Final report

EFTA Surveillance Authority mission to

Norway

29 March to 2 April 2004

regarding the application of EEA legislation

on Transmissible Spongiform Encephalopathies epidemi surveillance

Please note that comments from the Norwegian Competent Authority to factual errors have been included in underlined italic print in the body of the report. Comments providing additional information or expressing the view of the Competent Authority on particular issues are included as an addendum, as referred to in the text with footnotes in italic print.
LIST OF ABBREVIATIONS AND TERMS USED IN THE REPORT

1 INTRODUCTION

2 OBJECTIVES OF THE MISSION

3 LEGAL BASIS FOR THE MISSION

4 BACKGROUND

5 LEGISLATION

6 MAIN FINDINGS

   6.1 COMPETENT AUTHORITY

      6.1.1 Recruitment and training

      6.1.2 Prioritisation of controls / Reporting procedures

      6.1.3 Veterinary surveillance

   6.2 TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES

      6.2.1 Bovine Spongiform Encephalopathy

      6.2.2 Scrapie

   6.3 ADMINISTRATION OF SPECIFIC RISK MATERIAL

   6.4 ENFORCEMENT OF THE TOTAL FEED BAN

   6.5 LABORATORIES

7 FINAL MEETING

8 CONCLUSIONS

   8.1 COMPETENT AUTHORITY

   8.1.1 Recruitment and training

   8.1.2 Prioritisation of controls / Reporting procedures

   8.1.3 Veterinary surveillance

   8.2 TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES

      8.2.1 Bovine Spongiform Encephalopathy

      8.2.2 Scrapie

   8.3 ADMINISTRATION OF SPECIFIC RISK MATERIAL

   8.4 ENFORCEMENT OF THE TOTAL FEED BAN

   8.5 LABORATORIES

9 RECOMMENDATIONS TO THE NORWEGIAN COMPETENT AUTHORITY

10 ADDENDUM TO THE MISSION REPORT (COMMENTS FROM NORWAY)
List of abbreviations and terms used in the report

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authority</td>
<td>EFTA Surveillance Authority</td>
</tr>
<tr>
<td>BSE</td>
<td>Bovine Spongiform Encephalopathy</td>
</tr>
<tr>
<td>CA</td>
<td>Competent Authority</td>
</tr>
<tr>
<td>DV</td>
<td>District Veterinarian</td>
</tr>
<tr>
<td>EC</td>
<td>European Community</td>
</tr>
<tr>
<td>EEA Agreement</td>
<td>Agreement on the European Economic Area</td>
</tr>
<tr>
<td>Fallen stock</td>
<td>Animals that have died on the farm or during transport</td>
</tr>
<tr>
<td>GBR</td>
<td>Geographical risk of spongiform encephalopathy category</td>
</tr>
<tr>
<td>MBM</td>
<td>Meat and bone meal</td>
</tr>
<tr>
<td>NFSA</td>
<td>Norwegian Food Safety Authority <em>(Mattilsynet)</em></td>
</tr>
<tr>
<td>NRL</td>
<td>National Reference Laboratory</td>
</tr>
<tr>
<td>SDT</td>
<td>Statens dyrehelsetilsyn</td>
</tr>
<tr>
<td>SNT</td>
<td>Statens næringsmiddeltilsyn</td>
</tr>
<tr>
<td>SRM</td>
<td>Specific Risk Material</td>
</tr>
<tr>
<td>Surveillance and Court Agreement</td>
<td>Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice</td>
</tr>
<tr>
<td>TSE</td>
<td>Transmissible Spongiform Encephalopathies</td>
</tr>
<tr>
<td>OV</td>
<td>Official Veterinarian</td>
</tr>
</tbody>
</table>
1 Introduction

The mission to Norway took place from 29 March to 2 April 2004 and was carried out by an inspector from the EFTA Surveillance Authority (the Authority) accompanied by an observer from the European Commission’s Food and Veterinary Office. Two representatives from the central level of the Norwegian Competent Authority (CA), the Norwegian Food Safety Authority (Mattilsynet), accompanied the inspection team throughout the mission. Furthermore, representatives from the local and regional level of the CA were present during the mission.

An opening meeting was held on 29 March, where the objectives and itinerary of the mission were confirmed by the inspection team. Additional information for the satisfactory completion of the mission was also requested at this meeting.

After each inspection, a summary of observations was presented. Representatives from the CA, as well as the establishments inspected had an opportunity to comment on them.

2 Objectives of the mission

The objective of the mission was to evaluate the application of the legislation on epidemiological surveillance of Transmissible Spongiform Encephalopathies (TSE), as laid down in the Agreement on the European Economic Area (EEA Agreement). In pursuit of this objective, the following sites were visited:

<table>
<thead>
<tr>
<th>Competent authority (CA)</th>
<th>Number</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>1</td>
<td>Opening and closing meeting</td>
</tr>
<tr>
<td>Regional</td>
<td>1</td>
<td>The CA was present during the inspection of the establishments</td>
</tr>
<tr>
<td>Local</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Food establishments</th>
<th>Number</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slaughterhouses</td>
<td>2</td>
<td>None</td>
</tr>
<tr>
<td>Cutting plants</td>
<td>2</td>
<td>Annexed to the slaughterhouses visited</td>
</tr>
<tr>
<td>Temperature controlled stores</td>
<td>2</td>
<td>Integrated in the above-mentioned establishments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Animal product processing sites (non-human consumption)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal waste premises</td>
<td>Two rendering plants, one processing Specific Risk Material (SRM) and one collecting SRM</td>
</tr>
<tr>
<td>Animal feed manufactures</td>
<td>A feed mill producing for ruminant and monogastric domestic animals</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other sites</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal holdings</td>
<td>One sheep farm</td>
</tr>
</tbody>
</table>
### 3 Legal basis for the mission

The legal basis for the mission is laid down in the Act referred to in part 1.2.74 of Chapter I of Annex I to the EEA Agreement, *(Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States)*. Further reference is made to Article 1(e) of Protocol 1 to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice (Surveillance and Court Agreement) and point 4 of the Introductory Part of Chapter I of Annex I to the EEA Agreement.

In particular, an assessment was made on the application of the requirements laid down in the Acts referred to at:

a) Point 7.1.12 of Chapter I of Annex I to the EEA Agreement, laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies *(Council Regulation (EC) No 999/2001)*, as amended and incorporated into the EEA Agreement.

b) Point 7.1.11 of Chapter I of Annex I to the EEA Agreement, concerning certain protective measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein *(Council Decision 2000/766/EC)*, as amended and incorporated into the EEA Agreement.


d) Point 1.2.67 of Chapter I of Annex I to the EEA Agreement on measures applying to the processing of certain animal waste to protect against transmissible spongiform encephalopathies and amending Commission Decision 97/735/EC *(Council Decision 1999/534/EC)*.

### 4 Background

This was the first mission carried out by the Authority with regard to the application of EEA legislation on TSE epidemiological surveillance. The main Act regarding TSE epidemiological surveillance, Council Regulation (No) 999/2001, as amended, was incorporated into the EEA Agreement by Joint Committee Decision No 66/03 of 20 June 2003. This Joint Committee Decision granted Norway six months for implementing measures. Before that time, the Authority had no mandate to perform missions in this area.
5 Legislation

At the opening meeting, the Authority was informed that the Norwegian legislation incorporating Council Regulation (EC) No 999/2001, as amended and integrated into the EEA Agreement, would be published and enter into force on 30 March 2004.

In the reply to the pre-mission questionnaire, the Authority was informed that the relevant legislation has been transposed into Norwegian law as follows:

The main act relating to fresh meat and meat products is the new Food law (Lov om matproduksjon og mattrygghet mv (Matloven)), LOV 2003-12-19 nr. 124. It replaces 13 different acts, including the Meat Control Act, the Act on the Co-ordination of Food Control, the Food Law, the Quality Control Act on Fish and Fishery Products, the Act on Quality Control of Agricultural Products and the Act on domestic animals.

The following regulations and instructions were adopted under the Food Law regarding implementation of measures on TSE epidemic surveillance:

- Regulation concerning measures against contagious animal diseases (Forskrift om bekjempelse av dyresjukdommer), FOR 2002-06-27 nr. 124.
- Regulation listing the diseases covered by the Food Law (Forskrift om fortegnelse over sjukdommer som omfattes av matloven), FOR 1965-03-19 nr. 9941 and last amended 2004-01-09.
- Regulation on official meat control (Forskrift om offentlig kjøttkontroll og frambud mv av ferskt kjøtt), FOR 1978-07-14 nr. 9629 and last amended 2004-01-15.
- Regulation on origin labelling of fresh meat from bovine animals (Forskrift om opprinnelsesmerking av ferskt storfekjøtt m.v.), FOR 2001-03-28 nr. 315 and amended 2004-01-15.
- Regulation on identification and registration of animals (Forskrift om merking, registrering og rapportering av dyr), FOR 2002-09-03 nr. 970 and amended 2004-01-15.
- Instructions on supervision and measures taken against Transmissible Spongiform Encephalopathies (Instruks om overvåkning av og tiltak mot overførbar spongiform encefalopathier), adopted 2001-01-02 nr. 1 and amended 2002-02-12 nr. 165.
- Letter of assignment which provides information on the surveillance and control programmes of the Norwegian Food Safety Authority (Orientering om prøvetaking og annen aktivitet i forbindelse med overvåkings- og kontrollprogrammer i Mattilsynet i 2004), adopted 2002-02-04.
- Plan of action and communication if Bovine Spongiform Encephalopathy (BSE) is suspected or found in Norway (Tiltaks og kommunikasjonsplan ved mistanke om eller påvisning av BSE i Norge), adopted 2003-08-12.

Furthermore, the following regulations and instructions have been adopted under the Food Law related to TSE testing:

\[1\] See point 1 in the Addendum.
• Letter of assignment which provides information on the surveillance and control programmes of the Norwegian Food Safety Authority (Orientering om prøvetaking og annen aktivitet i forbindelse med overvåkings- og kontrollprogrammer i Dyrehelsetilsynet i 2004), adopted 2004-02-04.

• Plan of action and communication if BSE is suspected or found in Norway (Tiltaks – og kommunikasjonsplan ved mistanke om eller påvisning av BSE i Norge), adopted 2003-08-12.

• Practical guidance on sampling of BSE tests and dispatch of such from slaughter houses, published by the former National Food Control Authority (Statens næringsmiddeltilsyn) and the Royal Norwegian Veterinary Institute (Veterinærinstituttet) in 2003.

Additionally, the following regulations and instructions have been adopted regarding the total feed ban:

• Prohibition on trading sorted out waste from waste collecting plants as feedingstuffs (Forbud mot å omsette utsortert avfall fra kommunalt renholdsverk til dyrefôr), adopted 1963-05-09, as last amended 2004-01-09 nr. 55.

• Regulation on sterilization of catering waste before use in animal feed (Forskrift om sterilisering av avfall til dyrefôr), FOR 1979-03-15 nr. 3 and last amended 2004-01-09 nr. 69.

• Regulation on the prohibition of the use of processed animal protein in feed for production animals (Forskrift om forbud mot bruk av foredlede animalske proteiner i før til produksjonsdyr), FOR 200-12-22 nr. 1416 and last amended 2004-01-09 nr. 184. At the opening meeting the Authority was informed that this Regulation is the main Act transposing Council Decision No 2000/766/EC, Commission Decision No 2001/9/EC and Commission Regulation (EC) No 1326/2001.

• Regulation on the prohibition of the use of waste from private households as feedingstuffs (Forskrift om forbud mot bruk av matrester fra egen privathusholdning til dyrefôr), FOR 2001-03-04 nr. 161 and last amended 2004-01-09 nr. 90.

• Regulation on the prohibition of the use of certain animal waste products as feed for production animals (Forskrift om forbud mot bruk av visse animalske avfallprodukter i før til produksjonsdyr), FOR 2001-05-16 nr. 514 and last amended 2004-01-09 nr. 183.

• Instruction on the control of feed according to the feed legislation (Instruks til landbrukstilsynet for tilsyn mv. etter forvarereglerverket – EØS), 2001-07-04 nr. 820. At the opening meeting the Authority was informed that this Act transposes Council Directives 70/524/EEC, 82/471/EEC, 95/25/EC, 95/53/EC and 95/69/EC.

• Regulation on feedingstuffs (Forskrift om forvarer), FOR 2002-11-07 nr. 1290 and last amended 2004-10-09 nr. 199.

Finally, the following regulations and instructions have been adopted regarding the control of SRM:

• Regulation on transport and treatment of animal waste and establishments that treat animal waste (Forskrift om transport og behandling av animalsk avfall, og anlegg som behandler animalsk avfall), FOR 1999-11-05 nr. 1148 and last amended 2004-01-15. In the opening meeting, information was received that this Act transposes Council Directive 90/667/EEC.
• Instructions on supervision and actions taken against Transmissible Spongiform Encephalopathy (Instruks om overvåkning av og tiltak mot overførbare spongiforme encephalopatier), 2001-01-02 nr. 1 and last amended 2002-2-15 nr. 165. At the opening meeting the Authority was informed that this Act is part of the transposition of Council Regulation (EC) No 99/20001, as amended.

6 Main findings

6.1 Competent Authority

On 1 January 2004, the Norwegian Animal Health Authority (Statens Dyrehelsetilsyn, SDT), the Norwegian Food Control Authority (Statens Næringsmiddeltilsyn, SNT), the Norwegian Agricultural Inspection Service and the Seafood Inspectorate of the Directorate of Fisheries and the local government food control authorities were merged into the Norwegian Food Safety Authority (NFSA). The NFSA is a governmental body under the Ministry of Agriculture, the Ministry of Health and the Ministry of Fisheries, as the main act on food law falls under the responsibility of these Ministries. However, NFSA mainly reports to the Ministry of Agriculture which is responsible for the coordination and the budget. In § 23 of the Food Law of 12 December 2003 No 124, administrative powers are delegated from the three Ministries to the NFSA.

The tasks of the NFSA are:
- To prepare draft legislation.
- To provide information on legislation.
- To perform risk based inspections.
- To monitor food safety as well as plant, fish and animal health.
- The responsibility for emergency planning with regard to the above mentioned areas.

The NFSA is organised with three administrative levels with a head office in Oslo, eight regional and 64 districts offices. The regional offices are instances of appeal in the event of complaints against decisions taken at the district offices. Five of the regional offices are supposed to carry out national tasks: Sandnes for animal health issues, Bergen for fish issues, Brumunddal for IT-, postal- and registry functions, Sortland for the economic administration and, finally, one regional office takes care of plant issues.

2 The information received in the reply to the pre-mission document was amended by the Norwegian comments to the draft report (see point 2 in the Addendum).
3 The information received in the reply to the pre-mission document was amended by the Norwegian comments to the draft report as Ås is the seat of the national centre for plant issues (see point 2 in the Addendum).
Altogether 1,300 employees work for the NFSA. The practical tasks of supervision, inspection and control are delegated from the central level of the NFSA to its regional and local level.

The following observations were made:

- The mission team took note of the ongoing re-organisation of the CA. However, the CA took over its responsibilities on 1 January 2004 and was supposed to be fully operational at that time.
- The overall impression during the mission was that, at the moment, the supervision concerning application of measures on TSE epidemiological surveillance, carried out on a central and regional level, is limited.

6.1.1 Recruitment and training

The official veterinarians (OVs) in Norway are employed as civil servants by the NFSA. However, it is still possible for an OV, who carries out meat control in a slaughterhouse, to run private practise in the same area.

In 2001, the former Norwegian Animal Health Authority (Statens Dyrehelsetilsyn, SDT) arranged seminars for its district level concerning TSE surveillance and sampling methods. There is a guideline on the sampling and expedition of samples related to TSE surveillance (Praktisk veiledning om prøveuttak og forsendelse) issued by the former Norwegian Food Safety Authority (Statens Næringsmiddeltilsyn, SNT). Further information on sampling related to BSE, in particular the anatomy, was provided in the BSE supervision and control programme for 2003 (BSE overvåknings- og kontrollprogram 2003) issued by SNT in collaboration with the Norwegian Veterinary Institute.

The following observations were made:

- It was observed that there are enough resources and staff to perform tasks related to TSE surveillance. The staff was well educated and motivated.
- The OVs present on-the spot during the inspection had not participated in the 2001 SDT training course. This is not in compliance with Article 10 of Council Regulation (EC) No 999/2001.
- There was no information given indicating that further training on TSE surveillance was planned.
- There was a lack of guidelines and instructions in certain fields. For example, there was no list of symptoms and differential diagnoses available on the spot. Furthermore, it was observed that the categorisation of animals (sick-, emergency slaughtered) varied, which is an obstacle to the epidemiological value of the data collected for the BSE surveillance (see also 6.1.2).4
- In one slaughterhouse, eligibility checks were performed to a certain extend. This was based on the own initiative of the OV. There were no guidelines or instructions concerning eligibility checks.5
- The responsibility for the supervision of feed mills was transferred to the NFSA on 1 January 2004. However, in-house training was just about to be initiated.

---

4 See Norwegian comments under point 3 in the Addendum.
5 See Norwegian comments under point 3 in the Addendum.
• No information was received indicating that training is planned on a national level regarding supervision of feedmills.
• The deficiencies observed in the rendering plants, in particular, those that had not been detected in former inspections performed by the district level, indicated that there was a need for further training (see 6.1.3).

6.1.2 Prioritisation of controls / Reporting procedures

In the reply to the pre-mission questionnaire, Norway informed that the testing of bovine and small ruminant fallen stock is given “highest priority in a letter sent to the regional level about prioritisation of tasks”. The regional level receives from the central level numbers on how many fallen stock are to be expected in the region, in order to control if enough samples are taken on the district level. Furthermore, the OV's are instructed to perform TSE testing in accordance with the letter of assignment providing information on the surveillance and control programmes of the NFSA.

Concerning the testing of normal, emergency and sick slaughtered and certain imported animals, the OV must follow the Instructions on supervision and measures taken against Transmissible Spongiform Encephalopathies.

All data on sampled animals is collected by the National Veterinary Institute that reports monthly about animals tested in Norway. In the reply to the pre-mission questionnaire, the Authority was informed that the local level will be obliged to send annual reports concerning its TSE testing activities.

The following observations were made:
• There was no control and sampling programme concerning animal feed in place for 2004 (see further 6.4).²
• No use was made of the tools available for the overall monitoring of the nationwide surveillance programmes. For example, the amount of BSE samples to be taken every year was calculated on the basis of the subsidies paid, but not based on the data provided for by the cattle database. Furthermore, the number of fallen stock was not put in relation to the actual size of the population.³
• There was a lack of guidelines and instructions in certain fields which led, for example, to a varying categorisation of animals concerning BSE, which was an obstacle to the epidemiological value of the data to be collected regarding BSE epidemi surveillance.⁴
• The targeting of the feed samples was contradicted, as the feed laboratory randomly only checks one out of two samples (see 6.5).
• There was a lack of legacy with regard to the control of feed mills, as inspection reports produced under the CA formerly responsible, were not available for the current CA. On the day of inspection, the newly responsible official could not

---

² In its comments to the draft report, Norway informed that such programme was now in place (see point 4 in the Addendum).
³ See Norwegian comments under point 4 in the Addendum. Norway informed that 98,4% of its cattle stock is subject to subsidies and subject to the register of production subsidies.
⁴ In its comments to the draft report, Norway informed that certain guidelines related to the issue exist (see point 4 in the Addendum).
provide inspection reports on inspections carried out in the past. Thus, for example, possible shortcomings could not be followed-up by the new responsible authority.

6.1.3 Veterinary surveillance

The following observations were made:

- One establishment visited, handling SRM, was not approved for this activity. At the final meeting the Authority was informed that this deficiency was about to be rectified.

- The awareness concerning tasks and responsibilities with regard to supervision of transmissible spongiform encephalopathies (TSEs), supervision of rendering plants, traceability of SRM (see further 6.3) and the enforcement of the total feed ban was limited. For example, one establishment visited handling SRM was not approved for this activity (see above). Furthermore, while according to the reply to the pre-mission questionnaire, establishments handling SRM are supposed to be visited at least four times a year by an OV, no visit took place in the year 2002 and only one in 2001 and 2003.

- The efficacy of official controls varied locally and was limited in certain areas (traceability of SRM, supervision of rendering plants, enforcement of the total feed ban). For example, the pressure was not measured continuously during sterilisation and the measuring instruments were not calibrated in the rendering plants visited. Thus, it was not ensured that the process was carried out, as required by the legislation (see further 6.3). Furthermore, there were no records to ensure traceability of SRM (see further 6.4) and the inspection frequency of establishments handling SRM was not as required by the NFSA.

- In one rendering plant visited, the OV intended to withdraw the approval after a visit in August 2002. However, the establishment received a due date of 1 December 2003 to remedy the deficiencies. By that time the deficiencies had not been rectified and were verified in late January 2004. Thus, during 1.5 years the CA accepted that the establishment continued its business although it did not fulfil the legal requirements.

- There were no official checks on the animal’s identity in the slaughterhouse, as required in Chapter VI of Annex I to Council Directive 64/433/EEC.

- The categorisation of animals was not done in a standardised way in the slaughterhouses, as there were no guidelines. For example, emergency slaughtered animals were partly categorised as sick animals. This was an obstacle to the epidemiological value of the collected data (see further 6.2.1.3) and the second level of control.

- Not all parts of the body of an animal tested for BSE were retained under official control by the OVs in the slaughterhouse until a negative result to the rapid test has been obtained, as the hides were not kept under their control and in one slaughterhouse the carcasses were not kept in locked premises. This is not in accordance with Article 12 (3) of Council Regulation (EC) No 99/2001 and point 6.3 of Chapter A of Annex III to Commission Regulation (EC) No 1494/2002.\(^9\)

---

\(^9\) See Norwegian comment under point 5 in the Addendum.

\(^{10}\) Norway informed that a new instruction related to this issue entered into force on 28 June 2004 (see point 5 in the Addendum).
• The tools available for an overall monitoring of the nationwide surveillance programmes were not used. For example, information available in the cattle database on number of animals and their local distribution, was not used to evaluate the BSE surveillance programme. With regard to the scrapie surveillance programme, the monitoring of ovine and caprine animals, slaughtered for human consumption, was not done with a view to avoid the over-representation of any group as regards the bread and region, as required in point II (2) of Chapter A of Annex III to Council Regulation (EC) No 1248/2001.\textsuperscript{11}

• As further mentioned under point 6.2.1.3, the definition of fallen stock was done by the National Reference Laboratory (NRL), as samples of animals with differential diagnoses to be tested for Scrapie or BSE were added to the category fallen stock. Thus the figures did no longer reflect the awareness of the veterinary service. This was not considered by the CA.

• It was accepted by the veterinary service that the records of SRM leaving slaughterhouses, collection centres, rendering and processing plants were deficient (see further 6.3).

6.2 Transmissible Spongiform Encephalopathies

6.2.1 Bovine Spongiform Encephalopathy

6.2.1.1 Legislation

The mission team was informed that the Norwegian legislation incorporating Council Regulation (EC) No 999/2001 and its amendments, as integrated into the EEA Agreement, entered into force on 30 March 2004. During the mission certain shortcomings were observed. For example, the Norwegian legislation still allows use of fishmeal for the production of feed for all domestic animals. Furthermore, derogation is applied for the sampling of fallen stock in remote areas (see further 6.2.1.3). Such derogation might be applied under certain conditions according to Commission Regulation (EC) No 1139/2003, which is not a part of the EEA Agreement. However, at the final meeting the Authority’s inspector mentioned that conformity assessment of the Norwegian legislation is not included in the mission scope, which concerns the application of the relevant EEA legislation.

6.2.1.2 Passive surveillance

The disease BSE had been notifiable in Norway since 1990. The relevant legislation was integrated into the EEA Agreement by Joint Committee Decision No 66/03 of 20 June 2003 and had been applicable since beginning of 2004. However, it was observed that prior to that time, Norway had legislation in place that was to a large extent similar to the EEA legislation. Additionally, Norway has a contingency plan, including eradication measures, in line with current European Community (EC) legislation, which has partly not been incorporated into the EEA Agreement. However, the deficiencies observed related to training and awareness (see 6.1.1 and 6.1.3), which are of importance for the passive surveillance, were reflected in the low number of clinical suspects in 2003 in relation to

\textsuperscript{11} See Norwegian comment under point 5 in the Addendum.
the total number of stock. As already mentioned, there were guidelines concerning the symptoms, but no information on differential diagnosis on neurological symptoms or resistance to treatment to identify possible suspect cases.\(^{12}\)

### 6.2.1.3 Active surveillance

Most elements of the system were in place, as there was a sampling plan, NRLs, defined detection limits of the Rapid Test, certain elements of eligibility checks, categorisation of animals and guidelines to ensure a standardised sampling technique.

However the following shortcomings were observed.

- In the reply to the pre-mission questionnaire, the Authority was informed concerning TSE epidemiology surveillance and sampling, that “the local veterinary officers may decide to exclude fallen stock in remote areas”. This is not in line with point I (1.2) and point II (1) of Chapter A of Annex III to Council Regulation (EC) No 999/2001.\(^{13}\)
- There was no verification of the age of cattle (via cattle database or dentition checks) and deficient accompanying documents, which did not identify the individual animal (see report from the Authority’s traceability mission to Norway). Therefore, it could not be demonstrated that the random samples taken represent the age groups, as required in point I (2.3) of Chapter A of Annex III to Council Regulation (EC) No 999/2001.
- The eligibility checks were incomplete, as for example the ear marks were not checked against the cattle database and dentition checks depended on the initiative of individual OV's.
- There was a deficient and not homogenous categorisation of animals sampled, in particular concerning sick and emergency slaughtered animals and fallen stock (see 6.1.3), which depended on the evaluation of the individual OV in the slaughterhouse.\(^{14}\) For example, animals arriving sick at the slaughterhouses, were by one veterinarian partly added to the random samples and partly to the suspicious animals, where else another veterinarian considered them all as suspicious animals. This is an obstacle to the epidemiological value of the obtained data.
- In the reply to the pre-mission questionnaire, the Authority was informed that District Veterinarians (DV) may exclude fallen stock from the sampling (see 6.2.1.1), which is not in accordance with Council Regulation (EC) No 999/2001. In the same document, Norway informed that the DV's have to inform in their annual reports if they made use of this derogation. It could not be demonstrated during the mission that this reporting obligation was enforced.
- Information was received that animals slaughtered on the farm without ante-mortem inspection, arriving dead in the slaughterhouses may enter the food chain according to Norwegian legislation. This is not in accordance with Article 3 (1) A. (b) of Council Directive 64/433/EEC. This deficiency was already mentioned in former mission reports. Furthermore, these animals were not categorised as fallen stock or otherwise automatically sampled if they were supposed to be less than 24 months, although their age and identity was not secured (see remarks above).

---

12. See Norwegian comment under point 6 in the Addendum.
13. See Norwegian comment under point 7 in the Addendum.
14. See Norwegian comment under point 7 in the Addendum.
• Information was received that the NRL introduced on its own initiative animals in the category of fallen stock. However, the number of fallen stock is equivalent to around 0.75% of the population, which is below the internationally recognised average estimate of around 2% according to the International Office of Epizootic Diseases. Thus, there was indication of some underreporting (see also 6.1.3).\(^{15}\)

6.2.2 Scrapie

It was observed that the administration of samples was satisfactory, that there was a designated NRL (which detected NOR-98), that all positive cases are genotyped and that sub-sequencing took place as required. Furthermore, the NOR-98 strain will be used to establish a programme for the selection for genetic resistance.

Nevertheless, the following shortcomings were observed.

• The sampling targets for 2002 were achieved in most regions. However, no information was received concerning follow-up in those regions that missed the target, in some areas for almost up to 50%.\(^{16}\)

• There was no contingency plan on other TSEs than BSE, which is not in line with Article 14 of Council Regulation (EC) 999/2001.\(^{17}\)

• Animals killed by predators were not taken into consideration concerning fallen stock (58634 lamb and sheep in 2003).\(^{18}\)

• No account was taken of breed and region of origin for sampling on the spot, which is not in accordance with point II (2) of Chapter A of Annex I to Council Regulation (EC) No 1248/2001 (see also 6.1.3).\(^{19}\)

• The eligibility checks were not based on guidelines. They were not carried out in all slaughterhouses and, if they were undertaken, not comprehensive, as for example the ear marks were not checked. The farm records observed and the model handed out for those records by the official service were not in accordance with the requirements, which is an obstacle to the tracing of animals and the selection of possible risk populations.

• There were deficiencies in the identification of individuals, which confirmed the findings of the traceability mission.

6.3 Administration of Specific Risk Material

• One establishment (collection centre) visited was not approved for the handling of SRM. However, during the final meeting it was documented that this was rectified.

• Both rendering plants visited comprised external storage facilities that were not approved (and supervised) by the CA.

• The inspection frequency, as envisaged by the CA, could not be confirmed (see further 6.1.3).

\(^{15}\) See Norwegian comment under point 7 in the Addendum.

\(^{16}\) Norway informed that the issues has been followed-up (see point 8 in the Addendum).

\(^{17}\) See Norwegian comment under point 8 in the Addendum.

\(^{18}\) See Norwegian comment under point 8 in the Addendum.

\(^{19}\) See Norwegian comment under point 8 in the Addendum.
• The definition of SRM was not fully in line with Council Regulation (EC) No 999/2001, as the vertebral column was not included. However, it has to be noted that the current geographical risk of spongiform encephalopathy category (GBR) categorises Norway as GBR I. Accordingly, the vertebral column was not removed. The Norwegian services commented that the removal of the vertebral column will be compulsory from 1 November 2004.

• Information was received in the reply to the pre-mission questionnaire that inspections of processing plants for SRM are given highest priority. Thus, they have to be inspected by the OV at least four times a year. This inspection interval could not be confirmed during the mission (see also 6.1.3).

• In the plant processing SRM, it was not ensured that SRM was treated as required in point 3 (b) (ii) of Annex V to Council Regulation (EC) No 999/2001 and point 9 (b) (ii) of Annex III A of Commission Regulation (EC) No 1326/2001.

• In the rendering plant the pressure was not measured continuously during sterilisation and the measuring instruments were not calibrated. The particle size was not measured. Thus, it was not ensured that the process was carried out, as required in Article 1 (2) of Council Decision 1999/534/EC.

• Sheep were dispatched from the slaughterhouse with the spinal cord. The establishments receiving these carcasses were not specifically approved and supervised by the CA, as required in point 8 of Chapter A in Annex III to Commission Regulation (EC) No 1326/2001.

• In one slaughterhouse the control of the removal of the spinal cord was not fully satisfactory in all cases due to a lack of sufficiently detailed official instructions.

• The records on SRM leaving slaughterhouses, collection centres, rendering and processing plants were incomplete. There was no acknowledgement of receipt and no confirmation of incineration, which is an obstacle to the traceability and the efficacy of official controls. However, the amounts of SRM and SRM meat and bone meal were reconciled.

• Information was received in the reply to the pre-mission questionnaire that OVs were instructed to control and sign the establishment’s documents concerning the volume of SRM delivered to the processing plants. The establishments visited were not weighing the SRM leaving the establishments, which is an obstacle to the control of the volumes. This had not been criticised by the OVs in the past. Furthermore, there was no written evidence that such control was executed by the OVs.

• In the collection centre, the containers for SRM were not identified for the use of SRM in a way that it was ensured that they were for the exclusive use of SRM only (same containers identified with removable signs were used for SRM and other animal waste). Furthermore, SRM was kept in unidentified boxes.20

• Information was received that there was no legal bases in Norway for the purification of tallow.21

---

20 See Norwegian comment under point 9 in the Addendum.
21 Norway informed in its comments to the draft report that there is no such national legislation (see point 9 in the Addendum).
6.4 Enforcement of the Total Feed Ban

Council Regulation (EC) No 999/2001 was not fully applied, as the Norwegian legislation still allows the use of fishmeal for the production of feed for all domestic animals (including ruminants). It has to be added, that Commission Regulation (EC) No 1234/2003, allowing the use of fishmeal in feed for non-ruminants, is not a part of the EEA Agreement.

It was observed that:
- Fishmeal was used for the production of animal feed for all domestic animals. There were no double stream feed mills and no special approval for the use of fishmeal, as laid down in Annex I to Commission Decision 2001/9/EC.
- Establishments delivered fishmeal to the visited feed mill that were not on the list of establishments approved by the CA for the production of fishmeal.
- Blood from ruminants was used to feed monogastric animals (pigs) kept, fattened or bred for the production of food, which is not in line with Council Decision 2000/766/EC, as amended. Information was received that this was in line with the Norwegian legislation.
- Possible contamination of raw material with meat and bone meal (MBM) and carry-over effects were not considered or monitored by neither the official services nor the establishment visited.
- Not all batches of fishmeal were tested for presence of MBM or accompanied by a document certifying absence of MBM (as it would be required by the above mentioned Regulation No 1234/2003).
- A high number of samples have been tested for MBM in 2002 and 2003. However, there were no criteria for a risk assessment to decide on inspections and targeting of feed samples regarding the enforcement of the total feed ban.
- The inspection target had not been met since 2001. There were no inspections in 2002 because the local inspector had decided to perform no inspection and there was no control programme in place for 2004. Furthermore, there was a lack of legacy due to the re-organisation of the responsible CA (see further 6.1.2).

6.5 Laboratories

The NRLs for TSEs and feed were visited. Both laboratories used the sampling methods laid down in the relevant legislation.

The following observations were made:
- The feed laboratory had participated in a ring test for MAT in 2003 with a satisfactory result. However, information was received that the NRL for TSE could so far not participate in the ring tests organised by the European Union.

---

22 Norway informed in its comments to the draft report that the respective national legislation is under revision (see point 10 in the Addendum).
23 See Norwegian comment under point 10 in the Addendum.
24 See Norwegian comment under point 10 in the Addendum.
25 In the comments to the draft report Norway informed that there had been an inspection (see point 10 in the Addendum).
26 See Norwegian comment under point 11 in the Addendum.
• The feed laboratory was not allowed to inform the official service in case of possible positive samples if the sample was sent by a non-official, as the sampling results were strictly confidential and the property of the sender. Information was received that this was due to rules imposed by the accreditation body.\textsuperscript{27}

• The feed laboratory decided on which samples were to be sampled, which is an obstacle to target sampling.\textsuperscript{28}

• The calculation of the amount of samples to be taken was based on data concerning subsidies and not the actual size of the population, as recorded in the cattle database. The estimated number of samples was not compared to the real size of the population.\textsuperscript{29}

• The definition of fallen stock was altered by the NRL (see 6.1.3).\textsuperscript{30}

7 Final meeting

The final meeting was held on 2 April, at the central CA in Oslo, where the Authority’s inspector presented the main findings and conclusions of the mission. Representatives from the Ministry of Agriculture were also present.

It was concluded that the enforcement of the total feed ban is not sufficiently ensured at the moment. It was also pointed out that the findings concerning official supervision and traceability of animals confirmed the findings of the Authority’s traceability mission to Norway. Furthermore, the re-organisation of the official control does not free the CA from its obligations concerning supervision, training and guidance. In particular, with regard to the categorisation of TSE sampled animals, a homogenous approach must be guaranteed to ensure the epidemiological value of the data. Concerning the deficient enforcement of the total feed ban, it was acknowledged that there is already a certain system in place and that all material is supposed to be incinerated. Finally, the Authority’s inspector informed that additional conclusions might be included in the report based on a more detailed assessment of the information received during the mission.

The representatives from the CA, who accompanied the mission team, confirmed the observations and conclusions. It was confirmed that the findings were already presented on the spot after each visit. The Chief Veterinary Officer welcomed the outcome of the mission as very useful, in particular in light of the re-organisation of the Norwegian services and stated that it confirmed her impression, also in light of the former traceability mission. She welcomed that the Authority’s mission reflects the overall picture and the positive comments concerning the performance of the NRLs. Another representative from the CA commented on the dispatch of sheep containing spinal cord and the dispatch of unknown/not documented amounts of SRM, as not in line with the Norwegian legislation. The Authority’s inspector invited Norway to provide further information on this observation while drafting the report.

\textsuperscript{27} See Norwegian comment under point 11 in the Addendum.
\textsuperscript{28} See Norwegian comment under point 11 in the Addendum.
\textsuperscript{29} See Norwegian comment under point 11 in the Addendum.
\textsuperscript{30} See Norwegian comment under point 11 in the Addendum.
8 Conclusions

8.1 Competent Authority

As already mentioned at the final meeting, the Authority took account of the reorganisation of the CA. However, the NFSA is the responsible CA since 1 January 2004 and supposed to be fully operational. In particular, with regard to the supervision of feedmills, enforcement of the total feed ban and supervision of SRM material and processing plants, an immediate improvement is needed.

8.1.1 Recruitment and training

- Improvement is needed with regard to the training and equilibration of OVs as well as with regards to epidemi surveillance of TSEs. In particular the differential diagnoses and eligibility checks need to be upgraded to fulfil the legal requirements.
- Guidelines should be developed to ensure a homogeneous categorisation of animals to be tested and to increase the awareness of the OVs and the epidemiological value of the collected data.
- A nationwide homogeneous training with regard to the supervision of feed mills should be initiated.31

8.1.2 Prioritisation of controls / Reporting procedures

- A sampling programme for animal feed for 2004 has to be implemented and enforced, which should take account of inspection results and shortcomings observed by the CA formerly responsible.32
- The prioritisation of controls should be based on all available tools, in particular the cattle database, to ensure a proper risk assessment.
- It has to be guaranteed that all parties involved in the epidemi surveillance of TSEs, in particular the OVs in the slaughterhouses and the laboratories, follow the sampling plan and its pre-requisites (categorisation of animals, selection of samples).

8.1.3 Veterinary surveillance

- A major improvement is needed regarding supervision of establishments dealing with SRM. It has to be ensured that these controls are performed according to the same improved standards throughout the country and that shortcomings are rectified immediately. In particular, it must be secured that only approved establishments deal with SRM, that the CA is aware of all their facilities, that the traceability of SRM is ensured and finally that the processes are carried out in accordance with the legal requirements.
- Like in former missions, it was still observed that an improvement is needed with regard to the surveillance and communication between the different organisational levels of the CA to ensure a homogeneous system.

31 Norway informed that such training had started (see point 12 in the Addendum).
32 Norway informed that such programme is now implemented (see point 13 in the Addendum).
• The deficiencies regarding checks on animals’ identity confirmed the findings of the traceability mission and need to be rectified.
• The control of parts of the body of animals undergoing TSE testing needs to be intensified in order to fulfil the legal requirements.
• As already mentioned above, there were deficiencies related to the selection of animals to be sampled (on a local level and in the nationwide surveillance system), the identification of animals (age) and the categorisation of animals sampled. Thus, it could no be demonstrated that the obtained data fully reflects the current epidemiological situation. On the other hand, there seemed to be a lack of awareness due to the (presumably) assuring epidemiological situation. Bearing in mind the deficiencies detected in the traceability mission related to animal identification and animal movements, a major improvement is needed to improve the overall veterinary surveillance.

8.2 Transmissible Spongiform Encephalopathies

8.2.1 Bovine Spongiform Encephalopathy

8.2.1.1 Legislation

The sampling of fallen stock in remote areas has to be in line with the legislation incorporated into the EEA Agreement.

8.2.1.2 Passive surveillance

In light of the comments made under veterinary supervision the relatively low number of clinical suspects in 2003 should be monitored.

8.2.1.3 Active surveillance

• Improvement is needed with regard to the standardisation, performance of checks and the traceability of animals to ensure that the invested effort achieves the goal.
• It has to be ensured that the categorisation of animals is done according to Council Regulation (EC) No 999/2001 and that this also applies to the laboratories.
• It has to be ensured that animals are sampled in accordance with Council Regulation (EC) No 999/2001.
• It has to be ensured that only animals that passed ante-mortem inspection enter the food chain, as required in Council Directive 64/433/EEC.

8.2.2 Scrapie

• The established sampling plans have to be enforced.
• A contingency plan for other TSEs than BSE has to be established.
• The sampling plan needs to be revised taking into consideration all varieties of fallen stock and the requirements of Council Regulation (EC) No 999/2001 concerning breeds and regions.

33 See Norwegian comment under point 14 in the Addendum.
• The eligibility checks and the identification of animals have to be improved to ensure that animals/risk populations are sampled, as required in the legislation.

8.3 Administration of Specific Risk Material

• The definition of SRM and, accordingly, the treatment of carcasses have to be rectified in order to comply with Council Regulation (EC) No 999/2001.
• Establishments receiving carcasses with SRM have to be approved and supervised by the CA, as required by Council Regulation (EC) No 999/2001.
• Supervision of establishments dealing with SRM, the supervision of the SRM and the process control need considerable improvement to fulfil the legal obligations.
• Written confirmation is needed that the visited establishments are now fully approved for their activities and that it is ensured that processing is carried out according to the legal requirements.34
• The inspections of SRM establishments need considerable improvement, as the severe deficiencies observed during this mission had not been identified during the inspections carried out by the CA.
• The inspection programme, as drawn-up by the CA, needs to be enforced.
• Traceability of SRM throughout the processing chain has to be ensured by the establishments and controlled by the CA.
• It has to be secured that SRM is only kept in clearly identified containers.
• Clarification is requested concerning the purification of tallow.

8.4 Enforcement of the Total Feed Ban

• The total feed ban has to be enforced according to the legislation incorporated into the EEA Agreement. This goes for fishmeal and blood.
• It has to be ensured that all establishments producing fishmeal are approved and listed by the CA.35
• The monitoring for MBM must be revised to care for all possible sources of cross-contamination and be based on a proper risk assessment.
• The inspections performed by the former CA have to be evaluated and if necessary followed-up.

8.5 Laboratories

• The participation of the NRL in the European ring tests should be made possible.36
• The CA has to take initiative to ensure that it is informed about all laboratory samples that are not in line with the legal requirements in order to be able to fulfil its supervisory obligations.37

34 Norway provided written evidence that the establishments concerned are now approved (see point 15 in the Addendum).
35 See Norwegian comment under point 16 in the Addendum.
36 See Norwegian information on action taken under point 17 in the Addendum.
37 See Norwegian comment under point 17 in the Addendum.
Decisions on samples (categorisation and analysis) should be based on guidelines and not on the evaluation of the laboratory.  

9 Recommendations to the Norwegian Competent Authority

The Norwegian CA should notify the Authority of written detailed evidence of the corrective action relevant to the points mentioned in Chapter 8 within two months after receiving the final report.

The Authority underlines the importance of equal treatment of all establishments, including those not inspected by the Authority.

10 Addendum to the mission report (Comments from Norway)

Norway sent the Authority a letter with comments from its Competent Authority on the factual content of the report and measures already taken to remedy deficiencies mentioned in the draft report. The full text of the letter from the Competent Authority, apart from its enclosures, is annexed to the report.

---

38 See Norwegian comment under point 17 in the Addendum.
39 For information on action taken by Norway in reply to the recommendations in the draft report, see the Annex to the comments from Norway in the Addendum.
Dear Sir/Madam

MISSION TO NORWAY FROM 29. MARCH TO 2. APRIL 2004 CONCERNING THE APPLICATION OF EEA LEGISLATION ON TSE EPIDEMIO SURVEILLANCE - COMMENTS ON DRAFT REPORT

Reference is made to the mission carried out by the EFTA Surveillance Authority to Norway 29 March 2004 to 2 April 2004. The purpose of this mission was to evaluate the application of the legislation on epidemic surveillance of Transmissible Spongiform Encephalopathies (TSE), as laid down in the Agreement on the European Economic Area (EEA Agreement).

Two fresh meat establishments, two rendering plants, one feed mill, one ovine holding and two national reference laboratories were visited.

According to your letter of 13 August 2004 the Norwegian Food Safety Authority (NFSA) is invited to comment on the factual content of the draft report received. Information on actions taken in response to the recommendations might also be addressed; this information is annexed to this letter.

The NFSA has the following comments on the factual content of the draft report:

1. Point 5 Legislation
   Letter of assignment which provides information on the surveillance and control programmes of the Norwegian Food Safety Authority (Orientering om provetaking og annen aktivitet i forbindelse med overviikings- og kontrollprogrammer i Dyrehelsetilsynet i 2004), adopted 2002-02-04.

   In the Norwegian translation "Dyrehelsetilsynet" should be replaced with "Mattilsynet".

2. Point 6.1 Competent Authority
   The local government food control authorities were also a part of the merger that went into establishing the NFSA.
The National Centre that takes care of general plant issues is situated as a unit within the regional office in As.

3. Point 6.1.1 Recruitment and training

"There was a lack of guidelines and instructions in certain fields. For example, there was no list of symptoms and differential diagnoses available on the spot. Furthermore, it was observed that the categorisation of animals (sick-, emergency slaughtered) varied, which is an obstacle to the epidemiological value of the data collected for the BSE surveillance (see also 6.1.2)."

This is, in our opinion, not giving the correct picture. A list of symptoms and differential diagnosis has been distributed by the former Norwegian Animal Health Authority in "Rodboka". "Rodboka" has been distributed to all official veterinarians, including meat inspection units at slaughterhouses. "Rodboka" gives information about certain contagious animal diseases, including BSE and scrapie. The information includes epidemiology, clinical symptoms and pathogenesis, pathology, diagnosis, differential diagnosis and measures.

Also, Plan of action and communication if Bovine Spongiform Encephalopathy (BSE) is suspected or found in Norway (Tiltaks og kommunikasjonsplan ved mistanke om eller piviisning av BSE i Norge), adopted 2003-08-12, includes a list of symptoms and differential diagnosis for BSE.

"In one slaughterhouse, eligibility checks were performed to a certain extend. This was based on the own initiative of the OV. There were no guidelines or instructions concerning eligibility checks."

This is, in our opinion, not giving the correct picture. According to Instruction on supervision and measures taken against Transmissible Spongiform Encephalopathies (Instruks om overv&kning av og tiltak mot overforbare spongifonve encefalopathier), adopted 2001-01-02 nr.01, annex II, the age of small ruminants should be estimated from (1) dental development, (2) obvious signs of maturity or (3) other information.

4. Point 6.1.2 Prioritisation of controls / Reporting procedures

"There was no control and sampling programme concerning animal feed in place for 2004 (see further 6.4)."

This is, in our opinion, not correct as a draft program for control and sampling of animal feed in 2004 was presented in Stavanger 23 March. This program is designed according to national risk assessment and the Commission Recommendation 2004/163 of February 2004. (Similar to "Draft recommendation of The EFTA Surveillance Authority", dated 31 March). The draft program has since been formalized and distributed. Several of the inspectors from the Norwegian Agricultural Inspection Service were transferred to the new organization and continued their supervision in the NFSA. Their supervision was until 23 March based on a preliminary plan. For further information, please see the enclosed "OK-program for for til landdyr2004" (enclosure No 1).

"No use was made of the tools available for the overall monitoring of the nationwide surveillance programmes. For example, the amount of BSE samples to be taken every year was calculated on the basis of the subsidies paid, but not based on the data provided for by the cattle database. Furthermore, the number of fallen stock was not put in relation to the actual size of the population."

As Norway sees it, this is not required, because according to regulation (EC) No 999/2001 as last amended and Annex I Chapter 1 Part 7 of the EEA agreement, Norway shall sample
10,000 normal bovine animals older than 30 months slaughtered for consumption. Thus, the number of BSE tests in this category is a fixed number that is not calculated.

Regarding fallen stock: The register of production subsidies was used for estimation of the size and geographical distribution of the cattle population. The register of production subsidies covered 98.4% of the cattle registered in the Cattle database per 31 December 2003. The expected number of fallen stock per region was estimated according to the regional population size using the register of production subsidies for the population data and the Norwegian Dairy Herd Recording System and the Norwegian Beef Herd Recording System for estimating the proportion of fallen stock in the dairy and beef population respectively. For the purpose of planning and estimation of target numbers these estimates are considered sufficient, though some minor discrepancies from estimation based upon the Cattle database are expected.

"There was a lack of guidelines and instructions in certain fields which led, for example, to a varying categorisation of animals concerning BSE, which was an obstacle to the epidemiological value of the data to be collected regarding BSE surveillance."

This is, in our opinion, not giving the correct picture according to: Instruction on supervision and measures taken against Transmissible Spongiform Encephalopathies (Instruks om overviikning av og lttak mot overforbare spongiforme encefalopathier), adopted 2001-01-02 nr.01. Chapter 1 in the instruction gives instruction on which categories of animals should be sampled in slaughterhouses.

We will also like to refer to: Letter of assignment which provides information on the surveillance and control programmes of the Norwegian Food Safety Authority (Orientering om prøvetaking og annen aktivitet i forbindelse med overvikings- og kontrollprogrammer i Mattilsynet i 2004), adopted 2002-02-04, which gives instructions regarding sampling of fallen stock.

5. Point 6.1.3 Veterinary surveillance

"The categorisation of animals was not done in a standardised way in the slaughterhouses, as there were no guidelines. For example, emergency slaughtered animals were partly categorised as sick animals. This was an obstacle to the epidemiological value of the collected data (see further 6.2.1.3) and the second level of control."

Please see comments to point 6.1.2.

"Not all parts of the body of an animal tested for BSE were retained under official control by the OVs in the slaughterhouse until a negative result to the rapid test has been obtained, as the hides were not kept under their control and in one slaughterhouse the carcasses were not kept in locked premises. This is not in accordance with Article 12 (3) of Council Regulation (EC) No 999/2001 and point 6.3 of Chapter A of Annex III to Commission Regulation (EC) No 1494/2002."

This is, in our opinion, not giving the correct picture as Article 12 of Council Regulation (EC) No 999/2001 sets out requirements for measures with respect to suspect animals. Article 12 (3) requires that all parts of the suspected animal including the hide, shall be retained under official control until a negative diagnosis has been made or shall be destroyed. The NFSA requires that such carcasses shall be kept in separate, locked premises. This was communicated at the intranet from the former Norwegian Food Control Authority to the former local government food control authorities. The new Instruction on sampling, handling, evaluation and actions regarding transmissible spongiform encephalopathies (TSE) for bovine, ovine and caprine animals and cervids nr.1053, which entered into force 28 June 2004, also emphasize this obligation (please see point 6.3 a) in the enclosed instruction, (enclosure No 2). Point 6.3 of Chapter A of Annex III to Commission Regulation (EC) No 1494/2002 requires
that all parts of an animal tested for BSE including the hide, shall be retained under official
control until a negative diagnosis has been made or shall be destroyed. According to the
NFSA's interpretation, BSE tested carcasses of animals subject to normal slaughter for human
consumption, may be stored in the same chillers as other normal carcasses, if the sampled
carcasses are kept separate from health marked carcasses, and it is secured that the sampled
carcasses are not incorrectly released. The NFSA considers that storing sampled carcasses of
animals subject to normal slaughter for human consumption on separate backed rails gives
sufficient security for not incorrectly realised. BSE-tested carcasses may only be health
marked after a negative result to the rapid test has been obtained.

"The tools available for an overall monitoring of the nationwide surveillance programmes were
not used. For example, information available in the cattle database on number of animals and
their local distribution, was not used to evaluate the BSE surveillance programme. With regard
to the scrapie surveillance programme, the monitoring of ovine and caprine animals,
slaughtered for human consumption, was not done with a view to avoid the over-
representation of any group as regards the breed and region, as required in point 11(2) of

This is, in our opinion, not giving the correct picture, as the register of production subsidies
covered 98.4% of the cattle registered in the Cattle database per 31 December 2003.
Regarding scrapie surveillance: Instruction on supervision and measures taken against
Transmissible Spongiform Encephalopathies (Instruks om overvåking av og tiltak mot
overferbare spongiforme encefalopathier), adopted 2001-01-02 nr.01, annex II, states that the
samples shall be representative for breed and region. The OVs are instructed to sample
42,500 and 10,500 slaughtered adult sheep and goats for 2003 and 2004, respectively. When
choosing animals for sampling, geographical origin, species, breed, age and production type
shall be considered by the OV, so that no group is overrepresented. Also, see the enclosed
letters from the former Norwegian Food Control Authority to the local government food control
authorities (enclosure No 3). These letters emphasize the importance of random sampling as
specified in the TSE-regulation.

"As further mentioned under point 6.2.1.3, the definition of fallen stock was done by the
National Reference Laboratory (NRL), as samples of animals with differential diagnoses to be
tested for scrapie or USE were added to the category fallen stock. Thus the figures did no
longer reflect the awareness of the veterinary service. This was not considered by the CA."

The reason why the sample is submitted is given by the OV on the identification label which is
placed directly on the test tube, and the categorisation in the laboratory is done solely on basis
of this information. An anamnesis is only requested when an animal with clinical signs
suspicious of a TSE is sampled, and in these cases the OV is contacted to give more details
or to clarify the given information if the laboratory is not contacted by the OV in advance. In
some cases this communication reveals that the anamnesis scheme is filled out and submitted
by a mistake. If so, the animal is placed in the group of fallen stock.

6. Point 6.2.1.2 Passive surveillance

"However, the deficiencies observed related to training and awareness (see 6.1.1 and 6.1.3),
which are of importance for the passive surveillance, were reflected in the low number of
clinical suspects in 2003 in relation to the total number of stock. As already mentioned, there
were guidelines concerning the symptoms, but no information on differential diagnosis on
neurological symptoms or resistance to treatment to identify possible suspect cases."

This is, in our opinion, not giving the correct picture. Regarding the guidelines concerning
differential diagnosis, please see the comment to point 6.1.1.

Regarding definition of animals being suspected of being infected by a TSE; this definition is found in Letter of assignment which provides information on the surveillance and control programmes of the Norwegian Food Safety Authority (Orientering om prevetaking og annen aktivitet i forbindelse med overv&kings- og kontrollprogrammer i Mattilsynet i 2004), adopted 2002-02-04.

7. Point 6.2.1.3 Active surveillance

"In the reply to the pre-mission questionnaire, the Authority was informed concerning TSE epidemic surveillance and sampling, that "the local veterinary officers may decide to exclude fallen stock in remote areas ". This is not in line with point I (1.2) and point II (1) of Chapter A of Annex III to Council Regulation (EC) No 999/2001."

This is, in our opinion, not giving the correct picture as the NFSA can not see that the above references to Council Regulation (EC) No 999/2001 affects the exclusion of fallen stock in remote areas. As the NFSA reads point I (3.2) and point II (3) of 2001 chapter A of Annex III to Council Regulation (EC) No 999/2001, the authorities making use of the derogation for remote areas, shall only inform thereof. Thus, an application before applying this derogation is not necessary.

"There was a deficient and not homogenous categorisation of animals sampled, in particular concerning sick and emergency slaughtered animals and fallen stock (see 6.1.3), which depended on the evaluation of the individual OV in the slaughterhouse."

Please see the comments to point 6.1.2 and 6.1.3.

"Information was received that the NRL introduced on its own initiative animals in the category of fallen stock. However, the number of fallen stock is equivalent to around 0.75% of the population, which is below the internationally recognised average estimate of around 2% according to Ute International Office of Epizootic Diseases. Thus, there was indication of some underreporting (see also 6.1.3)."

This is, in our opinion, not giving the correct picture as the NRL does not introduce animals in the category of fallen stock on its own initiative as the categorisation is done only on the basis of information received from the OVs. The number of fallen stock is given by the National Cattle Register, and a lower number of fallen stock in Norway compared to the international recognised average estimate, may just as well be due to different management and the well developed practise of emergency slaughter, as to underreporting.

8. Point 6.2.2 Scrapie

"The sampling targets for 2002 were achieved in most regions. However, no information was
received concerning follow-up in those regions that missed the target, in some areas for almost up to 50%.

To follow up the regions that had too few samples, the central CA has sent an e-mail to all the regional CAs. In the e-mail the regions were reminded of the importance of fulfilling this international obligation. The regions were asked to increase the sampling. A copy of this e-mail was given to the Authorities representative at the final meeting; also a copy of the e-mail is enclosed with this letter (enclosure No 4).

"There was no contingency plan on other TSEs than BSE, which is not in line with Article 14 of Council Regulation (EC) 999/2001."

This is, in our opinion, not giving the correct picture as the NFSA has a contingency plan for scrapie. It can be found at the following link: http://www.mattilsvennet.no/portal/paQe? paeid-34.34224& dad=portal92& schema=PORTAL 92&articeld=9272&artSectionld=1105

"Animals killed by predators were not taken into consideration concerning fallen stock (58634 lamb and sheep in 2003)."

This is, in our opinion, not giving the correct picture. There was no available database covering total sheep population on an individual level in Norway when the number of fallen stock of sheep was estimated. The Register of production subsidies was used for estimation of the total sheep population. The Register of production subsidies covers approximately 99% of the sheep flocks and approximately 97% of the individual sheep compared to the animal census data (1999 data). The percentage of fallen stock was calculated using the Norwegian Sheep Recording System which covers approximately 25% of the flocks and 30% of the individual sheep. The average flock size of members of the Norwegian Sheep Recording System is larger than the average Norwegian sheep flock, but is considered representative for the sheep population within flock size when considering demographic information. The percentage of fallen stock of sheep > 18 months was estimated to be from 1.5% to 2.0%. The estimate did not vary considerably to flock size. Therefore the number of adult fallen stock in a population of 1.1 million adult sheep was estimated to be from 16700 to 22200 sheep. This includes adult sheep dead on pasture among them sheep taken by predators. The number of sheep and lamb killed by predators (58634 in 2003 as given in the draft report), is assumed to include a large proportion of lambs and sheep between 12 and 18 months. These age categories are not relevant for the surveillance programme of adult fallen stock (> 18 months) and we do not consider this information to contradict the number of fallen stock as estimated above.

"No account was taken of breed and region of origin for sampling on the spot, which is not in accordance with point 11(2) of Chapter A of Annex I to Council Regulation (EC) No 1248/2001 (see also 6.1.3)."

Please see comment to point 6.1.3.

9. Point 6.3 Administration of Specific Risk Material

"In the collection centre, the containers for SRM were not identified for the use of SRM in a way that it was ensured that they were for the exclusive use of SRM only (same containers identified with removable signs were used for SRM and other animal waste). Furthermore, SRM was kept in unidentified boxes."

This is, in our opinion, not giving the correct picture as according to the Regulation (EC) No.
1774/2002, Annex II, reusable containers must be cleaned, washed and disinfected after each use. The reusable containers must be dedicated to the carriage of a particular product to the extent necessary to avoid cross-contamination. A permanent labeling of the containers is, to our interpretation, not compulsory.

"Information was received that there was legal bases in Norway for the purification of tallow." Although the producer of tallow (Norsk Protein AS) has introduced a routine testing of tallow and gives sales guarantees on purification (bellow 0,15 weight percentages) to the customer, the implementation of Council Decision 1999/534/EC article 2.1 into national legislation has unfortunately never been done. An implementation of the requirement will take place when the regulation on animal by-products (Regulation (EC) No. 1774/2002) is included in the EEA agreement.

10. Point 6.4 Enforcement of the total Feed Ban

"Blood from ruminants was used to feed monogastric animals (pigs) kept, fattened or bred for the production of food, which is not in line with Council Decision 2000/766/EC, as amended. Information was received that this was in line with the Norwegian legislation."

When implementing the Council Decision 2000/766/EC, it was interpreted that fresh blood did not come under the category processed animal protein as defined in article 1 of the decision. This is more or less in line with article 1 of the Council Decision 1999/534/EC, where an exemption on treating blood and blood products is granted, and with article 3 (2) of Decision 2000/766/EC which is referring to CD 1999/534/EC.

A hearing concerning amendments to the national legislation on the feed ban has recently been done. The prohibition on feeding fishmeal to ruminants is expected to be implemented in the national regulation by the Ministry of Agriculture. An explanatory letter to the producer of feed for pigs, about the prohibition of using fresh blood, will be dispatched.

"Possible contamination of raw material with meat and bone meal (MBM) and carryover effects were not considered or monitored by neither the official services nor the establishment visited." This is, in our opinion, not giving the correct picture as contaminations in general (feed materials/additives) are an important part of the annual control programs for sampling, inspections and audits in the feeding stuffs area. These programs are undertaken each year at the plant concerned either by the local inspector or by the headquarter of Norwegian Agricultural Inspection Service (until 2004). In 2002 an audit was performed, please see the enclosed audit report (enclosure No 5).

"Not all batches of fishmeal were tested for presence of MBM or accompanied by a document certifying absence of MBM (as it would be required by the above mentioned Regulation No 1234/2003)."

Regulation (EC) No. 1234/2003 was not a part of the EEA agreement at the time of inspection, and according to the extension of article 7 (1) (B) (b) the testing of all batches of fishmeal for MBM is only compulsory for imported fishmeal. The test program for fishmeal produced in Norway is done in accordance with EC’s coordinated inspections program. The imports of fishmeal from third countries are to our knowledge done by vessels to EC ports and checked there. The product should therefore be in conformity with the EC legislation.

"The inspection target had not been met since 2001. There were no inspections in 2002

[40] The Authority does not mention names of establishments.
because the local inspector had decided to perform no inspection and there was no control programme in place for 2004. Furthermore, there was a lack of legacy due to the re-organisation of the responsible CA (see further 6.1.2)."

This is, in our opinion, not giving the correct picture as the former Norwegian Agricultural Inspections performed inspections and audits in 2002 at the plant concerned (Felleskjepet Rogaland Agder), please see the enclosed audit report and the copy of the journal of correspondence between the former Norwegian Agricultural Inspections and the plant concerned (enclosure No 5). Also, see comments above regarding possible contamination of raw material with meat and bone meal (MBM).

11. Point 6.5 Laboratories

"The feed laboratory had participated in a ring test for MAT in 2003 with a satisfactory result. However, information was received that the NRL for TSE could so far not participate in the ring tests organised by the European Union."

The NRL in Norway is not invited to the meetings of the national reference laboratories on TSE in the EU. This problem has been discussed with the Ministry of Agriculture several times. It has also been presented through our diplomatic channels in Brussels. Discussions with the Ministry in order to solve the problems will continue.

"The feed laboratory was not allowed to inform the official service in case of possible positive samples if the sample was sent by a non-official, as the sampling results were strictly confidential and the property of the sender. Information was received that this was due to rules imposed by the accreditation body."

This is, in our opinion, not giving the correct picture. Due to the accreditation standard EN-ISO/IEC 17025, § 4.1.5 the NRL is handling all laboratory results confidentially, and is not allowed to inform the CA / OV or other services in case of positive findings in samples sent from not-official customers. However, these results are available to the CA / OV upon their surveillance and inspection of the internal control systems at the plant and production sites. Furthermore, authorized feed producing establishments are obliged to inform the CA / OV of any positive test results of MBM or other contaminants, according to the Norwegian regulation (Forskrift 7. november 2002 nr. 1290 om fdrvarer) § 15.

"The feed laboratory decided on which samples were to be sampled, which is an obstacle to target sampling."

This is, in our opinion, not giving the correct picture as "LabNett", as the National Reference Laboratory (NRL) for feed analysis, checks samples for the determination of meat and bone meal (MBM) according to public regulations and control plans established by the NFSA. For 2003 these control plans ensures a random check of one out of two samples. Changes in the control plans lead to adequate changes in the routines at the NRL for its selection of samples; all present and future routines are documented at the laboratory (Internal Doc-ID: Al 25).

The randomization is ensured by strictly selecting every second sample (e.g. 2003) out of laboratory journal lists. Regarding minor producers (< 2-3 samples/year) the laboratory ensures that the randomization never results in an absence of samples to be tested.

"The calculation of the amount of samples to be taken was based on data concerning subsidies and not the actual size of the population, as recorded in the cattle database. The estimated number of samples was not compared to the real size of the population."

Please see comment to point 6.1.2.
"The definition of fallen stock was altered by the NRL (see 6.1.3)."
Please see comments to points 6.1.3 and 6.2.1.3

12. Point 8.1.1 Recruitment and training
"A nationwide homogeneous training with regard to the supervision of feed mills should be initiated."
In-house training in supervision of feed mills has been arranged 23 - 24 March 2004 in Stavanger and 2-3 June 2004 in As. Please see enclosed programs and list of participants (enclosure No 6). The courses included participants from different regions.

13. Point 8.1.2 Prioritisation of controls / Reporting procedures "A sampling programme for animal feed for 2004 has to be implemented and enforced, which should take account of inspection results and shortcomings observed by the CA formerly responsible."
A control program for sampling, inspections and audits is designed according to a national risk assessment and to the Commission Recommendation 2004/163 of February 2004, similar to: "Draft recommendation of The EFTA Surveillance Authority", dated 31 March. This program takes, among other, into account results and experiences from earlier supervisions.

14. Point 8.2.2 Scrapie
"A contingency plan for other TSEs than BSE has to be established."
Please see comment to point 6.2.2.

15. Point 8.3 Administration of Specific Risk Material "Written confirmation is needed that the visited establishments are now fully approved for their activities and that it is ensured that processing is carried out according to the legal requirements."
A copy of the letter of approval for the collection place/intermediated store for SRM at Grodaland and a copy of the letter of approval for the storage place for SRM at Sandeid is enclosed (Enclosure No 7).

16. Point 8.4 Enforcement of the Total Feed Ban
"It has to be ensured that all establishments producing fishmeal are approved and listed by the CA."

This is, in our opinion, not correct as the ESA inspectors received the list of approved fishmeal producers during the inspection. A copy of the list is also enclosed with this letter (enclosure No 8). [...] buys fishmeal from [...] 42, and the factory is approved and listed for production of fishoil and fishmeal (approval No xxx 43). [...] sells its products to [...] 44. [...] is a sales organisation for several fishmeal establishments. [...] 45 therefore is not required to have an approval for fishmeal production.

17. Point 8.5 Laboratories
"The participation of the NRL in the European ring tests should be made possible."

The NRL in Norway is not invited to the meetings of the national reference laboratories on TSE in the EU. This problem has been discussed with the Norwegian Ministry of Agriculture several times. It has also been presented through our diplomatic channels in Brussels.

41 The Authority does not mention names of establishments.
42 The Authority does not mention names of establishments and their addresses.
43 The Authority keeps the identity of establishments visited enclosed.
44 The Authority does not mention names of private enterprises.
45 See footnote above.
Discussions with the Ministry in order to solve the problems will continue.

"The CA has to take initiative to ensure that it is informed about all laboratory samples that are not in line with the legal requirements in order to be able to fulfil its supervisory obligations."

This is, in our opinion, not correct. See the comment to point 6.5. Also, the NFSA believes that the supervisory obligations are fulfilled, because the establishments in the feeding stuffs sector are obliged to inform CA of any positive test results of MBM or other undesirable substances (§ 15 in the Norwegian Regulation). In addition all laboratory results are available at inspections and audits.

"Decisions on samples (categorisation and analysis) should be based on guidelines and not on the evaluation of the laboratory."
Please see the comment to point 6.5.

Joakim Lystad
Director general

Annex:
Information on actions taken in response to the recommendations

Enclosures:

1. OK-program for før til landdyr 2004
2. Instruction on sampling, handling, evaluation and actions regarding transmissible spongiform encephalopathies (TSE) for bovine, ovine and caprine animals and cervids
3. Three letters from the former Norwegian Food Control Authority to the local government food control authorities (Our ref 00/00908/CRU)
4. E-mail from the former Norwegian Animal Health Authority's central level to all the regions ("Manglende provetaking i overvåkningsprogrammene")
5. Audit report and the copy of the journal of correspondence between the former Norwegian Agricultural Inspections and Felleskjøpet Rogaland Agder (enclosure No 5)
6. Training - supervision of feed mills: Program and list of participants at courses held at Stavanger and As
7. Letters of approval for the collection place/intermediated store for SRM at Grodaland and for the storage place for SRM at Sandeid
9. Regulation on prevention, control and eradication of transmissible spongiform encephalopathies (TSE), FOR 2004-03-30 nr. 595
10. Tilgang for kjøttkontrollene til Husdyrregisteret
11. Veileder om spesifisert risikomateriale (SRM) med hensyn til forebygging av, kontroll med og utryddelse av spongiforme encephalopaotier (SRM)
12. Fallen stock - for lite prover
13. Tilbakemelding om utført arbeid i forbindelse med varsling om vedtak / Tilsynsrapport med varsling om vedtak
ANNEX

INFORMATION ON ACTIONS TAKEN IN RESPONSE TO THE RECOMMENDATIONS

1. Point 5 Legislation


Instruction on sampling, handling, evaluation and actions regarding transmissible spongiform encephalopathies (TSE) for bovine, ovine and caprine animals and cervids nr. 1053 entered into force 28 June 2004. A copy of the instruction is enclosed (enclosure No 2). The instruction repeals Instruction on supervision and measures taken against Transmissible Spongiform Encephalopathies (Instruks om overv&kning av og tiltak mot overfØrbare spongiforme encefalopathim), adopted 2001-01-02 nr.01.

2. Point 6.1.1 Recruitment and training

Training in supervision of feedmills was arranged 23 - 24 March in Stavanger and 2-3 June in As. Please see enclosed programs and list of participants (enclosure No 6). The courses included participants from different regions.

3. Point 6.1.3 Veterinary surveillance

Regarding approval of establishments:Enclosed this letter are a copy of the letter of approval for the collection place/intermediatedstore for SRM at Grodaland and a copy of the letter of approval for the storage place forSRM at Sandeid (Enclosure No 7).

Regarding checks on the animals identity in the slaughterhouses: The NFSA has started the process that will give the meat inspection units in the slaughterhouses access to the cattle database. Please see the enclosed information that will be published on the intranet (enclosure no 10). Regarding storing of TSE-ampled carcasses:Point 6.3 in the Instruction on sampling, handling, evaluation and actions regarding transmissible spongiform encephalopathies (TSE) for bovine, ovine and caprine animalsand cervids 2004-06-28 nr. 1053, instructs the OV to retain all parts of the TSE-testedanimal including the hide, under official control until a negative diagnosis has been made orshall be destroyed. The carcasses shall be kept in separate, locked premises. However,carcasses of animals subject to normal
slaughter for human consumption may be stored in the same chillers as other, normal slaughtered carcasses, if the sampled carcasses are kept separate from health marked carcasses, and it is secured that the arrested carcasses are not incorrectly released. The NFSA considers that storing sampled carcasses of animals subject to normal slaughter for human consumption on separate locked rails give sufficient security for not incorrectly realising these carcasses. BSE-tested carcasses may only be health marked after a negative result to the rapid test has been obtained.

Regarding evaluation of the BSE surveillance program - information in the cattle database: The use of the Cattle database at National Veterinary Institute has started and the Cattle database is expected to be used for the planning of the programme in 2005.

Regarding documentation/traceability of SRM:
Regulation on prevention, control and eradication of transmissible spongiform encephalopathies (TSE) 2004-03-30 nr 595 § 4, states that establishments responsible for removing and handling SRM shall document where the SRM is delivered and the amount of SRM that is delivered.
Point 8 and annex III in the Instruction on sampling, handling, evaluation and actions regarding transmissible spongiform encephalopathies (TSE) for bovine, ovine and caprine animals and cervids 2004-06-28 nr. 1053 instructs the OVs in fresh meat establishments to document in writing their supervision and follow up of the establishments' fulfilment of the TSE-regulations requirements, including the supervision regarding where the SRM is delivered and the amount of SRM that is delivered. Also, a "SRM-guidance" has been published by the NFSA (enclosure No 11). The guidance gives further descriptions on how the NFSA inspectors shall conduct their supervision with the establishments SRM records, please see page 6, point 7 in the enclosed "SRM-guidance". To ensure reception of processed SRM for incineration; the rendering plants for SRM have implemented trade documents for deliveries to the incinerator, Norcem in Brevik. Documents on transport between intermediate and processing plants have been issued.

4. Point 6.2.1.3 Active surveillance

Regarding categorisation of animals: The definition of sick animals is clarified in the new instruction on sampling, handling, evaluation and actions regarding TSE (FOR 2004-06-28 nr. 1053). Thus, the categorisation of sampled animals is now more precise.

5. Point 6.2.2 Scrapie

Regarding follow-up of regions: To follow-up the regions the Head office sent a letter to the regions in July. The letter instructed the regions to follow-up the local level, so that the sampling frequency increased. Please see enclosure No 12.

6. Point 6.3 Administration of Specific Risk Material

Regarding approval of external storage facilities:
Concerning the two external storage facilities, the one belonging to the Grodaland plant is no longer in use. The one storage belonging to Sandeid has been approved according to Council Decision 90/667/EC.

Regarding measuring of pressure and calibration of instruments: The establishment (Gnadaland) did not have continuous measurements of pressure. This deficiency has been solved by installation of new equipment in the beginning of May 2004. The company has also started calibration of the measurements of temperature and pressure in all producing plants. In accordance with Council Decision 1999/543/EC the particle size is measured according to annex III:

4. Achievement of the requirements laid down in Annex I (a) Particle size for batch-pressure and continuous processes: the particle size is defined by the mincer hole or the anvil gap size

7. Point 6.4 Enforcement of the Total Feed Ban

Regarding delivery of fishmeal to the visited feed mill: The NFSA has verified that the following measures are carried out:

- the establishment documents that the all its suppliers are approved
- the establishment documents that the raw material is free from MBM

Also see the enclosed report from the feed mill (enclosure No 13).

8. Point 8.3 Administration of Specific Risk Material

Regarding supervision of establishments dealing with SRM: Point 8 and annex III in the Instruction on sampling, handling, evaluation and actions regarding transmissible spongiform encephalopathies (TSE) for bovine, ovine and caprine animals and cervids 2004-06-28 nr. 1053 instructs the OVs in fresh meat establishments to document in writing their supervision and follow up of the establishments’ fulfilment of the TSE-regulations requirements.

Regulation (EC) No 1774/2002 will, as mentioned, presumably soon be included in the EEA agreement. In that context all plants will have to apply for a (new) approval according to the regulation. The inspectors from the NFSA will be trained in performing supervision/audition of the establishments. A training program is in progress and the first course is planned for the beginning of December 2004.