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HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office

DG(SANCO) 2012-6340 - MR FINAL

FINAL REPORT OF AN AUDIT

CARRIED OUT IN

MEXICO

FROM 29 MAY TO 08 JUNE 2012

IN ORDER TO EVALUATE THE OPERATION OF CONTROLS OVER THE PRODUCTION OF FRESH HORSE MEAT AND MEAT PRODUCTS INTENDED FOR EXPORT TO THE EUROPEAN UNION AS WELL AS CERTIFICATION PROCEDURES

Executive Summary

The report describes the outcome of an audit carried out by the Food and Veterinary Office (FVO) in Mexico from 29 May to 8 June 2012. The objective of the audit was to evaluate the measures taken by the Mexican authorities to provide adequate guarantees for food safety and public health in relation to exports of horse meat and meat products to the European Union (EU) and to address the deficiencies, the conclusions and recommendations of previous FVO audit reports, in particular report DG(SANCO)2010-8524, (hereafter referred to as audit 2010-8524).

The organisation of the Competent Authority (CA) remains unchanged since the audit 2010-8524 and the system of official controls is well documented. The relevant national legislation is basically unchanged but the implementing regulation on traceability was recently published for comments. The CCA informed the FVO audit team that identification of horses in the present text will be on a voluntarily basis which is contrary to what was earlier indicated during the audit DG(SANCO)2011-8906 on residues in November 2011, (hereafter referred to as audit 2011-8906).

The establishments visited were found to be generally compliant with the legal requirements but the present listing of two slaughterhouses also for meat products was explained by the food business operators (FBOs) to be a mistake as there were no facilities or equipment and the FBOs did not have the intention to produce such products. The CCA informed the FVO audit team at the final meeting that this will be corrected, which was later confirmed by e-mail to the FVO. The follow-up by the CAs of the suspension of certification for three establishments after the audit 2010-8524 was well documented and included involvement by the CCA on the spot before lifting the suspensions.

The official controls on live horses, holding registration and animal identification are in place and some improvements have been noticed with regard to import controls and communication of the import findings. Discrepancies were noted in the registered statistics concerning the number of imported horses and slaughtered imported horses. Similarly there were discrepancies noted in the registered statistics as regards the number of identified and registered Mexican horses versus the number of Mexican horses received through approved acopios and slaughtered, in particular for 2010. However, the systems in place for identification, the food chain information and in particular the affidavits concerning the non-treatment for six months with certain medical substances, both for the horses imported from the US as well as for the Mexican horses are insufficient to guarantee that standards equivalent to those provided for by EU legislation are applied. This is mainly due to the absence of a verification by the CAs of the validity and authenticity of the affidavits and that the live horses covered by these affidavits are normally not clearly identifiable until a few days before slaughter.

As regards the official controls in establishments, some deficiencies were noted as regards post-mortem examinations but the examinations for Trichinella were acceptable. Compliance with general and specific hygiene requirements was generally acceptable. The production hygiene and the controls done by the FBOs were of an acceptable standard.

Certification for the export of fresh equine meat to the EU was in line with the requirements of Council Directive 96/93/EC.

As regards the specific follow-up to audit 2010-8524 it can be noted that one recommendation has already been followed-up during audit 2011-8906 and for the other three recommendations two have been fully addressed and one partly addressed as there still remains some issues mainly regarding the post-mortem examination.

A number of recommendations have been made to the CA with a view to addressing the deficiencies identified during this audit.

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Abbreviations and definitions used in this report

Abbreviation	Explanation
CA(s)	Competent Authority(ies)
CCA	Central Competent Authority (SENASICA, see below)
CCP	Critical Control Point
DG(SANCO)	Health & Consumers Directorate General
EC	European Community(ies)
EU	European Union
FBO(s)	Food Business Operator(s)
FVO	Food and Veterinary Office
HACCP	Hazard Analysis of Critical Control Points
Hygiene Package	Regulations (EC) No 852/2004, No 853/2004 and No 854/2004
NOM	*Norma Oficial Mexicana* (National Legislation)
OIC	*Organo Interno de Control* (Internal Control Unit for internal audits)
OISA	*Oficina de Inspeccion de Sanidad Agropecuaria* (Border Inspection office)
OV	Official Veterinarian
SAGARPA	*Secretaria de Agricultura, Ganaderia, Desarollo Rural, Pesca y Alimentación* (Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food)
SENASICA	*Servicio Nacional de Sanidad, Inocuidad y Calidad Agroalimentaria* (National Service for Health, Food Safety and Food Quality)
SINIIGA	*Sistema Nacional de Identification Individual del Ganado* (Organisation for the identification of livestock)
SS	State Supervisor
TIF	*Tipo Inspeccion Federal* (Federal Inspection Type, for establishments with industrial capacity and approved for export)
US	United States of America
USDA	United States Department of Agriculture

1 Introduction

The audit took place in Mexico from 29 May to 8 June 2012 as part of the planned audit programme of the FVO. The audit team comprised 2 auditors from the FVO.

The FVO audit team was accompanied by representatives from the CCA, the National Service for Health, Food Safety and Food Quality (*Servicio Nacional de Sanidad, Inocuidad y Calidad Agroalimentaria,* - SENASICA) of the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food (*Secretaria de Agricultura, Ganaderia, Desarollo Rural, Pesca y Alimentación* -SAGARPA).

The opening meeting was held on 29 May 2012 with the CCA in Mexico City. At this meeting the FVO audit team confirmed the objectives of, and itinerary for the audit, and additional information required for the satisfactory completion of the audit was requested.

2 Objectives

The objective of the audit was to evaluate the measures taken by the Mexican authorities to provide adequate guarantees for food safety and public health in relation to exports of horse meat and meat products to the EU and to address the deficiencies, the conclusions and recommendations of previous FVO audit reports, in particular report 2010-8524.

The audit focussed in particular on:

- the public health controls systems in place over the production of horse meat including animal welfare during slaughter, sampling programmes and testing for *Trichinella* intended for export to the EU;
- the public health controls systems in place over meat products intended for export to the EU;
- the traceability systems in place for the production of horse meat, including controls over the registration of holdings, animal identification and the movements of animals necessary for certification in accordance with the requirements of Regulation (EU) No 206/2010;
- the correct implementation of the chain of certification.

In particular, controls over the production of horse meat and meat products in the framework of Regulations (EC) No 178/2002, No 852/2004, No 853/2004, No 854/2004 and No 882/2004 were subject to this evaluation. In pursuit of these objectives, the audit itinerary included the following:

COMPETENT AUTHORITIES			Comments
Competent Authorities	Central	1	
	Regional	3	Officials met during visits to individual establishments
	Local	5	
FOOD PRODUCTION / PROCESSING / DISTRIBUTION – ACTIVITIES			
Slaughterhouses		4	
Cutting premises		4	Integrated with the slaughterhouses
Meat product establishments		1	
Laboratories		4	Integrated with the slaughterhouses

3 Legal Basis

The audit was carried out under the general provisions of EU legislation and, in particular Article 46 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

N.B. Full legal references are provided in Annex 1. Legal acts quoted in this report refer, where applicable, to the latest amended version.

4 Background

Information regarding the animal health situation in Mexico can be found at the World Organisation for Animal Health (OIE) website:

http://web.oie.int/wahis/public.php?page=home

Further specific information regarding the animal health situation in relation to horses can be found in the FVO report DG(SANCO)/2012-6387 which is accessible at the web-site indicated below.

The table below provides statistics on exports to the EU as well as the origin of the horses slaughtered for potential export to the EU:

	Origin of live horses			Meat exported to EU (in tonnes)
	USA	MX	Total	
2010	73 173	7 126	82 309	8 085
2011	76 087	18 910	94 997	8 072
2012 (Jan-April)	27 190	8 632	35 822	3 154

(Data provided by the CCA based on info from FBOs)

The previous audit concerning the safety of food of animal origin in Mexico was carried out from 22 November to 3 December 2010, the results of which are described in report 2010-8524. This report is accessible at:

http://ec.europa.eu/food/fvo/ir_search_en.cfm

The action plan received from the Mexican authorities provided satisfactory guarantees in response to the report's four recommendations:

- to ensure that only establishments in line with the relevant EU requirements are included in the list of establishments authorised for export to the EU;
- to ensure that the hygiene requirements during slaughter and cutting are complied with;
- to ensure that post-mortem examinations are carried out in line with the requirements and

that carcasses are properly health marked and traceable;

- to ensure that measures to be taken with regard to animals or products in which residues have been detected, are complied with.

5 Findings And Conclusions

5.1 Legislation and Competent Authorities

5.1.1 Legal basis

Article 46.1 of Regulation (EC) No 882/2004 stipulates that official controls by Commission experts in third countries shall verify compliance or equivalence of third country legislation and systems with EU feed and food law, and EU animal health legislation. These controls shall have particular regard to points (a) to (e) of the aforementioned Article. Point (g) is covered in section 5.2 of this report as regards horses.

5.1.2 Findings

5.1.2.1 Legislation

The review of national legislation by the CCA is still on-going as described in report 2010-8524. In the fields relevant to this audit the situation remains relatively unchanged and the national legislation (*Normas Oficiales Mexicanas*-NOMs) on sanitary meat processing NOM-009-ZOO-1994 is still in force as well as the NOM-008-ZOO-1994 on zoo-sanitary specifications for the construction and equipping of slaughterhouses and meat product processing establishments.

Observations:

- A new implementing Regulation to the Federal Law on Animal Health was published on 21 May 2012 and will enter into force 90 days after its publication. It provides among other things, in Articles 214 to 234, for specific requirements as regards export establishments.
- The implementing Regulation concerning traceability of animals and their products (based on Articles 84 to 90 of the Federal Law on Animal Health) is not yet in force but has recently been published for comments. The CCA clarified that in the present text the identification of horses will be on a voluntary basis which is contrary to what was earlier indicated to the FVO during the audit 2011-8906 in November 2011.

5.1.2.2 Competent Authorities

5.1.2.2.1 Organisation of Competent Authorities

The SENASICA is an independent authority under the SAGARPA and is designated as the CCA. The central level of the SENASICA is divided into six General Directorates (DGs) of which the most relevant for the export of horse meat and meat products are:

- The DG of Agrifood, Aquaculture and Fishery Safety is responsible for supervision in food establishments authorised for exports. Within the DG the Directorate of Establishments TIF (*Tipo Inspección Federal*) is responsible for the supervision of TIF establishments (35 staff). Apart from the central level this Directorate also has State Supervisors (SS) supervising and

auditing TIF establishments (24 in total) and Official Veterinarians (OVs) at the individual establishments. Apart from the day to day supervision and official controls the OVs can sign export certificates.

- The DG Animal Health is responsible for animal health issues and is in charge of the National Reference Laboratory for *Trichinella* examinations.
- The DG Phyto-Zoosanitary Inspection is responsible for controls on imports and exports of live animals as well as products of animal origin. It has offices at border posts for physical and documentary controls related to animal and plant health *(Oficinas de Inspección Sanitaria Agropecuaria-OISA)*.
- There is also an internal audit unit (*Organo Interno de Control*-OIC) which is responsible for internal audit of all activities of the CAs.

In addition, there is SINIIGA *(Sistema Nacional de Identification Individual del Ganado)* which is an independent organisation under the SAGARPA for the identification of livestock (mainly bovine) but also responsible for the issuing of passports for Mexican horses and identifying these with transponders before slaughter for export to the EU.

Observation:

- The organisation of the CA remains virtually unchanged since the audit 2010-8524.

5.1.2.2.2 Competent Authorities' powers, independence and authority for enforcement

The Federal Law on Animal Health under Articles 109 and 110 provides the CAs with the necessary powers for inspection and enforcement.

5.1.2.2.3 Supervision

The OIC has not carried out any audits in the specific areas covered by this audit since the audit 2010-8524. In the audit plan for 2012 it is foreseen to audit 30 establishments selected at random but as these audits are unannounced the areas that will be covered are not yet known.

As noted in audit report 2010-8524 there are no additional formalised procedures in place to verify the effectiveness of the official controls carried out and to ensure that corrective actions are taken when needed. However, a total of five audits have been carried out in 2012 in relation to official certification and three of these took place in establishments approved for export to the EU. In addition, there is an *aide mémoire* for assessment of the performance of the OVs but the use of this is not formalised.

5.1.2.2.4 Training of staff in the performance of official controls

The CCA clarified at the initial meeting that there is a legal requirement for official staff to have at least 40 hours of training each year.

The training sessions provided to staff in the TIF establishments in 2011 included:

- On-line training on basic agri-food safety aspects (100% of staff participated);

- On-line diploma training on inspection and control of safety of food of animal origin in TIF establishments (at least one OV per establishment participated);
- On-line training on audits in order to identify critical risks related to the safety and aspects related to the processing of goods of animal origin (at least one OV per establishment participated);
- Annual awareness training for official staff and certification for export (multiple locations);
- Training on horse diseases (glanders) (different locations, but only for OVs in horse slaughterhouses).

Observations:

Evidence was seen in the establishments visited that the OVs had taken part in the relevant training sessions.

5.1.2.2.5 Resources

There was no shortage of official staff noted in the establishments visited. It was also noted that the costs for inspection of establishments at all levels is borne by the national budget. For import controls however, fees are charged.

5.1.2.2.6 Organisation of control systems

The current system for supervision in meat establishments is based on three layers where the establishments visited always have full time OVs present during production. OVs can be assisted by authorised veterinarians. The second level of control is the SS with a target of visiting the TIF establishments once a month. However, this frequency could be reduced if there are emergencies in other areas. The third level of control is the CCA who inspects all EU-approved establishments at least annually.

All OVs met had access to the relevant EU legislation mainly in the form of compact discs that according to the CCA was updated annually.

A new "Veterinary inspection manual for horses and their meat for export to the EU" was adopted in June 2011 (58p). It is based on the relevant EU legislation and covers among other things animal welfare, ante- and post-mortem examinations, pathology, health marks, *Trichinella* and necropsies.

A specific guideline was issued in October 2011 concerning the verification, inspection and certification in relation to horses for slaughter, reproduction, work, show or sport in case of import or national movement.

In addition, a specific *aide mémoire* for controls to be done at the border before allowing import of horses was issued on 7 December 2011. Evidence was seen of its use by the OISA during their controls.

A specific check-list to be filled out before an export certificate is issued by the OV was implemented in 2011.

An inspection manual for meat processing establishments is currently only available in draft form.

5.1.2.2.7 Documented control procedures

Check-lists and templates were used during official controls and as mentioned in report 2010-8524 those used during inspection of establishments by the SS refers to national legislation whereas those used by the CCA refer to EU legislation.

However, in one meat product plant visited the inspection report provided by the SS had as an attachment a two-page document referring to specific export requirements for the USA, Japan and the EU. This was the only template or check-list seen that refers to microbiological testing.

The reports seen were all countersigned by the FBOs who were provided with copies.

The reports rarely included any conclusions even if the inspection was done with the aim of demonstrating compliance with EU requirements.

5.1.3 Conclusion

The system of official controls in Mexico over the production of fresh horse meat and meat products for export to the EU can largely provide satisfactory assurances regarding compliance with or equivalence to EU requirements. However, the system in place as regards the sworn statements by the owners on medical treatments as well as the deficiencies noted as regards the identification of live horses, as further described in section 5.2.3, can presently not provide standards equivalent to those laid down in EU legislation.

5.2 CONTROLS ON LIVE HORSES, HOLDING REGISTRATION, ANIMAL IDENTIFICATION

5.2.1 Legal Requirements

The veterinary certification requirements for the introduction into the EU of fresh meat are laid down in Regulation (EU) No 206/2010. Point II.2 of the relevant model certificate, "EQU" in Part 2 of Annex II to the Regulation, sets out the animal health requirements to be met. This requires the CA to have system(s) in place for holding registration and animal identification. Sub-section II.1.7 of the certificate stipulates that only horse meat from horses covered by residue monitoring plans submitted in accordance with Council Directive 96/23/EC, in particular Article 29, are eligible for export to the EU.

According to point II.1.4 of the certificate, an ante-mortem inspection in accordance with Chapter II, Section I of Regulation (EC) No 854/2004 has to be carried out before meat can be declared as fit for human consumption.

Requirements for certification conditions for the introduction into the EU of meat products regarding animal health are laid down in point II.1 of the model certificate for meat products in Annex III of Commission Decision 2007/777/EC. This requires the CA to have a system in place for holding registration and animal identification.

5.2.2 Findings

5.2.2.1 Controls on imported horses

Of the eligible horses slaughtered for the production of meat to be exported to the EU 80% is derived from horses imported from the US.

5.2.2.2 Horses identification and identity verification

The procedure as regards the identification and control of imported horses from the US has not changed significantly compared to the procedure in place during the audit 2010-8524 and as described also in the report of the audit 2011-8906.

US horses are identified (subcutaneous transponder) in the US collection centres prior to their shipment to the exporters' facilities at the border. Their identification is included in the USDA export certificate, stating both the green USDA label and the transponder numbers.

In addition, as noted also during the audit 2010-8524, there was no evidence in the USDA documents seen or from the statements/descriptions received from different parties on-the-spot, that the USDA takes any responsibility with regard to the origin of the animals (expect that they originate from the US), controls over US assembly centres or to the reliability of the sworn statements on the medical treatments of animals. In addition, the horses are not identified during the full six months covered by these statements.

During the FVO visits in the slaughterhouses, it was noticed that:

- the procedure as described is followed and trucks arrive sealed and the horses and documentation are checked at arrival by the FBO under the supervision of the OV. No deficiencies were noted by the FVO audit team;
- in the slaughterhouses visited, evidence was seen that for each consignment the OISA transmits a full import dossier electronically, in general at the end of the day of importation. The OV sends the OISA a return message to confirm the reception of the e-mail announcing the arrival of the horses. The OV only later informs the relevant OISA in writing on a monthly basis about the consignments that have arrived and are in conformity with the certificates.

During the evaluation of the information provided by the CCA and the FBOs visited, it was noted that discrepancies exist between the number of horses imported and sent to the four approved slaughterhouses according to the CCA, and the number of horses with US origin slaughtered according to the FBOs.

5.2.2.3 Import controls

The procedure as regards import controls for horses from the US has not changed significantly compared with the procedure in place during the audit 2010-8524 and as described in report 2011-8906.

Eight OISA border inspection offices are authorised to perform controls on imported equines, but in practice, since 1 January 2012 imports take place only in three out of the eight border inspection offices authorised for imports of live horses from the US. The controls include a comprehensive physical examination of the horses which takes place on US territory and animals in advanced

pregnancy, with health problems or injuries are rejected. Data for 2011 indicates that during the physical examinations, 1 522 breaches against the zoosanitairy requirements and 232 cases of the presence of live ticks were identified, allowing only the remaining 67 031 horses to be accepted for import.

Some improvements as regards the organisation of the border controls were noted:

- As announced during the previous audit in 2010, a new "Manual for the verification, the inspection and certification of equine animals for slaughter, for reproduction, for work, exhibition and for sports, in case of import or national movements" has been issued and is valid from 13 October 2011. It describes in detail the procedures and the controls. The annexes contain templates of certificates, examples of the certificates used by the US CA and the affidavit used, the procedure to register incidents and for the application of seals. In addition, an "aide memoire" has been issued on 7 December 2011 to be used during the import controls.
- Since May 2011, each OISA border inspection office sends the full dossier (USA health certificate, owners/shipper certificate fitness to travel, the affidavit, the internal movement certificate (*Certificado Zoosanitario Para Importacion)*, the identification of the truck and the seal number with a picture, the recorded data in the import database with eventual rectification and the contract with the slaughterhouse of destination) concerning the imported consignments of live horses by e-mail to the slaughterhouses of destination (and several Departments of the CCA) in order to be checked by official staff in these slaughterhouses before the arrival of the animals.

Contrary to what was previously announced by the CCA, the internal movement certificate, issued by the OV, of the OISA and only valid for the direct movement to the approved slaughterhouse mentioned, has not been modified. It still indicates only the total number of animals and not their individual identification. In addition, the inspection guide does not provide any instructions to identify the rejected horses covered by the USDA certificate in the documentation. However, it was noted by the FVO audit team in several cases that an annex mentioning the identification numbers of the rejected horses and the reason for the rejection was attached. This makes it possible to identify the animals that are present in the consignment and those that were rejected at the border.

During the FVO visits in the slaughterhouses, it was noticed that the procedure as described is followed and only minor deviations were noted by the FVO audit team.

5.2.2.4 Risk based official control programme

The CCA informed the FVO audit team that their legal Service had informed them that the Mexican CAs are not allowed to question the authenticity or reliability of the sworn statements (affidavits) made by owners of imported horse from the US on veterinary medical treatments. Therefore the situation has not changed since audit 2010-8524 and there is no system in place to verify the declarations accompanying the horses presented at the OISA.

It was noted by the FVO audit team that in one case, the validity of the affidavit was questionable due to the time sequence of the signing of the affidavit, its validation by a *Notarius Publicus* and the introduction of the import request.

5.2.3 Controls on domestic horses

5.2.3.1 Holding registration

Currently there are 14 collection centres *(acopios*) for domestic horses approved by the SENASICA for production of meat for export to the EU (though three are not in operation). *Acopios* can only be approved if they have been previously registered by the SINIIGA.

Updated procedures for approval of *acopios* were issued by the SENASICA in January 2011, to address *inter alia* some of the observations made in report 2010-8524 e.g. *acopios* are now requested to keep records of treatments administered there and to report them to the slaughterhouses and a passport can now be used to identify one animal only.

In the *acopios* visited adjacent to the slaughterhouses, no treatement records were kept because it was claimed that the horses are not treated and immediately slaughtered. However, in some cases, when a mare gave birth at arrival, the horse could be kept for up to two months. It was also noted that for the period that the animals stay in the approved *acopio*, an additional affidavit is issued by the manager of this *acopio*.

5.2.3.2 Horses identification and identity verification

Identification of horses is done in the *acopios* where passports are issued and the animals are identified with a transponder by official staff of the SINNIGA, normally only within ten days prior to slaughter as the system in place does not foresee identification of the horses at least six months prior to slaughter. The information is introduced into the national database of the SINIIGA. The database has not changed since the last FVO audit, which means that movements are not recorded. Therefore the database can only provide tracing of identified Mexican horses back to the last holding of origin, which normally is the *acopio* where they were identified.

Passports were seen at all collection centres as well as slaughterhouses and only identified one animal each. According to the current practice, only the last holding of origin (prior to the *acopio*) needs to be indicated in the passport. However, several mistakes were noted in the information contained in the passport such as using the address of the trader rather than the last holding.

In the *acopios* visited documentation concerning arrival and departure as well as the identification of the horses was available and in general satisfactory. However in one *acopio* visited, the representative of the SINIIGA had failed to put the transponder numbers in the passports.

In the slaughterhouses visited all EU eligible animals seen were identified by subcutaneous transponders. The CAs stated that horses cannot be moved between States for slaughter purposes unless they are identified.

Occasionally, mistakes were seen in relation to the documentation received and kept in two *acopios* and in two slaughterhouses (passports, holding register, internal movement certificates).

The FBO has to inform the SINIIGA of the horses that have been slaughtered in order to record the death of the animal in the database.

Data from the SINIIGA database was received after the audit and a discrepancy was noted between the number of horses identified and registered in the database, the number of slaughtered Mexican horses eligible for export the EU (data from FBOs) and the feed-back introduced in the database. It is understood that hardly any horses are identified in Mexico other than when slaughtered within a few days.

5.2.3.3 Risk-based official controls programme

There are still no official controls in place to allow the CAs to verify the authenticity or reliability of the sworn statements made by owners of Mexican live horses and the horses are not identified during the full six month period covered by these statements. A significant number of the affidavits are filled in by the trader or the manager of the collection centres, mentioning the name of the owner but without the owner's or the trader's signature and cannot be considered as valid. The OVs had not considered this as a non-compliance. However the CCA had identified the problem during their supervisory visits and had organised a meeting with the sector on the 11 May 2012. After the audit the FVO received copies of letters sent to the parties concerned in order to address this issue.

5.2.4 Conclusions

The official controls on live horses, holding registration and animal identification are in place and some improvements have been noticed with regard to import controls and communication of the import findings. Discrepancies were noted in the registered statistics concerning the number of imported horses and slaughtered imported horses. Similarly there were discrepancies noted in the registered statistics as regards the number of identified and registered Mexican horses versus the number of Mexican horses received through approved *acopios* and slaughtered, in particular, for 2010. Overall, the system in place for identification of live horses, the affidavits and the official controls thereof are presently not providing equivalent standards to those provided for by EU legislation.

5.3 LABORATORY SERVICES

5.3.1 Legal Requirements

The veterinary certification requirements for the introduction into the EU of fresh meat are laid down in Regulation (EU) No 206/2010. Point II.1 of the model certificates, in Part 2 of Annex II to the Regulation, sets out the public health requirements to be met. These include the requirement to satisfy the relevant microbiological criteria set out in Regulation (EC) No 2073/2005, the special guarantees concerning *Salmonella* for consignments to Finland and Sweden, and the specific rules on official controls for *Trichinella* set out in Regulation (EC) No 2075/2005.

5.3.2 Findings

5.3.2.1 Laboratories testing microbiological criteria for foodstuffs

Observations:

- Most of the samples taken were analysed in in-house laboratories but occasionally samples were sent also to accredited external laboratories for verification.
- The methods used were the ones foreseen in the relevant NOMs.
- The number of samples taken and analysed were considerably higher than the EU minimum requirements.

5.3.2.2 Laboratories for Trichinella testing

Observations:

- The in-house *Trichinella* laboratories of all four slaughterhouses visited had taken part in annual proficiency tests with good results.
- In one *Trichinella* laboratory the sieve did not have any marking regarding sieve size and the FBO was not able to provide any written evidence concerning that it was the correct size. In this laboratory the sample size was normally 22 samples of 5g each = 110 g which is not as foreseen in Regulation (EC) No 2075/2005.
- In another laboratory they did not have access to a microscope with 60-100 times magnification as foreseen in Regulation (EC) No 2075/2005 for examination of suspect areas or parasite-like shapes.

5.3.3 Conclusions

The situation as regards the laboratories visited can largely be considered as satisfactory.

5.4 Listing of establishments

5.4.1 Legal requirements

Article 12 of Regulation (EC) No 854/2004 requires that products of animal origin may be imported into the EU only if they have been dispatched from, and obtained or prepared in, establishments that appear on lists drawn up, kept up-to-date and communicated to the Commission.

5.4.2 Findings

After the audit 2010-8524 the CCA took action and suspended certification for export to the EU in three establishments where the situation had been found to be unsatisfactory.

Observations:

- The FVO audit team visited two of these three establishments and verified that the situation had improved considerably. The documentation provided by the CCA in relation to the follow up in all three establishments was comprehensive and also showed on occasion that the CCA was not satisfied with an action plan and therefore required further measures to be taken before lifting the suspension.

- All establishments visited were generally found to be compliant with the requirements.
- The FBOs in two slaughterhouses visited, currently listed also for exports to the EU of meat products, explained that this was a mistake as they did not have the facilities or the intention to produce or export meat products to the EU (and have not exported any meat products). At the final meeting the FVO audit team received drafts of letters to the Commission Services concerning the de-listing of these two establishments for export of meat products to the EU. After the audit the FVO received the signed documents by e-mail.

5.4.3 Conclusions

The establishments visited were generally compliant with the requirements but the listing of two slaughterhouses also for meat products is a mistake as these establishments do not have the facilities, equipment or intention to produce meat products. The CCA indicated at the final meeting that action will be taken to correct this, which was later confirmed by e-mail to the FVO. The follow-up of the suspension of certification for three establishments after audit 2010-8524 was well documented and included a direct involvement by the CCA on the spot before the lifting of the suspensions. Recommendation 1 of the report 2010-8524 can be considered as satisfactorily addressed.

5.5 Official controls at establishment level

5.5.1 Legal requirements

Article 12 of Regulation (EC) No 854/2004 lays down that the CA of a third country of origin has to guarantee that establishments placed on the list of establishments from which imports of specified products of animal origin to the EU are permitted, together with any establishments handling raw material of animal origin used in the manufacture of the products of animal origin concerned, complies with the relevant EU requirements, in particular those of Regulation (EC) No 853/2004, or with requirements that were determined to be equivalent. It also lays down that an official inspection service supervises the establishments and has real powers to stop the establishments from exporting to the EU in the event that the establishments fail to meet the relevant requirements.

The animal and public health and veterinary certification requirements for the introduction into the EU of fresh horse meat for human consumption are laid down in the relevant model certificate "EQU" in part II of Annex 2 to Regulation (EU) 206/2010.

The animal and public health and veterinary certification requirements for the introduction into the EU of meat products for human consumption are laid down in Commission Decision 2007/777/EC.

5.5.2 Findings

5.5.2.1 Ante-mortem inspection

The records from ante-mortem inspection were available in all slaughterhouses visited and followed a similar format.

Observations:

- The records from ante-mortem inspections were complete and all relevant animals included when checked by the FVO audit team.
- Normally, suspect animals as well as grey and white horses were separated and slaughtered at the end of the working day.

5.5.2.2 Post-mortem inspection

The post-mortem inspection was carried out by OVs or authorised veterinarians in the slaughterhouses visited. Records were available on condemned meat carcasses and were together with the number of the transport document and the number of animals slaughtered entered into a

specific database (*Sistema Inspeccion Veterinaria* - SIV).

Observations:

- In one of four slaughterhouses visited the post-mortem inspection of grey or white horses did not include loosening one of the shoulders for examination of the muscles and lymph nodes beneath the scapular cartilage to inspect for melanosis and melanomata. It was explained that this was done later in the attached cutting plant. This is not in line with EU requirements or the "Mexican veterinary inspection manual for horses and their meat for export to the EU".
- In three out of four slaughterhouses the post-mortem examination of the carcass was done from the floor (no platform), which makes it difficult to inspect the hind-quarter and in two of these after the carcass wash and trimming.
- The results from the *Trichinella* examinations were provided to the OV on a specific form identifying each horse examined and was countersigned by the OV before the carcasses were released.
- The health marks were easy to read in three out of four establishments visited.

5.5.2.3 General and specific hygiene requirements

Observations

- The overall compliance with general and specific hygiene requirements was found to be acceptable in all establishments visited. More specifically, the slaughter hygiene and hygiene during cutting was satisfactory in all establishments visited.

- Maintenance issues were noted in several establishments, such as rust, flaking paint and cracks in floors etc. mainly of a minor nature (this was picked up by the CA in their reports). In one establishment the situation was still acceptable but more radical measures were needed in order to address these issues in the long term. (The FBO stated that they were in the process of building a new plant.)

- Some condensation was noted on overhead structures in three establishments and was regularly swept away manually (this was mentioned by the CA in their reports).

- In one slaughterhouse visited the carcass wash splashed excessively and could possibly contaminate the carcass.

- In one meat product plant visited, poor order in a chiller for intermediate products was seen and in another area the person de-boxing meat lifted and ripped open the box with the same gloves on as he handled the exposed product.

- In one slaughterhouse the brisket saw was not rinsed before sterilising thus leaving remnants of cooked organic material on the blade.

- In one establishment some of the crates used for waste was in a very poor condition and difficult to clean. Here ice accumulation was seen on the top of boxes in the freezers (this was picked up by the CA in their reports).

- The own-checks were generally found to be of an acceptable standard but it was noted that surface checks for control of the cleaning results in one establishment was only taken in the cutting plant and never in the slaughterhouse.

5.5.2.4 HACCP-based systems

Observations:

- HACCP based systems were in place in all establishments visited.
- In two establishments visited a Critical Control Point (CCP) was defined as the temperature of the cutting room rather than the product.
- In another slaughterhouse the chilling of carcasses was identified as a CCP leading to a situation where the monitoring in fact was the corrective action.
- In a meat product plant the procedure for rework of the various products was not clearly described in the HACCP plan and this was also the case for rework during production for the EU as regards the separation of products with different status. This plant has however, not yet started exporting to the EU.

5.5.2.5 Microbiological testing

Observations:

- In all establishments visited microbiological sampling was carried out in a way that fulfilled the EU legal requirements and more.
- Carcass sampling was done weekly in all slaughterhouses and the results were, with very few exemptions, satisfactory. Sampling of products was also carried out regularly according to plans with good results.
- All the establishments had sampling plans for testing of water. Microbiological analyses were done regularly and chlorine was inactivated when sampling. Results from physico-chemical analyses were also available.

5.5.2.6 Traceability and identification marking

Observations:

- Traceability systems were in place in the establishments visited and in most cases found to be reliable. In one case the traceability system was rather complex and despite the FBO claiming otherwise the batch was the day of production. However for some clients the FBO had more specific records (this had been picked up by the CCA in their reports).
- The identification marking of products potentially destined for export to the EU was found to be generally acceptable. However, in one meat product plant a few final and intermediate products were seen without any labelling.

5.5.2.7 Animal welfare at the time of slaughter or killing

Observations:

- In all slaughterhouses visited the animals were handled with care during unloading, resting and before slaughter.
- The stunning was in all cases found to be acceptable and spare equipment was readily available.
- Evidence was seen of specific training of staff concerned and also on FBO controls of the stunning process.
- In one establishment, the time for sticking, bleeding, skinning of the head and cutting of the front legs was limited, leading to a situation where it cannot be excluded that the dressing of the carcass occasionally started before the bleeding had ended.

5.5.2.8 Documentation of official controls

Observations:

- The relevant inspection reports from all levels (CCA, SS, OV) were available in all the establishments visited and the minimum frequencies generally followed. The check-lists and audit guide as well as the templates provided in the veterinary inspection manual for horses and their meat for export to the EU were used as foreseen.
- The CAs were in most cases able to detect deficiencies and request corrective action with agreed deadlines for the FBO. The follow-up of these deadlines was in most cases done by the OV but in some cases difficult to follow as there may be only a tick rather than a date and signature indicating that the action had been completed.

5.5.3 Conclusions

The overall situation as regards the official controls over the production of horse meat and meat products for export to the EU is satisfactory and the CAs are in most cases able to detect deficiencies and act upon these. The controls are well documented and recommendation No 2 of the report 2010-8524 regarding hygiene during slaughter and cutting has been satisfactorily addressed. Recommendation No 3 concerning post-mortem examination, health marking and traceability has been addressed but there still remains some issues mainly regarding the post-mortem examination. The production hygiene and the controls done by the FBOs are of an acceptable standard.

5.6 OFFICIAL CERTIFICATION

5.6.1 Legal requirements

Council Directive 96/93/EC lays down the general rules to be observed by third countries in issuing certificates required for exports to the EU, according to the specific EU veterinary legislation.

The animal and public health and veterinary certification requirements for the introduction into the EU of fresh horse meat for human consumption are laid down in the relevant model certificate "EQU" in part II of Annex 2 to Regulation (EU) 206/2010.

The animal and public health and veterinary certification requirements for the introduction into the EU of meat products for human consumption are laid down in Commission Decision 2007/777/EC.

5.6.2 Findings

Currently, all consignments to the EU are notified in TRACES and export certificates are issued within the system. When meat originating from both Mexican and US horses is placed in the same container, two separate certificates are issued, each of them referring to the unique origin of the live horses.

A newly developed check-list for the verification of the certification procedure is used for each consignment. The link between the certificate and consignment was provided by the import dates of live horses, the slaughter dates and the container's seal number. In addition, the "packing list" with a description of the batches forming the consignment was supplied to the certifying officer.

The CCA visits five TIF plants annually to control the certification procedure. Three horse slaughterhouses approved for export to the EU were included in this audit in 2012 and no major deficiencies were noted.

The FVO audit team carried out several traceability exercises and plausibility checks to document the origin of the horses and in each case with satisfactory results.

5.6.3 Conclusions

Certification for the export of fresh equine meat to the EU was in line with the requirements of Council Directive 96/93/EC.

6 Overall Conclusion

The overall situation as regards official controls over the production of horse meat and meat products for exports to the EU as well as certification largely provides satisfactory assurances regarding compliance with, or equivalence to, EU requirements. However, the systems in place for identification, the food chain information and in particular the affidavits concerning the non-treatment with certain medical substances, both for the horses imported from the US as well as for the Mexican horses are presently insufficient to guarantee that standards equivalent to those provided for by EU legislation are applied. As regards the follow-up of the recommendations from the audit 2010-8524 it can be noted that one recommendation has already been followed-up during audit 2011-8906 and that two out of the three remaining recommendations have been satisfactorily addressed and the third partly addressed as there still remains some issues mainly regarding the post-mortem examination.

7 Closing Meeting

A closing meeting was held on 8 June 2012 with the CCA, the SENASICA. At this meeting the

FVO audit team presented the findings and preliminary conclusions of the audit and advised the CCA of the relevant time limits for production of the report and their response.

The representatives of the CCA acknowledged the findings and conclusions presented by the FVO audit team. Information on action already taken and planned, in order to address particular findings in the establishments visited, was provided. In addition, certain information not received by the FVO audit team at this meeting was sent to the FVO by e-mail.

8 RECOMMENDATIONS

An action plan, describing the action(s) taken or planned in response to the recommendations of this report and setting out a timetable to correct the deficiencies found, should be presented to the Commission within 25 working days of receipt of the report.

N°.	Recommendation
1.	To take further measures to ensure the validity and authenticity of the affidavits for horses of Mexican origin slaughtered for export to the EU linked to their traceability. This is in order to guarantee that equivalent standards to those provided by Commission Regulation (EC) No 504/2008 and Council Directive 96/93/EC are applied.
2.	To take measures to ensure the validity and authenticity of the affidavits for horses of US origin slaughtered for export to the EU linked to their traceability. This is in order to guarantee that equivalent standards to those provided by Commission Regulation (EC) No 504/2008 and Council Directive 96/93/EC are applied.
3.	To take measures in order to ensure that the registered data in the various databases concerning horses imported from the US for slaughter for export to the EU are correct. This is in order to be able to verify the traceability of the horses and to certify the origin of the horses correctly as foreseen in point II.2 of of the certificate “EQU” in part 2 of Annex II to Regulation (EU) No 206/2010.
4.	To take measures in order to ensure that the registered data in the various databases concerning Mexican horses slaughtered for export to the EU are correct. This is in order to be able to verify the traceability of the horses and to certify the origin of the horses correctly as foreseen in point II.2 of of the certificate “EQU” in part 2 of Annex II to Regulation (EU) No 206/2010.
5.	To take measures in order to ensure that the post-mortem examinations are carried out in compliance with Chapter II of Section I and Chapters III and IX of Section IV of Annex I to Regulation (EC) No 854/2004.

The competent authority's response to the recommendations can be found at:

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2012-6340

Annex 1 - Legal References

Legal Reference	Official Journal	Title
Reg. 178/2002	OJ L 31, 1.2.2002, p. 1-24	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
Reg. 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
Reg. 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
Reg. 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Reg. 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Reg. 2073/2005	OJ L 338, 22.12.2005, p. 1-26	Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs

Legal Reference	Official Journal	Title
Reg. 2074/2005	OJ L 338, 22.12.2005, p. 27-59	Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
Reg. 2075/2005	OJ L 338, 22.12.2005, p. 60-82	Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for Trichinella in meat
Reg. 504/2008	OJ L 149, 7.6.2008, p. 3-32	Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae
Reg. 1162/2009	OJ L 314, 1.12.2009, p. 10–12	Commission Regulation (EC) No 1162/2009 of 30 November 2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council
Reg. 206/2010	OJ L 73, 20.3.2010, p. 1–121	Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements
Dir. 93/119/EC	OJ L 340, 31.12.1993, p. 21-34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing

Legal Reference	Official Journal	Title
Dir. 96/22/EC	OJ L 125, 23.5.1996, p. 3-9	Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of ß-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC
Dir. 96/23/EC	OJ L 125, 23.5.1996, p. 10-32	Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC
Dir. 96/93/EC	OJ L 13, 16.1.1997, p. 28-30	Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products
Dir. 98/83/EC	OJ L 330, 5.12.1998, p. 32-54	Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption
Dir. 2002/99/EC	OJ L 18, 23.1.2003, p. 11-20	Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption
Dec. 2007/777/EC	OJ L 312, 30.11.2007, p. 49-67	2007/777/EC: Commission Decision of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC
Dec. 2011/163/EU	OJ L 70, 17.3.2011, p. 40-46	2011/163/EU: Commission Decision of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC