



# **Temporary Operational Instruction**

**Action note: 2026-01-14 - Chapter 7 of the  
Manual for Official Controls (MOC):  
Enforcement Procedures for Animal By-  
Products (ABP) and Schedule 2 of  
Transmissible Spongiform Encephalopathy  
(TSE) Legislation in England and Wales**

## **Purpose**

This action note is to inform staff of the enforcement responsibilities and procedures relating to contraventions of the Animal By-Products (ABP) Regulations and Schedule 2 of the Transmissible Spongiform Encephalopathies (TSE) Regulations.

The Food Standards Agency (FSA) is not cited as a Competent Authority (CA) for enforcement of these regulations, except for staining of ABPs under Regulation 10 of the domestic ABP Regulations and SRM controls under Schedule 7 and Annex V of the domestic and assimilated TSE legislation respectively.

## Background

The FSA does not hold policy responsibility for the assimilated ABP Regulations (except for staining) or for Schedule 2 of the TSE Regulations. These responsibilities lie with:

- Defra in England
- Welsh Government (WG) in Wales

FSA-employed and contracted enforcement officers may provide verbal advice as appropriate. However, all written advice, formal enforcement notices and referrals for investigation must be signed and issued by Defra in England and WG in Wales.

## Procedure

### **1. Escalation by Contracted OVs (cOVs)**

Enforcement issues identified during slaughterhouse operations or at unannounced inspections/FBO audits must be escalated to the Veterinary Enforcement Delivery Manager (VEDM), as per current procedures.

Use the appropriate Defra or Welsh Government letterhead or notice template, as applicable. Relevant documents can be found in Annex 1.

For animal by-product contraventions, do not reference food waste breaches under the Hygiene Regulations. Food waste-related contraventions can be set out on a separate FSA headed letter or notice.

The VEDM will review the enforcement document and supporting evidence and forward the case to Defra or the Welsh Government for decision-making and signing. Once signed, the letter will be returned to the Service Delivery Partner in accordance with current procedures.

## **2. Escalation by FSA Authorised Officers (AO)**

Enforcement proposals must be sent to the VEDM team via [enf.delivery@food.gov.uk](mailto:enf.delivery@food.gov.uk).

- For Unannounced Inspection (UAI) cases, the enforcement documentation will first be reviewed by the Field Veterinary Coordinator (FVC).
- For FSA audits, auditors should initially contact the Audit Veterinary Lead for guidance, if required.

The VEDM will review the enforcement document and supporting evidence and forward the case to Defra or the Welsh Government for decision-making and signing. The VEDM may contact the Authorised Officer (AO) for any clarification, if required.

Defra and Welsh Government aim to respond within 48 hours, unless a faster turnaround is requested. Once signed, enforcement documents will be returned to [enf.delivery@food.gov.uk](mailto:enf.delivery@food.gov.uk) and the originating officer.

### **Submission Requirements for FSA AOs**

When escalating an enforcement case, the FSA Authorised Officer must email [enf.delivery@food.gov.uk](mailto:enf.delivery@food.gov.uk) with the following:

- The draft enforcement document
- Supporting evidence to justify the enforcement decision, which may include:
  - Photographs/videos

- Policies/procedures
- Site plans/maps
- Any other relevant documentation

### **Important Notes**

- For ABP breaches, only cite contraventions of ABP Regulations. Do not reference Hygiene Regulation or TSE Regulation breaches.
- Use the correct letterhead or notice for Defra or Welsh Government (letterheads and notices are available in Annex 1).
- Do not sign the enforcement document.
- Use the following format to describe contraventions in letters:

“On [insert date(s) and time(s)], during the Unannounced Inspection (UAI) / Audit of the Food Business Operator’s Food Safety Management System (FBO audit) carried out by [insert name and title], the following contravention(s) was/were observed:”

- Email Subject Line Format:

REGION; Enforcement Document Reference Number (ABPs)

Example: NORTH; 1234-WA-2025-01(ABPs)

- Include relevant plant details in the email, e.g.:
  - Type of activities undertaken
  - Animal species handled
  - Throughput figures
  - Any other relevant operational information

**Referrals for Investigation (RFI):**

England:

- For ABP and TSE (Schedule 2)-related matters, complete a DIS34 form with the relevant information. Do not use the ENF 11/6 for RFI related to ABP Regulations.
- Defra policy officials will review the submitted material and may refer the case to the Defra Fraud and Investigations Team.
- Any resulting investigations will be led by Defra, with consultancy support from the FSA as required.

Wales:

For ABP and TSE (Schedule 2) matters in Wales, complete an ENF 11/6 (Welsh Government) form with the relevant information.

## **Front line staff are required to note the following action**

Note the contents of the action note, ensuring it is read by all front-line staff.

Where necessary, print a copy for the plant file.

## **Distribution**

This action note will be:

- uploaded to the [Temporary Operational Instruction Folder held in the MOC area of SharePoint](#) (accessible only on an official FSA device)

- logged on the [Temporary Operational Instruction tracker](#) (accessible only on an official FSA device)
- published alongside the [MOC chapters on food.gov.uk](#)

The action note will remain live until either incorporated into the MOC or revoked.

Action note drafted by and date	Action note agreed by and date	Published and date
21/11/2025 CG/JR	18/12/2025 RPM	15/01/2025

# Annex

## England forms

- Letterhead.
- ENF 11-12 E
- ENF 11-13 E
- ENF 11-14 E
- DIS 34 RFI

## Wales forms

- Letterhead.
- ENF 11-12 W
- ENF 11-13 W
- ENF 11-14 W
- ENF 11-6 (Welsh Government)