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EFTA SURVEILLANCE AUTHORITY

Final report

EFTA Surveillance Authority's mission to Norway

from 3 to 12 October 2016

in order to evaluate the operation of official controls over the post-slaughter traceability of meat, meat products, meat preparations, and composite products

Please note that comments from Norway to factual errors in the draft report are referred to in footnotes and have been included in the body of the report using underlined italic print. Comments and information on the corrective actions already taken and planned by Norway are included in Annex 3 and 4 to the report.

Executive Summary

This report describes the outcome of a mission carried out by the EFTA Surveillance Authority in Norway from 3 to 12 October 2016.

The objective of the mission was to verify that official controls related to post-slaughter traceability and labelling of meat (of domestic ungulates, poultry, lagomorphs and game meat), minced meat, mechanically separated meat (MSM), meat preparations, meat products, and composite products containing meat and products thereof and other ingredients, were carried out in compliance with the European Economic Area (EEA) legislation. Particular attention was paid to qualitative and quantitative traceability, labelling and identification systems of meat and products thereof, and to use of additives.

The mission team found that the relevant EEA legislation has been incorporated into the national legislation. The responsible competent authority for official controls on traceability, labelling and use of additives in meat and products thereof has been designated.

The competent authority has developed a system of official controls with documented procedures and reporting of results. Notwithstanding the risk-based prioritisation of official controls at central level, the mission team noted that the official controls' frequency is not systematically based on the risk category of the establishment defined centrally and is sometimes set ad hoc by the inspectors.

Within the scope of the mission, consistency of official controls was not ensured due to the lack of detailed instructions and guidance, insufficient training and weak coordination from central level and between regions. In the framework of control campaigns, the competent authority achieved an analysis of results and the identification of solutions for improvement; however, the mission team noted that the competent authority did not verify the effectiveness of routine official controls on traceability and labelling of meat and products thereof and use of additives.

The mission team requested a traceability exercise in which the tracing by the competent authority of nine samples collected at retail level, through the food business operators' records from retail to the slaughterhouse of origin, was examined. The competent authority's results were not conclusive as the documentation did not establish a link between the product and its ingredients in each step. Information on quantitative traceability, accuracy of labelling and use of additives was not provided by the competent authority in the time given for the exercise.

Food business operators' traceability systems were in place and were generally satisfactory. The routine official controls of the food business operators' obligations included verification of compliance with traceability and labelling requirements. However, in several establishments visited, the non-compliances identified by the mission team in relation to quantitative traceability, labelling and use of additives such as nitrites and phosphates in meat and products thereof, had not been identified by the competent authority, thus affecting the reliability of these controls. Furthermore, the mission team noted that official controls did not always detect non-compliances with regard to general hygiene requirements in some establishments visited.

The mission team concludes that the system for official controls on traceability and labelling of meat and products thereof, and on the use of additives is not sufficiently developed and implemented. The deficiencies not detected by the competent authority, and the insufficient consistency in the implementation of routine inspections and audits undermine the effectiveness of their controls.

The report includes a number of recommendations addressed to the Norwegian competent authority, aimed at rectifying the identified shortcomings and enhancing the control measures in place.

EFTA SURVEILLANCE AUTHORITY

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1 Introduction

The mission took place in Norway from 3 to 12 October 2016. The mission team comprised two inspectors from the EFTA Surveillance Authority (the Authority) and an observer from Directorate-General for Health and Food Safety (DG SANTE) of the European Commission.

The opening meeting was held with representatives of the Norwegian Food Safety Authority (NFSA), the Ministry of Health and Care Services and the Ministry of Agriculture and Food, on 3 October 2016 at the NFSA head office in Oslo. At the meeting, the mission team confirmed the objectives and the itinerary of the mission and the Norwegian representatives provided additional information to that set out in the reply to the Authority's pre-mission document.

Throughout the mission, a representative of the NFSA head office accompanied the mission team. In addition, representatives from the regional level of the NFSA participated during meetings to the regional offices and departments and during visits to the different types of establishments.

A closing meeting was held at the NFSA head office in Oslo on 12 October 2016, during which the mission team presented its main findings and preliminary conclusions from the mission.

The abbreviations used in the report are listed in Annex 1.

2 Objectives and scope of the mission

The objectives of the audit were to:

- assess the operation of official controls by the Norwegian competent authority over the traceability of meat (meat of domestic ungulates, poultry, lagomorphs and game meat), minced meat, mechanically separated meat (MSM), meat preparations, meat products (hereafter referred to as meat and products thereof), and composite products containing meat and products thereof, and other ingredients.
- evaluate the implementation of and official controls by the Norwegian competent authority, on European Economic Area (EEA) legislation on traceability, labelling and identification systems of meat and products thereof, and use of additives.

Particular attention was paid to the following:

- Traceability, labelling and identification systems of meat and products thereof, and use of additives;
- Composite products containing meat and products thereof and traceability of quantities of each ingredient used.

The assessment was carried out based on, and related to, the EEA legislation referred to in Annex 2 to this report. The assessment was further based on the reply to the pre-mission document of the Authority.

The evaluation included the gathering of relevant information and appropriate verifications, by means of interviews/discussions, review of documents and records, and on-the-spot inspections, to demonstrate the normal control procedures adopted and measures in place to ensure that necessary corrective actions are taken when necessary.

The meetings with the competent authorities and the visits to establishments during the mission are listed in Table 1.

Table 1: Competent authorities and establishments/sites visited during the mission

	Number	Comments
Competent authorities	3	One opening meeting in Oslo. One closing meeting in Oslo. One clarification meeting.
	3	Three meetings between the mission team and representatives of the NFSA regional offices in two different regions.
	1	One interim meeting with representatives of the NFSA regional offices to discuss the results of the traceability exercise.
Cutting plants	6	One also approved for minced meat, meat preparations, MSM, meat products, re-wrapping and slaughter. One also approved for minced meat, meat preparations, MSM, and meat products. One also approved for minced meat and meat preparations. One also approved for minced meat, meat preparations, meat products and slaughter. Two also approved for minced meat, meat preparations and meat products.
Meat product processing establishments	2	One also approved for meat preparations.
Independent cold store	1	
Distribution centre	1	
Retailer	1	Approved for cutting, and production of minced meat, meat preparations and meat products.

3 Legal basis for the mission

The legal basis for the mission was:

a) Point 4 of the Introductory Part of Chapter I of Annex I to the EEA Agreement;

b) 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);

c) *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*;

d) Article 45 of *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*.

The main EEA legislation relevant for this mission is listed in Annex 2 to this report.

4 Background - Previous missions

Deficiencies in the control of traceability of meat traded as a commodity on globalised basis have been revealed during recent food crises and following the horsemeat scandal. Directorate F of DG SANTE has carried out a series of missions to a number of EU Member States focusing on control of traceability and labelling of meat and products thereof, and use of additives. Shortcomings in food business operators' compliance with their responsibilities and weaknesses in official controls in relation to traceability systems and labelling requirements were described in several EU Member States. An overview report summarising findings and conclusions will be available on DG SANTE website.

This audit focused in particular on these areas in targeted food businesses.

A mission relevant to the scope of this mission was carried out by the Authority in Norway from 3 to 12 October 2011. It covered identification, registration and movements of live bovine animals and labelling of beef and beef products. The report from that mission included three relevant recommendations addressed to the Norwegian competent authority aimed at rectifying the shortcomings identified. Subsequently the Norwegian competent authorities notified the Authority of corrective measures taken. The final report from this mission can be found on the Authority's website www.eftasurv.int.

5 Findings and conclusions

5.1 Competent authorities and national legislation

Legal Requirements

Article 4(1) of Regulation (EC) No 882/2004 requires Member States to designate the competent authorities responsible for the official controls set out in the Regulation.

Article 7 of the EEA Agreement requires acts referred to or contained in the Annexes to the Agreement to be made part of the Norwegian internal legal order.

Findings

The NFSA is the designated competent authority responsible for official controls to ensure traceability and labelling of meat, meat products and composite products, and use of additives throughout the whole food chain. The NFSA consists of two administrative levels, the head office and the regions. The head office is responsible for ensuring safe protection of audit data and the regions' compliance. The head office acts as an appeal body for decisions made by the regions. Official controls of food business operators on traceability, labelling of food and use of additives are carried out by the regions of the NFSA. As the Country Profile of 2014 is currently under revision, for a more detailed description of the structure and organisation of the NFSA, a reference is made to the Authority's mission on fishery products carried out in March 2015, available on the Authority's webpage: http://www.eftasurv.int/.

According to information provided by the NFSA in its reply to the pre-mission document of the Authority, the head office - section for hygiene and drinking water is responsible for coordinating the application of Regulation (EC) No. 882/2004, and for ensuring cooperation in the areas of responsibility within the NFSA. Each region is led by a director who is responsible for coordinating the activities of the departments. The regional directors

quarterly report to the head office the main priorities and other important tasks carried out in the region. The report of the last period contains a summary for the whole year. The NFSA uses a scoreboard where numerical indicators are used to follow-up the priorities.

The NFSA stated in its response to the pre-mission document that relevant national legislation for the scope of this mission includes:

- Norwegian regulation No 1131[1] of 9 July 2010 on traceability and labelling of beef and beef products where §1 implements Regulation (EC) No 1760/2000;
- Norwegian regulation No 1623[2] of 22 December 2008 on food hygiene, implementing Regulation (EC) No 852/2004; and where §1a implements Regulation (EU) No 931/2011.
- Norwegian regulation No 1624[3] of 22 December 2008 on specific hygiene rules for food of animal origin, implementing Regulation (EC) No 853/2004 and Regulation (EC) No 2074/2004.
- Norwegian regulation No 1622[4] of 22 December 2008 on special rules for the organisation of official controls on products of animal origin intended for human consumption, implementing Regulation (EC) No 854/2004.

Furthermore, the competent authority, in its reply to the pre-mission document of the Authority, referred to the EU guidance[5] on the implementation of articles 11, 12, 14, 17, 18, 19 and 20 of Regulation (EC) No 178/2002 on general food law.

Conclusions

- The competent authority responsible for official controls on traceability, labelling and use of additives in meat and products thereof has been designated in compliance with Article 4(1) of Regulation (EC) 882/2004.
- Relevant EEA legislation concerning traceability, labelling and use of additives in meat and products thereof as referred to by the NFSA in its response to the pre-mission document has been made part of the Norwegian internal legal order in line with Article 7 of the EEA Agreement.

5.2 Official controls on traceability systems, identification marking and labelling

Legal Requirements

General requirements on traceability, identification marking and labelling are laid down in Regulations (EC) No 178/2002, (EC) No 931/2011, (EC) No 853/2004, (EC) No 854/2004, and (EU) No 1169/2011.

[1] FOR-2010-07-09-1131; Forskrift om sporbarhet og merking av storfe og storfekjøtt
https://lovdata.no/dokument/SF/forskrift/2010-07-09-1131?q=sporbarhet
[2] FOR-2008-12-22-1623; Forskrift om næringsmiddelhygiene (næringsmiddelhygieneforskriften)
https://lovdata.no/dokument/SF/forskrift/2008-12-22-1623?q=n%C3%A6ringsmiddelhygiene
[3] FOR-2008-12-22-1624; Forskrift om særlige hygieneregler for næringsmidler av animalsk opprinnelse (animaliehygieneforskriften)
https://lovdata.no/dokument/SF/forskrift/2008-12-22-1624?q=n%C3%A6ringsmiddelhygiene
[4] FOR-2008-12-22-1622; Forskrift om særlige regler for gjennomføringen av offentlig kontroll av produkter av animalsk opprinnelse beregnet på konsum (animaliekontrollforskriften)
https://lovdata.no/dokument/SF/forskrift/2008-12-22-1622/*#*
[5] http://ec.europa.eu/food/safety/docs/gfl_req_guidance_rev_8_en.pdf

More specific traceability and/or labelling requirements are laid down in Regulations (EC) No 1760/2000, (EC) No 1332/2008, (EC) No 1333/2008 and (EC) No 1334/2008.

Requirements for official controls to ensure the verification of compliance with feed and food law, animal health and animal welfare rules are laid down in Regulation (EC) No 882/2004.

5.2.1 Organisation of official controls

5.2.1.1 Planning of official controls

Legal Requirements

Article 3(1) of Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency.

Findings

The mission team was provided with an overview of the performance management and of the planning and prioritisation process carried out at the NFSA head office. The most important steering documents are the multi-annual national control plan (MANCP), the long-term plan for surveillance, the budget disposal letter (BDL), and the quality manual for control activities.

In its reply to the pre-mission document of the Authority, the competent authority indicated that the main document for the head office's official management of the regions is the BDL. The priorities described in the BDL are partly based on the long-term plan for surveillance. The BDL is prepared and sent to the regions at the end of each year, and the head office may prepare a supplementary BDL every four months if needed. It is up to the regions to manage the available resources so as to fulfil the requirements and achieve the goals expressed in the BDL.

The long-term plan for surveillance sets priorities in each area of official controls for the regions and is prepared by the head office. It is revised once a year in connection with the preparation of the BDL. According to this long-term plan, which forms the basis for planning and prioritisation of controls throughout the NFSA, all areas falling in the scope of the NFSA should be covered every five years. However, the long-term plan currently covers a period of three years. In the updated version of 29 September 2016, priorities have been identified from 2017 to 2019. In relation to the scope of this mission, the control of small retail outlets outside corporations in relation to hygiene regulations and traceability has been included as an area for special attention in 2018.

The mission team noted that traceability (except in retail outlets), use of additives and labelling of meat and products thereof are not mentioned in the long-term plan for surveillance or in the BDL.

The competent authority explained to the mission team that a risk-based approach is used at the head office when determining priorities included in the BDL. According to relevant information provided by the competent authority, prioritisation is based on the annual assessment of the status of the NFSA's mission, on the general risk map, on development trends, on results of monitoring and other supervisory activities, and on other relevant factors. Ranking of priorities depends on risk identification and mandatory official controls, taking account of political decisions.

The risk map, developed by the NFSA head office, provides guidance when assessing risks for setting priorities, so that a similar approach is used by the NFSA at all levels. It is specified that the guidance document should be used together with an excel file where risk is assessed according to degree of probability and consequence, and a sum of points is attributed to each risk. Regions define their own priorities in accordance with the BDL. The mission team noted that the regions visited did not systematically follow the guideline for assessing risks.

The regions visited stated that the 2015 BDL initially included traceability as a priority but it had been revised in December 2015, in particular as resources for traceability had been allocated to the "smiley" project. Nonetheless, the regions visited had decided to include traceability in their official controls. In one region, traceability controls were linked to the regional priority on illegal imports of meat and meat products. However, no documented evidence was provided on the decision of including traceability controls on meat and products thereof in these regions.

The mission team was informed that *the NFSA has not developed a functioning system for* risk classification of establishments at central level. *A draft system has been made in MATS, but it is not sufficiently developed for use yet, and the regions have not therefore been instructed to use it*[6]. In one department, establishments had been classified according to three risk categories, but a minimum frequency for official controls had not been determined for each of these categories. In another region, the mission team was informed that all departments of that region should include traceability in at least one official control per year in each producer of meat, vegetables and bakeries. However, no documented evidence could be provided at regional level to demonstrate that the frequency of official controls on traceability, labelling and use of additives is based on risk assessment for each category of establishment. The inspectors explained that frequency was set only during control campaigns and/or if already determined in the BDL. The mission team noted that frequency of official controls was decided ad-hoc by the inspectors according to their practical knowledge on the establishment.

Conclusions

- The NFSA head office has developed a system for a risk-based prioritisation of official controls.
- However, compliance with Article 3(1) of Regulation (EC) No 882/2004 could not be ensured due to a lack of consistency in establishing the frequency of official controls, which is not systematically based on the risk category of the establishment.

5.2.1.2 Documented procedures, training and coordination

Legal Requirements

Article 4(3) of Regulation (EC) No 882/2004 requires that, when a Member State confers the competence to carry out official controls on an authority or authorities other than a central competent authority, in particular those at regional or local level, efficient and effective coordination shall be ensured between all the competent authorities involved.

Article 4(4) of Regulation (EC) No 882/2004 requires competent authorities to ensure the impartiality, quality and consistency of official controls at all levels.

[6] *The system has to be further developed by the central level before the regions can adopt it.*

Article 6 of Regulation (EC) No 882/2004 requires the competent authority to ensure that staff performing official controls receive, for their area of competence, appropriate training enabling them to undertake their duties competently and to carry out official controls in a consistent manner.

Article 8(1) of Regulation (EC) No 882/2004 requires that competent authorities carry out official controls in accordance with documented procedures, containing information and instructions for staff performing official controls.

Findings

The regions visited explained that they carried out official controls in the form of inspections and audits, planned in each department. The mission team noted that all regions visited had an annual plan for official controls established for each inspector. The inspectors explained that inspections were unannounced, however notification could be given shortly before the inspection to ensure that responsible personnel are present at the inspection site. Audits were defined as controls notified in advance to the food business operator, mainly focusing on the system. They were considered more formal and detailed than inspections.

According to information provided by the NFSA in its reply to the Authority, the national electronic operating system for official controls called Mattilsynets tilsynssystem (MATS) is used by inspectors for their inspections and audits. This system ensures that every employee of the NFSA has access to all information registered on every operator under the NFSA's supervision. MATS includes guidance, document templates with checkpoints, and instructions related to official controls.

The head office highlighted that a guidance document on supervision of withdrawal of products was available in MATS for all inspectors. A region indicated that a draft guidance document for inspectors focusing on traceability still needed to be finalised. Guidance or instructions were not available for controls on quantitative traceability (to follow the physical flow of the products and the amounts used of meat and ingredients, in particular within the food businesses along the food chain) and for controls on additives and other ingredients.

According to the same information, depending on the type of operator and the legislation selected in MATS by each inspector for each routine official control, some checkpoints are compulsory such as the check on the HACCP system of the food business operator (including the presence of a recall procedure), while others may be selected voluntarily. The inspectors of the regions visited indicated that the same checkpoints could be used for inspections and for audits. For each checkpoint, the inspector ticks the corresponding box when no deficiencies are detected. The inspectors register their findings and conclusions on non-compliances. Based on that input, MATS generates a report, which is sent electronically to the operator concerned.

Control templates, from which checkpoints relevant for the scope of this mission can be selected by the inspector, have been developed and are available in MATS. More specifically, three control templates were provided to the mission team, of which one addressed production of meat and meat products, another included selected points on traceability and labelling, and the last one covered food contact materials (FCM), microbiological criteria and traceability. The competent authority explained that these control templates were not mandatory for use by inspectors.

The basic template for the production of meat and meat products included beef labelling, and relevant articles of Regulation (EU) No 1169/2011 for labelling of meat and products

thereof. The mission team noted that one checkpoint referred to traceability between the individual animal and fresh meat cuts, while another checkpoint indicated that the size of a group of animals could not exceed one day's production. Norway's approach was clarified by the NFSA head office, which, with reference to relevant legislation, indicated that it was sufficient to ensure the link between the meat and a group of animals under certain conditions. However, the control template was not fully understood by the inspectors.

The mission team noted that compulsory checkpoints did not include traceability, labelling and use of additives and that the control templates provided to the mission team did not cover all relevant articles of the legislation such as voluntary labelling of products, voluntary labelling for beef and beef products, use of additives, and quantitative traceability of products. Consequently, there was a possibility for these voluntary checkpoints addressing traceability, labelling and use of additives not to be included during any routine official control.

The NFSA provided information on the training of staff. Training is organised by the head office through the training school "tilsynsskolen"; however, the programmes offered to the inspectors do not specifically refer to traceability or labelling of meat and products thereof. The mission team was informed that regions are responsible for the organisation of training for their inspectors. One of the two regions visited had organised a training of two half days in December 2015 to cover FCM, microbiological criteria and traceability requirements for 45 inspectors of that region. No relevant training, other than the one organised in the framework of the 2015 control campaign on labelling (reference is made to section 5.2.1.3.) had been organised by the head office or by the other region visited.

Coordination between regions takes place through interregional fora and of particular relevance for this mission, through the forum on foodstuff and slaughter systems. During the strategic meat forum meeting, the need for a tool for inspectors to carry out inspections on traceability was identified. Following a decision taken during the October 2015 meeting, a region developed the control template for carrying out official controls on FCM, microbiological criteria and traceability, which is not compulsory for use by inspectors. The mission team was informed that traceability and labelling of meat and products thereof, and use of additives, had not been included in the agenda of other meetings of the forum on foodstuff and slaughter systems.

The mission team noted that the regions visited organised their official controls on traceability, labelling and use of additives following different approaches and there was no systematic approach to ensure consistency of the controls across regions. The mission team also noted that, during the traceability exercise, the team responsible for tracing the selected samples did not involve the regional departments where the concerned establishments were located. Cooperation was not requested, although this was specified in the national guidance on supervision of withdrawal of products (see also section 5.2.2.1 of this report), thus undermining the success of the exercise.

Conclusions

- The NFSA head office has developed a system of official controls with documented procedures and reporting of results. However, compliance with Article 8(1) of Regulation (EC) No 882/2004 could not be fully ensured due to the lack of detailed instructions and guidance for the verification of qualitative and quantitative traceability of meat and products thereof, additives and other ingredients.
- Although some relevant training had been organised by the competent authority, it could not be ensured that staff receive, for their area of competence, appropriate

training on the subject of traceability and labelling of meat and products thereof, and use of additives, as required by Article 6 of Regulation (EC) No 882/2004.

- Compliance with Article 4(3) and (4) of Regulation (EC) No 882/2004 could not be ensured due to insufficient coordination from central level and between regions and due to insufficient consistency in the planning of official controls on traceability, labelling and use of additives.

5.2.1.3 Verification of effectiveness of official controls

Legal Requirements

Article 8(3)(a) of Regulation (EC) No 882/2004 requires competent authorities to have procedures in place to verify the effectiveness of official controls that they carry out.

Findings

The mission team was informed that the NFSA carries out thematic controls for which the reports are publicly available. In the reply to the pre-mission document, the NFSA indicated that it had performed a control campaign in 2014 on products labelled as "halal", during which traceability had been a major topic. The competent authority concluded that of 40 establishments controlled, eight were non-compliant with the legislation on labelling, traceability and identification.

The NFSA provided information on a control campaign addressing labelling of a range of products, which took place over a three-year period. In 2015, the campaign focused on labelling of meat and meat products in the five regions, and aimed at determining the level of compliance with selected labelling requirements. Checkpoints during the inspections included mandatory particulars, use of illustrations, list of ingredients and quantitative indication of certain ingredients, allergens and use and labelling of food additives. A checklist, a document with more detailed checkpoints including clarifying comments, a question and answer sheet and a two-hour training by videoconference were provided to the inspectors carrying out the checks.

The report of the 2015 control campaign indicated that out of 257 meat products from 140 food business operators checked, 167 products from 103 food business operators did not comply with Regulation (EU) No 1169/2011. According to the analysis of the results, labelling of food additives was one of the checkpoints with most frequent non-compliances. In June 2016, the NFSA followed up on the non-compliant products and concluded that 159 out of the 167 products were correctly labelled. The NFSA identified the systemic lack of competence on food additives among food business operators as a possible cause for the high number of non-compliances related to food additives. It decided that this required a more comprehensive approach with regard to the official controls and therefore prioritised a national control project on food additives, to be planned in 2016 and implemented in 2017-2018. The national control project would aim to develop sufficient and adequate control methods among inspectors, legislative training and a review of status.

However, the mission team noted that the NFSA does not systematically carry out overviews and analysis of results of routine official controls relating to traceability and labelling of meat and products thereof, and on the use of additives. According to information provided by the NFSA in its reply to the Authority, MATS does not have options for presenting an overview of controls. A manual extraction was performed by the NFSA in order to provide to the mission team a quantitative analysis with the number of times relevant checkpoints were used during the official controls. According to this manual

overview, checkpoints on traceability in production of meat and products thereof had been used 184, 1519 and 262 times in Norway in 2014, 2015 and 2016 respectively. In one region, in 2016, the checkpoint on Article 18 of Regulation (EC) No 178/2002 was used 90 times, and the checkpoint on Regulation (EU) No 931/2011 was included 54 times. However, the competent authority could not explain the difference between these two checkpoints. The mission team noted that based on the overview of controls provided by the competent authority, it was not possible to see the context in which the checkpoints were generated (routine inspection or audit, control campaign), the number of official controls including these checkpoints and the type of business operators involved. The mission team also noted that shortcomings at the food business operators' premises were not in all cases identified by the official controls (reference is made to section 5.2.2.2 of this report).

Conclusions

- Collection and analysis of data are carried out by the competent authority in the framework of control campaigns. Results are checked and solutions for improvement are planned.
- However, results of routine official controls on traceability and labelling of meat and products thereof and use of additives, are not systematically analysed and used as input for further planning. Therefore, compliance with Article 8(3)(a) of Regulation (EC) No 882/2004 cannot be ensured.

5.2.2 Implementation of official controls

5.2.2.1 Official controls on food processing chain

During the first day of the mission, the mission team selected nine samples of meat and products thereof at retail level. The competent authority was asked to:

- Provide qualitative (one step back – one step forward approach, enabling to identify the immediate supplier and immediate customer of products) and quantitative (follow physical flow of products and amounts used) traceability of the meat samples back to the slaughterhouse of origin based on available documentation from the food business operators.
- Provide qualitative traceability of other ingredients, in particular spices and additives, based on available documentation from the food business operators.
- Provide information on the accuracy of labelling of the selected goods in relation to ingredients and composition.

During the second week, the mission team visited three establishments identified during this traceability exercise, in order to evaluate the situation on the spot.

Findings

The traceability exercise carried out by the competent authority started with a meeting or phone call to the retailer where the samples had been taken. The competent authority then directly contacted the involved food business operators along the food chain. Regional offices where the concerned establishments were located were not directly involved in the traceability exercise. The team responsible for the exercise stated that it was not aware of any procedure or guidance on traceability and that it had never carried out such a task. It highlighted the difficulties experienced during the tracing due to the holiday period and absence of relevant people. It specified that priority had been given to tracing of meat, and that labelling analysis had been given any time left available.

The competent authority provided documentation related to the qualitative tracing for the randomly selected samples and concluded as follows.

- Qualitative traceability had been achieved for eight of the nine products, based on commercial documents such as bills, orders and delivery notes. It considered that food business operators were compliant with their obligations and their traceability procedures, and provided sufficient evidence for ensuring qualitative traceability in eight samples.
- One sample was not compliant regarding labelling requirements, as one ingredient was not listed on the label.

The mission team verified the documentation relating to seven cases. The outcome of this exercise was as follows.

- The competent authority solely relied on commercial documents for the qualitative tracing of the ingredients back to the suppliers/slaughterhouses. However, the mission team observed that these documents did not allow establishing a link between the product and its ingredients in each step.
  The mission team made some additional observations:
  - In some cases, missing links in the documentation remained unnoticed by the competent authority. In particular, for four samples, no documentation was provided when meat and meat products were moved between establishments belonging to the same group, therefore the links in the chain could be lost.
  - For six samples, the commercial documents provided by the wholesaler, trader and retailer did not include a reference number, expiry date or other information establishing a link between the product and the sample.
  - In relation to the sample of fresh beef, according to the documentation provided by the cutting plant, the slaughter date indicated in the commercial document did not correspond to the slaughter date of the label of the incoming meat. The competent authority had identified this issue, but did not ask further clarification to the food business operator.
  - For one sample of fresh reindeer meat with a label bearing an oval identification mark with the approval number of the cutting plant, the slaughterhouse of origin could be traced according to a note indicating its name and the number of reindeer slaughtered. The mission team noted that the slaughterhouse did not correspond to any listed approved EEA food establishment. Further information was requested from the competent authority by the mission team. Subsequently, the competent authority provided additional information on the slaughterhouse, and indicated that it was authorised to sell its products on the national market only. The mission team was informed by the competent authority that reindeer meat for national market only bears a square mark according to national provisions. The competent authority added that the square mark is used on reindeer meat where the levels of radioactivity cannot be documented to be within the EEA limits. The competent authority considered that, in the case at hand, the meat could not be sold on the EEA market and therefore could not be used as an ingredient in products labelled with an oval identification mark. The competent authority provided the report of an inspection carried out in the

cutting plant following the Authority's mission, according to which it requested the food business operator to update its procedures accordingly.

- Quantitative traceability was not carried out by the competent authority for the nine samples, in the time given for the exercise. The competent authority had not correlated and verified for reconciliation the amounts produced against the raw material intake, the recipes, the technical specifications of the additives and spice mixtures. Relevant documentation was generally missing from the dossier presented by the competent authority except for product specifications provided for one sample, and the recipe provided for another sample. In the absence of the products' recipe, their composition could not be compared to the indications on the label.
- Eight of the nine samples had not been analysed by the competent authority for accuracy of labelling. The mission team detected deficiencies in the labelling of the products, in particular in relation to compulsory indications for beef, quantitative indication of certain ingredients, nutritional declaration, and additional particulars for food packaged in protected atmosphere.
- Five samples selected at the retailer did not contain additives. For the remaining four products, the competent authority did not evaluate compliance with additive requirements. Calculations were not performed by the competent authority on the maximum permissible dose and use of additives.

The mission team selected three of the nine cases for on-the-spot verification of the data provided by the competent authority. The mission team made the following observations.

- The regional competent authorities and relevant departments had not been contacted in relation to the traceability exercise.

In relation to qualitative traceability:

- Qualitative tracing by the food business operator was generally based on the packaging/production date of the product.
  - One establishment traced a composite product according to the use-by date of the sample, linking it to the packing date 28 days earlier. The production sheet corresponding to that date listed the ingredients, with an indication of their use-by date and, for the meat/meat products, it included a reference number (lot/batch). One of the ingredients had no indications, therefore the accuracy of traceability could not be guaranteed.
  - In another establishment, the lot number of the sample corresponded to the production date. In the production sheet, the operator registered manually the quantities used and the packaging date for each ingredient. However, due to an oversight, the slaughter date and approval number of the slaughterhouse were recorded for the meat instead of the packaging date and approval number of the cutting plant. The document provided with the incoming meat was not kept and traceability solely relied on the records of the production sheet. Therefore, in case of error, the system could not guarantee the traceability of the ingredients used in the product and one-step back traceability could not be ensured. However, in this case, the ingredient could be traced back directly to the slaughterhouse.

In relation to quantitative traceability:

- In one establishment producing composite products, the food business operator provided recipes and technical specifications for all ingredients of the sample. The mission team noted that the production sheet did not indicate quantities of the ingredients used for that day's production although the quantity of the final product was defined. The food business operator explained that the assembly of the composite product's ingredients was carried out manually and ingredients were not weighed. The mission team noted that there was no verification of the ingredients' quantities used in production. The food business operator confirmed that the net weight indicated on the label was set as a minimum. In addition, the mission team was informed that the food business operator did not test or verify the composition of the product. Therefore, the food business operator could not guarantee the correctness of the label and the compulsory indications such as the net weight of the product and the quantity of ingredients.
- In the establishments visited, reconciliation of the quantities of meat and products thereof and other ingredients used against the products was not carried out by the competent authority, nor by the food business operator.

In relation to labelling:

- In an establishment, the mission team confirmed the competent authority's finding of incorrect labelling of the sample. The food business operator provided evidence of correction of the non-compliance during the visit. The competent authority indicated that an inspection focusing on labelling would be carried out in this establishment by the end of 2016.
- In another establishment, the mission team noted that the ham, with a shelf life of 21 days as determined by the supplier, was used without any further processing in the composite product. The establishment gave a new shelf life of 28 days from the packing date to the final product packed in protected atmosphere. The competent authority provided a report of an inspection carried out following the Authority's mission, according to which information had been requested to the food business operator, in particular on the shelf life and relevant laboratory analysis. The NFSA considered the documentation used to set the products' shelf life not to be fully satisfactory, and demanded further evidence and sample analysis by the end of 2016.

In relation to use of additives:

- In an establishment, based on the documentation provided by the food business operator for ham, nitrite E250 had not been declared by the supplier but was included in the list of ingredients on the label. The mission team was informed that content in nitrite had never been calculated by the food business operator nor by the competent authority. K-lactate E326 was in the supplier's declaration but not on the label. In addition, the nutrition declaration indicated 0.0 g of sugars although sugar and dextrose were listed on the label. Therefore, the list of ingredients and nutrition declaration on the label did not correspond to the composition of the product. The food business operator acknowledged the mistake and indicated that a revision of all labels was ongoing.

- In another establishment, the mission team noted that sodium ascorbate E301, included in the spice mix, was not listed on the label. This finding had not been detected during official controls.

Conclusions

- The competent authority did not provide conclusive documented evidence for the qualitative tracing of the selected samples through the food business operators' records from retail to the slaughterhouse of origin.
- The competent authority did not provide information on the quantitative traceability of meat and meat products and other ingredients, in the time given for the exercise.
- Accuracy of the labelling was not analysed by the competent authority for most of the samples during this exercise.
- The competent authority did not evaluate the use of additives in the samples, in the time given for the exercise.

5.2.2.2 Official controls on food business operators' obligations

Findings

In total, ten establishments were visited. Seven were chosen in co-operation with the competent authority and three were selected by the mission team on the basis of the results of the traceability exercise previously mentioned.

The NFSA provided to the mission team reports of recent official controls carried out in the regions visited, including recent reports for the establishments visited. The mission team was informed that a traceability exercise carried out in September 2016 by one department included qualitative traceability from the final product to raw materials. However, the mission team noted that quantitative tracing had never been carried out by the regions visited and official controls on additives and other ingredients were often not performed during routine official controls, although they were included in the control campaign of 2015. During the visits, the mission team identified non-compliances, some of which had not been recorded during previous official controls.

During the visits to the establishments, the mission team noted the following:

Control of incoming goods

- In one establishment visited, raw materials were registered with their traceability data (best before date and lot number). However, the mission team detected that for a raw material, the label on the outside package did not correspond to the label of each product contained. The food business operator indicated that according to its internal procedure the lot number was checked on incoming goods and the correspondence between composition and ingredients listed on the label was checked only for new products.
- In a small approved establishment and retailer, the food business operator could not provide documented evidence on the arrival dates of incoming raw material used for bacon production. However, the food business operator specified that no more than two batches of raw material were stored at a time, and in case of recall, the products made with both batches were taken off the market.

Traceability systems

- All establishments visited had a traceability system in place with procedures for traceability and for recall/withdrawal of products.
- In one cutting plant, the food business operator had developed traceability guidelines, and a team had been established to deal with traceability. A tracing exercise was carried out four times per year.
- In the cutting plants visited, the mission team noted that all carcasses had a label with individual identification, and all products were assigned a lot number corresponding to a cutting day, which could be linked in their internal system to the incoming raw materials.
- In processing establishments, traceability was based on the production/packaging day.
- In one establishment, cutting of carcasses and of meat cuts of different species was taking place at the same time, in the same space. The food business operator could not ensure that there was no mixing between the cuts of different species. This situation affected the validity of the food business operator's traceability system. This finding had not been detected in the previous official controls, which included traceability and labelling, for which reports were provided to the mission team. The competent authority did not take action on the spot; however, it subsequently communicated to the mission team that it intended to request a risk assessment by the food business operator addressing risks related to cross-contamination and traceability.
- One stand-alone cold store visited had a traceability system, according to which the operator had different procedures in place for frozen products and products to be frozen at the premises. The food business operator provided evidence that it could identify in a timely manner the supplier of selected products belonging to a batch/lot, the outgoing products and the customer, and the products that were still present in the establishment, including their precise location.
- In one establishment visited, according to the report of an inspection carried out that same week, the competent authority notified a decision relating to internal traceability, later on revoked. The mission team was informed that an audit would be carried out in December 2016, covering traceability, FCM and microbiological criteria.
- In one establishment, the food business operator informed the mission team that it carried out a traceability exercise annually and was audited every year by British Retail Consortium (BRC). The NFSA informed the mission team that the traceability system had been tested in 2014. A laboratory analysis on nutrients inside each category of products was carried out annually.
- One establishment was not able to provide recipes and technical specifications for products selected by the mission team in a reasonable time. This documentation had never been requested by the competent authority, although according to the reports provided to the mission team, traceability and labelling had been included in the inspection and audits carried out.

Use of additives

The mission team noted that routine official controls did not include the use of additives in their scope. There were no specific guidelines or checklists, other than those provided and used in the labelling control campaign of 2015, which focused on a limited number of legal requirements. Some inspectors in one region were not aware of legal requirements on the use of additives. Furthermore, controls on the maximum permissible limits of additives including nitrites were not performed by the competent authority, mainly due to absence of instructions, checklists and training. Some deficiencies not identified during official controls were detected by the mission team.

- In one meat-producing establishment, the mission team carried out a calculation on the total ingoing amount of nitrite E-250 into a meat product. The calculated result was lower than the maximum permissible limit of 150mg/kg. However, the competent authority and the food business operator had never carried out any calculation on nitrite concentration in any type of meat product.
- In another establishment, the food business operator used Sodium phosphates E-339 for the production of a meat preparation for which they are not authorised to be used according to Annex II of Regulation (EC) No 1333/2008. The competent authority provided a report of an inspection carried out following the Authority's mission, according to which the NFSA issued a decision imposing the food business operator to stop the use of phosphates in meat preparations within ten days. Additionally, the food business operator was required to check all recipes regarding the use of additives. The mission team noted that no action was taken in relation to the product put on the market.
- In the same establishment, the food business operator used the colorant paprika extract E-160c. The food business operator could not provide evidence regarding the use of paprika extract as an additive or as a colouring agent. The competent authority did not carry out controls on the use of additives.
- A small approved establishment and retailer produced a type of mixed sausage containing a small amount of bacon. Information was available on the amount of nitrites used for the sausage production, but not for the bacon used in this product. Consequently, it was not possible to calculate the total maximum ingoing amount of nitrite of the product. The mission team calculated the amount of nitrite of a heat-treated meat product and it was significantly above the maximum limit of 150 mg/kg. Following the mission, the competent authority provided an inspection report addressing the finding during this visit, and requiring the food business operator to reduce the quantity of nitrite in this product, with a deadline of 40 days. The mission team noted that no action was taken in relation to the product put on the market.

Labelling

The mission team noted that routine official controls had not detected deficiencies related to labelling of meat and products thereof, and some inspectors at regional level were not aware of legal requirements for labelling of specific products such as beef fresh cuts, minced meat, and beef minced meat. Some non-compliances were detected by the mission team.

- In one approved producer and retailer, the mission team noted that beef fresh cuts did not bear the compulsory information for beef on the label. The competent authority acknowledged that labelling and traceability were not adequately handled.
- In two establishments producing composite products, the food business operator could not ensure that the quantity of meat indicated in the label was accurate. The meat was included in the product manually and was not weighed.
- In two establishments visited, the mission team noted that the labels on the final products of minced meat from beef and other species did not bear all compulsory information. For one of the establishments, the mission team was provided subsequently with a report of an inspection carried out after the mission. According to this report, the competent authority ordered the food business operator to include compulsory indications on the label.
- In an establishment producing composite products, the label of a type of salad with ham indicated that the product contained monosodium glutamate E-621. However, the food business operator explained that it had changed the recipe of the product and E-621 had not been used since a few months. The food business operator had decided, according to its internal procedures, to use the old label until end of stock. The competent authority had not been informed that the recipe had changed and that old labels were still in use. While acknowledging that the food business operator should have informed them, the competent authority did not identify this as a non-compliance.

Recall procedures

The food business operators visited during the mission had recall procedures in place. In some of the establishments visited, a recall check was carried out each year by the food business operator.

The mission team noted that the competent authority checked the presence of a recall procedure as part of the HACCP compulsory checkpoint for official controls. However, not all departments included the implementation of the recall procedures in their routine official controls.

According to information provided by the NFSA, seven cases on meat and meat products were notified through the rapid alert system for food and feed (RASFF) in the four-year period between September 2012 and September 2016. Two of these notifications resulted in a withdrawal of the products from the market by the food business operator in 2012 and 2013, in cooperation with the regional NFSA.

Conclusions

- Food business operators of the visited establishments have traceability systems in place. The official controls carried out by the competent authority generally covered qualitative traceability of meat and products thereof; however, quantitative traceability of meat and traceability of additives were not included in routine official controls, as required by Regulation (EU) No 931/2011.
- A selection of legal requirements of Regulation (EU) No 1169/2011 related to labelling of final products were included in routine official controls. However, deficiencies in relation to certain mandatory particulars and additives were not detected by the competent authority.

- Labelling of beef and beef products for final consumers, as per Regulation (EC) No 1760/2000, was included in routine official controls. However, significant non-compliances were not detected by the competent authority.
- Some elements related to the control on the use of additives were included in a control campaign on meat and meat products in 2015. However, routine official controls did not include the use of additives in their scope and some deficiencies were not detected by the competent authority.

5.3 General hygiene requirements

Findings

The mission team identified non-compliances regarding specific hygiene requirements as set out in Regulations (EC) No 853/2004, which had not been detected during official controls.

- In one establishment, cutting of pork and lamb was taking place at the same time and on the same conveyor belt. No evidence could be provided by the food business operator to ensure that there was no mixing between cuts of different species and that cross-contamination was avoided (see also section 5.2.2.2.).
- In the cold store of one establishment visited, the mission team noted evidence of cutting and packaging of meat, and the presence of packed and unpacked products, garbage, unlabelled pork shoulder and smoked pork. No evidence was provided that the manner of storage could not be a source of contamination for the meat.

Conclusion

- The food business operator of a cutting plant carried out cutting of meat of different domestic ungulates without separation of the operations on the different species in either space or time as required in Chapter V of Section I of Annex III, of Regulation (EC) No 853/2004. There was also no separation of the different production batches as required in Chapter III of Section I of Annex III of Regulation (EC) No 853/2004.
- The food business operator of a cutting plant stored together packaged and exposed meat, which is not in line with the requirements of Chapter III of Section I of Annex III of Regulation (EC) No 853/2004.

6 Final meeting

A final meeting was held with representatives of the NFSA, the Ministry of Health and Care Services and the Ministry of Agriculture and Food, on 12 October 2016 at NFSA head office in Oslo. At this meeting, the mission team presented its main findings and preliminary conclusions of the mission. The mission team also explained that, based on a more detailed assessment of the information received during the mission, additional recommendations could be included in the report.

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7 Recommendations

In order to facilitate the follow-up of the recommendations hereunder, Norway should notify the Authority no later than 10 March 2017, by way of written evidence, of additional corrective actions planned or already taken other than those indicated in the reply to the draft report of the Authority. A timetable for completion of outstanding measures, relevant to the recommendations hereunder, should be included. In case no additional corrective actions have been planned, the Authority should be informed. The Authority should be kept continuously informed of changes made to the already notified corrective actions and measures, including changes of deadlines for completion, and completion of the measures included in the timetable.

No	Recommendation
1	The competent authority should further develop the system of official controls on traceability, labelling and use of additives so as to ensure that official controls are carried out regularly on a risk basis and with appropriate frequency as foreseen in Article 3(1) of Regulation (EC) No 882/2004; and according to documented procedures containing information and instructions for staff as foreseen in Article 8(1) of Regulation (EC) No 882/2004.
2	The competent authority should ensure consistency of official controls on traceability, labelling and use of additives as per Article 4(4) of Regulation (EC) No 882/2004, in particular by establishing efficient and effective coordination within the NFSA in line with Article 4(3) of Regulation (EC) No 882/2004, and by providing appropriate training to staff in line with Article 6 of Regulation (EC) No 882/2004.
3	The competent authority should ensure that it has procedures in place for verifying the effectiveness of official controls on traceability, labelling and use of additives as per Article 8(3)(a) of Regulation (EC) No 882/2004.
4	The competent authority should ensure that official controls include the food business operators' compliance with the requirements of Article 18 of Regulation (EC) No 178/2002 and Article 3 of Regulation (EU) No 931/2011 on traceability, including qualitative and quantitative aspects.
5	The competent authority should ensure that official controls of food business operators producing meat and products thereof for the final consumer include the labelling requirements laid down in Regulation (EU) No 1169/2011.
6	The competent authority should ensure that labelling of beef and beef products for the final consumer is compliant with the requirements laid down in Regulation (EC) No 1760/2000.
7	The competent authority should ensure that official controls include the use of additives and ingredients and that food business operators comply with the requirements laid down in Regulations (EC) No 1333/2008 and 1334/2008.
8	The competent authority should ensure that food business operators carry out cutting and boning of meat of domestic ungulates in such a way as to prevent or minimise contamination. In particular, where the premises are approved for the cutting of meat of different animal species, precautions should be taken to avoid cross-contamination, where necessary by separation of the operations on the different species in either space or time, as laid down in Chapter V, Annex III, Section I of Regulation (EC) No 853/2004.

Annex 1 - List of abbreviations and terms used in the report

The Authority	EFTA Surveillance Authority
BDL	Budget Disposal Letter
BRC	British Retail Consortium, Global Standard for Food Safety.
DG SANTE	Directorate-General for Health and Food Safety
EC	European Community
EEA	European Economic Area
EEA Agreement	Agreement on the European Economic Area
EU	European Union
FCM	Food Contact Materials
HACCP	Hazard Analysis and Critical Control Points
MANCP	Single integrated multi annual national control plan
MATS	Mattilsynets tilsynssystem
MSM	Mechanically Separated Meat
NFSA	Norwegian Food Safety Authority
RASFF	Rapid Alert System for Food and Feed

Annex 2 - Relevant legislation

a. The Act referred to at Point 1.1.4 of Chapter I of Annex I to the EEA Agreement, *Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries*

b. The Act referred to at Point 1.1.7.c of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97*, as amended;

c. The Act referred to at Point 1.1.9 of Chapter I of Annex I to the EEA Agreement, *Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products* as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I thereto;

d. The Act referred to at Point 1.1.11 of Chapter I of Annex I to the EEA Agreement, *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*, as corrected and amended;

e. The Act referred to at Point 1.1.12 of Chapter I of Annex I to the EEA Agreement, *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*, as corrected, amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;

f. The Act referred to at Point 1.2.134 of Chapter I of Annex I to the EEA Agreement, *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) 854/2004, as amended;*

g. The Act referred to at Point 5.1.7 of Chapter I of Annex I to the EEA Agreement, *Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/ EEC*, as amended;

h. The Act referred to at Point 6.1.16 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs*, as corrected and amended;

i. The Act referred to at Point 6.1.17 of Chapter I of Annex I to the EEA Agreement, *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*, as corrected, amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;

j. The Act referred to at Point 6.2.52 of Chapter I of Annex I to the EEA Agreement, *Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs,* as corrected and amended;

k. The Act referred to at Point 7.1.1 of Chapter I of Annex I to the EEA Agreement, *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 beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EC*, as amended;

l. The Act referred to at Point 7.1.2 of Chapter I of Annex I to the EEA Agreement, *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,* as amended;

m. The Act referred to at Point 7.1.13 of Chapter I of Annex I to the EEA Agreement, *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,* as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;

n. The Act referred to at Point 7.2.56 of Chapter I of Annex I to the EEA Agreement, *Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin;*

o. The Act referred to at Point 54zzzzq of Chapter XII of Annex II to the EEA Agreement, *Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97*, as amended;

p. The Act referred to at Point 54zzzzr of Chapter XII of Annex II to the EEA Agreement, *Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives*, as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex II thereto;

q. The Act referred to at Point 54zzzzs of Chapter XII of Annex II to the EEA Agreement, *Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC*, as amended.

r. The Act referred to at Point 86 of Chapter XII of Annex II to the EEA Agreement, *Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004* as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex II thereto;

s. The Act referred to at Point 7a of Chapter II of Annex XX to the EEA Agreement, *Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption.*

Annex 3 – Norway's response to the draft report

ROYAL NORWEGIAN
MINISTRY OF AGRICULTURE AND FOOD

EFTA Surveillance Authority
35 Rue Belliard
BE 1040 Brussels

Your ref	Our ref	Date
	15/1104-	16.12.2016

Subject: The Norwegian response to the Draft report - post-slaughter traceability of meat, meat products and preparations

Please find enclosed the Norwegian response to the Draft report regarding EFTA Surveillance Authority's mission to Norway on post-slaughter traceability of meat products and preparations, and composite products - from 3 to 12 October 2016.

Yours sincerely,

Cathrine Steinland
Deputy Director General

Henrik Høyer Holgersen
Adviser

This document has been signed electronically and therefore it is not signed by hand

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EFTA SURVEILLANCE AUTHORITY

EFTA Surveillance Authority

Your ref:
Our ref: 2016/182467
Date: 14.12.2016
Org.no: 985 399 077

Norwegian Food Safety Authority

Mattilsynet

MISSION TO NORWAY ON POST-SLAUGHTER TRACEABILITY OF MEAT, MEAT PRODUCTS, MEAT PREPARATIONS AND COMPOSITE PRODUCTS - FROM 3 TO 12 OCTOBER 2016
FEEDBACK FROM NORWAY

Thank you very much for the draft report concerning your mission to Norway on post-slaughter traceability of meat, meat products and preparations, and composite products 3. – 12. October 2016.

Overall we consider your findings to be correct and in agreement with our understanding of the mission. However there is one conclusion we would like to clarify. In page 9, the report says "The mission team was informed that a risk classification of establishments was defined at central level. However, the inspectors of the regions visited stated that they did not use this risk classification to determine the official controls' frequency, as the establishments' category could not be readjusted according to their own experience. ..."
We would like to point out that the NFSA has not developed a functioning system for risk classification of establishments at the central level. We have made a draft system in MATS, but it is not sufficiently developed for use yet, and the regions have not therefore been instructed to use it. The system has to be further developed by the central level before the regions can adopt it.
We have started working on how to fulfill this and your other recommendations but this work is not yet concluded.

We would like to elaborate on this issue with regards to the updated information that was given as a horizontal response on this issue at the general Review November 2016:

Regarding this issue previous responses have referred to development of the automated control system MATS as a solution. It is important to emphasize that there is no legal requirement that an automated IT tool support a risk-based control system. The NFSA has therefore also added information in the tables for the general Follow up 2016 showing how the NFSA ensures to a certain extent a risk based approach without automation. We refer to the answers already given in the table (General Review). This horizontal response is an update on the state of play concerning an automated support tool for the inspectors.
During the last two years, there has not been any further development of MATS as a system for risk classification of businesses or for automated support of risk based controls. Due to the major reorganization in 2015, much of the work in MATS was focused on adjusting the system to the new organization and to building a new support system for processing appeals at Head Office.
In addition, the top development priority was the Smiley system, which was introduced in 2016 for all controls of restaurants and cafes.
The framework which MATS is built on, Frame Solutions is currently being upgraded to a new, more modern and better supported version. While this is being done, all development activities in MATS are highly

www.mattilsynet.no

Norwegian Food Safety Authority
Seksjon merking og kvalitet

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restricted. Also, we are at the moment in the middle of a tender and negotiations for new contracts with external companies for development and maintenance of the automated control system.
In this situation, the NFSA has decided to take a step back, to ensure a good and broad understanding and implementation of risk-based controls. A working group has been established, with members from head office and from the regions. The group is to develop a concept for how to ensure risk-based controls in the different fields and areas we work in, and to make suggestions for specific activities to be implemented. The working group is to deliver their report to our Director General within May 31 2017. Following the advice from this working group, there will be decisions as to priority development areas of the automated system. This is work that will necessarily take time to complete, and in the meantime, our focus is on ensuring risk-based controls with the tools and information that is accessible to the inspectors at the present.

Yours Sincerely

Siri Berntsen Svinddal

This document has been electronically approved, and sent without signature.
Documents that require a signature will also be sent as a paper copy.

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Annex 4 – Norway's action plan for corrective actions

ROYAL NORWEGIAN
MINISTRY OF AGRICULTURE AND FOOD

EFTA Surveillance Authority
35 Rue Belliard
BE 1040 Brussels

Your ref	Our ref	Date
	17/29-	09.01.2017

Action plan from the NFSA regarding the recommendations regarding post-slaughter of meat, meat products, meat preparations and composite products.

Please find enclosed the action plan from the NFSA regarding the recommendations regarding post-slaughter of meat, meat products, meat preparations and composite products.

Yours sincerely,

Cathrine Steinland
Deputy Director General

Henrik Høyer Holgersen
Adviser

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Mission to Norway on post-slaughter traceability of meat, meat products, meat preparations and composite products.

Preliminary plan for action from the NFSA regarding the recommendations

Recommendation
1
The competent authority should further develop the system of official controls on traceability, labelling and use of additives so as to ensure that official controls are carried out regularly on a risk basis and with appropriate frequency as foreseen in Article 3(1) of Regulation (EC) No 882/2004; and according to documented procedures containing information and instructions for staff as foreseen in Article 8(1) of Regulation (EC) No 882/2004. **NFSA:** ESA has pointed out the lack of a system for official controls to ensure that the controls are carried out regularly on a risk basis and with appropriate frequency. The NFSA has established a project with the aim to deliver a concept proposal for a system to ensure that official control of feed and food law, and animal health and animal welfare rules, and plant health directives are carried out on a risk basis. The proposal will be presented for discussion on a Nordic seminar the 25th of October 2017. After concept is decided, we will have to develop necessary tools for implementation of the system. This work will necessarily take time to complete, and in the meantime, our focus is on ensuring risk-based controls with the tools and information that is accessible to the inspectors at the present. Due to the fact that the development of the mentioned system is long-lasting, NFSA in the meantime is aiming to take a more systematic approach as we have done so far. NFSA lack data and have to base the evaluation on other parameters. These may be • the inspectors' experience from inspections and control campaigns, • contributions from stakeholders like Consumer organizations, food manufacturing businesses and trade organizations, • focus on requirements important for the consumers and which can contribute to fair competition for the businesses, • this also applies for requirements where risk for non-compliance is high, • a systematically shifting control of different types of manufacturing enterprises, categories of foods and food products. Such an approach has to be formalized and verified. The devolvement of such a systematic approach will be prioritized this year. It will be finalized in 2018 at the latest.
2
The competent authority should ensure consistency of official controls on traceability, labelling and use of additives as per Article 4(4) of Regulation (EC) No 882/2004, in particular by establishing efficient and effective coordination within the NFSA in line with Article 4(3) of Regulation (EC) No 882/2004, and by providing appropriate training to staff in line with Article 6 of Regulation (EC) No 882/2004. **NFSA:** • One of the main steering document for the head office's official management of the regions is the budget disposal letter (BDL). According to point 3.4.4 in the BDL for 2017-2019 NFSA shall strengthen their competence regarding traceability. A national control campaign is to be planned in 2019. The campaign will deal with

official controls, with emphasis on document controls, at importers and manufactures of foods in relation to biological hazards, contaminants and traceability.

- The NFSA will establish a standard operating procedure (SOP) for official control on traceability of food and ingredients thereof. This work will be initiated in 2017 and finished in 2018 at the latest. The head office and the regions will participate in the development of this SOP in order to ensure the efficiency of the procedure. There is currently a national project on the official control with food additives. The project focuses on suppliers in 2017 and food manufacturers in 2018. There will be specific training of the personnel involved, also with regard to traceability. The IRF (inter-regional forum) will also be an active part in order to ensure that all our inspectors are aware of, and follow this guide consistently.

3

The competent authority should ensure that it has procedures in place for verifying the effectiveness of official controls on traceability, labelling and use of additives as per Article 8(3)(a) of Regulation (EC) No 882/2004.

NFSA:
The working group has made two guidelines for measuring method for effectiveness of official controls. The Central Region has a pilot going on and the results will be analyzed in the beginning of 2017.

Our plan is that the lacking procedure for verification of effectiveness is completed at the end of 2017.

4

The competent authority should ensure that official controls include the food business operators' compliance with the requirements of Article 18 of Regulation (EC) No 178/2002 and Article 3 of Regulation (EU) No 931/2011 on traceability, including qualitative and quantitative aspects.

NFSA:
The planning and prioritization process is carried out at the NFSA head office. The level of ambition for the controls on traceability has to be seen in conjunction with the systematic approach mentioned in point 1. NFSA has to assess this by the preparation of the BDL for 2018.

Through the BDL for 2018 the regions may be ordered to ensure the business operators compliance on traceability. In 2017 the checkpoints regarding traceability will have to be assessed. Both to ensure their usability and to consider if some or all of them should be compulsory.

5

The competent authority should ensure that official controls of food business operators producing meat and products thereof for the final consumer include the labelling requirements laid down in Regulation (EU) No 1169/2011.

NFSA:
In 2017 the checkpoints regarding labelling of meat and meat products will have to be assessed. Both to ensure their usability and to consider if some of them should be compulsory. Labelling of food products consists of many elements. The level of ambition for the controls will influence on the number of checkpoints on labelling.

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6
The competent authority should ensure that labelling of beef and beef products for the final consumer is compliant with the requirements laid down in Regulation (EC) No 1760/2000. **NFSA:** The NFSA will fulfill a guideline on labelling of fresh beef. The work is already started and is on our activity plan for 2017. The guideline will target the establishments, but will also assist our inspectors in their work. We will also add labelling of origin of beef in the template in MATS. Concerning the specific establishment where the non-compliance was seen, it will be followed up at the next inspection. The Head office has asked for a copy of this report, and will be pleased to forward this to you. **Schedule** 1st of June 2017.
7
The competent authority should ensure that official controls include the use of additives and ingredients and that food business operators comply with the requirements laid down in Regulations (EC) No 1333/2008 and 1334/2008. NFSA identified in 2015 the need for an increased competence with regard to oversight of food additives. Due to these findings, the region "Greater Oslo region" were, in BDL 2016, given the responsibility for planning and implementation of national audit projects (NTP) with thematic inspections with food additive suppliers and food producers with respect to the use of food additives. **Purpose** • Ensure safe use of additives in food and correct labelling of food additives to the consumers • Increase knowledge about requirements laid down in EC Regulations for the competent authority and for the food business operators • Develop efficient and uniform official controls on food additives • Increase the efficiency in management of food additives at NSFA **Schedule** **2017** • Mapping importers and suppliers of food additives • Develop supervisory materials and training materials to ensure consistent supervision in the area • Training of inspectors, March 2017 • Conduct official controls at suppliers of food additives, April-June 2017 • Communication of findings, emphasis on compliance with the requirements laid down in Regulations (EC) No 1333/2008 and 1334/2008 by importers and suppliers of food additives. • Establish training for the inspectors (SKUT course) • Planning official controls at food manufacturers for 2018 **2018** • Inspection training (SKUT course) Q1 2018

- Conduct official controls at food manufacturers
- Communication of findings
- Evaluation of the project with recommendation for further actions

8

The competent authority should ensure that food business operators carry out cutting and boning of meat of domestic ungulates in such a way as to prevent or minimize contamination. In particular, where the premises are approved for the cutting of meat of different animal species, precautions should be taken to avoid cross-contamination, where necessary by separation of the operations on the different species in either space or time, as laid down in Chapter V, Annex III, Section I of regulation (EC) No 853/2004.

NFSA:
Necessary separation between different species is already added in a template in MATS for cutting plants. Please consult the appendix below.

In the beginning of 2017 we will discuss in IRF how to ensure that all our inspectors are aware of this requirement.

Concerning the establishment where the non-compliance was seen, it is followed up by the region. The region has given a decision where the establishment is asked to fulfill the requirements when it comes to ensure that cross contamination is avoided. The answer was considered not satisfactory, and the establishment was given a prolonged date until the 15th of January 2017. We will be pleased to keep you updated.

Appendix

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Schedule
The IRF discussion will be held within the 1st of June 2017.