EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office

DG(SANCO) 2011-6123 - MR FINAL

FINAL REPORT OF AN AUDIT

CARRIED OUT IN

THE UNITED ARAB EMIRATES

FROM 25 JANUARY TO 02 FEBRUARY 2011

IN ORDER TO EVALUATE THE OPERATION OF PUBLIC HEALTH CONTROLS OVER THE PRODUCTION OF DAIRY PRODUCTS FROM CAMEL MILK FOR HUMAN CONSUMPTION INTENDED FOR EXPORT TO THE EUROPEAN UNION

Executive Summary

The report describes the outcome of an audit carried out by the Food and Veterinary Office (FVO) in the United Arab Emirates from 25 January to 2 February 2011. The objectives of the audit were to evaluate the operation of controls over the production of dairy products for human consumption made from camel milk destined for export to the European Union (EU), as well as certification procedures.

Competent Authorities (CA) are clearly designed and responsibilities are allocated; however, there was no supervision from the central level over the performance of the field services. Training of staff on EU legislation was not carried out, resulting in none or very limited knowledge of EU legislation and certification requirements at Central Competent Authority (CCA) and local levels. While there is a risk-based programme for official controls, the checklists used referred only to national legislation and relevant EU requirements were not taken into account.

Recent legislation issued in 2009 and 2010 covers most of the EU requirements for establishments and farms; however, heat-treatment of raw milk and microbiological testing of final products according to EU requirements, relevant for certification, are not mentioned. All camels seen were identified and the identification (ID) numbers are recorded in the holding register which is kept electronically.

The dairy holding visited was largely in line with EU requirements. However, official controls overlooked some deficiencies in the Hazard Analysis Critical Control Points (HACCP) plan and in the records of medical treatments. There are procedures for the approval of processing establishments for export to the EU, but no detailed guidelines for staff, and consequently the proper follow up of corrective actions could not be ensured. The establishment was evaluated against the requirements of national legislation and EU approval was granted although several deficiencies were still present. The establishment is in need of appropriate maintenance and several deficiencies were noted in the HACCP programme (temperature limits for the acceptance of raw milk, heat-treatment of raw milk not in compliance with EU requirements, segregation of EU-compliant and non-compliant raw milk). Moreover, there was no complete traceability for outgoing products, and sometimes also not for incoming raw milk.

National legislation requires that the CCA shall co-ordinate with the local authority in respect of the issuance of export health certificates; however, no instructions or training for certifying staff were issued so far. No procedure was in place on how to supply certifying officers with all the relevant information about statements needed for final signature. Exports of camel milk powder to the EU were certified since 2008 based on three authorisations granted by one Member State for 11 100 kgs of products, on condition that they were re-dispatched to the United Arab Emirates, however, the heat treatment indicated in the certificate was not applied to the product.

Limited non-compliances were noted in the two laboratories visited. The control system currently implemented in the United Arab Emirates over the production of dairy products intended for export to the EU do not provide equivalent level of guarantees to the EU public health requirements.

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

Table of Contents

Abbreviations and definitions used in this report

Abbreviation	Explanation
ADFCA	Abu Dhabi Food Control Authority (the local authority in the Emirate of Abu Dhabi)
CA(s)	Competent Authority(ies)
CCA(s)	Central Competent Authority(ies)
CCP(s)	Critical Control Point(s)
DG(SANCO)	Health & Consumers Directorate General
EU	European Union
FBO(s)	Food Business Operator(s)
FVO	Food and Veterinary Office
HACCP	Hazard Analysis of Critical Control Points
Hygiene Package	Regulations (EC) No 852/2004, No 853/2004 and No 854/2004
ID number	Identification number
Milk-HTC	The model health certificate for dairy products for human consumption from third countries authorised in column C of Annex I to Regulation (EU) No 605/2010 intended for importation into the EU
MOEW	Ministry of Environment and Water (CCA)
SCC	Somatic Cell Count
TPC	Total Plate Count (Plate count at 30 °C)
VMP(s)	Veterinary Medicinal Product(s)

1 Introduction

The audit took place in the United Arab Emirates from 25 January to 2 February 2011 as part of the planned inspection programme of the FVO. The team comprised two inspectors from the FVO.

The FVO team was accompanied by representatives from the CCA, the Ministry of Environment and Water (MOEW), and by representatives of the CA of Dubai Municipality.

The opening meeting was held on 25 January 2011 with the CCA in Dubai. At this meeting the FVO team confirmed the objectives of, and itinerary for the audit, and additional information required for the satisfactory completion of the audit was requested.

2 Objectives of the Audit

The objective of the audit was to evaluate the official controls related to production and storage of food of animal origin in the United Arab Emirates and imports to the EU with regard to:

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

In particular, controls over dairy products from camel milk 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 this evaluation. In pursuit of these objectives, the itinerary included the following:

COMPETENT AUTHORITIES			Comments
Competent Authorities	Central	1	
	Regional	1	
	Local	1	
FOOD PRODUCTION / PROCESSING / DISTRIBUTION – ACTIVITIES			
Laboratories		2	
Milk processing plants		1	
Dairy holdings		1	

3 Legal Basis for the Audit

The audit was carried out under the general provisions of EU legislation and, in particular Article 46 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

N.B. Full legal references are provided in Annex 1. Legal acts quoted in this report refer, where applicable, to the latest amended version.

4 BACKGROUND

This was the first audit carried out to the United Arab Emirates to evaluate the dairy sector in view of a possible export of dairy products to the EU. The United Arab Emirates is not yet listed in Annex I to Commission Regulation (EU) No 605/2010 and does not have an approved list of establishments from which imports are permitted.

Since 2008 the United Arab Emirates has exported 8 100 kgs of camel milk powder to Austria. This was based on three separate authorisations (in total 11 100 kgs) granted by the Austrian CCA (see 5.8) which approved the importation of this powder using the derogation granted by Article 17(1) of Commission Regulation (EC) No 2076/2004 and later by Article 5 of Commission Regulation (EC) No 1162/2009 for the production of the chocolate under the condition that the final product is re-dispatched back to the United Arab Emirates. Until the adoption of Commission Regulation (EU) No 605/2010 camel milk and the milk products produced from camel milk were foodstuffs for which no harmonised public health import conditions had been established. The United Arab Emirates and Austria agreed on the import certificate in 2007 (for which the model health certificate for dairy products for human consumption from third countries authorised in column C of Annex I to Commission Decision 2004/438/EC was used as a template). The first imports were in March 2008.

With the adoption of Commission Regulation (EU) No 605/2010 camel milk and camel milk powder became products for which harmonised public health import conditions have been established. Chapter III of Regulation (EC) No 854/2004 is now applicable also for camel milk including lists of third countries and parts of third countries and of establishments from which imports are permitted.

An audit to evaluate the animal health aspects of the import of camel milk products (ref. DG(SANCO)/2011-6205) was carried out at the same time as this present audit.

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION AND COMPETENT AUTHORITIES

5.1.1 Legal basis

Article 46.1 of Regulation (EC) No 882/2004 stipulates that official controls by Commission experts in third countries shall verify compliance or equivalence of third country legislation and systems with EU feed and food law, and EU animal health legislation. These controls shall have particular regard to points (a) to (e) and (g) of the aforementioned Article.

5.1.2 Findings

5.1.2.1 Legislation

Observations:

- The national legislation includes Federal Laws and their implementing Regulations, Resolutions and Directive of the MOEW, and legislation issued by the local CAs ("Municipalities", local Governments linked to each of the seven Federal Emirates); as a general principle, when federal legislation exists, it supersedes the local laws.

- Most of the federal legislation relevant for the scope of the audit was issued in 2009 and 2010; in particular, Ministerial Resolution No 191/2010 "on health requirements of establishments manufacturing camel milk and its products", and Ministerial Resolution No 192/2010 "on technical and health conditions of camel farms". Both Resolutions cover most of the EU requirements as laid down in Regulations (EC) No 852/2004 and (EC) No 853/2004, with some requirements stricter than those of the EU (temperature of raw milk), while heat-treatment of raw milk and microbiological testing of final products according to EU requirements, relevant for certification, are not mentioned.

- There is no legislation covering certification principles and animal identification, with the exception of Regulation No 4/2010 "on animal identification and registration system for the Emirate of Abu Dhabi", which applies only in that Emirate (see 5.2).

5.1.2.2 Competent Authorities

5.1.2.2.1 Organisation of Competent Authorities

Observations:

- According to the Ministerial Cabinet Resolution No 21/2009, the MOEW is the CCA for food safety at federal level; the Food Safety Department, within the Agricultural and Animal Affairs Directorate, is specifically in charge of elaborating the federal legislation related to public health and co-ordinating with the concerned local CAs the implementation of the system of food safety.

- Local CAs (Municipalities) are responsible for implementing the federal legislation, where necessary with the help of local legislation. In Dubai Municipality (where the proposed farm and dairy establishments are located) the Food Control Department (within the Environment and Public Health Sector) is responsible for national licensing of processing establishments (prior to the MOEW's export approval) and supervision of food processing establishments. Veterinary Services (Section within the Public Health Services Department) are in charge of some public health aspects of raw milk production, e.g. controls on staff medical examinations, hygiene of milking and storage temperatures of raw milk.

- An Office of Municipalities' Affairs has been created under the direct responsibility of the Minister of the MOEW, but no evidence was seen in relation to the co-ordination of the CAs.

5.1.2.2.2 Competent Authorities powers, independence and authority for enforcement

Observations:

- According to the Ministerial Resolution No 191/2010 “on health requirements of establishments manufacturing camel milk and its products”, officials have the right to pursue every violation of the federal or local legislation. FBOs shall facilitate their duties. The local CA shall punish violations and, if these are repeated, the MOEW is entitled to withdraw the approval of establishments.
- Local Order No 11/2003 “on general health and society safety in Dubai Emirate”, Article 86, prescribes that the CA can stop production and/or confiscate products where there are violations of the legislation by the FBO; financial penalties are also foreseen. Article 87 states that CA's officials have the right to enter the production premises and examine all relevant documents and registrations.

5.1.2.2.3 Supervision

Observations:

- A joint inspection was carried out for approval of the establishment visited for export, involving staff from the CCA and from the Dubai Municipality. However, the inspection report was signed only by the official of the Dubai Municipality. No evidence of other supervisory activities carried out by the CCA over the local levels of the CAs was seen.
- In 2010 an “ External Audit Unit” was created with the aim of establishing and developing a system for monitoring and evaluating the efficiency of the implementation of the federal legislation at local level. However, the CCA stated that the Unit has so far been involved in some activities in the environmental field only.

5.1.2.2.4 Training of staff in performance of official controls

Observations:

- No training on EU legislation was provided to staff in charge of official controls or certification for export. Very limited knowledge of EU legislation and certification requirements was seen at the CCA and local levels, especially with regard to heat-treatment requirements of raw milk and microbiological testing of final products (see 5.8).

- No training was provided to staff involved in the supervision of HACCP-based programmes, who have often overlooked the relevant deficiencies in the HACCP programmes.

5.1.2.2.5 Resources

Observations:

- With the exception of one veterinary laboratory the CAs at all levels had sufficient resources to deal with all their official duties.

5.1.2.2.6 Organisation of control systems

Observations:

- At the Dubai Municipality level both the Veterinary Services and Food Control Department have a risk-based inspection programme, with a minimum inspection frequency set by the system; however, official visits were more frequent and included sampling sessions and the collection of swabs on equipment.

5.1.2.2.7 Documented control procedures

Observations:

- The checklists used for official controls referred only to national legislation and included a list of deficiencies with corresponding fines to be applied. Relevant EU requirements, such as heat-treatment of raw milk and microbiological testing of final products in line with the requirements laid down in the HTC-Milk certificate of the Annex to Commission Regulation (EU) No 605/2010, were not mentioned. An additional checklist exists for the supervision of HACCP-based programmes.

- No guidelines or work instructions were available for staff involved in official controls on the implementation of EU requirements and of HACCP-based programmes.

- Following official controls, a short report is given to the FBO, mentioning the score and some of the deficiencies noted. The follow up of corrective actions was not consistently documented and in some cases it was missing.

5.1.2.2.8 Official controls on imports

Observations:

- Official controls at borders are the responsibility of the CCA.

- The CCA stated that no camel milk and its products are imported into the country. Ministerial Resolution No 562/2009 "on the conditions of importing milk and derivatives thereof" allows imports of milk and dairy products from countries free from epidemic diseases and in which producing animals have been tested for tuberculosis and brucellosis. If products originate from countries not free from epidemic diseases, milk must be heat-treated.

- The Abu Dhabi Food Control Authority (ADFCA) of the Emirate of Abu Dhabi has published Regulation No 2/2008 "on risk-based approach for the control of imported foods via the borders of the Emirate of Abu Dhabi". This Regulation classifies foodstuffs based on

their potential risk for human health (milk and dairy products are high risk foodstuffs), and lays down different inspection procedures depending of their origin.

- Live camels are occasionally imported for milk production, breeding and racing, from Saudi Arabia, Eritrea, Somalia and other countries; racing camels are often only temporarily imported. Ministerial Resolution No 191/2009 "concerning the control of camel movement and transit" regulates the importation of live camels and requires the importer to obtain an import permit from the CCA. Animals shall originate from countries officially declared free, amongst other diseases, from Foot-and-Mouth Disease, brucellosis and tuberculosis, they must be individually identified, and they shall be quarantined at the border for at least seven days during which testing for brucellosis and tuberculosis is performed.

5.1.3 Conclusions

The system of official controls in place in the United Arab Emirates at present does not have the capacity to ensure that dairy products for EU export are produced in full compliance with the EU requirements. Official controls are not fully documented, and training on EU requirements and certification principles is not provided to the staff of the different CAs involved. Supervision from the CCA over the local authorities is not documented.

5.2 HOLDING REGISTRATION, ANIMAL IDENTIFICATION

5.2.1 Legal Requirements

The veterinary certification requirements for the introduction into the EU of raw milk and dairy products are laid down in Regulation (EU) No 605/2010. Point II.2 of the model certificates, in Part 2 of Annex II to the Regulation, requires that raw milk comes from holdings registered in accordance with Regulation (EC) No 852/2004 and checked in accordance with Annex IV to Regulation (EC) No 854/2004.

5.2.2 Findings

Observations:

- Commercial dairy holdings supplying raw milk to processing establishments (so called "commercial farms") need to be licensed by the MOEW. According to the CCA, 24 holdings (23 cattle farms and 1 camel farm) are currently licensed; each holding is provided with a unique number. There is no obligation for small private farms to be licensed; however, they must be registered at Municipal level.

- There are no federal provisions for animal identification. However, both Ministerial Resolutions No 615/2009 ("concerning the technical and health conditions of cattle farms") and No 192/2010 ("on technical and health conditions of camel farms"), as a pre-requisite for licensing of holdings, requires that a holding register should be available which include the ID numbers of the animals.

- Regulation No 4/2010 "in respect of the animal identification and registration system for the Emirate of Abu Dhabi" was issued on 29 June 2010, and the ADFCA started to identify all

livestock in the Emirate of Abu Dhabi: the ADFCA staff stated that so far 1.2 million animals have been identified. Camels shall be identified by an implanted electronic device.

- The CCA stated that federal provisions are in preparation to extend animal identification to the whole country by 2013.

- All camels seen in the holding visited were identified with a running number in a collar and, for those milked, a milking ID number for production records; in addition, all animals on the farm were micro-chipped. All ID numbers were recorded in the electronic holding register.

5.2.3 Conclusions

Holding registration and animal identification requirements are complied with in the commercial dairy holdings, which are the only holdings authorised to supply export processing establishments.

5.3 LABORATORY SERVICES

5.3.1 Legal Requirements

The animal and public health and veterinary certification conditions for the introduction into the EU of raw milk and dairy products intended for human consumption are laid down in Regulation (EU) No 605/2010. Point II.2 of the model certificates, in Part 2 of Annex II to the Regulation, sets out the public health requirements to be met, including the requirement to meet the criteria for raw milk laid down in Chapter I of Section XI of Annex III to Regulation (EC) No 853/2004, and to meet the relevant microbiological criteria laid down in Regulation (EC) No 2073/2005.

5.3.2 Findings

5.3.2.1 Laboratories testing microbiological criteria for foodstuffs

Observations:

- One official laboratory of the Dubai Municipality was visited by the FVO team: this laboratory is accredited according to ISO 17025 and ISO 9001, and its Food Chemical Analysis Unit is dealing with the residues monitoring programme as agreed with the Commission services. The laboratory cannot perform the detection of antihelmintics and organophosphorates: those samples must be sent to an accredited laboratory situated in the EU, but the CAs experienced problems in dispatching the material and so far such tests have not been carried out. The remaining programme of sampling and analyses is running as planned.

- The Food Microbiological Analysis Unit of the same laboratory is able to perform the microbiological analyses as required by Commission Regulation (EC) No 2073/2005 (with

the exception of Listeria analyses) according to methods which are not those indicated in the Annex I to the same Regulation. However, currently no requests for analyses or instructions were provided to the laboratory by the CAs or the FBO.

5.3.2.2 Laboratories for the control of raw milk

Observations:

- The Veterinary Laboratory of Dubai Municipality was also visited: this laboratory is performing analyses on raw camel milk for Total Plate Count (TPC), faecal coliforms and residues of antibiotics. Samples are taken by official staff of the Dubai Municipality Veterinary Services. The method used for TPC is not that prescribed by Annex VIa to Commission Regulation (EC) No 2074/2005, nor is it validated against a reference method according the procedure referred in the same Regulation; moreover, the laboratory staff does not follow the methodology described (one serial dilution was used, instead of three, and no average calculation between results of different serial dilutions was made). The kit for detection of residues of antibiotics was stored at temperatures sometimes below the minimum storage temperature recommended by the manufacturer.

5.3.3 Conclusions

Although the implementation of the NRMP was generally carried out as planned, delays were noted with regard to analyses outsourced to a laboratory situated in the EU. Analytical methods for microbiological testing and for the determination of the TPC were not in line with the requirements of Regulation (EC) No 2073/2005 or 2074/2005. The method used for TPC differed from the approved procedures in the other laboratory visited.

5.4 CONTROL OF MILK PRODUCTION HOLDINGS

5.4.1 Legal requirements

Point II.1 of the model certificates, in Part 2 of Annex II to Regulation (EU) No 605/2010, requires official controls of milk production holdings.

5.4.2 Findings

Observations:

- The dairy holding visited was licensed as a commercial farm by the CCA.

- The Veterinary Services of the Municipality have a risk-based inspection programme; according to their risk-evaluation, holdings are supervised at a frequency automatically established by the computerised programme (once a month for the holding visited).

However, official visits are more frequent (twice or three times a month) and included sampling sessions of raw milk and swabs on equipment.

- The checklists seen, used for official controls, referred only to a list of non-conformities based on the national legislation.
- The only document provided by the CAs to the FBO following the visits was a short report with the final score of the farm and the mention that no deficiencies were found: however, limited non-compliances existed, leading to the fact that the farm did not reach the 100% score. An additional checklist exists for supervision of HACCP-based programmes (at a frequency of twice a year) but no training or work instructions were available.
- The CA staff overlooked some deficiencies in the HACCP plan of the holding, such as the cooling requirements for raw milk, indicated as a maximum 5°C where the legal national limit is 4°C; moreover, no corrective measures were indicated for that item.
- Hygiene of milking and temperatures during storage of raw milk were satisfactory.
- Testing of raw milk for TPC and Somatic Cells Count (SCC) is regularly performed by the FBO: results showed an average of 405 000 SCC and less than 10 000 TPC.
- Records of medical treatments were well kept, but withdrawal periods were not indicated. As no specific Veterinary Medicinal Products (VMPs) exist to treat camels, all VMPs were used as off-label and withdrawal periods were the same as for cattle, contrary to the requirements of Article 11 of Council Directive 2001/82/EC, for which withdrawal periods for milk in case of off-label use shall not be less than seven days. Animals which have been treated with VMPs are routinely tested, and are not allowed to return to the herd if the test detects the presence of antibiotic residues; however, the presence of residues of Dexamethasone (also on off-label use) could not be monitored. Since 2006 only one positive result for residues has been recorded on the farm.

5.4.3 Conclusions

The production conditions at the dairy holding visited were generally satisfactory, with limited non-compliances in the HACCP programme overlooked during official supervision. Specific EU provisions in case of off-label-use of VMPs were not taken into account by the FBO or by the CAs.

5.5 Control of raw milk upon collection

5.5.1 Legal requirements

Point II.2 of the model certificates, in Part 2 of Annex II to Regulation (EU) No 605/2010, requires that raw milk is produced in accordance with the provisions of the Hygiene Package.

5.5.2 Findings

Observations:

- Some raw camel milk (c.15 - 20% of the milk processed on a daily basis) was received by the FBO from another holding not registered as a commercial farm. Controls on such milk were insufficient, as temperatures up to 28°C were recorded in the logbooks at the reception.

The HACCP programme indicated immediate cooling as the unique corrective action, contrary to the national legislation (Ministerial Resolution No 192/2010 – on technical and health conditions of camel farms) which prescribes that milk shall be cooled at less than 4°C at the farm and during transport.

- No mention of such deficiencies was made in the CA's reports.
- Systematic testing of residues of antimicrobial VMPs was performed by the FBO on the bulk milk coming from the non registered farm. No positive results were found according to the FBO's records.

5.5.3 Conclusions

The supervision by the CAs overlooked shortcomings in the FBO's HACCP-based programme. This allowed the not chilled raw camel milk to be processed into dairy products intended for export to the EU.

5.6 LISTING OF ESTABLISHMENTS

5.6.1 Legal requirements

Article 12 of Regulation (EC) No 854/2004 requires that products of animal origin may be imported into the EU only if they have been dispatched from, and obtained or prepared in, establishments that appear on lists drawn up, kept up-to-date and communicated to the Commission.

Since 1 August 2010 Commission Regulation (EU) No 605/2010 requires that Member States shall authorise the importation of consignments of dairy products derived from raw milk of animals other than those referred to in paragraph 2 of Article 4, from the third countries or parts thereof at risk of Foot-and-Mouth Disease listed in column C of Annex I, provided that such dairy products have undergone, or been produced from raw milk which has undergone a treatment involving:

- a sterilisation process, to achieve an F_0 value equal to or greater than three; or
- an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time.

According to Article 12(2) an establishment may be placed on a list of EU approved establishments only if the CA of the third country of origin guarantees that that establishment, together with any establishments handling raw material of animal origin used in the manufacture of the products of animal origin concerned, complies with the relevant EU requirements, in particular those of Regulation (EC) No 853/2004, or with requirements that were determined to be equivalent to such requirements when deciding to add that third country to the relevant list in accordance with Article 11.

5.6.2 Findings

Observations:

- The Austrian CCA required the same heat treatment for camel milk powder as was required

at EU level for the importation of consignments of dairy products derived from raw milk of cows, ewes, goats or buffaloes from the third countries or parts thereof at risk of Foot-and-Mouth Disease listed in column C of Annex I to Regulation (EU) No 605/2010. All the consignments imported to Austria were certified as **raw milk** with a pH below 7,0 being treated at a high temperature short time pasteurisation treatment at 72 °C for at least 15 seconds achieving a negative reaction to a Gamma-glutamyl transferase test which is (according to the studies provided by the CCA) equivalent to the phosphatase test in cows' milk. However, the heat-treatment indicated in the certificate was not applied to the product.

- At the time of the visit to the proposed establishment the FBO was not able to demonstrate that the milk could be heat treated according to the new harmonised rules as is required by Art 4(2) of Commission Regulation (EU) No 605/2010. UHT treatment equipment is not available at the establishment and no scientific evidence was provided to the FVO team that the present drying process achieve an F_0 value equal to or greater than three.
- There are procedures for the approval of export processing establishments, but there are no detailed guidelines or evaluation criteria for staff.
- The first application by the FBO for the approval of the processing establishment for export to the EU was made in 2007; at the time of the FVO audit the file for approval still lacked the blue print with a description of the equipment, in particular pasteurizers and freeze-drying equipment.
- A joint inspection with the involvement of officials from the Municipality and the CCA was carried out on 29 July 2010: the establishment was only evaluated against the requirements of national legislation (Ministerial Resolution No 191 of 2010 – concerning health requirements of establishment manufacturing camel milk and its products), and EU requirements relevant for certification, such as microbiological testing of final products, segregation and traceability systems, specific heat-treatment of raw milk, were not taken into account during the approval procedure. The report, signed by the Municipality inspector listed several minor non-compliances, but not the deficiencies in the HACCP programme (see 5.7.2.2) and the structural problems (see 5.7.2.1) seen by the FVO team, which were still present at the time of the FVO visit. The EU approval was granted in September 2010 when not all the deficiencies mentioned in the report were solved.

5.6.3 Conclusions

The proposed establishment was approved for export to the EU by the United Arab Emirates authorities without being fully in compliance with the EU requirements; moreover, it could not be demonstrated that the establishment is able to fulfil the heat treatment requirements in Articles 4 (1) and 4 (2) of Commission Regulation (EU) No 605/2010.

5.7 Official controls at establishment level

5.7.1 Legal requirements

Article 12 of Regulation (EC) No 854/2004 lays down that the CA of a third country of origin has to guarantee that establishments placed on the list of establishments from which imports of specified products of animal origin to the EU are permitted, together with any establishments handling raw material of animal origin used in the manufacture of the products of animal origin concerned,

complies with the relevant EU requirements, in particular those of Regulation (EC) No 853/2004, or with requirements that were determined to be equivalent. It also lays down that an official inspection service supervises the establishments and has real powers to stop the establishments from exporting to the EU in the event that the establishments fail to meet the relevant requirements.

The animal and public health and veterinary certification requirements for the introduction into the EU of products of animal origin intended for human consumption are laid down in Commission Regulation (EU) No 605/2010.

5.7.2 Findings

5.7.2.1 General and specific hygiene requirements

Observations:

- The establishment visited was built in 2005, but was found to be in need of maintenance: worn out floors, ceilings and a ventilation system not easy to clean, external openings not properly pest proof were noted in several sectors. Premises were generally clean.

- Containers of Ethylene Glycol (toxic anti-freezing material used in the freeze-drying process) were stored in the processing room where foodstuffs are handled unprotected.

- Raw milk coming from an unregistered holding was being processed even when the temperature at arrival was up to 28°C. Moreover, no evaluation of the TPC of such milk could be demonstrated.

5.7.2.2 HACCP-based systems

Observations:

- The HACCP-based programme of the establishment was certified by a third party, and evaluated twice a year by the CA.

- The HACCP-programme did not include the use of Ethylene Glycol in the risk assessment, although a risk of leakage onto exposed products during the freeze-drying process could not be excluded. The final product (milk powder) was exposed, before packaging, to a possible microbiological or chemical contamination; no assessment of this risk was made in the HACCP plan, and no Critical Control Points have been identified by the FBO following the pasteurization step.

- Some criteria of the HACCP programme were not in compliance with the requirements of

the national legislation (e.g. maximum temperatures for acceptance of raw milk were indicated as 5°C where national limits are 4°C).

- The criteria of the HACCP programme were not in compliance with the EU requirements with regard to segregation of the production for the national market and for export to the EU; moreover, the EU heat-treatment requirements were not taken into account.

- No procedures were described in the HACCP programme on how to deal with raw milk coming from the unregistered holding: in particular, no analyses for TPC were foreseen.

5.7.2.3 Microbiological testing

Observations:

- Analyses were performed by the FBO in the in-house laboratory on final products to be exported: *Enterobacteriaceae*, *Coagulase* positive *Staphylococcus* and *Salmonella*, with satisfactory results. Tests for the detection of *Listeria* were not performed.

- Official samples for microbiological testing for verification of the requirements of Regulation (EC) No 2073/2005 had not been taken.

5.7.2.4 Traceability and identification marking

Observations:

- There was no complete traceability for outgoing products: discrepancies were sometimes noted in the quantities of processed products, in relation to the origin of raw milk.

- There was also no complete traceability for incoming raw milk originating from the annexed holding, resulting in one case of the non-documented loss of more than 100 litres.

- There were no segregation systems to keep EU-non compliant raw camel milk (coming from the unregistered farm) separated from the EU compliant one; raw milk of both origins was pasteurized together.

5.7.2.5 Documentation of official controls

Observations:

- Reports of supervisory activities by the CA were seen; however, they often overlooked the relevant deficiencies. Follow-up of corrective measures was not consistently documented.

5.7.3 Conclusions

Non compliances were seen in the HACCP programme, in the traceability system and in the lack of segregation of EU compliant and non-compliant raw milk before processing. Supervisory activities by the CAs were not consistently documented.

5.8 OFFICIAL CERTIFICATION

5.8.1 Legal requirements

Council Directive 96/93/EC lays down the general rules to be observed by third countries in issuing certificates required for exports to the EU, according to the specific EU veterinary legislation.

The specific animal health, public health and veterinary certification requirements for the introduction into the EU of dairy products intended for human consumption, are laid down in Commission Regulation (EU) No 605/2010 (see point 5.7.1).

5.8.2 Findings

Observations:

- National legislation (Ministerial Resolution 191/2010 concerning health requirements of establishments manufacturing camel milk and its products) requires that the MOEW shall co-ordinate with the Municipal authority in respect of the issuance of export health certificates. The CCA was aware of the model health certificate laid down in Commission Regulation (EU) No 605/2010, but not of the meaning of the certification. No training, instructions or procedures for certifying officers were available.

- The certifying officer met by the FVO team had no knowledge of the EU veterinary legislation as regards the production of dairy products, of the rules to be followed for drawing up and issuing export certificates and of the nature and extent of the inquiries and examinations which should be carried out before certification.

- A total of 8 100 kgs of camel milk powder has been sent to Austria up to January 2011, following three separate authorisations granted by the Austrian CCA for 11 100 kgs of product to be used as a sample for the production of milk chocolate and destined for re-dispatch to the United Arab Emirates.

- The authorisations mention that the health certificate accompanying these consignments shall be the model certificate (HTC-Milk certificate) laid down by Commission Decision 2004/438/EC: all copies of export HTC-Milk certificates seen were not numbered and were not drafted in the German language.

- Since 1 August 2010, when Commission Regulation (EU) No 605/2010 came into force, camel milk is a harmonised commodity, for which the appropriate model certificate set in that Regulation shall be used; however, a consignment of camel milk power was introduced in the EU in September 2010 still accompanied by the old certificate in Commission Decision 2004/438/EC, issued on 7.9.2010.

5.8.3 Conclusions

Certification procedures are not in line with the principles laid down in Council Directive 96/93/EC. Certifying officers are not fully aware of the significance of the contents of the certificate which they sign, in particular of the rules to be followed for drawing up and issuing export certificates and of the nature and extent of the inquiries and examinations which should be carried out before certification.

6 Overall Conclusion

The CAs of the United Arab Emirates, although clearly designed, lacked a system of efficient supervision. Training on EU requirements was not provided to staff involved in official controls and certification on the dairy sector subject to the FVO audit, and knowledge was weak at all levels of the CAs. Control procedures were not fully and consistently documented, and the CAs overlooked relevant non-compliances with regard to EU requirements.

The national provisions do not include all relevant EU requirements, such as heat-treatment of raw milk and microbiological testing of final products.

The dairy holding visited had satisfactory standards, with limited non-compliances in the HACCP programme and in the case of VMPs in off-label-use.

The proposed establishment was approved for export to the EU without being fully in compliance with the EU requirements, due to maintenance problems and deficiencies in the HACCP-based plan. Heat-treatment of raw camel milk was not in compliance with the EU requirements as laid down in the HTC-Milk certificate.

Certification procedures are not in line with the principles laid down in Council Directive 96/93/EC: certifying officers are not fully aware of the significance of the contents of the certificate which they sign, in particular of the rules to be followed for drawing up and issuing export certificates and of the nature and extent of the inquiries and examinations which should be carried out before certification.

The United Arab Emirates do not currently provide satisfactory assurances regarding compliance with EU public health requirements for the export of dairy products to the EU.

7 Closing Meeting

A closing meeting was held on 2 February 2011 with the CCA, the MOEW. At this meeting the FVO team presented the findings and preliminary conclusions of the audit and advised the CCA of the relevant time limits for production of the report and their response.

The representatives of the CCA acknowledged the findings and conclusions presented by the FVO team.

8 RECOMMENDATIONS

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

N°.	Recommendation
1.	To provide appropriate training to all staff in charge of official controls and certification, to ensure that they are fully aware of the relevant provisions of the EU legislation, as stated at point II.2 of the HTC-Milk certificate laid down by Commission Regulation (EU) No 605/2010.
2.	To ensure that raw camel milk used for manufacturing dairy products intended for export to the EU is only produced in registered holdings, as required at point II.2.(a).(i) of the HTC-Milk certificate laid down by Commission Regulation (EU) No 605/2010.
3.	To ensure that raw camel milk used for manufacturing dairy products intended for export to the EU is produced, collected, cooled, stored and transported in accordance with the hygiene conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004, as required at point II.2.(a).(ii) of the HTC-Milk certificate laid down by Commission Regulation (EU) No 605/2010.
4.	To ensure that processing establishments which the CCA might propose for approval for export to the EU are fully in compliance with EU requirements. In particular, the CCA shall ensure that establishments:have equipment and are able to perform the required heat treatment according to Article 4(2) of Commission Regulation (EU) No 605/2010;implement a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004 and taking into account the requirements of Regulation (EC) No 853/2004, as required at point II.2.(b) of the HTC-Milk certificate laid down by Commission Regulation (EU) No 605/2010;fully comply with structural requirements as laid down in Regulation (EC) No 852/2004, and as required by Article 12 of Regulation (EC) No 854/2004.
5.	To ensure that the relevant microbiological criteria laid down in Regulation (EC) No 2073/2005 are met by the dairy products intended to be exported to the EU, and that:the reference methods indicated in that Regulation are used; orif other methods are used, they have been validated against the reference methods as prescribed in Annex VIa to Commission Regulation (EC) No 2074/2005.
6.	To ensure that certification procedures are brought in line with the principles laid down in Council Directive 96/93/EC. In particular:certifying officers must not certify data of which they have no personal knowledge or which cannot be ascertained by them, as prescribed by Article 3.2. of Council Directive 96/93/EC;certifying officers must not sign certificates relating to products which they have not inspected, as prescribed by

N°.	Recommendation
	Article 3.3 of Council Directive 96/93/EC;certifying officers must be fully aware of the significance of the contents of each certificate which they sign, as prescribed by Article 4.1.(b) of Council Directive 96/93/EC.

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

http://ec.europa.eu/food/fvo/ap/ap_ae_2011-6123.pdf

Annex 1 - Legal References

Legal Reference	Official Journal	Title
Reg. 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
Reg. 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
Reg. 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
Reg. 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
Reg. 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
Reg. 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
Reg. 2074/2005	OJ L 338, 22.12.2005, p. 27-59	Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from

Legal Reference	Official Journal	Title
		Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
Reg. 605/2010	OJ L 175, 10.7.2010, p. 1-24	Commission Regulation (EU) No 605/2010 of 2 July 2010 laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk and dairy products intended for human consumption
Dir. 96/22/EC	OJ L 125, 23.5.1996, p. 3-9	Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of ß-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC
Dir. 96/23/EC	OJ L 125, 23.5.1996, p. 10-32	Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC
Dir. 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
Dir. 98/83/EC	OJ L 330, 5.12.1998, p. 32-54	Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption
Dir. 2001/82/EC	OJ L 311, 28.11.2001, p. 1-66	Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products