

Brussels, 27 September 2018
Case No: 80610
Document No: 929604

The logo of the EFTA Surveillance Authority, featuring the text 'EFTA SURVEILLANCE AUTHORITY' in white on a dark blue background.

EFTA SURVEILLANCE
AUTHORITY

Final report

EFTA Surveillance Authority's mission to Iceland

from 11 to 20 June 2018

on animal by-products

not intended for human consumption

Please note that comments from Iceland to the draft report are included in Annex 4 to the report and referred to in footnotes and/or have been included in the body of the report using underlined italic print. Please note that information from Iceland on the corrective actions already taken and planned are included in Annex 5 to the report.

Executive Summary

This report describes the outcome of a mission carried out by the EFTA Surveillance Authority in Iceland from 11 to 20 June 2018.

The objective of the mission was to verify that official controls related to animal by-products (ABPs) were carried out in compliance with the European Economic Area (EEA) legislation.

The mission team found that there is a very limited progress and in certain cases no progress at all from the Authority's mission in 2013 in relation to official controls on ABPs. Following that mission, the Authority started an infringement procedure against Iceland, regarding incorrect handling of ABPs, in particular, direct disposal of ABPs from slaughterhouses and fallen stock as waste in landfills and burial of fallen stock on farms. This case is ongoing and will be further pursued by the Authority, also based on the findings of this mission.

Relevant EEA legislation has now been incorporated into the national legislation and competent authorities designated although official controls along the entire chain of animal by-products and derived products are not ensured and competent authorities do not always include EEA ABP requirements in their official controls and do not train their staff accordingly.

In Iceland it is not ensured that ABP plants are registered or approved according to requirements and not ensured that dispatch of relevant ABPs and derived products to other EEA States is carried out in accordance with legal requirements regarding use of the European Community Trade Control and Expert System (TRACES).

Lack of action from the Icelandic competent authorities to address the abovementioned issues regarding ABP and in particular the requirements regarding collection, removal and disposal of ABPs and removal, identification and disposal of SRMs, might present a source of potential risk to public and animal health.

The report includes a number of recommendations addressed to the Icelandic competent authorities aimed at rectifying the identified shortcomings and enhancing the control system in place.

Table of contents

1	INTRODUCTION	4
2	SCOPE AND OBJECTIVE OF THE MISSION.....	4
3	LEGAL BASIS FOR THE MISSION	6
4	BACKGROUND.....	6
4.1	PREVIOUS MISSIONS	6
4.2	INFORMATION ON PRODUCTION AND TRADE.....	7
5	FINDINGS AND CONCLUSIONS.....	7
5.1	LEGISLATIVE AND IMPLEMENTING MEASURES.....	7
5.2	COMPETENT AUTHORITIES AND OFFICIAL CONTROLS	9
5.2.1	Designation of competent authorities and responsibilities	9
5.2.2	Coordination and cooperation between competent authorities.....	10
5.2.3	Planning of official controls	11
5.2.4	Reporting and action taken in case of non-compliances	13
5.2.5	Resources and training of staff.....	16
5.3	REQUIREMENTS ALONG THE ABP CHAIN	16
5.3.1	Categorisation of ABPs	16
5.3.2	Disposal of ABPs	18
5.3.3	Disposal of catering waste from means of transport operating internationally	19
5.3.4	Collection, transport, identification and traceability	20
5.3.5	Hygiene, own-checks, HACCP and processing requirements	21
5.3.6	Controls for trade between EEA states and import/export.....	22
5.4	REGISTRATION AND APPROVAL OF OPERATORS, ESTABLISHMENTS AND PLANTS	24
5.5	REMOVAL, IDENTIFICATION AND DISPOSAL OF SRM.....	27
5.6	TSE MONITORING OF ANIMALS WHICH DIED ON A FARM	28
6	FINAL MEETING	28
7	RECOMMENDATIONS	29
	ANNEX 1 - LIST OF ABBREVIATIONS AND TERMS USED IN THE REPORT	31
	ANNEX 2 - RELEVANT LEGISLATION	32
	ANNEX 3 - STATISTICS ON PRODUCTION AND TRADE.....	33
	ANNEX 4 - ICELAND'S COMMENTS TO THE DRAFT REPORT.....	35
	ANNEX 5 - ICELAND'S ACTION PLAN FOR CORRECTIVE ACTIONS.....	36

1 Introduction

The mission took place in Iceland from 11 to 20 June 2018. The mission team comprised two inspectors, a legal officer (first week) and a third inspector (second week) from the EFTA Surveillance Authority ('the Authority') and a national expert.

A pre-mission questionnaire was sent by the Authority to the Ministry of Industries and Innovation on 6 July 2017. A reply ('the pre-mission document') was provided on 16 May 2018.

The opening meeting was held on 11 June 2018 with representatives of the Icelandic Food and Veterinary Authority ('MAST'), the Ministry of Industries and Innovation ('MoII'), the Ministry for the Environment and Natural Resources and the Municipal Environmental and Public Health Offices ('LCAs'). At the meeting, the mission team confirmed the objectives and the itinerary of the mission and the Icelandic representatives provided additional information to that set out in the pre-mission document.

Throughout the mission, the mission team was accompanied by a representative of MAST's head office and met with officers of the relevant competent authorities in charge of official controls of the establishments and operators visited.

The final meeting was held on 20 June 2018 with representatives of MAST, MoII, Icelandic Environment Agency ('UST') and LCAs.

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

2 Scope and Objective of the mission

The main scope of the mission was to assess the implementation by Iceland of requirements on animal by-products¹ and derived products ('ABPs') laid down in the following EEA acts, as amended and as adapted by the sectoral adaptations referred to in Annex I to the European Economic Area (EEA) Agreement:

- *Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002, and;*
- *Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive*

The main objective of the mission was to evaluate the control system in place for application in Iceland of the above mentioned EEA acts and other relevant EEA legislation referred to

¹ Pursuant to Article 3(1) of Regulation (EC) No 1069/2009, the term 'animal by-products' means 'entire bodies or parts of animals, products of animal origin or other products obtained from animals, which are not intended for human consumption, including oocytes, embryos and semen'.

in Annex 2 to this document, focusing on the general organisation of relevant official controls.

To the extent that the provisions of former EEA legislation on ABPs, in particular Regulation (EC) No 1774/2002, are materially similar to those in Regulation (EC) No 1069/2009 and Regulation (EC) No 142/2011, official controls and other activities carried out on the basis of the previous legislation are mentioned for the purpose of comparing compliance since the Authorities last mission on ABPs in 2013 (see section 4.1 below).

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 pre-mission document.

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, in order to ascertain both the normal control procedures adopted and the measures in place to ensure that corrective actions are taken when necessary.

The meetings with representatives of the competent authority and visits to relevant sites during the mission are listed in Table 1.

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

	Number	Comments
Competent authorities	2	An opening meeting and a final meeting with MAST representatives and relevant ministries.
	5	Meetings with officers of the relevant competent authorities in charge of official controls in the facilities visited or otherwise involved in official controls related to ABPs.
Slaughterhouses	2	Two slaughterhouses approved for slaughtering several species, including ovine and bovine animals, and approved as ABP storage plants.
ABP processing plants	4	A plant producing meat and bone meal from category 2 and category 3 ABPs. Two compost plants receiving ABPs from slaughterhouses and catering waste. Fish meal plant producing fish meal and fish oil.
Landfills	2	Two landfills approved by UST. Representatives of UST were present during both visits.
Pet food plant	1	Pet food plant using fish ABPs as raw material.
Fur feed plant	1	Receiving ABPs from fishery establishments and slaughterhouses.
Farms	3	Three farms in different regions were visited to discuss disposal of fallen stock and home slaughter waste.

3 Legal basis for the mission

The legal basis for the mission was:

- a) 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);
- b) Point 4 of the Introductory Part of Chapter I of Annex I to the EEA 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*, as adapted by the sectoral adaptations referred to in Annex I to the EEA Agreement;
- 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*, as amended and adapted by the sectoral adaptations referred to in Annex I of the EEA Agreement;
- e) Article 49 of *Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002*, as amended and adapted by the sectoral adaptations referred to in Annex I of the EEA Agreement;

Legislation relevant to this mission is listed in Annex 2.

4 Background

4.1 Previous missions

The Authority carried out a mission on ABPs in Iceland from 9 to 13 September 2013 ('mission in 2013'). The mission report from that mission ('report from 2013') is published on the Authority website.²

The report from 2013 concluded that Iceland did not ensure that all animal by-products were handled and processed in line with legal requirements. Furthermore, Iceland did not ensure that adequate arrangements were in place and sufficient infrastructure existed to ensure that ABPs were disposed of in accordance with EEA legislation (unprocessed ABPs were in general directly disposed of at landfills).

Many of the mission findings regarding non-compliance with requirements concerning collection, transport and disposal of ABPs were considered to be the result of uncertainty over which competent authority has responsibility for undertaking official controls concerning ABPs. This was due to the fact that the national legislation incorporating EEA ABP legislation excluded from its scope ABPs that were considered waste whilst, at the same time, the competent authorities responsible for collection transport and disposal of

² http://www.eftasurv.int/media/reports/690400_Final-report---EFTA-Surveillance-Authority_s-Mission-to-Iceland-on-animal-by-produc.pdf

waste considered ABPs outside the scope of their control activities. In addition, it was confirmed that Iceland did not comply with requirements concerning removal of bovine specified risk material (SRM), as laid down in EEA legislation.

Following the mission in 2013, the Authority issued a Letter of Formal Notice concerning incorrect implementation of Regulation (EC) 1774/2002 (Case 74406), following which the relevant national legislation was amended to remove the offending legislative provisions and the case was closed.

However, the Authority subsequently opened an own initiative case (Case 78358) since, notwithstanding that the legal framework for handling of ABPs was now in line with EEA requirements, it did not appear that incorrect handling of ABPs (in particular, direct disposal of ABPs from slaughterhouses and fallen stock as waste in landfills and burial of fallen stock on the farms) had been rectified in practice. This case is ongoing and will be further pursued by the Authority, also based on the findings of this mission. In the light of this ongoing infringement procedure, no recommendation on these particular issues, is included in this mission report.

4.2 Information on production and trade

According to information provided by Iceland in reply to the pre-mission document, information regarding the quantity of ABPs produced in Iceland is not collected by any authority in a systematic way. However, MAST indicated that approximately 107.000 tons of fish meal, 44.000 tons of frozen fish by-products, 40.000 tons of fish oil, 13.000 tons of compost, 3.000 tons of Category 3 meat and bone meal and 4.600 tons of fur feed were produced in Iceland during 2016. Some key figures, as provided by Iceland, regarding ABPs generated in Iceland and regarding their trade, import and export can be found in Annex 3 to this report.

5 Findings and conclusions

5.1 Legislative and implementing measures

Legal Requirements

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

Article 51 of Regulation (EC) No 1069/2009 requires that EEA States shall communicate to the Authority the text of the provisions of national law they adopt in areas under their competence which directly concern the proper implementation of that Regulation.

Article 53 of Regulation (EC) No 1069/2009 requires that EEA States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The EEA State shall notify those provisions to the Authority.

Findings

1. According to information provided by Iceland in its reply to the pre-mission document, Regulation (IS) No 674/2017, which entered into force on 21 July 2017, incorporates Regulation (EC) No 1069/2009 and Commission Regulation (EU) No 142/2011 ('the EEA ABP legislation') into Icelandic law. The legal basis for Regulation (IS) No 674/2017 is Act (IS) No 22/1994 on control of Feed, Fertilisers and Seeds, Act (IS) No 96/1997 on Slaughtering and Slaughter Products and Act (IS) No 25/1993 on Animal Diseases and Preventive Measures Against Them.
2. Pursuant to Article 51 of Regulation (EC) No 1069/2009, Iceland has not informed the Authority of any transitional measures or derogations from the EEA ABP legislation. Iceland has not defined remote areas where ABPs could be disposed of by burning, burial on site or by other means under official supervision in accordance with Article 19 of Regulation (EC) No 1069/2009. That legislation should therefore be applied fully in Iceland.
3. The mission team noted that Regulation (IS) No 674/2017 includes ABPs considered as waste within its scope (in line with the previous ABP Regulation (EC) 1774/2002, following its amendment as mentioned in Section 4.1 above).
4. According to information provided by Iceland in its reply to the pre-mission document, legislation on waste management in Iceland is based on Act (IS) No 55/2003 on waste management. Legislation implementing Directive 1999/31/EC on the landfill of waste, and Directive 2000/76/EC on the incineration of waste include Regulation (IS) No 737/2003 on treatment of waste, Regulation (IS) No 738/2003 on land filling of waste and Regulation (IS) No 739/2003 on incineration of waste.
5. Directive 2008/98/EC on waste has been incorporated in Act (IS) No 55/2003. This was not the case during the mission in 2013 and was subject to a recommendation in the report from 2013.
6. Regulation (EC) No 722/2007 regarding classification of SRM (amending Regulation (EC) No 999/2001) has been incorporated in Regulation (IS) No 674/2017 and classification of ABPs is now in line with EEA ABP legislation regarding bovine SRM. This was not the case during the mission in 2013 and was subject to a recommendation in the Report from 2013.
7. Article 8 of Regulation (IS) No 674/2017 concerns the rules on penalties applicable for infringement of its requirements. It establishes that the violation against this regulation must be handled according to the following three national acts: Act No 22/1994 on Inspection of Feed, Fertiliser and Seed Products („the Feed Act“), Act No 96/1997 on Slaughter and Slaughter Products („the Slaughter Act“) and Act No 25/1993 on Animal Diseases and Protection against them („the Act on Animal Diseases“).
8. The Slaughter Act and the Act on Animal Diseases state that violations of acts, regulations and instructions issued on their basis (including IS Regulation No 674/2017) will be subject to fines or imprisonment of up to two years. The Feed Act specifies seven circumstances in which sanctions shall be necessarily imposed for infringements. These circumstances include infringements of prohibitions of use of animal protein derived from ABP for feed, of production of feed for animals

kept for production of food and of feeding of animals with animal protein made from animals or animals' products of the same species.

9. MAST has the power to impose administrative sanctions in case of infringements of the above mentioned acts, such as closing down the activities of a business operator and withdrawal of its operating licence, stopping distribution of products, detaining and destroying products. Representatives of MAST stated that they had not yet imposed these administrative sanctions.

Conclusions

10. The EEA ABP legislation has been made part of the Icelandic order and Iceland has communicated the text of the relevant provisions of national law to the Authority in accordance with Article 7 of the EEA Agreement and Article 51 of Regulation (EC) No 1069/2009. Rules on penalties for infringement of EEA ABP legislation have been adopted in Iceland pursuant to Article 53 of Regulation (EC) No 1069/2009.

5.2 Competent authorities and official controls

5.2.1 Designation of competent authorities and responsibilities

Legal Requirements

Article 4 of Regulation (EC) No 882/2004 requires Member States to designate the competent authorities responsible for the official controls set out in the Regulation. It also lays down operational criteria for the competent authorities.

Findings

11. According to information provided by Iceland in its reply to the pre-mission document, the MoII is responsible for implementation and application of EEA ABP legislation. Implementation is effected either by laws passed by the Parliament or Regulations issued by the MoII.
12. According to Article 3 of Regulation (IS) No 674/2017, MAST is the competent authority for official controls concerning ABPs, subject to certain exceptions defined in Regulation (IS) No 674/2017 and described below.
13. The Ministry of Environment is responsible for implementation and application of EEA acts related to waste management. Implementation is either by law passed by the Parliament or Regulations issued by the Ministry.
14. UST is the competent authority for waste management in Iceland. According to Act no 55/2003 on waste management, UST is responsible for its implementation and enforcement. UST is, in accordance with IS Regulation No 674/2017, the competent authority for Article 19 of Regulation (EC) No 1069/2009 (concerning authorisation of derogations from the standard Regulation (EC) No 1069/2009 provisions on collection, transport and disposal of ABPs) and Article 24(1)(b)(c) and (d) (concerning approval of establishments (i) undertaking disposal of ABPs and derived products by incineration or co-incineration, except where they have a permit to operate under Directive 2010/75/EU on industrial emissions (integrated

pollution prevention and control; or (ii) using ABPs or derived products as fuel for combustion)

15. Regarding ABPs, LCAs are in accordance with Regulation (IS) No 674/2017 the competent authority for Article 24(1)(g) of Regulation 1069/2009, concerning approval of establishments transforming ABPs or derived products into biogas or compost.
16. MAST and UST shall be the competent authorities regarding Articles 44 and 46 of Regulation 1069/2009 (concerning approval of ABP establishments and plants following an on-site visit, carrying out of official controls regularly on handling of ABPs and derived products and suspension, withdrawal or prohibition of operations in case of non-compliance), as appropriate.

Conclusions

17. Iceland has designated competent authorities responsible for the official controls falling within the scope of this mission in line with the requirements laid down in the Article 4 of Regulation (EC) No 882/2004.

5.2.2 Coordination and cooperation between competent authorities

Legal Requirements

Article 4(3) of Regulation (EC) No 882/2004 requires efficient and effective coordination and cooperation between competent authorities.

Findings

18. The report from 2013 concluded that effective coordination and cooperation between competent authorities could not always be ensured. The mission team noted that there is still misunderstanding between and within competent authorities concerning the allocation of responsibilities for official controls along the entire chain of ABPs. As a result, in some areas, there is no allocation of responsibility and in other areas, there is an overlapping of responsibilities.
19. Regarding disposal of fallen stock, MAST and UST had different interpretations in relation to their role and responsibilities. MAST consider themselves responsible for fallen stock only under animal health legislation and not under EEA ABP legislation. UST consider themselves responsible for fallen stock only after it enters the landfill
20. Areas where, due to differences in the interpretation and understanding by competent authorities of relevant legal provisions of Icelandic ABP, environmental and animal health legislation, responsibility for ABP related official controls has not been allocated, such as:
 - fallen stock buried on farms;
 - collection, transportation and disposal of ABPs;
 - fallen stock disposed of in landfills;
 - ABPs in Category 2 processing plants producing fertilisers; and

- compost plants.
21. Discussions to co-ordinate responsibilities between MAST, UST and two LCAs regarding official controls on catering waste from means of transport operating internationally had recently taken place. As a result, guidelines on collection and disposal of such waste has been produced. However, the mission team found that collection and disposal of such waste does not fulfil the requirements of EEA ABP legislation (see section 5.3.3).
 22. According to information provided by Iceland in its reply to the pre-mission document and during the mission, procedures have been established to describe the different roles of MAST, UST and LCAs regarding the disposal of animal waste in the case of disease outbreaks. The mission team noted that in such cases all authorities involved knew what their responsibilities are.
 23. Representatives of MAST, UST and LCAs acknowledged the usefulness of guidelines issued to co-ordinate responsibilities regarding the disposal of animal waste in case of a disease outbreak. The mission team consider these guidelines as an example of good practice.

Conclusions

24. Efficient and effective coordination and cooperation between competent authorities is not ensured, contrary to Article 4(3) of Regulation (EC) No 882/2004 and some official controls of requirements of EEA ABP legislation have not been allocated.

5.2.3 Planning of official controls

Legal Requirements

Article 45 of Regulation (EC) No 1069/2009 requires that the competent authority shall at regular intervals, carry out official controls and supervision of the handling of animal by-products and derived products falling within the scope of that Regulation.

Article 8(1) of Regulation (EC) No 882/2004 requires official controls to be carried out in accordance with documented procedures.

Article 32 of Regulation (EC) No 142/2011 requires that the competent authority shall take the necessary measures to control the entire chain of collection, transport, use and disposal of animal by-products and derived products, as referred to in Article 4(2) of Regulation (EC) No 1069/2009, and that those measures shall be carried out in accordance with the principles for official controls laid down in Article 3 of Regulation (EC) No 882/2004.

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

Article 4(3) of Regulation (EC) No 1069/2009 requires that Member States monitor and verify that the relevant requirements of that Regulation are fulfilled by operators along the

entire chain of animal by-products and derived products. For that purpose, they shall maintain a system of official controls in accordance with relevant Community legislation.

Findings

25. According to information provided by Iceland in its reply to the pre-mission document of the Authority, MAST official controls are carried out based on the handbook for daily control in slaughterhouses, handbook for food of animal origin and handbook for feed. Each of these handbooks contain a chapter on controls of ABPs. However, the handbooks refer to the former EEA ABP legislation which has since been repealed by Regulation (EC) No 1069/2009. Outside of ABPs falling under these areas, there is no handbook, guideline or other documented procedure, (except a guidance document regarding the collection and disposal of international catering waste (see section 5.3.3)) for controls on other ABP operators along the entire chain of animal by-products and derived products.
26. The control frequency of each food and feed establishment is calculated based on the risk of the production and the processing method, the complexity of the production process and other relevant factors, in accordance with national procedures. The mission team noted that the planned frequencies of controls are not always achieved in practice. For example, nine hours of checks, i.e. two checks (one check corresponds to approximately four hours) were planned in a Category 2 processing plant for, 2017 and 2018. In practice, only one check was undertaken in February 2017 and no checks were carried out so far in 2018.
27. There is no control handbook and guidelines and procedures, apart from a guidance document regarding the collection and disposal of international catering waste (see section 5.3.3), to check operators dealing with ABPs, which are under UST and LCA responsibility and official controls on ABPs by these competent authorities are very limited or non existing in some areas, such as collection, transport and disposal of certain ABPs.
28. The mission team noted that MAST's regular official controls on farms include checking the manner of disposal of animals which have died on the farm. However, in this context MAST considers only animal health legislation and not the specific requirements of EEA ABP legislation.
29. UST is responsible for official controls at landfills and incinerators. No procedures or guidelines had been issued by UST for official controls of ABPs. UST representatives stated that they performed two yearly checks in the establishments under their responsibility but only in respect of compliance with environmental legislation. The representatives further mentioned that they do not perform official controls of EEA ABP requirements in relation to ABPs in landfill sites since, in accordance with Icelandic legislation (Article 2(b) of the Waste Treatment Act 55/2003, implementing Article 2(b) of Directive 2008/98/EC on waste), ABPs intended for landfill are waste. However, the mission team noted that, whilst this may be true, the application of the waste legislation in this case did not preclude the requirement to also comply with the requirements of EEA ABP legislation concerning such ABPs. In addition, Article 2(c) of the Waste Treatment Act 55/2003 (implementing Article 2(c) of Directive 2008/98/EC) defines carcasses of animals that have died other than by being slaughtered as not being waste. These should therefore also be disposed of in accordance with EEA ABP legislation. Article 12 (c), Article 13 (c) and 14 (c) of Regulation (EC) No 1069/2009 allow for certain ABPs to enter landfill, but only if first processed. The mission team

noted, however, that in practice carcasses of dead animals in Iceland enter the landfill unprocessed.³

30. The mission team was informed that LCAs have a very limited role in official controls of ABPs apart from approval of establishments transforming ABPs or derived products into biogas or compost. No specific procedures or guidelines had been issued by or for LCAs concerning their responsibility under Regulation (IS) No 674/2017 for approval of establishments transforming ABPs or derived products into biogas or compost (see chapter 5.4).
31. The mission team noted that traders and transporters of ABPs have not been subjected to official controls under the EEA ABP legislation to date.

Conclusions

32. MAST official controls regarding ABPs are based on ABP chapters in handbooks concerning feed, food of animal origin and slaughterhouses. Their planned frequency is based on risk, following the matrix for food and feed establishments, and are based on a check list for these establishment, although the planned frequency is not always met in practice, contrary to Article 8(3) of Regulation (EC) No 882/2004. UST and LCA official controls regarding ABPs are not risk based and no to a very limited extend include ABP related issues. No documented procedures exist for official controls, under the responsibility of UST and LCAs, for relevant operators, establishments or plants dealing with ABPs, contrary to the requirement under Article 8(1) of Regulation (EC) No 882/2004.
33. Iceland and respective competent authorities do not take necessary measures to control, monitor and verify compliance with ABP requirements by operators along the entire chain of collection, transport, use and disposal ABPs and derived products, contrary to Article 4(3) of Regulation (EC) No 1069/2009 and Article 32 of Regulation (EU) No 142/2011.

5.2.4 Reporting and action taken in case of non-compliances

Legal Requirements

Article 9 of Regulation (EC) No 882/2004 requires the competent authority to draw up reports on the official controls that it carries out, describing the purpose, the control methods and the results of the official controls and, where appropriate, the corrective action required.

Article 8(3)(b) of Regulation (EC) No 882/2004 requires the competent authority to ensure that corrective action is taken when needed.

Article 54 of Regulation (EC) No 882/2004 requires a competent authority which identifies non-compliance to take action to ensure that the operator remedies the situation.

³ See comment from the Icelandic Competent Authorities in Annex 5, Para. 29.

Article 46 of Regulation (EC) No 1069/2009 requires that, if the official controls and supervision carried out by the competent authority reveal that one or more of the requirements of this Regulation are not met, it shall take appropriate action.

Findings

34. MAST stated that all official controls are registered in the database Ísleyfur, except daily controls in slaughterhouses. The mission team noted that only official controls performed on the basis of MAST control handbooks for feed and food are registered in the database, while there is no recording of official controls in areas not covered by these handbooks, such as category 2 processing plant and compost plants, which were until entering into force of Regulation (IS) No 674/2017 under MAST responsibility (see section 5.2.1).
35. In cases where non-compliance is detected, MAST has several enforcement options at its disposal. (see chapter 5.1.)

However, the mission team noted the following.

36. In a case of repeated non-compliances detected in one slaughterhouse by MAST officials, no effective actions were taken by MAST to prevent the recurrence. This was despite repeated reporting of similar non-compliances (removal and traceability of the ABPs) by the Official Veterinarian for longer than a year. This was confirmed by the mission team when visiting the relevant slaughterhouse.
37. In a compost plant visited by the mission team, a MAST official detected that the relevant business operator only took one sample from each drum in order to monitor presence of microbiological agents. Point 1.(b), Section 3, Chapter III of Annex V to Regulation (EC) No 142//2011 requires that five samples be taken. MAST representative explained *that it was MAST's interpretation of the legislation that the sampling could be carried out in that way and therefore agreed to that approach.*⁴
38. In a Category 2 processing plant producing organic fertilisers, lime was used as a component to exclude the subsequent use of a mixture for feeding purposes, as required by Article 32 of Regulation (EC) No 1069/2009. A representative of MAST explained that they agreed that the final product should contain at least 2% of lime. MAST officials had not checked this requirement during the official controls and explained that only visual checks were performed. During the mission, it was impossible for the mission team to visually identify any presence of lime in the final product.
39. In a Category 2 processing plant, although some microbiological criteria were mentioned in the HACCP plan, no sampling had been done by the business operator. MAST officials had taken no action concerning this non-compliance.
40. No permanent marking of derived product with gliceroltriheptanoate (GTH) was used in a Category 2 processing plant, contrary to Point 1 of Chapter V of Annex VIII of Regulation (EC) No 142/2011. MAST officials were aware of this and that

⁴ See comment from the Icelandic Competent Authorities in Annex 5, Para. 37.

use of a marker was a legal requirement yet had not take any action to enforce this requirement.

41. In a slaughterhouse visited by the mission, blood was released directly into the nearby river, contrary to point 1 and 2 of Article 4(1) and (2) and Articles 12, 13 and 14 of Regulation (EC) No 1069/2009. MAST officials were aware of this but had taken no action.
42. As a result of UST and LCAs focusing their official controls on environmental legislation, the mission team was not informed of any enforcement actions taken by these competent authority's concerning ABP requirements in any part of the ABP chain.

In addition to poor enforcement of detected non-compliance, the mission team noted that many non-compliances had not been detected by staff performing official controls. For example:

43. In a Category 2 processing plant, the particle size, which, according to the statement of the business operator was more than the prescribed 50 mm, had also never been checked by the operator, contrary to point A.1 of Chapter III of Annex IV of Regulation (EU) No 142/2011.
44. One compost plant accepting Category 3 and Category 2 material did not have dedicated space for cleaning and disinfection of vehicles, required by point 2, Chapter II of Annex V to Regulation (EC) No 142/2011. Even though this establishment had been approved and checked by MAST, this particular requirement had never been verified.
45. In a slaughterhouse visited, the mission team noted that in the HACCP plan, no provision was made for a dedicated space to remove the spinal cord from sheep carcasses. Removal of the spinal cord should happen not on the slaughter line but later at the deboning/cutting facilities. This was not detected by MAST officials.
46. In both compost plants visited, records showed that processing criteria were not always fulfilled. The temperature of the compost material did not reach the required levels but this was not detected by MAST officials.
47. Carcasses and ABPs of animals tested for TSE in both slaughterhouses visited were not detained pending receipt of the results, as required by Point 6 (6.3) of Chapter A of Annex III to Regulation (EC) 999/2001. MAST officials were not aware of this requirement.

Conclusions

- | |
|--|
| <ol style="list-style-type: none">48. There is no system in place to report official controls over certain parts of the ABP chain covered by EEA ABP legislation, contrary to Article 9 of Regulation (EC) No 882/2004. Only MAST official controls based on feed, food and slaughterhouse handbooks are reported in their reporting database.49. There was poor enforcement in several cases when competent authorities had detected non-compliances, with insufficient action being taken to remedy the non-compliance, contrary to Articles 8(3)(b) and 54 of Regulation (EC) No |
|--|

882/2004 and Article 46 of Regulation (EC) No 1069/2009. In other cases, infringement of ABP requirements remained undetected during official controls.

5.2.5 Resources and training of staff

Legal Requirements

Article 4(2)(c) of Regulation (EC) No 882/2004 requires competent authorities to ensure that they have access to a sufficient number of suitably qualified and experienced staff.

Article 6 of Regulation (EC) No 882/2004 requires that the competent authorities ensure that staff receive appropriate training, and are kept up-to-date in their competencies.

Findings

50. According to information provided by Iceland in its reply to the pre-mission document, eleven MAST officials have attended Better Training for Safer Food training courses related to ABPs from 2013 until 2016. In the reply to the pre-mission document, it was stated in the pre-mission document that matters related to ABPs have also been included in regular training courses for official veterinarians and other control officials. However, during the mission MAST confirmed that training was organised only for newly recruited staff.
51. In 2018, during a seminar for newly recruited LCA inspectors, certain issues regarding ABPs had been included for the first time. No training on ABPs has been organised for the other LCA staff.
52. No training on ABPs has been organised for UST staff.

Conclusions

53. There is a lack of appropriate training of many officials performing official controls on ABPs, contrary to Articles 4(2)(c) and 6 of Regulation (EC) No 882/2004, contributing to poor or no enforcement of those provisions.

5.3 Requirements along the ABP chain

5.3.1 Categorisation of ABPs

Legal Requirements

Article 7(1) of Regulation (EC) No 1069/2009 requires that animal by-products shall be categorised into specific categories which reflect the level of risk to public and animal health arising from those animal by-products, in accordance with the lists laid down in Articles 8, 9 and 10 of the same Regulation.

Article 17(1)(a) of Regulation (EC) No 142/2011 requires that operators shall ensure that animal by-products and derived products comply with the requirements for collection, transport and identification set out in Chapters I and II of Annex VIII.

Point 1(a), Chapter II of Annex VIII of Regulation (EU) 142/2011 requires that consignments of animal by-products and derived products are identifiable and kept separate and identifiable during collection where the animal by-products originate and during transportation.

Point 2, Chapter II of Annex VIII of Regulation (EU) No 142/2011 requires that during transport and storage, a label attached to the packaging, container or vehicle must clearly indicate the category of the animal by-products or of the derived product

Findings

54. According to information provided by Iceland in its reply to the pre-mission document, categorisation of ABPs is defined in Regulation (IS) No 674/2017 and in handbooks related to feed and food controls and controls in slaughterhouses. Since incorporation of Regulation (EC) No 722/2007 into national ABP legislation, classification of ABPs has been in line with EEA ABP legislation (see chapter 5.1).
55. In all establishments visited by the mission team, that were under the control of MAST, operators were aware of the requirements regarding categorisation of ABPs and this was in most cases reflected in documented procedures and in practice.

However, it was noted that:

56. In one slaughterhouse visited, the colour code for distinguishing between different categories of ABPs was not used in a manner which could prevent cross-contamination. Different categories of ABPs were repeatedly put into containers not designated for these categories. For example, on several occasions, Category 3 material had been put into containers dedicated to Category 2 material or to food for human consumption, or *vice versa*.
57. In a pet food plant, containers were not marked and could be used for Category 3 ABPs and for food grade materials.
58. In one slaughterhouse, certain ABPs were identified as Category 3, despite containing Category 2 uncleaned/unemptied intestines. This material was dispatched to a compost plant with commercial documents indicating that it was Category 3, rather than Category 2.
59. The mission team noted that in both visited landfill sites, containers containing ABPs, including those with Category 1 ABPs and SRMs, were not marked as required by EEA ABP legislation.

Conclusions

- | |
|---|
| <ol style="list-style-type: none">60. Categorisation of ABPs in establishments visited was generally satisfactory. However, certain procedures following collection of ABPs were not performed in accordance with Article 7 (1) of Regulation (EC) No 1069/2009 and Article 17(1)(a) and point 1(a), Chapter II, Annex VIII of Regulation (EU) No 142/2011 Point 2 Chapter II of Annex VIII to Regulation (EC) No 142/2011 and could present a risk of cross contamination. |
|---|

5.3.2 Disposal of ABPs

Legal Requirements

Articles 12, 13 and 14 of Regulation (EC) No 1069/2009 lay down requirements for the disposal and use of ABP and derived products.

Findings

61. The mission report from 2013 noted that Iceland did not ensure that adequate arrangements were in place or that sufficient infrastructure existed to ensure that ABPs were disposed of in accordance with EEA ABP legislation in force at the time of the mission. According to the report, a number of ABPs, including for example Category 1, 2 and 3 material dispatched from slaughterhouses, and fallen stock, which is categorised as Category 1 material, are directly disposed of as such (without being processed) in landfills. According to information provided by Iceland in its reply to the pre-mission document, the burial of fallen stock (including Category 1 material) on farms is a common practice. The report from 2013 noted that there was very limited focus of official controls on disposal of dead animals and home slaughter waste generated on farms, except in the case of disease outbreaks. The mission team noted that this situation remained unchanged. The Authority has already initiated an infringement procedure against Iceland regarding this issue (see Section 4.1).
62. In some municipalities, fallen stock and home slaughter waste is collected in dedicated containers in collection centres, and then transported to a landfill for disposal without prior processing. These arrangements are not in place in all municipalities and in such cases these ABPs, including category 1 ABPs, are disposed of by on site burial on farms. This was confirmed by the mission team during visits to two landfills and three farms in different municipalities.
63. MAST and UST have very limited overview of the categories of ABPs disposed of in landfills. The mission team confirmed that unprocessed ABPs, including Category 1 material, was being disposed of directly at landfills in Iceland, which is prohibited by EEA and national ABP legislation. The mission team was not informed of any enforcement actions taken by competent authorities to prevent this activity, that was highlighted in the report from 2013.
64. Regarding disposal of SRMs from slaughterhouses, the mission team noted that the situation has improved since the report from 2013. SRMs are now collected and burned in on-the-spot incinerators in slaughterhouses or transported for burning in another incinerator.

Conclusions

- | |
|---|
| 65. Apart from disposal of SRMs from slaughterhouses, the system for disposal of ABPs remains contrary to Articles 12, 13 and 14 of Regulation (EC) No 1069/2009. |
|---|

5.3.3 Disposal of catering waste from means of transport operating internationally

Legal Requirements

Article 8(f) of Regulation (EC) No 1069/2009 defines catering waste from means of transport operating internationally as Category 1 material.

Article 12(d) of Regulation (EC) No 1069/2009 lays down requirements for the disposal (burial in an authorised landfill) of catering waste from means of transport operating internationally.

Article 21 of Regulation (EC) No 1069/2009 lays down requirements for collection and identification of ABPs as regards category and transport.

Findings

66. According to information provided by Iceland in its reply to the pre-mission document, MAST is responsible for performing official controls on procedures for treatment of catering waste from means of international transport. UST has responsibility for inspecting the reception of waste and cargo residues from ships according to Icelandic Regulation No 1200/2014. The LCAs have responsibility for inspecting the treatment of waste, including those from aircrafts registered in Iceland, according to Act (IS) No 55/2003.
67. A guidance document on regulation of catering waste from means of transport operating internationally was distributed by MAST to District Veterinary Officers and directors of LCAs in 2015. It has since been updated to reflect Regulation (IS) No 674/2017 which incorporated the new EEA ABP legislation into Icelandic law.
68. According to information provided by Iceland in its reply to the pre-mission document, MAST receives delivery notes from a waste collection company of waste collected from non-EEA country vessels and compares them with records on waste containers for inspected non-EEA country vessels in the MAST database. The waste collection company also sends waste notes related to non-EEA country cruise ships to MAST, which cross-checks them against the cruise ship schedule on an annual basis.

The mission team noted that:

69. MAST receives delivery notes from waste collection company upon request once a year. Inconsistencies in this information were noted by the mission team, such as a container listed on MAST's list but not included in the information on received containers provided by the landfill site. MAST was unable to provide an explanation for this and had not detected this inconsistency previously.
70. MAST had no information on whether waste containers delivered to landfill sites from non-EEA country vessels contained catering waste. MAST did not check any documents accompanying such waste or know its destination.
71. MAST's office for import and export is responsible for controls over catering waste from means of international transport in seaports. However, their representatives responsible for two international seaports stated that in practice they do not have any control over catering waste from means of international transport. In the third

international seaport, there is no MAST border inspection office and controls of catering waste from means of international transport cannot be performed.

Conclusions

72. Iceland has not put in place an adequate system to ensure that catering waste from means of international transport is collected, transported and disposed of as required by Articles 12(d) and 21 of Regulation (EC) No 1069/2009.

5.3.4 Collection, transport, identification and traceability

Legal Requirements

Article 21(1) of Regulation (EC) No 1069/2009 requires that operators shall collect, identify and transport animal by-products without undue delay under conditions which prevent risks arising to public and animal health.

Article 21(2) of Regulation (EC) No 1069/2009 requires that operators shall ensure that animal by-products and derived products are accompanied during transport by a commercial document or, when required, by a health certificate.

Article 23 of Regulation (EC) No 1069/2009 requires that before commencing operations, notify the competent authority of any establishments or plants under their control which are active at any stage of the generation, transport, handling, processing, storage, placing on the market, distribution, use or disposal of animal by-products and derived products

Article 26 of Regulation (EC) No 1069/2009 requires that the treatment, processing or storage of animal by-products, in establishments or plants approved or registered in accordance with Article 4 of Regulation (EC) No 853/2004 or Article 6 of Regulation (EC) No 852/2004 shall be carried out under conditions, which prevent cross-contamination.

Article 17 of Regulation (EU) No 142/2011 lays down requirements regarding commercial documents and health certificates, identification, the collection and transport of animal by-products and traceability, as further detailed in Chapters I, II and III of Annex VIII of Regulation (EU) No 142/2011.

Article 32 (2) of Regulation (EU) No 142/2011 requires that official controls on the entire chain of collection, transport, use and disposal of animal by-products and derived products shall include checks on the keeping of records and other documents required by the rules laid down in this Regulation.

Findings

73. According to information provided by MAST in its reply to the pre-mission document, official controls on transport of ABP have not been carried out in accordance with EEA ABP regulations and transporters have not been registered. An LCA representative stated that LCAs check suitability of the means of transport for fallen stock and slaughterhouse waste based on environmental legislation, *i.e.*, that the containers are not leaking, they can be closed to prevent unpleasant odours. etc. They do not check if containers are properly marked to indicate the correct category of the ABPs collected.

74. ABPs generated at slaughterhouses is collected and transported to compost plants or landfill sites on a regular basis and accompanied by commercial documents.
75. According to MAST representatives, there is no set frequency for collection of fallen stock and home slaughter waste from dedicated collection centres (see chapter 5.3.3) and the relevant containers might stay at the collection centre for a prolonged period of time (a week or more). There were no commercial documents accompanying fallen stock and home slaughter waste from collection centres to landfills. As a result, there was no information available on number, species, origin, age, etc., of fallen stock disposed of in landfills.
76. According to information provided by MAST in its reply to the pre-mission document, traceability is mainly based on commercial documents and labelling of ABPs and derived products and is described in the control handbooks for feed and for food of animal origin. MAST has issued a guidance document on traceability of ABPs covering commercial documents, labelling and transport of ABPs but this has not yet been updated to reflect the new EEA ABP legislation. The mission team noted that consignments of ABPs were not always accompanied by commercial documents, such as in a case of shrimp meal received by a pet food plant or consignments of fertilisers from category 2 processing plants destined for final users.
77. In the cases where consignments were accompanied by commercial documents, these did not always contain all information required by point 3, Article 21 of Regulation (EC) 1069/2009, such as category of ABP, species of animals or batch number. In some cases, information on commercial documents was not correct, for example, the wrong category of ABP was mentioned.

Conclusions

78. Traceability of ABPs not accompanied by commercial documents, cannot be ensured, contrary to Article 21(2) of Regulation (EC) No 1069/2009 and Article 17 of Regulation (EU) No 142/2011. For ABPs collected and dispatched from slaughterhouses with commercial documents, traceability is undermined by the fact that transporters of these ABPs are not registered, contrary to Article 23 of Regulation (EC) No 1069/2009.

5.3.5 Hygiene, own-checks, HACCP and processing requirements

Legal Requirements

Article 25 of Regulation (EC) No 1069/2009 lays down general hygiene requirements for ABP operators and plants. Article 28 of Regulation (EC) No 1069/2009 requires that operators shall put in place, implement and maintain own checks in their establishments or plants in order to monitor compliance with this Regulation.

Article 29(1) of Regulation (EC) No 1069/2009 requires operators carrying out one of the following activities to put in place, implement and maintain a permanent written procedure or procedures based on the hazard analysis and critical control points (HACCP) principles for the: (a) processing of animal by-products; (b) transformation of animal by-products into biogas and compost; (c) handling and storage of more than one category of animal by-

products or derived products in the same establishment or plant; (d) manufacturing of pet food.

Article 9 of Regulation (EU) No 142/2011 requires that operators of processing plants and other establishments under their control comply with relevant hygiene and processing requirements set out in Chapter II of Annex IV to the Regulation.

Article 32 (3) of Regulation (EU) No 142/2011 requires that the competent authority carries out official controls, as referred to in Article 45(1) of Regulation (EC) No 1069/2009, in accordance with the requirements set out in Annex XVI of Regulation (EU) No 142/2011.

Findings

79. The mission team noted that general hygiene was satisfactory in all establishments visited.
80. In both landfill sites visited, the mission team noted that proper cleaning and disinfection of containers transporting fallen stock was not carried out. Containers are sprayed with disinfectant at the place of unloading, without being previously washed and cleaned.
81. HACCP plans were seen in all establishments required to have such plan, apart from one slaughterhouse where the quality manager was absent. HACCP plans ranged from being comprehensive, such as those in a fish meal plant and fur feed plant visited, to being incomplete with inconsistencies or deficiencies (see section 5.2.4). In general, HACCP plans were better developed in establishments where official controls are based on food and feed control handbooks.
82. Processing requirements were generally mentioned in the HACCP plans in all establishments visited, but there were often not detailed enough or not strictly followed. For example, in a compost plant, the maximum particle size was not mentioned and temperature monitoring was not performed in accordance with Article 10 of Regulation (EU) No 142/2011 and point 2, Section 1, Chapter III of Annex V to Regulation (EC) No 142/2011. In a Category 2 processing plant, sampling for microbiological criteria was not carried out as required by Section 3 Chapter III Annex V of Regulation (EU) No 142/2011.

Conclusions

83. Lack of complete or detailed procedures in HACCP plans or insufficient observance of HACCP procedures by operators mean that operators' own checks do not always ensure production in accordance with processing requirements, as required by Article 9 of Regulation (EU) No 142/2011.

5.3.6 Controls for trade between EEA states and import/export

Legal Requirements

Article 48(1) of Regulation (EC) No 1069/2009 requires that where an operator intends to dispatch Category 1 material, Category 2 material or meat-and-bone meal or animal fat derived from Category 1 and Category 2 materials to another EEA State, it shall inform both the competent authority of the EEA State of origin and the competent authority of the EEA

State of destination. The competent authority of the EEA State of destination shall take a decision upon application by the operator, within a specified time period, whether to refuse receipt of the consignment, accept it unconditionally or make receipt of the consignment subject to certain conditions.

Article 48(3) of Regulation (EC) No 1069/2009 requires that the competent authority of the EEA State of origin inform the competent authority of the EEA State of destination, by means of the TRACES system in accordance with Decision 2004/292/EC, of the dispatch of each consignment sent to the Member State of destination, in the case of (a) animal by-products or derived products referred to in paragraph 48(1); (b) processed animal protein derived from Category 3 material. Once informed of the dispatch, the competent authority of the EEA State of destination shall inform the competent authority of the EEA State of origin of the arrival of each consignment by means of the TRACES system.

Article 21(3) of Regulation (EC) 1069/2009 lays down the requirements for the content of commercial documents and health certificates accompanying ABPs.

Article 17(1)(b) of Regulation (EU) 142/2011 requires that ABPs are accompanied during transport by commercial documents or health certificates in accordance with the requirements set out in Chapter III of Annex VIII to this Regulation.

Findings

84. According to information provided by Iceland in its reply to the pre-mission document, trade of ABPs and processed products is overseen by the approved establishment and the products are accompanied by commercial documents. MAST officers supervise the dispatch of ABPs and processed products to non-EEA countries.
85. From the data received in the pre-mission document, it was seen that there has been no dispatch of Category 1 and Category 2 ABPs to EEA countries or to non-EEA countries in 2016 and 2017.
86. MAST stated that ABPs intended for further processing within the EEA are entered into TRACES before dispatch. However, the mission team noted that a very limited number of consignments (for example, 11 out of 187 consignments of fishmeal in 2017) dispatched to other EEA countries have been entered in TRACES. The mission team were informed that fishmeal operators have not been granted access to TRACES and therefore do not use it. For all 11 consignments in 2017, information on dispatch was entered in TRACES by the receiving company in Denmark.
87. The mission team noted inconsistencies between the customs data provided by MAST in the reply to the pre-mission questionnaire and the data available in TRACES. For example:
 - One consignment of fishmeal from Germany in 2017 was not included in customs data.
 - Three consignments of pet food from Georgia in 2016 – 2017 indicated in customs data were not entered in TRACES.
 - Five common veterinary entry documents were found in TRACES for import of hides and skins from South Africa in 2016 and 2017, whereas customs data only indicated one consignment.

88. In addition, the mission team visited an establishment which exports bovine skins to Turkey but found no information about this activity in TRACES.
89. The mission team also noted that commercial documents do not always accompany ABPs dispatched to other EEA countries. In other cases, when such documents were completed, they did not contain all required information or the prescribed template was not used.

Conclusions

90. Iceland does not ensure that EEA States of destination are informed, by means of the TRACES system, of relevant consignments sent from Iceland, contrary to Article 48(3) of Regulation (EC) No 1069/2009.
91. Iceland does not ensure that all consignments of ABPs dispatched to other EEA countries are accompanied by the necessary commercial documents, as required by Article 21(3) of Regulation (EC) 1069/2009 and Article 17 and Point 4, Chapter III of Annex VIII to Regulation (EU) 142/2011.

5.4 Registration and approval of operators, establishments and plants

Legal Requirements

Articles 23 and 24 of Regulation (EC) No 1069/2009 lay down the specific requirements for the registration of ABP operators, establishments and plants and approval of ABP establishments and plants.

Article 44 of Regulation (EC) No 1069/2009 lays down procedures for the approval of ABP establishments or plants.

Annex XVI, Chapter I, Section 2 of Regulation (EU) No 142/2011 lays down specific requirements regarding validation of processing plants prior to issuing an approval and when significant alterations are made to a process in an approved plant.

Article 47 of Regulation (EC) No 1069/2009 lays down requirements regarding a list of establishments, plants and operators which have been approved or registered in accordance with the Regulation within the territory of each EEA state.

Article 32(5) of Regulation (EU) No 142/2011 requires that the competent authority shall draw up the lists of establishments, plants and operators referred to in Article 47(1) of Regulation (EC) No 1069/2009 in accordance with the format set out in Chapter II of Annex XVI hereto.

Findings

92. Regulation (IS) No 674/2017 states that ABP establishments or plants shall be approved in accordance with Act (IS) No 25/1993 on animal diseases and preventive measures against them, Act (IS) No 22/1994 on the control of feed, fertilizers and seeds, Act (IS) No 7/1998 on sanitary and pollution prevention and/or Law (IS) No 55/2003 on waste management.

93. According to information provided by Iceland in its reply to the pre-mission document, MAST issues approvals for fish meal plants, MBM plants, feed plants using ABPs, pet food plants, technical plants and plants manufacturing organic fertilisers and soil improvers on the basis of an inspection of the premises and operators' own-check systems. UST is responsible for registration and approval of landfills and one incinerator (on-site incinerators in slaughterhouses are approved by LCAs). LCAs are the competent authorities concerning approval of establishments transforming ABPs or derived products into biogas or compost.⁵

The mission team noted:

94. All establishments visited had been listed on the list of establishments published on MAST's website.⁶ However, some establishments using and processing ABPs, such as fish meal plants and pet food establishments, are only listed in the section concerning feed establishments and not in the section on ABP establishments.
95. Approval of operators, establishments or plants was the subject of a recommendation in the report from 2013. In reply to this recommendation, MAST stated that approval and inspection procedures were being updated and that work was being finalised to include all types of establishments for which MAST is responsible for official controls related to ABPs. The mission team found this not to be the case.
96. MAST does not take into account *all* the requirements of EEA ABP legislation when approving certain establishment or plants dealing with ABPs. MAST approves ABP feed plants which place on the market ABPs only in accordance with feed legislation and food plants which generate ABPs, only in accordance with food legislation. As a result, important requirements of EEA ABP legislation (such as processing methods) were not checked during the approval process or described in the approval documents.⁷
97. Similarly, UST or LCAs registering or approving establishments did not take into account applicable requirements of ABP legislation. Incineration plants and landfill sites, which are under UST responsibility, may in some cases be approved under environmental or waste legislation only (Approval of incinerators which handle ABPs under the new EEA ABP legislation is required in certain cases only, depending on what is being incinerated). However, plants transforming ABPs or derived products into compost or biogas, which are under LCAs responsibility, must be approved under EEA ABP legislation standards for transformation established in that legislation. When issuing permits for landfill sites under waste legislation, UST defines which waste should be disposed of in each landfill site. In one landfill site visited, it was noted that UST gave permission for disposal of Category 2 and 3 ABPs. However, this particular landfill regularly received fallen stock, which is in certain cases Category 1 ABP. However, no actions had been taken by UST to address this non-compliance.
98. Since July 2017, UST is responsible for approval and control, *from the environmental point of view*, of the only Category 2 processing plant in Iceland.

⁵ See comment from the Icelandic Competent Authorities in Annex 5, Para. 93.

⁶ (<https://skyrslur.mast.is>).

⁷ See comment from the Icelandic Competent Authorities in Annex 5, Para. 96.

However, representatives of UST mentioned that they did not know how to proceed with the approval of this plant.⁸

99. Similarly, a representative of the LCA informed the mission team that LCAs did not currently meet their obligation under Regulation (IS) No 674/2017 to decide on approval of compost and biogas plants due to lack of available guidance.
100. Collection centres collecting ABPs and transporters transporting ABPs are not registered by MAST, contrary to national legislation implementing EEA ABP legislation. Collection centres and transporters are currently registered by LCAs on the basis of environmental legislation only. LCAs licence and check transporters when they transport so called “infectious waste”, *i.e.*, animals killed for disease eradication purposes, but also in this case only from the environmental point of view. MAST does not register ABP traders. An example was seen in a slaughterhouse visited, which sent ABPs to a trader in Reykjavik, which then exported the ABPs. This trader was not on the MAST ABP list.

Conclusions

101. Not all ABP operators, establishments or plants are registered or approved in accordance with Article 23 and Article 24 of Regulation (EC) No 1069/2009 where required. Where such registration or approval is carried out, EEA ABP legislation is not taken into account or else is only partly considered. This issue was the subject of a recommendation in the report from 2013. However, the mission team found that there has been very limited change in the situation since then.
102. All MAST approved ABP establishments are listed on MAST’s website. However, not all such establishments or plants processing ABPs are listed in the ABP section, but rather in the feed section. This is contrary to Article 47(1) of Regulation (EC) No 1069/2009.
103. Several operators active at different stages of the generation, transport, handling, processing, storage, placing on the market, distribution, use or disposal of animal by-products and derived products are not registered, contrary to Article 23(1) of Regulation (EC) No 1069/2009. Consequently, these operators are not listed, contrary to Article 47(1) of Regulation (EC) 1069/2009. Official controls of these operators are not carried out and traceability of ABPs therefore not ensured.

⁸ See comment from the Icelandic Competent Authorities in Annex 5, Para. 98.

5.5 Removal, identification and disposal of SRM

Legal Requirements

Article 8 of Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies requires that the specified risk material (SRM) be removed and disposed of in accordance with Annex V to this Regulation.

Article 12 of Regulation (EC) No 1069/2009 laying down rules on disposal and use of Category 1 material.

Annex V of Regulation (EC) No 999/2001 defines SRM and lays down rules concerning removal, identification and disposal of SRM.

Annex V, Point 3 of Regulation (EC) No 999/2001 requires that SRM be stained with a dye or, as appropriate, otherwise marked, immediately on removal, and disposed of in accordance with the rules laid down in Regulation (EC) No 1069/2009, and in particular in Article 12 thereof.

Findings

104. According to information provided by Iceland in its reply to the pre-mission document, Iceland has a negligible BSE risk status and SRM is only classified according to Point 2 in Annex V of Regulation (EC) No 999/2001, which was implemented with IS Regulation No 32/2016.
105. The report from 2013 recommended that Iceland ensure that all SRMs are removed, identified and disposed of in accordance with Regulation (EC) No 999/2001 on transmissible spongiform encephalopathies.
106. SRMs are removed only in slaughterhouses. The mission team noted that SRMs generated in slaughterhouses are now collected and disposed of by incineration in on-the-spot incinerators, in line with legal requirements regarding disposal of SRMs.

However, the mission team noted some deficiencies:

107. In one slaughterhouse visited, the mission team found remains of a spinal cord in a deboned vertebral column of an adult bovine animal in a container with other bones marked for Category 3 material. Although it was explained by the official veterinarian of the slaughterhouse that each carcass is checked for remains of SRMs, this had nevertheless not been detected during post mortem inspection.
108. In both slaughterhouses, SRMs were not stained with a dye or otherwise marked immediately on removal, as required by Annex V, point 3 of Regulation (EC) No 999/2001;
109. Iceland still disposes of the majority of SRMs present in fallen stock and home slaughter waste in landfill sites, contrary to EEA ABP legislation (see section 5.3.2).

Conclusions

110. Although the situation has improved since the report from 2013, official controls remain insufficient to ensure compliance with SRM removal, staining and disposal requirements under Article 8 and Annex V of Regulation (EC) No 999/2001. In particular, disposal by burial in the landfill or on the farm of SRMs contained in fallen stock or in home slaughter waste could present a potential risk to animal and public health.

5.6 TSE monitoring of animals which died on a farm

Legal Requirements

Article 6 of Regulation (EC) No 999/2001 sets out requirements for the monitoring of TSE.

Annex III, Chapter A, Part I, Point 3.1 and Annex III, Chapter A, Part II, Point 3 of Regulation (EC) No 999/2001 defines sampling sizes for bovine, ovine and caprine animals.

Findings

111. The mission team noted that eligible bovine animals (older than 24 months which die on farms) were very rarely checked for TSE. As an example, according to data provided by MAST, 19 had been tested out of a total of 46 eligible bovine animals in one region and 5 tested out of 68 eligible animals in another region.
112. The mission team was informed that this is partly due to the notification system, which allows farmers to report dead animals within 15 to 30 days after they have died. In most cases, these animals have already been disposed of in a landfill site or buried on site at the relevant farm by the time MAST receives the notification. MAST officials explained that they try to encourage farmers to call them immediately after an animal eligible for sampling has died, but that this rarely happens in practice.

Conclusions

113. Due to the system put in place in Iceland for collection and disposal of fallen stock, very few animals that die on farms eligible to be included into TSE monitoring are tested, contrary to Article 6 of Regulation (EC) No 999/2001.

6 Final meeting

A final meeting was held on 20 June 2018 at MAST premises in Selfoss with representatives from MAST, MoII, UST and LCAs. At this meeting, the mission team presented its main findings and preliminary conclusions of the mission.

At the meeting the mission team also explained that, based on a more detailed assessment of the information received during the mission, additional findings and conclusions could be included in the report.

7 Recommendations

In order to facilitate the follow-up of the recommendations hereunder, Iceland should notify the Authority no later than 21 November 2018, by way of written evidence, of additional corrective actions planned or taken other than those already indicated in the reply to the draft report of the Authority. In case no additional corrective actions have been planned, the Authority should be advised. 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	<p>Iceland should ensure effective co-operation between competent authorities as required by Article 4(3) of Regulation (EC) No 882/2004.</p> <p>Conclusion 24</p> <p>Associated findings 18, 19, 20, 21</p>
2	<p>The competent authorities should ensure that official controls cover the entire chain covered by EEA ABP legislation, as required by Article 4(3) of Regulation (EC) No 1069/2009 and Article 32 of Regulation (EU) No 142/2011.</p> <p>Conclusion 33</p> <p>Associated findings 27, 28, 29, 30, 31</p>
3	<p>The competent authorities should ensure that documented procedures are in place for official controls of all operators, establishments or plants dealing with ABPs, as required by Article 8(1) of Regulation (EC) No 882/2004, and that all official controls are reported Article 9 of Regulation (EC) No 882/2004.</p> <p>Conclusion 32, 48</p> <p>Associated findings 27, 29, 30, 34</p>
4	<p>The competent authorities should ensure that that appropriate actions are taken by the competent authorities if the inspections carried out reveal that relevant requirements are not being met, as required by Article 46 of Regulation (EC) No 1069/2009.</p> <p>Conclusion 49</p> <p>Associated findings 36, 37, 38, 39, 40, 41, 42</p>
5	<p>The competent authorities should ensure that its staff receive appropriate training related to ABPs in accordance with Article 6 of Regulation (EC) No 882/2004.</p> <p>Conclusion 53</p> <p>Associated findings 50, 51, 52</p>
6	<p>The competent authorities should ensure that operators collect, identify and transport animal by-products without undue delay under prescribed conditions, as defined in Article 21 (1) of Regulation (EC) No 1069/2009 and that they comply with the requirements for collection, transport and identification set out in Article 17(1)(a) and point 1, Chapters I and II of Annex VIII of Regulation (EU) 142/2011</p>

	<p>Conclusion 60</p> <p>Associated findings 56, 57, 58, 59</p>
7	<p>The competent authorities should ensure that all ABPs are accompanied by a commercial document or, where required, by a health certificate in accordance with Article 21(2) of Regulation (EC) No 1069/2009.</p> <p>Conclusion 78</p> <p>Associated findings 75, 76, 77</p>
8	<p>The competent authorities should ensure that the operators' follow the hygiene and processing methods required by Article 9 of Regulation (EU) No 142/2011.</p> <p>Conclusion 83</p> <p>Associated findings 80, 81, 82</p>
9	<p>The competent authorities should ensure that dispatch of relevant ABPs and processed products to other EEA countries is carried out in accordance with the requirements laid down in Article 48(3) of Regulation (EC) No 1069/2009 and by point 3, Article 21 of Regulation (EC) 1069/2009 and Article 17 and point 4, Chapter III of Annex VIII to Regulation (EU) 142/2011.</p> <p>Conclusions 90, 91</p> <p>Associated findings 86, 87, 88, 89</p>
10	<p>Iceland should ensure that all types of ABP plants are registered or approved according to requirements of Article 23 and Article 24 of Regulation (EC) No 1069/2009 and listed in accordance with point 1 of Article 47 of Regulation (EC) 1069/2009.</p> <p>Conclusions 101, 102, 103</p> <p>Associated findings 94, 95, 96, 97, 98, 99, 100</p>
11	<p>The competent authorities should ensure that all SRMs are disposed of as required by Article 8 of Regulation (EC) No 999/2001 and Annex V of Regulation (EC) No 999/2001 and stained in accordance with Annex V, point 3 of Regulation (EC) No 999/2001.</p> <p>Conclusion 110</p> <p>Associated findings 107, 108, 109</p>
12	<p>Iceland should ensure that all animals eligible to be included into TSE monitoring are tested, as required by Article 6 of Regulation (EC) No 999/2001.</p> <p>Conclusion 113</p> <p>Associated findings 111, 112</p>

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

ABPs	Animal by-products not intended for human consumption as defined in Article 2 of Regulation (EC) No 1069/2009
Authority	EFTA Surveillance Authority
Category 1 material	ABPs as defined in Article 8 of Regulation (EC) No 1069/2009
Category 2 material	ABPs as defined in Article 9 of Regulation (EC) No 1069/2009
Category 3 material	ABPs as defined in Article 10 of Regulation (EC) No 1069/2009
EC	European Community
EEA	European Economic Area
EEA Agreement	Agreement on the European Economic Area
HACCP	Hazard analysis and critical control points
LCA	Municipal Environmental Health and Protection Offices
MAST	Icelandic Food and Veterinary Authority
MBM	Meat and bone meal
MoII	Ministry of Industry and Innovation
SRM	Specified risk material as defined in Annex V of Regulation (EC) No 999/2001
Total feed ban	The prohibition of feeding products of animal origin to farmed animals and exemptions applicable to this ban as laid down in Article 7 and Annex IV of Regulation (EC) No 999/2001
TRACES	EC Trade Control and Expert System
UST	The Environment Agency

Annex 2 - Relevant legislation

The following EEA legislation was taken into account in the context of the mission:

- a) The Act referred to at Point 74 in Part 1.2 of Chapter I of Annex I to the EEA Agreement, Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States; as amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;
- b) The Act referred to at Point 11 in Part 1.1 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 amended, and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;
- c) The Act referred to at point 11 of Part 1.1 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 amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;
- d) The Act referred to at point 17 of Part 6.1 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin*, as corrected, amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;
- e) Act referred to at Point 12 of Subchapter 1.1 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 amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;
- f) The Act referred to at point 12 of Part 7.1 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies*, as amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;
- g) The Act referred to at point 32d of Annex XX to the EEA Agreement, *Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste*, as amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annex XX to that Agreement;
- h) The Act referred to at point 31m of Chapter II of Annex I to the EEA Agreement, *Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene*, as amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement.

Annex 3 - Statistics on production and trade

(As provided by Iceland in the pre-mission document)

Information regarding the quantity of all ABPs produced in Iceland is not collected by the central authority in a systematic way. The following information can however be provided.

1. Fish meal	107.355 tons	Category 3
2. Fish bone meal	10.602 tons	Category 3
3. Fish oil	39.808 tons	Category 3
4. Frozen fish by-products(white fish mainly)	43.934 tons	Category 3
5. Fish viscera (white fish mainly)	3.414 tons	Category 3
6. Pet feed	1.481 tons	Category 3
7. Fur feed	4.610 tons	Category 3
8. Compost (<i>see table 2.1.1</i>)	12.851 tons	Category 2
9. Meat and bone meal for fertilizer	3.041 tons	Category 2

Table 2.1.1. Information on compost

Company name	Slaughterhouse by-products – cat2+3	Horse manure - cat 2	Kitchen waste* - cat 3
Plant A	2.665 tons		1.741 tons
Plant B		266 tons	2.667 tons
Plant C		359 tons	2.229 tons

*Amount stated for kitchen waste is not exclusive to ABP, also includes vegetables and fruits from wholesales

ABP sent from EES states countries during the years 2014-2017 (Table 2.2.1). Animal feed came predominantly from Denmark. Fish feed came mainly from Norway, Faroe Islands, Great Britain and Denmark, in descending order. Pet food came mainly from Denmark, France, the Netherlands, Sweden and Germany.

Table 2.2.1. Dispatch of ABP (in kg) to Iceland from EES states.

Product	Year				
	2014	2015	2016	2017	Total
Animal feed	30.927	74.930	10.326	53.342	169.525
Beeswax	1.800		441		2.241
Fish feed	3.998.215	9.420.507	15.377.836	22.156.392	50.952.950
Fish meal	100				100
Fish skin	13.956	14.613	13.903	15.507	57.979
Game trophies				254	254
Glands	23		14		37
Grease	64.290	59.340	41.830	43.140	208.600
Hides and skins		103	42	45	190
Lanolin	3.001	2.602	3.827	5.122	14.552
Marine oil				41.600	41.600
Pet food	2.259.459	2.510.089	2.468.296	2.383.278	9.621.122
Wool	146.605	79.287	87.570	21.079	334.541
Total	6.518.376	12.161.471	18.004.085	24.719.759	61.403.691

Dispatch of ABP to EES states during the years 2014-2017 (Table 2.2.2). Animal feed was mainly sent to Denmark. Fish meal was mainly sent to Norway and then to Great-Britain, Denmark and Germany. Fish skin was mainly sent to France. Hides and skins were predominantly sent to Portugal, Netherlands, Germany and Spain. Marine oil was mainly sent to Norway and much less amounts to the Faroe Islands, and Great-Britain. Pet food was mainly sent to Italy. Tallow was mainly sent to Great-Britain. Wool was mainly sent to Great-Britain and to a lesser degree to Lithuania and Germany.

Table 2.2.2. ABP sent from Iceland to EES states.

Product	Year				Total
	2014	2015	2016	2017	
Animal feed	28.123	7.566	2.235	220	38.144
Fish meal	76.585.582	125.873.835	67.334.655	122.325.762	392.119.834
Fish skin	52.850	365	176.488	214.523	444.226
Hides and skins	1.582.163	1.639.561	2.103.364	2.380.827	7.705.915
Marine oil	7.540.077	8.478.204	4.127.690	4.787.965	24.933.936
Pet food	307.152	497.344	818.993	745.707	2.369.196
Tallow	10.268	43.526		25	53.819
Wool	628.035	576.104	600.889	448.840	2.253.868
Total	86.734.250	137.116.505	75.164.314	130.903.869	429.918.938

Export of ABP to third countries during the years 2014-2017 (Table 2.3.1). Animal feed was mainly exported to Nigeria. Fish meal was predominantly exported to Chile and to Canada and Taiwan in much lesser amounts. Fish skin was mainly exported to Canada. Hides and skins were predominantly exported to Turkey. Marine oil was predominantly exported to USA. Pet food was mainly exported to USA.

Table 2.3.1. Export of ABP (in kg) to third countries.

Product	Year				Total
	2014	2015	2016	2017	
Animal feed	300	2.943	1.652.259	174.304	1.829.806
Fish meal	400.000	23.466.132	1.068.400	2.742.422	27.676.954
Fish skin			266.262	979.009	1.245.271
Hides and skins	299.042	148.688	625.465	1.186.869	2.260.064
Marine oil	1.550	1.425	1.445	132.549	136.969
Pet food	43.666	68.434	150.983	208.540	471.623
Wool	257	23	49	537	866
Total	744.815	23.687.645	3.764.863	5.424.230	33.621.553

Import from third countries during the years 2014-2017 (Table 2.3.2). USA was the main country of import of pet food and lanolin. Hides and skins were mainly imported from Greenland. Wool was imported from New-Zealand. Marine oil came from Canada.

Table 2.3.2. Import of ABP (in kg) from third countries.

Product	Year				Total
	2014	2015	2016	2017	
Fish skin	64				64
Hides and skins	2.834	3.214	248		6.296
Lanolin	3.735	11.728	5.853	6.823	28.139
Marine oil			41.850		41.850
Pet food	111.343	89.027	61.411	42.746	304.527
Wool			39.284	98.408	137.692
Total	117.976	103.969	148.646	147.977	518.568

Annex 4 - Iceland's comments to the draft report

Annex 1.

General remarks to the Draft report from the EFTA Surveillance Authority's Mission to Iceland on animal by-products not intended for human consumption from 11 to 20 June 2018

On behalf of Icelandic Authorities, MAST would like to clarify some of the paragraphs in the draft report where findings might be based on some misunderstanding or lack of clarity.

Para. 37

The wording of the last sentence sounds like MAST had agreed on fewer samples due to the cost to the operator. The fact is that it was MAST's interpretation of the legislation that the sampling could be carried out in that way (i.e. 5 samples made into 1) and therefore agreed to that approach.

Para. 96

There seem to be a misunderstanding that ABP related matters are not checked before approval if they are not described in the license. It is stated that MAST does not take into account the requirements of EEA ABP legislation when approving certain establishments or plants dealing with ABPs.

The fact is that when MAST approves an establishment or plant it is done based on official control done according to control handbooks or guidance documents. These documents contain ABP requirements although in some cases not all the relevant requirements are in there and therefore not considered when approving certain establishments or plants dealing with ABPs. MAST approval documents for ABP feed plants only states the feed law and no regulations but the feed law is the legal basis for both the ABP and feed regulations. Food plants are only approved in accordance with food legislation in accordance with point 4 in article 23 in regulations 1069/2009/EC but ABP related matters are still checked during approval process based on the control handbooks. This is all clear in the reports that are issued in the official control done before approval of establishments or plants.

Para. 29, 93 and 98

It is stated that since July 2017 UST is responsible for registration and approval of a Category 2 processing plant.

The fact of the matter is that this is based solely on the environmental legislation and the Category 2 processing plant is still approved and under official control of MAST based on ABP regulations.

Annex 5 - Iceland's action plan for corrective actions

Annex 1 TOC – Table of corrective actions ESA mission 2018 on Animal by-products

No	Recommendation	Reaction of Icelandic authorities	Date of Compliance	Comment/attachment
1	<p>Iceland should ensure effective co-operation between competent authorities as required by Article 4(3) of Regulation (EC) No 882/2004.</p> <p>Conclusion 24</p> <p>Associated findings 18, 19, 20, 21</p>	<p>The first meeting of representatives from the Ministry of Industries and Innovation, Ministry of the Environment and Natural Resources, The Environment Agency of Iceland, The Icelandic Food and Veterinary Authority and the Local Competent Authority has been held. It was a one-day meeting of about 15 representatives where it was decided to establish a working group of the above-mentioned parties in addition to the Icelandic Association of Local Authorities. The main purpose of this work would be to review the legislation on ABPs and harmonize it with legislation on waste management, finalize the implementation of the ABP regulations (remote area etc), clarify the roles and responsibilities of all parties involved and to establish written procedures as relevant. The whole system of ABPs in Iceland needs to be reviewed considering the results of the mission and it will be directed to Icelandic Authorities (government) to find a solution for the disposal of ABPs.</p>	End 2019	
2	<p>The competent authorities should ensure that official controls cover the entire chain covered by EEA ABP legislation, as required by Article 4(3) of Regulation</p>	<p>See point 1. It is foreseen that the results of the co-operation mentioned above will ensure that official controls cover the entire chain of ABP matters.</p>	End 2019	

Annex 1 TOC – Table of corrective actions ESA mission 2018 on Animal by-products

	<p>(EC) No 1069/2009 and Article 32 of Regulation (EU) No 142/2011.</p> <p>Conclusion 33</p> <p>Associated findings 27, 28, 29, 30, 31</p>			
3	<p>The competent authorities should ensure that documented procedures are in place for official controls of all operators, establishments or plants dealing with ABPs, as required by Article 8(1) of Regulation (EC) No 882/2004, and that all official controls are reported Article 9 of Regulation (EC) No 882/2004.</p> <p>Conclusion 32, 48</p> <p>Associated findings 27, 29, 30, 34</p>	<p>MAST will prepare control handbooks/guidelines for official control of specific ABP related operations not covered in existing control handbooks. The present handbooks will also be reviewed to refer to Regulations (EC) No 1069/2009 and 142/2011 and to add ABP related points where needed. Based on these new handbooks/guidelines, inspection reports on these operators can be registered in Isleyfur, MAST's central database.</p> <p>MAST has now shared the guidance document on traceability of ABPs with UST. The document will be updated to reflect the new APB regulations and will be used by all parties to ensure full traceability of ABPs.</p> <p>Once the working group mentioned in point 1 has completed its work written procedures will be updated and/or prepared for all parties involved.</p>	<p>1 June 2019</p> <p>End 2018</p> <p>1 April 2020</p>	
4	<p>The competent authorities should ensure that that appropriate actions are taken by the competent authorities if the inspections carried out reveal that relevant</p>	<p>With new/improved control handbooks/guidelines on ABP related official control (point 3), as well as training mentioned in point 5,</p>	End 2019	

Annex 1 TOC – Table of corrective actions ESA mission 2018 on Animal by-products

	<p>requirements are not being met, as required by Article 46 of Regulation (EC) No 1069/2009.</p> <p>Conclusion 49</p> <p>Associated findings 36, 37, 38, 39, 40, 41, 42</p>	<p>infringements should not go undetected in official control.</p> <p>Furthermore, it will be clarified which infringements could and should be used in all circumstances in official control on ABPs.</p>	End 2018	
5	<p>The competent authorities should ensure that its staff receive appropriate training related to ABPs in accordance with Article 6 of Regulation (EC) No 882/2004.</p> <p>Conclusion 53</p> <p>Associated findings 50, 51, 52</p>	<p>The findings of this mission will be introduced within MAST, the Environmental Agency (UST) and the LCAs. Following that a training will be held within MAST and UST for all relevant inspectors on <u>general</u> ABP related matters.</p> <p>Written procedures will be updated to include ABP training as a part of training for new employees at all the competent authorities.</p> <p>Following new/improved control handbooks/guidelines (point 3) and conclusions of the working group (point 1) a detailed and practical training of relevant inspectors will be held within MAST and UST and among the LCAs.</p>	End 2019	
6	<p>The competent authorities should ensure that operators collect, identify and transport animal by-products without undue delay under prescribed conditions, as defined in Article 21 (1) of Regulation (EC) No 1069/2009 and that they comply with the requirements for collection,</p>	<p>Guidance document based on the EU APB legislation has been drafted (built on a guidance document from Norway) and will be published on MAST's website to inform operators, inspectors and the general public about ABP related matters.</p>	1 April 2020	

Annex 1 TOC – Table of corrective actions ESA mission 2018 on Animal by-products

	<p>transport and identification set out in Article 17(1)(a) and point 1, Chapters I and II of Annex VIII of Regulation (EU) 142/2011</p> <p>Conclusion 60</p> <p>Associated findings 56, 57, 58, 59</p>	<p>With new/improved control handbooks/guidelines (point 3) and training (point 5) inspectors will be better equipped to spot non-compliances regarding collection, identification and transport in their official control. With conclusions of the working group (point 1) registration/authorisation will be completed for all ABP operators, plants and establishments dealing with ABPs and official control on those premises will ensure that collection, identification and transport is according to ABP regulations.</p>		
7	<p>The competent authorities should ensure that all ABPs are accompanied by a commercial document or, where required, by a health certificate in accordance with Article 21(2) of Regulation (EC) No 1069/2009.</p> <p>Conclusion 78</p> <p>Associated findings 75, 76, 77</p>	<p>MAST will ensure that increased emphasis will be put on checking commercial documents in all official control involving ABPs. This will be done with training (point 5) and dissemination of information, e.g. when the results on this mission will be introduced among staff.</p> <p>Following registration and approval of all types of ABP plants and transporters (point 10) traceability will be ensured.</p>	1 June 2019	
8	<p>The competent authorities should ensure that the operators' follow the hygiene and processing methods required by Article 9 of Regulation (EU) No 142/2011.</p> <p>Conclusion 83</p> <p>Associated findings 80, 81, 82</p>	<p>When setting up new control handbooks/guidance documents, as well as reviewing current control handbooks (point 3) special attention will be on points relating to operators' own check systems on hygiene and processing methods. This will also be part of the training of inspectors (point 5).</p>	End 2019	

Annex 1 TOC – Table of corrective actions ESA mission 2018 on Animal by-products

9	<p>The competent authorities should ensure that dispatch of relevant ABPs and processed products to other EEA countries is carried out in accordance with the requirements laid down in Article 48(3) of Regulation (EC) No 1069/2009 and by point 3, Article 21 of Regulation (EC) 1069/2009 and Article 17 and point 4, Chapter III of Annex VIII to Regulation (EU) 142/2011.</p> <p>Conclusions 90, 91</p> <p>Associated findings 86, 87, 88, 89</p>	<p>MAST has already informed exporters of fishmeal that all consignments to EEA-states are to be accompanied by the necessary commercial document made in the TRACES system. Thereby the EEA states of destination are informed by means of the TRACES.</p> <p>This practice for all relevant ABPs will be ensured by instructions published on MAST homepage and furthermore in MAST QM.</p> <p>MAST will follow this up by performing cross-checks on export information from customs on relevant consignments.</p>	1 June 2019	
10	<p>Iceland should ensure that all types of ABP plants are registered or approved according to requirements of Article 23 and Article 24 of Regulation (EC) No 1069/2009 and listed in accordance with point 1 of Article 47 of Regulation (EC) 1069/2009.</p> <p>Conclusions 101, 102, 103</p> <p>Associated findings 94, 95, 96, 97, 98, 99, 100</p>	<p>Following new control handbooks (point 3) and clarification of CAs roles and responsibilities (point 1) registration and authorisation of all operators, establishments or plants dealing with ABPs will be completed. Furthermore, all existing approvals will be updated on the basis of 1069/2009.</p>	1 April 2020	
11	<p>The competent authorities should ensure that all SRMs are disposed of as required by Article 8 of Regulation (EC) No 999/2001 and Annex V of Regulation (EC) No 999/2001 and stained in accordance</p>	<p>Part of the training of inspectors (point 5) will focus on the importance of correct categorisation, handling (incl. staining) and disposal of SRM. Slaughterhouses will be informed of the requirement of staining and followed up by inspectors.</p>		

Annex 1 TOC – Table of corrective actions ESA mission 2018 on Animal by-products

	<p>with Annex V, point 3 of Regulation (EC) No 999/2001.</p> <p>Conclusion 110</p> <p>Associated findings 107, 108, 109</p>	<p>The disposal of SRM in Iceland is also related to the discussion and results of the working group mentioned in point 1.</p>		
12	<p>Iceland should ensure that all animals eligible to be included into TSE monitoring are tested, as required by Article 6 of Regulation (EC) No 999/2001.</p> <p>Conclusion 113</p> <p>Associated findings 111, 112</p>	<p>Effort will be put in to enhanced awareness of farmers on the importance of TSE testing of bovine animals older than 48 months that die on farm. The first step has been to put in notification on this importance in the farmers electronic herd book for cattle for when they register dead animals.</p> <p>Discussions will be held with local authorities where there are collections sites collecting fallen stock to set up a notification system for TSE sampling. Following conclusions of the working group (point 1) work will be done on integrating a notification system for TSE sampling in to fallen stock collection system as a whole.</p>	1 April 2020	