

National Enforcement Priorities for England and Wales

**Feed law enforcement and food
hygiene law enforcement at primary
production**

March 2022

Contents

Summary	3
Legal status	3
Who is this publication for?	3
Review date	3
Main points	3
Introduction	4
National Priorities 2022/23	5
Animal Feed Priorities	7
Priority 1: Verification of effective implementation and maintenance of feed safety management systems	7
Priority 2: Verification of effective implementation and maintenance of feed safety management systems at businesses supplying former foodstuffs or co-products	8
Priority 3: Effective monitoring of feed on farms	9
Priority 4: Effective monitoring of storage arrangements at feed premises	10
Priority 5: Verification of the accuracy of feed labelling	10
Priority 6: Effective monitoring of consignments of feed originating from non-EU countries, at points of entry	11
Food Hygiene Primary Production Priorities	12
Priority 7: Effective identification, registration and inspection of food businesses producing higher-risk fresh produce operating at the level of primary production	12
Guidance	13
Animal Feed	13
Industry Standards	15
Imported Feed	16
Food Hygiene Primary Production	16

Summary

This publication aims to guide local authority (LA) enforcement officers in England and Wales in the prioritisation of the delivery of official controls for:

- feed (at all stages of production, processing, storage, transportation and distribution including import/export and the primary production of feed) and
- food hygiene at primary production.

Legal status

The National Enforcement Priorities (NEPs) should be considered alongside the [Feed Law Code of Practice and Food Law Code of Practice and respective practice guidance](#). Links to legislation and guidance to support LAs to embed these priorities within their annual plan of official feed and food controls can be found within this document.

The following priorities are intended to support LAs to focus their official controls conducted at the frequency set out in the Feed and Food Law Codes of Practice.

Who is this publication for?

This document is primarily intended for LA enforcement officers. However, it will also be of interest to all feed business operators and those food business operators at the level of primary production and the FSA approved industry assurance schemes and private sector assurance bodies. Please note that some links in the document are only available to LA enforcement officers.

Review date

This document will be reviewed before March 2023.

Main points

This document sets out the Food Standards Agency's (FSA's):

- National Enforcement Priorities for England and Wales, in respect of animal feed at all levels of production and/or supply and food hygiene at the level of primary production
- expectations of LAs to implement, where relevant, these priorities in the course of delivering their intervention programme

Introduction

The objectives of the priorities are to:

- drive an intelligence led approach to official controls, focusing resources on higher-risk and non-compliant businesses, placing an increased focus on outcomes
- maintain a level playing field for compliant food and feed businesses, which is in the interests of industry as a whole and supports trade in feed and food
- reduce unnecessary burdens by focusing LA activity on agreed areas of greatest threat to public and animal health
- drive up the quality and consistency of official controls
- realise our [commitment to ensuring food is safe and what it says it is](#)

The priorities:

- have been informed by the 2021 review of the UK Animal Feed Threat Assessment 2019 (AFTA 2019)
- have been developed in consultation with feed industry and LA representatives; National Trading Standards ([NTS](#)); the National Agriculture Panel (NAP) and National Animal Feed at Ports Panel (NAFPP) members
- support our mission to safeguard public and animal health by driving up sustained improvements in compliance, through intelligence led enforcement
- support the intelligence led approach outlined in the [Food Law Code of Practice](#) for the prioritisation of interventions in food businesses operating at the level of primary production

The gathering and exchange of information, data and intelligence between competent authorities, central government departments and industry, including FSA approved assurance schemes, is a key element to an effective risk-based system of official feed and food controls.

LAs are expected to ensure effective information sharing, communication and exchange of intelligence in accordance with the Feed and Food Law Codes of Practice and Practice Guidance. The proactive use of recognised trading standards national intelligence databases (such as [IDB](#) and Memex) is considered key for the recording and sharing of intelligence. LAs should share all intelligence they become aware of in relation to known or suspected cases of food and/or feed fraud, including historic cases, with the [National Food Crime Unit](#) (NFCU).

National Priorities 2022/23

The priorities are not listed in any particular order; the numbering is for reference only.

Animal Feed Priorities

Priority 1: Verification of effective implementation and maintenance of feed safety management systems

Priority 2: Verification of effective implementation and maintenance of feed safety management systems at businesses supplying former foodstuffs or co-products

Priority 3: Effective monitoring of feed on farms

a: Examination of former foodstuffs / co-products being used for feed on farms

b: On-farm record keeping requirements & documented procedures

Priority 4: Effective monitoring of storage arrangements at feed premises

Priority 5: Verification of the accuracy of feed labelling

Priority 6: Effective monitoring of consignments of feed originating from non-EU countries, at points of entry

Food Hygiene at Primary Production Priorities

Priority 7: Effective identification, registration and inspection of food businesses producing higher-risk, fresh produce operating at the level of primary production

Further information on each priority is provided in the sections below.

Animal Feed Priorities

Priority 1: Verification of effective implementation and maintenance of feed safety management systems

LAs are expected to give priority to verifying feed safety management systems including permanent written procedures based on Hazard Analysis and Critical Control Point (HACCP) principles. This includes ensuring Feed Business Operators (FeBOs) understand legal requirements, are implementing, maintaining and reviewing, as appropriate, their feed safety management systems and HACCP plans, having regard to the nature, size and scale of the business. Where a business has a [primary authority](#) relationship, verification of compliance must take account of any primary authority assured advice issued and any active inspection plan.

This should include a focus on the following:

- a) identification of hazards, ensuring all steps in the process have been considered and any grouping of steps (e.g. consideration of individual ingredients) is appropriate and not done in such a way that hazards are overlooked or risk-assessed incorrectly
- b) where a hazard is not adequately controlled by a prerequisite procedure, Critical Control Points (CCPs) are correctly identified, properly defined and effectively controlled in a timely manner. (NB. In relation to raw pet food CCPs should include safe sourcing)
- c) establishing that appropriate systems are in place to minimise cross-contamination between batches of feed, particularly in respect of those containing coccidiostats, veterinary medicines or feed [additives](#) with maximum permitted levels for any target species
- d) appropriate sampling programmes at the feed business are in place to verify compliance with maximum levels of undesirable substances in feed materials and feed additives. Checks should include an examination of analytical results and consideration of whether appropriate action has been taken

- e) scrutinising traceability systems to ensure that product
 - i) can effectively be traced in the event of a product recall or withdrawal
 - ii) not intended for feed use is not diverted into the feed/food chain

Priority 2: Verification of effective implementation and maintenance of feed safety management systems at businesses supplying former foodstuffs or co-products

Every year in the UK, around [650,000 tonnes of former foodstuffs are processed as animal feed, worth £110 million](#). Where former foodstuffs intended for use in feed are delivered with packaging, it must undergo further treatment to remove the packaging before being used as feed. This process is often carried out at a specialist former foodstuffs processing premises.

NTS have produced [toolkits](#) to support LA officers in relation to businesses supplying former foodstuffs and co-products.

LAs are expected to give priority to the verification of effective feed safety management systems including permanent written procedures based on HACCP principles at businesses supplying former foodstuffs or co-products. Where a business has a [primary authority](#) relationship, verification of compliance must take account of any primary authority assured advice issued and any active inspection plan.

In addition to the points covered by Priority 1, this should include a focus on the following:

- a) the identification of control points to ensure that material is suitable for use as animal feed, for example feed for farmed animals does not include items such as meat, fish and shellfish (including products containing them or that have been in contact with them)
- b) appropriate segregation of material not intended for use as feed
- c) the existence of an appropriate recorded training programme for staff in charge of dealing with former foodstuffs

- d) material is only supplied to a registered feed business
- e) suppliers and hauliers in the chain of processing former foodstuffs to feed and co-products are all registered as feed businesses

Priority 3: Effective monitoring of feed on farms

3a: Examination of former foodstuffs / co-products being used for feed on farms

LAs are expected to examine, where applicable that any former foodstuff or co-product being used for feed on farms:

- a) is not contaminated
- b) does not contain prohibited substances as listed in Annex III of [Retained EU Regulation 767/2009](#) on the placing on the market and use of feed
- c) is being sourced from a registered feed business establishment

3b: On-farm record keeping requirements & documented procedures

Compliance with the record keeping requirements detailed in Annexes I and II of [Retained EU Regulation 183/2005](#) laying down requirements for feed hygiene, should be examined on farms, including:

Annex I

- 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.

and, in addition, for farms subject to the requirements of Annex II (R10):

- a) traceability records in relation to purchased feeds, with a particular focus on feed additives and/or premixtures

- b) documented procedures based on the principles of HACCP

Priority 4: Effective monitoring of storage arrangements at feed premises

At all stages of the feed chain suitable storage and product identification is necessary to prevent the introduction of hazards to feed.

LAs are expected to give priority to:

- a) ensure separation of feed materials and additives from finished feed
- b) feed kept separate from any non feed materials such as plant protection products, cleaning chemicals and waste etc. that could contaminate the feed
- c) that facilities are secure from external hazards e.g. rain, sewage and other sources of contamination
- d) the suitability and cleanliness of containers for feed, where used
- e) ensure feed in storage is readily identifiable

Priority 5: Verification of the accuracy of feed labelling

Information on feed labels is essential to enable FeBOs, throughout the feed chain, to make appropriate use of material used in the manufacture of feed or for direct feeding and for traceability in the event of a product recall or withdrawal.

LAs are expected to give priority to:

- a) verifying additives present in feed are authorised (included in [the register of feed additive authorisations for Great Britain](#)) in line with [Retained EU Regulation 1831/2003](#) on additives for use in animal nutrition
- b) verifying the accuracy of claims as set out in Article 13 of [Retained EU Regulation 767/2009](#) on the placing on the market and use of feed
- c) ensuring the traceability information is sufficient and accurate to identify the supplier of the feed and enable confirmation that the feed supplied matches the description purchased

Priority 6: Effective monitoring of consignments of feed originating from non-EU countries, at points of entry

Imported feed makes up a significant proportion of feed used in the UK. To support a consistent and risk-based approach to monitoring imports LAs are expected to give priority to monitoring irregular consignments of feed originating from non-EU countries (including feed that has transited through the EU), in consideration of:

- a) [NTS guidance](#) on consistency and prioritisation of the delivery of official controls at points of entry
- b) sampling consignments which have not been sampled recently or have not been seen before at the point of entry or where there is reason to believe they might fail to comply with legal requirements
- c) the Risk Likelihood Dashboard for [\(England\)](#) and [\(Wales\)](#)

Food Hygiene Primary Production Priorities

Priority 7: Effective identification, registration and inspection of food businesses producing higher-risk fresh produce operating at the level of primary production

LAs are expected to give priority to the identification, registration and inspection of food businesses producing higher-risk fresh produce operating at the level of primary production. Some examples are given to illustrate each category, however these are not intended to be an exhaustive list and LAs are advised to use their professional judgement.

These are:

- a) producers of soft fruits and berries, for example raspberries, blackberries, mulberries, loganberries and strawberries, for which a thorough wash post-harvest will be difficult to achieve without damaging the produce
- b) producers of leafy greens and salad fruit and vegetables
 - i) normally eaten raw, for example lettuce, micro leaves, baby leaves, watercress, spinach, herbs and cucumbers
 - ii) that have a short seed to harvest time meaning that they are likely to be harvested within 2 weeks of last irrigation. If irrigation water is contaminated, this contamination will not have had time to dissipate in short harvest crops
- c) producers of bulb and root vegetables, or vegetables with no protective skin, that are commonly consumed raw, for example salad onions, radishes and celery

Guidance

Animal Feed

Food Standards Agency (FSA)

[Animal feed legislation](#)

[Removal of food grade packaging material in surplus food into the feed chain](#)

[Guidance on HACCP-related requirements for farmers](#)

National Trading Standards (NTS)

[Co-producers and suppliers of surplus food](#)

Advisory Committee on Animal Feedingstuffs (ACAF)

[Review of on-farm feeding practices](#) - updated recommendations on identifying hazards and minimising risks

Animal and Plant Health Agency (APHA)

[How food businesses must dispose of food and former foodstuffs](#)

Department for Environment, Food & Rural Affairs (Defra)

[Code of Practice for the Control of Salmonella](#) during the Production, Storage and Transport of Compound Feeds, Premixtures, Feed Materials and Feed Additives

British Standards Institution (BSI)

[Prerequisite programmes for food safety in the manufacture of food and feed for animals](#)

Food and Agriculture Organization of the United Nations (FAO) and International Feed Industry Federation (IFIF)

[Good Practices for the Feed Sector](#) implementing the [Codex Alimentarius Standards](#)
Code of Practice on good animal feeding

European Commission

[Guides to Good Practice](#) developed in accordance with Article 22 of Retained EU
[Regulation 183/2005](#) laying down requirements for feed hygiene

- [Community guide to good practice for the EU industrial compound feed and premixtures manufacturing sector for food-producing animals](#) (The European Feed Manufacturers' Federation - FEFAC)
- [Community guide to good practice for feed additive and premixture operators](#) (The Quality and Safety System for Speciality Feed Ingredients -FAMI-QS)
- [Guide to good practice for the manufacture of safe pet foods](#) (The European Pet Food Industry - FEDIAF)
- [European Guide to good practice for the industrial manufacture of safe feed materials](#)
 - [The manufacturing of safe feed materials from starch processing](#)
 - [The manufacturing of safe feed materials from oilseed crushing and vegetable oil refining](#)
 - [The manufacturing of safe feed materials from biodiesel processing](#)
 - Salmonella [auditor checklist](#) and [factsheet](#)
- [European Guide to Good Hygiene Practices for the collection, storage, trading and transport of cereals, oilseeds, protein crops, other plant products and products derived thereof](#)

[Guides to Good Practice](#) developed in accordance with Article 26 of Retained EU
[Regulation 767/2009](#) on the placing on the market and use of feed

- [EU Code of good labelling practice for compound feed for food producing animals \(FEFAC\)](#)
- [Code of Good Labelling Practice for Pet Food \(FEDIAF\)](#)

Industry Standards

Agricultural Industries Confederation (AIC)

[Feed Material Assurance Scheme Standards](#) (FEMAS)

[Trade Assurance Scheme for Combinable Crops](#) (TASCC)

[Universal Feed Assurance Scheme](#) (UFAS)

[BRC Voluntary Module 9](#) – Management of Food Materials for Animal Feed

Red Tractor

[Assured Food Standards](#)

Farm Assured Welsh Livestock

[Welsh Lamb and Beef Producers Ltd](#)

Imported Feed

Food Standards Agency (FSA)

[Effective Import Controls for food and feed not of animal origin at smaller seaports and airports](#)

Association of Chief Trading Standards Officers (ACTSO)

[Sharing information and intelligence to support delivery of imported feed controls](#)

Animal and Plant Health Agency (APHA)

[UK border control posts: animal and animal product imports](#)

Food Hygiene Primary Production

Food Standards Agency (FSA)

[Primary production food hygiene inspection guidance](#)

Links to information sources that may assist the identification of primary producers in your area

[Defra – Structure of the agriculture industry in England and the UK at June](#)

[Defra – Agriculture in the UK](#)

[Environment Agency – map of water abstraction licenses](#)

[Agriculture and horticulture development board \(AHDB\)](#)

[British growers association](#)

[Pick your own farms](#)

© Crown copyright 2022

This publication (not including logos) is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

To view this licence:

visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3

email psi@nationalarchives.gov.uk

write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

About this publication:

download <https://www.food.gov.uk/business-guidance/national-enforcement-priorities-for-animal-feed-and-food-hygiene>

Reference: FSA-NEPS-2022



Follow us on Twitter [@foodgov](https://twitter.com/foodgov)



Find us on Facebook facebook.com/FoodStandardsAgency