BETA
NATURAL & OTHER PROHIBITED SUBSTANCES (NOPS®)
CODE

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A. Introduction

A 1 BACKGROUND INFORMATION

A 1.1 Natural and other prohibited substances (NOPS™) are those defined on the BETA NOPS list as detailed within the BETA NOPS® Code. These are either chemicals naturally present within certain feed ingredients, occur as a result of inadvertent cross-contamination or are ingredients included intentionally. This broadens the scope of the BETA NOPS® code in recognition of cases where ingredient contamination has generated concern in relation to sport but hasn't presented an equine feed safety issue. In these cases, the contaminant concerned would not have previously been considered to be a NOPS®.

A 1.2 The International FEI rules for competition and the International Federation of Horseracing Authorities (IFHA) rules regarding NOPS® state a zero tolerance for substances that could affect performance thus implying that all horses competing must be free from such substances.

In the absence of thresholds, the IFHA have published internationally agreed residue limits in urine/plasma for some substances that commonly contaminate equine feed and which may be adopted by national racing authorities.

Such NOPS, however, pose a challenge to all stakeholders including the sporting regulatory bodies (who obviously wish to prevent the illegal use of substances that could affect performance), feed manufacturers (who need to be able to provide commercially viable feeds for their customers) and horse owners and trainers who need products that comply with the rules of their discipline.

A 1.3 The approach taken by the IFHA, its affiliated authorities and the FEI to prohibited substances, including NOPS, differs.

Horseracing Authorities typically take a zero-tolerance stance and define a prohibited substance as "any substance capable at any time of acting on one or more of the following mammalian body systems" and list examples such as the musculoskeletal system.

The International Equestrian Federation (FEI) on the other hand lists three categories of substances within its Equine Anti-Doping and Controlled Medication Regulations:

- Banned Substances – deemed by the FEI to have no legitimate use in equine medicine and/or have a high potential for abuse.
- Controlled medication substances – an exhaustive list of medication that is generally prohibited in competition but permissible in training but with the potential to enhance performance depending on the timing and size of dose.
- Specified Substances – the purpose of this list is to recognise the possibility for a substance to enter a horse's system inadvertently. The Specified Substances approach allows the FEI and/or the FEI Tribunal more flexibility when prosecuting a case or when deciding on sanctions

Specified Substances are not necessarily less serious agents than other Prohibited Substances, and nor do they relieve the Person Responsible (PR) of the strict liability rule that makes them responsible for all substances that enter a horse's system. However, the FEI recognises there is greater likelihood of a credible non-doping explanation for these substances.

The BETA list of NOPS is included in the list of specified substances, which is reviewed annually.

In addition to the FEI, the Horse Racing Integrity & Safety Authority (HISA) in the USA, has introduced specific policies under their Anti-doping and Medication control rules to include Atypical Finding (ATF) policies allowing for accidental contamination such as with the case of Zilpaterol, to be assessed before disciplinary or tribunal procedures are actioned. However this is not an approach universally adopted by all regulators particularly across racing jurisdictions. For further details see Appendix E.

A 1.4 BETA, through the work of the Feed Committee and the NOPS® Working Group, has considered the issues surrounding the control of such occurrences. It recognises that it is impossible to be absolutely certain that a feed or feed ingredient is completely free from such substances, it has established that good purchasing and manufacturing practice together with adoption of suitable risk analysis and management throughout all stages of the supply chain from field to feeding can go a long way towards precluding such contaminants, thus substantially reducing the risk of their presence in the horse.

A 1.5 Whilst recognising that analytical screening for prohibited substances should form an integral part of the process wherever possible, it should not be the sole methodology for monitoring the absence of such substances in feed. Furthermore, the occurrence of naturally occurring prohibited substances within feeds and feed materials tends not to be homogeneous but rather in random and discrete pockets. By their sporadic presence therefore such substances are less likely to be detected through routine sampling methods. Reduction of risk by good practice at source / during feed preparation is considered best practice. This applies to both feed manufacturing and the preparation and feeding of the horse in the yard.

A2 DETAILS OF THE SCHEME AND BETA NOPS® CODE

A 2.1 The BETA NOPS® Code (hereafter referred to as the Code) is a voluntary scheme owned by the British Equestrian Trade Association (BETA). It is a global scheme, open to companies from any country and membership of BETA is not a requirement for those wishing to join the scheme. The scheme is the structure surrounding the auditable Code.

This Code is for use by all those companies who wish to demonstrate that they implement current best practices in minimising the risk of contamination with NOPS® in equine feeds, raw materials or ingredients which they produce, pack and/or place on the market. Companies certified to the BETA NOPS® Code will be referred to as participants hereafter.

The BETA NOPS® Code is intended to apply across a company/business entity or brand rather than being product related.

Certified participants of the Code can be found on the NOPS® certificate checker www.agrifoodportal.kiwa.co.uk/nops

The BETA NOPS® Code is a standard that demonstrates a participant is taking all possible steps to ensure the risk of NOPS® being present in feed is minimised. It is NOT a guarantee of the absence of NOPS® and should not be viewed as such.

A 2.2 A fee is charged by BETA on an annual basis for registration to the BETA NOPS® Code. These fees are detailed on the application form referenced in section C1.1.

A 2.3 A prerequisite of joining the Code is evidence of current certification to a BETA recognised HACCP based certification scheme. A list of these can be found in Appendix A.

A 2.4 To become BETA NOPS® Code certified the company must be assessed by the auditing and Certification Body (henceforth referred to as the Certification Body) and demonstrate full compliance with the current version of the Code. The Certification Body is appointed by the Code owners. Details of the appointed auditing body are given in Appendix C.

The Certification Body administers the program and will perform the audit. This audit must be undertaken annually, within 3 months of the anniversary of the original audit.

All costs of certification are included in the annual fees charged by the Certification Body with the exception of costs relating to extra/immediate assessments and any expenses which are incurred in order to conduct the audit. Details of fees relating to certification can be obtained from the Certification Body.

A 2.5 BETA reserves the right to alter or amend the terms and conditions and the contents of the Code requirements at any time and without consultation. A period of notice will be given to all those certified to the code where changes are required.

B BETA NOPS® CODE SCOPE

B 1 Scope

The BETA NOPS® Code encompasses the specific operations and activities of a participant that contribute to the management of the prohibited substances risk in the feeds they place on the market.

The BETA NOPS® Code covers the following business groups with some clauses not being applicable to all groups. Refer Table 1. In the case of a company falling into more than one business group, the audit will be undertaken on the broadest range of clauses applicable.

All companies wishing to be certified to the BETA NOPS® Code must fulfil the necessary requirements as outlined below and agree to follow the Terms and Conditions of the Code as outlined in this document.

Demonstrable commitment to the principles of the NOPS® Code by a company's management is essential for both its successful certification and for the broader functioning of the Code itself.

Table 1 The clauses of the NOPS® Code relevant to each business type.

Business Group	Type of business	Relevant clauses (in part or full as appropriate)
M	**Manufacturers of compound and complementary equine feeds**	
M	Manufacturers carrying out all functions, to include contract manufacturers	All clauses
BH	**Brand Holders – those marketing a feed under their own brand made by third party manufacturers, whether or not they have a role in formulations, specifications or sourcing of raw materials, and whether or not the product is packed by the brand holder or the manufacturer**	
BH 1	Brand holder sourcing raw material, formulating and packing finished product (no own manufacturing).	All clauses
BH 2	Brand holder sourcing raw material and formulating (no product handling or manufacturing)	A,B,D,E,F
BH 3	Brand holder delegating sourcing, formulation, manufacturing and packing.	A,B2,B3,D,E,F
BH 4	Brand holder formulating but delegating sourcing, manufacturing and packing.	A,B1,B2,B3,D,E,F

P	**Packer of product manufactured in a separate NOPS® approved premises (NOPS® Code compliance optional under the code)**	
P	Packer of finished product and straights	A,C,D,F,G
I	**Ingredients - Producers and/or suppliers of feed materials and ingredients (including additives and premixtures) used in the production of equine feed. (NOPS® Code compliance optional under the code if used as a raw material)**	
I 1	Producers and/or suppliers of feed ingredients including additives	All clauses
I 2	Producers and/or suppliers of premixtures	All clauses
S	**Straights - Producers and/or suppliers of straight feeds intended to be fed without further processing e.g. hay, haylage, oats.**	
S	Producers and/or suppliers of straights	All clauses

Any company not able to identify into which business group it fits should consult the British Equestrian Trade Association before applying.

In order to claim compliance with the BETA NOPS® Code, companies must agree to the full conditions of the Code as outlined in this document.

B 2 Confidentiality

All information about applicants and certified participants will be treated in confidence. Specific information will not be divulged to any third party without the written agreement of the applicant or member.
In joining the Code and completing the application form, all applicants agree to the Certification Body sharing information relating to a company's audit with the British Equestrian Trade Association, including audit reports and certificates.
Details relating to audits will not be shared by BETA with any other person or body.

BETA will publish details of certificated companies on the BETA NOPS® Certificate Checker https://agrifoodportal.kiwa.co.uk/nops . Should any participant fail their annual audit or fail to address non-conformances within the given time frame then their certificate will be withdrawn and their details will be removed from the BETA NOPS® Certificate Checker. If a participant fails to renew their registration by paying the relevant fees then their certificate will be withdrawn and their details will be removed from the BETA NOPS® Certificate Checker.

In the event of a participant being involved or implicated in a positive test for NOPS through testing of racing or competition horses, then details may be discussed in confidence between representatives of BETA and governing bodies such as the British Equestrian Federation (BEF), International Equestrian Federation (FEI), the British Horseracing Authority (BHA) or Irish Horse Racing Board (IHRB) or any other equine sporting regulatory body. In the case of a positive being confirmed the Certification Body would also be notified.

C Requirements for certification to the BETA NOPS® CODE for Applicants and Certified Participants

C 1 Becoming certified:

In order for a company to become certified to the BETA NOPS® Code applicants must complete the following:

C 1.1 An application form should be completed by all companies wishing to join the BETA NOPS® Code which will also be an agreement to comply with the terms and conditions outlined in this document. This form should be returned to BETA by email to info@beta-uk.org or by post to Unit 8, Carlshead Business Centre, Paddock House Lane, Sicklinghall, LS22 4BJ. There is an initial registration fee that is due from all companies participating in the scheme followed by an annual fee thereafter. This should be paid at the time of making application. In the case of non-membership of BETA a higher registration fee must be paid on an annual basis. This fee is reviewed annually.

C 1.2 The applicant must evidence certification to a BETA recognised HACCP-based certification scheme as detailed in Appendix A. It is permissible to undergo audit to the HACCP-based certification scheme at the same time as undergoing the NOPS audit providing that the auditor is fully approved for the NOPS Code by BETA's appointed Certification Body.

C 1.3 If the pre-requisite certification is already met, the inspection body issuing the certification to the prerequisite accreditation scheme need not be the same as the BETA NOPS® Certification Body, but it must be one that has appropriately qualified assessors and is recognised by both BETA and its Certification Body.

If at any point a participant's certification to the prerequisite accreditation scheme lapses, then the NOPS certification will lapse and be withdrawn. It is the participant's responsibility to inform BETA and the Certification Body should their certification lapse.

C 1.4 BETA will confirm receipt of the application to the applicant and advise the Certification Body of the application so that an audit application form can be provided and agreement met with the Certification Body's terms and conditions. Payment must be received by BETA before an application will be accepted by the Certification Body.

C 1.5 An Applicant shall liaise with the Certification Body over the quotation for audit and certification.

C 1.6 The Applicant shall confirm that they agree to comply with the Code's Terms and Conditions and Code requirements detailed herewith, and the Certification Body's Terms and Conditions by signing the Certification Agreement contained in the quotation and returning to the Certification Body. The quotation will indicate the duration of the initial and subsequent routine assessments. The duration of the Initial Assessment is dictated by the time required to fully assess the systems and procedures of the participant.

C 1.7 When the Applicant has been audited the Certification Body will issue a summary Audit report to BETA including any non-conformances noted. Following correction of any non- conformances that may have been identified, the Certification Body will

issue a Certificate of Conformity and a copy will be supplied to BETA.

C 1.8 On certification the details will be added to the BETA NOPS® Certificate Checker https://agrifoodportal.kiwa.co.uk/nops. The details shown will include company or brand name and website link.

C 1.9 Where the participant is a brand holder using a contracted manufacturer, both the manufacturer and the brand holder need to be certified members of the BETA NOPS® Code.

C 2 Maintaining Certification Status

C 2.1 NOPS® Certificates of Conformity will be valid for 15 months from the date of the first audit against the code and 12 months thereafter.

C 2.2 At all times the applicant must hold a valid certificate of conformity to the prerequisite certification scheme. If at any point a participant's certification to the prerequisite accreditation scheme lapses, then the BETA NOPS® Code certification will lapse and be withdrawn.

C 2.3 Certificates are issued subject to payment of all relevant fees to the Certification Body and must be re-assessed annually. Annual visits are due on or around the anniversary of the initial assessment.

C 2.4 Participants will be contacted by a representative of the Certification Body prior to the anniversary of their initial assessment to arrange the annual re-assessment. The date must be within 30 days of the anniversary unless otherwise agreed with either BETA or the Certification Body NOPS® Scheme Manager.

C 2.5 Participants shall comply with the Code requirements at all times as defined in these Terms and Conditions and the BETA NOPS® Code.

C 2.6 On the annual renewal date of membership of the NOPS® scheme all members are required to complete an update form from BETA. If a successful audit is not completed in any one year, all mention of NOPS® and certification to the BETA NOPS® code must be removed from literature, packaging, labels, websites and any other marketing material including point of sale within 3 months expiry of the current certificate. No further product may be packed into packaging showing the NOPS® logo if a valid certificate is not in place. BETA will publish a list of those companies that lapse from the scheme in Equestrian Trade News and on its website.

C 2.7 NOPS® is a registered trademark of BETA and may only be used by BETA NOPS® Code certified members in line with branding guidelines issued to participants from time to time by BETA.

C 2.8 Participants shall advise BETA and the Certification Body of any changes to the business, typically but not limited to:

- Company ownership
- Structure or scope of operations
- Key management personnel

C 2.9 Participants and applicants shall advise BETA in the event of being subject to legal action related to their NOPS® certificated activities.

C 2.10 Participating companies must agree to participate in the early warning system for NOPS®.

This early warning system will ensure that all members of the Code are advised of potential contamination risks.
In the case of detection of a NOPS® arising from a company's own QA procedures (whether through internal or external testing) or from a supplier, members of the code must notify BETA immediately (within 72 hours of receiving confirmation of a positive finding) for them to record and take appropriate action. Immediate notification should be made either by email to the Executive Director (claire@beta-uk.org) or by phone (01937 587 062). This applies to detections of all NOPS® with the exception of hordenine. The identity of the company reporting the incident will remain confidential. This should be followed with a completed incident reporting form. See Appendix F

In the case of a positive being notified to a participating company following post-race or competition testing, this should be notified to BETA within 24 hours of receipt of the positive notification.

It is in the spirit of the code that information received through the early warning system is not misused to the detriment of any individual company but treated in the strictest confidence.

C 2.11 Members are expected to behave in a professional and responsible manner. Any activity that could bring disrepute to the BETA NOPS® scheme, BETA or other members could result in suspension or expulsion from the Scheme.
In the case of a finished product testing positive for a prohibited substance they must risk assess to ensure that customers are informed as appropriate.
Knowingly supplying feed that is contaminated with a NOPS® substance at levels likely to cause a disqualification or disciplinary action without informing the customers in writing will result in immediate suspension from the scheme and may result in expulsion from the scheme and from membership.

C 2.12 If a statement of quality is required; participants of the code are advised to use the following statement on packaging and / or literature, which will identify them as a member of the BETA NOPS® Code.

QUALITY COMMITMENT
XXXCompanyXXXX manufactures to a strict code of feed safety. This product has been manufactured in licensed premises using quality assured ingredients under strictly controlled production conditions and conforms to the requirements of the relevant legislation governing the manufacture of animal feeding stuffs. XXXXXXXXXX monitors for the presence of specified naturally occurring prohibited substances as required under the rules of racing and other affiliated competitions which are in line with BETA NOPS guidelines. Adherence to these guidelines ensures that the risk of occurrence of such substances is minimised but can never be excluded altogether. The absence of NOPS cannot be guaranteed.

In joining the scheme, companies agree that should the quality statement as detailed above be used on bag or literature in part, the extract thereof and the surrounding text will be sent to BETA for approval to ensure the spirit of the Code is being adhered to.

C 2.13 No guarantees (implied or direct) shall be given nor declarations made as to the "NOPS® free" status of feeds nor shall any other such wording that implies similar be used. Whilst testing is part of the risk assessment process, it does not offer a guarantee as to the absence of NOPS in the feed. Testing of samples does not preclude positives occurring outside of the tested samples. Whilst companies may confirm, if appropriate, that they undertake testing programmes, this must not be done in such a way as to convey a guarantee.
Should companies be found flouting this condition then a warning will be given. Should this action continue then BETA reserves the right to expel them from the BETA NOPS® Code and will require

the member to cease use of the NOPS® logo or any reference thereto.

C 2.14 A BETA NOPS® code logo will be available to members to use should they wish to do so, on bag, packaging or literature on completion of a successful audit. If used on packaging, then it should be positioned on the reverse or back except for single lable packaging such as refill bags and some liquids.
Please note that companies joining BETA after 1 January 2015 may not use the BETA trade member logo used on packaging or literature. Those companies that joined BETA prior to this date should ideally **not** use the BETA trade member logo on packaging or literature in order to avoid confusion and it must not be used to imply, in any way, compliance with any BETA product related scheme. It may be used on letterheads however.

C 2.15 On joining the scheme and then every year thereafter the member companies must complete an annual declaration including the provision of figures as to production volumes and/or sales. This enables BETA to provide data on the proportion of the market supplied by NOPS® certified participants and to assist in lobbying regulatory bodies.

C 2.16 BETA promotes the value of buying feed produced by certified participants to relevant professionals, professional bodies and consumers. BETA also produces leaflets and yard guides in digital and hard copy form which are available to members of the scheme.

C 3 Assessment of participant compliance with the BETA NOPS® Code

C 3.1 The Certification Body will conduct assessments of a participant's conformance with the Code. The Certification Body shall be given access to all relevant information needed to confirm conformance with the Code and the right to inspect third parties subcontracted to perform work covered by the code, at the participant's cost.

There are a number of types of assessment with the BETA NOPS® Code

- Initial Assessment – a formal assessment for new applicants to the BETA NOPS® Code on a date agreed with the applicant business during the application process.
- Routine Assessment – a formal annual assessment for certified participants of the BETA NOPS® Code
- Extra/ Immediate Assessment – The Certification Body will carry out extra/immediate assessments at their discretion at the participant's cost. Circumstances where they may be required include, but are not limited to:
    - Signing off action points following an assessment, particularly if the action points related to Major or Critical non-conformances.
    - In response to reports or intelligence suggesting a significant NOPS® contamination or breach of the BETA NOPS® Code Terms and Conditions.

C 3.2 The Certification Body will produce a report for its own assessment purposes, which is shared with BETA and identify any non-conformances to the Participant at the end of the assessment. Any non-conformances will be classified as per C3.3 below and acted upon as per C3.4

When a participant has rectified their non-conformances, the Certification Body will notify the client of their continuing certification and issue a BETA NOPS® Certificate of Conformance. The date of expiry of the certificate will be 15 months from the original audit anniversary month to allow for delays in completing post audit compliance and shifts in audit schedules. In all cases however the audit must be scheduled on an annual basis linked to the original anniversary date and have taken place within 1 month thereof**.**

C 3.3 **Classification of non-conformances**

Classification	Cause
Critical	A gross or deliberate NOPS® contamination, BETA NOPS® Code breach or violation, or; Knowingly circulating contaminated feed , or; A recurrence of a major non-conformance raised at the preceding assessment, or; A complete unwillingness to cooperate in the assessment
Major	A complete failure to implement a requirement of the BETA NOPS® Code or a failure that may result in contaminated or unsafe feed, or; A recurrence of a minor non-conformance raised at the preceding assessment.
Minor	A partial failure to implement a requirement of the BETA NOPS® Code or poor evidence to demonstrate implementation.
Observation	These may be left by the assessor if it is felt that a certain area is not currently an action point but that if ignored may have the potential to become an action in the future. No requirement to send in corrective evidence

C 3.4 **Response to Non-conformances**

Classification	Initial Assessment	Routine Assessment
Critical	Certification refused. Repeat Initial assessment required	Certification suspended with immediate effect. Certification will only be reinstated following the verification that the critical non-conformances have been resolved. Extra assessments, at the cost of the participant, may be required by the Certification Body in order to verify conformance with the BETA NOPS® Code.
Major	Certificate not granted until non-conformances resolved. Plan of corrective actions to be submitted within 15 days of assessment and timescales to resolve Non-conformances to be agreed with the Certification Body. Supporting evidence must be submitted within this time scale. Failure to resolve Non-conformances within agreed timescales will lead to a repeat Initial Assessment or the application being archived by the Certification Body.	Certification not reissued. Plan of corrective actions to be submitted within 15 days of assessment and timescales for closure to be agreed with the Certification Body typically no more than 60 days from assessment. Supporting evidence must be submitted within this time scale. Failure to resolve Non- conformances within agreed timescales will lead to suspension.
Minor	Certificate not granted until non-conformances rectified. Plan of corrective actions to be submitted within 30 days of assessment and timescales to be agreed with Certification Body. Supporting evidence must be submitted within this time scale. Failure to resolve Non-conformances within agreed timescales will lead to a repeat Initial Assessment or the application being archived by the Certification Body.	Certification not reissued. Plan of corrective actions to be submitted within 30 days of assessment and timescales to be agreed with the Certification Body typically no more than 60 days from assessment. Supporting evidence must be submitted within this time scale. Failure to resolve non-conformances within agreed timescales will lead to suspension.

C 4 Suspension and withdrawal from the scheme

C 4.1 The Certification Body, in consultation with BETA, may suspend a Participant's Certificate of Conformity and/or BETA may withdraw the business from the code when the participant has:

- C 4.1.1 Non-conformances against the BETA NOPS® Code or Code Terms and Conditions which are not resolved within the required time limits;
- C 4.1.2 Critical or Major Non-conformances that have, or are likely to have, an adverse effect on the integrity of the NOPS® Code for other members or could lead to a NOPS contamination incident.
- C 4.1.3 Refused access for an Assessment
- C 4.1.4 Knowingly and or intentionally placed NOPS® contaminated feed or feed material on the market without informing customers or users. (reference Part 2, B1.2)
- C 4.1.5 Once aware of a NOPS® contamination, refused to take appropriate action or inform customers or users, if in consultation with BETA, it is decided that this is the most appropriate course of action.
- C 4.1.6 Not paid the relevant fees to BETA or the Certification Body.
- C 4.1.7 Not got a valid Certificate of Conformity to the NOPS® Code. This may be due to the company failing to arrange for an annual audit to take place in a timely manner leading to the current Certificate of Conformity expiring.
- C 4.1.8 Failure to produce a certificate of conformity for a recognised HACCP-based assurance scheme i.e. a company loses their certification.

C 4.2 NOPS® certificates have a defined expiry date. If a new certificate has not been issued to a Participant for reasons C4.1.1, C 4.1.2, C 4.1.3, C 4.1.6 or 4.1.7 and the certificate expires then this means that the business can no longer claim to be certificated nor can they sell products as BETA NOPS® certified.

C 4.3 Participants suspended for reasons of C4.1.1 and C 4.1.2 above must correct the Critical or Major non-conformances and have a follow-up assessment by the Certification Body to confirm that all the non-conformances have been fully resolved.

- C 4.3.1 Participants suspended for non-payment of fees, non-arrangement of audits or non-conformance issues will be reinstated provided all matters are resolved within 1 month of suspension or withdrawal date.
- C4.3.2 In the case of Participants suspended for reasons of C4.1.4 and C 4.1.5 any decision as to reinstatement (or length of suspension) will be pending results of enquiries as to the nature of the audit non-conformance or professional misconduct against the BETA NOPS® code terms and conditions of suspension. If necessary this will be referred to the BETA Board for a final decision.

Either BETA or the Certification Body will write to the participant confirming the reason for suspension.

C 4.4 Participants that do not demonstrate to the Certification Body or BETA that non-conformances have been resolved within 1 month of suspension will have their Certificate of Conformity withdrawn.

C 4.5 Participants that have their Certificate of Conformity withdrawn will be required to undergo the complete assessment process and will be considered as new Applicants.

C 4.6 Participants that no longer require BETA NOPS® Certification must inform both BETA and the Certification Body in writing.

C 4.7 The Certification Body will pass all necessary information to BETA to allow them to update their website and certification records with details of a participant's changing status.

C 4.8 BETA and NOPS® are registered trademarks. Suspended and withdrawn participants may not claim to be NOPS® certified. No further product may be packed into packaging showing the NOPS® logo once a company has withdrawn from the code. All references to NOPS® and NOPS® compliance must be removed from all company material including websites, leaflets and packaging.

C 4.9 BETA reserves the right to publish names of suspended and withdrawn participants.

C 5 Complaints

C 5.1 Complaints about a BETA NOPS® Code Participant should be directed to BETA for them to acknowledge, review and take action to resolve the cause of any problems.

C 5.2 Complaints about the Certification Body should be directed to the Certification Body where they will be acknowledged, reviewed and actions taken to resolve the cause of any problems.

C 6 Appeals

C 6.1 A participant has the right of appeal against decisions made by the Certification Body.

C 6.2 Appeals shall be made in writing to the Certification Body within 14 days of being advised of the decision that is the subject of the appeal.

C 6.3 The Certification Body will acknowledge the appeal and nominate a manager independent of the decision to carry out an initial investigation to check the merits of the appeal.

C 6.4 If the nominated Manager concurs with the appeal then the Certification Body will correct the erroneous decision.

C 6.5 If the nominated Manager does not concur with the appeal then an independent panel will be convened within 30 days to handle the appeal.

C 6.6 The Certification Body, including the Scheme Manager, BETA and the Participant are entitled to attend the Appeals Panel and present information to the Panel.

C 6.7 The independent Appeals Panel will make a ruling based on the information supplied during the hearing.

C 6.8 The ruling of the Appeals Panel is binding and final on the Certification Body and the Participant.

C 6.9 A participant has the right of appeal against a decision made by BETA to withdraw it from the scheme under 4.1.4 or 4.1.5 above.

C 6.10 Appeals shall be made in writing to BETA within 14 days of being advised of the decision that is the subject of the appeal.

C 6.11 BETA will acknowledge the appeal and nominate a member of the BETA Council independent of the decision to carry out an initial investigation to check the merits of the appeal.

C 6.12 If the nominated Council member concurs with the appeal then BETA will correct the erroneous decision.

C 6.13 If the nominated Council member does not concur with the appeal then the matter will be raised at the next scheduled meeting of BETA Council to handle the appeal. Meetings of Council are held in March, May, July, September and December of every year.

C 6.14 BETA and the Participant are entitled to attend the Appeals meeting and present information to the Board.

C 6.15 The Council Panel will make a ruling based on the information supplied during the hearing.

C 6.16 The ruling of the Council is binding and final on BETA and the Participant.

D NOPS® Assessor qualifications and requirements

D 1 Minimum requirements for NOPS® Assessors

D 1.1 Experience
Relevant experience with the equine feed industry and appropriate auditor qualifications or training

D 1.2 Qualifications and Training
D 1.2.1 Level 3 HACCP Qualification
D 1.2.2 Attendance at appropriate BETA NOPS® training courses

D1.3 Competence
Auditors should demonstrate an up to date knowledge of industry issues and legislation and be able to communicate effectively.

D1.4 BETA should be consulted prior to the appointment of any new NOPS® assessors to confirm their suitability and that there is no conflict of interest.

D 2 Confidentiality and Conflicts of Interest

Assessors are required to sign any confidentiality agreement provided by the Certification Body. They must not discuss other participants with a company being assessed nor should they offer advice on external consultants who may be in a position to assist with non-conformances post audit.

Assessors should maintain an up to date register of business interests and supply this to the Certification Body on a regular basis (at least every 3 months). Assessors must also make the Certification Body aware of any potential conflicts of interest relating to companies they have been assigned to assess.

PART 2

DEFINITION OF NOPS®

For the purpose of this Code, the following is the new categorization of NOPS®. Henceforth NOPS® will refer to Natural and Other Prohibited Substances and will be classified in the following 3 categories:

Category 1: Naturally Occurring Substances (NOS) - previously known as NOPS and including substances that occur naturally in feed, feed materials and feed additives but are prohibited or restricted in competing equines e.g. Caffeine, Morphine. These are divided into NOS or herbal NOS and bear a NOPS status of excluded or sensitive.

Category 2: External Contaminant Substances (ECS) -including substances that are not naturally occurring but present a safety and/or competition risk e.g. Zilpaterol, Clenbuterol. All are excluded.

Category 3: Feed Additives, Materials and Other Substances (FAMOS)
Intentionally included ingredients present in feeds some of which may be screened for by regulatory bodies due to misuse by end users.

Category 1: Naturally Occurring Substances (NOS)

Substance	Common Sources	NOPS Status
Caffeine and derivatives eg. Paraxanthine	Cacao, Tea, Coffee	Excluded
Theobromine	Cacao	Excluded
Theophylline	Tea	Excluded
Morphine & derivatives eg. Oripavine, Codeine and Thebaine	Opium Poppy (*Papaver somniferum)*	Excluded
Atropine/Hyoscamine	Deadly Nightshade *(Atropa belladonna* Jimson Weed (*Datura spp*.)	Excluded
Scopolamine/Hyoscine	Deadly Nightshade (*Atropa belladonna)* Jimson Weed (*Datura spp.*)	Excluded
Cannabidiolic acid (CBDA), Cannabidiol (CBD), Tetrahydrocannabinol (THC)	Hemp, Hemp fibre, plant material, seed and hemp seed oil.	Excluded
Sparteine	Lupin, Scotch Broom	Excluded
Bufotenine and derivatives	Canary grass and seed, Toads, Toadstools	Sensitive

Herbal NOS

These are substances either naturally present in certain herbs that could lead to a positive test in competition, or are substances that originate from weed materials contaminating herbal supplies. This list has been introduced based on analytical results over the period of the BETA NOPS® Code's existence. Testing for these substances should be done on a risk assessment basis and for many companies will be of little or no concern.

Substance	**Common Sources**	**NOPS Status**
Cathinone, Cathine, Digitoxin	Khat Foxglove	Excluded
Ephedrine, Pseudoephidrine,	Ephedra sp	Excluded
Reserpine	Indian Snakeroot, Devil's Pepper	Excluded
Synephrine*	Bitter Orange	Excluded
Harpagosides	Devil's Claw	Sensitive
Salicylic Acid	Willow Bark, Meadow Sweet	Sensitive
Valerenic Acid	Valerian	Sensitive
Yohimbine	Yohimbine Tree	Sensitive

For the purposes of clarity with regards to Herbal NOS, the NOPS Status refers to the use of the known or common source in equine feed by the Scheme Member.

*Synephrine is both a Herbal NOS and a Category 3 substance, dependant on its source.

Category 2: External Contaminant Substances (ECS)

Substance	**Source**	**NOPS Status**
Clenbuterol	Accidental contamination	Excluded
Ractopamine	Accidental contamination	Excluded
Zilpaterol	Accidental contamination	Excluded
Cocaine	Humans – recreational drug	Excluded
Methamphetamine	Humans – medication/ recreational use	Excluded
Salbutamol	Humans - medication	Excluded

This list of substances is by no means exhaustive and will be added to as our knowledge grows.

Category 3: Feed Additives, materials and other substances (FAMOS)
Present in feeds some of which may be screened for by regulatory bodies due to misuse by end users.

Others can be included as part of a feed's formulation but used with care and with an awareness of inclusion rates in relation to its content in finished products and likely feeding rates to horses.

Substance	**UK/EU status**	**Common Sources**	**NOPS Status**
Arsenic	Heavy Metal (Undesirable substance)	Feed material (eg. seaweed or minerals)	Legal limits exist for presence in ingredients and compound feeds. Racing screen for high levels.
Capsaicin	Feed material	Feed (Capsicum)	A banned substance under FEI rules and high levels screened for in racing and competition.
Cobalt	Trace element; additive	Premix and compound feed	Not a banned substance but high levels screened for in racing and competition. Listed as controlled medication by FEI.
Hordenine	Alkaloid Substance	Sprouting grains, malt extract	Controlled medication in FEI competition and high levels screened for in racing.
MSM	Feed material	Complementary feeds	Not listed on FEI EPSL but high levels screened for in racing. See IFHA residue limits.
Sodium bicarbonate	Feed material	Premix and compound feed	Not a banned substance but high levels screened for in racing and competition.
Synephrine	Alkaloid substance	Tall fescue grasses under certain growing conditions.	A banned specified substance under FEI rules and high levels screened for in racing and competition.

Analysis and Testing

There is no testing regime laid down within the BETA NOPS® Code or in BETA guidance notes accompanying the scheme. For a company to establish a practicable testing regime for the potential detection of these substances, a HACCP-based risk assessment should be carried out.

Testing frequency should be justified in accordance with an individual company's chosen approach to NOPS® risk management which must be in compliance with the BETA NOPS® Code.

For further detailed information please also refer to the separate BETA NOPS® Guidance on risk assessment for NOPS registered members.

AT RISK MATERIALS

At Risk materials are divided into two groups – Excluded and Sensitive.

1. Excluded at risk materials must be excluded from feed due to the material being at high risk of containing a NOS contaminant

2. Sensitive at risk materials may be used after appropriate risk assessment as detailed in part 3 of the Code.

The BETA NOPS® logo should not be shown on packaging, and an indication should be given that it is not for use during competition alongside a suggested length of time that the feed should be withdrawn before competition.

These lists are not exhaustive and will be revised as necessary.

Excluded list:

- Bakery and biscuit products and co-products, including biscuit meal.
- Confectionery co-products
- Traded grain screenings [Grain screenings are a by-product of cleaning rice, wheat, barley or oats for seed. It may include light, broken kernels, weed seeds and chaff etc.]
- Coffee and tea products and co-products
- Chocolate products and co-products
- Herbal raw materials appearing on the excluded list and/or known to contain a banned analyte e.g. Indian Snakeroot or heads
- Straw (which may be pelleted) from opium poppies (Papaver somniferum)
- Products and by-products from the processing of Papaver somniferum, eg. Seeds
- Hemp fibre, plant material, hemp seed oil or hemp seeds
- Lupins (where not assessed for presence of NOS)
- Teff Hay
- Bitter Orange

Sensitive List:

- Canary reed grass and seed
- Sprouting grains
- Herbs:
    - Devil's Claw
    - Willow Bark *NB In the UK this is considered a medicinal ingredient by the VMD and should not be used in formulations.*
    - Meadow Sweet
    - Valerian

PART 3

THE BETA NOPS® CODE

A Introductory Requirements

Clause	Requirement	Guidance
A 1	**Code Requirements**	
A 1.1	- Any company wishing to enter the NOPS® Code must be certified to a recognised HACCP based assurance scheme. - All equine feed produced or traded by a company/business entity audited to this Code must comply with its requirements. - All site addresses within a business trading under that name for equine feed must be certificated to the NOPS® scheme	Refer to Appendix A of the BETA NOPS® Code Terms & Conditions for a list of recognised assurance schemes. The NOPS® Code is a company not product scheme. Every equine feed bearing a NOPS® registered company name or brand name associated with the NOPS® certification, whether made in or packed in its own or a contracted plant must be compliant with the NOPS® code. Absence of the NOPS® logo does not mean that the product is not covered by the NOPS® Code unless specifically stated- refer clauses A3.3 and B 1.3.1
A 2	**Legislative and Other Requirements**	
A 2.1	All relevant current feed and feed safety legislation must be complied with.	Consideration must be given to legislation in country of manufacture as well as countries to which product may be exported. Attention should be paid to ensure that all feed ingredients used are authorised for use in the countries into which the feed is being marketed.
A 2.2	Companies should be aware of the rules applied by relevant sporting regulators in terms of prohibited substances. These should be reviewed at least every twelve months.	Different rules apply to horses participating in racing and FEI competition. Refer to Appendix E
A 3	**Information Claims, Labelling**	
A 3.1	Labelling and claims must comply with relevant marketing and use of feed legislation applicable in the countries in which the feed is being produced and sold. These should be reviewed at least every twelve months.	Refer to Appendix E

A 3.2	No guarantees (implied or direct) shall be given nor declarations made as to the NOPS® or prohibited substance free status of feeds nor shall any other such wording that implies similar be used.	- This also applies to the use of wording implying or stating that products are "tested" for prohibited substances. Testing of samples does not preclude positives occurring outside of the tested samples. - Ensure that if a product contains substances which are not on the NOPS® list, but may yield a positive test in competition, no NOPS® logo is shown and that there is appropriate advice on packaging.
A 3.3	Companies intentionally adding certain feed ingredients that may, if used in competition cause a positive test for controlled substances need to differentiate these products from the rest of their range.	– Companies who place product on the market that includes ingredients that may be viewed as suitable only for use in training i.e. "controlled" under FEI rules MUST NOT place the NOPS® logo on packaging. Examples of such ingredients include devils claw. – On websites or company literature it must be made clear that these products are NOT suitable for use during competition – A withdrawal period must be clearly stated on product packaging. – Consideration must be given to the line the product is manufactured on if containing such raw materials.
A 3.4	Companies wishing to make a general statement of quality relating to their NOPS certified products are advised to use the "Quality Commitment" statement quoted in Part 1, C2.12 of this Code.	Should the quality statement as detailed be used on bag or literature in part, the extract thereof and the surrounding text will be sent to BETA for approval to ensure the spirit of the Code is being adhered to.
A 3.5	If used, the correct version of the BETA NOPS® logo should be utilised.	With the change of definition, the wording around the top of the NOPS® logo will be amended. Scheme participants have the choice of changing and updating this logo from the current one.

A 4	Hazard Analysis Risk Assessment (HACCP) and associated documentation	
A 4.1	The risk assessment, based on HACCP principles, must consider the presence of NOPS as a hazard.	Category 1, 2 or 3 should be considered in any risk assessment. Refer to the separate BETA NOPS® Guidance on risk assessment for NOPS® registered Members

A 5	Maintenance of Supply	
A 5.1	Alternative supplies of finished equine feed products must be sourced from a manufacturer who is certified to this Code.	There should be a plan for supply of feed products to be sourced in the event of plant breakdown or emergency.
A 5.2	In the case of NOPS® certified ingredient suppliers (categories S, I1 and I2) experiencing an interruption in supply, alternative supplies when sourced must be risk assessed in line with the requirements of this Code.	There should be a plan for supply of feed materials to be sourced in the event of plant breakdown, interruption of supply or emergency. This applies to feed materials being used for the certified participant's own branded use, not for trading.
A 5.3	Where a company producing straights/feed materials for branded use by a Code member experiences an interruption of supply, then the Code member must risk assess the alternative supplier with respect to NOPS® prior to supply and then at a risk assessed frequency thereafter.	The straights/feed materials supplier should be risk assessed to the same criteria as those that apply to companies conforming to NOPS®. The Certification Body reserves the right to include a visit to the supplier as part of their inspection programme.

B Approval of Feed Ingredients and Suppliers (including contract manufacturers and packers)

B 1	Selection and Approval of Feed Ingredients	
B 1.1	The use of excluded at risk materials as shown in the Definitions is prohibited in equine feeds.	
B 1.2	All feed ingredients used must be assessed and documented to ascertain the risk of NOPS® being present.	– Possible contamination from feed ingredients or other materials at risk of containing NOPS® must be considered and appropriately controlled. – Knowingly supplying or using raw materials for compound feed ingredients (e.g. concentrate pellet) that is contaminated with a category 1 or 2 excluded NOPS® substance, at levels considered likely to cause a post-race/competition adverse analytical finding, without informing the customer in writing will result in immediate suspension from the Code and may result in withdrawal of the NOPS® certificate and expulsion from the Code and from membership of the scheme. – Where a contamination is confirmed by a certificate of analysis, this must be reported to BETA using the form in Appendix F. See D5.1. – Refer to Appendix E for further guidance.
B 1.3	Suppliers of feed ingredients must be made aware that they are to be used as an ingredient in equine feed certified to the BETA NOPS® Code. There must be written evidence to demonstrate this. If suppliers will not offer assurances in relation to NOPS®, the manufacturer has to assess the level of risk and implement mitigation actions where possible.	Written communication will enable companies to better assess the level of risk when sourcing raw materials and inform purchasing decisions. Suppliers should not be asked to guarantee or warrant feed ingredients.

B 1.3.1	Companies intentionally adding certain feed ingredients that may, if used in competition cause a positive test for controlled substances need to differentiate these products from the rest of their range.	Products formulated to contain herbs that are listed in the Sensitive List must be differentiated as follows: • The NOPS® logo MUST NOT be placed on packaging of such products. Examples of such herbal ingredients include Devil's Claw and Valerian. • On websites or company literature it must be made clear that these products are NOT suitable for use during competition. • An indicative withdrawal period should be clearly stated on product packaging.
B 1.4	The person(s) responsible for selection, approval and use of feed ingredients must have training regarding NOPS® and their likely sources.	Training records should show that the person has knowledge of all categories of NOPS®, the At Risk materials and possible routes of contamination.

B 2	**Customer requests for incorporation of own supplied ingredients or products**	
B 2.1	Incorporation of customers' own ingredients is not permitted in equine feeds produced by a NOPS® certified manufacturer unless the ingredient has been risk assessed for NOPS® by the NOPS® certified manufacturer.	Where there are multiple production lines, the requirements for the production line used for equine feeds extend from intake via storage to packaging or outloading.

B 3	**Contract manufacturing**	
B 3.1	If a BETA NOPS® member is contract manufacturing for another Code member the manufacturer must confirm that the contractee is a current, audited member to the Code. If their status changes, they must notifty the contract manufacturer.	The contract manufacturer can confirm current certification by checking the BETA NOPS® certificate checker on the BETA website. BETA NOPS Certification checker
B 3.2	If a BETA NOPS® member is contracting the manufacturing of its products to a third party then it must confirm that the company being used is a current, audited member of the code.	The contractor can confirm the current certification by checking the BETA NOPS® certificate checker on the BETA website. BETA NOPS Certification checker
B 3.3	If a BETA NOPS® member is contract manufacturing for a non-NOPS® certified company, the manufacturer must advise the customer that no claims referencing NOPS® certification may be made.	NOPS® is a registered trademark of BETA and may only be used by companies certified to the scheme. This will exclude claims around "made in a NOPS® approved or certified facility"

B 4	Supplier Approval	
B 4.1	Feed materials, additives, straights and pre mixes do not need to be sourced from a NOPS® certified supplier though a full risk assessment of the supplier and feed ingredient must be conducted.	Categories 1, 2 and 3 should be considered as part of the risk assessment. See B1.3.
B 4.2	Equine compound feeds, including those used as "concentrate" pellets in another product, manufactured by or on behalf of companies, which conform to NOPS®, must be sourced from a NOPS® certified manufacturer. The only exceptions are blends of two – five feed ingredients bought from a single company as an ingredient blend and not intended for direct feeding or to be marketed and sold as a branded compound in their own right.	This applies to all equine compound feeds including those that are contract manufactured. These must be considered and risk assessed under B4.1.
B 4.3	Unless suppliers of ingredients used or supplied for the use in equine feeds are also BETA NOPS® certified, the company must carry out an additional supplier assurance programme for NOPS®.	Current feed ingredient and compound feed assurance schemes do not cover NOPS® specifically but do confirm traceability. A supplier assurance programme is a supplier audit at a defined frequency based on risk assessment. Feed ingredients that do not originate from a NOPS® assured source must be risk assessed. Refer to Appendix E
B 4.3.1	Where ingredients are used on the same line as equine feeds but are not intended for equine diets then the requirement for NOPS® sourcing remains the same	Non-equine diets may be made on a NOPS® accredited equine line providing all ingredients have undergone appropriate risk assessments and are non-medicated.
B 4.4	Where a feed material supplier sources and packages straights for branded use by a Code member then the Code member must initially visit where practical, audit and risk assess the plant with respect to NOPS® and then risk assess as appropriate on an annual basis thereafter.	The feed material supplier should be audited to the same criteria as those that apply to companies conforming to NOPS®. The Certification Body reserves the right to include a visit to the contract packer site as part of their inspection programme.

B 4.5	Where a third party packs equine products in branded packaging for a Code member then, unless the packer is certified to BETA NOPS®, the member must visit, audit and risk assess the plant initially with respect to NOPS® and then risk assess as appropriate on an annual basis thereafter.	Equine products in this context could include treats, promotional samples, sachets, all of which must be manufactured by a BETA NOPS® approved manufacturer. The packing company should be risk assessed to the same criteria as those that apply to companies conforming to NOPS®. The Certification Body reserves the right to include a visit to the contract packer site as part of their inspection programme.
B 4.6	When communicating assurance requirements to feed ingredient suppliers reference must be made to the additional requirements of NOPS®.	A robust, supplier assurance program is required to help reduce the risk of contamination/NOPS® being present within a feed/feedstuff. The aim of communication with suppliers should be to gain sufficient information to assess the risk of NOPS® contamination, and encourage dialogue to identify solutions to any issues.

B 5	**Bulk and Sub-Contracted Bulk Haulage**	
B 5.1	Hauliers, including sub-contracted hauliers used to deliver or collect equine feeds in bulk must be made aware of the requirements of the BETA NOPS® Code.	All hauliers used to deliver or collect equine feeds in bulk should be informed of the list of "At Risk" materials, and of the requirements to accurately list the three previous loads.

B 6	**Sub-Contracted Stores Approval**	
B 6.1	A risk assessment must be carried out with respect to NOPS® for all contracted stores used.	Initial assessment may be carried out by a questionnaire, the results of which are then assessed by the NOPS® Code certified member.
B 6.2	Assessments of contracted stores used to store equine feeds or ingredients by the company must ascertain whether Excluded or Sensitive List "At Risk" materials have been handled or stored within the past three years, and ensure appropriate control measures are implemented. Site visits should be carried out as indicated by a risk assessment.	Stores should be informed of the list of At Risk materials. If Excluded or Sensitive "At Risk" materials have been stored in the previous three years, there must be evidence that cleaning has taken place subsequently. Cleaning methods used must be detailed and proportionate to the risk of the materials stored and risk posed.

C Operations

C 1	**Intake**	
C 1.1	Acceptance procedures for all raw materials (bulk, packaged etc.) must include reference to NOPS®.	Training of intake operatives should include visual recognition of At Risk Materials and of weed seeds and for the three previous loads for bulk deliveries.
C 2	**Transport & Intake of Bulk Raw Materials**	
C 2.1	Vehicles that have previously (in the last three loads) carried NOPS® Excluded materials as listed in this document must be rejected. Vehicles that have carried NOPS Sensitive materials must show evidence of appropriate cleaning.	This additional requirement should be communicated to all suppliers and hauliers as part of purchaser terms and conditions or contract. Cleaning methods used must be detailed and proportionate to the risk posed by the materials transported.

C 3	**Storage Operations**	
C 3.1	All returned or rejected feed or feed ingredients identified as a potential NOPS® risk must be identified and must be quarantined until release/ disposal is approved by the appointed responsible person(s).	Returned bags that are damaged or have been opened should be considered a high risk in terms of NOPS®, quarantined, and disposed of appropriately.

C 4	**Sub-Contracted Simple Processing**	
C 4.1	Mobile contractors must not be used for equine feeds.	

C 5	**Operating Procedures**	
C 5.1	Excluded At Risk materials as listed in the Definitions are prohibited from equine feed production lines.	Where there are multiple production lines, the requirements for the production line used for equine feeds extend from intake via storage to packaging or outloading.
C 5.2	There must be a documented procedure which details any products or raw materials of concern, the production areas/lines they are permitted on and any systems used to manage the risk.	Where raw materials are used which may pose a risk e.g. Devil's Claw or Valerian, clear procedures must be in place.
C 5.3	Feeds must be formulated by a designated and competent person(s) with appropriate experience and/or training to meet NOPS® requirements. Formulations must be reviewed every twelve months.	

C 6	Rework Rules	
C 6.1	Rules for reworking any materials must consider the risk of NOPS® and/or medicinal product contamination. Reworks or non-conforming material may only be used after risk assessment and after approval by the appointed responsible person(s).	Broken bags originating in-plant must be segregated and assessed for contamination risk before reworking is permitted.
C 6.2	Reworks originating from feeds for species other than equines must not be used in equine feeds, unless it is manufactured on a NOPS® line within the same facility.	

C 7	Dispatch of bulk finished product	
C 7.1	Vehicles that have previously (in the last three loads) carried NOPS® Excluded materials as listed in this document must be rejected. Vehicles that have carried NOPS® Sensitive materials must show evidence of appropriate cleaning.	This additional requirement should be communicated to all suppliers and hauliers as part of purchaser terms and conditions or contract. Cleaning methods used must be detailed and proportionate to the risk posed by the materials previously transported. See detailed guidance notes.
C 7.2	Medicated feeds should not be in the three previous loads.	

C Feed Quality Controls

D 1.1	At least one staff member must be designated as the person responsible for the requirements of the BETA NOPS® Code. The designated responsible person(s) must be familiar with NOPS® evidenced by participation in a BETA NOPS® training course.	The training record should show participation in the BETA NOPS® technical training course. Ongoing training must be evidenced, such as attendance at the BETA NOPS® Conference.
D 1.2	The quality system must incorporate the measures necessary to implement the requirements of this Code	Evidence must be given that any changes to the BETA NOPS® code have been noted and implemented if appropriate.
D 2	**Samples**	
D 2.1	Sampling methods must be appropriate for NOPS® and arrived at by applying the HACCP technique. A scheme member must be diligent in taking samples to ensure that they, where possible, are representative of the material(s) being sampled.	Where NOPS® distribution within a feed is general/ homogeneous in nature, an appropriate robust, practical, cost effective, sampling program can be devised which will help identify its presence.

		Where NOPS® distribution within a feed may be pocketed or non-homogeneous in nature this should be taken into consideration when developing a sampling programme. For both types of NOPS® distribution, a robust, supplier assurance program is required to help reduce the risk of contamination/ NOPS® being present within a feed. The schedule of assurance activity may therefore differ depending on the individual NOPS® and/ or the feed concerned.

D 3	**Analytical Schedule**	
D 3.1	The hazards associated with NOPS® must be considered in arriving at the analytical schedule	
D 3.2	The analytical schedule must include sampling and analytical procedures based upon a NOPS® risk assessment, along with methodology and details as to the frequency of internal and external analysis carried out on both incoming feed ingredients and finished feed.	The degree of sampling and analysis of feed ingredients and finished feed should be derived from a company's own individual risk assessment for NOPS®. Consideration should separately be given to each of the NOPS® categories defined. Analytical schedule and testing frequency should be justified in accordance with an individual company's chosen approach to NOPS® risk management which must be in compliance with the BETA NOPS® Code.

D 4	**Testing Facilities**	
D 4.1	When selecting a laboratory, the competence of the laboratory with regards to testing for NOPS® must be considered.	Where participants are undertaking their own testing in-house, consideration should be given to undertaking ring testing to validate accuracy.
D 5	**Incident Reporting**	
D 5.1	The integrity of the scheme relies on incident reporting of positives to identify potential issues that may pose a contamination risk for the wider membership. If a positive result is confirmed by a laboratory	All reports are treated confidentially. BETA operates an early warning system to alert other companies signed up to the NOPS® Code of any possible contamination issues. It is imperative

	finding for category I & II substances, this must be reported to BETA using the form in Appendix F. This should be within 72 hours of receiving a confirmation of a positive finding. If a finding is confirmed for a category III substance outside normal or risk assessed levels then this should be reported to BETA using the form in Appendix F. This should be within 72 hours of the confirmed finding. It is the responsibility of all parties, whether the contracted manufacturer or the brand holder to report detections to BETA. Records must be kept to demonstrate which NOPS® have been detected, what feed ingredients or product it has been detected in and when. **Participation in this system is compulsory for all NOPS® members.**	that contaminations are reported early so that action can be taken to limit potential issues on an industry wide scale. A laboratory finding is defined as a certificate of analysis indicating a result above the reporting level for that substance. Hordenine does not need to be reported. Initial notice may be given by phone however the reporting form in Appendix F should be used to confirm the details of the incident. For further details refer to the BETA NOPS® Guidance notes.
D 5.2	In the case of a NOPS® positive being notified to a company by a regulatory body or end user customer, the company must inform BETA immediately, who will in turn inform the relevant bodies.	Immediately means within 24 hours of notification to the certified participant.

D 6	**Corrective action following a NOPS® detection.**	
D 6.1	All detections of NOPS® must be investigated and appropriate action taken.	Reference D 5.1 Risk assessment will form the basis of the action taken. Knowingly supplying finished products that are contaminated with a NOPS® substance at levels likely to result in disqualification or disciplinary actions, without informing the customer in writing, will result in immediate suspension from the Code and may result in expulsion from the Code and ultimately BETA membership. Product containing sensitive NOPS® should be fully risk assessed and documented before disposal. Dispose of feed to an alternative species or a risk assessed non-sensitive

		non- competition/racing equine customer.

D Market Recall and incident management of NOPS® Positives

E 1	Market Recall as a result of NOPS® contamination	
E 1.1	There must be a written recall procedure, which is capable of being put into operation at any time, inside or outside normal working hours Any procedures should include contact details of relevant bodies such as BETA and the Certification Body.	The decision to recall product should be based on a company's own risk assessment and should be communicated to BETA and the Certification Body. In the case of a brand holder/contract manufacturer relationship processes for communication should be included in recall procedures.
E 1.2	In the event of a recall regarding NOPS®, the certified participant must inform BETA and the Certification Body within 24 hours.	BETA should be informed initially by phone or email and followed by a written report. See D 5.1.
E 1.3	If recalled or returned products are not destroyed, they should be disposed of to a non-NOPS® critical customer, with full traceability maintained.	

F Personnel

F 1	Training & Competency	
F 1.1	Staff training must include an understanding of NOPS® ingredients as listed in Part 2 and of their significance and potential risk to the finished feed.	Training records should confirm training relevant to the responsibilities and role of the individual.

F 2	Staff facilities	
F 2.1	Dedicated areas away from intake, production and storage should be provided for eating, drinking (other than water) and taking medication.	Certain food and drink pose a potential risk of NOPS® contamination. Medication (e.g. Asthma and diabetes), herbal remedies and vapes may all pose a potential risk of contamination.

G Medicated Feeds and Feeds containing Specified Feed Additives

G 1	Companies conforming to this Code must not produce or handle medicated feeds or specified additives on the same production line as equine feeds.	Where there are multiple production lines, the requirements for the production line used for equine feeds extend from intake via storage to packaging or outloading.

APPENDIX A

Companies wishing to join the BETA NOPS®Code must locate their Business Group and show compliance with at least one of the appropriate BETA NOPS® recognised HACCP based certification schemes listed against the relevant Business Group. The scope of certification must cover those products which are to be included under the NOPS®certificate scope.

NOPS®Business Group Classification	Feed Type	UFAS	GMP+	Ovocom FCA	QS	FAMI QS	FEMAS	EFISC GTP	BRC	SALSA	FeedSafe® (Australia)
M Manufacturers	Compound Feeds	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A	✓
BH1 Brand Holders	Compound Feeds	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A	✓
BH2 Brand Holders	Compound Feeds	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A	✓
BH3 Brand Holders	Compound Feeds	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A	✓
BH4 Brand Holders	Compound Feeds	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A	✓
P (Packers)	Compound Feeds	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A	✓
P (Packers)	Feed materials	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Feed additives	√	✓	✓	✓	✓	✓	N/A	N/A	N/A	✓
I1 (Producers/ Manufacturers)	Feed materials	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Feed Additives	N/A	✓	✓	✓	✓	✓	N/A	N/A	N/A	✓
I1 (Suppliers / Traders)	Feed materials	✓	✓	✓	✓	✓	✓	✓	N/A	N/A	✓
	Feed additives	✓	✓	✓	✓	✓	✓	N/A	N/A	N/A	✓

NOPS® Business Group Classification	Feed Type	UFAS	GMP+	Ovocom FCA	QS	FAMI QS	FEMAS	EFISC GTP	BRC	SALSA	FeedSafe® (Australia)
I2 (Producers/ Manufacturer)	Premixtures (as defined in Appendix B)	✓	✓	✓	✓	✓	✓	N/A	N/A	N/A	✓
I2 (Suppliers / Traders)	Premixtures (as defined in Appendix B)	✓	✓	✓	✓	✓	✓	N/A	N/A	N/A	✓
S (Straights Producers)	Straights (as defined in Appendix B)	N/A	✓	✓	✓	N/A	✓	✓	N/A	N/A	✓
S (Suppliers / Traders only)	Straights (as defined in Appendix B)	✓	✓	✓	✓	N/A	✓	✓	N/A	N/A	✓

Appendix B – Definitions and Glossary

Glossary

Analytical schedule	The schedule agreed by individual companies that describes what analytical testing is carried out each year and at what frequency. Also known as the testing regime.
At Risk Materials	Feed materials that have been known to contain NOPS®. These are divided into two groups – "Excluded" and "Sensitive". 1. Excluded at risk materials must be excluded from feed due to the material being at high risk of containing a NOS contaminant 2. Sensitive at risk materials may be used after appropriate risk assessment as detailed in part 3 of the code. No NOPS® logo should be shown on packaging, giving indication that it is not for use during competition and withdrawal advice required
Atypical Finding	Atypical Findings occur when a laboratory provides the results of their testing of a Sample to the regulatory body and more investigation/review is needed before it can be treated as an Adverse Analytical Finding ("AAF" i.e. a positive case). Certain Prohibited Substances are treated as Atypical Findings and are published by the regulatory body.
Audit	The official inspection of a scheme member's quality system, conducted annually, performed by the independent Certification Body contracted to the BETA NOPS® scheme.
Banned Substance	From FEI 2016 Veterinary Regulations: Any substance so described in the Equine Prohibited Substances List including its Metabolites and Markers. Banned Substances have been deemed by the Equine Prohibited Substance List Group to have no common legitimate use in the competition Horse and/or have a high potential for abuse.
Brand	A brand is a unique name, term or design given to a product or range of products and identifies the seller's goods distinct from those of other sellers of similar products. A brand can be a sub-brand of a parent company.
Brand Holder	The company who owns or is licensed to use the brand under

	which a NOPS®-certified product is marketed, and who is responsible for placing the product on the market. The brand holder may or may not manufacture the NOPS® certified product.
Bulk feeds	Unpacked feed or feed ingredients supplied loose or in quantities requiring mechanical handling
Certification Body	A specified independent and expert organisation that inspects BETA NOPS® applicants annually to ascertain with adequate confidence that the company conforms to the specific standards set by the BETA NOPS® Code.
Claim	A claim is any labelling or presentation which draws particular attention to the presence or the absence of a substance in the feed, or to a specific nutritional characteristic, or process, or specific function related to any of these.
Complementary Feed	Compound feed that has a high concentration of certain substances but which is only sufficient in a daily ration when used in combination with other feed. Complementary feeds in the equine sector include the following commonly described equine feed categories: chopped fibre blends, cubes and mixes, balancers, supplements and treats and licks.
Complete Feed	Compound feed, which by reason of its composition is sufficient for the entire daily ration.
Compound Feed	The mixture of at least two feed materials, whether or not containing feed additives, that is for oral feeding to animals in the form of complete or complementary feed.
Concentrate Pellet	A pelletised complementary compound feeding stuff that has a high concentrate of certain substances designed to be incorporated as a feed ingredient in another product and not marketed as a branded compound in their own right.
Contract packer	A company that is contracted by the Manufacturer or Brand Holder to pack a feed product.
Contract store	A company that is contracted by the Manufacturer or Brand Holder to store a feed ingredient or product.
Controlled Medication	From FEI 2016 Veterinary Regulations: Any substance, or its Metabolites or Markers, so described in the Equine Prohibited Substances List. Controlled Medication Substances are deemed by the Equine Prohibited Substance List Group to have therapeutic value and/or to be commonly used in equine medicine. However, Controlled Medication Substances have the potential to: a) affect performance, and/ or b) present a welfare risk to the Horse. Controlled

	Medication Substances are generally prohibited in Competition, but may be exceptionally permitted when their use has been authorised by the appropriate Veterinary Form.
Feed	Any substance or product, including additives, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals.
Feed Additives	Substances, micro-organisms or preparations, other than feed material and premixes, which are intentionally added to feed or water in order to perform, in particular, one or more of the functions mentioned in Article 5 of the EU Additives Regulations (R. 1831/2003): • Favourably affect the characteristics of feed • Favourably affect the characteristics of animal products • Favourably affect the colour of ornamental fish and birds • Satisfy the nutritional needs of animals • Favourably affect the environmental consequences of animal production; • Favourably affect animal production, performance or welfare, particularly by affecting the gastro-intestinal flora or digestibility of feedstuffs; • Have a coccidiostatic or histomonostatic effect. Reference should be made to the relevant list of additives. A full list of additive categories is contained in Annex I of EU 1831/2003. The UK register of feed additives can be found here: https://data.food.gov.uk/regulated-products/feed_authorisations Feed additives are classified for labelling purposes into the following categories: • Technological additives (e.g. preservatives, antioxidants, emulsifiers, stabilising agents, acidity regulators, silage additives) • Nutritional additives (e.g. vitamins, minerals, amino- acids, trace elements) • Zootechnical additives (e.g. digestibility enhancers, gut flora stabilizers) • Sensory additives (e.g. flavours, colourants) • Coccidiostats and histomonostats
Feed Business	Any undertaking whether for profit or not, and whether public or private, carrying out any operation of the production, manufacture, storage, transport or distribution of feed including any producer producing processing or storing feed for feeding to animals on his own holding.
Feed Business Operator (FBO)	The natural or legal person responsible for ensuring that the requirements of present regulations are met within the feed business under their control.
Feed Ingredients	Means all ingredients used in a compound feed, including feed

	materials, feed additives and any other materials or products necessary for the formation of the feed product.
Feed Materials	Products of vegetable (or animal) origin whose principal objective is to meet animals' nutritional needs, in their natural state, fresh or preserved, and products derived from the industrial processing thereof, and organic and inorganic substances whether or not containing feed additives, which are intended for use in oral feeding, either directly as such or after processing, or in the preparation of compound feed or as a carrier of premixtures.
Hazard Analysis of Critical Control Points (HACCP)	A business process that provides a systematic preventive approach to food safety and pharmaceutical safety by identifying physical, allergenic, chemical, and biological hazards in production processes that can cause the finished product to be unsafe, and then established procedures and measurements that aim to reduce these risks to a safe level. For the purposes of the BETA NOPS Scheme, NOPS are considered a feed hazard.
HACCP-based certification scheme	An independently run and audited feed safety scheme for compound feeds or feed ingredients that uses a HACCP approach and that is listed in Appendix A – List of recognised pre-requisite feed quality assurance schemes.
Herbal NOS	Substances that are either naturally present in certain herbs or botanical ingredients, or that originate from weed seeds contaminating herbal supplies, that could lead to a positive test post-competition or racing. These have been further subdivided into excluded and sensitive Herbal NOS
Excluded Herbal NOS	Herbal NOS listed as Banned Substances by the FEI.
Sensitive Herbal NOS	Herbal NOS listed as Controlled Medications by the FEI
Labelling	Attribution of words, particulars, trade-marks, brand name, pictorial matter or symbol to a feed by placing this information on any medium like packaging, container, notice, label, documenting, collar, or the internet referring to or accompanying such feed, including for advertising purposes.
Manufacturer	A business that produces feed materials, feed additives, premixes and compound feed.
Medicated feeds	Any mixture of veterinary medicinal product(s) and feed(s) which is ready prepared for marketing and intended to be fed to animals without further processing, because of its curative or preventative properties or other properties as a medicinal product.

Mineral Feedingstuff	A complementary feedingstuff containing at least 40% crude ash.
Natural and Other Prohibited Substances (NOPS®)	NOPS® refers to Natural and Other Prohibited Substances and will be classified in the following 3 categories: Category 1: Naturally Occurring Substances (NOS) - previously known as NOPS® and including substances that occur naturally in feed, feed materials and feed additives but are prohibited or restricted in competing equines e.g. Caffeine, Morphine. These are divided into NOS or herbal NOS and bear a NOPS® status of excluded or sensitive. Category 2: External Contaminant Substances (ECS) -including substances that aren't naturally occurring but present a safety and/or competition risk e.g. Zilpaterol, Clenbuterol. All are excluded. Category 3: Feed Additives, materials and other substances (FAMOS) present in feeds some of which may be screened for by regulatory bodies due to misuse by end users.
NOPS®-Certified Business	A Feed Business that has been successfully audited to the BETA NOPS® Code for any given year.
NOPS® Risk	The probability of causing an adverse impact (e.g. disqualification from competition, rejection of incoming load of feed material) as a result of the occurrence and the severity of a NOPS® hazard in equine feed products when prepared and/or consumed according to its intended use.
Premixture	A mixture of feed additives or a mixture of one or more feed additives with feed materials and/or water used as carriers, not intended for direct feeding to animals. For the purposes of clarity, compound feeds and simple blends used as ingredients in finished feed products are not considered premixtures.
Production Line	A discrete manufacturing line from intake to storage, packing and/or outloading.
Prohibited substance	The exact definition of a prohibited substance depends on the regulatory body. In racing, the International Federation of Horseracing Authorities (IFHA) refers to the International Agreement on Breeding, Racing and Wagering (IABRW) defines a Prohibited Substance in general terms, whereas in equestrian sport, the FEI publishes a defined list annually. IFHA defines substances that are prohibited *on race day only* as: "….any substance capable at any time of acting on one or more of the following mammalian body systems" (which are then listed). See Appendix E.

Raw material	Another term for feed material or additive.
Simple blend (including liquids)	A blend of 2 or more feed materials bought from a single company as an ingredient blend and not intended for direct feeding or marketed as a branded compound in their own right.
Specified Feed Additive	Term describing the following feed additives: i. Coccidiostats ii. Histomonostats and iii. all other zootechnical ingredients *with the exception of* : ▪ Digestibility enhancers ▪ Gut flora stabilisers ▪ Substances incorporated with the intention of favourably affecting the environment
Specified Substance (relating to Prohibited Substances)	Prohibited Substances that are identified as Specified Substances in the List … should not in any way be considered less important or less dangerous than other Prohibited Substances. Rather, they are simply substances which are more likely to have been ingested by Horses for a purpose other than the enhancement of sport performance, for example, through a contaminated food substance.
Straight	A vegetable or animal product in its natural state, fresh or preserved, and any product derived from the industrial processing thereof, and single organic or inorganic substance, whether or not it contains any additive, intended as such for feeding.
Supplement	There is no legal definition of supplements in current feed law; essentially supplements are complementary compound feeds. In practice however they constitute a specific category of feedstuffs, typically forming no more than 5% of the total ration by weight. The supplement category can then be divided according to core purpose: ➢ ***Fundamental dietary supplements*** - used to balance the ration and thereby ensure that specific dietary goals are attained. ➢ ***Specialised dietary supplements -*** intended for specific benefit beyond normal nutritional needs, but not including legally defined drugs. This definition includes the various nutraceuticals and other nutrients that are commonly suggested to have highly supportive effects on, for example, health, performance and behaviour.

	Supplements are commonly presented in powder, pellet, liquid or paste form.
Supplier	Organisation or person(s) that directly supply the Manufacturer or Brand Holder with feed ingredients or compound feeds.
Supplier Assurance Program	The series of activities a manufacturer or brand holder undertake to demonstrate their suppliers meet their required feed safety and NOPS standards for the feed material, feed additive or compound feed supplied. This may include some or all of supplier assessment, questionnaires, visits, audits, ingredient QC and annual review of supplier performance.
Testing regime	The schedule of analytical testing, including the type of test and the frequency of testing, determined as appropriate to identify and manage the risk of NOPS® in the feed ingredients and products used by individual companies within the BETA NOPS® Scheme.
Traceability	The ability to trace and follow a food, feed, food producing animal or substance intended to be, or expected to be, incorporated into a food or feed, through all stages of production, processing and distribution.

APPENDIX C - CERTIFICATION BODY DETAILS

Kiwa Agri Food T: +44(0)1423 878873
The Inspire Hornbeam Square West
Harrogate, HG2 8PA, UK E: uk.feed@kiwa.co.uk

APPENDIX D – BETA Contact details

British Equestrian Trade Association T: +44 (0) 1937 587 062
Carlshead Business Centre,
Paddock House Lane, Sicklinghall
Wetherby, West Yorkshire
LS22 4BJ E: info@beta-uk.org

APPENDIX E – References

The following documents are available to BETA or BETA NOPS® Members:

- BETA NOPS® Guidance - Risk Assessment v4
- Keeping it Legal- BETA Guide to the regulations governing equine feed manufacturing in the UK (2015)
- List of BETA NOPS® substances and their status within racing and the FEI – Jan20
- Review of naturally occurring prohibited substances in horse feed – BETA co-commissioned report with Red Mills and Dr T Morris.
- Emerging Risks – The Feed Producers View. Horizon Scanning for the next Zilpaterol. Mike Shields, BETA NOPS® Conference 2023 Proceedings

Useful links to the Rules of Racing in the UK and Internationally

- The new Rules of Racing website – Chapter K (Anti-Doping) and Code 18 (Prohibited List Code) should be relevant: http://rules.britishhorseracing.com/#!/book/34/contents

- The BHA Website FAQs – Equine Anti-Doping and Medication Control: https://www.britishhorseracing.com/about/faqs/#!/78

- The BHA Website – Anti-Doping and Medication Control – Prohibited Substances:

  https://www.britishhorseracing.com/regulation/anti-doping- medication-control/prohibited-substances/

- International Federation of Horseracing Authorities residue limits https://www.ifhaonline.org/default.asp?section=IABRW&area=18

  FEI ATF Policy: https://inside.fei.org/fei/cleansport/horses/atypical-findings

APPENDIX F: INCIDENT REPORTING FORM FOLLOWING A LABORATORY DETECTION OF A BETA NOPS® LISTED SUBSTANCE

(AS REQUIRED UNDER D5 OF PART 3 OF THE BETA NOPS® CODE)

Date:

Company Name		
Person reporting incident Title		
Date detection reported by Laboratory		
Name of Laboratory undertaking testing. Please mark as appropriate:	External In-House	
Feedstuffs affected. Please note as appropriate	Feed Ingredient	Finished product
Name, type and country of origin of material(s) affected		
Brand and product description affected		
Substance detected		
Level (if known)		
Limit of detection of test conducted		
Please provide details of the supply chain (i.e., supplier and/or material) or cause of contamination.		
Actions being undertaken. This may include subsequent confirmatory analysis of original product, testing of composite samples, breaking out composite sample into its individual components for further analysis, notification of supplier.		

Depending on the incident, regular updates should be provided to BETA on a regular basis, agreed in discussion with BETA.

Further details should be sent to BETA on conclusion of investigations.

This should include action taken in closing off this incident, recalls, etc. if the source cannot be determined this should also be reported.