

<p style="text-align: center;">GUIDELINES FOR THE ENFORCEMENT OF PROVISIONS ON DIOXINS IN THE EVENT NON-COMPLIANCE WITH THE MAXIMUM LEVELS FOR DIOXINS IN FOOD</p>

I. In the case of non-compliance which can be traced back to a specific production site (farm):

a) Production of the affected site (farm) discontinued

Production (milk/eggs/meat/fish) of the site (farm) in question should be discontinued and the milk and eggs collected separately for special treatment (see point b) or destruction.

b) Full monitoring of the different foods of animal origin and fish produced on the affected production site (farm), and additional measures in case of non-compliance

The products of animal origin (eggs, meat and milk) and fish from the site (farm) concerned may not enter the food chain as such. Full monitoring should be performed to check the compliance of the different products of animal origin and fish.

Milk, eggs and fish must, in the event of non compliance, be destroyed or treated in such a way that dioxins are removed and the remaining product may possibly be used for animal feed or human consumption once it becomes compliant (for example, milk can be defatted whereby the fat concentrating the dioxins is destroyed and the remaining milk/milk powder – complying with the maximum permitted levels – can be used for animal feed or food).

Where the meat of the affected animals is found to be non compliant with the legal maximum levels, further appropriate restrictions should be imposed in order to avoid the contaminated meat entering the food chain.

The restrictive measures regarding the relevant products of the production site (farm) should remain in force at least until the source of contamination has been identified and eliminated (or reduced to an acceptable level)

c) Investigations to identify the source of contamination

Investigations should be undertaken simultaneously and immediately in order to identify the source of contamination as soon as possible.

d) Measures as regards other production sites possibly affected by the same contamination source

Where the identified source of contamination might also affect other production sites (farms) in the vicinity (in the case of a local contaminated source) or elsewhere (in the case of contaminated feed), the production of food of animal origin (milk/eggs/meat) and fish from the potentially affected production sites (farms) should also be provisionally discontinued (*see note below*). Samples of the different products of animal origin and fish produced on the potentially affected production sites should be taken and analysed.

In the event of compliance, the provisional restrictive measures on the production activities of these sites (farms) should be lifted.

In the of non-compliance, the restrictive measures mentioned under b) should be imposed on the products from the sites concerned.

Note:

Depending on the source of contamination, a dual approach can be adopted:

* on the production sites where the likelihood of contamination is high, the production of food of animal origin and fish should be provisionally discontinued pending the test results.

* on production sites where the possibility of contamination cannot be ruled out, although the probability is not high, samples of the different products of animal origin and fish should be taken and analysed without any suspension of production activities. The production of food of animal origin and fish should be discontinued where test results indicate contamination by dioxins above the maximum level.

This approach will enable the precise extent of the contamination to be ascertained, thereby offering protection to consumers without unnecessarily hampering production.

e) Measures to eliminate, reduce or remedy the identified source of contamination

Measures should be taken to eliminate, reduce or remedy the identified source of contamination as soon as possible.

f) Measures to be taken as regards affected production sites after elimination of the source of contamination

After elimination/reduction of the source of contamination, monitoring of the levels of dioxins on the production (milk/eggs/meat/fish) at the affected production sites should continue to be carried out on a regular basis. The restrictive measures should remain in place until dioxin levels are found to be acceptable. Only when the observed levels of dioxins are below the permitted maximum levels can the restrictive measures be lifted (possibly only partially).

II. Fish caught at sea or in fresh water

- a)** Where a consignment of fish caught at sea or in fresh water is not compliant, its source should be traced, in particular its geographical origin.
- b)** Investigations should be undertaken to determine the extent of the contaminated area, as well the other fish species affected
- c)** On the basis of the results and investigations, a ban on fishing certain species within a geographically defined area (region) may be issued.
- d)** In the case of intra-Community fish originating from a geographical area (region) subject to a national fishing ban, the operator must be able to provide documentary evidence that maximum levels have been complied with for each consignment.
- e)** Continuous monitoring should be carried out in order to verify whether and, if so, when a (partial) lifting of a ban on fishing in a clearly defined geographical area (region) will be possible.
