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#### PUBLICATION

# Cross compliance: food and feed law (SMR 4) (2023)

Summary of the rules for all food and feed producers.

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# Introduction

The aim of these requirements is to ensure the safe production of food for human consumption and food or feed that is fed to food-producing animals. They apply to all food or feed producers, including those rearing animals for food or products of animal origin (e.g. eggs or milk).

## Main requirements

The **FSA's business guidance on Food incidents, product withdrawals and recalls** (<https://www.food.gov.uk/business-guidance/food-incidents-product-withdrawals-and-recalls>) sets out how to report, respond to and prevent an incident, including how to withdraw or recall unsafe food and feed products.

## Food/feed safety, withdrawal and recall

- Food or feed must not be placed on the market if it is unsafe (either posing a risk to human health or unfit for human consumption). Feed is deemed to be unsafe if it has an adverse effect on animal or human health or if it makes the food derived from food-producing animals unsafe for human consumption.
- If there is reason to believe that food or feed placed on the market does not meet safety requirements, and it has left your immediate control, then procedures must immediately be initiated to withdraw it from the market and to inform the Food Standards Agency (FSA) and your Local Authority (LA).
- Where food or feed has already reached consumers or the user of the feed, they must be informed of the reason for withdrawal. Feed must be recalled

from the market if there is no other way of achieving a sufficiently high level of health protection.

- If food that you have supplied, or is still in your possession with the intention to sell, poses or could potentially pose a risk to health, the FSA or LA must immediately be informed.

## **Traceability**

- Systems or procedures must be in place that relate to the traceability of inputs to your farm. Inputs are food, feed, food-producing animals and any substance intended/ expected to be incorporated into feed. Farm records must identify the name and address of your supplier, the nature and quantity of the products supplied to you, and dates of delivery of these inputs.
- A similar system providing equivalent information must also be adopted for the traceability of your products when they leave the farm (outputs).
- The system in use could be manual or electronic, and with receipts filed in chronological order. It should be complete, organised, understandable, and be available on request.

## **Hygiene of foodstuffs and feed hygiene**

(This section does not apply to direct supply by the producer of small quantities of primary products to the final consumer, e.g. farm sales, or to local retail establishments which then directly supply the final consumer).

- Waste and hazardous substances must be stored in a way that prevents contamination of food products or feed. Hazardous substances are any substances that have the potential to cause an adverse effect on human or animal health.
- Feed must be stored away from chemicals or any other products prohibited for use in animal feed.

- Medicated feed and non-medicated feed intended for different categories or species of animals must be stored in a way that reduces the risk of it being fed to the wrong animals.
- Non-medicated food must be stored and handled separately from medicated feed to prevent cross- contamination.
- Feed additives, veterinary medical products, plant protection products and biocides must be used correctly with dosage, application and storage as stated on the label or as prescribed. This includes ensuring that food produced does not contain residues of pesticides or veterinary medicinal products that are higher than the permitted maximum residue level (MRL) for the pesticide or the medicine used.
- Adequate measures must be taken to prevent the introduction and spread of diseases transmissible to humans through food. This includes:
  - abiding by the statutory herd testing for Bovine Tuberculosis (TB) and pre-movement TB testing of animals;
  - taking precautionary disease measures when introducing new animals to the flock or herd;
  - reporting suspected disease outbreaks to the competent authority.
- Source and use feed for food-producing animals from registered suppliers and/or approved by the local authority.
- Keep records on all of the following if relevant to your business:
  - veterinary medicinal products or other treatments given to animals (to include the dates of treatment and withdrawal period);
  - use of plant protection products and biocides;
  - results of any analyses carried out on samples taken from food-producing animals, plants, animal feed or other samples taken for diagnostic purposes that have importance for human and animal health, and to take account of these analyses accordingly;
  - any relevant reports on checks carried out on animals or products of animal origin;
  - any use of genetically modified seeds in feed production.

## **Additional rules for raw milk producers (from any species)**

- Raw milk producers must ensure that raw milk comes from animals that:
  - are in a good general state of health;
  - have no sign of disease that might result in contamination of milk;
  - have no udder wound that is likely to affect the milk;
  - are not within the prescribed withdrawal period following the administration of authorised products or substances;
  - have not been given any unauthorised substances or products;
  - ensure that raw milk comes from animals belonging to herds/holdings which have disease-free status for tuberculosis or brucellosis.
- Effectively isolate animals that are infected, or suspected to be infected, with tuberculosis or brucellosis so that there is no adverse effect on other animal's milk.
- Ensure that milking equipment and the premises where milk is stored, handled or cooled are located and constructed to limit the risk of contamination of milk.
- Ensure that the premises used for the storage of milk:
  - are protected against vermin (including birds and birds' nests) and adequately separated from livestock accommodation.
  - have suitable refrigeration equipment in order to meet the post-milking cooling requirements.
- Ensure the surfaces of equipment that come into contact with milk are easy to clean, and disinfect if necessary.
- Clean, and disinfect where necessary, the surfaces of equipment that comes into contact with milk after use, and maintain in a sound condition.
- Carry out milking hygienically to ensure that:
  - before milking starts the teats, udder and adjacent parts are clean;
  - those animals undergoing medical treatment are identified satisfactorily;
  - milk from those animals that are still within the withdrawal period following veterinary treatment is not used for human consumption.

- Hold milk in a clean place, designed and equipped to avoid contamination, immediately after milking.
- The milk must be cooled immediately to:
  - Not more than 8°C if it is collected daily;
  - Not more than 6°C if it is not collected daily.

## **Specific exemptions to the above:**

A – if the milk is obtained from a TB reactor or one with brucellosis the milk cannot be sold. If the milk is obtained from non-reactor animals and the milk is sold to a wholesaler, they must heat-treat the milk before sale for human consumption. It is also not considered a breach if the raw milk is from sheep or goats and is intended to be made into cheese that has a maturation period of at least 2 months.

B – If you do not cool milk immediately, this will not be considered a breach of the requirement if the milk is to be processed within 2 hours of milking, or alternatively the business has received permission from the competent authority (Dairy Hygiene Inspectors) because of the dairy products that will be made from this milk.

## **Additional rules for egg producers**

Eggs must be kept clean and dry, free of strong odour, out of direct sunshine and effectively protected from shocks.

## Field checks

- Check that all relevant records are being maintained.
- Check that the above requirements are being met  
e.g. checking storage of feeds and pesticides.

## Administrative checks (overdue TB tests)

- Any TB test that becomes overdue by 1 day or more from 1 January 2015 will be automatically referred for cross compliance breaches to be applied.
- You are urged to arrange all TB tests well before the date it becomes due to avoid potentially significant financial penalties.

## Further information

For further information please contact:

- Animal and Plant Health Agency
- Food Standards Agency

or see **Cross compliance: useful contacts (2022)** (<https://gov.wales/cross-compliance-useful-contacts-2022>) factsheet within this pack.

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