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Final report

EFTA Surveillance Authority's mission to Iceland

from 28 November to 7 December 2016

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

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

Executive Summary

This report describes the outcome of a mission carried out by the EFTA Surveillance Authority in Iceland from 28 November to 7 December 2016.

The objective of the mission was to verify that official controls related to post-slaughter traceability and labelling of meat and products thereof, and to use of additives in these products, were carried out in compliance with the European Economic Area (EEA) legislation. Particular attention was paid to qualitative and quantitative traceability, labelling and identification systems and to use of additives.

The mission team found that the relevant EEA legislation has been incorporated into the national legislation. Icelandic Food and Veterinary Authority (MAST) and Municipal Environmental and Public Health Offices (LCAs) have been designated as the responsible competent authorities for official controls of the audited area.

The system of official controls in MAST is in place, with risk-based planning of controls, documented procedures and reporting of results. Official controls are implemented as planned with an established frequency that is supplemented by additional inspection hours. The mission team noted that official controls were organised differently in the LCAs visited.

The current system in place for approval of establishments does not fully ensure that the activity codes used in the list of approved food establishments correspond to the actual activities, and that all relevant establishments have been identified and approved.

Guidance for the competent authorities are available for labelling and for additives. However, the lack of detailed instructions and training for the verification of qualitative and quantitative traceability of meat and products thereof, and for use of additives in meat and products thereof (in particular for calculations), weakened the official controls.

The mission team requested the competent authorities to perform a traceability exercise for seven samples collected at retail level, through the food business operators' records from retail to the slaughterhouse of origin. The competent authorities verified the qualitative traceability of the samples and were able to trace back accurately the meat in one of them. The competent authority's results were not conclusive for all samples, as the documentation did not establish a link between the product and its ingredients in each step. Quantitative traceability was not examined by the competent authority in the time given for the exercise. Labels were analysed and deficiencies identified by the competent authorities were in general confirmed by the mission team during the on-the-spot visits.

Food business operators' traceability systems were generally in place or being developed, however not all food business operators could ensure that all ingredients used in their production could be traced. Routine official controls of the food business operators' obligations included verification of compliance with traceability and labelling requirements. Some deficiencies identified by the mission team had not been detected mainly in relation to qualitative and quantitative traceability, missing links between traceability documents, application of identification marks and use of additives such as nitrites and phosphates in meat and products thereof, thus affecting the reliability of these controls. The mission team noted that some detected deficiencies were immediately addressed by the competent authorities.

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.

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1 Introduction

The mission took place in Iceland from 28 November to 7 December 2016. The mission team comprised two inspectors from the EFTA Surveillance Authority (the Authority) and an observer from Directorate-General for Health and Food Safety (DG SANTE) of the European Commission.

The opening meeting was held on 28 November 2016 at the Icelandic Food and Veterinary Authority (MAST) office in Reykjavík with representatives of MAST and of the Municipal Environmental and Public Health Offices (LCAs).

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 reply to the Authority's pre-mission document.

Throughout the mission, a representative of MAST head office, and when relevant, a representative of the visited LCA, accompanied the mission team.

A final meeting was held at MAST office in Reykjavík on 7 December 2016, during which the mission team presented its main findings and preliminary conclusions from the mission.

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

2 Scope and objective of the mission

The objectives of the mission were to:

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

This mission focused on qualitative traceability, according to the one-step back – one-step forward approach enabling to identify the immediate supplier and immediate customer of products; on quantitative traceability, enabling to follow the physical flow of products and reconciliation of amounts used in production and those present in the final product; on labelling and identification systems of meat and products thereof, and on use of additives in these products.

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 information provided in the reply to the pre-mission document of the Authority.

The evaluation included the gathering of relevant information, and appropriate verifications by means of interviews/discussions, review of documents and records, and on-the-spot

inspections, to demonstrate the normal control procedures adopted and measures in place to ensure that corrective actions are taken when necessary. In addition, the mission team requested the competent authorities to perform a "traceability exercise" for samples collected at retail.

The meetings with the competent authorities and the visits to establishments and operators 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 closing meeting between the mission team, MAST and 2 LCAs in Reykjavík.
	3	Three meetings with three LCAs.
	1	One interim meeting with representatives of the competent authorities to discuss the results of the traceability exercise.
Cutting plants and meat establishments	5	Under MAST supervision One approved for cutting meat, and for minced meat and meat preparation production. One approved for cutting meat, as cold store and for minced meat and meat preparation production. One approved for cutting meat, as cold store, for minced meat and meat preparation production, and as game handling establishment. Two approved for cutting meat, as cold store, for minced meat and meat preparation production, and for meat product processing.
Establishment producing composite products	2	Under LCA supervision
Independent cold store	1	Under MAST supervision
Distribution centre	1	Under LCA supervision Also producing meat and products thereof for other retailers
Retailer	1	Under LCA supervision Also producing meat and products thereof for other retailers/caterers

3 Legal basis for the mission

The legal basis for the mission was:

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

b) Article 1(e) of Protocol 1 to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice (Surveillance and Court Agreement);

c) *Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States*;

d) Article 45 of *Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules*.

Relevant EEA legislation for this mission is listed in Annex 2 to this report.

4 Background - Previous missions

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

A mission relevant to the scope of this mission was carried out by the Authority in Iceland from 3 to 7 November 2014. It covered identification, registration and trade of live bovine animals and labelling of beef and beef products. The final report for this mission can be found on the Authority's website www.eftasurv.int.

5 Findings and conclusions

5.1 Competent authorities and national legislation

Legal Requirements

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

Article 4(2) of Regulation (EC) No 853/2004 provides that establishments handling those products of animal origin for which Annex III lays down requirements shall not operate unless the competent authority has approved them.

Article 31(2)(f) of Regulation (EC) No 882/2004 requires the competent authorities to maintain up-to-date lists of approved establishments.

Article 3(1) of Regulation (EC) No 854/2004 requires the competent authorities to approve establishments when, and in the manner, specified in Article 31(2) of Regulation (EC) No 882/2004.

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.

Findings

According to the country profile, MAST is the central competent authority for food and feed safety, animal health and animal welfare. MAST and LCAs are the designated competent authorities responsible for official controls on food safety. According to Article 6 of the Act (IS) No 93/1995[1], MAST carries out official controls of food businesses that generally fall under the scope of Regulation (EC) No 853/2004, including meat establishments, with the exception of meat processors operating in retail. According to Article 22 of the same Act, the LCAs are responsible for all other official controls, i.e. controls in the retail sector,

[1]Act (IS) No 93/1995 of 28 June 1995
http://www.althingi.is/lagas/nuna/1995093.html

including meat processing in retail outlets when processing is not the main activity, and in food businesses producing composite products.

According to information provided by Iceland in its reply to the pre-mission document of the Authority, MAST has adopted a new structural organisation, which took effect on 15 September 2016, and where certain tasks have been moved to different divisions. In particular, experts in labelling, additives, contaminants, supplements, special foods, GMOs and novel foods have moved from the office of legal strategy and coordination (formerly office of legal affairs) to the office of consumer protection (formerly office of food safety and consumer affairs). A quality manager, together with two senior officers for harmonisation, control plans, coordination and training (previously with the office of food safety), are now in the office of coordination with the responsibility for written procedures, harmonisation, coordination, internal and external audits and other horizontal issues.

A more detailed description of the competent authorities can be found in the country profile for Iceland, available on the Authority's webpage: http://www.eftasurv.int/. The mission team was informed that the responsibility for planning and supervision of official controls in the establishments producing meat and products thereof, currently under the district veterinary officers (DVOs), would be shifted to the office of consumer protection at central level from 1 January 2017.

MAST stated in its reply to the pre-mission document of the Authority that relevant national legislation for the scope of this mission includes:

- Regulation (IS) No 1294/2014 on labelling and identification of meat and products thereof, incorporating Regulation (EC) No 1169/2011.
- Regulation (IS) No 968/2011 on traceability and labelling of beef and beef products incorporating Regulation (EC) No 1760/2000;
- Regulation (IS) No 265/2010 on contaminants, incorporating Regulation (EC) No 1881/2006;
- Regulations (IS) No 102/2010 and No 104/2010 on traceability incorporating Regulation (EC) No 178/2002 and Regulation (EC) No 853/2004;
- Regulations (IS) No 618/2008, No 327/2010, No 977/2011, No 978/2011, No 966/2014 and No 187/2015 on smoke flavouring, vitamins and minerals, additives, enzymes, and flavouring, incorporating respectively Regulations (EC) No 2065/2003, No 627/2006, No 1925/2006, No 1332/2008, No 1333/2008, No 1321/2013 and No 1334/2008;
- Regulation (IS) No 331/2005 on meat and meat products.

The Authority might look further into Regulation (IS) No 331/2005 and its compatibility with EEA law. The mission team was also informed by MAST of other national provisions relevant for the scope of this mission, such as Regulation (IS) No 916/2012[2] providing traceability requirements for poultry products placed on the market, Regulation (IS) No 579/2012[3] and Regulation (IS) No 856/2016[4]. The mission team noted that Regulation (IS)

[2] (IS) Regulation No 916/2012 of 30 October 2012 on labelling of livestock
http://www.reglugerd.is/reglugerdir/eftir-raduneytum/atvinnuvega--og-nyskopunarraduneyti/nr/18355
[3] (IS) Regulation No 579/2012 of 3 July 2012, amending (IS) Regulation 104/2010
http://www.reglugerd.is/reglugerdir/eftir-raduneytum/sjavaroglandbunadar/nr/18266
[4] (IS) Regulation No 856/2016 of 12 October 2016 on small quantities and traditional food

No 856/2016, containing provisions related to traditional products, has not been notified to the Authority, which will further examine this issue in particular in light of the relevant provisions of the hygiene regulations.

Approval numbers are given by MAST according to Regulation (EC) No 854/2004 to food business operators included in the scope of Regulation (EC) No 853/2004. These food business operators are listed on MAST website as approved establishments. The mission team noted that in three of the establishments visited, the activity codes included in the published list of approved establishments did not correspond to the actual activities carried out in these establishments. These establishments were approved for activity codes corresponding to cutting of meat and production of minced meat and meat preparations; however, they were also producing meat products although they were not approved as processing plants.

The mission team noted that the competent authority's description of activity codes did not reflect the technical specifications commonly used and the definitions established in Regulation (EC) No 853/2004. In the approval documents, there were subcategories for some activity codes, which were actually including other activity codes. In particular:

- The meat preparation establishment "MP" code included production of meat products, which normally refers to the activity code for processing plants "PP";
- The minced meat establishment "MM" code included production of meat preparations, which normally refers to the activity code "MP".

In another establishment, the approval document reported two different activity codes, meat preparation "MP" and processing plant "PP", which referred to the same activity description of "boiled and/or heated meat products".

According to Regulation (IS) No 579/2012, with reference to Article 5(b) of Regulation (EC) No 853/2004, the delivery of food of animal origin from a retailer to another retailer can be considered marginal, localised or limited under certain conditions. It is regarded as marginal if the amount of food of animal origin produced is less than 300 kg per week averaged over three months, or if the amount delivered to the other retailer is less than a third of the total amount produced. Retailers with production of food of animal origin fulfilling this criteria do not need to be approved by MAST as retail is considered to be their main activity. Therefore, these food businesses fall under the LCAs' supervision. Furthermore, Regulation (IS) No 856/2016 defines small quantities produced in meat processing businesses as a maximum of 300 kg of meat processed per week.

According to the interpretation of one of the LCAs met, establishments processing more than 300 kg of meat per week should be given an approval number by MAST. MAST central level explained to the mission team that LCAs should determine the production volumes of the retailers under their responsibility so as to decide who should be responsible for the supervision of the company and if it should be approved. The mission team met with representatives from two LCAs that pointed out they had requested guidance from MAST in relation to the application of these two national provisions to clarify the division of responsibilities between LCAs and MAST, and the need of an approval from MAST for businesses processing meat. Furthermore, the LCAs visited informed the mission team of three businesses where volumes of production were unknown; consequently, it was not possible for the LCA to determine which competent authority was responsible for official

http://www.reglugerd.is/reglugerdir/eftir-raduneytum/atvinnuvega--og-nyskopunarraduneyti/nr/0856-2016

controls and to ensure that all relevant establishments were approved. Nevertheless, the LCAs regularly inspected these food business operators.

Conclusions

- The competent authorities responsible for official controls on traceability, labelling and use of additives in meat and products thereof have been designated in compliance with Article 4(1) of Regulation (EC) No 882/2004.
- Relevant EEA legislation concerning traceability, labelling and use of additives in meat and products thereof as referred to by MAST in its response to the pre-mission document has been made part of the Icelandic internal legal order in line with Article 7 of the EEA Agreement.
- Compliance with the requirements of Article 31(2)(f) of Regulation (EC) No 882/2004 and Article 3(1) of Regulation (EC) No 854/2004 was not fully ensured as the activity codes indicated in the list of approved food establishments did not reflect their actual activities.
- The competent authorities could not ensure that all relevant establishments processing meat were identified in light of the scope of Regulation (EC) No 853/2004 and approved as required by Article 4(2) of Regulation (EC) No 853/2004.

5.2 Official controls on traceability systems, identification marking and labelling

5.2.1 Organisation of official controls

5.2.1.1 Planning of official controls and documented procedures

Legal Requirements

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

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

Findings

a) MAST official control system

As stated in the country profile for Iceland, MAST official control system is based on risk assessment and on the food businesses' performance in meeting the relevant legal requirements. According to risk and performance category, a minimum control frequency, defined in man-hours of official controls, is allocated to each food business operator under MAST supervision. Additional control time may be assigned depending on the complexity of operations, the extent of labelling and packaging, and when following-up on non-compliances is needed.

Inspectors from MAST central and district level are responsible for carrying out inspections and audits in the meat producing and processing establishments. MAST explained that inspections were unannounced, while audits were defined as controls notified in advance to

the food business operator. During an audit, the inspector mainly reviewed the food business operators' procedures and recordings. However, the mission team noted that there was no distinction between inspection and audit in the database Is-Leyfur where the same checkpoints applied to both types of controls, and where reports did not differentiate between the two.

Work procedures for official controls, follow-up, enforcement, and for approval of establishments are included in MAST quality manual. According to information provided by Iceland in its reply to the pre-mission document of the Authority, official controls are carried out in line with control handbooks that have been issued for MAST and for LCAs. MAST control handbook of March 2012 includes sections on traceability and labelling of foodstuffs, under revision to include additives.

MAST highlighted that it had issued relevant guidance for inspectors, which is publicly available on MAST website. In particular, MAST published guidance on use of additives in December 2016, and in 2015 guidance on allergens in food and on the quantity of certain ingredients or categories of ingredients according to Article 9 of Regulation (EU) No 1169/2011. Guidance for food businesses involved in the production and/or labelling of beef were issued in March 2014. The mission team noted that there was no specific guidance or instruction in relation to labelling requirements, and for quantitative and qualitative traceability in meat and products thereof to be used by MAST and LCAs. MAST also stated that they did not have a written procedure for the management of withdrawal and recall of products. However, the mission team noted that information on traceability, labelling and use of additives was publicly available on MAST webpage and hyperlinks facilitated access to relevant legislation.

The database IS-Leyfur, used by MAST inspectors for official controls, contains an active list of all approved food establishments with their risk and performance category, the total number of control hours, the number of hours already used, the number of hours left, previous reports, and non-compliances and their status. The mission team noted that a frequency according to risk is not specifically defined for official controls on traceability, labelling or use of additives. However, checkpoints for routine official controls included in the database mirror the different sections of MAST control handbook. The mission team was informed that all checkpoints should be checked in the timeframe of a 12-month period, and that a notice appears when more than 12 months have elapsed since the last check on that specific checkpoint. Therefore, MAST expects that official controls include traceability and labelling in meat and products thereof at least once in a 12-month period in each establishment.

MAST inspectors report through Is-Leyfur where comment boxes are available for each checkpoint, with sub-sections dedicated to the food business operator's procedures and recordings. An electronic copy of the report is sent to the food business operators after each official control. The mission team noted that the checkpoints, by referring to the handbook's main sections, are not detailed in relation to traceability, labelling, recall and withdrawal, and they do not specifically mention meat and products thereof. In addition, there is no system in place to check that all bullet points indicated in the control handbook are covered during official controls, which in some cases led to incomplete controls as detected by the mission team (reference is made to section 5.2.2.2. of this report).

b) LCAs official control system

The mission team noted that LCA official controls were organised differently from MAST, and varied between the LCAs visited. The current classifications of food business operators used by each LCA visited, not always risk-based, determined a frequency of official controls varying between once every two years, to once or twice per year, depending on the LCA and on the business. The mission team noted that a specific frequency of official controls on traceability, labelling, recall and withdrawal of meat and products thereof was not defined. However, three LCAs currently have access to IS-Leyfur, two of which intend to use it to its full potential and adopt the same risk-based planning and performance evaluation system as MAST, with minimal frequency determined in man-hours of official controls. One LCA visited informed the mission team that they covered a wide scope during their controls and it was currently not clear how to follow MAST approach for planning and for allocating hours to official controls on meat. The LCA explained that the number of hours of control were indicated in general for retail but not specifically for meat, although it was associated with the highest risk.

The mission team noted that the control handbook available for all LCAs is based on the same principles as MAST control handbook, and includes sections on traceability and labelling of foodstuffs. Use of additives, together with references to legal requirements, are incorporated in the section dedicated to labelling.

For the LCAs using the database IS-Leyfur, each checkpoint mirrors the different sections of the LCA control handbook. The LCAs explained that by clicking on the link next to the checkpoint heading, the inspector accessed the relevant section of the LCA control handbook, used as guidance. However, one LCA visited indicated that not all checkpoints were relevant for the scope of their controls and that IS-Leyfur might need to be customised for LCAs. In one LCA that was not using the database, routine official controls checklists reflected the relevant sections of the LCA control handbook, but they were not compulsory for use by inspectors.

The mission team noted that although reporting tools and methods differed in the LCAs visited, a report was drafted following official controls. In one LCA visited, the reporting format had been adapted to the sections of the control handbook and provided a very detailed description of the findings. One LCA visited used IS-Leyfur for reporting while another had no specific report template and the inspector communicated the results to the food business operators via email.

c) Thematic controls

The mission team was informed that competent authorities, in addition to routine official controls, carried out thematic controls, for which the results are publicly available. With relevance to the scope of this mission, MAST carried out a project focusing on nitrites and nitrates in meat products in November and December 2015. Its purpose was to explore, through sampling and laboratory analysis, whether the use of nitrites and nitrates in meat products produced in the country was in accordance with the conditions set out in the regulation on additives. Food inspectors took 21 samples of meat products from eleven manufacturers under MAST control, two of which had a content of nitrite over the maximum permitted amount. The mission team noted that MAST followed up with a visit to the food business operator and requested improvements.

Conclusions

- The system of official controls in MAST is in place, with risk-based planning of official controls. Official controls are implemented as planned with an established frequency in line with article 3(1) of Regulation (EC) 882/2004. However, the current classifications of food business operators used by each LCA visited was not always risk-based.
- MAST and LCAs have developed a system of official controls with documented procedures and reporting of results. Control handbooks include, among others, traceability, labelling and withdrawal of products. However, compliance with Article 8(1) of Regulation (EC) No 882/2004 could not be fully ensured due to the lack of detailed instructions for labelling and verification of qualitative and quantitative traceability of meat and products thereof.

5.2.1.2 Coordination, training and verification of effectiveness

Legal Requirements

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

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

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

Findings

a) Coordination

As indicated in the country profile, one of MAST's functions is to supervise control on food, which involves coordinating controls on foodstuffs to make sure they are implemented in the same manner throughout the country. The mission team was informed of different mechanisms for coordination between MAST and LCAs, such as joint training/seminars/annual meetings, food safety group meetings, joint projects, the control handbooks for MAST and LCAs, and the access to IS-Leyfur.

MAST informed the mission team that [*deleted text*][5] specific audits focusing on labelling would be planned in 2017-2019 in addition to routine official controls. According to a draft working document dated 30 November 2016, a proposal is being elaborated in relation to

[5] […] deleted text from draft report according to Icelandic comment: *This statement/finding may be based on some misunderstanding since this specific audit with focus on labelling is not a joint project with LCAs nor has it been discussed in the food safety group. This is a MAST project with focus on establishments under MAST responsibility.*

these additional controls on presentation and labelling of packed food intended for final consumers in food businesses, to ensure food safety, traceability and right of information to consumers. These controls would focus on compliance with specific legal requirements for labelling, covering, *inter alia*, list of ingredients, presentation, nutrition and health claims, traceability information, and may include calculations, measurements, and traceability exercises for selected products. MAST is currently considering the organisation of these controls in teams of inspectors together with *ad hoc* mobilised experts.

An example of coordination was witnessed by the mission team during the traceability exercise (reference is made to section 5.2.2.1 of this report) involving meetings, email exchanges and collaboration between most authorities responsible for controls of the food business operators, except for one LCA. Another example noted by the mission team was the reporting of non-compliances by LCAs to MAST on labelling of products involving establishments under MAST supervision. For this purpose, a template was available, to be filled in and annexed to an email sent by the LCA to MAST. MAST provided the procedure for following up on these non-compliances, allowing for better coordination in case of withdrawal or recall.

MAST and LCAs indicated that a joint project regarding recall and traceability of food had been carried out between February and December 2012. This project aimed at investigating whether food business operators had procedures to ensure traceability of food one-step forward and one-step back, and to withdraw and/or to recall products from consumers. The use of raw materials and additives by food business operators was also included in the scope of this project. The results indicated that although just under 40% of the companies are using written procedures for traceability, all the companies identified the suppliers of raw materials used in production. In addition, 88% of the food business operators knew what measures needed to be taken in case of recall or withdrawal of products. However, due to the low participation of the competent authorities (28 reports from one LCA, 8 from MAST), it was not possible to draw conclusions from the results.

b) Training

MAST provided information on training of staff, and specified that it took place through annual meetings and seminars open to MAST and LCA inspectors, who also regularly attended "Better Training for Safer Food" training courses. The mission team considered of particular relevance the annual meeting of April 2016, on labelling and withdrawal/recall of food, the seminars on labelling of foodstuffs of February 2015 and March 2013, and the ones on additives in 2012, for which MAST provided attendance lists. The mission team noted that all information and training materials related to these events are publicly available on MAST website. However, no specific training on traceability, or recent training on use of additives had been organised by the competent authorities.

c) Verification of effectiveness

The mission team requested MAST to provide an overview of results of official controls relevant for this mission. The mission team noted that MAST did not carry out a systematic overview of these results; however, MAST performed a manual extraction from the database IS-Leyfur and provided during the mission a quantitative analysis of the relevant official controls. According to this information, data on the number of controls performed by MAST was provided for the checkpoints on labelling, internal traceability, and reception of raw materials, according to year, type of establishments and non-compliance status. These checkpoints were included in 477 controls between 2014 and 2016 in Iceland, of which 49

had relevant non-compliances, issues had been fixed in 34 controls, issues had been fixed onsite in four controls, and a corrective plan had been provided in eleven controls. The checkpoint on traceability systems had been included in 270 controls between 2014 and 2016, of which twelve had relevant non-compliances, issues had been fixed in eleven controls, issues had been fixed onsite in seven controls, and in 19 controls, a corrective plan had been provided. The mission team also noted that shortcomings at the food business operators' premises were not in all cases identified by the official controls (reference is made to section 5.2.2.2 of this report).

The mission team noted that MAST, in its annual report for 2015, included a short description of the project on measurement of nitrite and nitrate in meat products carried out in November and December 2015, and listed the products that had been recalled or withdrawn from the market. However, no specific reference was made to results of controls on meat and products thereof, or on traceability, labelling and use of additives. Furthermore, MAST annual report did not include results of LCAs controls, which are not publicly available and have not been collected by MAST since 2012. MAST also explained that it did not have access to the reports drafted by LCAs through IS-Leyfur and vice-versa. MAST central level informed the mission team that it had recently sent an email to LCAs requiring them to provide their annual inspection plan for 2017.

Conclusions

- Coordination between MAST and LCAs is carried out through joint training initiatives on traceability, labelling and withdrawal/recall of food and joint projects. Although there is a mechanism to ensure coordination, not all LCAs fully collaborated during a national project on recall and traceability of food and during the traceability exercise performed during this mission. Efficient and effective coordination between all competent authorities involved as required by Article 4(3) of Regulation (EC) No 882/2004 could not be fully ensured.
- Although relevant training had been organised by MAST in relation to labelling and additives, it could not be ensured that all staff received, for their area of competence, appropriate training on the subject of traceability of meat and products thereof, as required by Article 6 of Regulation (EC) No 882/2004.
- MAST has the tools to collect and analyse data to have an overview of official controls. However, results of routine official controls on traceability and labelling of meat and products thereof and use of additives are not systematically analysed and used as input for further planning. Therefore, compliance with Article 8(3)(a) of Regulation (EC) No 882/2004 could not be ensured.

5.2.2 Implementation of official controls

Legal Requirements

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

Specific traceability and/or labelling requirements are laid down in Regulations (EC) No 1760/2000 and (EC) No 1333/2008.

5.2.2.1 Official controls on food processing chain – traceability exercise

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

- Qualitative and quantitative traceability of the meat samples back to the slaughterhouse of origin, based on available documentation from the food business operators.
- Qualitative traceability of other ingredients, in particular spices and additives, based on available documentation from the food business operators.
- Information on the accuracy of labelling of the selected goods in relation to ingredients and composition.

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

Findings

On the fifth day of the mission, a meeting took place for the competent authorities to share the results of the requested traceability exercise with the mission team. A representative from MAST led the traceability exercise and a core team with MAST and LCA representatives was created. The authorities responsible for official controls in the establishments involved in this exercise were contacted and requested to provide the necessary information.

MAST indicated that they had never carried out such an exercise and that they did not have procedures on recall and withdrawal of foodstuffs that could be used for this purpose. Therefore, the core team developed an ad-hoc procedure defining the steps to be followed, the division of tasks and the information required from the food business operators in the form of a checklist. The collection of information and the labels' analysis were centralised in MAST, and information was mostly gathered through email exchanges and on-the-spot visits.

Evidence provided by the food business operators was gathered in individual files for each sample, and mainly consisted in commercial documents such as bills, orders and delivery notes, in printouts taken from their electronic system and in excel sheets. The competent authorities relied on these documents for the qualitative tracing of the products back to the slaughterhouse of origin.

a) Findings provided by the competent authorities

- Qualitative tracing was satisfactory for six out of the seven samples.
- Although the competent authorities had required further completion of the file when they noted missing information, the food business operators did not provide all the needed supporting documents in the time given for the exercise.
- The documents provided by the retailer where three of the seven samples had been collected did not allow establishing a link between the samples and the supplied products, as there was no reference identifying the lot, batch or consignment.
- For one product, an LCA did not provide all the requested information in the time available for this exercise.

- Some food business operators could not ensure the qualitative and quantitative traceability of meat and other ingredients. Missing links and insufficient traceability procedures did not allow providing sufficient evidence for the products' qualitative traceability.
- Deficiencies in relation to labelling were identified in the seven samples, some of which could potentially affect consumers' health. The competent authorities contacted the food business operators to obtain more information/clarification on the identified non-compliances regarding mislabelled allergens.
- No deficiencies were detected in relation to the use of additives indicated on the label.

b) Findings by the mission team

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

Qualitative traceability of meat

- For one product (pork minced meat), the qualitative tracing was complete and reliable. Each product unit was individually identified and tracing could go back to the farm and group of animals.
- For one meat product (type of sausage), the food business operator performed a simulation of recall. However, only the suppliers' names were provided, and the competent authority did not request further supporting evidence. Although the meat could be traced to the slaughterhouse of origin, the link between the product and the carcass was missing. For this product, no traceability, recipe and product specifications were provided by the food business operator on the meat products included in the composition of the sausage.
- For another meat product made with meat of three different species, supporting evidence was provided in relation to traceability of the chilled pork meat (such as the distribution list, slaughter plan, etc.). However, the documentation related to the movement of the carcasses from the slaughterhouse to the establishment belonging to the same group was missing. As indicated by the competent authorities', the food business operator did not have a system in place for ensuring the traceability of frozen horse and lamb meat contained in the product.
- In relation to another meat product, the mission team acknowledged that insufficient traceability information had been provided by the food business operator to the concerned LCA.

Qualitative traceability of spices and additives

- For two out of the three products containing additives and spices analysed by the mission team, the competent authorities had been provided with the list of importers by the food business operators. However, the absence of dates of delivery and reference numbers in the documents provided in the time given for the exercise did not allow achieving an accurate tracing.

Quantitative traceability

- The competent authorities did not carry out an evaluation of the quantitative traceability of meat in the time given for the exercise, i.e. they did not correlate and verify for reconciliation the amounts produced against the raw material intake, the quantities remaining in storage and the quantities dispatched.
- The mission team noted that for one product, the competent authority had gathered relevant documentation for verification of quantitative traceability of meat, but it had not carried out the verification in the time given for the exercise.

Use of additives

- Six samples selected at retail level contained additives, three of which were analysed by the mission team. The mission team confirmed the competent authorities' findings and did not detect deficiencies regarding the use of additives.
- The recipes of the products and technical specifications of the ingredients were generally available. However, the competent authority did not perform calculations on the maximum permissible dose of additives added to the selected products. The mission team calculated the quantity of nitrites in one of the meat products and found that the levels were under the maximum permissible limit of 150mg/kg.

Labelling

- The mission team confirmed the competent authorities' findings based on available documentation. Deficiencies were mainly related to the nutritional declaration, indication of net weight, allergens, missing additives, and absence of ingredients of meat products included in the composition of another product.
- The competent authority compared the recipe to the label only for one product.
- The mission team made some additional observations, in particular related to the absence of specific requirements concerning the designation of minced meat, such as the indication of the collagen/meat protein ratio on the label.

c) On-the-spot verification of the findings

The mission team selected three of the seven cases for on-the-spot verification of the data provided by the competent authority. The mission team generally confirmed the accuracy of the competent authorities' findings and requested information in relation to some missing links. The mission team made additional observations.

- In the processing plant where a type of sausage had been produced, the mission team noted that the food business operator's traceability system could not be considered fully reliable.
  - The food business operator had procedures for traceability and for labelling, and an elaborated traceability system was in place with ongoing changes for improvement and use of a lot number.
  - The food business operator could link the production date to the day the meat/carcass was deboned, back to the slaughterhouse of origin. However, the

current system did not allow differentiating meat of the same species arriving on the same day from different slaughterhouses.

- According to their system, each ingredient used in the meat product was scanned and recorded. However, the mission team noted that the food business operator was not following its own procedures and recipes. The recipe and raw materials scanned on that production day did not match. A high number of raw materials were used but did not have a corresponding product code. Some raw materials were replaced by others according to what was available in the establishment.
- The mission team noted that the recipe and label included horsemeat. However, on that production day, no horsemeat had been scanned into that product, although the food business operator had sent traceability information to the competent authority in relation to that meat.
- In the coolers, different raw materials and production leftovers, which, as indicated by the food business operator, were likely to be included in the composition of this product, were not labelled and traceability was therefore lost.
- The mission team noted that the packing date indicated on the label in reality corresponded to the labelling day, which could be carried out a few days after the packing of the product. No procedure was available defining a timeframe between packing and labelling. This represented a weakness in their system considering that they based their traceability on the packing date.
- The food business operator did not check the quantitative traceability of the product and did not carry out reconciliation of meat quantities, although carcasses were weighed and quantities of meat going into the products were recorded.
- No recipe was available for the smoked lamb included as an ingredient in the meat product and the competent authority was not aware of the additives used by the food business operator contained in that product. The food business operator stated that nitrite salt was added but that he did not carry out any calculations on contents of additives, including nitrites.

- In the establishment producing composite products, the mission team noted that the food business operator had no written procedures for traceability, labelling or recall of products. The mission team confirmed the competent authority's finding regarding the additives E450 and E316 in the meat product, which did not match the information on the label of the composite product.

  According to the information provided for the traceability exercise, the food business operator assumed that the meat product used in the composite product was part of the last delivery from the supplier. However, the food business operator indicated that it might have used the meat product from a previous delivery, a possibility confirmed during the mission team's verification of quantities received, in stock and produced.
- For another meat product, the mission team noted that following the traceability exercise during which the competent authority had communicated to the food business operator that nitrites were not indicated on the label, the food business operator had corrected the labels for this product. In addition, the food business

operator provided the missing supporting evidence on the movement of carcasses between this establishment and the slaughterhouse belonging to the same group.

Conclusions

- The competent authorities were able to trace back accurately the meat contained in one out of the four samples examined by the mission team through the food business operators' records from retail to the slaughterhouse of origin.
- The competent authorities did not check the quantitative traceability of meat and meat products in the time given for the exercise.
- The competent authorities did not identify non-compliances related to the use of additives. However, the competent authority did not perform calculations on the maximum permissible dose of additives.
- The competent authorities detected deficiencies in relation to labelling, and contacted the food business operator for those that could potentially affect human health. However, the label was not always compared to the recipe, giving rise to inaccuracies.

5.2.2.2 Official controls on food business operators' obligations

Findings

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

Routine official controls of the food business operators' obligations include verification of compliance with traceability and labelling requirements, and mainly focus on the food business operators' procedures and recordings. MAST and LCAs provided to the mission team reports of recent official controls carried out in the food businesses visited. During the visits, the mission team identified non-compliances, some of which had not been recorded during previous official controls. Relevant findings are described below.

Control of incoming goods

The mission team noted that in several establishments, the food business operators did not ensure that all mandatory information on food supplied were provided. According to official control reports, MAST inspectors had not detected any non-compliances.

- In all establishments visited, the mission team noted that carcasses and quarters had identification labels from the slaughterhouse of origin.
- In one establishment visited, raw materials and other ingredients were registered on a form with relevant traceability information. However, in four other establishments, the food business operator did not compare the information of the commercial documents with the product received, and did not record a reference number or other information establishing a link between the raw materials and the accompanying documents.
- In an establishment producing composite products, the food business operator checked that the raw materials were labelled, that they were in good condition, and weight was occasionally compared to the information on the invoice. However, the

date of minimum durability or use by date, and the raw materials' reference number were not considered.

Traceability systems

The mission team noted that according to reports provided, MAST inspectors had not detected any non-compliances related to the food business operators' traceability systems. One LCA visited indicated that traceability of meat was not a focus point during their official controls. The mission team noted that quantitative tracing had never been carried out by the competent authorities.

- Not all food business operators had written procedures for traceability and labelling of their products.
- In general, the food business operators based their traceability on the date of production, packaging or reception. The food business operators of the establishments visited often indicated the packing date on the label of their products, mainly for traceability purposes. However, the mission team noted that the packing date of the label did not always match the reality. In one establishment, the food business operator used the labelling date instead of the packing date. In a distribution centre, the food business operator could not link the packing date to the recorded reception date of raw materials, as there was no procedure defining a timeframe between receiving and packing. Consequently, the food business operator could not guarantee the traceability of the product.
- All food business operators were able to provide recipes and technical specifications for products selected by the mission team in a reasonable time, except for one small retailer and producer.
- One stand-alone cold store visited had a traceability system in place. The food business operator provided evidence that it could identify in a timely manner the supplier of selected products belonging to a batch/lot, the outgoing products, the customers, and the products still present in the establishment, including their precise location. According to the reports provided for two official controls carried out in 2016, traceability was not included in the scope of these controls.
- In a cutting plant visited, meat cuts were assigned a lot number corresponding to the cutting day, which could be linked in their internal system to the incoming carcasses/quarters. The food business operator explained that he currently could not differentiate meat belonging to the same species coming from different slaughterhouses on the same day. Therefore, it was accepted that in case of recall, carcasses/meat from all slaughterhouses corresponding to the same reception date would be recalled.
- One establishment visited could not ensure the traceability of its frozen products, for which only the date they were placed in the freezer was recorded. It also produced a type of sausage for which the food business operator stated that the ingredients used could not be traced.
- The mission team noted that in most of the establishments visited, some raw materials, intermediate and final products in the coolers, in the production areas and in the stores, were not labelled and the food business operator could not ensure their traceability.
- In one establishment, the mission team noted that the food business operator recorded traceability information of a meat product used in the composition of another meat product. However, in five establishments visited, the mission team detected lack of traceability in relation to production leftovers and rework. In particular, in an establishment producing composite products, the leftovers ingredients from previous

production days were used and the food business operator did not record any traceability information. In two other establishments visited, the food business operator could not provide any traceability information on unlabelled meat left from previous production days. In another establishment, the food business operator could not trace the frozen minced meat used for the production of hamburgers. Therefore, some food business operators could not ensure that all ingredients used in their production could be traced.

- In most of the establishments visited, reconciliation of the quantities of meat and products thereof and other ingredients used against the final products was not carried out by the competent authority, nor by the food business operator. However, one distribution centre was carrying out reconciliation for all products in the store, including meat and products thereof, a few times per year.
- In an establishment producing composite products, raw materials were manually added to the product. There was no systematic verification of the ingredients' quantities used in production nor were the ingredients used recorded on a production sheet. The mission team was informed that the production manager did random checks on the weight of the ingredients used; however, there were no written records. Therefore, the food business operator could not guarantee the correctness of the label and the compulsory indications such as the net weight of the product and the quantity of ingredients.

Use of additives

The mission team noted that routine official controls included verification of the use of additives in their scope. However, controls on the maximum permissible limits of additives, including nitrites, were not performed by the competent authority, mainly due to absence of instructions and training. The mission team made some observations and detected some deficiencies not identified during previous official controls.

- In two meat-producing establishments, the food business operators recorded the starting date of use of additives and their batch number in production sheets. In an establishment producing composite products, a production sheet for additives was also available; however, no traceability or reference number were recorded.
- In one meat-producing establishment, the mission team carried out a calculation on the total ingoing amount of nitrite E-250 into a meat product based on the quantities indicated in the recipe. The calculated result was lower than the maximum permissible limit of 150mg/kg. The food business operator explained that they had recently started making calculations on amounts of additives for all their products.
- In the same establishment, the mission team noted that the food business operator used phosphates E-450 for the production of a meat preparation, a pork fillet marinated for grilling. While the food business operator was aware that these additives were not authorised in meat preparations according to Annex II of Regulation (EC) No 1333/2008, it was his understanding that this marinated meat was a meat product. In the same manner, nitrites E-250 were used in dried cured meat. The competent authority could not confirm if these products were meat products or meat preparations.

Labelling and marking

The mission team noted that routine official controls generally included verification of compliance with labelling requirements for meat and products thereof. Non-compliances in relation to labelling were reported by the inspectors and deadline for corrective actions were

set for the food business operators to implement corrective actions. However, some deficiencies identified by the mission team had not been detected during previous official controls.

- The mission team noted that in four establishments/retailers, the identification mark of the producer was missing or was wrongly applied in products intended for final consumers.
  - one retailer and small producer, without modifying the package or the product, labelled a meat product on which the identification mark had not been applied in the establishment of production. This retailer, according to national provisions, was not given an approval number by MAST. Therefore, the label did not bear any identification mark. In the same retailer, frozen reindeer meat used for hamburgers did not bear any identification mark.
  - In another establishment, the mission team noted that the food business operator received packed smoked lamb with a label bearing the identification mark applied by the producer. However, without bringing any modification to the product or to the package, the food business operator added a paper package that covered the producer's identification mark and added its own identification mark. In addition, the food business operator added 18 days to the packing day to determine the minimum durability; however, the supplier had not provided any information in this regard and the food business operator did not carry out analysis to verify the shelf life that he had decided. Therefore, the food business operator could not guarantee the appropriateness of the shelf life it had allocated to the product.
  - In other establishments visited, the identification mark was missing from different meat cuts. In one of these, the inspector required the food business operator to label the product immediately.
- In five establishments visited, the label of beef fresh cuts intended for final consumers did not bear mandatory information, such as the indication of origin and the approval number of the slaughterhouse and/or cutting plant. In one of these establishments, four different approval numbers were indicated for the slaughterhouse of origin. In another, the mission team noted that the missing origin on a beef fresh cut, which had been detected during a previous official control, and marked as corrected by the inspector, was still missing.
- In two establishments visited, the mission team noted that the labels of the final products of minced meat from beef and other species did not bear all compulsory information.
- In an establishment producing composite products, the LCA in a recent official control had identified a non-compliance in the label of a type of chicken pasta. The food business operator had decided that the label would be corrected once he would finish the stock of the old label. The competent authority did not take further action.
- The competent authorities included verification of allergens on the labels of the final products and non-compliances had been detected according to recent reports. During the visit to one of these establishments with the mission team, the LCA identified that soyaprotein was not included in the list of ingredients in a product's label. Considering the potential risk for human health, the LCA required the food business operator to take action and evidence of follow-up was provided to the mission team.
- The mission team detected discrepancies in two establishments between the recipe and the additives indicated on the label of meat products. The non-compliance

reported by the competent authority regarding additives in the label had been marked by the inspector as corrected. However, the mission team detected the same non-compliance, as the inspector had not compared the label with the product recipe.

- In one establishment, the best before date of a meat product was calculated by adding 30 days to the labelling date. However, the food business operator explained that there was no specific procedure defining the period between the production and the labelling, and he could not ensure the appropriateness of the best before date.
- In some establishments visited, the packing date was set to the following day it was carried out. In one of these, the inspector required the food business operator to correct immediately the packing date.

Recall procedures

The mission team noted that MAST control handbooks included a section on recall of food, according to which the food business operator should have recall procedures, should notify MAST of recalls and take appropriate action. As a checkpoint in IS-Leyfur, MAST inspectors verify the presence of recall procedures and the recordings made by the food business operator. The mission team was informed that all cases of withdrawal from the market are advertised on MAST web page.

In an establishment producing composite products, the food business operator indicated that according to their procedures, recall simulations/traceability exercises were performed and documented.

In one of the establishments visited, meat had been recalled in 2015 following a consumer complaint communicated by the LCA to the food business operator. The food business operator, according to its procedures, informed MAST and recalled the products from the stores according to the packing date indicated on the label. In another establishment, the food business operator withdrew a meat product from the market following the detection of a pathogen in its routine own-check samples.

Conclusions

- Food business operators' traceability systems were generally in place or being developed, however not all food business operators could ensure that all ingredients used in their production could be traced. Official controls include verification of the food business operators' compliance with general requirements on traceability (mostly internal), labelling and use of additives. However, quantitative traceability of meat and calculations of maximum permissible doses of additives were not included in routine official controls and controls on qualitative traceability, in some cases, were not satisfactory due to insufficient training, instructions and resources. Consequently, competent authorities could not fully ensure that the food business operator complied with the requirements of Regulation (EU) No 931/2011.
- Official controls on labelling of products for final consumers were carried out, some non-compliances were identified and follow-up was ensured. However, non-compliances were not detected by the competent authority concerning requirements of Regulation (EC) No 1169/2011 in relation to allergens, additives and minimum durability, and Section I of Annex II to Regulation (EC) No 853/2004 in relation to identification marks.

- Some non-compliances related to Regulation (EC) No 1760/2000 on labelling of beef and beef products for final consumers were not detected by the competent authority.

6 Closing meeting

A closing meeting was held on 7 December 2016 at MAST office in Reykjavík with representatives from MAST and LCAs. At this meeting, the mission team presented its main findings and preliminary conclusions. The mission team explained that based on a more detailed assessment of the information received during the mission, additional findings and/or 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 31st of May 2017, by way of written evidence, of additional corrective actions planned or already taken other than those already indicated in the reply to the draft report of the Authority. A timetable for completion of outstanding measures, relevant to the recommendations hereunder, should be included. In case no additional corrective actions have been planned, the Authority should be 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	The competent authority should ensure that official controls include the food business operators' compliance with the requirements of Article 18 of Regulation (EC) No 178/2002 and Article 3 of Regulation (EU) No 931/2011 on traceability, including qualitative and quantitative aspects.
2	The competent authority should ensure that labelling of beef and beef products for the final consumer is compliant with the requirements laid down in Article 13 of Regulation (EC) No 1760/2000.
3	The competent authority should ensure that official controls include the conditions of use of additives and that food business operators comply with the requirements laid down in Part E of Annex II to Regulation (EC) No 1333/2008.
4	The competent authority should ensure that identification marks are applied in compliance with the requirements of Part A, Section I of Annex II to Regulation (EC) No 853/2004.
5	The competent authority should ensure that the list of approved food establishments reflects all relevant activities in line with the requirements laid down in Article 31(2)(f) of Regulation (EC) No 882/2004 and Article 3(1) of Regulation (EC) No 854/2004.
6	The competent authority should ensure that all relevant food establishments, in light of the scope of Regulation (EC) No 853/2004, are identified and approved by the competent authority in accordance with Article 4(2) of Regulation (EC) No 853/2004.

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

The Authority	EFTA Surveillance Authority
DG SANTE	Directorate-General for Health and Food Safety
DVO	District veterinary officer
EC	European Community
EEA	European Economic Area
EEA Agreement	Agreement on the European Economic Area
EU	European Union
HACCP	Hazard Analysis and Critical Control Points
LCA	Municipal Environmental and Public Health Office
MAST	Icelandic Food and Veterinary Authority
MM	Minced meat establishment
MP	Meat preparation establishment
MSM	Mechanically Separated Meat
PP	Processing establishment
RASFF	Rapid Alert System for Food and Feed

Annex 2 - Relevant legislation

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

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

c. The Act referred to at Point 1.1.11 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules*, as corrected and amended;

d. The Act referred to at Point 1.1.12 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption*, as corrected, amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;

e. The Act referred to at Point 1.2.134 of Chapter I of Annex I to the EEA Agreement, *Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) 854/2004, as amended;*

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

g. The Act referred to at Point 6.1.17 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin*, as corrected, amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;

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

i. The Act referred to at Point 7.1.2 of Chapter I of Annex I to the EEA Agreement, *Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC*, as amended;

j. The Act referred to at Point 7.1.13 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters*

of food safety, as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement;

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

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

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

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

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

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

Annex 3 – Iceland's response to the draft report

EFTA Surveillance Authority
Rue Belliard 35
B-1040 Brussels
Belgium

Selfoss, 24 February 2017
Ref: 1610185

Subject: Iceland´s response to ESA draft report of audit on post-slaughter traceability.

Please find attached documents from Icelandic Authorities in response to the Efta Surveillance Authority´s draft report on a mission in Iceland 28 November to 7 December 2016 regarding post-slaughter traceability of meat and meat products. ESA´s reference is Case No 79025, Doc No 828345 and team leader was Diana Quiliquini. The documents are Annex 1 – general remarks, Annex 2 – TOC and one attachment.

Respectfully
on behalf of MAST

Ástfríður Sigurðardóttir
Office of legal affairs and coordination

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Annex 1.

General remarks to the Draft report from the EFTA Surveillance Authority's Mission to Iceland from 28 November to 7 December 2016 in order to evaluate the operation of official controls over the post-slaughter traceability of meat, meat products, meat preparations and composite products

Chapter 5.2.1.2.

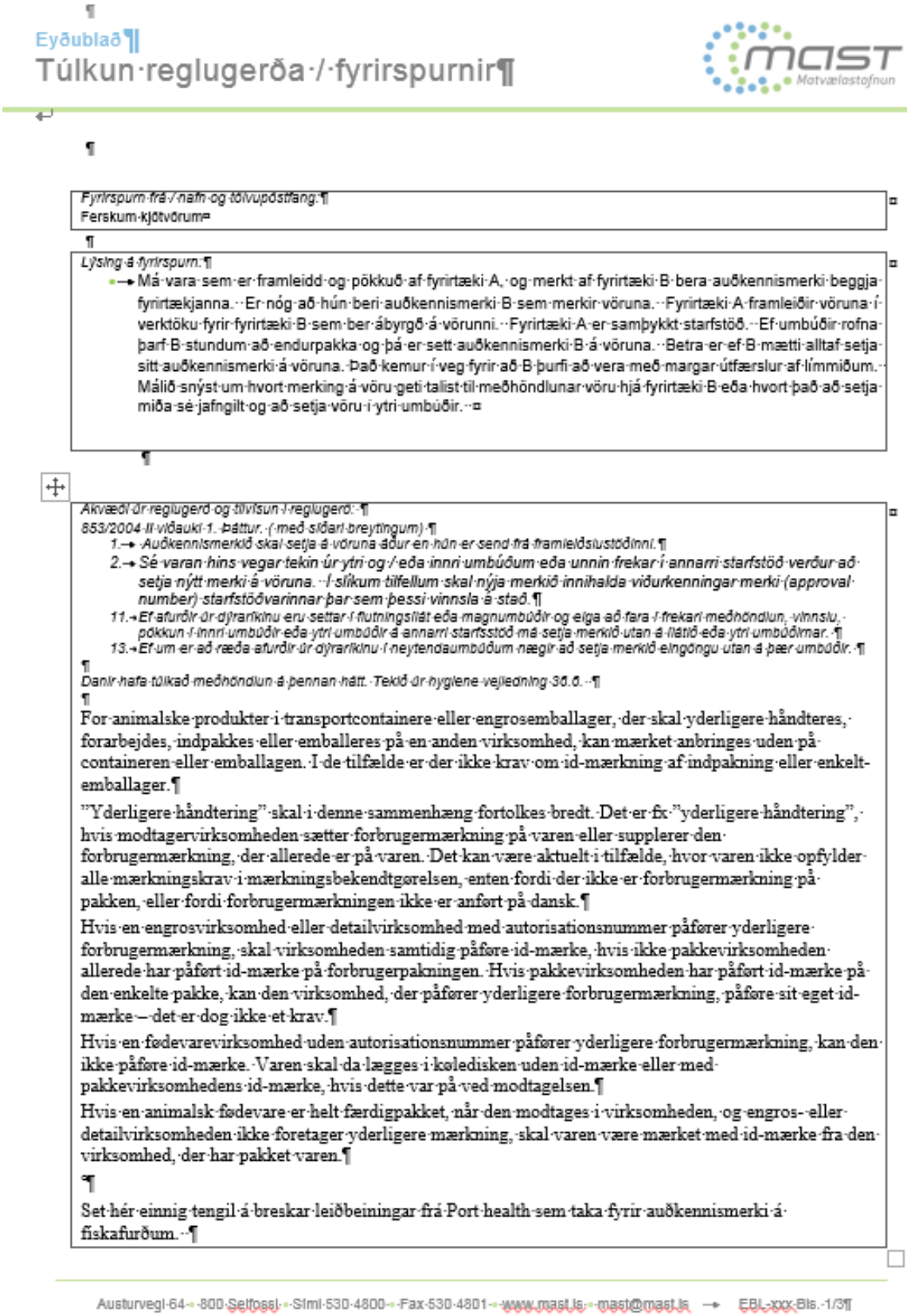
Findings a) Coordination

In paragraph 2:

' MAST informed the mission team that following discussions held within a joint MAST/LCA food safety group, whose purpose is the exchange of information, it had been agreed that specific audits focusing on labelling would be planned in 2017-2019 in addition to routine official controls.'

This statement/finding may be based on some misunderstanding since this specific audit with focus on labelling is not a joint project with LCAs nor has it been discussen in the food safety group. This is a MAST project with focus on establishments under MAST responsibility.

Iceland interpretation on identification mark



Eyðublað
Túlkun reglugerða / fyrirspurnir

MAST Matvælastofnun

Fyrirspurn frá / nafn og tölvupóstfang:
Ferskum kjötvörum

Lýsing á fyrirspurn:
- Má vara sem er framleidd og pökkuð af fyrirtæki A, og merkt af fyrirtæki B bera auðkennismerki beggja fyrirtækjanna. Er nóg að hún beri auðkennismerki B sem merkir vöruna. Fyrirtæki A framleiðir vöruna í verktöku fyrir fyrirtæki B sem ber ábyrgð á vörunni. Fyrirtæki A er samþykkt starfstöð. Ef umbúðir rofna þarf B stundum að endurpakka og þá er sett auðkennismerki B á vöruna. Betra er ef B mætti alltaf setja sitt auðkennismerki á vöruna. Það kemur í veg fyrir að B þurfi að vera með margar útfærslur af límmiðum. Málið snýst um hvort merking á vöru geti talist til meðhöndlunar vöru hjá fyrirtæki B eða hvort það að setja miða sé jafngilt og að setja vöru í ytri umbúðir.

Ákvæði úr reglugerð og tilvísun í reglugerð:
853/2004 II viðauki 1. þáttur. (með síðari breytingum)
1. Auðkennismerkið skal setja á vöruna áður en hún er send frá framleiðslustöðinni.
2. Sé varan hins vegar tekin úr ytri og / eða innri umbúðum eða unnin frekar í annarri starfstöð verður að setja nýtt merki á vöruna. Í slíkum tilfellum skal nýja merkið innihalda viðurkenningar merki (approval number) starfstöðvarinnar þar sem þessi vinnsla á sér stað.
11. Ef afurðir úr dýraríkinu eru settar í flutningsílát eða magnumbúðir og eiga að fara í frekari meðhöndlun, vinnslu, pökkun í innri umbúðir eða ytri umbúðir á annarri starfsstöð má setja merkið utan á ílátið eða ytri umbúðirnar.
13. Ef um er að ræða afurðir úr dýraríkinu í neytendaumbúðum nægir að setja merkið einungis utan á þær umbúðir.

Danir hafa túlkað meðhöndlun á þennan hátt. Tekið úr hygiene vejledning 3d.d.

For animalske produkter i transportcontainere eller engrosemballager, der skal yderligere håndteres, forarbejdes, indpakkes eller emballeres på en anden virksomhed, kan mærket anbringes uden på containeren eller emballagen. I de tilfælde er der ikke krav om id-mærkning af indpakning eller enkelt-emballager.

"Yderligere håndtering" skal i denne sammenhæng fortolkes bredt. Det er fx "yderligere håndtering", hvis modtagervirksomheden sætter forbrugermærkning på varen eller supplerer den forbrugermærkning, der allerede er på varen. Det kan være aktuelt i tilfælde, hvor varen ikke opfylder alle mærkningskrav i mærkningsbekendtgørelsen, enten fordi der ikke er forbrugermærkning på pakken, eller fordi forbrugermærkningen ikke er anført på dansk.

Hvis en engrosvirksomhed eller detailvirksomhed med autorisationsnummer påfører yderligere forbrugermærkning, skal virksomheden samtidig påføre id-mærke, hvis ikke pakkevirksomheden allerede har påført id-mærke på forbrugerpakningen. Hvis pakkevirksomheden har påført id-mærke på den enkelte pakke, kan den virksomhed, der påfører yderligere forbrugermærkning, påføre sit eget id-mærke – det er dog ikke et krav.

Hvis en fødevarevirksomhed uden autorisationsnummer påfører yderligere forbrugermærkning, kan den ikke påføre id-mærke. Varen skal da lægges i køledisken uden id-mærke eller med pakkevirksomhedens id-mærke, hvis dette var på ved modtagelsen.

Hvis en animalsk fødevare er helt færdigpakket, når den modtages i virksomheden, og engros- eller detailvirksomheden ikke foretager yderligere mærkning, skal varen være mærket med id-mærke fra den virksomhed, der har pakket varen.

Set hér einnig tengil á breskar leiðbeiningar frá Port health sem taka fyrir auðkennismerki á fiskafurðum.

http://www.seafish.org/media/publications/APHA_marking_Fish_IDFinalV2-0.pdf_Aug08.pdf¶

Tekið fyrir á fundi þann: 23.01.2014 af DG, GS, KH og VB

Niðurstaða byggð á hættumati¶

Ákveðið að líta svo á að merking á matvælum sé jafngild meðhöndlun og það fyrirtæki sem það gerir setji auðkennismerki á matvælin svo fremi sem merking er áfast við umbúðir. Auðkennismerki þess sem pakkar má einnig vera á vörunni og það er sá sem það gerir sem setur númerið á. Við merkingu og meðferð matvæla við merkingu geta umbúðir skaddast og matvælin verið utan kælis í einhvern tíma. Aðgerðin merking getur því leitt til þess að sjúkdómsvaldandi örverur nái að fjölga sér ef varan eru utan kælis í einhvern tíma, umbúðir geta rofnað / skaddast og matvælin mengast. Smásali (sem er ekki samþykktur (approved)) sem þakkar matvælum sem framleidd eru í samþykktri starfstöð má ekki setja auðkennismerki á vörumar.

Númer í skoðunarhandbók:¶

Kallar túlkun á breytingu á skoðunarhandbók:¶

Mat lögfræðinga:¶

Skynsamlegt virðist vera að fylgja túlkun Dana í þessu efni. Svörin við fyrirspurninni verða því eftirfarandi:¶

1) Má vara sem er framleidd og pökkuð af fyrirtæki A og merkt af fyrirtæki B bera auðkennismerki beggja fyrirtækjanna? Svar: Já, það er ætlið heimilt. Ef B setur neytendamerkingu á vöruna (eða nýja neytendamerkingu í stað þeirrar sem fyrir var) er B að auki skylt að setja sitt auðkennismerki á vöruna, hvort sem auðkennismerki A er á vörunni eða ekki.¶
2) Er nóg að varan beri auðkennismerki B sem merkir vöruna? Svar: Ekki kemur skýrt fram í fyrirspurninni hvort um er að ræða neytendamerkingu eða viðbótarmerkingu fyrir neytendur. Skilja verður fyrirspurnina svo að B setji neytendamerkingar á vöruna. Þá er B skylt skv. ofangreindu að setja auðkennismerki sitt á vöruna og það dugar. Í því tilviki er nóg að varan beri auðkennismerki B.¶

¶

Ef umbúðir rofna við merkingarvinnu og vörunni þar af leiðandi endurpakkað þarf að sjálfsögðu ætíð að setja auðkennismerki þess fyrirtækis sem það gerir á vöruna.¶

Ekki er hægt að fallast á það mat túlkunarteymis að öll merkingarvinna á umræddri vöru feli í sér slíka hættu að merkingafyrirtækjum sé ætíð skylt í öllum tilvikum að setja auðkennismerki sitt á vöruna, jafnvel

þó einungis sé um að ræða merkingu með nafni fyrirtækis. Fyrir svo strangri og íþyngjandi kröfu virðist ekki vera grundvöllur skv. gildandi lögum og reglugerðum.

Nöfn þeirra er komu að afgreiðslu fyrirspurnar:

Hvernig og gagnvart hverjum var niðurstaða kynnt:

Annex 4 - Iceland's action plan for corrective actions

No	Recommendation	Reaction of Icelandic authorities	Date of Compliance	Comment/attachment
1	The competent authority should ensure that official controls include the food business operators' compliance with the requirements of Article 18 of Regulation (EC) No 178/2002 and Article 3 of Regulation (EU) No 931/2011 on traceability, including qualitative and quantitative aspects.	Guidelines on traceability will be updated to include provisions in Regulation (EU) 931/2011 (910/2012/IS). Guidelines for the official control of traceability will be prepared and training planned for MAST and HES inspectors. Traceability will be emphasized in 2017-2018 in relation to focus on labelling in general. This will also apply to those establishments that will not be included in the labelling project. Labelling of products during processing will be emphasized to ensure traceability through the whole procedure. Internal control in food establishments upon reception of raw materials, food contact materials etc. will be emphasized.	End 2017	
2	The competent authority should ensure that labelling of beef and beef products for the final consumer is compliant with the requirements laid down in Article 13 of Regulation (EC) No 1760/2000.	In general, the labelling of beef and beef products is a part of continuous official control in establishments. The guidelines for labelling of beef will however be reviewed considering this recommendation. This will also be considered during labelling project/emphasis 2017-2018.	End 2017 End 2018	
3	The competent authority should ensure that official controls include the conditions of use of additives and that food business operators comply with the requirements laid down in Part E of Annex II to Regulation (EC) No 1333/2008.	Guidance on food additives has been updated and published on the MAST homepage in December 2016. http://www.mast.is/library/Lei%C3%B0beiningar/16212 15-Aukefni_eftirlit_lei%C3%B0beiningar.pdf		

		It includes guidelines on how to convert different forms of additives to the active forms listed in Annex II, such as phosphates, sulphur compounds and nitrates and nitrites. It also contains a list of key questions that should be considered when performing controls on food additives. MAST will emphasize control on the use of additives and that it is in accordance with the rules in Annex II E of Regulation 1333/2004. MAST will focus on controlling the use of additives in establishments under its control, such as meat processing plants and dairies. Efforts will be made, by MAST experts on additives, to guide MAST and LCA inspectors on the use of the new guidelines on food additives. Emphasis will also be on corrective understanding and use of definitions of e.g. food categories to ensure correct use of additives.	End 2017	
4	The competent authority should ensure that identification marks are applied in compliance with the requirements of Part A, Section I of Annex II to Regulation (EC) No 853/2004.	The correct use of identification marks has been under considerable discussion within MAST. See enclosed the results of MAST interpretation team in 2013. The use of such marks is checked during official control visits and will be further emphasized this year. An ´analysis scheme´ (*i. greiningartré*) is being prepared to aid in the analysis/definition of products into categories.	End 2017	
5	The competent authority should ensure that the list of approved food establishments reflects all relevant	Definitions used in Iceland have in recent years been based on the EU technical specifications list.		

	activities in line with the requirements laid down in Article 31(2)(f) of Regulation (EC) No 882/2004 and Article 3(1) of Regulation (EC) No 854/2004.	Considering this recommendation and the importance of correct definitions the marking of slaughterhouses and meat establishments will be reviewed and guidelines prepared with examples of labelling/definitions of different activities. Written work procedures for approval of establishments are also under revision. MAST will suggest to the Ministry of Industries and Innovation to consider the relevance of Regulation No 335/2005/IS on meat and meat products.	End 2017	
6	The competent authority should ensure that all relevant food establishments, in light of the scope of Regulation (EC) No 853/2004, are identified and approved by the competent authority in accordance with Article 4(2) of Regulation (EC) No 853/2004.	The matter of identification and approval of establishments will be taken up in the MAST/HES working group on food safety and control. Main issues will be defined and the need for guidance considered. It will also be discussed whether a control project should be designed on this issue.	·	