

REPORT TO: Cabinet Member - Environmental
DATE: 30 June 2010
SUBJECT: **ANIMAL FEED PLAN 20010/11.**
WARDS AFFECTED: All
REPORT OF: Peter Moore
Environmental Protection & Technical Services Director
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**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To endorse the Animal Feed Plan 2010/11 required by the Food Standards Agency (FSA).

REASON WHY DECISION REQUIRED:

To seek the endorsement of the Cabinet Member – Environmental of the arrangements with the FSA aimed at ensuring effective animal feed control and encouraging consistency of approach across local authorities. The National Performance Framework for Trading Standards (NPF) requires that such initiatives be considered and approved by the Council's elected representatives.

RECOMMENDATION(S):

That the Cabinet Member – Environmental

- a) Notes the content of this report and:
- b) Approves the Animal Feed Plan 2010/11.

KEY DECISION: No

FORWARD PLAN: N/A

IMPLEMENTATION DATE: Immediately following the expiry of the “call-in” period for this meeting.

ALTERNATIVE OPTIONS:

None – Statutory Function.

IMPLICATIONS:**Budget/Policy Framework:** None arising from this report – Sampling Costs are met from existing budgets**Financial:**

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources, within existing budget	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?	N/A			

Legal: Any legal implications as a result of this project will be reported separately.**Risk Assessment** Enforcement of the Animal Feed legislation is a statutory duty**Asset Management** N/A**Consultation Undertaken/Views**

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability		√	
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

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Background

1. The composition and safety of animal feeding stuffs is a principal factor in protecting not only the integrity of the human food chain but also maintaining the highest standards of animal health and welfare and ensuring the wellbeing of the environment.
2. Feed law includes European Union and national rules on feed composition including additives and medication, feed hygiene, labelling and contaminants in feed. It covers not only feed for food producing animals but also companion animals.

Sefton Trading Standards Animal Feed Plan 2010/11

3. The Sefton Trading Standards Animal Feed, Annex 1 to this report, sets out the delivery arrangements for animal feed services provided by the Trading Standards Section. It has been developed with detailed consideration of local needs, corporate objectives and reference to current legal requirements.
4. The legislation establishes a set of principles for local enforcement and therefore animal feed enforcement will:
 - Be based on sound science and evidence;
 - Lead to proportionate action;
 - Be guided by the precautionary principle;
 - Be based on risk assessment;
 - Be made in partnership with key stakeholders;
 - Be consistent with Government's reason for intervention;
 - Promote sustainable development, including a sustainable food and farming industry;
 - Be consistent with EU and International obligations.
5. In order to address all these issues the Plan addresses the following:
 - The scope of the Animal Feed Service;
 - The inspection regime;
 - The local Sampling Program;
 - Incident Reporting;
 - Partnership Arrangements and
 - Officer Competence.

Implications for the Environmental & Technical Services Department

6. The Animal Feed Agenda places a statutory duty on the Environmental & Technical Services Department that will be carried out by Trading Standards.
7. Current estimates suggest this will involve visiting approximately 50 'agricultural' premises per annum, and taking samples from local suppliers and importers within the Freeport.
8. The Department also has to respond to Feed Alerts from the EU / FSA and this may place significant demands on resources if contaminated feed is imported and has to be detained in the Liverpool Freeport.

Trading Standards Animal Feed Plan 2010/11

1 Scope

- 1.1 “The composition and safety of animal feeding stuffs is a principal factor in protecting not only the integrity of the human food chain but also maintaining the highest standards of animal health and welfare and ensuring the well being of the environment.” (EC Regulation 882/2004 on official controls to ensure the verification of compliance with Feed law and Animal Health and Welfare rules.)
- 1.2 Feed law includes EU and national rules on feed hygiene, feed composition, feed additives, medicated feed, feed labelling, contaminants in feed etc. It covers not only feed for food producing animals but for horses, pets and fish.
- 1.3 In producing this plan account has been taken of the Feed Law Enforcement Code of Practice, the Food Standards Agency (FSA) National Enforcement Priorities for Feed Authorities in Great Britain – 2010/2011 and Trading Standards North West (TSNW) Agriculture sub-group funding bid.

2 Aims

- 2.1 To inspect Feed Businesses for the purpose of:
 - (a) Ensuring feed is compositionally and nutritionally correct.
 - (b) Ensuring feed is correctly labeled.
 - (c) Ensuring feed is not adulterated or contaminated.
 - (d) Determining compliance with Feed Hygiene Regulations with particular regard to traceability of feed and feed ingredients.
- 2.2 To provide advice and assistance to feed businesses on compliance with legal requirements.
- 2.3 The sampling of feed and feed ingredients for analysis.
- 2.4 To investigate complaints and take appropriate enforcement action when necessary.
- 2.5 To offer preventative guidance and assistance to Feed Businesses whose Head Offices are based within Sefton.
- 2.6 To work closely with Mersey Port Health Authority to monitor imported feed.
- 2.7 To be an active member of contribute to TSNW Agriculture sub-group.

3 Inspections

- 3.1 Visits to feed businesses are scheduled in accordance with the Animal Feed Law Inspection Rating Scheme contained in the Fed Law Enforcement Code of Practice.

- 3.2 Under the rating scheme, within Sefton there are, 1 Category A (high risk), 11 Category B (medium risk) and 43 Category C (low risk) premises.
- 3.3 During 2010/11 officers will carry out primary inspections to all Category A & Category B premises. At the conclusion of the inspection the inspection rating of the feed business will be reassessed.
- 3.4 Under the Code of Practice Category C (low risk) premises need not be included in the planned inspection programme but must be subject to an alternative enforcement strategy at least once in every 5 years. As a result Category C premises will only be visited as the result of complaints, requests for advice or when samples are taken as part of a project.

4 Sampling

- 4.1 The Annual Feed sampling programme involves the taking of both formal and informal samples. The sampling programme is based on:
- The FSA's National Enforcement Priorities For Feed Authorities In Great Britain – 2010/2011 as part of a Integrated National Control Plan for the UK, and
 - TSNW Agriculture sub-group funding bid.
- 4.2 The EU Rapid Alert System for Food and Feed (RASFF) will be monitored for notifications of non-compliance of feed legislation and samples taken where necessary.
- 4.3 Following notifications via RASSF throughout 2009, the sampling priorities will be the products detailed in Appendix 1, imported directly from outside the EU.
- 4.4 In accordance with the Imported Animal Feed Monitoring Procedure agreed by Sefton Trading Standards, Liverpool Trading Standards, Wirral Trading Standards and Mersey Port Health Authority. Officers will continue to monitor consignments of imported feed and sample where necessary.
- 4.5 Officers will take samples during all primary inspections. Samples will consist of both finished product and feed ingredients and tested for the above mentioned contaminants, composition, nutrition and compliance of labelling.
- 4.6 Unsatisfactory reports on samples will be dealt with by advice, referral to Home Authority Trading Standards or enforcement action, in line with the service's Enforcement Policy.

5. Incident reports

- 5.1 EC Regulation 178/2002 requires feed and food businesses to withdraw feed from the market if products are not in compliance with safety requirements. They must also notify the FSA and the "Competent Authority" i.e. the local Trading Standards Authority (or Port Health Authority at ports).

5.2 Following the notification or detection of non-complaint feed (Feed Incident). The cost to the Competent Authority to investigate and ensure the non-compliant feed does not enter the supply chain is chargeable against the feed business.

5.3 The EU Rapid Alert System for Food and Feed (RASFF) will be monitored for notifications of non-compliance of feed legislation and samples taken where necessary.

Infringements or suspected infringements reports from external sources or identified by the use of data interrogation etc will be investigated and appropriate action taken.

5.4 Complaints reported by the public, business etc will be investigated.

5.5 The FSA will be notified of all serious localised and non-localised feed hazards. The FSA will be contacted if there is a doubt whether a feed incident amounts to a feed hazard. (A Feed Hazard is a Feed Incident that through biological, chemical or physical means potentially causes adverse effects on food producing animals or the public.)

6. Partnership work

6.1 The Section will assess and communicate with other interested parties in respect of cross boundary, cross cutting issues.

6.2 The Section will service the TSNW focus group and Attend 4 Regional Meetings per annum.

6.3 The Section will also attend regular meetings with local partners, ie Port Health, & neighbouring Local Authorities regarding issues within the Dock Area'

7. Officer Training

7.1 Officer Competence is ensured by:

- Annual performance and development review in line with Investors In People Standard.
- Designated Animal Feed staff are required to keep up to date with respect to animal feed by using the FSA website on a weekly basis. To that end each officer has Internet access and access to the LACORS website.
- The Department subscribes to Lexus online (for legislation) & TS Desktop Companion.
- Helen Shaw – Senior Trading Standards Officer, holder of DTS & Simon Evans – Technical Officer with 15 years experience in Trading Standards. These officers are authorised to enforce all relevant legislation.
- Attendance at County Council Animal Health function & FSA / TSNW courses – (10 Hours minimum).

APPENDIX 1 – SAMPLING PRIORITIES FOR IMPORTED FEED

Minerals/Additives

1. Copper Chelate
2. Copper Sulphate
3. Tagetes (Red colouring for feed)
4. Sepiolite
5. Monocalcium phosphate
6. Dicalcium phosphate
7. Dicalcium phosphate
8. Zinc oxide
9. Manganese (manganous oxide/manganic oxide)
10. Other trace elements belonging to the functional group of compounds of trace elements referred to in Annex I, 3 b) of Regulation (EC) No 1831/2003

Substance/Hazard

- Dioxin-like polychlorobphenyls (PCBs)
Dioxins and PCBs
Dioxins
Lead
Fluorine and heavy metals
Heavy metals including cadmium
Heavy metals including arsenic
Heavy metals including cadmium
Heavy metals
Undesirable substances (heavy metals)

Other feeding stuffs

11. Soya and soya products
12. Groundnuts
13. Feed Premixes
14. Maize and maize products

Substance/Hazard

- Melamine in products originating from China, unauthorised GM and mycotoxins
Aflatoxin B1
Dioxins and level of declared ingredients
Unauthorised GM, and mycotoxins