

## **IMPACT ASSESSMENT:**

### **Notification of draft regulations relating to the slaughter and sale of domesticated reindeer under traditional Sámi conditions under the Regulations (EC) No 853/2004 and (EC) No 854/2004**

Norway notifies the European Commission and the European Union Member States of draft regulations to continue traditional Sámi slaughter of up to 10 reindeer per owner (*siida* unit) per reindeer husbandry year and direct local sale in small amounts of fresh, non-controlled meat of domesticated reindeer (*Rangifer tarandus*) in reindeer herding areas that are subject to special geographical constraints.

Norway does this by making use of the options of adapting to the requirements laid down in the Annexes of the two above-mentioned Regulations as laid down in Article 10, Paragraph 3 of Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin and Article 17, Paragraph 3 of Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.

The purpose of the adaptations is to enable continuation of traditional Sámi methods in the slaughter and sale of reindeer meat and meet the needs of food business operators with a very low throughput or that are situated in regions that are subject to special geographical constraints. The activity concerned is very small in scale and is practiced in remote and sparsely populated regions subject to special geographic constraints.

The purpose of the draft regulations is to ensure that the slaughter and sale of fresh, non-inspected meat of domesticated reindeer direct to consumers in the immediate vicinity or reindeer pasture districts under traditional Sámi conditions take place in a hygienic manner. The slaughter and sale covered by the adaptations in the draft regulations is limited to maximum 10 reindeer per *siida* unit (owner) per reindeer husbandry year. This Sámi tradition has continued uninterrupted for centuries.

#### **1. Account of the adaptations under Regulations (EC) No 853/2004 and (EC) No 854/2004 and the nature of the envisaged adaptation**

In accordance with Article 10, paragraph 3 of Regulation (EC) No 853/2004, Annex III is adapted so that Annex III will not be applied, which means that activity is allowed in premises which have not been approved as establishments.

In accordance with Article 17, paragraph 3 of Regulation (EC) No 854/2004, Annex I is adapted so Annex I will not be applied, which means that the inspection requirements (ante mortem and mortem inspections and health marking) will not be carried out.

#### **2. Description of foodstuffs and actors**

##### *Reindeer husbandry and reindeer meat production in Norway*

Reindeer herding is a commercial activity developed from the hunting of wild reindeer. Norwegian semi-domesticated reindeer descends from the wild Scandinavian reindeer.

Reindeer herding targeted specifically at meat production was probably started in the Nordic countries already in the Middle Ages.

#### *Sámi reindeer herding*

The functional entity in Sámi reindeer husbandry is a *siida*, which is an entity where a group of reindeer owners carries out communal reindeer herding in specific areas, cf. Section 51 of The Reindeer Husbandry Act of 15 June 2007. A *siida* comprises of several *siida* units. A *siida* unit is a family group or an individual who is part of a *siida* and is engaged in reindeer husbandry under the leadership of a person or a married or unmarried cohabiting couple jointly, cf. Section 10 of The Reindeer Husbandry Act. The leader of a *siida* unit must live in Norway. A *siida* is a dynamic entity and its size and numbers varies with the seasons. The Reindeer Husbandry Act differs between summer *siida* and winter *siida*. A summer *siida* enacts common reindeer herding mainly on summer and autumn pasture areas. A winter *siida* enacts common reindeer herding mainly on spring and summer pasture areas.

The average number of reindeer in a *siida* unit has increased with 25 % during the last five years and is now around 400 animals. There are usually more *siida* in the winter than in the summer. Only summer and winter *siida* is accounted for in the Reindeer Husbandry Act. The annual cyclus for reindeer herding goes from the 1 April one year till the 31 March the following year (the reindeer husbandry year). The 31 March 2007, 100 summer *siida* were registered, while the registered number of winter *siida* was 150. According to official figures for the last five years there were 550 - 600 *siida* units, which comprised around 3.000 registered individuals. The central area for Sámi reindeer herding is the County of Finnmark, which has 403 registered *siida* units and 2.200 registered individuals. There is also Sámi reindeer herding in the Counties of Troms, Nordland, Nord-Trøndelag, Sør-Trøndelag and Hedmark. In addition there is a special arrangement for Sámi reindeer herding in the mountain area of Trollheimen.

#### *Other reindeer herding*

There are four non-Sámi reindeer herding companies in the regions of Valdres and Nord-Gudbrandsdal in the County of Oppland in Southern Norway. Finally there is a special arrangement from 1998 for the company *Rendal renselskap*, which is approved for the particular activity of hunting on privately owned reindeer.

#### *The extent*

Reindeer herding in Norway is a fundamental activity for the Sámi people, and is, with one exception, practised through *siida* units. The total number of owners is around 3.000 individuals. The overwhelming majority of these are Sámi people, which are the only indigenous people in Norway and in the European Union.

The areas used as pastures for reindeer and the number of reindeer on the pastures is affected by and varies according to a number of factors, amongst others the weather conditions, the predator situation, the relation between the number of animals and the quality of the pastures, the length and type of snow and ice coverage on the winter pastures, the meat prices, the internal competition etc.. According to official numbers from the Reindeer Herding Administration for the last 10 years, the total number of reindeer per annum on winter pastures has varied between 187.000 and 240.000.

Reindeer herding takes place on an area that covers 146.000 square kilometres and is divided on 139 of the 437 Norwegian municipalities. This covers around 45 % of the mainland area.

90 % of this area is covered by the pastures of the Sámi reindeer herding, according to the definition of the Reindeer Husbandry Act of 15 June 2007 (see below).

#### *Population density*

The reindeer herding areas are very sparsely populated. The population density in the County of Finnmark is only 2 persons per square kilometre (including the towns), whereas the average population density in Norway is 15 persons per square kilometre. In the most remote parts of the reindeer pastures the population density is even lower, only around 1 person per square kilometre.

#### *Official surveillance and control*

The Norwegian Ministry of Agriculture and Food has its own surveillance and control agency, the Reindeer Herding Administration, which supervises the reindeer herding in accordance with The Reindeer Husbandry Act of 15 June 2007. The Reindeer Herding Administration has its head office in Alta in the County of Finnmark, Norway's most northern county. The Reindeer Herding Administration divides the country in 6 regions with regional offices and subdivides it into 82 districts, 72 with summer pastures and 10 with autumn, winter and spring pastures. In each district the owners (*siida* units) have common herds of which they cooperate about the practical administration in a *siida*. Every owner has his own ear mark with which the animals are marked as calves, and in this way the animals are identified in relation to their individual owner. Every owner is obliged to report annually to the Reindeer Herding Administration about their activity. The annual report comprises amongst other the number of animals, the number of animals added and taken away, and to which *siida* they belong.

The Reindeer Herding Administration regulates, on the basis of the Act, the number of animals by fixing the maximal number of animals for each reindeer pasture district (reindeer living over the winter). In the present decennium, the maximum number of animals in the whole reindeer herding area is 209.000 animals. Depending on the district, the number varies from 200 to 27.000 in a single district.

The Norwegian Food Safety Authority, NFSA, supervises and controls the reindeer herding concerning animal welfare, animal health and the different food safety aspects of significance for the slaughtering, handling and sale of reindeer meat for food.

NFSA is the Competent Authority in Norway for supervision and control of all aspects related to plant health, animal health, fish health, animal welfare, and all feed and food safety aspects related to the production, storage and transport etc. of feed and food. NFSA has around 1.200 employees. NFSA is subordinated three different Ministries; the Ministry of Health and Care Services, the Ministry of Fisheries and Coastal Affairs and the Ministry of Agriculture and Food. The latest is the one with administrative responsibility for the NFSA. NFSA is organised with a head office in Oslo and 8 regional offices of which one is situated in Kautokeino in the County of Finnmark. Under each regional office there are a number of district offices. The regional office in Kautokeino has 8 district offices, 4 in the County of Finnmark and 4 in the County of Troms. It is the district offices that are responsible for performing the actual controls on the ground.

#### *Reindeer herding*

Reindeer run freely over large distances and areas in the districts, but they are still owned and administered by a *siida* and *siida* units. Reindeer herding is very different from herding and

rising of farmed game, even if reindeer in the EU hygiene legislation is considered as a farmed cloven mammalian. Reindeer is twice a year gathered for a short period of time, once between June and September to mark the calves and once between September and February to count the animals and to separate the breeding animals for the coming year from the animals to be slaughtered. At these gatherings the identification of the animal's owners and the condition of the animals are checked, and it is decided if an animal shall be slaughtered or not.

#### *Meat production*

The production of reindeer meat is on average 1.750 tons per annum in Norway. Every year an average of 75.000 animals is slaughtered, the majority of these (around 91 %) in approved slaughterhouses. The reindeer owners slaughter on average 6.750 animals (around 9 %) for their own use or local sale. The numbers are the average of the official numbers for the last five years. Thus the notification concerns less than 10 % of the total number of slaughtered reindeer, according to estimates done by The Sámi Reindeer Herders Association. Fresh meat from these animals is sold in the reindeer herding areas without having been subjected to meat inspection by an official veterinarian.

#### *Weather and temperature conditions*

Annual average temperature in the northern part of the reindeer herding area is low, but varies between the coastal areas having a higher middle temperature and the inland having a lower middle temperature. Yearly middle temperature (30 years average) on the Plain of Finnmark or Finnmarksvidda, the most important reindeer herding area, is -3 °C, around the Polar Circle it is 0 °C and in southern parts of the reindeer herding area it is +2 °C. The slaughtering of reindeer usually takes place from September to March, when the temperatures can be pretty low (between +5 °C and -40 °C).

#### *Slaughtering of reindeer*

Earlier the reindeer were slaughtered in the traditional way, outdoors on the owners' land or in a temporary field slaughterhouse or slaughterplace, which was arranged in connection with the seasonal gatherings of the animals. Until now some of the official controls have also taken place in nationally approved field slaughterhouses wherefrom approved carcasses, marked with a national (square) control stamp, have been allowed for sale on the national market.

Reindeer, from which fresh meat is sold direct to consumers without veterinary control, is slaughtered traditionally in connection with the annual gatherings of the animals in fences or on the owners' land. There are still some temporary field slaughterhouses connected to the gathering fences, which can be used for the activity described in this notification. Traditional slaughtering of reindeer is a knowledge which is transferred from one generation to the next within the families of the reindeer owners and is kept alive because the national legislation has approved traditional slaughter and direct sale.

#### *Fresh reindeer meat*

The notified adaptations concern fresh reindeer meat. The fresh meat is sold, first and foremost, as whole or half carcasses, but now and then as cuts. The meat can be cooled, chilled or frozen and stored where slaughter of the animals takes place or in facilities connected to the private home of the reindeer owner. The meat can also be sold direct to consumers immediately after slaughter.

### **3. Reasons for the adaptations**

*The measures taken to ensure that the adaptations does not compromise the objectives of Regulations (EC) No 853/2004 and (EC) No 854/2004*

The purpose of the notified adaptations is to continue traditional slaughter and sale of fresh, non-inspected meat of domesticated reindeer under traditional Sámi conditions. This tradition has continued uninterrupted for centuries and has great economic and symbolic meaning to the local people in the sparsely populated reindeer herding areas.

#### *National legislation*

The notified adaptations will have the same restrictions on sale of fresh, non-controlled reindeer meat as the derogation found in the current national Norwegian legislation. The derogation is limited to maximum 10 reindeer per *siida* unit (owner) per reindeer husbandry year, that the reindeer owner can slaughter for sale direct to consumers locally in the immediate vicinity or reindeer pasture districts and not to consumers in other parts of Norway or in other EEA countries. The meat must be sold as fresh meat and must be slaughtered by the traditional Sámi methods. The meat cannot be ground, and no raw or processed products can be made from it.

To control that the adaptations are used according to the rules, the individual carcass is numbered from 1 to 10 with an official mark identifying from which *siida* unit it stems. The leader of the *siida* unit is responsible for ensuring that all animals slaughtered and sold pursuant to the derogation are marked, and shall keep detailed lists of the animals.

#### *The relation to the EU legislation*

The legislation on hygiene for products of animal origin is part of the hygiene package, that will become part of the EEA Agreement as soon as the EEA Agreement is updated. Until the regulations of the hygiene package enter into force in the EEA countries the hygiene legislation in the present EEA Agreement, as amended, is the legal base.

The national regulation on slaughterhouses for reindeer and farmed game from 1995 does not encompass reindeer slaughtered for use in the owner's household or up to 10 reindeer per *siida* unit, which the owner slaughter for sale or handing over locally direct to the consumers for use in the consumers' private households. In practice this means that in these cases the reindeer meat need not be inspected by an official veterinarian. The national legislation has in this way allowed the continuation of the traditional Sámi slaughter and direct sale and arranged for the continuation of transfer of knowledge and skills of traditional Sámi slaughtering of reindeer from one generation to the next.

#### *Guidance documents*

The reindeer herding community is advised to make national guides to good hygiene practice for reindeer owners, including instructions for slaughtering and handling of fresh meat. Reindeer owners, for whom the proposed derogations apply, must have sufficient and correct information about the reindeer meat they produce. They must know the public health hazards represented by the reindeer and the reindeer herding and know the critical points (for food safety) in this activity. They must be sufficiently careful in all actions to ensure the public health safety for the reindeer meat and its transport and storing conditions.

#### *Cultural and economic significance*

Reindeer herding is economically significant in the reindeer herding areas, which are peripheral and sparsely populated areas, and among the most remote areas in Europe. Even if the amounts of the total sale of uninspected fresh reindeer meat in the reindeer herding areas

direct to the consumers are small and the activity is of a very local nature, it is very important in these remote and sparsely populated areas in order to preserve this traditional form of trading reindeer meat. The offal from this slaughtering is used in the families of the *siida* units and gives an important contribution to the continuation of traditional cooking and handicraft. In the reindeer herding areas distances are long and the nearest slaughterhouse can be so far away that it is not economically profitable to transport a small number of reindeer to the slaughterhouse.

In the reindeer herding areas direct sale is a century long tradition, for both sellers and buyers, and has an irreplaceable role in the economic activity. Customers, in particular in reindeer herding areas, want to buy meat from animals slaughtered in the autumn, direct from the owner. They usually buy whole or half carcasses to cover the needs of the family for the rest of the year. To continue sale in its traditional form is important to the Sámi people. Reindeer, reindeer herding and associated customs and expressions are cornerstones for their existence and survival.

#### **4. Official controls of reindeer**

##### *Slaughterhouse controls*

Official data from official controls of reindeer slaughtering in Norway from the later years demonstrate that condemnations lie between 0,15 % and 0,30 % of the carcasses. Studies done in Finland in the period 1980 - 1986 (Rahkio and Korkeala 1989) showed that 0,2 % of a total of 400.000 reindeer carcasses were condemned by the official controls at the slaughterhouse. Emaciation after disease was the most common cause. In the same period 6 % of inspected elk and 3 % of all inspected deer were condemned (Rahkio and Korkeala 1989). 0,42 % of all pig carcasses were condemned (Fossi 1995). In other words, the total number of condemned reindeer carcasses was much lower than the number of condemned carcasses of game or pigs. Sick reindeer cannot follow the herd to the gathering fences, and were earlier left to die or to be taken by predators. Today sick animals are to an increasing extent taken care of by the owners and either medically treated, cared for or killed. Today most of the slaughtered animals are calves (around 80 %) under one year of age. Therefore the slaughter animals are very healthy.

##### *Field slaughter*

The microbiological contamination of reindeer meat after slaughter is also less frequent than with domestic animals (Vaarala and Korkeala 1999). By examining the parts of the reindeer carcasses that are most exposed to contamination, the front part of the legs, the chest (thorax) and the belly (abdomen) it was found to be on the same level as on domesticated animals. However, the same study demonstrated a significantly lower contamination on chest and belly and a lower total bacterial count on reindeer carcasses slaughtered in the field than at permanent slaughterhouses. This means that reindeer meat of high hygienic quality can also be produced by field slaughtering.

##### *Risks at field slaughter*

The most significant factor that can weaken the hygiene of carcasses at field slaughter is the dependence on chilling of carcasses after outdoor slaughtering. This comprises the air humidity, temperature and wind. In the most northern reindeer herding areas the reindeer are slaughtered in November - January when it is sufficiently cold to chill the carcasses quickly. In the southern areas slaughtering begins in September/October when the climate does not allow for sufficiently fast chilling of the carcasses and offal. However, the timing of slaughter

can be adapted to ensure optimal cooling conditions. Today the amounts of uninspected reindeer meat which is sold is rather limited, which means it is not difficult to wait for the right moment to slaughter in special cases.

Fresh reindeer meat is not reported to have caused any isolated or epidemiological outbreaks of food poisoning in Norway.