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HEALTH & CONSUMERS DIRECTORATE-GENERAL
Directorate F - Food and Veterinary Office

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FINAL REPORT OF A MISSION
CARRIED OUT IN
BELGIUM
FROM 01 SEPTEMBER TO 12 SEPTEMBER 2008
IN ORDER TO
EVALUATE THE FOLLOW-UP ACTION TAKEN BY THE COMPETENT
AUTHORITIES WITH REGARD TO OFFICIAL CONTROLS RELATED TO THE
SAFETY OF FOOD OF ANIMAL ORIGIN, IN PARTICULAR MEAT AND MILK

*Please note that factual errors in the draft report have been corrected. A clarification provided by the
Competent Authority is given in an endnote.*

Executive Summary

A mission to Belgium was carried out from 1 to 12 September 2008 in order to evaluate the follow-up action taken by the competent authorities with regard to official controls related to the safety of food of animal origin, in particular meat and milk in the framework of Regulations (EC) No 178/2002, No 852/2004, No 853/2004, No 854/2004 and No 882/2004 of the European Council and the Parliament.

It formed part of a series of missions to the Member States evaluating follow-up actions taken by the competent authorities (CAs) related to the safety of food of animal origin in the meat and milk sector.

The Belgian Authorities addressed the recommendations of the previous mission report and the action plan has been implemented. The official controls in Belgium are operating in such a way that in the majority of the establishments visited compliance with Community rules was established. Nevertheless the control systems in place cannot guarantee that in all cases deficiencies, even those of a serious nature, are identified and effectively addressed. However no immediate risk for public and animal health has been identified.

A number of recommendations have been made to the CA with a view to addressing the deficiencies identified during this mission.

TABLE OF CONTENTS

1	INTRODUCTION.....	1
2	OBJECTIVES OF THE MISSION.....	2
3	LEGAL BASIS FOR THE MISSION.....	3
4	BACKGROUND.....	3
5	MAIN FINDINGS.....	4
5.1	Competent Authorities	4
5.1.1	<i>Designation of competent authorities and operational criteria.....</i>	4
5.1.2	<i>Staff performing official controls.....</i>	5
5.1.3	<i>General obligations with regard to the organisation of official controls</i>	5
5.1.4	<i>Control and verification procedures.....</i>	6
5.1.5	<i>Reports.....</i>	8
5.2	Official certification.....	8
5.3	Registration and approval of establishments	8
5.3.1	<i>Registration of establishments.....</i>	8
5.3.2	<i>Approval of establishments.....</i>	8
5.3.3	<i>National measures and derogations.....</i>	9
5.4	Application of Hygiene Rules at establishment level and official controls.....	9
5.4.1	<i>Food business operators' obligations.....</i>	9
5.4.2	<i>Official controls at establishments for verification of food business operators' compliance.....</i>	13
5.4.3	<i>Official inspection tasks in establishments.....</i>	15
5.4.4	<i>Action in case of non-compliance.....</i>	17
6	CONCLUSIONS.....	18
6.1	Competent Authorities	18
6.2	Official certification	19
6.3	Registration and approval of establishments	19
6.4	Application of Hygiene Rules at establishment level and official controls	19
6.5	Follow-up action.....	20
6.6	Overall conclusion.....	21
7	CLOSING MEETING.....	21
8	RECOMMENDATIONS.....	21

ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
BSE	Bovine Spongiform Encephalopathy
CA(s)	Competent authority (ies)
CCA	Central Competent Authority
DG SANCO	Health and Consumers Directorate General
DMO-CDM	Approved Veterinarians DMO (<i>Dierenarts met opdracht</i>) - CDM (<i>Chargé de missions</i>)
EC	European Commission
EU	European Union
FAVV-AFSCA	The Federal Agency for the safety of the Food Chain FAVV (<i>Federaal Agentschap voor de Veiligheid van de Voedselketen</i>) - AFSCA (<i>Agence Fédérale pour la Sécurité de la Chaîne Alimentaire</i>)
FBO	Food Business Operator
FVO	Food and Veterinary Office
HACCP	Hazard Analysis and Critical Control Points
PCE-UPC	Provincial Control Units PCE (<i>Provinciale Controle Eenheid</i>) UPC (<i>Unité Provinciale de Contrôle</i>)

1 INTRODUCTION

The mission took place in Belgium from 1 to 12 September 2008, as part of the planned mission programme of the Food and Veterinary Office (FVO). The mission team comprised 2 FVO inspectors and was accompanied during the whole mission by representatives from the central competent authority (CCA), the Federal Agency for the safety of the Food Chain – FAVV (*Federaal Agentschap voor de Veiligheid van de Voedselketen*) - AFSCA (*Agence Fédérale pour la Sécurité de la Chaîne Alimentaire*).

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

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

Visits			Comments
Competent authorities	Central	√	Opening and closing meeting
	Local	√	
Slaughterhouses		2	
Cutting plants		4	One establishment was approved for cutting activities only. The other 3 were also approved for producing meat preparations, minced meat and 1 for meat products
Meat product establishment		1	The establishment was also approved to produce minced meat and meat preparations
Wild game handling establishment		1	
Milk processing establishments		2	
Milk collector		1	The activity was to buy and transport milk
Storage establishments		1	The establishment stopped recently its cutting activities
Casing establishment		1	

2 OBJECTIVES OF THE MISSION

The objectives of the mission were the evaluation of the follow-up action taken by the competent authorities in response to the recommendations made in report DG (SANCO)/8151/2006 (hereafter referred to as "the previous mission") with regard to:

- CA organisation and operation,

- official controls over food business operators' compliance with general and specific rules on the hygiene of food of animal origin,
- the implementation of these rules by food business operators (FBOs),
- the correct implementation of the chain of certification.

In particular, controls over meat, milk and their products in the framework of Regulations (EC) No 178/2002, No 852/2004, No 853/2004, No 854/2004 and No 882/2004 were subject to the evaluation.

3 LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation and, in particular Article 45 of Regulation (EC) No 882/2004.

A full list of the legal instruments referred to in this report is provided in Annex 1. Legal acts quoted in this report refer, where applicable, to the last amended version.

4 BACKGROUND

The previous mission in the evaluated sectors was carried out from 29 May to 9 June 2006 (ref. number DG (SANCO)/8151/2006) and the following recommendations were made:

1. Ensure as soon as possible that the system for the control of operators' activities, introduced this year, is operational and effective, taking special account of the following elements: the uniform evaluation of observations, the request for corrective action, the setting of deadlines, monitoring and the application of penalties.
2. Ensure that all the links in this control chain are properly documented and that the official agents have received appropriate instructions and training.
3. Ensure that the deficiencies in the establishments visited relating to their structure, maintenance, cleanliness; the hygiene of operations and the own-check system are corrected as soon as possible. When renewing approvals, make sure that similar deficiencies in other establishments have also been corrected.
4. Ensure the proper coordination of official controls in the enclosures of slaughterhouses where a number of operators work in the same technological flow.
5. Ensure that the drinking water in the establishments is tested in compliance with Community and national rules.
6. Set up a certification control system, as provided for in Article 5 of Council Directive 96/93/EC.
7. Ensure compliance with rules on identification marking, and in particular check that

products bear the mark of the production establishment.

The action plan received in response to above recommendations provided satisfactory guarantees. The CCA presented to the mission team an up-date of the implementation of all the actions at the opening meeting.

The evaluation of the response has been taken into account in this report.

The report, the CA comments and the action plan of the previous mission are available on the Health and Consumers Directorate General web-site at: http://ec.europa.eu/food/fvo/index_en.htm.

5 MAIN FINDINGS

5.1 COMPETENT AUTHORITIES

5.1.1 Designation of competent authorities and operational criteria

The situation remains the same as in the previous mission for the designation of CAs and operational criteria.

5.1.1.1 Co-ordination of competent authorities

Observations

- No problems were identified in relation to the co-ordination, co-operation and exchange of information.

5.1.1.2 Legal powers

Observations

- No problems were identified in relation to the legal powers to control and to take measures.

5.1.1.3 Audits of the competent authorities

Observations

- The CCA informed that the internal audit unit had organised audits in specific areas, e.g. clean animals on arrival and reception at the slaughterhouse and ban on the supply of milk. The National Implementation and Coordination Unit completed an internal audit of certification. For more details, see chapter 5.2 on certification.

5.1.1.4 Other criteria

Observations

- Since the previous mission a system has been established to evaluate the performance of the approved veterinarians (DMOs-CDMs) on an annual basis. This evaluation includes amongst other criteria the performance of the DMOs-CDMs and the need for further training.

5.1.2 Staff performing official controls

The CCA provided in their action plan the guarantee that training was planned in 2007 for the staff performing official controls, in order to be familiar with the new and amended checklists. The FAVV- AFSCA has published on its intranet website checklists with explanatory notes for the officials and DMOs-CDMs.

Observations

- The level of detail of training varied between the Provincial Control Units (PCE-UPC).
- A difference in interpretation by officials and DMOs-CDMs on parts of various checklists has been identified.
- Some DMOs-CDMs stated they did not have access to the intranet website of FAVV-AFSCA and a few mentioned they had not received the explanatory checklists.

5.1.3 General obligations with regard to the organisation of official controls

The CCA described in their action plan the further development of the database FoodNet and presented the use of FoodNet at the initial meeting. A working group is in the process of formulating a classification of establishments in the sector of meat and fishery in order to establish the frequency of controls. The CCA stated that this will be implemented in 2009. Apart from this, the organisation of official controls remains as described in the previous report.

5.1.3.1 Organisation of official controls

Observations

- The frequencies of official controls for 2008 are established at central level and are fixed frequencies per sector. Limited risk criteria were taken into account. The risk criteria as laid down in Article 3(1)(b), (c) and (D) of Regulation (EC) No 882/2004 were not taken into account, for example, the FBOs' past records, the reliability of the FBOs' own-checks and information on non-compliances.

5.1.3.2 Periodicity and frequency of the official controls

- The official controls were performed regularly at the establishments visited, according to the frequency of controls established at central level per sector.
- Certain sectors are inspected at a low frequency, for example, cold stores and certain types of dairy establishments. Dairy holdings are inspected once every 10 years for hygiene controls on milk production holdings. The frequency of controls in one dairy establishment visited was once every 2 years and the mission team identified significant non-compliances in this establishment (see also chapters 5.4.1.2 and 5.4.1.3).
- In one PCE-UPC visited, additional controls were carried out, using relevant checklists without introducing the control results in the database FoodNet.

5.1.3.3 Procedure to review the system

- A procedure to review the system is in the process of being implemented for 2009.

5.1.4 Control and verification procedures

After the previous mission, the CCA continued establishing and reviewing checklists. In their action plan to the recommendations of the previous report, the CCA stated they had established amongst others, checklists for identification marking and labelling and FBOs' audit systems.

The revised checklists contain a rating system to assess for each scope of the controls if the results are favourable, favourable with remarks or unsatisfactory. The procedures to be followed in case of non-compliances are defined. Please see chapter 5.4.4 for more details.

The CCA guaranteed in their action plan that the CA revisited all establishments in 2007 where significant deficiencies had been identified during the previous mission and action was taken where necessary. The CCA further guaranteed that similar actions will be taken in other establishments in case the CA identified non-compliances during the controls for re-approving establishments.

Observations

- The CCA informed the mission team about the actions taken in all establishments where significant deficiencies were detected during the previous mission. The actions taken were deemed to be adequate.

5.1.4.1 Procedures on tasks, responsibilities and duties of staff

Observations

- Most DMOs-CDMs met have no access to the database FoodNet and therefore hard copies of the checklists are provided to the DMOs-CDMs by the PCEs-UPCs.
- Examples of checklists were seen where the printed version was incomplete, for example, some questions or parts thereof were missing. In addition one checklist was seen where the Dutch version differed from the French version.

5.1.4.2 Procedures on control methods and techniques

Observations

- The checklists contain 3 options for each question: conform, not conform or not applicable. The option not applicable was in some cases differently applied or interpreted. In some cases the question concerned was not relevant, in other cases the activity did not take place at the moment of official controls. No guidance was provided to the officials and DMOs-CDMs on how to correctly apply the options. The officials and DMOs-CDMs are mainly concentrating on the activity which takes place at the moment of control. This has led to situations where significant non-compliances were not identified e.g. regarding the approval of one slaughterhouse visited (see also chapters 5.3.2 and 5.4).
- Certain aspects of the checklists were not properly assessed during the official controls in the establishments, for example in a few establishments the results of controls of registers regarding in- and outgoing consignments were considered as being satisfactory, whilst the mission team identified significant deficiencies.

5.1.4.3 Actions following official controls

Observations

- Due to the lack of access to the database FoodNet, the DMOs-CDMs provided their control results to the PCEs-UPCs. However at provincial level, the results of these controls are also not entered into the database. Moreover, no review or summary of the main outcome was documented, except for animal welfare.

5.1.4.4 Verification procedures

Observations

- There is no documented procedure established to verify the effectiveness of the official controls.
- Although the corrective actions to be taken by the FBO are based on the result of the newly introduced rating system, evidence was present that officials did not always take the same approach in similar cases.

- In several establishments visited, non-compliances were not addressed by the FBOs or re-occurred after the establishment had been re-approved.

5.1.5 Reports

Observations

- The CA provides a copy of the control report to the FBO. Depending on the control results and the rating, the FBO receives a request to take corrective action in case non compliances had been identified. The action that the FBO has to take varies between the PCEs-UPCs. Certain PCEs-UPCs set clear deadlines, whilst examples were seen where this was not the case.
- In one PCE-UPC, additional controls are carried out in order to obtain extra information. The results of these controls are not entered into the FoodNet database.

5.2 OFFICIAL CERTIFICATION

The CCA stated in their action plan that the National Implementation and Coordination Unit had conducted an internal audit of the application of the certification instructions by the officials and DMOs-CDMs. The results of the audit have been evaluated by the Unit and were presented to the mission team.

Official certification has been evaluated by the mission team in one establishment visited.

Observations

- The traceability system in place in the establishment visited was inadequate to guarantee the origin of the products being certified. On one certificate evaluated by the mission team, only one establishment of origin was mentioned, but part of the meat had as origin another establishment. The CA stated that the certification was based on the information available on the identification mark and labelling of the meat.

5.3 REGISTRATION AND APPROVAL OF ESTABLISHMENTS

5.3.1 Registration of establishments

Observations

- The mission team did not visit establishments subject to registration.

5.3.2 Approval of establishments

Observations

- Since 2006, out of 69 low capacity slaughterhouses, including poultry and rabbit slaughterhouses, 48 are still in operation and 2 are approved in accordance with Article 4(2) of Regulation (EC) No 853/2004. No evidence was present of a strategy to approve the remaining 46 establishments before the end of 2009 ([see Endnote](#)).
- Although the CCA informed to have updated the list of approved establishment on 1 September 2008, the list of approved establishments contained inaccuracies, for example, one slaughterhouse was no longer approved but was still listed.
- One slaughterhouse visited possessing an approval for slaughter of bovine animals, horses and small ruminants did not meet the conditions for approval. Preceding the approval, this establishment received a conditional approval, whilst facilities, design and layout were also not meeting the requirements. For more details, see chapters 5.4.1.1 and 5.4.1.2.
- A cutting plant visited was initially granted a conditional approval whilst according to the official veterinarian deficiencies were identified regarding sterilisation equipment.
- One cutting plant visited which harvested head meat from bovines did not have a specific authorisation for that purpose, contrary to Annex V, point 9 of Regulation (EC) No 999/2001.
- One FBO visited had a valid authorisation to collect raw milk, which was based on the Royal Decree of 2 October 1996 which has been repealed.

5.3.3 National measures and derogations

Observations

- No changes were noted on national measures and derogations since the previous mission.

5.4 APPLICATION OF HYGIENE RULES AT ESTABLISHMENT LEVEL AND OFFICIAL CONTROLS

5.4.1 Food business operators' obligations

5.4.1.1 General hygiene requirements

Observations

- The CCA has guaranteed in their action plan that the drinking water in the establishments is tested in compliance with Community and national rules. No major deficiencies were identified during this mission.
- The lay-out, design, construction and size - compared to the production output - of the establishments visited were generally satisfactory. However, deficiencies were noticed in some establishments, where the mission team identified crossing flows,

insufficient protection against rodents and insects and insufficient measures against the formation of condensation and parts of premises insufficiently cleaned parts or people not respecting personal hygiene.

- In one cutting plant in particular, the cleaning was inadequate, and some equipment and parts of the ceiling were not clean. Moreover, containers for storage of animal-by-products category 3 were dirty and not leak proof and these were stored in the same area where food was stored. In the room dedicated for storage of animal-by-products, containers for storage of animal-by-products category 1 were present, which were not leak proof.
- Major deficiencies were identified in one slaughterhouse visited where the mission team identified crossing flows (for example, animal-by-products and fresh meat), condensation, the presence of insects and lack of adaptation of the speed of the slaughter line to allow constant progress of the slaughter process. The design and layout did not permit good food hygiene practices and protection against contamination was insufficient. Parts of the facilities were not kept in good condition and were not clean.
- Major deficiencies were also identified in another slaughterhouse visited, but the CA undertook corrective action and the FBO is implementing an action plan with a deadline for completion of the actions by the end of 2008. However, in this establishment the speed of the slaughter line was not adapted to allow constant progress of the slaughter process, the slaughter line was rusty, wood was present, condensation was present in several parts and there was no proper separation between facilities where animal-by-products are stored and the storing facilities for detained carcasses. A cross flow existed between offal and detained carcasses.
- In one dairy establishment visited, out of date products were used in production. The FBO could not demonstrate that these products were still fit for human consumption.
- In another establishment visited, commercial samples of meat products were present which were moulded and had passed their best-before-day. The FBO did not identify this.

5.4.1.2 Specific requirements

Observations

- Significant deficiencies were identified regarding the implementation of the specific hygiene requirements in one slaughterhouse visited. The lairage facility was not well maintained and the lay-out was not providing for easy cleaning and disinfection, or adequate possibilities for proper ante-mortem inspection and sufficient guarantees that animal welfare would be respected. Carcasses were seen in contact with floors, walls and fixtures due to the design of the slaughter facilities. The design of the slaughter line did not prevent cross-contamination and the sterilisers in place were inadequate to disinfect tools. Insufficient measures were taken to prevent spillage of

digestive tract content during evisceration.

- Carcasses were present in the chillers with faecal surface contamination in several establishments visited. In one cutting plant, some offal were also contaminated. In the same cutting plant, the cut (and scalded) surface of scalded and depilated heads of veal destined for further handling was in contact with raw meat, thereby cross-contaminating the cut surface.
- Exposed meat was present in 2 cold store rooms storing packaged meat on wooden pallets.
- In the wild game establishment visited the declarations accompanying the carcasses were in many cases incomplete, for example, the place and/or time of killing was missing.
- The mission team identified moulded cheese, cheese having passed its use-by-date, unidentified cheese and cheese with dirt on the immediate package in one dairy establishment visited. Some cheese was classified as animal-by-products without proper categorisation and labelling and was not stored separately from products for human consumption. The team did not see moulded cheese being used for the production during the visit.
- Raw milk is collected at the farms where for each collection individual farm samples are collected and tested for antibiotic inhibitors. The milk is further transported in milk tankers and each tanker is being sampled and tested for antibiotic inhibitors. At the milk processing establishment loading of the milk is only accepted when the results of the antibiotic testing of these tankers are negative. Before the start of processing, milk stored in the silo is also tested for antibiotic inhibitors and processing only initiated, when the results are negative.
- The FBOs collecting milk did not have a procedure in place to check the temperature of the milk at the time of collection at the farm. The temperatures for collecting and transport of raw milk were not always respected, for example, transport temperatures were seen above 6 degrees although daily collection did not take place and milk arrived at the processing establishment above 10 degrees.
- A milk processing establishment visited did not initiate procedures to ensure that, immediately before heat treatment raw milk had a plate count at 30° C of less than 300 000 per ml or applied a period of acceptance specified in the FBOs' HACCP plan if it had not been heat treated.

5.4.1.3 HACCP based systems

The CCA has established arrangements for certain FBOs to use guides for the application of procedures based on HACCP principles. A number of guides are approved and other guides are in the process of being approved. The CA defined the period during which these FBOs shall retain documents and records.

Observations

- All establishments visited have procedures in place based on HACCP principles.
- Certain sectors have developed guides for the FBOs, which are validated by the FAVV-AFSCA. Guides were seen being used during this mission in the dairy sector.
- Several FBOs could not justify the critical control points, some were just hazards that could be prevented or managed by good hygiene practice.
- Some FBOs had incomplete HACCP plans, for example, in one slaughterhouse, no procedures were established for slaughter of horses and small ruminants and the plan did not include hazard analyses at crossing flows. In another slaughterhouse visited, the procedures were not fully adapted to ongoing reconstruction works. Procedures were not established for the documenting of corrective actions in the case of unfavourable results of water controls in one establishment visited. In another establishment visited, documentation on the controls of cleaning and disinfection as well as the corrective actions was limited. In one wild game handling establishment visited, the HACCP plan did not include the risk analyses regarding the period between the time of killing and the arrival at the establishment.
- A system was in place to monitor the sterilisation process of meat products in one establishment visited. However, documentation was missing on the actions taken in the case of non-compliances.
- The FBO collecting milk had a procedure in place in the case of positive results of the antibiotic screening test for milk transports. A second qualitative screening test is applied in order to confirm if the milk is positive. In 2008, 4 tests were positive with the first screening test. In one of those cases, the second test was negative for inhibitory substances. The FBO did not report to the CA this last case. A negative result with the second qualitative screening test does not ensure that the milk did not contain antibiotic residues in a quantity that, in respect of any one of the substances referred to in Annexes I and III to Regulation (EEC) No 2377/90 exceeds the levels authorised under that Regulation; or that the combined total of residues of antibiotic substances does not exceed any maximum permitted value.

5.4.1.4 Identification marking

Observations

- Unidentified dairy products were present in the storage room for raw material and some untraceable final products in another room in one dairy establishment visited.
- Unidentified meat and/or offal was received in 2 meat establishments visited.
- The identification marks applied to the external surface of crates were not removed in an adequate way before re-using the crates in several establishments visited.
- The packaging of the meat could be opened without destruction of the identification mark in 2 establishments visited.
- Identification marks from a poultry establishment were present in one red meat establishment visited.

5.4.1.5 Traceability and labelling

Observations

- In one establishment visited, the FBO could not document the origin of meat, in particular the meat received from a neighbouring slaughterhouse.
- Animal-by-products were present which were not categorised and not properly labelled in one dairy establishment available.
- Discrepancies were identified in the documentation of the FBO for outgoing fresh meat regarding the health marking of carcasses as well as regards the date of dispatch compared with the documentation available from the CA in one slaughterhouse visited.
- Regarding the labelling of beef, some beef has been identified with labels using the ISO code for the country of slaughtering and cutting. The country of cutting was not always mentioned. In one cutting plant visited, meat processed during secondary cutting remained under the same batch number and no documentation in relation to the secondary cutting could be shown.
- The register kept at the wild game handling establishment visited contained discrepancies between the documentation accompanying the wild game, in particular as regards the species received and the species seized. The FBO did not follow the procedures laid down in the HACCP plan.

5.4.2 Official controls at establishments for verification of food business operators' compliance

A system of food chain information has been implemented since January 2008, including accompanying information for each consignment of live pigs to the slaughterhouse. The CCA established a special form to be completed by the FBO and to accompany the animals to slaughter. The CCA is in the process of introducing requirements for food chain information for slaughter of horses and for slaughter of calves, to be applied from 1 January 2009.

A checklist on controls of HACCP-based procedures was introduced in June 2008. The checklist is designed to check the FBOs' own specific HACCP-based procedures or the correct use of procedures set out in approved guides.

5.4.2.1 Audits of good hygiene practices

Observations

- In some establishments the findings of the CA were found to be similar to those identified by the mission team. On the other hand situations were identified where this was not the case.
- The CA did not identify significant deficiencies in one dairy establishment visited. The last audit took place 2 years ago (for more details, see chapter 5.1.3.2).
- In one slaughterhouse visited, the official veterinarian did not identify significant deficiencies in design and maintenance of the slaughterhouse, operational hygiene, personal hygiene, pest controls, and accompanying documentation on food leaving the establishment.
- The official veterinarian had identified significant deficiencies in design and maintenance in another slaughterhouse visited, however certain significant deficiencies were not identified for example, rusty overhead slaughter lines, presence of wood and incomplete documentation on the food-chain information accompanying pigs for slaughter.
- In one red meat establishment visited, the official veterinarian had not identified that the documentation on the FBOs' controls on cleaning and disinfection was limited as well as on corrective actions taken in case of non-compliance. In this establishment part of the ceiling was dirty and the cleaning of it was defined as once per year. The mission team identified other deficiencies in this establishment regarding pre-operational, operational and post-operational hygiene.

5.4.2.2 Audits of HACCP-based procedures

Observations

- Audits of HACCP-based procedures were carried out in the establishments visited. These audits were mainly focussed on the presence of HACCP-based procedures rather than on the verification of the application in practice. In most establishments visited where the mission team identified that HACCP plans were incomplete or where the FBO did not apply the established procedures, these deficiencies were not identified by the officials during their audits. However in one establishment visited, the FBO was reviewing their procedures based on HACCP principles after the CA had identified that the plan did not meet the criteria of Article 5 of Regulation (EC) No 852/2004 with a deadline for completion by the end of December 2008.
- The official veterinarian did not identify that the microbiological sampling of carcasses took place at the same time and day and the testing method applied was not documented in one slaughterhouse visited,.
- In another slaughterhouse visited there was an upwards trend in the results of microbiological carcass sampling since the start of 2008, towards unsatisfactory results, that had not been addressed.

- In one establishment visited producing minced meat and meat preparations in small quantities, the official veterinarian allowed a sampling procedure different to the scheme laid down in Regulation (EC) No 2073/2005. This authorisation had not been formalised in line with point 3.2 of Annex I of the said Regulation.

5.4.2.3 Controls over the application of identification marks

- Checklists for controls over the application of identification marks are used. Nevertheless deficiencies noticed by the mission team were not identified during the official controls, for details see chapter 5.4.1.4.

Observations

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5.4.2.4 Verification of traceability requirements

Observations

- Checklists for verification of traceability requirements are used. Nevertheless deficiencies noticed by the mission team were not identified during the official controls, for details see chapter 5.4.1.5.

5.4.3 Official inspection tasks in establishments

5.4.3.1 Food chain information

Observations

- The official had declared pig carcasses fit for human consumption although the documentation containing food chain information was incomplete and corrective actions had not been taken in one slaughterhouse visited.

5.4.3.2 Ante-mortem inspection

Observations

- The ante-mortem inspection did not include an inspection of the right side of the bovine animals in one slaughterhouse visited,.
- Bovine animals were also accepted at this slaughterhouse with invalid passports. The official veterinarian took immediate corrective action.

5.4.3.3 *Post-mortem inspection*

Observations

- The CA has encouraged the hunters' organisations to provide training and assisted in providing the training in order to ensure the necessary knowledge for the initial examination of wild game.
- The official did not palpate the lungs and lymphnodes of the intestine of cattle in one slaughterhouse visited.
- Some carcasses of bovine animals were present containing kidneys of which the peri-renal capsule was not or only partly removed in one establishment visited. In this establishment some sheep carcasses which had been slaughtered in another Member State were present containing kidneys which were insufficiently or not removed from the fatty covering.
- In one wild game handling establishment visited, a consignment of wild boar carcasses was received unskinned from another wild game handling establishment without having undergone a post-mortem inspection and trichinella testing.

5.4.3.4 *Health marking*

Observations

- In general no major problems were identified, however, in some establishments visited some carcasses were seen with illegible health marks.

5.4.3.5 *Animal welfare at the time of slaughter or killing*

Observations

- In one slaughterhouse visited, where ritual slaughter of cattle was carried out, further dressing took place before the bleeding had ended.

5.4.3.6 *Health requirements and criteria for raw milk*

Observations

- The collecting milk FBO visited had a procedure in place to categorise raw milk transports which tested positive for the presence of antibiotics as category 2 animal-by-products and for the destruction of the milk. However, in the one case reviewed the correct identification of the destroyed consignment could not be confirmed and the amount of categorised and destroyed milk could not be reconciled. This had not been identified during the official controls.
- The CA has a procedure in place to control 10 % of the dairy holdings in case raw milk criteria are not met, but there are no selection criteria defined. In one case the

FBO had placed positive antibiotic milk on the market on 4 occasions. This holding was never controlled by the CA.

- The CA stated that apart from auditing the compliance with the supply ban in case of non-compliant results in 2008 no other audits took place of the inter-professional bodies who are testing milk or taking corrective actions at the dairy holdings where the criteria for raw milk were not met. Additionally a control of the accreditation of the laboratory took place.
- In one PCE-UPC visited, evidence was present that the inter-professional bodies provide the CA with results of raw milk control which do not meet the raw milk quality criteria, the restrictions imposed on the holdings and the time when the restrictions are lifted.

5.4.4 Action in case of non-compliance

After the previous mission, the CCA has revised the checklists and introduced a rating system. This system forms the basis for action to be taken in case of non-compliance. Each question is rated and an overall rating is given per checklist. The actions might result in a remark, warning or a "*process verbal*".

Observations

- The system to follow-up non-compliances varies between the PCEs-UPCs. Examples were seen where additional controls were added to the established frequency. In other cases, the DMOs-CDMs had to carry out the follow-up of non-compliances identified by the officials.
- The DMOs-CDMs have no right to issue a "*process verbal*" to the FBOs. This is the responsibility of the officials.
- A follow up of the implementation of the FBO's action plan to remedy the shortcomings identified was carried out by the official in one slaughterhouse visited. The official reported on the progress of the implementation of the action plan, but the reporting was incomplete. In addition, the mission team identified that the action plan was not complete and did not address all the deficiencies identified by the official.
- The FBO did not send the action plan in due time to the CA and deadlines for completion were not indicated in one slaughterhouse visited.
- Some non-compliances are rated low as there is no significant health risk involved. The follow-up of these non-compliances was left at the discretion of the official even when they were repeatedly reported.
- Significant deficiencies were identified by the mission team on the implementation of the general and specific hygiene requirements, the HACCP plan and/or the traceability system in 4 establishments visited.
- The CA had identified these deficiencies before the start of the mission and took action already in one establishment visited. Corrective actions were being

implemented.

- The CCA took action already before the start of the mission and corrective actions are being implemented in one slaughterhouse visited. The action plan however, did not consider limiting the speed of the slaughter line and the slaughter capacity. Moreover the HACCP plan was not adapted during the reconstruction works.
- The CCA initiated actions after the inspection visit in 2 other establishments visited and presented the mission team with an action plan for both establishments addressing most of the deficiencies identified by the mission team.

6 CONCLUSIONS

6.1 COMPETENT AUTHORITIES

The Belgian CCA has addressed all the recommendations of the previous mission report DG(SANCO)/8151/2006 in a satisfactory way and the action plan has been implemented.

The CA has reviewed the written procedures for official controls and ensured that its staff is kept up to date in their area of competence and have received additional training where necessary, which is in compliance with Article 6(b) of Regulation (EC) No 882/2004.

The CA had no procedures in place to verify the effectiveness of official controls that they carry out, contrary to the requirements of Article 8(3)(a) of Regulation (EC) No 882/2004. The database FoodNet contains results of official controls, but a significant number of control results, in particular those from the DMOs-CDMs are not entered into the database Foodnet and no other standardised procedure is in place to verify the effectiveness of a series of controls.

Although documented procedures for official controls are in place, containing information and instructions for staff performing official controls, the CA has failed in some cases to identify significant deficiencies identified by the mission team. Therefore corrective actions could not be taken when needed, which is not in compliance with Article 8(3)(b) of Regulation (EC) No 882/2004.

Few internal audits were carried out, including the audit which was announced in reply to a recommendation of a previous mission, which is in compliance with Article 4(6) of Regulation (EC) No 882/2004.

The official controls are carried out regularly at an established frequency per sector, but without taking into account the criteria laid down in Article 3(1)(b), (c) and (d) of Regulation (EC) No 882/2004. However a classification of establishments in relation to the frequency of controls is expected to be implemented in 2009. The frequency for controls at one dairy establishment visited was not appropriate and significant deficiencies were identified by the mission team.

The CA has drawn up reports on the official controls that it has carried out, in compliance with Article 9 of Regulation (EC) No 882/2004. These reports include the

actions to be taken by the FBO in case of non-compliance, which is in compliance with Article 9(2) of said Regulation. The gravity of non-compliance with consequent action to be taken is based on a rating system, but still allows the officials to act in a non harmonised way

6.2 OFFICIAL CERTIFICATION

The CCA has carried out an internal audit of the on-site application of the certification instructions by the FAVV-AFSCA officials. However, the traceability system in place in certain establishments visited might jeopardise the reliability of official certification. In one establishment in particular, the procedures for issuing certificates were not in compliance with the requirements of Articles 3(2) and 4(b) of Council Directive 96/93/EC and of Article 30(2) of Regulation (EC) No 882/2004.

6.3 REGISTRATION AND APPROVAL OF ESTABLISHMENTS

The CAs granted conditional approvals to establishments, which did not meet all the infrastructure and equipment requirements, contrary to the requirements of Article 31 (2) (d) of Regulation (EC) No 882/2004.

The CAs granted approvals to establishments, which did not comply with the relevant requirements of food law, contrary to the requirements of Article 31 (2)(c) of Regulation (EC) No 882/2004.

The CAs had not defined a strategy to approve the establishments which are allowed to place food of animal origin on the national market until 31 December 2009.

6.4 APPLICATION OF HYGIENE RULES AT ESTABLISHMENT LEVEL AND OFFICIAL CONTROLS

Improvements were noted since the previous mission regarding the application of hygiene rules at establishment level and official controls.

The implementation of the EU food hygiene Regulations by the FBOs were in some aspects still inadequate, in particular regarding:

- the general hygiene requirements as laid down in Article 4 and Annex II of Regulation (EC) No 852/2004,
- the specific hygiene requirements as laid down in Article 3 and Annex III of Regulation (EC) No 853/2004,
- the HACCP points as laid down in Article 5 of Regulation (EC) No 852/2004 and Article 3 and Annex II, Section II to Regulation (EC) No 853/2004,
- the health and identification marking as laid down in Article 5 and Annex II, Section I to Regulation (EC) No 853/2004.
- the traceability systems as laid down in Article 18 of Regulation (EC) No 178/2002,
- the labelling of beef as laid down in Regulations (EC) No 1760/2000 and No 1825/2000.

In some establishments, animal-by-products were not categorised and labelled, contrary to the requirements of Chapter II of Regulation (EC) No 1774/2002.

The criteria for raw milk as laid down in point III, Chapter I, Section IX of Annex III of Regulation (EC) No 853/2004 are respected, but the temperature requirements for collection and transport of raw milk were not always in compliance with point B(2) of Chapter I(II), Section IX of Annex III to Regulation (EC) No 853/2004.

The FBO manufacturing dairy products did not initiate procedures to ensure that the criteria for raw cows' milk as laid down in point III, Chapter II, section IX of Annex III of Regulation (EC) No 853/2004 were respected.

In 4 out of 13 establishments visited significant deficiencies were identified on the implementation of the general and specific hygiene requirements, the HACCP plan and the traceability systems. The CA had already taken action in 2 establishments and initiated action in the 2 other establishments during the mission.

The official controls at establishments for verification of FBOs' compliance were in some aspects inadequate, in particular regarding:

- the audits of good hygiene practice in order to verify that FBOs apply procedures continuously and properly as required by Article 4(4) and Annex I, Section I, Chapter I, point 1 of Regulation (EC) No 854/2004,
- the audits of HACCP procedures as laid down in Article 4(5) and Annex I, Section I, Chapter I point 2(b) of Regulation (EC) No 854/2004, in particular that products of animal origin are tested in line with the provisions of Regulation (EC) No 2073/2005,
- the controls over the application of identification marks and the verification of compliance with other traceability requirements as laid down in Article 4(6) of Regulation (EC) No 854/2004.

The ante-mortem inspection in one slaughterhouse visited was not carried out in compliance with Annex I, Section I, Chapter II, point B(2) of Regulation (EC) No 854/2004.

Post-mortem inspection was not in all cases carried out in compliance with Article 5(1)(d), point B(2), B(6) and B(8) of Section IV of Annex I of Regulation (EC) No 854/2004. Post-mortem inspection from wild game was not in all cases carried out in compliance with Annex I, Section IV, Chapter VIII, point A(1) of Regulation (EC) No 854/2004.

In one slaughterhouse visited, animal welfare at the time of slaughter was not in compliance with Annex D point 3 of Council Directive 93/119/EC.

The system of actions to be taken in case of non-compliance were not always consistently applied, in particular to ensure that the nature of non-compliance are taken into account when applying measures to the FBO as required by Article 54 of Regulation (EC) No 882/2004.

6.5 FOLLOW-UP ACTION

The Belgian Authorities addressed the recommendations of the previous mission report

and the action plan has been implemented.

6.6 OVERALL CONCLUSION

The official controls in Belgium are operating in such a way that in the majority of the establishments visited compliance with Community rules was established. Nevertheless the control systems in place cannot guarantee that in all cases deficiencies, even those of a serious nature, are identified and effectively addressed. However no immediate risk for public and animal health has been identified.

7 CLOSING MEETING

A closing meeting was held on 12 September 2008 with the representatives of the CCA, during which the mission team presented its initial findings.

The CCA took note of these findings and provided the mission team with some additional information.

8 RECOMMENDATIONS

An action plan describing the action taken or planned in response to the recommendations of this report and setting out a time table, and a description of the actions taken to correct the deficiencies found should be presented to the Commission within 25 working days of receipt of the report.

No.	Recommendation
1	To ensure that the FBOs comply with the general hygiene provisions laid down in Annex II of Regulation (EC) No 852/2004, the specific requirements laid down in Annex III of Regulation (EC) No 853/2004 and that the FBO implement and maintain the permanent procedures or procedures based on the HACCP principles, in line with Article 5 of Regulation (EC) No 852/2004.
2	To ensure that the FBOs have in place systems and procedures to identify FBOs from whom they have received and to whom they have delivered products of animal origin and that the food which is placed on the market or is likely to be placed on the market shall be adequately labelled or identified to facilitate its traceability, through relevant documentation or information in compliance with Article 18 of Regulation (EC) No 178/2002.
3	To ensure that official controls are carried out regularly, on a risk basis and with an appropriate frequency in compliance with Article 3(1) of Regulation (EC) No 882/2004.
4	To ensure that a procedure shall be put in place to verify the effectiveness of official controls and to ensure that corrective action is taken when needed in compliance with Article 8(3) of Regulation (EC) No 882/2004.
5	To ensure that certification is in line with Article 30(2) of Regulation (EC) No

No.	Recommendation
	882/2004 and Articles 3 and 4 of Council Directive 96/93/EC.
6	To ensure that animal welfare at the time of slaughter is in compliance with Annex D point 3 of Council Directive 93/119/EC.
7	To ensure that establishments are approved in compliance with Articles 31(d) and 31(e) of Regulation (EC) No 882/2004.
8	To ensure that official controls are carried out in compliance with Article 5(1) of Regulation (EC) No 854/2004 and health marks are applied in compliance with Article 5(2) of said Regulation.
9	To ensure full application of actions to be taken in case of non-compliance in order to consistently comply with Article 54 of Regulation (EC) No 882/2004.

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

http://ec.europa.eu/food/fvo/ap/ap_belgium_7938_2008.pdf

9 ENDNOTES

Concerning	Detail
Section 5.3.2	In their response to the draft report the Belgian Authorities stated that the initiative to have establishments applying transitional measures reapproved (formerly small-capacity establishments) lies with the operators themselves who, if they wish to remain approved after 31/12/2009, must send the necessary application to the FAVV, accompanied by a plan of any modifications to be made to the establishment. It is therefore virtually impossible for the FAVV to draw up a strategy, let alone impose one.

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Directive 93/119/EC	OJ L 340, 31.12.1993, p. 21–34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
Directive 96/93/EC	OJ L 13, 16.1.1997, p. 28–30	Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products
Directive 97/78/EC	OJ L 24, 30.1.1998, p. 9–30	Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries
Regulation (EC) No 2377/90	OJ L 224, 18.8.1990, p. 1–8	Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin
Regulation (EC) No 1760/2000	OJ L 204, 11.8.2000, p. 1–10	Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 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
Regulation (EC) No 1825/2000	OJ L 216, 26.8.2000, p. 8–12	Commission Regulation (EC) No 1825/2000 of 25 August 2000 laying down detailed rules for the application of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the labelling of beef and beef products
Regulation (EC) No 2073/2005	OJ L 338, 22.12.2005, p. 1–26	Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs
Regulation (EC) No 999/2001	OJ L 147, 31.5.2001, p. 1–40	Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies
Regulation (EC) No 178/2002	OJ L 31, 1.2.2002, p. 1–24	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety

Reference	OJ Ref.	Detail
Regulation (EC) No 1774/2002	OJ L 273, 10.10.2002, p. 1–95	Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption
Regulation (EC) No 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
Regulation (EC) No 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Regulation (EC) No 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Regulation (EC) No 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules