commissioned an independent third party a review of operation of the BSE testing system for its first six months. The associated report to the FSA and the interim report prepared by the Implementation Review Group, both issued in July 2006, can be seen at:

http://www.food.gov.uk/multimedia/pdfs/fsa060706i.pdf

These reports conclude that the system advised by the Independent Advisory Group set up by the FSA before the OTM rule was replaced was being effectively and consistently implemented and that no ineligible animal had entered the food supply (see report 7614/2005 for additional information). The review included audit of a broad representative sample of OTM slaughterhouses throughout the UK and testing laboratories in both GB and NI. The operation of the testing system in each slaughterhouse was considered to have been closely monitored by MHS or DARD veterinary staff and any exception to correct procedure has been reported up the line for appropriate action to be agreed. The review adds that MHS and DARD internal auditors have carried out an intensive programme of audit at participating slaughterhouses.

Regular monitoring activities carried by DEFRA compare CTS records of OTM cattle killed in slaughterhouses with MHS records for the slaughterhouses, RPA database records of cattle born between 1 August 1995 and 31 July 1996 and slaughtered in OCDS approved slaughterhouses and TSESS database records of cattle which have been BSE tested. According to DEFRA representatives, when any
discrepancy is encountered, investigations are carried out and appropriate action taken, if necessary.

The mission team noted that:

- The results from the cross-checks carried out by DEFRA show a reduction in the percentage of fallen stock not tested from the first (3,402 out of 122,694) and second (2,075 out of 110,555) semesters 2005 to the first semester 2006 (841 out of 112,948). With regard to NI, DARD cross checks show that some 10% of these animals can not be tested annually with higher percentages between May and September and significantly lower percentages the rest of the year. Reasons for that are attributed to bad quality of the samples due to late notification of the death by the farmer. Concerning quality of the samples taken, see below, 5.1.3 and 5.1.6.

- Further investigations have been carried out to assess whether the distribution of fallen stock whose samples were of poor quality had not been random and if this could have had an impact on reliability of rapid tests carried out. The results show that there is no difference in the percentage of positive results found in the different quality categories of samples taken, whether “damaged” or not, which, according to the CCA, should exclude such possibility and reinforces the reliability of the BSE monitoring in this sub-population (see also 5.1.6).

- Provisions are in place to handle situations where data shows that a given animal had not been sampled and farmers or KY/HK are contacted to establish the reasons for this and the disposal route of the carcass. The system of warning letters sent by DEFRA or DARD is operational and examples of cases where letters had been set out to inform the farmer or KY/HK about the non-compliance were seen. Letters have to be copied to the AHDO, DVO and LA, as appropriate, for follow-up actions where needed. Several initiatives have been implemented in 2005 and 2006 to further raise the awareness of farmers on this issue.

- In NI, a special programme is ongoing that consists of 150 targeted visits allocated to problematic farms, of which 100 have been already completed and, as a consequence, there have been two cases in 2006 of farmers that did not notify fallen stock and were prosecuted.

- Letters issued in NI in case of delays in notifying fallen stock which could impact on the quality of the sample taken for BSE testing are regularly sent, but actions will only be taken after the third non-compliance with the 48 hours deadline. SVS representatives acknowledged that no similar system was in place in GB (see 5.1.3 and 5.1.6); nevertheless, in GB the deadline for collection is of 24 hours and compliance of collection sites with it is monitored by the RPA. One example was seen though where a report had found non-compliance with this deadline (25% of fallen stock not collected within its limits) and no recommendation to amend the situation had been addressed to the operator. In NI, action is taken in case of delays in collecting fallen stock which could impact on the quality of the sample taken for BSE testing. Financial penalties are imposed upon hauliers who are late in the collection and delivery of fallen stock.

- Information has been provided to KY/HK and other collectors of fallen stock in relation to how to handle situations where there is absence of notification to the BCMS helpline of fallen stock older than 24 months indicating that they should contact this helpline in case of doubt about the age of a dead animal. DEFRA have advised all AHDO about this issue in June 2006 requesting them to forward an information letter to all ABP establishments under their remit handling fallen
stock and expressing the need to further update the existing centralised database containing all these premises. The system was operational in the incineration plant visited. The SVS has continued to cross-check a sample of ear tags taken from KY/HK with CTS, in order to confirm the age of the collected fallen animals. According to the CCA, a KY/HK which has not followed the requirements for sampling of such cattle is currently being prosecuted by the LA concerned.

- According to representatives of the MHS, since the previous mission in 2005, there has not been any discrepancy between records collected centrally on animals that required sampling at UTM slaughterhouses and tests made by the laboratories; however, in the OTM slaughterhouses visited in GB, verification of the harmonised interpretation by OV of the difference between cattle slaughtered as an emergency and cattle found sick at ante-mortem inspection was not done, which, even if the animals were eventually sampled, has caused some inaccurate reporting of animals in either category.

- In NI, operation and reliability of the system provided by APHIS to support and monitor sampling by OV of animals found sick at ante-mortem inspection was confirmed in the slaughterhouse visited.

- Performance of controls by staff of slaughterhouses and OV on cattle born before 1 August 1996 that had been sent for the food chain had been effective in the slaughterhouses visited and some few animals had been impeded entering the slaughter chain and their places of origin investigated and advised about this breach of legislation. The animals had been sent for destruction.

5.2. **TOTAL FEED BAN**

For a description of the CA involved and their tasks, and further details on the relevant recommendations, reference is made to mission reports 7614/2005 and 7044/2004.

### 5.2.1. **Authorisation and registration of establishments**

As far as GB is concerned, the relevant recommendations of report 7614/2005 were to ensure:


- To ensure that the CA do not permit the use and storage of feeding stuffs containing fishmeal in farms where ruminants are kept without prior verification of the measures taken to prevent cross-feeding, as laid down in Annex IV to Regulation (EC) No 999/2001.

In their action plan, the CA undertook to re-confirm that the authorisation requirements of premises were in line with EU legislation and to prioritise National Feed Audit (NFA) inspections to those farms where cattle were present, so that permission could only be given to use and store fishmeal following a satisfactory inspection.

With regards to the recommendation concerning authorisation of feed establishments, DEFRA representatives advised the mission team that it is a legal requirement to authorise all home-mixers using fishmeal and that all feed mills and around 90% of home-and mobile mixers using fishmeal are authorised, with the remaining to be authorised early in 2007 at the latest.
DARD representatives advised the mission team that the derogation included in Annex IV to Regulation (EC) No 999/2001 was used for certain home-mixers to be only registered, and not specifically authorised, if only non-ruminants are present. They added that all feed mills are authorised, that the process to authorise/register home-mixers has started and that compliance with relevant provisions before either option is granted will be verified through on-the-spot visits.

Concerning the recommendation for DEFRA to allow use and storage of feeding stuffs containing fishmeal in farms where ruminants are kept only after prior verification of measures taken to prevent cross-feeding, the mission team was advised that they had initially estimated that there were approximately 19,000 farms keeping both ruminants and non-ruminants, but had subsequently confirmed that a significantly lower number of them were using fishmeal. The SVS stated that they are continuing to try to identify other farms using fishmeal in order to enforce and verify cross-feeding prevention.

The mission team noted that:

- DEFRA and DARD are in the process of authorising or registering all remaining establishments but they could not exclude that some feed establishments requiring authorisation/registration existed without their knowledge. Hardly any measures were in place to identify those or new feed establishments starting their activities.
- Several other CA such as LA in GB or the RPA, visit also feed handling/producing establishments but mostly do not provide authorisation/registration relevant intelligence to DEFRA or DARD.
- Progress has been made to identify ruminant keeping farms using fishmeal and to verify cross-feeding prevention, but the process is not yet finalized.
- In the feed mill visited, which sold concentrated fishmeal and feeding stuffs containing fishmeal to home-mixers and farms, no checks were conducted to identify these end users and, if appropriate, their authorisation/registration for that activity. As a consequence, no targeting of official controls could be done to ascertain whether they had satisfactory measures to prevent cross-feeding in place.
- Staff at the feed mill and home-mixers visited in GB and NI were well aware about feed ban requirements. Evidence was provided by the CA showing several examples of information made available to different target audiences in the feed chain through direct mails, brochures or the Internet.

5.2.2. Guidance and instructions for official controls

In GB, the SVS has been delegated the task of implementing feed ban controls following policy guidance prepared by DEFRA that has been set up in the NFA (see reports 7044/2004 and 7614/2005). Feed ban inspections and sampling are carried out by OV in the AHDO.

In NI, the Quality Assurance Branch (QAB) of DARD implements legislation relating to animal feeds on behalf of DARD Veterinary Services following, as far as feed ban controls are concerned, guidance set up by the DARD TSE policy branch. This involves inspection of establishments producing and marketing animal feeds and feed ingredients, checks on imports of animal feed and feed ingredients and inspection of home-mixers for production of animal feeds. The QAB is also responsible for implementing a programme of sampling and testing of feeds and feed ingredients.
According to SVS representatives, the NFA programme for GB and the feed control programme for NI are based on comprehensive risk criteria such as amounts of feeding stuffs produced, presence of double stream premises, previous history or suspicion of non-compliance, import of feeding stuffs of high protein content and risk of cross-feeding. On this basis, a broad range of weighting scores for different types of feed establishments has been introduced following Commission Recommendation 2005/925/EC (11). These scores are used to determine the number of inspections to be carried out and samples to be taken by staff of the AHDO in the various kinds of establishments.

SVS representatives further advised the mission team that detailed instructions including a contingency plan have been provided in GB and NI to all feed inspectors describing the main points to check during their visits to the different types of establishments. For each inspection carried out, a report is send to the official responsible for overall feed ban co-ordination in the SVS/DARD. The same applies to each sample taken. According to SVS representatives, this allows for a quick and comprehensive review of the inspections carried out and facilitates the monitoring of compliance of the AHDO with their established inspection and sampling target.

Both DEFRA and DARD representatives acknowledged that national provisions and implementing measures with regards to controls concerning organic fertilizer containing MBM were not yet in line with Regulation (EC) No 181/2006 and that both CA are currently preparing to implement this Regulation in domestic legislation.

The mission team noted that:

- According to SVS staff, some feed inspectors had pointed out the need for more training. Procedures had started to evaluate these training needs. Evidence was provided by the QAB representatives in NI that staff conducting feed ban controls had received appropriate training to enable them to undertake their duties competently.

- Ad-hoc controls are carried out in GB on imported feeding stuff consignments; however, no risk assessment for these commodities had been done so far. According to SVS representatives, introducing a risk based control system also for import controls is being considered. Both DARD and QAB representatives, acknowledged that a risk-assessment concerning farms keeping ruminants and other species (risk of cross-feeding) or farms purchasing feed materials in bulk has not yet been conducted and that the knowledge of how many of these establishments exist can be improved.

- The NFA programme does not include controls for dealers (e.g. intermediaries, warehouses) of fishmeal and meat and bone meal (MBM). MBM can also be legally sold in GB by Category 2 and 3 ABP processing plants to anyone. According to DEFRA representatives, usage of MBM as organic fertilizer at farms requires a licence of the Environmental CA. In addition, they indicated that random inspections were conducted by LA at dealers and ABP processing plants, but they are not used to verify whether buying establishments are authorised or registered to use the processed animal protein. No regular or formal exchange of

inspection results took place between the SVS and the LA in charge of controls at dealers or ABP processing plants.

- The RPA and the LA in GB also check feed ban compliance as part of their programme of farm controls, but do not provide regularly this feed ban relevant intelligence to the SVS. The same applies to the exchange of this sort of information on on-farm controls done by DVO staff to QAB staff.

5.2.3. Application and supervision of official controls

General information about the organisation of official controls are described in mission reports 7614/2005 and 7044/2004.

The relevant recommendation of report 7044/2004 concerned for NI to ensure that the objectives of the national control programme are achieved.

In response to the above recommendation, the CA indicated that they will endeavour to achieve the objectives of the national control programme.

In relation to official on-the-spot inspections, DEFRA and DARD advised the mission team that inspections are carried out by means of unannounced inspections at establishments where staff is always present and at farms after a short announcement period.

The mission team noted that:

- The NI inspection targets were met in 2005; however, the sampling target was missed as only 260 of the 352 planned samples were taken. According to representatives of the CA, this was due to shortage of staff and they added that the sampling targets will likely also not be met in 2006 due to the same deficiency. None of the samples tested had a positive result in 2005 and 2006 this far.

- The NFA inspection and sampling targets were met in 2005 and progress against the target was regularly monitored and if required adjusted. 12,570 samples have been taken of which none tested positive for any processed animal protein other than fishmeal. 20 samples taken from compound feeding stuffs destined for ruminants tested positive for fishmeal and actions were taken to address the non-compliances found.

- In the feed mill visited in GB, the AHDO feed inspector was selecting samples from those already taken by establishment’s staff from raw materials without her being present. Those samples were accepted and reported by the feed inspector as official samples. No reference samples, unless requested by the feed establishment were taken and no batch numbers of sampled feeding stuffs were recorded. According to SVS representatives, problems existed to draw official samples from raw materials due to difficult physical access to storage silos. They acknowledged further that results of official samples without a reference sample given to the operator and without mentioning of the batch number can be legally challenged by feed establishments. As a consequence, a second visit has to be conducted in case a breach of the feed ban is detected.

- In the feed mill visited in GB, the feed inspector met was not able to explain how to draw samples from bulk or bagged feed materials or feeding stuffs as outlined in Directive 76/371/EEC (12). Another feed inspector responsible for a visited home-mixer could explain the correct sampling procedures for bagged feeding

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stuffs, but had not followed them in previous inspections. Sampling procedures in NI were implemented by the QAB inspectors in line with Directive 76/371/EEC, but, according to one inspector met who acts as co-ordinator of QAB staff, important difficulties exist to draw samples from feed materials in line with this Directive; which have prevented them from taking samples as intended.

- In the feed mill and one home-mixer visited in GB, feed inspectors were not doing documentary checks of records such as incoming or outgoing feed materials or feeding stuffs, which prevented them from getting relevant information to assess compliance with restrictions related to the feed ban (see 5.1.4). For instance, no controls took place to assess a) whether sourced feeding stuffs including concentrated fishmeal came from authorised suppliers, b) whether rendered fats were possibly used in feed mills in compliance with limitations with respect to their levels of insoluble impurities or c) whether bagged products labelled as milk replacers for calves but without any information on the included ingredients could bear any risk of cross-contamination from any of them. According to the feed inspectors met in GB, documentary checks are not part of their inspection routine.

- Documentary checks were conducted in NI. However, these did not include checks on whether feed materials were only sourced and used from establishments which are authorised or registered.

- According to SVS representatives, controls to check compliance with labelling requirements are the responsibility of LA. The SVS inspectors met stated that no regular or formal exchange between the different CA existed in this regard.

- In the feed mill visited in GB, bags containing concentrated fishmeal did not carry clearly the claim "Contains fishmeal- shall not be fed to ruminants" as the words were hardly readable due to the printing method used. Other bagged feeding stuffs containing fishmeal seen in the establishments visited in GB and NI carried a stitch-on label with the appropriate feed ban claim; however, these stitch-on labels fall off the bag once opened and, as a consequence, no information remains on the relevant feeding restriction.

- Controls at hauliers transporting fishmeal have taken place to verify that control systems exist to prevent cross-contamination. However, in NI no inspections of vehicles transporting bulk processed animal protein other than fishmeal had been conducted to verify proper cleaning and DARD representatives stated that they can not guarantee that vehicles transporting these materials for the pet food industry are not transporting also feed for other species. Data submitted to the European Commission for the 2005 feed ban sampling programme show that no samples of feeding stuffs have been taken in the UK from means of transport.

- The NFA inspection report system, which uses reports generated and send electronically, allows quick communication; however, no dated and signed paper copies are produced and the database where the reports are fed into does not provide an auditable trail thereof. According to SVS feed inspectors met, no copies of inspection reports where non-compliances were found need to be provided to the business operator.

5.3. **SRM**

Mission reports 7044/2004 and 7614/2005 contain a description of the authorities involved and their tasks and further details on the relevant recommendations.
included below. Report 8073/2006 further describes the CA and their organisational arrangements with regard to approval and official controls of ABP plants.

The relevant recommendations of report 7044/2004 as far as NI is concerned and report 7614/2005 for GB were, respectively, to ensure that all fallen stock is properly disposed of and that the disposal of SRM at farm level is carried out in line with Regulation (EC) 1774/2002.

In its action plan, DARD advised the Commission services that following the introduction in November 2004 of the National Fallen Stock Scheme (NFSS), information from APHIS and other sources will be used in NI to enforce the proper disposal of SRM associated with fallen stock. In its action plan, DEFRA advised the Commission services that measures in place at the time to improve the situation in relation to disposal of SRM from animals dying on-farm will be maintained in GB. A description of the NFSS is included in report 7614/2005 and updated details on this area can be found in report 8073/2006.

According to representatives of DARD and DEFRA, the free collection and disposal service for fallen stock aged over 24 months is fully operational and has contributed enormously to the dramatic decline in the percentage of this sub-population not collected and possibly buried on-farm (see 5.1.7).

Additional pieces of legislation were introduced in GB and NI in 2005 and 2006 to adapt national implementing provisions on SRM to Regulation (EC) No 999/2001. Extensive informative campaigns have been carried out in GB and NI to raise awareness of all operators in relation to new provisions on SRM removal and disposal.

FSA, MHS and DARD representatives advised the mission team that the Manual of Official Controls covers instructions to MHS and DARD staff on SRM controls and BSE testing. It was introduced in 2006 and replaces the Operations Manual used before (see reports 7044/2004 and 7614/2005). The document is available on the FSA website at:

www.food.gov.uk/foodindustry/meat/mhservice/mhsmanual2006/

This manual describes thoroughly the inspection and audit tasks to be done by the different levels of MHS and DARD.

In addition, an update of instructions to meat industry - The Meat Industry Guide – should be ready shortly before the end of 2006.

The current situation in the UK as far as removal of vertebral column from bovine carcasses in places other than slaughterhouses is as follows:

- All establishments require a RMOP to be agreed with the MHS, DARD or LA, as appropriate.
- Cutting plants require specific authorisation from MHS/DARD for the removal of vertebral column from OTM UK cattle and from imported bovine carcasses, half carcasses, half carcasses cut into no more than 3 wholesale cuts and quarter carcasses from animals over 24 months of age. They are under full supervision of authorized officers. Authorisations of OTM cutting plants and authorised cutting plants receiving imported carcasses require advance notice from the business operator of expected consignments.
- Cutting plants removing only vertebral column from animals between 24 and 30 months of age do not require specific authorisation.
Butcher shops can not receive vertebral column from OTM UK cattle and require authorisation from the LA for removal of vertebral column from carcasses of animals between 24 and 30 months that can only be of UK origin. The latter can be removed in any cutting plant approved under Community legislation and are not required to be under full supervision of an OV.

Authorisation of cutting plants involves their undertaking to give advance notice of arrival of the carcasses to the OV to ensure the supervision of removal of the SRM.

A description of the policy of risk assessment and allocation of inspection frequency to ABP plants developed by the SVS for the AHDO and by DARD is described in report 8073/2006. Establishments where SRM are handled, those where non-compliances have been detected or those that supply the food chain are generally considered bearing higher risk and visited more frequently. This new inspection frequency applies since October 2006; before that date all plants were visited monthly.

The mission team noted that:

- Authorisation of cutting plants and butcher shops was ongoing for several months, even after May 2006, in particular for the latter; nevertheless, neither slaughterhouses nor cutting plants were allowed to send carcasses containing SRM to any other establishment downstream in the food chain unless they could provide evidence that these establishments had been authorised to handle them. FSA reminded several times MHS, DARD and the LA both in GB and NI of the importance of ensuring that all those establishments handling SRM had to be properly authorised. Numerous authorisation documents could be checked by the mission team and, with few exceptions, they acknowledged compliance with all necessary provisions included in Annex IV to Regulation (EC) No 999/2001. The cutting plant and butcher shop visited had been properly authorised.

- In the OTM slaughterhouses visited, the removal, dyeing and collection of SRM was, in general, carried out in line with the requirements laid down in the RMOP and in Annex XI to the Regulation (EC) No 999/2001. Training had been given and acceptable levels of awareness on these areas were found in the OV and operators of the establishments. The OV have systems in place to cross-check the amount of cattle slaughtered and ABP disposed of. Some weaknesses were seen though with regards to different approaches in different RMOP towards dedication or not of containers for SRM and in respect of marking of containers for the different Categories of ABP. Moreover, general levels of hygiene in the slaughter halls visited were not sufficient to exclude the possibility of cross-contamination when the slaughter chains work at high speed. Some of these findings had already been noted in report 8073/2006.

- Tracing exercises and checks on SRM reconciliation are done regularly by staff of MHS, SVS and DARD in slaughterhouses and ABP plants, but with significantly less frequency involve cutting plants and butcher shops. Their results were generally satisfactory and their implementation usually confirmed the proper channelling of Category 1 ABP; however, no findings had been reported or recommendations given to the operators visited in GB in relation to deficiencies still present with regards to commercial documents used for the dispatch of ABP, such as insufficient information on the amounts dispatched. According to DARD representatives, additional SRM tracing activities covering more establishments and CA will be introduced in NI in spring 2007 when a new computerised system for this area will be operational.
Removal of vertebral columns from animals between 24 and 30 months was done properly in the cutting plant and butcher shop visited and training and sufficient instructions on this matter had been given to the operators.

Harvesting of head meat was done in all slaughterhouses visited without taking the heads off the hooks and in all of them this has been done so far only from UTM animals. In the UK it is not allowed to harvest bovine head meat in cutting plants.

Weaknesses were identified in establishments under the responsibility of LA (butcher shops) and in Category 1 processing plants where commercial documents used by the operators of both types of establishments have been often not in line with Regulation (EC) No 1774/2002. This sort of findings had already been noted in report 8073/2006. Cases seen during this mission included:

- In the butchers shop visited, removing vertebral column from animals between 24 and 30 months, no mention of the Category of these ABP was present in the commercial documentation accompanying them and only the term 'bones' was used on the document. Moreover, the Category 1 ABP were dispatched from the butcher via a premises which was only approved as a collection centre (for Category 2 ABP) and not approved as a Category 1 intermediate plant,
- the wrong Category of ABP written down in the document, 3 instead of 1, when a mixture of ABP including Category 1 material was transported to a Category 1 processing plant,
- Category 1 processed ABP that were accompanied by commercial documents not indicating that they were for disposal only.

The OV responsible for official controls in the Category 1 processing plant visited had not been instructed to give priority to verify and ensure that SRM were being received as appropriate from cutting plants and butcher shops authorised to remove vertebral column of bovines. Moreover, no information had been sent yet to this official by any LA, indicating which of these plants were authorised to produce SRM and were sending them to this ABP plant.

Several internal MHS and external FSA audits have been carried out in slaughterhouses and cutting plants covering, amongst other things, removal, and disposal of SRM. Special importance was given to handling of vertebral columns of animals older than 24 months. Some of these audits were part of the monitoring enforced by FSA, through MHS, after replacement of the OTM rule in November 2005, including one comprehensive external audit (see 5.1.7).

One special audit was triggered following the discovery that a standalone cutting plant had consigned vertebral columns of animals between 24 and 30 months, unstained, to a Category 3 ABP processing plant. This survey, which was initiated in July 2006, covered all co-located (129) and standalone (336) cutting plants in GB and NI to establish the level of compliance with provisions on removal of vertebral columns of animals between 24 and 30 months. No non-compliances were found in NI and 90% of the plants in GB were compliant. The remaining 10% in GB had been unable to demonstrate that vertebral column had been correctly handled. As a consequence, butcher shops may have been receiving them but not removing and disposing of the SRM correctly. No evidence was found of any SRM being traded with elsewhere than in the UK.

After this audit, enforcement and follow-up actions on non-compliant plants were carried out, information given to LA in order to further check and advise butcher...
shops involved, and additional reminders and guidance on these matters were provided to all establishments handling carcasses with SRM, all of which could be confirmed by the mission team.

Concerning home kills, figures were provided by DEFRA on GB and, according to them, farmers must give a reason for this slaughtering on-farm in order to update CTS and if it is an OTM animal or an animal emergency slaughtered, the animal must be sampled and tested for BSE; otherwise only the farmers (and not even their relatives) can consume meat or offal from these animals. Legal provisions in force allow this slaughtering for animals born before August 1996. In the AHDO visited, representatives of SVS and LA met acknowledged that they rarely check these cases and that, provided the farmer gives a reason for the home killing, no additional information about consumption of the meat and offal or the proper disposal of SRM is collected.

In several establishments involved in production, collection and processing of several Categories of ABP, insufficient knowledge of operators whether establishments were authorised to produce or receive specific Categories of ABP was a common finding.

5.4. CONTROLS ON TRADE OF CATTLE, BEEF AND SOME ABP

Lifting of the BSE related restrictions on trade from the UK of cattle and their products were introduced in domestic legislation by The Transmissible Spongiform Encephalopathies (No. 2) Regulations 2006 (S.I. 2006 No. 1228) and equivalent legislation in Scotland, Wales and Northern Ireland on 3 May 2006.

Several administrative and implementing provisions had been put in place as required by Regulation (EC) No 657/2006 in order to ensure that the following are not dispatched from the UK to other Member States and third countries:

- animals born or reared in the UK before 1 August 1996;
- meat and products derived from cattle born or reared in the UK after 31 July 1996 and slaughtered before 15 June 2005; and
- vertebral column, including products derived therefrom, from cattle born or reared in the UK after 31 July 1996 and slaughtered before 3 May 2006.

DEFRA and DARD have provided extensive information to cattle dealers and food business operators involved outlining that it is the responsibility of every exporter to ensure that all goods exported comply with the EU rules and any additional requirements from non-EU countries. This includes tracing products back to manufacturers and suppliers who can confirm the slaughter dates of the animals used in the products.

According to the CCA, the main initiatives in place include:

- An IT system called CES has been developed to check that cattle intended for export from GB are eligible for export. These checks include accessing CTS directly to confirm that the cattle concerned were born after 31 July 1996 and accessing the OCC system (see 5.1.5) to confirm that they are not offspring or cohorts of a BSE case. The system is fully operational since October 2006; before that, the databases involved had been queried separately. A similar system has been established in NI that takes advantage of the already advanced and reliable system ensured by APHIS.
- Tracing back of all meat and products derived from cattle produced from animals slaughtered before 15 June 2005 has been carried out both in GB and NI through a cold store audit. The situation and final destination of approximately 66% of material traced in GB has been ascertained. Investigations continue to identify the existence or final destination of the remaining. No material was found to be stored in NI. In addition, a system of random and targeted backwards traceability exercises has been put in place both in GB and NI to find out and confirm whether any of these products had been traded and to ensure that in the event of any breach of this requirement recalling of the product can be done forthwith.

- The existing system of portal surveillance carried out by SVS staff was re-adapted to concentrate on documentary checks of selected consignments for back tracing to the animals from which the products were derived. The main targets are frozen or canned processed products, offal and boxed, manufactured beef. In all cases exporters must provide an audit trail within one week of notification from SVS. Results are reported to DEFRA. In addition, an intelligence-led surveillance system was put in place to support the portal one. Its main purpose is to identify and target specific exporters and riskier products rather than consignments.

- A specific approach for supervision of exports of meat and products derived from cattle from NI was decided on the basis of the particular circumstances applying to this territory. The programme includes also portal surveillance, but it focuses specially on plants handling these products where there was no direct DARD supervision or this was not permanent. 62 plants are under LA responsibilities and cutting plants and ABP processing plants do not have permanent OV on site. A risk assessment of all these plants potentially trading with other Member States or third countries was carried out and the frequency of audits to be carried out by DARD staff was defined. Depending on the risk category allocated to the establishment the minimum audit frequency varies from a weekly or monthly audit for the establishments deemed as higher risk to one visit at least every 8 months for those considered as lower risk.

- In addition to the routine official controls in place along the ABP chain (see 5.3 and report 8073/2006), both DEFRA and DARD have introduced a system of tracing exercises and SRM reconciliation, whose purpose is to further check a) proper channelling of ABP from slaughterhouses, cutting plants and butcher shops to appropriate ABP intermediate and processing establishments, b) destruction of Category 1 processed material and c) appropriate use of Category 2 and 3 material.

According to BCMS representatives, to end of October 2006, export notifications have been received for a total of 59,338 animals, 90% of which were younger than two months. The main destination countries were The Netherlands and Belgium.

According to DARD representatives, in relation to supervision of exports from NI of meat and products derived from cattle, all 59 plants under DARD supervision (on behalf of FSA) has been risk assessed and a frequency of audits has been assigned to each plant. Nine of the plants under LA’s responsibility have been considered eligible for this supervision and risk assessed. Out of the 25 ABP plants present in NI, 15 were considered eligible and risk assessed. In all plants considered not eligible, DARD asked the operator to voluntarily sign a letter of intent to inform DARD if they began to export beef or beef products.
The mission team noted:

- Examples were checked of animals presented to be dispatched to other Member States not complying with the relevant requirements on their date of birth that have been prevented to do so. Interaction between CES and CTS was operational.

- Controls on the eligibility of animals to be dispatched from the UK to prevent that cohorts or offspring of BSE suspect or confirmed cases are dispatched are implemented effectively availing of the information provided to the CES by the OCC system and by APHIS in NI. Reliability of CES derives from the confirmation of information supplied by CTS to the SVS on offspring and cohorts, as confirmed by the AHDO during their visits to the relevant holdings. Furthermore, in GB passports of these animals are seized by the SVS to give additional assurance to the movement restrictions. However, some cohorts and offspring born after 31 July 1996, which were not possible to be traced and whose passports could not be seized could still enter the food chain in GB (see 5.1.5).

- Investigations continue to identify the existence or final destination of the remaining part of all meat and products derived from cattle produced from animals slaughtered before 15 June 2005 that has been traced back so far. In addition, out of the results obtained so far, the traceability exercises put in place to prevent any of these products from being traded and to ensure that in the event of any breach of this requirement recalling of the product can be done seem to be working effectively. As of October 2006, 52 trace back exercises have been done within the system of portal surveillance and 27 with the intelligence-led surveillance; none generated any unsatisfactory tracing result.

- In NI, more than 700 checks have been performed at the three relevant ports and they confirm that no consignment was destined outside the UK. Reports of the risk assessments carried out in slaughterhouses and cutting plants were checked and, in general, they took into account the higher risks present such as a) the type of products processed or exported, giving higher value to meat preparations or meat products, b) presence of export-ineligible material, c) previous exporting activities carried out by the operator, d) full attendance or not of DARD staff and, e) history of non-compliances. Final determination of the risk is discussed and agreed by the OV responsible for the audit with their managers at the DVO. Checks done on traceability of products dispatched from the cutting plant visited in NI, including minced meat and sausages, demonstrated that a very efficient and reliable system was in place in this establishment.

- Concerning tracing exercises and checks on ABP reconciliation and dispatch done in slaughterhouses, cutting plants, butcher shops and ABP plants, see 5.3.

6. CONCLUSIONS

6.1. COMPETENT AUTHORITIES

1. A complex structure of numerous CA is responsible for organisation and implementation of official controls within the areas covered by the scope of the mission. This makes specially challenging for the CCA to ensure an efficient and effective co-ordination between all of them, which can be considered mostly satisfactory in relation to i) BSE surveillance and eradication, ii) controls on restrictions on trade related to BSE, and iii) removal of SRM. However, it is still
insufficient along the feed and ABP chains, which is not in line with Article 4 (3) of Regulation (EC) No 882/2004.

2. Several initiatives ensure satisfactory verification of effectiveness of official controls with regards to i) BSE surveillance and eradication, ii) controls on restrictions on trade related to BSE and iii) removal of SRM. However, a weak verification system can not yet guarantee effectiveness of official controls along the feed and ABP chains, which is not in line with Article 8 (3.a) of Regulation (EC) No 882/2004.

6.2. BSE EPIDEMIO-SURVEILLANCE AND ERADICATION

1. The system for cattle I&R supports satisfactorily controls on BSE epidemi-surveil lance, given that the quality of the data is steadily improved, and progress achieved since the previous missions makes CTS and APHIS more reliable and significantly more useful in terms of extracting information from them. Additional steps up have been taken to benefit from the potential offered by other monitoring tools and improvements were also noted regarding reliability of of-farm registers, which addresses the recommendations on this area made in previous reports.

2. Passive surveillance was satisfactory. Awareness campaigns on clinical signs of the disease have continued in a context where fewer BSE suspects are notified and confirmed. Consciousness of the importance of continuing to notify BSE suspects was noted at all levels in the system and comprehensive investigations are carried out to confirm or exclude BSE.

3. Performance of the laboratory network was satisfactory and a good system has been established by the National Reference Laboratory to ensure the regular verification of the activities carried out by all laboratories participating in BSE testing.

4. A satisfactory system has been put in place in order to assess the robustness of the testing regime implemented after the OTM rule was replaced and, as a consequence, the active surveillance programme as implemented can largely ensure that all eligible animals are sampled despite minor shortcomings in NI. As a result of the progress made in i) supporting databases, ii) supervision of sampling and investigation and iii) reaction to the shortcomings identified, the CA can satisfactorily demonstrate the extent to which this is achieved for all sub-populations that must be BSE tested in accordance to Annex III to Regulation (EC) No 999/2001, which mostly addresses the recommendations on this area made in previous reports.

5. Limited progress has been made with regards to enforcement of actions with a sufficient deterrent effect to guarantee good quality of samples taken from fallen stock. As a consequence, the system in place can not ensure that the laboratory network and, in particular, the NRL can fully comply with provisions on confirmation of BSE suspects as laid down in Chapter C (3.1.b) of Annex X to Regulation (EC) No 999/2001. Moreover, this weakness could hamper the reliability of the investigations carried out to exclude the presence of any atypical form of BSE.

6. In GB, the recommendation of the previous report regarding ante-mortem registers has not been fully addressed and they are not yet sufficiently auditable in order to ensure that every animal is inspected ante-mortem and to verify that all
animals found sick at this inspection are sampled for BSE testing if older than 24 months.

7. Timely tracing of cohorts and offspring is feasible and the systems in place in GB and NI are fully operational and mostly reliable. The cohorts and offspring cull is satisfactory and procedures on movement restrictions following a BSE suspect are in line with Regulation (EC) No 999/2001. However, some weaknesses were noted in GB in relation to insufficient measures in place to prevent some cohorts and offspring born after 31 July 1996 from being slaughtered for human consumption.

8. Satisfactory measures were in place to ensure that sampling and testing of cattle born between 1 August 1995 and 1 August 1996 is done in accordance to Regulation (EC) No 657/2006.

6.3. TOTAL FEED BAN

1. Progress has been made since the last mission and recommendations of the previous reports have been largely addressed; however, not all establishments using fishmeal have been authorised or registered, when required, and not all farms keeping ruminants were controlled to be satisfied that on-farm measures are implemented to prevent cross-feeding. Both situations are not yet fully in line with Annex IV to Regulation (EC) No 999/2001. In addition, a previous recommendation for NI to meet the annually planned objectives has been only partly addressed as the inspection targets have been met in 2005, but not the sampling targets.

2. National implementing provisions with regards to the enforcement of the feed ban are in line with EU requirements, apart from Regulation (EC) No 181/2006 as regards organic fertilisers and soil improvers, which is not yet implemented.

3. Official controls are based on a risk assessment mostly in line with Commission Recommendation 2005/925/EC and cover most but not all establishments producing, processing or distributing feed; however, their implementation is not carried out on a risk basis for imported feeding stuffs in GB and they are not sufficiently targeted in NI to prevent the risk of cross-feeding. This is not fully in line with Articles 3(1) and 4(2) of Regulation (EC) No 882/2004.

4. In GB, inspectors conducting official controls have not always received appropriate training to enable them to undertake their duties competently and performance of these controls do not always include documentary checks of written material, other records and labelling, which may be relevant to assess compliance with feed law. This is not in line with Articles 6 and 10(2) of Regulation (EC) No 882/2004, respectively.

5. Official samples in GB were not always taken by feed inspectors but by feed operators and, yet, they were considered as official. Moreover, they were not handled and labelled in such a way as to guarantee their legal validity, which is not in line with Article 11(7) of Regulation (EC) No 882/2004.

6. The current reporting system of the NFA controls allows quick communication of inspection results including measures taken in case of non-compliances; however, the CA do not provide feed business operators with copies of reports of official inspections, even in cases of non-compliance, which, along with the absence of any auditable trail to prove that these have been actually carried out, does not allow verification of their effectiveness. This is not in line with Articles 9(3) and 8(3) of Regulation (EC) No 882/2004.
7. The current labelling of products containing fishmeal was mostly in line with provisions laid down in Annex IV to Regulation (EC) No 999/2001; however, products do not always indicate clearly the warning required therein and labels, as applied, can be easily lost.

6.4. **SRM**

1. Significant efforts have been progressively made since the last mission in order to raise levels of training and awareness in relation to removal, collection and disposal of SRM, in particular following the lifting of BSE restrictions and changes in the categorisation of vertebral column of animals older than 24 months, and also with respect to notification and collection of fallen stock older than 24 months. In spite of this, weaknesses are still present with regards to commercial documents accompanying dispatch of ABP, collection and disposal of fallen stock in NI and disposal of SRM at farms, which are not always in line with Regulation (EC) 1774/2002.

2. Mostly satisfactory official controls and their verification are carried out in slaughterhouses and cutting plants which, despite some weaknesses in the identification of ABP, can largely ensure proper removal, collection and disposal of SRM in line with Annex XI to Regulation (EC) No 999/2001.

3. Shortcomings were noted in butcher shops and some ABP plants handling SRM in relation to a) the frequency and effectiveness of official controls, b) the approval of some ABP plants and c) commercial documents used for dispatch of ABP. These were not fully in line with requirements laid down, respectively, in Annex XI to Regulation (EC) No 999/2001 and Article 28, Chapter III, and Annex II to Regulation (EC) No 1774/2002, and could hamper both traceability of unprocessed SRM along the ABP chain and the capacity of the system in place to guarantee their destruction in line with Regulation (EC) No 1774/2002.

6.5. **CONTROLS ON TRADE OF CATTLE, BEEF AND SOME ABP**

1. Robust control systems were in place in compliance with requirements laid down in Regulation (EC) No 657/2006, to guarantee that relevant cattle, meat and products derived from bovines, including vertebral column, are not dispatched to other Member States and third countries.

2. Satisfactory controls were in place in accordance with Decision 2005/598/EC to ensure that no products consisting of or incorporating materials, other than milk, derived from bovine animals born or reared within the UK before 1 August 1996 are placed on the market.

6.6. **OVERALL CONCLUSION**

Extensive control systems involving many competent authorities are in place. Although these systems are well implemented and can be considered, in general, effective and reliable, shortcomings were detected in relation to official controls in the feed and ABP chains. In particular, a largely satisfactory situation was noted in relation to testing of healthy cattle for human consumption, controls required to ensure compliance with requirements on trade of cattle and beef in line with Regulation (EC) No 657/2006, compliance with EU provisions on BSE eradication and, with some exceptions, controls on removal of SRM. However, weaknesses were still identified with respect to quality of samples taken from fallen stock, which could hinder the reliability of BSE testing, and insufficient measures have been taken
to ensure efficient and effective organisation, co-ordination, implementation and verification of controls of the feed ban and along the ABP chain.

7. CLOSING MEETING

A closing meeting was held on 29 November 2006 with the representatives of the CA, during which the main findings and preliminary conclusions of the mission were presented by the mission team. The representatives of the CA did not express any disagreement with the findings and conclusions presented and provided additional clarification and documentation to the mission team.

8. RECOMMENDATIONS

The competent authorities are invited to provide details of the actions taken and planned, including deadlines for their completion, within 25 working days following the receipt of the report.

With regard to the competent authorities

1. To ensure an efficient and effective co-ordination between all CA responsible for organisation and implementation of official controls along the feed and ABP chains and to put in place a verification system to guarantee the effectiveness of these controls in line with Articles 4(3) and 8(3.a) of Regulation (EC) No 882/2004, respectively.

With regard to BSE epidemi-surveillance and eradication

2. To take measures to ensure that shortcomings identified in NI in relation to sampling of all eligible OTM animals are corrected without delay.

3. To take measures to improve the quality of samples intended for the detection of BSE in fallen stock, in order to allow the laboratory network and, in particular, the NRL to comply with the requirements on confirmation of BSE set out in Chapter C (3.1.b) of Annex X to Regulation (EC) No 999/2001 and to increase the reliability of the investigations carried out to exclude the presence of any atypical form of BSE.

4. To take measures to render ante-mortem registers in slaughterhouses in GB more auditable in order to ensure that every animal is inspected ante-mortem and to verify that all animals found sick at this inspection are sampled for BSE testing if older than 24 months as required by Annex III to Regulation (EC) No 999/2001.

5. To take measures in slaughterhouses in GB to prevent all cohorts and offspring born after 31 July 1996 from being slaughtered for human consumption in order to comply with provisions on BSE eradication set out in Regulation (EC) No 999/2001.

With regard to the feed ban

6. To ensure that premises producing feedingstuffs and using fishmeal are authorised in compliance with EU provisions as laid down in Annex IV to the Regulation (EC) No 999/2001.

7. To ensure that the CA do not permit the use and storage of feedingstuffs containing fishmeal in farms where ruminants are kept without prior verification of the measures taken to prevent cross-feeding, as laid down in Annex IV to Regulation (EC) No 999/2001.
8. To ensure that all relevant risks are taken into account in the design of the feed ban control programmes, including the use of organic fertilizers, as required by Article 3(1) of Regulation (EC) No 882/2004 and Regulation (EC) No 181/2006.

9. To ensure that official controls are fully in line with Articles 3(1) and 4(2) of Regulation (EC) No 882/2004 by introducing measures to: a) cover all establishments producing, processing or distributing feed, in particular intermediaries, Category 2 and 3 ABP processing plants, means of transport and farms, b) carry out checks on a risk basis for imported feeding stuffs in GB, and c) target on-farm inspections and sampling in NI to prevent the risk of cross-feeding.

10. To ensure that feed inspectors conduct their duties in line with Articles 6 and 10(2) of Regulation (EC) No 882/2004 by taking measures to provide them with appropriate training and to guarantee that their official inspections include all checks that may be relevant to assess compliance with feed law.

11. To ensure that official feed samples in GB are always drawn by feed inspectors as part of their official controls and that they are handled and labelled in line with Article 11(7) of Regulation (EC) No 882/2004.

12. To provide feed business operators with copies of reports of official inspections, at least in cases of non-compliance, and to ensure that an auditable trail exists to prove that official controls have been carried out and that their effectiveness can be verified, in order to comply, respectively, with Articles 9(3) and 8(3) of Regulation (EC) No 882/2004.

13. To ensure that the annually planned objectives are met in NI concerning sampling targets for feed ban controls.

14. To ensure that labelling of products containing fishmeal is always in line with provisions laid down in Annex IV to Regulation (EC) No 999/2001 in order to prevent risks of cross-contamination of ruminant feed and cross-feeding.

With regard to SRM

15. To ensure that frequent official controls of all places where unprocessed and processed SRM are produced, handled and dispatched are carried out in accordance to Annex XI to Regulation (EC) No 999/2001 and Article 28 of Regulation (EC) 1774/2002 in order to guarantee that measures are taken to avoid any contamination with them that could create any risk for the food and feed chains.

16. To ensure that all ABP plants handling Category 1 material are approved in accordance with Chapter III of Regulation (EC) 1774/2002.

17. To ensure that dispatch of all ABP and, in particular, SRM is always accompanied by commercial documents that comply with all requirements of Annex II to Regulation (EC) 1774/2002.

18. To ensure that the disposal of SRM at farm level, including fallen stock, is carried out in line with Regulation (EC) 1774/2002.
COMPETENT AUTHORITY RESPONSE TO RECOMMENDATIONS

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