

31 July 2007

**Draft Guidelines for the Development and Assessment of
National Guides to Good Practice under the EC Feed Hygiene
Regulation (183/2005)**

Summary of consultation responses

1. The public consultation **on draft Guidelines for the development and assessment of national guides to good practice under the EC Feed Hygiene Regulation** was issued on **29 March 2007** and closed on **21 June 2007**. This was a UK-wide consultation carried out by the Food Standards Agency (FSA). The package was sent to interested parties, mainly as an email notification, as well as some postal copies.
2. The FSA is grateful to those stakeholders who responded and sets out the substantive comments received in the summary of responses table below. The full responses can be obtained by contacting the FSA Information Centre on 020 7276 8181 or email InfoCentre@foodstandards.gsi.gov.uk
3. The key proposals on which the consultation sought views were:
 - **that the guidelines form the agreed process by which national voluntary Guides to good practice provided for under Article 21 of Regulation 183/2005 are developed, assessed and recognised in the UK; and**
 - **stakeholder organisations representing feed businesses in the UK should notify the FSA if they wish to propose the development and assessment of such Guides.**
4. The FSA's considered responses to stakeholders' comments are given in the last column of the table.
5. A revised version of the Guidelines will be available on the Agency's website shortly.

Consultation Responses to Draft Guidelines for the Development and Assessment of National Guides to Good Practice under the Feed Hygiene Regulation (183/2005)

Date received	Stakeholder	Comments	FSA comments
15 June 2007	Scottish Rural Property & Business Association Limited	<ul style="list-style-type: none"> ▪ In principle, fully support the development of good practice guides as a way of improving standards within the industry. 	<ul style="list-style-type: none"> ▪ Comments noted.
18 June 2007	National Association of Agricultural Contractors (NAAC)	<ul style="list-style-type: none"> ▪ Draft Guidelines offer acceptable framework for the development of national guides. ▪ Recommend that current industry guides/codes can be recognised to save sector from “re-inventing the wheel”. ▪ NAAC has developed own assurance scheme for mobile feed contractors, taking account new EU legislation. Wishes to discuss with the FSA how NAAC assurance scheme could be developed and recognised as a national Guide to Good Practice. 	<ul style="list-style-type: none"> ▪ Comments noted. ▪ The FSA recognises the existence of industry guides/codes and has already covered this in the draft Guidelines – page 6, paragraph 22 refers. Industry guides/codes can be submitted for consultation as a national guide, but they must satisfy the criteria set out in the draft Guidelines. ▪ NAAC is invited to contact the appropriate contact person indicated in the Guidelines, in order to submit its guide/code for assessment and recognition when the guidelines are published.
20 June 2007	Agricultural Industries Confederation	<ul style="list-style-type: none"> ▪ National guides should not duplicate or contradict documents already in use by the industry detracting from improvements already made through accredited certification (e.g. UFAS, FEMAS and TASCC). 	<ul style="list-style-type: none"> ▪ The FSA recognises the existence of industry guides and has already covered this in the draft Guidelines – page 6, paragraph 22 refers. The main criteria is that national guides have to address compliance with EC Regulation 183/2005.

Consultation Responses to Draft Guidelines for the Development and Assessment of National Guides to Good Practice under the Feed Hygiene Regulation (183/2005)

		<ul style="list-style-type: none"> ▪ With reference to <i>page 7, paragraph 23 Status of Good Practice Guides</i>, the paragraph states that when a feed business is using a recognised guide this must be taken into account by an enforcement authority. With regard to enforcement, AIC is of the opinion that the FSA should give recognition to the additional status of independent audit of industry codes of practice and accreditation rather than accepting the opinion of an individual company that states they are following a code of practice. 	<ul style="list-style-type: none"> ▪ Ultimately compliance with the requirements of feed law is a matter that feed authorities are required to assess. The Agency's Feed Law Enforcement Code of Practice in GB recognises the important role external audit can play in giving confidence to feed authorities that feed business management/control systems are being implemented. • The Agency is in the process of developing practical guidance for official control bodies, which will go out to consultation in the near future. It is hoped that the guidance will reflect the role of feed assurance schemes more fully in achieving compliance.
22 June 2007	National Farmers' Union (NFU)	<ul style="list-style-type: none"> ▪ Fully support the need for clear and straightforward guidelines that help farmers understand and implement the requirements of relevant feed hygiene legislation. However, the advice in the guides must be based on risk. ▪ Agree that formal arrangements are in place to ensure that guides produced under the guidelines are officially recognised by all relevant bodies. 	<ul style="list-style-type: none"> ▪ Comments noted ▪ The draft Guidelines cover this on page 3, paragraph 4 and on page 6, paragraphs 17-20.

Consultation Responses to Draft Guidelines for the Development and Assessment of National Guides to Good Practice under the Feed Hygiene Regulation (183/2005)

		<ul style="list-style-type: none"> ▪ Draft guidelines are acceptable framework for production, assessment and status of national guides to good hygiene practice. ▪ Appropriate promotion of guides favoured as part of the process for producing guide. ▪ Geographical scope of guides should be as wide as possible (i.e. UK-wide). All devolved countries must be represented in working groups where appropriate, and differences in production practices are taken into account. The role of the working groups will be critical and must be fully representative and actively involved from the outset. ▪ Recommend that some additions are made to the draft guidelines as there appears to be no recognition within the guidelines of the roles played by, and interaction with, farm assurance schemes. ▪ Clearer indication of how membership of farm assurance schemes will be used in enforcement is needed and the distinction between legally recognised guides (applicable to all) and protocols followed only 	<ul style="list-style-type: none"> ▪ Comments noted ▪ The draft Guidelines partly cover this under the section headed "Publication and Dissemination". When national guides have been assessed and recognised the FSA will notify relevant stakeholders. ▪ The draft Guidelines cover this on page 7, paragraph 25. ▪ The FSA has amended the draft Guidelines to include a section on assurance schemes. ▪ The Agency will look at ways in which to address this issue in the practical guidance for feed enforcement authorities which is currently being developed.
--	--	--	---

Consultation Responses to Draft Guidelines for the Development and Assessment of National Guides to Good Practice under the Feed Hygiene Regulation (183/2005)

		<p>by members of assurance schemes must be maintained.</p> <ul style="list-style-type: none"> ▪ Whole farm appraisal should become key element in the enforcement and communication of the Feed Hygiene Regulation to producers. ▪ Welcome minimising regulatory burden when applying the Regulation. The Whole Farm Approach (WFA) should be used as a way to achieve the objectives without excessive administration costs. Favour closer collaboration between FSA and Defra teams responsible for hygiene implementation and the WFA. ▪ Within guidelines there is greater emphasis on feed business operators operating under Annex II. There is clearly a need for appropriate and comprehensive guidance for all feed business operators, including those that must comply with Annex I. ▪ The FSA's priority must be effective application and enforcement for primary production, including the provision for simple and straightforward advice and guidance to help producers understand their regulatory responsibilities. 	<ul style="list-style-type: none"> ▪ Comments noted. ▪ Comments noted. ▪ Page 9 of the draft Guidelines covers a section on primary production. Organisations are free to submit guides covering primary production for assessment and recognition. ▪ The FSA recognises this and is taking steps to meet this requirement. In terms of publicity, the FSA is considering an Agency website article for primary producers, targeting information via industry organisations e.g., farming
--	--	---	---

Consultation Responses to Draft Guidelines for the Development and Assessment of National Guides to Good Practice under the Feed Hygiene Regulation (183/2005)

			unions, with assistance from Defra.
28 June 2007	Assured Food Standards (AFS) – Feed Technical Advisory Committee (TAC)	<ul style="list-style-type: none"> ▪ Endorse consistent approach in producing good practice guides. ▪ Imperative that enforcement agencies are educated fully about status of good practice guides to ensure enforcement action is taken consistently and proportionately. ▪ Process should not be too bureaucratic to ensure the guides are endorsed quickly. ▪ Draft guidelines set out an acceptable framework. ▪ Advice in the guides should be based on risk. ▪ Formal arrangements should be in place to ensure that guides produced under these guidelines are officially recognised by all relevant bodies. ▪ Important that all operators and enforcers are fully aware of the status of a guide. Use and understanding of the guide must be consistent across the country. Appropriate promotion must be a required part of the process in producing the guides. ▪ The scope, content and structure of the guidelines are adequate and appropriate. However, there appears to be more focus on 	<ul style="list-style-type: none"> ▪ Comments noted. ▪ Comments noted. ▪ Comments noted. ▪ Comments noted. ▪ Comments noted. ▪ The draft Guidelines explain this process on page 3, paragraph 4 and on page 6, paragraphs 17-20. ▪ The draft Guidelines partly cover this under the section headed “Publication and Dissemination”. When guides are assessed and recognised the FSA will notify relevant stakeholders. ▪ This reflects the comments made by NFU, FSA response is as above.

Consultation Responses to Draft Guidelines for the Development and Assessment of National Guides to Good Practice under the Feed Hygiene Regulation (183/2005)

		<p>feed business operators who would need to comply with the Annex II requirements. Adequate guidance for other feed business operators is also imperative.</p> <ul style="list-style-type: none"> ▪ Points out that there is no recognition within guidelines of the roles played by, and interaction with, farm assurance schemes. Members of assurance schemes must be able to demonstrate that they have fulfilled their responsibilities under Regulation 183/2005 by following the good hygiene practices in the scheme protocols. ▪ Recommend that the FSA provides enforcement bodies with a clear indication of how membership of schemes will be used in focusing enforcement inspections as required under Regulation 183/2005 so that assured farmers are considered low risk in the same way that has been done for the General Food Hygiene Regulations. ▪ Distinction between legally recognised guides (applicable to all) and protocols followed only by members of assurance schemes must be maintained. 	<ul style="list-style-type: none"> • This reflects the comments made by NFU, FSA response is as above. • Annex 5 of the Feed Law Enforcement Code of Practice acknowledges the important role feed assurance schemes play in achieving compliance with feed law. This will be emphasised in the practical guidance for feed authorities currently being drafted by the Agency. ▪ Comments noted.
2 July 2007	Local Authority Coordinating Regulatory Services	<ul style="list-style-type: none"> ▪ The draft guidelines cover all the necessary aspects. 	<ul style="list-style-type: none"> ▪ Comments noted.

Consultation Responses to Draft Guidelines for the Development and Assessment of National Guides to Good Practice under the Feed Hygiene Regulation (183/2005)

		<ul style="list-style-type: none">▪ UK trade interest are best placed to answer the specific questions posed in paragraphs 8 and 9 of the covering letter, which ask if the draft guidelines set out an acceptable framework for the development, assessment and recognition of national voluntary guides to good practice and whether the advice on the scope, content and structure of guides is adequate and appropriate. Paragraph 9 contains initial instructions for those who wish to develop a national guide.	<ul style="list-style-type: none">▪ Comments noted.
--	--	--	---