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Directorate F - Food and Veterinary Office

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FINAL REPORT OF A MISSION

CARRIED OUT IN POLAND

FROM 6 TO 17 SEPTEMBER 2004

IN ORDER TO REVIEW THE ACTION TAKEN

BY THE COMPETENT AUTHORITIES

WITH REGARD TO THE UP-GRADING OF CERTAIN CLASSES

OF FOOD PROCESSING ESTABLISHMENTS,

ANIMAL HEALTH CONTROLS

AND CONTROLS OVER CERTAIN PRODUCTS OF ANIMAL ORIGIN INTENDED

FOR HUMAN CONSUMPTION

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1. EXECUTIVE SUMMARY

New legislation came into force on 1 May 2004 which has strengthened the vertical chain of command within the veterinary services. Council Directive 2003/85/EC on Community measures for the control of foot-and-mouth disease is not transposed.

Concerning the eradication programmes for TB, brucellosis and EBL, the situation of TB and brucellosis is generally satisfactory, whereas the incidence of EBL-positive animals is currently more than 0.3% in Poland. However, the accuracy of this information is questionable as more than 15% of eligible bovine herds were not tested for TB, brucellosis and EBL during the last three years.

The information on the TB eradication programme for the years 2001–2003 provided to the Commission services by the CCA is based on the definition of positive cases as laid down in Polish legislation. Based on the definition provided for by Council Directive 64/432/EEC, the number of positive cases is higher than the number reported.

The Polish monitoring programme for Classical Swine Fever was poorly implemented.

Whilst all bovine holdings are now registered by the ARMA system, the registration of the holdings of the other relevant species is still incomplete.

Although some farm inspections have been completed, the information held on the bovine database is not systematically validated as foreseen in Commission Regulation (EC) No 1082/2003. Commission Regulation (EC) No 494/98 is not implemented systematically. Although systems for notifying bovine births, deaths and movements have improved and data entry backlogs have been cleared, the maximum delays specified in Regulation (EC) No 1760/2000 of the European Parliament and of the Council are commonly exceeded.

No reliable and up-to date lists of establishments approved for intra-Community trade were available at the time of the mission.

Products produced in approved establishments were not health marked as specified in Community legislation, precluding any meaningful verification of the status of the products. Controls in place are inadequate to ensure that only eligible raw material is accepted into approved establishments and examples were seen that non-eligible raw material was processed in establishments approved for intra-Community trade.

In numerous establishments visited, the CA had failed to identify major deficiencies regarding structure, layout and equipment. Moreover, the CA did not systematically enforce relevant provisions, in particular with regard to hygiene of operations, operator's own-checks and the handling of animal by-products. Official supervision of cutting plants had not yet been set up in the regions visited.

Provisions of Commission Decision 2000/571/EC laying down the methods of veterinary checks for products from third countries destined for introduction into customs warehouses have not been respected. Official controls over powdered milk-based products, which should have been subject to the specific warehouse procedure, could not guarantee that the product is not introduced into the Community.

Although the CA have partially taken into account the recommendations of the previous missions, the action taken has not resulted in a satisfactory level of compliance in the areas covered by this mission. The control systems currently in place cannot guarantee that essential provisions of Community legislation are complied with.

2. ABBREVIATIONS AND SPECIAL TERMS

AM	Ante Mortem Inspection
ARMA	*Agencja Restrukturacji i Modernizacji Rolnictwa* Agency for Restructuring and Modernisation of Agriculture
BIP	Border Inspection Post
CA	Competent Authority
CCA	Central Competent Authority (General Veterinary Inspectorate, State Sanitary Inspectorate, ARMA)
CD	Council Directive
CDB	Central Database
CSF	Classical Swine Fever
CVED	Common Veterinary Entry Document
CVO	Chief Veterinary Officer
DG(SANCO)	Health and Consumer Protection Directorate-General
DVO	District Veterinary Officer/Office
EBL	Enzootic Bovine Leucosis
EU	European Union
FVO	Food and Veterinary Office
GUS	*Glówny Urząd Statystyczny* Polish Statistical Institute
GVI	General Veterinary Inspectorate
HACCP	Hazard Analysis Critical Control Point
HC	High Capacity
LC	Low Capacity
PM	Post Mortem Inspection
RVO	Regional Veterinary Officer/Office
SB	Establishment authorised for direct sale
SMP	Skim Milk Powder
SPIWET	Standardised model of veterinary report on establishments
SSI	State Sanitary Inspection
TB	Tuberculosis
TP	Establishment with a transitional period

3. BACKGROUND TO THIS MISSION

This mission was the first FVO mission in the specified sectors since accession of Poland to the EU. Prior to accession, the FVO carried out missions in the framework of the accession preparations of Poland, in order to assist and monitor progress with the adoption of the relevant EU requirements. Following these missions, recommendations were *inter alia* made with regard to the following points:

- To take all necessary measures to address the shortcomings identified in relation to monitoring/eradication of animal diseases.
- To review the planning and targeting (at-risk holdings) of the CSF sero-surveillance programme. To use validated screening methods for CSF testing.
- To take urgent action in order to solve outstanding issues in relation to holding registration, the central database and animal identification
- To urgently take measures to ensure reliability of the data included in the central bovine database. In particular, to ensure that the data in the CDB reflects the situation in the field.
- To re-evaluate all establishments in Poland in order to detect deficiencies in relation to structure, layout and equipment as identified by the mission team. To take the necessary action to ensure that deadlines for completion of outstanding deficiencies are realistic.
- To enforce supervision of district CA by the regional CA during preparation of the lists of establishments to be approved for intra-Community trade.
- To urgently address deficiencies, which have repeatedly not been identified during the assessment of establishments, in all establishments concerned.
- To review dairy establishments listed for segregation of milk in light of the outcome of this mission.

Following these missions the competent authority undertook to take the relevant corrective actions in response to recommendations made.

4. OBJECTIVES OF THE MISSION

The objective of the mission was to review the action taken by competent authorities for the upgrading of certain classes of food-processing establishments and animal health controls in response to previous FVO missions and to evaluate the controls over certain products of animal origin intended for human consumption in the framework of the Community legislation listed in the following section.

In pursuit of this objective, the following sites were visited:

COMPETENT AUTHORITY VISITS			Comments
Competent authorities	Central	3	GVI, SSI, ARMA
	Regional	6	6 regions visited out of 16, 2 ARMA regional offices
	Local	13	During individual visits and at establishment level, 2 ARMA local offices

LABORATORIES		Comments
Regional laboratory	1	Animal health diagnostics
LIVE ANIMAL SITES		
Animal collection centre/market	2	
Farms	5	5 cattle and one sheep farm

The table below indicates the number of activities evaluated by the mission team in food processing establishments. One establishment can have more than one activity.

ACTIVITIES IN FOOD PROCESSING ESTABLISHMENTS		Activities in total			
		HC compliance Now	TP*	LC establishments	Total
Slaughterhouses (red meat)		3	0	2	5
Cutting premises (red meat)		5	2	1	8
Wild game processing		1	0	-	1
Meat product premises (red meat)		3	2		5
Milk processing premises		3	1	0	4
Warehouse		-	-	-	1
Total		15	5	3	**24**

*TP= Transitional Period

5. MAIN FINDINGS AND CONCLUSIONS

5.1. Competent authorities

Conclusions

New legislation came into force on 1 May 2004 which has strengthened the vertical chain of command within the veterinary services from the General Veterinary Inspectorate to the regional and local veterinary authorities.

The CCA has issued two instructions with regard to supervision and approval of food-processing establishments.

National legislation has been put in place between June and August 2004 introducing the square mark for products produced in establishments benefiting from a transitional period.

The Veterinary CA and ARMA are working co-operatively on animal identification and registration; however co-operation is not sufficient to establish effective systems.

Findings

With regard to the organisation of the Veterinary CA the Act on Veterinary Inspection, which entered into force on 1 May 2004, established a direct line of command from the Chief Veterinary Officer (CVO) to the regional officers as well as a direct line of command from the regional Veterinary Officers to the district Veterinary Officers. Moreover the staff at the Border

Inspection Posts (BIP) has been integrated into the General Veterinary Inspectorate.

With regard to controls over food-processing establishments two CVO instructions have been issued:

One CVO Instruction has been issued on 30 August 2004, which follows an instruction of 2003 on inspection frequencies and scope of inspections in various types of food-processing establishments. This instruction includes the provision that establishments approved for trade will be inspected once per year by the regional CA.

The other instruction was issued on 1 September 2004 and is concerned with approval (as well as suspension and withdrawal of approval) of food-processing establishments.

In the period from June to August 2004 national legislation on the marking of products produced in establishments benefiting from a transitional period was introduced. With this legislation the use of the square health mark is compulsory for white meat (19 June 2004), red meat (22 June 2004), meat products (29 June 2004) and dairy products (30 August 2004).

With regard to animal identification and registration, the law of 2nd April 2004 lays down the separate tasks to be carried out by the Veterinary CA and ARMA. Joint working groups have been established to develop procedures for farm inspections and the exchange of information on discrepancies found and to improve access to the database. The work of these groups is still at an early stage.

5.2. Animal health controls

Conclusions

Council Directive 2003/85/EC on Community measures for the control of foot-and-mouth disease is not transposed into Polish law. Annex A, point 7(c) and Annex D, point E(b) of Council Directive 64/432/EEC regarding the mandatory notification of cases of bovine abortion and of the presence of tumours suspected of being due to EBL, respectively, are not fully transposed.

Concerning the eradication programmes for TB, brucellosis and EBL, the incidence of TB- and brucellosis- positive animals is 0.015 and 0.001, whereas the incidence of EBL- positive animals is currently more than 0.3% in Poland. However, the accuracy of this information is questionable as more than 15% of eligible bovine herds were not tested for TB, brucellosis and EBL during the last three years.

The information on the TB eradication programme for the years 2001–2003 provided to the Commission services by the CCA is based on the definition of positive cases as laid down in Polish legislation. Based on the definition provided for by Council Directive 64/432/EEC, the number of positive cases is higher than reported.

The supervision from regional to district level was ensured at the regional and district offices visited. However, deficiencies were identified regarding the completion of the test plan within the district visited, the supervision of the approved practitioners and operation of approved facilities.

The number of aborted bovine placentae examined for Brucella bovis at the regional laboratory visited was very low and the number of tumours suspected of being due to EBL that were examined was not available. At a district office visited, a lack of detailed instructions meant that the epidemiological investigation of an EBL infected animal was insufficient.

Concerning the monitoring programme of classical swine fever (CSF) in wild boars, which is established by the Polish CCA, data provided were unreliable at one DVO visited as the size of the wild boar population had been under-estimated. Consequently the target figures for testing for CSF in wild boars were too small. At this district, the weak implementation of the national monitoring programme for CSF in wild boars can not provide sufficient guarantees that the entry of CSF virus into the territory of Poland would be detected at an early stage.

Findings

Legislation

The CCA stated that the planned transposition of Council Directive 2003/85/EC on Community measures for the control of foot-and-mouth disease into Polish law was inadequate as it would not transpose all provisions of this Directive.

The Veterinary Instruction of 29 July 2003[1] laying down that "every case of abortion must be investigated in laboratory for isolating *Brucella* rods at veterinary hygiene facilities", is not in line with the EU-requirement on mandatory notification of cases of abortion and investigation by the CA (Point 7 (c) of Annex A of Council Directive 64/432/EEC as amended). The mission team received no evidence that the presence of tumours suspected of being due to EBL is compulsorily notifiable in Poland (Point E (b) of Annex D of Council Directive 64/432/EEC as amended).

Eradications Programmes for Tuberculosis, Brucellosis and Enzootic Bovine Leucosis

Eradication programmes for tuberculosis (TB), brucellosis and enzootic bovine leucosis (EBL) have been in place for decades.

Concerning official controls on eradication of notifiable diseases of bovine animals, the mission team noted that:

[1] Veterinary Instructions of 29 July 2003 on procedures related to fighting brucellosis in animals (No/GIWz). VIII. 410/Br – 2/2003), point I (3).

- a supervision system is in place from regional to district level and to the approved veterinarians who are responsible for carrying out blood sampling and TB tests;
- agreed working plans at central, regional and district levels regarding the implementation of the eradication programmes in place are in operation;
- at the cattle market visited, the supervising approved veterinarian did not receive any information from the responsible DVO about the number and the health status of the animals which will be brought to the market;
- at an approved cattle market visited, no cleansing or disinfection facilities were available, and at an approved collection centre visited the cleansing and disinfection of the stables was poor.

According to Polish legislation one third of the bovine herds are tested each year for TB, brucellosis and EBL. In 2002, data from the Polish Statistical Institute (Glówny Urząd Statystyczny - GUS) indicated that there were 935,193 bovine herds in Poland. The CCA stated that the total bovine population has decreased over recent years and was 5,652,154 animals in 2003. The following table indicates the numbers of herds and animals tested and the number of positive cases for TB, brucellosis and EBL over the last three years in Poland:

	Tuberculosis			**Brucellosis**			***Enzootic bovine Leucosis***
Year	Number of tested herds*	Number of tested animals*	Positive cases*	Number of tested herds*	Number of tested animals*	Positive cases*	*Positive cases*
2001	292,672	1,488,621	156	273,756	1,160,325	17	*22,630***
2002	243,317	1,574,819	275	243,317	1,121,743	17	*17,000**
2003	268,884	1,724,936	309	266,387	1,211,775	7	*10,000**
Total	***804,873***	***4,788,376***	***740***	***783,460***	***3,493,843***	***41***	***49,630***

*Figures were provided by the CCA ** number from the OIE website

Regarding the testing regime the mission team noted that

- the table above showed that in the years 2001, 2002 and 2003 out of 5.6m bovine animals only 4.8m were tested for TB (84%) and 3.5m for brucellosis (61%);
- over the same period out of 0.94m bovine herds in Poland only 0.80m were tested for TB (85%) and only 0.78m for brucellosis (83%), indicating that at least 15% of the eligible herds were not tested;
- the number of herds tested for EBL was judged as similar to the figures for brucellosis as the same blood samples were used for testing for brucellosis and EBL. The number of animals tested for EBL was reckoned to be smaller than the number tested for brucellosis as the age categories for the testing of animals were generally respected on the farms visited. Additionally, most of the male animals were slaughtered younger than 24 months. Therefore, the bovine population tested for EBL is similar to the number of cows in 2003 in Poland (3m);

- whilst the results for TB and brucellosis indicate a low incidence, the results for EBL, although decreasing, are at a high level with approximately 50,000 positive cases being detected over a three year period. However, in accordance with Polish legislation[2], in districts where the incidence of EBL negative herds is not above 99.8%, the whole bovine population has to be examined. Therefore, the annual incidence of EBL-positive animals is estimated to be at least 0.3% (10,000 out of 3m).

With regard to the information on the TB eradication programme for the years 2001-2003 provided to the Commission services, the mission team noted that the number of positive animals was equal to the number of positive animals that gave a positive reaction to the skin test and in which subsequent laboratory investigation confirmed the presence of TB. The Polish 'Application for Community financing for the programme of eradication, monitoring and control of bovine tuberculosis' submitted to the Commission services is not based on the definition of positive cases as laid down in Council Directive 64/432/EEC. It has to be noted that the provisions of Council Directive 64/432/EEC were not a legal requirement at the time. Taking into account the definition of above Community legislation the number of positive cases is higher than reported in the Polish application document.

As a result, both the number of positive animals reported and the estimated animal prevalence for each of these years are too low. The prevalence of TB in Poland is not 0,004 (in 2001) or 0,006 (in 2002 and in 2003) but 0.015 for the time period 2001-2003.

Regarding **TB-testing**, the mission team noted that in both regions visited no positive animal was detected within the last three years. The TB-lists were tidy and complete. However, the TB report completed by one practitioner contained unrealistic skin fold thickness measurements. The responsible official had not detected this mistake during his inspection of the performance of the practitioner in question.

At district level, no cross-checks were carried out between the number of herds and animals tested in the current year and information on the ARMA database or information on tests completed in previous years. Consequently, the DVO did not send reminders to veterinarians in the field regarding pending tests.

The CA did not take action where all eligible animals in a herd were not tested. On one farm visited, 43 out of 54 animals were tested for TB. Of the 11 animals not tested only six were less than 6 weeks of age. The others were in the late stages of pregnancy or were ill but they were not subsequently tested once they had given birth or had recovered.

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[2] Regulation of Minister of Agriculture and Rural Development Nr 571 of 4 April 2003 concerning the specification of diseases, the method of carrying out of inspection, the scope of tests and the rules for financing thereof. § 9, point 2.

Regarding **brucellosis-testing**, the mission team noted that in both regions visited no positive animal was detected within the last three years. At a regional veterinary laboratory visited only 3 aborted placentae were investigated in 2003 (24 aborted placentae had been investigated in the first eight months of 2004).

Regarding **EBL-testing**, the mission noted that

- the CCA stated that there is neither the legal basis nor enough public means for compensation for the immediate slaughter of animals with positive test results. The CCA stated that priority is given to the eradication of BSE, brucellosis and TB. However, in the two regions visited the CA stated that there were sufficient public funds for the compensation of the farmer for slaughtering an EBL-positive animal;
- although the CCA stated that the suspicion that tumours may be due to EBL is compulsorily notifiable in Poland, the number of such tumours which have been examined after notification was not available;
- in one DVO visited, neither the instructions nor the form to be used for epidemiological investigations were very detailed. In a positive case of EBL the epidemiological investigation of the source of the infection was incomplete due to the fact that the cattle trader who had sold the animal in question could not be identified.

Monitoring programme of CSF in wild boars

At one DVO visited the mission team was provided with data in respect to the monitoring programme of CSF in wild boars established by Polish legislation[3]. The district was categorised as a low risk area, indicating that 5% of the wild boar population has to be tested.

	Estimated population of wild boars in the district	Wild boar density (animals per km²)	Number of wild boars which should be tested	Number of wild boars shot in the previous year	Number of dead wild boars found and tested in the previous year	Number of wild boars which were tested	Test result against CSF of the tested wild boars
2003	260	0.21	13	261	0	7	negative
2004	275	0.22	12	200	0	n. a.	n. a.

The mission team noted that:

- the estimate of the wild boar population was low compared to the anticipated number of animals that would be shot. In 2003 the wild boar population was estimated to be even smaller than the number of animals that were expected to be shot.

[3] Regulation of Minister of Agriculture and Rural Development Nr 571 of 4 April 2003 concerning the specification of diseases, the method of carrying out the inspection, the scope of tests and the rules for financing thereof. § 4, point 3 to 5.

- consequently, the estimate of the density of wild boars within this district is too low.
- although the target number of 13 animals to be tested in 2003 was not met (only 7 animals) the CA took no action to ensure that a sufficient number of wild boars would be tested in future. Moreover, the CA reduced the number of animals to be tested to 12, not taking into account that according to Polish legislation 5% of the wild boar population (275 animals) should be tested in low risk areas each year.

5.3. Holding registration, animal identification, movement controls

Conclusions

All animals seen were identified properly. However, the eartags or tattoos on sheep did not enable the holding of origin to be determined. Whilst all bovine holdings are now registered in the ARMA system, the registration of the holdings of the other relevant species was still insufficient. One out of four holding registers examined was kept well. Some holding registers covered two holdings under the same ownership. The ARMA print-outs of the eartags on the animals present on the holding were mostly incorrect. No holding register was available on the sheep farm visited.

Findings

Animal Identification

All bovine animals on the farms, the market and collection centre visited were identified individually. On the sheep farm visited, all sheep were individually identified with an eartag or tattoo. However, the eartags or tattoos did not make it possible to determine the holding from which they came and did not enable reference to be made to movement documents or the holding register.

Holding Registration

The following table provided by ARMA shows the number of registered herds in Poland within the ARMA system on 26 August 2004 compared with statistical data from GUS in 2002:

	Bovine holdings	Porcine holdings	Ovine holdings	Caprine holdings
Number of holdings registered by ARMA	946,813	187,077	1,469	613
Number of holdings provided by GUS	935,193	760,569	17,895	683,365

Percentage of holdings registered by ARMA	101.2 %	24.6%	8.2%	0.9%

The table above indicates that, according to the information provided by ARMA, all bovine holdings in Poland are now registered. However, the registration of the porcine, ovine and caprine holdings is unsatisfactory because it only started recently.

Whilst all bovine farms visited were registered in the ARMA system the sheep farm visited was not. The cattle market visited had the same holding number as the slaughterhouse to which the animals were brought after they were sold. The collection centre visited was registered by ARMA as a farm.

Holding registers

On all bovine farms, farm registers were presented to the mission team. However, only one out of four met the requirements as laid down in Article 8 of Commission Regulation (EC) No 911/2004. In one farm register one animal was missing and in another there was one animal too many. One farm register was kept in an unacceptable way in respect of entries and dates.

On two holdings under the same ownership only one holding register was kept for both holdings which were far apart.

The holding register of the collection centre visited did not always mention the destination of the animals.

The requested ARMA print-outs of the eartags of the bovine animals, present on the farm on the day of the inspection, did not match the situation found on-the-spot.

No holding register was available on the sheep farm visited.

5.4. Central database and on-the-spot inspections

Conclusions

The bovine database includes the information required on animals and holdings. The system includes effective cross-checking facilities designed to ensure the quality of the information recorded.

Although some farm inspections have been completed, the information held on the database is not systematically validated as foreseen in Commission Regulation (EC) No 1082/2003.

Although systems for notifying bovine births, deaths and movements have improved and data entry backlogs have been cleared, the maximum delays specified in Regulation (EC) No 1760/2000 of the European Parliament and of the Council are commonly exceeded.

Commission Regulation (EC) No 494/98 is not implemented systematically.

The Veterinary Inspectorate does not have the access to the ARMA database of animal holdings foreseen in Article 3 of Council Directive 92/102/EEC.

Findings

The mission team examined the bovine database and verified that it:

- includes the information on bovine holdings and animals specified in Regulation (EC) No 1760/2000 of the European Parliament and of the Council;
- includes the means to validate identification codes for animals and herds;
- checks the consistency of new data added to it against information already received;

Responsibility for carrying out on-the-spot inspections within the framework of the system for the identification and registration of bovine animals rests with the Veterinary Inspectorate, which also provides information to enable ARMA to conduct the risk-based selection of holdings for inspection.

The CAs confirmed that no report complying with the model defined in Commission Regulation (EC) No. 1082/2003 would be sent to the Commission for the year 2003. However, they intended to commence on-the-spot inspections during October 2004.

A risk-based model has been prepared for the selection of holdings for inspection. However, the CAs had not collated the data on which the risk evaluation will be based. Procedures for carrying out the inspections had not been finalised nor had training been provided for the inspectors.

Although no statutory inspections have been completed, both the Veterinary Inspectorate and ARMA have conducted a limited number of herd inspections with a view to evaluating compliance with identification and registration requirements on the spot.

Between April and August 2004 the Veterinary Inspectorate completed 45,816 farm visits as part of a programme of inspections to evaluate the identification and registration of animals. During these inspections an extended list of checks were carried out. The CA stated that 289 administrative decisions had been issued, which included the imposition of movement restrictions on animals or herds and the destruction of unidentifiable animals.

During April 2004 ARMA officials in 314 district offices inspected a total of 4,931 herds. Whilst the database indicated that these herds contained 102,799 animals only 84,160 were found on the spot. In approximately 20% of the herds the situation on the spot matched the information on the database. In almost 40% of cases the holding register was incomplete or missing and in approximately 40% of cases some notifications were outstanding. No sanctions were imposed on the keepers of herds in which discrepancies were detected during the ARMA inspections.

During its visits to holdings the mission team found that births were generally notified to ARMA within 27 days but that on numerous occasions delays of more than 14 days occurred before the passport was issued.

Movements were typically recorded on the database more than one month after the event. Improvements already made to the systems for entering information on the database and the deployment of additional staff meant that notifications are entered promptly and no backlogs exist. The delays were principally caused by the failure of keepers to submit information to ARMA in time. The following table shows the proportion of notifications received within set time periods:

	0-3 days	**4-7 days**	**8-27 days**	**>27 days**
Births	35%	30%	20%	15%
Movements	12%	5%	18%	65%

Where keepers fail to make notifications or where notifications are not consistent with other information registered on the database the histories of the animals involved are marked as 'incoherent'. At the start of September the live cattle population registered in the database was 5,918,165 and 1,915,098 animals were marked as 'incoherent'.

The number of cases in which administrative sanctions, including restrictions on the movement of animals and the destruction of unidentifiable animals, have been applied is very small. The Veterinary Inspectorate advised that their officials had issued 289 administrative decisions concerning the holdings inspected between April and August 2004.

Information on the outcome of inspections is not systematically exchanged between the Veterinary Inspectorate and ARMA. Details of administrative decisions made by the Veterinary Inspectorate concerning holdings are not recorded on the database, rendering the proper enforcement of any movement restrictions imposed very unlikely. No sanctions have been imposed on holdings on which discrepancies were detected during ARMA inspections.

Although the CAs claim that all bovine holdings and a significant number of holdings for other species are registered on the database, no facility was available at local or regional level to generate a list of holdings plus number of animals on each within a district or village. Such a report could only be generated at central level by ARMA system administrators.

In each ARMA district office a computer terminal is dedicated for use by named veterinary officials from the district Veterinary office. In practice, only one veterinary official in each district and two at regional level have been assigned the necessary user codes and passwords to enable them to access the database. Their lack of training and familiarity with the system means that veterinary officials made only limited use of the information held on the database.

5.5. Establishment approval

Conclusions

Between the first of May and the end of August 2004, numerous food processing establishments were operating without approval.

Substantial deviations from Community provisions were encountered in the administrative decisions issued for the approval of food-processing establishments. In particular the provisions of Article 4 of Council Directive 64/433/EC, the provisions of Article 10 of Council Directive 92/46/EC and provisions laid down in the Accession Treaty for transitional period establishments were not respected.

No reliable and up-to date lists of establishments approved for intra-Community trade was available for Poland at the time of the mission.

Findings

Establishments with an approval for export to the EU before first of May 2004 were automatically approved for intra-Community trade and did not require a separate approval. All other establishments, requiring an approval under specific EU legislation, had to be approved after 1 May 2004. For many establishments the approval process was delayed for up to three months and some regional authorities visited applied a two-month transitional period for establishments to achieve compliance with Community requirements.

In addition to milk-processing establishments approved for intra-Community trade or direct sale some dairy establishments in one region were approved either for the national or local market. Council Directive 92/46/EEC only provides for approval for intra-Community trade or performance of direct sale under the provisions of national legislation. Red meat establishments were approved for the national market (Article 4 of Council Directive 64/433/EEC), however the approval document specified a weekly limit twice as high as the limit specified for low capacity establishments.

The CCA stated that some HC establishments, which did not comply with the provisions of Council Directive 64/433/EEC, had been restricted to the national market, without their weekly limit being adjusted to the provisions of Article 4 of above Directive.

In one region, establishments benefiting from a transitional period received administrative decisions, in which the individual deadline laid down in the Accession Treaty for the specific establishments had not been respected but had been extended to 31 December 2007. This is the maximum interval in general agreed for transitional period establishments in the red meat sector.

A milk-processing establishment performing segregation of production was approved for intra-community trade with all milk-based products. The approval decision did not specify that the product range produced from non-EU compliant milk was only admitted to the national market. The regional CA claimed that processing of non-compliant milk was foreseen by Article 8 of Council Directive 92/46/EC and no further restriction was required.

All establishments visited had been inspected before approval. Approval had been granted despite deficiencies still being present at the time of inspection. Deadlines for the rectification of the shortcomings had not been set in all cases and in some of the establishments visited, severe deficiencies had not been addressed at all. Consequently non-compliant establishments had been approved for intra-community trade or the national market. Details of the deficiencies are presented under section 6.6.

The GVI publishes on its web-site (www.wetgiw.gov.pl/) lists of establishments approved for intra-community trade. This list is based on lists submitted in March by the regional CA. At that time lists contained all establishments for which compliance by 1 May 2004 was anticipated. At the time of the FVO visit, this list contained numerous entries of establishments which had not been approved for intra-community trade but were approved only for the national market or even suspended after 1 May. Despite several notifications by the regions the list was not up-to date.

According to information on the GVI internet page the number of establishments approved for intra-community trade under GVI supervision in the different sectors on 1 September 2004 was as follows:

Type of establishment	Red meat CD 64/433/EEC	Wild game CD 92/45/EEC	Farmed game CD 91/495/EEC	Milk CD 92/46/EEC
Number	566	26	6	209

The CCA stated during the opening meeting that actually only 313 establishments had been approved under Article 10 of Council Directive 64/433/EEC out of a total number of 1453 red meat slaughterhouses/cutting plants.

5.6. Food safety controls

5.6.1. Food processing establishments - structure, layout, equipment

Conclusions

Food-processing establishments visited had been approved for intra-community trade or for the national market, although deficiencies with regard to structure, layout and equipment had not been rectified.

The milk-processing establishment performing segregation of milk on the basis of the compliance of raw milk was operating within the technical provisions for segregation laid down in the Accession Treaty.

The evaluation of the food-processing establishments under transitional arrangements had not been correctly carried out by the CA in several respects. In particular the evaluation of the degree of compliance was not realistic.

Findings

Red meat establishments, wild game processing establishment

With regard to structure, layout and equipment the following recurrent deficiencies were observed:

- Lairage insufficient, lack of adequate boxes for sick and suspect animals, insufficient provisions for AM inspection.
- No restraining facility for pigs or cattle at stunning.
- Floors and walls not easy to clean and in need of maintenance, drainage insufficient.
- Ventilation poor with excessive condensation above exposed raw material and product.
- Inadequate separation of clean and unclean sections in a number of establishments visited.
- Insufficient number of sterilisers for knives, absence of sterilising facilities for saws.
- Insufficient chilling capacity. Absence of detained chiller or existing chiller inadequate.
- Work station for the receipt and trimming of fresh meat in cutting plants not equipped with suitable facilities.
- Production rooms small in comparison to the volume of product processed.
- Inadequate separation between cooked product and raw meat/product in meat product establishments.
- Severe maintenance problems of equipment and machinery.
- Presence of hand-operable taps in lavatories in HC slaughterhouses and cutting plants.
- Loading and unloading areas not adequate, docking facilities absent, direct, unprotected access from outside into chilling and production rooms.
- Facilities for cleaning and disinfecting means of transport (for meat and for live animals). CA repeatedly expressed the opinion that non-authorised commercial car-wash facilities could replace officially authorised facilities.

Milk processing establishments

With regard to structure, layout and equipment the following recurrent deficiencies were seen:

- Inadequate floors, walls, doors. Inadequate ceilings in production areas, where open product is handled.

- Working areas not of sufficient size to preclude contamination of the raw materials and milk-based products.

- Equipment which is corrodible and corroded.

- Docking facilities for the despatch of product inadequate.

- Stores for packaging material and final product in outbuildings with inadequate docking facilities for means of transport.

- Tanks and other receptacles for by-products not intended for human consumption not properly labelled.

Milk processing establishments with segregation

Segregation provides the option for establishments to process, under certain conditions, raw milk that does not comply with all Community requirements.

The CCA presented a revised list of milk-processing establishments, containing 14 establishments approved for the performance of segregation. One establishment on this list has never been included in the original list of 56 establishments allowed to process EU compliant and non-compliant milk.

The establishment visited processed the non-EU compliant milk into matured cheese and fresh cheese. The equipment used for the production was separate from the equipment used for the processing of EU-compliant milk. Heat treatment of the non-EU compliant milk was performed at over 71.7°C for 15 seconds.

All products produced in this establishment, with the exception of Skim Milk Powder (SMP), were marked with the mark prescribed in Poland before 1 May 2004. The SMP bags were stamped with a mark that complied neither with the previous legislation nor with the health mark prescribed by Article 7 and Annex C, Chapter IV of Council Directive 92/46/EEC. Labels with the special rectangular mark had been purchased for one of the products produced from non-EU compliant raw milk but had not yet been used.

Transitional period establishments

In their evaluation of the transitional period establishments visited (cutting and meat-processing plants) the CA had not identified the working areas for preparation of meat products and the chilling and freezing rooms as areas where upgrading was required in terms of size and numbers. Absence of sterilising equipment for the splitting saw had not been identified as a deficiency. Facilities for cleaning and disinfecting the means of transport were not present; however the CA evaluation did not include theses point in the upgrading exercise. In one establishment visited, the progress monitoring stated 100% compliance of the meat processing part of the plant, whereas deficiencies with regard to the flow of operation, the state of the floors and walls, the ventilation and the despatch area were still present.

5.6.2. Eligibility of raw material, marking of finished products

Conclusions

Cut meat despatched from establishments and destined for either the national market or intra-Community trade does not comply with the marking and packaging requirements specified in Council Directive 64/433/EEC.

A wide range of marks, which are not in compliance with Community rules, are in use, precluding any meaningful verification of the approval status of the establishment of origin.

Milk-based and meat products produced in approved establishments were not marked as specified in Council Directive 92/46/EEC and Council Directive 77/99/EEC.

Examples were seen where establishments used the square mark prescribed by national legislation on products produced in establishments benefiting from transitional period arrangements, however, this was not implemented for all products and TP establishments.

The CA has allowed operators to use stocks of pre-printed wrapping and packaging material and labels on packaged products obtained after 1 May 2004 until 31 December 2004. This concession is not in accordance with Commission Decision 2004/280/EC, which only applies to products obtained before 1 May 2004.

Controls in place are inadequate to ensure that only eligible meat, raw milk and milk-based products are accepted into approved establishments. Several examples were seen of non-eligible raw matter being processed in establishments approved for intra-Community trade.

Findings

None of the establishments visited presented a complete and up-to date list of suppliers. Lists presented in establishments approved for intra-community trade contained individual suppliers for which it could not be ascertained that they were actually approved for intra-Community trade.

Hanging carcass meat examined during the mission bore the correct number and style of health marks but the marks were often illegible due to the quality of the ink used or the method of application.

Open crates for transport of unprotected (unwrapped, unpacked) meat and meat products were used in many establishments visited. Labels and health marks are fixed to the crate. The health mark is not destroyed and remains on the crate when the product is removed.

In other cases packaged cut meat transported from approved establishments in plastic crates did not bear the health mark of the establishment from which the meat originated. The accompanying documentation did not always include the approval number of the establishment from which it was despatched.

For cut meat the use of a crossed-out health mark was seen, which according to the CA was in use in areas under restriction for animal health reasons. In other cases establishments had been allocated two approval numbers, which in one establishment visited were applied in parallel.

In a number of establishments retail packs of processed meat products bore labels that did not include any health mark or the mark was easily removed or made illegible. Drinking milk from an approved establishment was placed on the market without any health mark at all.

In one milk-processing establishment visited, the mandatory monthly testing for inhibitory substances from each supplying farm was replaced by tests carried out on bulk milk from four collection points, containing the milk of around 100 suppliers each. In the month of August the establishment's laboratory performed 950 plate count analyses on the raw milk delivered by 714 suppliers. Nevertheless the database for the payment of the milk contained two results per supplier each month.

In a combined slaughterhouse, cutting and meat-processing plant a consignment of frozen meat was stored without proper identification. Trade documentation could not be unambiguously linked to the consignment. In an approved dairy plant fresh cheese was stored for processing, which had been obtained in a dairy that had not been approved at the time of production of the cheese in June 2004.

Transitional period establishments had just started using the square health mark prescribed in national legislation. The majority of products were however still packaged in packaging carrying the old national mark.

The CA explained that operators of establishments (approved and with TP) had been given permission to use old stocks of labels not marked in accordance with the Community requirements for products produced after 1 May 2004 until the end of 2004.

Official veterinarians and operators stated that for verification of the eligibility of raw material accepted in establishments they consult the lists provided by the CCA on the GVI webpage.

5.6.3. Operational hygiene and associated own checks

Conclusions

Deficiencies related to operational hygiene, some of them serious, were seen in a number of establishments visited.

In all establishments visited, preparations had been made to draw up documented own-check programmes. In many cases implementation had not started and own-checks planned were deficient in several cases.

Food operators regularly handled and disposed of animal by-products contrary to the requirements of Regulation (EC) No 1774/2002.

Findings

Food-processing establishments

With regard to the hygienic conditions in food-processing establishments the following recurrent deficiencies were seen:

- Poor cleaning of floors, walls, drains and equipment such as receptacles, hooks, saws etc. was noted in a number of establishments visited.

- Insect infestation in storage and production rooms.

- Poor cleaning of plastic crates used for transport of unprotected (unwrapped, unpacked) meat and meat products as well as milk products was noted in most of the establishments visited.

- In several establishments visited, including EU-approved cutting and processing plants, fresh meat cuts were found to be packaged in open plastic crates that did not protect the fresh meat.

- Insufficient cooling of raw material, intermediate product and final product was seen in meat and milk-processing plants.

- Equipment in a poor state of repair, including rusty equipment, damaged recipients for products, carved cutting boards.

- Extensive use of suspended hoses for washing of carcasses at different stages, was seen in slaughterhouses and in a wild game processing house.

- Transport of raw material, final product and packaging material to and from outbuildings without proper protection.

Operators' own-checks

Few of the establishments visited presented a complete and fully implemented own-checks programme. In several cases only the main production processes figured in the own-checks programme and processes involving e.g. use of offal or re-work of product were not included. Microbiological checks on fresh meat as foreseen by Article 10(2) of Council Directive 64/433/EEC and specified by Commission Decision 2001/471/EC were generally not implemented. Establishments, to which a transitional period had been granted had not implemented the own-checks foreseen or had not yet started to draw up the programme. For example, critical limits for the temperature of fresh meat received in cutting plants were chosen which were not in line with legal requirements.

Operator own-checks to ensure that only correctly marked and packaged meat was accepted into the establishment were not included in any of the own-check programmes examined.

Handling and disposal of animal by-products

Category 3 animal by-products such as bones or dairy products not intended for human consumption were dumped into household waste. The fleeces of small ruminants were burnt on the premises. Tanks used for collection of dairy products such as whey or liquid milk from leaking packages and, according to the operator, intended for animal feed, were not identifiable in the establishment. Operators disposed of animal by-products such as blood without the documentary record required by Article 9 of Regulation (EC) No 1774/2002.

5.7. Competent authority supervision

Conclusions

Supervision over DVOs was not satisfactory and resulted in deficient implementation of legislative requirements in the areas of public health controls. Controls over the regional Veterinary authorities could not ensure that basic legislative requirements with regard to approval and supervision of food-processing establishments were implemented.

Official supervision by appointed veterinarians was in place in all slaughterhouses visited, but for cutting plants most regions had not yet set up the required supervision.

In numerous establishments visited, the CA had failed to identify major deficiencies regarding structure, layout and equipment. Moreover, the competent authorities did not systematically enforce the relevant provisions. In particular, provisions regarding the hygiene of operations, operators' own-checks, labelling and health marking rules and the handling of animal by-products were insufficiently enforced.

Official controls over category 3 animal by-products (ABP) deriving from processing plants were in most cases not in place.

Findings

Supervision within the services

The CCA have established a programme for auditing regional and local authorities. According to this programme eleven controls in regional veterinary services are to be conducted in 2004. Nine controls had been accomplished up to September 2004.

Supervisory inspections, as foreseen by the recently issued instruction, had already commenced and had led to the withdrawal of approvals for intra-Community trade in some establishments. However, in the regions visited the DVO issued faulty administrative decisions, corrective action was not taken regularly and food-processing establishments were not in compliance with Community requirements.

Inspections

Inspections in food-processing establishments were carried out in accordance with the frequencies laid down in the relevant CVO instruction. Inspections in general cover hygienic conditions and, if based on the SPIWET forms, relevant provisions of Community legislation. The mission and the CA were denied access to production and storage rooms in two cases. In one case the CA took specific action following the visit, in the other establishment activities were suspended due to other shortcomings.

The use of non-eligible raw matter had been addressed by the CA in one milk-processing establishment visited and proper action had been taken. In all other establishments visited the eligibility of raw material was either not addressed at all or, where the problem was identified, insufficient corrective actions were taken to prevent recurrence.

In numerous establishments the CA had failed to identify serious deficiencies or had not enforced the relevant provisions, although they had been identified in previous inspections. In particular, provisions regarding the hygiene of operations, operators' own-checks, labelling and health marking rules and the handling of animal by-products were insufficiently enforced.

In-plant supervision

In the two low-capacity red meat establishments (both SH with CP) neither the in-plant supervision nor inspections addressed the fact that the establishments slaughtered more than 20 livestock units per week. In one case about 40 livestock units and in the other case about 35 livestock units were slaughtered per week. In one LC slaughterhouse visited, amongst other deficiencies, the hygiene conditions presented a risk to public health.

Due to provisions in national legislation, the CA may take a different set of samples from wild boar for trichina examination by trichinoscope than that foreseen by Community legislation.

Visits to independent cutting plants were taking place once a week, once a fortnight or even less frequently. The regional CA confirmed that, following the CVO instruction of 30 August 2004, preparations are underway to recruit veterinarians for the required supervision. One district CA indicated that there was a lack of veterinarians in that district and that they did not anticipate that the required number of veterinarians could be appointed. The CCA indicated that resources (financial and staff) were not available to ensure that in future cutting plants could be appropriately supervised.

The wild game processing houses in one region visited made use of the derogation provided for in Article 3 (1a) of Council Directive 92/45/EEC and submitted the carcasses and organs only about one week to 10 days after killing for PM inspection. Collections from the collecting centres took place only once a week. Neither the CCA nor the regional CA had fixed the period as foreseen by the above provision, but had left it to the local CA of the collection centre to decide on the suitable delay for submission of the carcass and the organs to the processing house for PM.

Controls were in place as regards Specified Risk Material and relevant reports were seen. As regards category 3 animal by-products no evidence of official controls over these products was seen.

5.8. Controls over consignments of powdered milk products under specific warehouse procedure

Conclusions

Considerable volumes of products not meeting Community requirements have been moved within the territory of Poland and provisions laid down in Article 12 (5) and (8) of Council Directive 97/78/EC have not been respected. The above points refer to the official controls to be carried out over entries and exit from a warehouse, the requirement to avoid any alteration or substitution of products stored in the warehouse, or any change of packaging, market preparation or processing and the provision that such products may only leave a customs warehouse for despatch to a third country, transfer to a ship supplier or transport to a place of destruction.

Provisions of Commission Decision 2000/571/EC laying down the methods of veterinary checks for products from third countries destined for introduction into customs warehouses have not been respected.

Official controls over powdered milk-based products, which should have been subject to the specific warehouse procedure, could not guarantee that the product is not introduced into the Community.

Certification for export to a third country was misleading in its statement 'Country of origin – Poland' and 'fit for human consumption'. From 1 January 2005, based on Article 12 of Regulation (EC) No 178/2002 the CA of the country of destination would have to expressly agree to the import of food which could not be placed on the market in the Community.

Findings

The mission visited premises where, until 2003, a blending facility for powdered milk-based products was operated. Its storage facilities had, in October 2003, been approved as a warehouse. In the period of mid June 2004 to the time of the FVO mission about 80 consignments (1600 tn in total) of milk powder from Belarus had been received at this warehouse together with technical casein from Ukraine.

The milk powder from Belarus arrived via the BIP of Kuznica. Its Common Veterinary Entry Document (CVED) stated '*does not conform to EU requirements'* and as destination for these non-conforming consignments *'customs warehouse, registered number: XXXXXXXX*[4]*'*. Based on this declaration the veterinary checks were performed and the decision *'acceptable for specific warehouse procedure (Articles 12.4 and 13 of Council Directive 97/78/EC) – customs warehouse'* was taken.

[4] The approval number of the customs warehouse was inserted here.

The DVO asserted that the receiving customs warehouse is under permanent supervision by two full time veterinary officials in the Veterinary Inspectorate and Customs. On arrival, incoming consignments are subject to control, including sealing of vehicles, documentary and physical checks. Veterinary officials at the warehouse are notified of incoming consignments by the BIP and confirm their arrival by fax.

Storage takes place in a separate customs warehouse. Consignments of powdered milk from Belarus were seen. Most of the 25 kg bags, which had originally been labelled with a paper label (sewn into the seam of the bags) no longer carried their label. According to the CA the labels fell off. The consignments were not identified with their CVED number.

After arrival and storage at the customs warehouse, consignments were either exported directly or despatched to a food processing establishment in the south of Poland.

In this food processing establishment the milk powder is, according to the CA, mixed with other milk-based ingredients such as whey protein and butter fat, transformed, re-packaged into consumer packaging and re-labelled. Afterwards the product is despatched back to the customs warehouse. Transports to and from the food-processing establishment are not accompanied by veterinary documents but, according to the veterinary authorities, take place under customs control.

The goods are exported from the warehouse to third countries, accompanied by a health certificate stating *'country of origin – Poland'* and *'fit for human consumption'* without further specification of the basis for this statement. The CA issuing the export certificate did not provide any documentation on the nature of the products of animal origin added to the milk powder, although they stated that it was of Polish origin.

The mission team did not see any of the product ready for export or any of the labels used at the warehouse.

ANIMO messages for some of the consignments received at the warehouse had been issued at the BIP of entry (Kuznica) for transport of the products to the BIP of exit (Gdyna).

6. OVERALL CONCLUSION

Although the CA have partially taken into account the recommendations of the previous missions, the action taken has not resulted in a satisfactory level of compliance in the areas covered by this mission. The control systems currently in place cannot guarantee that essential provisions of Community legislation are complied with.

7. CLOSING MEETING

A closing meeting was held on 17 September 2004 in Warsaw with the central competent authorities. At this meeting, the main findings and preliminary conclusions of the mission were presented by the inspection team.

The CCA took note of the findings and conclusions and informed the mission team of the action taken. Written guarantees as to the temporary suspension of the operation of two establishments were received. One district official was suspended from his duties. No written guarantees were received with regard to the warehouse or the processing plant involved in the large-scale despatch of milk powder under the specific warehouse procedure. The regional CA stated that the operation of the warehouse was suspended until further clarification. The State Sanitary Inspection, responsible for the supervision of the food-processing establishment, did not provide any information or guarantees as to the approval, operation and supervision of the establishment in question.

8. RECOMMENDATIONS

8.1. To the competent authorities of Poland

1) To urgently transpose Council Directive 2003/85/EC on community measures for the control of foot-and-mouth disease.

2) To complete the transposition of Annex A and D of Council Directive 64/432/EEC and to ensure the implementation of their provisions.

3) To ensure that all eligible animals are tested for tuberculosis, brucellosis and enzootic bovine leucosis in accordance with Annex A and D of Council Directive 64/432/EEC.

4) To provide the Commission services with correct information on the eradication programme for TB for the years 2001-2003.

5) To enforce the implementation of the Polish monitoring programme for classical swine fever in wild boars.

6) To accelerate the registration of the porcine, ovine and caprine holdings.

7) To ensure that all farm registers are kept in line with Article 8 of Commission Regulation (EC) No 911/2004 and Article 4 of Council Directive 92/102/EEC as amended.

8) To take urgent action to implement both Commission Regulation (EC) 494/98 and Commission Regulation (EC) 1082/2003.

9) To ensure that veterinary officials have access to up-to-date information from the database on the number and type of bovine, porcine and ovine/caprine holdings in accordance with Article 3 of Council Directive 92/102/EEC.

10) To draw up complete and up-to date lists of approved food-processing establishments including their unique approval numbers.

11) To ensure that approval decisions are granted in full accordance with Community legislation and, in the case of transitional period establishments, in accordance with the provisions of the Accession Treaty and subsequent Commission Decisions.

12) To ensure that only establishments complying with the relevant EU requirements regarding structure, layout, equipment and operational hygiene are approved and that appropriate action is taken with regard to non-compliant establishments.

13) To re-evaluate establishments with a transitional period and to take into account all the deficiencies regarding structure, layout and equipment in the upgrading plan and to monitor progress accurately.

14) To enforce Community requirements with regard to food-operators' own-check programmes in food-processing establishments.

15) To put in place the official supervision required by Article 9 of Council Directive 64/433/EEC in all establishments concerned.

16) To take action to enforce the health marking and packaging requirements set out in Community legislation.

17) To introduce measures to ensure that only eligible raw material is accepted into approved food processing establishments.

18) To enforce the provisions of Regulation (EC) No 1774/2002 on the handling and disposal of animal by-products.

19) To ensure that supervision over customs warehouses guarantees that they operate in accordance with the requirements of Council Directive 97/78/EC and Commission Decision 2000/571/EC.

20) To ensure that the food processing establishment in the south of Poland referred to in section 5.8 is approved and supervised in accordance with the Community legislation governing the operations carried out there.

The Polish authorities should submit an action plan, detailing the actions taken, and planned, and including deadlines for their implementation to address the above recommendations within one month of receiving the draft report.

9. ADDENDUM

In their reply to the English version of the draft report the Polish Competent Authorities outlined the action already taken or planned to address the recommendations made in the draft report. A summary of the main action with regard to each recommendation is given below:

1. Polish legislation adopting the remaining provisions of Council Directive 2003/85/EC will be issued by March 2005.

2. Polish legislation transposing all of the provisions of the Annexes of Council Directive 64/432/EC will be issued by March 2005.

3. Veterinary Inspectors have been asked to test all eligible bovine herds, including new-born animals.

4. Results of the eradication programme for TB for the years 2001 to 2003 have been submitted.

5. An Ordinance containing rules and procedures for sampling and monitoring of CSF comes into force on 1 January 2005, veterinary officials have been informed about the necessity of ensuring full implementation of the CSF monitoring programme.

6. In November 2004 an information and training campaign was launched countrywide by ARMA to increase animal keeper's diligence with regard to reporting ovine, caprine and porcine animals for registration.

7. The CCA stated that the correctness of the registers is subject to veterinary controls as well as to ARMA controls and information campaigns.

8. The CA confirmed that the procedures and guidelines for the implementation of Commission Regulation (EC) 494/98 and Commission Regulation (EC) 1082/2003 have been developed and that the respective controls will commence at the beginning of 2005. The Poviat (DVO) Veterinary officials will be in charge of these controls.

9. National legislation is currently in the process of amendment in order to grant improved access to the data held in the database for the Veterinary Inspection services.

10. The CA makes reference to the official website of the Veterinary Inspectorate, which contains these lists.

11. The CVO ensures that approval decisions are granted in full accordance with the respective requirements.

12. The CA states that appropriate action has been taken with regard to non-compliant establishments on the basis of the CVO instruction GIW hig. 500/4/2004 of 1 September 2004.

13. Controls of establishments with a transitional period will take place by mid-2005, taking into account all deficiencies regarding structure, layout and equipment.

14. A series of training programmes for regional Veterinary Inspection Services is planned and the CVO guarantees that in 2005 own-check programmes in food processing establishments will be emphasised.

15. From 1 January 2005 controls of the proper execution of official supervision as laid down by Article 9 of Council Directive 64/433/EEC shall be emphasised in all establishments approved for trade.

16. The CA announced a modification of the Ordinance to transpose the provisions of Council Directive 92/46/EEC into Polish legislation more precisely. Moreover the CA assures that intensified official controls will be carried out to enforce requirements related to health marking and packaging.

17. Additional official controls will be introduced to ensure that only raw material from approved establishments will be accepted in the approved food-processing plants.

18. The CA refers to controls over disposal plants, intermediate establishments, incineration/co-incineration plants, operators collecting dead animals, warehouses for the storage of animal by-products, holdings keeping fur animals and plants manufacturing pet-food.

19. The CVO has ordered the services to pay attention to the respect of the provisions of Council Directive 97/78/EC and Commission Decision 2000/571/EC in warehoused under Veterinary Inspectorate supervision. The CA confirmed that the irregularities in the warehouse operation had been corrected immediately.

20. The CA indicated general measures with regard to State Sanitary Inspection (SSI) controls over food of animal origin used in the production of the establishments under State Sanitary Inspection. Any incidence of poor quality or documentary shortcomings are to be reported directly to the Veterinary Inspection Services.

10. ANNEX 1: LEGISLATION

LEGAL BASIS FOR THE MISSION

European legislation	OJ	Title
Council Directive 64/432/EEC	L 121, 29.07.1964, p. 1977	Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine
Council Directive 64/433/EEC	L 121, 29.07.1964, p. 2012	Council Directive 64/433/EEC of 26 June 1964 on health conditions for the production and marketing of fresh meat
Council Directive 77/99/EEC	L 026, 31.01.1977, p. 85	Council Directive 77/99/EEC of 21 December 1976 on health problems affecting the production and marketing of meat products and certain other products of animal origin
Council Directive 91/495/EEC	L 268, 24.09.1991, p.41	Council Directive 91/495/EEC of 27 November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat
Council Directive 92/45/EEC	L 268, 14.09.1992, p. 35	Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild-game meat
Council Directive 92/46/EEC	L 268, 14.09.1992, p. 1	Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products
Council Directive 92/102/EEC	L 355, 05.12.1992, p. 32	Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals
Council Directive 94/65/EC	L 368, 31.12.1994, p. 10	Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations
Council Directive 97/78/EC	L 24, 30.01.98, p. 9	Council Directive of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries.
Regulation of the European Parliament and of the Council (EC) No. 1760/2000	L 204 , 11.08.2000, p. 1	Regulation (EC) No. 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation EC No. 820/97
Council Directive 2001/89/EC	L 316 , 01.12.2001, p. 5	Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever
Council Directive 2003/85/EC	L 306, 22.11.2003, p.1	Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC
Commission Decision 98/139/EC	L 038, 12.02.1998, p. 10	Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in Member States

RELEVANT COMMUNITY LEGISLATION IN THE FRAMEWORK OF THIS MISSION

European legislation	OJ	Title
Council Directive 72/461/EEC	L 302, 31.12.1972, p. 24	Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat
Council Directive 77/96/EEC	L 026, 31.01.1977, p. 67	Council Directive 77/96/EEC of 21 December 1976 on the examination for trichinae (trichinella spiralis) upon importation from third countries of fresh meat derived from domestic swine
Council Directive 77/391/EEC	L 145, 13.06.1977, p. 44	Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle
Council Directive 80/215/EEC	L 047, 21.02.1988, p. 4	Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products
Council Directive 89/397/EEC	L 186, 30.6.1989, p. 23	Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs
Council Directive 89/662/EEC	L 395, 30.12.1989, p. 13	Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market
Council Directive 90/423/EEC	L 224, 18.08.1990 p. 13	Council Directive 90/423/EEC of 26 June 1990 amending Directive 85/511/EEC introducing Community measures for the control of foot-and-mouth disease, Directive 64/432/EEC on animal health problems affecting intra- Community trade in bovine animals and swine and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries
Council Directive 91/68/EEC	L 046, 19.02.1991, p. 19	Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals
Council Directive 92/45/EEC	L 268, 14.09.1992, p. 35	Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild-game meat
Council Directive 92/46/EEC	L 268, 14.09.1992, p. 1	Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products
Council Directive 92/118/EEC	L 062, 15.03.1993, p. 49	Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/ EEC
Council Directive 93/99/EEC	L 290, 24.11.1993, p. 14	Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs
Council Directive 93/119/EC	L 340, 31.12.1993, p. 21	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing

European legislation	OJ	Title
Council Directive 96/22/EC	L 125, 23.05.1996, p. 3	Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of β-agonists, and repealing Directives 81/602/EEC, 88/146/EEC, 88/299/EEC
Council Directive 96/23/EC	L 125, 23.05.1996, p. 10	Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC
Council Directive 96/93/EC	L 013, 16.01.1997, p. 28	Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products
Council Directive 98/83/EC	L 330, 05.12.1998, p. 32	Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption
Commission Regulation (EC) No 494/98	L 060, 28.02.1998, p. 78	Commission Regulation (EC) No 494/98 of 27 February 1998 laying down detailed rules for the implementation of Council Regulation (EC) No 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals
Commission Regulation (EC) No. 1825/2000	L 216, 26.08.2000, p. 8	Commission Regulation (EC) No 1825/2000 of 25 August 2000 laying down detailed rules for the application of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the labelling of beef and beef products
Regulation (EC) No 178/2002	L31, 01.02.2002, p.1	Regulation of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.
Regulation of the European Parliament and of the Council (EC) No 1774/2002	L 273, 10.10.2002, p. 1	Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption
Commission Regulation (EC) No 1082/2003	L 156, 25.06.2003, p. 9	Commission Regulation (EC) No 1082/2003 of 23 June 2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals
Commission Regulation (EC) No 911/2004	L 163, 30.04.2004, p. 65	Commission Regulation (EC) No 911/2004 of 29 April 2004 implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and holding registers
Council Decision 90/424/EEC	L 224 , 18.08.1990, p. 19	Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field

European legislation	OJ	Title
Council Decision 90/638/EEC	L 347, 12.12.1990, p. 27	Council Decision 90/638/EEC of 27 November 1990 laying down Community criteria for the eradication and monitoring of certain animal diseases
Commission Decision 91/42/EEC	L 023, 29.01.1991 p. 29	Commission Decision 91/42/EEC of 8 January 1991 laying down the criteria to be applied when drawing up contingency plans for the control of FMD, in application of Article 5 of Council Directive 90/423/EEC
Commission Decision 2000/571/EC	L 240, 23.09.2000, p. 14	Commission Decision of 8 September 2000 laying down the methods of veterinary checks for products from third countries destined for introduction into free zones, free warehouses, customs warehouses or operators supplying cross border means of sea transport
Commission Decision 2001/471/EC	L165, 21.06.2001, p.48	Commission Decision of 8 June 2001 laying down rules for the regular checks on the general hygiene carried out by the operators in establishments according to Directive 64/433/EEC on health conditions for the production and marketing of fresh meat and Directive 71/118/EEC on health problems affecting the production and placing on the market of fresh poultry meat
Transitional measures specified in the relevant Annex to the Act of the Accession of the country		