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FINAL REPORT OF AN AUDIT
CARRIED OUT IN
SPAIN
FROM 05 TO 15 MARCH 2012

IN ORDER TO EVALUATE THE CONTROL SYSTEMS IN PLACE GOVERNING THE
PRODUCTION AND PLACING ON THE MARKET OF POULTRY MEAT AND POULTRY
MEAT PRODUCTS

In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of a footnote.

Executive Summary

This report describes the outcome of a Food and Veterinary Office audit in Spain, which took place from 5 to 15 March 2012, in order to evaluate the official food safety control system in place governing the production and placing on the market of poultry meat and poultry meat products.

The report concludes that there is an official system in place for the control of the production of poultry meat and poultry meat products. However, major deficiencies were found concerning the post-mortem inspection performance and the auditing of HACCP based procedures by the competent authorities.

Other deficiencies detected by the audit team in the establishments visited undermine the effectiveness of the official control system, particularly as regards implementation of HACCP procedures and hygiene conditions.

The report includes a number of recommendations addressed to the Spanish competent authorities, aimed at rectifying the identified shortcomings and deficiencies and enhancing the implementation of the official control system in place.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
ACCA	Autonomous Community Competent Authority
AESAN	<i>Agencia Española de Seguridad Alimentaria y Nutrición</i> - Spanish Food Safety and Nutrition Agency
CA / CCA	Competent Authority / Central Competent Authority
CCP	Critical Control Point
ENAC	<i>Entidad Nacional de Acreditación</i> -Spanish National Accreditation Body
EU	European Union
FBO	Food Business Operator
FCI	Food Chain Information
FVO	Food and Veterinary Office
HACCP	Hazard Analysis – Critical Control Points
MANCP	Multi Annual National Control Plan
NRL	National Reference Laboratory
RASFF	Rapid Alert System for Food and Feed

1 INTRODUCTION

The audit took place in Spain from 5 to 15 March 2012 and was undertaken as part of the Food and Veterinary Office's (FVO) planned audit programme.

The audit team comprised two auditors from the FVO. Representatives from the competent authorities (CAs) accompanied the team during the whole audit.

An opening meeting was held on 5 March 2012 with the central CAs (CCAs) and the competent authorities of the visited Autonomous Communities. At this meeting the audit team confirmed the objectives of, and itinerary for the audit, and requested additional information required for its satisfactory completion.

2 OBJECTIVES

The objective of the current audit was to verify that official controls for poultry meat and poultry meat products are carried out in compliance with the EU legislation.

The table below lists the sites visited and the meetings held in order to achieve the above objective:

COMPETENT AUTHORITY		
CCA	1	Opening and closing meetings
Regional CA	2	
LABORATORIES		
Official	1	National Reference Laboratory (NRL)
PRIMARY PRODUCTION		
Farms	2	
FOOD PROCESSING FACILITIES		
Slaughterhouses	4	
Cutting plants	4	3 attached to slaughterhouses
Meat preparation establishment	4	3 attached to slaughterhouses
Mechanically Separated Meat (MSM) establishment	1	Attached to a slaughterhouse
Meat products establishments	1	Attached to a slaughterhouse

3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and, in particular Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

A full list of the legal instruments referred to in this report is provided in the Annex and refers, where applicable, to the last amended version.

4 BACKGROUND

4.1 PREVIOUS FVO AUDIT

The most recent poultry meat / poultry meat products audit to Spain prior to current one, took place in 2000. The report of the 2000 audit is available on the EU website at: http://ec.europa.eu/food/fvo/ir_search_en.cfm.

4.2 PRODUCTION AND TRADE INFORMATION

The audit team was informed by the CA that around 1,280,000 tonnes of poultry meat were produced in Spain in 2010. Out of this approximately 73,000 tonnes were placed on the market of other EU Member States.

Since 2010 there has been no Rapid Alert System for Food and Feed (RASFF) notifications concerning poultry meat/poultry meat products originating from Spain.

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION AND IMPLEMENTING MEASURES

Legal requirements

Article 4.2 (e) and Article 8 of Regulation (EC) No 882/2004. Articles 1 (3) (d), 1 (4) and 10 of Regulation (EC) No 853/2004.

Findings

The audit team was informed by the CCA that for poultry meat and poultry meat products, the CAs follow the relevant EU and national legislation.

Implementation of the official control system is based mainly on Spain's Multi Annual National Control Plan 2011-2015 (MANCP) prepared by the Spanish CAs and numerous other plans, manuals and instructions prepared by the Autonomous Communities Competent Authorities (ACCAs). The MANCP provides a lot of flexibility for the ACCAs (e.g. for implementation of official sampling plan as regards number and type of samples to be taken for microbiological criteria in poultry meat and poultry meat products).

There is national legislation which establishes that, with the exception of poultry intended for the production of foie gras, meat from poultry slaughtered on the farm for the production of food may be used only for private domestic consumption. This meat therefore may not be supplied to retail establishments or for direct sale to the final consumer.

The CA informed the audit team that national legislation concerning the partial evisceration ("traditional slaughter") had been adopted: it authorised this practice for certain species (including poultry) as long as post-mortem inspection requirements were respected. This legislation has been submitted to the Commission and the Member States in accordance with the provisions of Directive 98/34/EC.

Conclusions

While a comprehensive review of the relevant Spanish legislation was not carried out as a part of this audit, the provisions for official controls on poultry appear to be in compliance with EU requirements.

5.2 COMPETENT AUTHORITY

Legal requirements

Article 4, 8, 54 and 55 of Regulation (EC) No 882/2004.

Section III of Annex I to Regulation (EC) No 854/2004, in particular Chapter III and IV.

Findings

A detailed description of the CAs can be found in the country profile for Spain which is accessible at: http://ec.europa.eu/food/fvo/country_profiles_en.cfm.

The Ministry of Agriculture, Food and the Environment has the principle responsibility for animal health, animal welfare, feedingstuffs, primary production of food of animal origin, plant health and food quality.

The Ministry of Health, Social Services and Equality is responsible for all successive stages of food production and, through the Spanish Food Safety and Nutrition Agency (AESAN), is responsible for assuring the highest possible level of food safety.

At the opening meeting both CCAs (the Ministry of Agriculture, Food and the Environment and AESAN) informed the audit team that ministerial departments are being restructured and these changes are not reflected yet in the MANCP for 2011-2015.

The Spanish Constitution has conferred competence to the ACCAs to carry out official controls in the regions. The ACCAs are obliged to organise controls in line with the MANCP.

The CCA receives annual reports on implementation of the MANCP by the ACCAs. However, the data provided by the ACCAs are aggregated for the whole meat sector so no details are included specifically related to poultry. AESAN does not perform audits of ACCAs.

The ACCAs visited have procedures in place to verify the effectiveness of official controls at establishment level.

In the Autonomous Communities visited, the audit team was informed about the checks performed on randomly selected inspection reports by the higher level CA. Regular reports drawn up by the official veterinarians in establishments are analysed by them also.

In one Autonomous Community visited, a plan for internal audit which includes audits in establishments is in place; however no audits have been carried out yet in the meat sector (including poultry meat/poultry meat product establishments). The ACCA informed the audit team that such audits are foreseen for later in 2012.

In the other Autonomous Community visited the ACCA informed the audit team that an internal audit plan has been drawn up but no internal audits have been carried out yet.

However these procedures in place do not ensure adequate effectiveness and appropriateness of official controls carried out by the ACCA (particularly as regards the official controls of HACCP based procedures; for more see chapter 5.3.5).

The audit team confirmed that in the farms and establishments visited the CA had access to premises and to documentation kept by the Food Business Operator (FBO).

According to the CCA training of official veterinarians in 2010 and 2011 was targeted on various topics, including auditing, sampling, inspection, HACCP evaluation and EU legislation applicable to the poultry sector.

The audit team was provided with the attendance lists for different training sessions kept at central, Autonomous Community and local levels including evidence of participation in Better Training for

Safer Food courses. The courses are organised by the CCA or the ACCAs. .

Conclusions

The CAs responsible for official controls in the scope of the audit have been designated.

CA staff performing official controls receives regular training.

The CAs' systems in place do not guarantee adequately the effectiveness and appropriateness of official controls in accordance with Regulation (EC) No 882/2004.

The CCAs have a limited overview on how the MANCP in poultry meat/poultry meat products sector is implemented by the ACCAs.

No audits of lower level CAs have been carried out by the CCAs.

In both Autonomous Communities visited no internal audits in the meat sector have been carried out yet.

5.3 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

5.3.1 Controls at farm level

Legal requirements

Article 3 of Regulation (EC) No 882/2004

Annex I to Regulation (EC) No 852/2004

Art. 4 (2) of Regulation (EC) No 854/2004

Findings

According to the information provided by the CCA, the Ministry of Agriculture, Fisheries and Food is currently setting up a General Register of broiler and turkey fattening farms, as part of a General Register of Livestock Farms. This register will contain information on all farms in Spain and the data are being entered by the local CAs.

The audit team visited two poultry farms (part of an integrated system) that supply birds to slaughterhouses visited by the audit team. The poultry farms were registered by the local CA. The FBO's records were properly kept and they were available to the audit team. The flock records included, among other things, information on number of birds per house, daily mortality, feed and water consumption, use of veterinary medicines (date of administration and withdrawal period) and vaccination. Pest control programmes were implemented. The water was sampled at least once per year and analysed for microbiological as well as some physico-chemical parameters.

Both farms visited were maintained in adequate conditions and applied biosecurity measures.

The CCA informed the audit team that the ante-mortem inspection in the majority of cases is carried out on the poultry farms. As an integrated part of the ante-mortem inspection, FBOs' records as well as clinical status of birds are checked by either the official veterinarian or a veterinarian authorised for this task by the local CA. However, by reviewing randomly selected records, the audit team noted discrepancies between data in daily monitoring sheets for one flock present on the farm and data in the logbook on the use of veterinary drugs (one treatment of birds with antibiotics in daily records was not recorded in the logbook).

A logbook of visitors kept by the farmer included the dates of the authorised veterinarian's visits as well. When the audit team compared these dates with data in the animal health movement documents, the team noted that the 72 hours period between the ante-mortem inspection and

departure of birds to the slaughterhouse was not respected in all cases. There was no evidence found that this problem had been recognised or recorded by the CA or that corrective measures/sanctions had been imposed on the authorised veterinarian involved.

The CA informed the audit team that no visits on farms are carried out by the CA to supervise ante-mortem inspection done by the authorised veterinarians which explains the absence of sanctions and corrective measures.

In addition to ante-mortem inspection visits, poultry farms are under CA supervision with an inspection frequency laid down in different official control plans (plan for official controls for Animal Health, Animal Welfare, Animal By-Products, for use of veterinary drugs, Salmonella National Control Plans). Some risk factors are taken into account when drawing up these plans (e.g. occurrence of Salmonella on the farms, size of the farms). The inspection reports were available to the audit team who noted that an assessment of biosecurity measures on the farms was included on the checklist used for Salmonella National Control Plan inspections.

Conclusions

Poultry farms are registered and under official control.

The ante mortem inspection is carried out in the majority of cases on the poultry farms, generally in line with EU requirements.

5.3.2 Approval procedures

Legal requirements

Article 6 of Regulation (EC) No 852/2004,

Article 4 of Regulation (EC) No 853/2004.

Article 31 (2) of Regulation (EC) No 882/2004.

Findings

The approval procedure is governed by national legislation (Royal Decree 191/2011). Article 6 of this decree describes the procedure whereby economic operators notify the ACCA of the address and activities of their business so that the CA can carry out inspections on the spot and issue decisions on compliance with legal requirements.

Once this stage has been completed and approval granted to the FBO, a national approval number is assigned to the establishment by the CCA and the establishment is included on the list of approved establishments.

The establishments visited were approved for the specific activities. All establishments visited were approved before 2006 and were re-approved by the CA once the requirements of Regulations (EC) Nos 852/2004 and 853/2004 entered into force after the beginning of 2006.

Before the new Royal Decree No 191/2011, the re-approval of establishments was done at five-year intervals by the CA. The task of keeping the approval under review lies with the official veterinarians who are responsible for the official controls of the particular establishment.

Since Royal Decree No 191/2011 entered into force, approvals are maintained and updated on an ongoing basis, rather than at five-year intervals.

The official veterinarians have no legal powers to suspend or withdraw the approval and they cannot impose measures. Rather, they present proposals on measures to be authorised and issued by the Autonomous Community central competent authority.

In one establishment visited, the audit team reviewed documents related to approval of a new activity in the poultry establishment (production of mechanically separated meat) in 2011. According to these documents the FBO submitted a request for approval to the official veterinarian in charge of the establishment together with an updated HACCP plan, layout of establishment and other supporting documents. The official veterinarian reviewed the documents received and inspected the establishment using a checklist provided by the ACCA. Afterwards the official veterinarian sent his inspection report to the district CA. The district level checked the inspection report and forwarded it with its own opinion to the provincial level. From provincial level the report and opinions of all levels involved were sent to the ACCA which took the final decision on the matter.

The AT noted that:-

- In one Autonomous Community visited an assessment of the HACCP plan was part of the re/approval procedure for establishments; however in two slaughterhouses visited in another Autonomous Community, although requested by the audit team, no evidence was provided that the HACCP plan had been evaluated during re-approval of establishments, which is not in line with paragraph 2(c) of Article 31 of Regulation (EC) No 882/2004.
- No conditional approval is granted to the FBO during approval procedures; either an FBO is fully in line with legal requirements within three months of an inspection or the CA takes precautionary measures, which may include suspension of activities or withdrawal of approval.

The audit team noted that the CA has the necessary powers to suspend and withdraw an establishment from the list of approved establishments. The audit team noted that these powers were exercised.

Conclusions

Establishment approval procedures are in place; however they are not always duly followed by the CA (during re-approval of establishments HACCP plans were not always assessed by the CA).

5.3.3 Ante-mortem and Post-mortem inspection:

Legal requirements

Article 4 and 5 of Regulation (EC) No 854/2004.

Findings

In the slaughterhouses visited in one Autonomous Community, the audit team noted that the birds sent to the slaughterhouses were accompanied by a health certificate, Food Chain Information (FCI) and an Animal Health Movement document.

In the slaughterhouses visited in the second Autonomous Community only FCI and Animal Health Movement documents accompanied animals. However, Animal Health Movement documents used contain all the information required for issuing the health certificate according to Regulation (EC) No 853/2004.

FCI is governed at national level by Royal Decree No 361/2009.

In both Autonomous Communities visited the audit team noted that FCI is not sent 24 hours in advance but accompanies every truck arriving to the slaughterhouse. The CA explained that, in accordance with EU legislation, Royal Decree No 361/2009 authorises the derogation from this requirement when the ante mortem inspection is done on the farm.

In one Autonomous Community visited, the audit team noted that FCIs did not contain information on the dates of administration and withdrawal periods of veterinary medicinal products administered to the animals within a relevant period. Furthermore the audit team noted that birds sent to the slaughterhouse were sampled for Salmonella on the farm six weeks before being sent for slaughter instead of within three weeks as required by EU legislation. The Animal Health Movement document issued by the authorised veterinarian on the farm after ante-mortem inspection did not indicate this fact.

In both Autonomous Communities visited the audit team noted that when performed at the slaughterhouse level the ante-mortem inspection was carried out by an official veterinarian and consisted of:-

- Documentary check.
- Identification check of the birds.
- Animal welfare check.
- Clinical inspection of the birds.

Post-mortem inspection is carried out by the official veterinarians according to their own self drafted instructions. According to information provided by the CCA no official auxiliaries or slaughterhouse staff is involved in the post-mortem inspection.

In the slaughterhouses visited, the audit team noted that post-mortem inspection does not cover all slaughtered birds although required by Regulation (EC) No 854/2004.

Depending on the slaughterhouse, for each batch of birds, only 10 to 50 % of the carcasses were inspected by the official veterinarians.

In one slaughterhouse visited, the audit team noted that 70% of the birds are partially eviscerated or “traditionally slaughtered” i.e. liver, gizzard, heart and lung remain in the bird's cavity.

The ACCA informed the audit team that the slaughterhouse official veterinarian should decide on the number of partially eviscerated birds that have to be subjected to post-mortem inspection based on risk factors.

In the establishment visited the FBO and CA informed the audit team that from 10 to 20 % of those birds slaughtered traditionally are classified as second class carcasses. Official inspection of the cavities and viscera only concerns approximately 10 % of those carcasses.

The audit team noted that partially eviscerated carcasses have been individually labelled bearing information on the method used.

In the same slaughterhouse, the official veterinarian informed the audit team that post-mortem inspection (after scalding and plucking of birds) for external surface and visible abnormalities of non-eviscerated birds is carried out by the slaughterhouse staff. The audit team noted that carcasses with abnormalities detected by the slaughterhouse staff were put aside for official veterinarian inspection who will take the final decision.

A similar practice was noted by the audit team in other slaughterhouses visited. However the CA informed the audit team that the detailed instructions on the involvement of slaughterhouse staff in post-mortem inspection still have to be drawn up. As a consequence the CA does not comply with EU requirements (Regulation (EC) No 854/2004) applicable to slaughterhouse staff carrying out post-mortem inspection (e.g. no authorisation of this task by the CA, inadequate training, absence of CA supervision).

Furthermore, the audit team noted that in one slaughterhouse visited the location of the designated post-mortem inspection point did not allow the simultaneous post-mortem inspection of carcasses

and their corresponding viscera and no mirror was installed to inspect all carcasses' surfaces which is not in line with Regulation (EC) No 854/2004.

In another slaughterhouse visited, the audit team noted that the designated post-mortem inspection point did not provide adequate conditions for official veterinarian's work (hardly accessible carcasses with limited possibility for sufficient check of birds' cavities, no washbasin). Not all viscera of animals were inspected by the official veterinarian (only screening of viscera with abnormalities, put aside by slaughterhouse staff, was carried out).

Records of results of ante-mortem and post-mortem inspection were available in the slaughterhouses visited. The records were consistent and completed. However, in one slaughterhouse visited the records for post-mortem inspection did not contain any indications/reasons for condemnation of carcasses. In another slaughterhouse visited the audit team noted that the records for post-mortem inspection contained the sum of data provided by both FBO and official veterinarian.

Conclusions

Ante-mortem inspection at slaughterhouse is carried out in line with EU requirements; however FCI used in one Autonomous Community visited did not contain all the information required under EU legislation

EU legal requirements for post-mortem inspection are not complied with (limited number of birds inspected, slaughterhouse staff involved in post-mortem inspection without having the legal power and deficiencies in post-mortem inspection points).

5.3.4 *Animal welfare at slaughter*

Legal requirements

Council Directive 93/119/EC

Findings

In the slaughterhouses visited the handling of live birds was generally adequate.

However in one of them the audit team noted the presence of badly blood stained carcasses on a cutting line indicating poor animal welfare practices prior to slaughter.

According to the FBO the birds had been slaughtered in a different slaughterhouse and their carcasses were brought to this establishment as raw material for cutting. The official veterinarian informed the audit team that in his view the most likely cause of the blood stains was inappropriate handling of birds prior to slaughter.

In another slaughterhouse, the FBO had not ensured adequate checks on live birds during unloading. As a result, not all crates were emptied and some birds were left inside crates and subsequently passed through washing and disinfection machine. In this instance immediate corrective actions were taken by the FBO.

In two slaughterhouses visited, the audit team noted that the lowest level of crates used for transport of birds did not provide sufficient height for the live birds being transported.

Conclusions

In two of the four slaughterhouses visited animal welfare requirements laid down in EU legislation were not respected, in particular with regard to the dimensions of crates for transport of live birds, bird unloading and handling prior to slaughter.

5.3.5 *Controls at establishment level*

Legal requirements

Article 4 of Regulation (EC) No 854/2004.

Findings

Official controls in the establishments are carried out according to the ACCA's plans. These plans are based on instructions of the framework MANCP.

Inspections and audits are planned on the basis of risk evaluation.

Each establishment visited had been risk classified and based on the result, the frequency of official controls is determined.

In one Autonomous Community visited, the audit team noted that the official controls in establishments are carried out as supervisory visits by the district CA and as inspections carried out by the official veterinarians in establishments.

Supervisory visits review the FBO's own-check system, including implementation of HACCP and implementation of the pre-requisites. The inspections are in general focused on mandatory legislative requirements such as general hygiene conditions in the establishments, including infrastructure, processes, animal welfare, animal by-products, labelling, personal hygiene.

In the establishments visited, the audit team noted that regular supervisory visits and inspections have been carried out and frequency targets met. Standardised checklists were used and the reports were available to the audit team.

In two establishments visited in the second Autonomous Community, the audit team noted that no audits of HACCP procedures had been carried out. The ACCA provided details of audits for the whole Autonomous Community which showed that since the HACCP audits began in 2009, only 25 of the 46 approved poultry establishments had been audited.

When non-compliances were identified by the CA, follow-up was conducted to verify their correction. In one establishment visited, the official veterinarian informed the audit team that follow-up of deficiencies was carried out; however no documentary evidence was presented to support this. In another establishment visited, the action plan drafted by the FBO to correct deficiencies detected by the official veterinarian did not contain any deadlines.

General findings in establishments

Four establishments visited by the audit team were found broadly in line with EU requirements, although with some deficiencies. Not all deficiencies were present in every establishment:-

- Surfaces in some areas (junctions of floors and walls) were not maintained in a sound condition and were not easy to clean or disinfect (in contravention of paragraph 1 (a), (b), (f) Chapter II of Annex II to Regulation (EC) No 852/2004.
- Ceilings in some areas were not constructed to prevent the accumulation of dirt and the shedding of particles in contravention of paragraph 1 (c), Chapter II of Annex II of Regulation (EC) No 852/2004.
- Premises were not protected against condensation in contravention of paragraph 2(b), Chapter I of Annex II to Regulation (EC) No 852/2004.
- Lack of operational hygiene such as poor practices for washing of crates for poultry meat in contravention of paragraph 1 (a), Chapter III, Section II of Annex III to Regulation (EC) No 853/2004.

- Rusty overhead fixtures in contravention of paragraph 1 (c), Chapter II of Annex II to Regulation (EC) No 852/2004.
 - Potential contamination of poultry carcasses on slaughter line by touching surfaces (walls), platforms and worker's boots.
 - Drainage of water in some areas not directly connected to a sewage system.
 - Crates for delivering animals not properly cleaned and disinfected in contravention of paragraph 3 Chapter I Section II of Annex III to Regulation (EC) No 853/2004.
 - In two slaughterhouses visited facilities for disinfecting knives used for bleeding of birds were filled with water with temperature below 82°C (as low as 35°C).
 - Potential contamination of poultry carcasses on slaughter line by excessive splashing of water in carcass classification room.
 - Unprotected (ready to use) wrapping material stored directly beneath ceiling with inadequate surfaces (concrete structures with cracks).
 - In several instances pooling of water on the floor.
 - Carcasses completely washed prior to post-mortem inspection, thus preventing the official veterinarian from assessing faecal contamination.
 - Transport of unprotected clean crates for poultry meat on conveyor belt outside the main production building passing through an environment not fully protected from contamination.
- One establishment visited by the audit team (slaughterhouse, cutting plant, meat preparation production) was found with numerous deficiencies:-
- Premises not protected against condensation (especially in evisceration room) in contravention of paragraph 2(b), Chapter I of Annex II to Regulation (EC) No 852/2004.
 - Surfaces in areas where exposed poultry meat was handled (dispatching area) were not easy to clean and disinfect.
 - Drainage of water in some areas (e.g. in cutting room) not directly connected to a sewage system.
 - Potential contamination of partially exposed frozen minced meat for production of meat preparations which was stored in dirty crates.
 - Wrapping materials stored in such a manner that they were exposed to a risk of contamination.
 - No clear separation between storage of products fit for human consumption and animal by-products.
 - Presence of unmarked animal by-products in storage room alongside products for human consumption.
 - Presence of spider webs directly above clean crates used for poultry meat.
 - Crates for delivering animals not properly cleaned and disinfected in contravention of paragraph 3 Chapter I Section II of Annex III to Regulation (EC) No 853/2004.
 - Potential cross-contamination in one establishment due to cross flow of staff wearing street clothes.
 - Storage of not fully protected poultry meat in close vicinity to poultry meat/poultry meat products in secondary packaging (cardboard boxes).

The audit team noted that only some of these deficiencies had been recorded in official inspection reports. After the FVO's visit the CA imposed measures to remedy the situation in this establishment.

In three establishments visited the audit team verified that the HACCP plan is implemented. The HACCP plans are regularly audited by official veterinarians.

However, in another two establishments the CA informed the audit team that they have not yet evaluated the HACCP plans. In one of these, the FBO informed the audit team that although a plan had been prepared in 1998 it had never been implemented. In February 2012 a new plan was prepared by an external company and is now in the process of being implemented.

In the second establishment the CA informed the audit team that following a survey in 2010 the establishment was classified as one having minimum pre-requisites in place and the FBO is currently working on a HACCP plan which the CA will audit in October 2012. Both establishments were classified by the official veterinarian as medium risk establishment.

Some deficiencies were detected by the audit team as follows:-

- Incorrectly identified Critical Control Points (CCPs) (such as ante-mortem and post-mortem inspections).
- Discrepancies between critical limits for CCPs in main HACCP document and values in sheets used for monitoring.
- Inadequate verification of CCPs.

Conclusions

There is a regular and documented system of official controls of poultry meat/poultry meat product establishments. However, there are shortcomings in detecting and recording non-compliances in establishments as regards maintenance and good hygiene practices being applied.

HACCP procedures are not adequately audited by the CA and not all of the deficiencies in HACCP plan implementation had been detected during official controls.

In two establishments visited no evidence that HACCP procedures have ever been audited by the CA was provided to the audit team.

5.3.6 FBOs compliance with microbiological criteria for foodstuffs and official sampling

Legal requirements

Official controls: Point 8 (c) of Article 4 of Regulation (EC) No 854/2004.

Article 11 of Regulation (EC) No 882/2004.

FBOs controls: Article 4 of Regulation (EC) No 852/2004

Regulation (EC) No 2073/2005

Findings

FBOs sampling activities:

There is a comprehensive own-check sampling programme in the establishments visited.

Microbiological analyses, for example, on products, water and surfaces are carried out either in the FBO's laboratory or in external ones.

The samples are taken according to the FBO's sampling plan based on legal requirements. Laboratory results were available to the audit team.

The audit team noted in one establishment visited that meat preparations had been analysed for E. coli as process hygiene criterion: five sample units were taken per batch and subsequently pooled into one sample for microbiological analyses. The same practice of pooling five sampling units in one sample of cooked blood product for microbiological tests was noted by the audit team in another establishment visited. This is not in compliance with EU requirements where pooling of samples are not considered in this context.

In most establishments visited the audit team noted that the microbiological analyses results for water and products were compliant.

Official sampling:

The audit team noted that in Autonomous Communities visited an official sampling plan established by the ACCA (based on a framework plan drawn up by the CCA) is in place. The official sampling plan varies between Autonomous Communities. Sampling plans are implemented by the official veterinarians in the establishments and samples are analysed in official laboratories.

In one establishment visited the audit team noted in one case a two months delay between sampling date for Salmonella in neck skin samples and issuing date of a laboratory result. Although requested during the audit no information/evidence was provided by the local CA to the audit team about CA investigation of this deficiency.

In two establishments visited no official samples for microbiological criteria of product and water had been taken since 2010.

Conclusions

The system in place for FBO's monitoring of the microbiological criteria generally complies with Regulation (EC) No 2073/2005 with some deficiencies noted mainly regarding pooling of sampling units (e.g. for E. coli).

Official sampling is organised at Autonomous Community level and the official sampling plan varies from one Autonomous Community to other.

5.3.7 Traceability – Labelling – Identification marking

Legal requirements

Traceability: Regulation (EC) No 178/2002

Labelling: Chapter IV, Section V, Annex III of Regulation (EC) No 853/2004

Identification marking: Article 4.6 of Regulation (EC) No 854/2004

Section I, Annex II of Regulation (EC) No 853/2004

Findings

Where checked by the audit team, an adequate traceability system was in place. The systems were based on production/slaughter dates. An identification mark was correctly applied.

Conclusions

In all establishments visited, systems were in place to guarantee traceability.

5.4 LABORATORIES

Legal requirements

Articles 11, 12 and 33 of Regulation (EC) No 882/2004

Findings

The network of national laboratories for official controls in the poultry sector consists of a NRL and official laboratories.

The audit team visited the NRL for foodstuffs microbiology. Laboratory accreditation (according to ISO 17025) had been granted by the Spanish accreditation body – ENAC and the methods used in the laboratory are within the scope of accreditation.

The laboratory is regularly audited by ENAC to verify whether the conditions for the accreditation are still met. The reports from these audits were available to the audit team. The audit team noted that during the most recent audit only minor deficiencies had been detected and those were subsequently remedied by the laboratory.

The audit team reviewed the documents related to participation of the laboratory in proficiency tests for microbiological parameters (Salmonella, Listeria) and noted that the NRL regularly participates in proficiency tests organised by the EU Reference Laboratory with satisfactory results.

The audit team reviewed some data related to proficiency tests organised by the NRL in 2010 and 2011 for detection of Salmonella spp., Listeria monocytogenes and enumeration of Listeria monocytogenes.

The audit team noted that 39 participating laboratories in proficiency tests for detection of Salmonella in 2010 had 97 % satisfactory results in the proficiency tests. The NRL informed the audit team that the laboratories with unsatisfactory results of such tests provided information on actions taken to remedy the situation. However the NRL explained that it is not mandatory to send the information to the NRL and only ENAC has competence to follow-up these unsatisfactory results and evaluate the appropriateness of corrective actions taken in the laboratories.

In proficiency tests for the detection of Salmonella organized in subsequent round in 2011 all laboratories participated with satisfactory results.

Conclusions

Accredited laboratories have been designated to carry out analyses of samples taken during official controls in the poultry sector in accordance with Article 11 and 12 of Regulation (EC) No 882/2004 and they fulfil the requirements of EU legislation.

6 OVERALL CONCLUSIONS

There is an official system in place for the control of production of poultry meat and poultry meat products. However, major deficiencies were found concerning post-mortem inspection performance and the auditing of HACCP based procedures by the Competent Authority.

Other deficiencies detected by the audit team in the establishments visited undermine the effectiveness of the official control system, particularly as regards implementation of HACCP procedures and hygiene conditions.

7 CLOSING MEETING

During the closing meeting held in Madrid on 15/03/2012, the audit team presented the main findings and preliminary conclusions of the audit to the CAs.

During this meeting, the CAs acknowledged the findings and preliminary conclusions presented by the audit team.

8 RECOMMENDATIONS

The CCA should provide Commission services with guarantees and an action plan, including a timetable for its completion, within twenty five working days of receipt of the report, in order to address all the deficiencies identified and in particular the following recommendations:

Nº.	Recommendation
1.	The CA should ensure that procedures are in place to verify the effectiveness of official controls in order to comply with the requirements of the EU legislation (Article 8(3) of Regulation (EC) No 882/2004).
2.	The CA should ensure that audits are carried out in line with Article 4(6) of Regulation (EC) No 882/2004 to ensure achieving the objectives of this Regulation.
3.	The CA should ensure that an establishment is approved or maintains its approval only if the FBO has demonstrated that it complies with the relevant requirements of food law, in particular Article 5 of Regulation (EC) No 852/2004, in accordance with paragraph 2(c) of Article 31 of Regulation (EC) No 882/2004.
4.	The CA should ensure that audits of HACCP-based procedures are performed in the establishments in line with the requirements of Regulation (EC) No 854/2004.
5.	The CA should ensure that post-mortem inspection in slaughterhouses is carried out in conformity with EU requirements. In particular, all birds (including their viscera) shall undergo post-mortem inspection (see Part D, Chapter II, Section I and Part B, Chapter V, Section IV of Annex I to Regulation (EC) No 854/2004).
6.	In order to comply with EU requirements, the CA should ensure that deficiencies found are corrected in the establishments visited and are not present in other approved ones (see Article 54 of Regulation (EC) No 882/2004).
7.	The CA should ensure that procedures based on HACCP principles maintained by FBOs are fully in compliance with EU requirements (see Article 5 of Regulation (EC) No 852/2004).
8.	The CA should ensure that when FBO own-check sampling programmes are implemented, the sampling plans are in compliance with EU requirements (see

N°.	Recommendation
	Regulation (EC) No 2073/2005).
9.	The CA should ensure that FCI contains all the information required by EU legislation (see Regulation (EC) No 853/2004).

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

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2012-6431

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Dir. 98/34/EC	OJ L 204, 21.7.1998, p. 37-48	Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations
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