

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

47th Meeting of ACAF on 23 September 2009

Discussion Paper

Feed Hygiene: Guidance To Stakeholders On The Reduction Of Administrative Burdens

Action: The Committee is requested to a) note the guidance documents to stakeholders on complying with record-keeping requirements of the feed hygiene regulations and b) consider any further comments they wish to make.

Secretariat: September 2009

EC FEED HYGIENE REGULATION

GUIDANCE ON RECORD-KEEPING REQUIREMENTS FOR FARMERS

1. This paper provides an update to Members on work to produce a guidance note on record keeping requirements for farmers following the Committee's discussions at its 5 June 2009 meeting.

Background

2. Annex I of the EC Feed Hygiene Regulation (183/2005) sets out a short list of record-keeping requirements that farmers must observe. In 2008, the Cabinet Office initiated an exercise in England to reduce administrative burdens on industry, including record-keeping requirements.

Guidance

3. The Agency has drawn up guidance to help farmers comply with Annex I of Regulation 183/2005 and reduce burdens in this area. At its 5 June 2009 meeting, Members provided comments on this guidance. The Committee requested that the guidance should be condensed into a one page document which would make it user friendly for farmers.

4. Following the June 2009 meeting, Agency officials have produced a one-page document, and this is attached at Annex I to this paper. It will be trialled shortly with a number of farms, prior to a wider public consultation.

5. At Annex II to this paper, is the longer form of guidance. This was considered by the Committee at its June 2009 meeting and as a result of Members comments, amendments have been made. The one page guidance will contain a link to this document for those requiring more detailed information.

Action

9. The Committee is invited to:

- a) note the draft guidance documents at Annexes I and II to help farmers comply with the record-keeping requirements of Annex I of EC Regulation 183/2005; and
- b) make any additional comments on the text of the draft guidance notes.

ANIMAL FEED RECORD-KEEPING REQUIREMENTS

How farmers can comply with the legislation

The EC Feed Hygiene Regulation includes some record-keeping requirements in relation to the feed farmers use or grow. Record-keeping is important so that if a feed-related problem occurs its origins can be quickly identified and it can be handled with minimal disruption to a farm business.

As a farmer, your record-keeping requirements include:

- the use of plant protection products (such as pesticides and herbicides) and biocides (e.g. product name, date purchased/used, crops/equipment treated);
- use of genetically modified (GM) seeds;
- any occurrence of pests and diseases that may affect the safety of primary products (e.g. on crops grown for feed use);
- the results of any laboratory analyses on samples of feedingstuffs that may have importance for feed safety (e.g. for contaminants such as aflatoxins, lead, mercury);
- the source and quantity of each input of feed and destination and quantity for each output of feed (e.g. type of feed used or sold, quantity, batch number, date received/sold, supplier/customer); and
- records on measures to controls hazards (e.g. pest control systems, cleaning programmes).

How to keep records

A lot of this information will be available as part of your normal accounting procedures and other existing records. Generally, it is not intended that farmers are required to create new records. For example you can retain the following documents as records:

- **Invoices, receipts and labels** ~ for feed, plant-protection products, biocides and any GM seeds bought-in;
- **Sales receipts** ~ for any feed crops sold;
- **Copies of reports from laboratories** ~ covering any results of analyses carried out on feed for contaminants etc; and
- **Copies of documents from contractors** ~ e.g. *measures carried out to control hazards such as pest control.*

If information is not available from existing records, you can record such information and keep a 'day book' or 'barn sheet'. It is acceptable to keep records in paper or electronic format.

More detailed information on how to comply with the record-keeping requirements of the Feed Hygiene Regulation is available from [insert reference to 5 page guidance].

THE EC FEED HYGIENE REGULATION (183/2005)
RECORD- KEEPING REQUIREMENTS FOR FARMERS

Legal Status

These guidance notes have been produced to provide informal, non-binding advice on the legal requirements of the record keeping requirements in EC Feed Hygiene Regulation 183/2005 and should be read in conjunction with the legislation itself. The text should not be taken as an authoritative statement or interpretation of the law, as only the courts have this power. Every effort has been made to ensure that these guidance notes are as helpful as possible. However, it is ultimately the responsibility of individual businesses to ensure their compliance with the law. Businesses with specific queries may wish to seek the advice of their local enforcement agency, which will usually be the trading standards/environmental health department of the local authority.

Background

The EC Feed Hygiene Regulation was introduced in 2006 to help ensure that feed provided to animals is safe and thus livestock products (milk, meat and eggs) do not pose a risk to human health. The Regulation applies to most farms that feed livestock and farms that produce crops for use as animal feed.

The Regulation requires farmers to follow appropriate hygiene procedures to ensure that hazards are properly controlled. These are complementary to the standards that apply to the production of food and which are set out in legislation on food hygiene.

Record-keeping

The Regulation also requires farmers to carry out a certain amount of record-keeping. Accurate record-keeping is important so that if a feed or food-related problem occurs its origins can be quickly identified, and it can be handled with minimal disruption to the farm business. In many cases, it should be possible to use existing documentation rather than create new records.

Guidance on maintaining records

The record-keeping requirements that farmers must follow are shown on page 5 of this leaflet. This guidance provides advice on how farmers can keep records to comply with the legislation without duplication or unnecessary input. Guidance on the specific requirements is set out below.

(a) Any use of plant protection products and biocides

This covers the application of pesticides or herbicides to crops intended to be used or sold as feeds. This includes applications for both prevention and treatment.

This requirement also covers biocides such as products to disinfect equipment in contact with feed, and areas where animals are kept or transported.

To comply with this requirement it should only be necessary to keep a record of:

- the product name;
- the date purchased; and
- the date used and crops or other surfaces or equipment treated;

Names of products and batch numbers are normally found on product labels and the retention of these labels would fulfil this record-keeping requirement. A suggested format for recording information is also set out in the Code of Practice for Using Plant Protection Products, Annex F issued by the Health and Safety Executive but note that this includes the recording of some items that are not necessary to comply with the Feed Hygiene Regulation.

(b) Use of genetically modified (GM) seeds

Keep a record of:

- the variety and amount of any GM seeds bought and planted for feed crops.

(c) Any occurrence of pests and diseases that may affect the safety of primary products.

The presence of certain pests (e.g. vermin) and diseases of crops (including mycotoxins) can adversely affect the safety of livestock and livestock products and records should be maintained of such occurrences.

(Advice on keeping records of steps taken to prevent or remedy such occurrences are set out in Sections a) above and the Section on Records on measures to control hazards below).

(d) The results of any laboratory analyses on samples of feedingstuffs that may have importance for food or feed safety.

This might include analyses for contaminants such as aflatoxins, heavy metals (lead, mercury etc) or prohibited materials such as meat and bone meal.

To fulfil this requirement it should only be necessary to retain a copy of the analysis supplied by the laboratory and link it to details of the feed (see (e) below).

(If you find feed to be contaminated you should not use it and must take steps to protect the feed and food chain and inform your local authority of the matter).

e) The source and quantity of each input of feed and destination and quantity for each output of feed

Keep a record of:

<i>Feeds purchased</i>	<i>Feeds sold</i>
<ul style="list-style-type: none"> • Type (e.g. compound feed , barley) • Quantity • Supplier • Batch number(s) • Date received 	<ul style="list-style-type: none"> • Type • Quantity • Identity of person/business supplied • Date Sold

This information should usually be available as part of a business's normal accounting procedures and found in invoices, receipts and feed labels.

Records on measures to control hazards

The Regulation includes a general requirement for farmers to keep measures put in place to control hazards. It may be that for many farms the records maintained to comply with the requirements at Sections (a) – (e) above cover many of the measures put in place to control hazards relating to feed.

Please retain any additional documentation that demonstrates where specific hazards have been addressed. This might include, for example, papers from contractors that a pest control system has been implemented or building work has been undertaken or material has been purchased to protect supplies of feed.

Format and availability of records

The above guidance emphasises that, as far as possible, existing documents will be sufficient as the basis of records. It is not intended that it should replace any existing systems that farmers have in place and which fulfil other requirements (e.g. to fulfil the requirements of farm assurance schemes). Both paper and electronic records are acceptable. The important point is that the records should be readily available for checks by inspectors responsible for feed controls.

To help you keep records you may wish to use the 'Farm Notes' booklet which is available from : Anthony Higgins, Food Standards Agency, 10A-C Clarendon Road, Belfast BT1 3B6, email : anthony.higgins@foodstandards.gsi.gov.uk, telephone: 028 9041 7761.

In certain cases, third parties may hold copies of relevant records (e.g. your feed supplier or laboratories). However, it is your responsibility to ensure any details are available for inspection.

How long do you need to keep records?

This will depend on the livestock species for which the feed is used, and the length of the production cycle. As a general rule they should be retained until the products (milk, meat or eggs) have been consumed. For some livestock enterprises (e.g. broilers) it may only be necessary to keep records for six months; whilst for beef farmers it may be necessary to retain records for up to two years. You should also remember that livestock products may be stored for some time – either frozen or as a processed product – before being consumed.

Where to find further information

Food Standards Agency's website at:

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/l_035/l_03520050208en00010022.pdf

Or contact : Ned Mazhar
Animal Feed Unit
Food Standards Agency
3c Aviation House
125 Kingsway
London WC2B 6NH

Email: nader.mazhar@foodstandards.gsi.gov.uk

Telephone: 020 7276 8609

Copies of Legislation

A copy of the EC Feed Hygiene Regulation (183/2005) can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:035:0001:0022:EN:PDF>

A copy of the EC Food Hygiene Regulation (852/2004) can be found at :

<http://www.food.gov.uk/multimedia/pdfs/hiojregulation.pdf>

(Annex I, Part III of this Regulation for the record-keeping requirements for primary producers).

A copy of the Code of Practice for Using Plant Protection Products, Annex F issued by the Health and Safety Executive can be found at:

http://www.pesticides.gov.uk/safe_use.asp?id=64

We welcome feedback on this guidance which can be sent to the contact details above.

EXTRACT FROM THE EC FEED HYGIENE REGULATION (183/2005)

(ANNEX I, SECTION II)

Record-keeping Requirements for Primary Producers

- 1. Feed business operators shall keep records relating to measures put in place to control hazards, in an appropriate manner and for an appropriate period, commensurate with the nature and size of the feed business. Feed business operators must make relevant information contained in these records available to the competent authority.**

- 2. Feed business operators must, in particular, keep records on:**
 - (a) any use of plant protection products and biocides;**
 - (b) use of genetically modified seeds;**
 - (c) any occurrence of pests or diseases that may affect the safety of primary products;**
 - (d) the results of any analyses carried out on samples taken from primary products or other samples taken for diagnostic purposes that have importance for feed safety;**
 - (e) the source and quantity of each input of feed and the destination and quantity for each output of feed.**

- 3. Other persons, such as veterinarians, agronomists and farm technicians, may assist the feed business operators with the keeping of records relevant to the activities they carry out on the farm.**

Farms that buy-in additives and premixture products (e.g. vitamins A and D and trace elements (copper, selenium, zinc etc)) and add them to feeds have to follow different requirements that are set out in Annex II of EC Regulation 183/2005. These products will be labelled as such and are different to complementary feeds such as mineral feedingstuffs.

A number of types of farms are exempt from the requirements of EC Regulation 183/2005. This includes those engaged in the feeding of food-producing animals kept for private domestic consumption and the feeding of animals not kept for food production. A complete list of exemptions is shown at Article 2.2 of the Regulation.