

To: Interested Parties on the Attached List

19 November 2007

Reference: AFC0090

Dear Stakeholder

ARTICLE 18(3) OF THE EC FEED HYGIENE REGULATION

1. This letter explains how feed businesses can comply with the Article 18(3) provision of the EC Feed Hygiene Regulation (183/2005), which requires certain feed businesses (see paragraph 5 below) to state by 1 January 2008, that they comply with the conditions of the Regulation. It applies to those businesses, including farms, which were not subject to the previous legislation (Directive 95/69/EC).

Background

2. The Food Standards Agency (FSA) wrote to stakeholders on 14 November 2005 about the introduction of the Feed Hygiene Regulation, including approval and registration requirements and since then the Agency has provided various updates. Copies of this guidance can be downloaded from the Agency's website at:

<http://www.food.gov.uk/scotland/regsscotland/regsguidscot/>

3. The Regulation requires feed businesses to comply with various requirements including those set out in the Annexes to the Regulation. These requirements relate to standards concerning facilities and equipment, personnel, storage and transport, and record-keeping. Feed Businesses (except most farms) also have to apply a feed safety management system based on the principles of Hazard Analysis Critical Control Points (HACCP).

4. Feed Businesses previously approved or registered under Directive 95/69/EC were required to comply with these requirements by 1 January 2006. These businesses are mainly those that manufacture, market or use certain additives or premixtures containing those additives. This included farms that mixed feed containing additives.

5. Other feed businesses have until 1 January 2008 to comply with the requirements of the Feed Hygiene Regulation. These businesses include, for example, feed importers, merchants, hauliers, food businesses that provide co-

products to the feed industry, livestock farms (other than on-farm mixers but including fish farms) and arable farms selling crops for feed use. Article 18(3) of the Regulation requires such businesses to make a statement of compliance to the competent authority that the relevant requirements in the Regulation are being met. A similar requirement was also included in Directive 95/69/EC and provided information to the competent authorities about feed businesses' compliance with the Directive.

Guidance

6. To help businesses comply with Article 18(3), the Agency has prepared guidance and a statement of compliance template, which are attached to this letter. A copy of this documentation (including guidance for farmers) will be placed on the Agency's website today and will be found at the link address provided in paragraph 2.

7. A copy of Regulation 183/2005 and further information on its requirements are available to view on the Agency's website also at the link address provided in paragraph 2 (click on "Guidance for farmers on the new Feed Hygiene Regulation" and see the link at the foot of the page for a copy of the Regulation).

8. In Scotland, a statement of compliance should be made to local authorities trading standards departments who enforce the provisions of the Regulation. The attached guidance provides a website link to a list of such authorities.

Request

9. We would be grateful if industry organisations would alert their members to the requirement to make a statement of compliance under Article 18(3) by 1 January 2008 and draw their attention to the guidance available. Please feel free to draw on the information in this letter and attachments for use in any briefings or newsletters for your members.

Further Guidance

10. If you have any questions on the issues raised in this letter please do not hesitate to contact me.

Yours faithfully



Stewart Herd
Animal Food Chain and Novel Foods Branch

List of Interested Parties

ABP Scotland
Agriculture Industries Confederation (AIC)
AIC Scottish Council
Allied Distillers
Alsop Transport Services
Animal Health Distributors Association (UK) Ltd
Association of Meat Inspectors
Association of Public Analysts of Scotland
Assured Chicken Production (ACP)
Barbour Index
Biotechnology and Biological Sciences Research Council
British Egg Industry Council
British Egg Products Association
British Goat Society
British Marine Finfish Association
British Poultry Council
British Trout Association
British Veterinary Association
Business Gateway Aberdeen
Caledonian Cheese Company
Campden & Chorleywood Food Research Association Group
Chilled Food Association Ltd
Commercial Microbiology Ltd
Co-operative Group (CWS) Ltd
COSLA (Edinburgh)
Dairy UK – Scotland
Davidson Bros (Shotts) Ltd
Diageo
Dundee College
Edinburgh Smoked Salmon
Express Dairies Direct Service
Falkirk Council Development Services
Federation of Small Businesses Scotland
First Milk
Fisheries Research Services
Food Certification (Scotland) Ltd
Food Training and Consulting Company
FRS Marine Laboratory
Fusion Linking
Glasgow Caledonian University
Glasgow Metropolitan College
Glasgow Scientific Services
Glasgow University Veterinary School
Glengorm Estate
Glenside Organics
Grampian Country Food Group
Green City Wholefoods
Greenpeace
Greggs, Scotland
Guinness UDV
Halal Food Authority
Harbro Farm Sales Ltd
Highland Cattle Society
Highlands & Islands Enterprise
Independent Farming Group Scotland
Institute of Auctioneers and Appraisers in Scotland
James Finlay Ltd
Lacors
Landcatch Ltd
Macaulay Land Research Institute
Malt Distillers Association of Scotland
Marks & Spencer
McAusland Cranford
Meat & Livestock Commission
Moray Seafood Ltd
Moredun Research Institute
Napier University
National Beef Association
National Beef Association, Scottish Council
Natural Environmental Research Council
Neogen Europe Ltd
NFU Scotland
North Atlantic Fisheries College
Organic Food Federation
Orkney Meat Ltd
Puremalt Products Ltd
Quality Meat Scotland
Quality Trout UK Ltd
Road Haulage Association Ltd
Robert Gordon University
Robert Wiseman Dairies
Rowett Research Institute
REHIS
Royal Society of Edinburgh
ruma
Sanquhar Academy
Scotch Whisky Association
SCOTSS
Scottish Agriculture College
Scottish Association of Master Bakers
Scottish Beef Cattle Association
Scottish Chambers of Commerce
Scottish Civic Forum
Scottish Consumer Council

Scottish Council for Development and Industry
Scottish Crofting Foundation
Scottish Crop Research Institute
Scottish Egg Producer Retailers Association
Scottish Enterprise
Scottish Environment Protection Agency
Scottish Environmental Research Centre
Scottish Government, Animal Health & Welfare Branch
Scottish Federation of Meat Traders Association
Scottish Flour Millers Association
Scottish Food & Drink Federation
Scottish Food Quality Certification Ltd
Scottish Food Safety Officers Association
Scottish Gamekeepers Association
Scottish Retail Consortium
Scottish Rural Property and Business Association
Scottish Salmon Producers Organisation
Scottish Salmon Smokers Association
Scottish Sea Farms Ltd

Scottish Seed & Nursery Trade Association
Scottish Water
Sea Fish Industry Authority
Shetland Aquaculture
Shetland Seafood Quality Control
SIMBOIS
Society of Environmental Health in Scotland
Spitfire Resources
Strathaird Salmon Ltd
SWRI
Tesco Stores Ltd
Trading Standards Institute
UK Association of Frozen Food Producers
United Fish Products
University of Aberdeen
University of Glasgow
University of Paisley
USDAW
Verner Wheelock Associates
W Forrest & Sons Ltd

+ 3 members of the public