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Directorate F - Food and Veterinary Office

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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

LATVIA

FROM 19 TO 27 FEBRUARY 2013

IN ORDER TO EVALUATE THE CONTROL OF RESIDUES AND CONTAMINANTS IN LIVE ANIMALS AND ANIMAL PRODUCTS INCLUDING THE MONITORING AND CONTROL OF DIOXINS, FURANS AND PCBS IN FISH FROM THE BALTIC REGION

In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of a footnote.

Executive Summary

This report describes the outcome of a Food and Veterinary Office (FVO) audit in Latvia, carried out from 19 to 27 February 2013, as part of the published programme of FVO audits on the control of residues and contaminants in live animals and animal products in European Union (EU) Member States and in third countries and as part of a series of audits on the monitoring and control of dioxins, furans and PCBs to those EU Member States bordering (and fishing in) the Baltic Sea.

The objective of the audit was to evaluate the implementation of national measures, aimed at the control of residues and contaminants in live animals and animal products and to evaluate the national measures put in place, and their operation, aimed at ensuring compliance with EU legislation, in particular Commission Regulation (EC) No 1881/2006, on organochlorinated contaminants in fish from the Baltic region and products (food and feed) thereof and the implementation of EU requirements with regard to traceability and consumer information.

Concerning residues, the evaluation was based on the standards set out in Council Directive 96/23/EC, and other relevant EU legislation in this field. The audit assessed the performance of the competent authorities and other officially authorised entities involved in residues controls and the legal and administrative measures put in place to give effect to the relevant EU requirements. Attention was also paid to examining the implementation of corrective actions promised in response to relevant recommendations made in the report of a previous FVO residues audit to Latvia (DG (SANCO)/8126/2009) in May 2009.

In general the system of residues controls in Latvia is in compliance with EU rules. The residue monitoring plan covers the required substance groups and relevant veterinary medicinal products and sampling is generally implemented as planned and evenly distributed throughout the year. However the effectiveness of the national residues control plan is compromised by some deficiencies in its implementation as regards suspect sampling and some remaining weaknesses concerning the validation of analytical methods and sometimes long laboratory turnaround times for the analysis of samples.

Latvia has not yet made use of the derogation granted to it by Commission Regulation (EU) No 1259/2011 to place on its national market wild-caught salmon with dioxin levels higher than the maximum levels established. Baltic salmon are normally used for own consumption only by fishermen and are not placed on the market, while official controls are effective in ensuring that Baltic cod liver is not placed on the market for human consumption. For Baltic herring and sprats, although official controls are in place, it cannot be guaranteed that such controls are sufficient to ensure that fish or fishery products with levels of dioxins, dioxin like- and non-dioxin-like PCBs exceeding the maximum levels are not placed on the EU market.

The report makes a number of recommendations to the Latvian competent authorities, aimed at rectifying the shortcomings identified and enhancing the implementing and control measures in place.

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Abbreviations and definitions used in this report

ABP	Animal By-Product
AOZ	Marker residue of the nitrofuran drug furazolidone
BIOR	Institute of Food Safety, Animal Health and Environment
CCα / CCβ	Decision Limit / Detection Capability
DG(SANCO)	Health and Consumers Directorate-General
dl-PCBs	Dioxin-like Polychlorinated Biphenyls
EC	European Community
EU	European Union
EURL	European Union Reference Laboratory
FSD	Food Surveillance Department
FVO	Food and Veterinary Office
FVS	Food and Veterinary Service
HACCP	Hazard Analysis Critical Control Point
HPLC –UV	High Performance Liquid Chromatography with Ultraviolet
ICES	International Council for the Exploration of the Sea
ISO	International Organisation for Standardisation
LATAK	Latvian Accreditation Body
LC-MS/MS	Liquid Chromatography-(Tandem) Mass Spectrometry
ML	Maximum Level
MoA	Ministry of Agriculture
MRL	Maximum Residue Limit
MRPL	Minimum Required Performance Limit
ndl-PCBs	Non-dioxin-like Polychlorinated Biphenyls
NRCP	National Residue Control Plan
NRL	National Reference Laboratory
PCBs	Polychlorinated Bibhenyls
RASFF	Rapid Alert System for Food and Feed
RMP	Residue Monitoring Plan
SOP	Standard Operating Procedure
TSU	Territorial Structural Unit
VSD	Veterinary Surveillance Department

1 Introduction

The audit took place in Latvia from 19 to 27 February 2013. The audit team comprised two auditors from the Food and Veterinary Office (FVO) and one expert from a European Union (EU) country. The audit was undertaken as part of the FVO's planned audit programme, evaluating control systems and operational standards in the residues sector and as one of a series of audits to those EU Member States bordering (and fishing in) the Baltic Sea.

Representatives from the central competent authority accompanied the audit team during the whole audit. An opening meeting was held on 19 February 2013 with the central competent authority responsible for implementing residue monitoring in live animals and animal products and with the central competent authorities responsible for implementing the monitoring of and controls on dioxins, dioxin-like polychlorinated biphenyls (dl-PCBs) and non-dioxin-like polychlorinated biphenyls (ndl-PCBs) in fish from the Baltic region. At this meeting, the objectives of, and itinerary for, the audit were confirmed and the control systems were described by the authorities.

2 Objectives

The objective of the audit was to evaluate the implementation of national measures, aimed at the control of residues and contaminants in live animals and animal products and to evaluate the national measures put in place, and their operation, aimed at ensuring that wild-caught and aquaculture fish and fishery products from the Baltic region which are placed on the market for either human or animal consumption do not contain dioxins, dl-PCBs and ndl-PCBs above the relevant maximum levels (MLs) established for food (Commission Regulation (EC) No 1881/2006) and feed (Directive 2002/32/EC). The audit focused on the roles of the competent authorities and their ability to deliver the required standards and in particular, through the national legal instruments in place to give effect to relevant EU legislation, the planning, implementation, supervision and follow-up activities undertaken in respect of the monitoring programme for dioxins, dl-PCBs and ndl-PCBs in wild-caught and aquaculture fish and fishery products. Where relevant, attention was paid to the implementation of EU requirements for the traceability of fish and fishery products and the provision of consumer information.

Concerning residues the audit was based on Council Directive 96/23/EC and other relevant EU legislation in this field. The audit focused on the roles of the competent authorities at central and regional levels, the legal and administrative measures in place to give effect to the relevant EU requirements, residue controls and the performance of residue laboratories.

Attention was paid to examining the implementation of corrective actions promised in response to relevant recommendations made in the report of a previous FVO residues audit to Latvia (DG (SANCO)/8126/2009) in May 2009 and a previous FVO audit concerning controls on dioxins and other organochlorinated contaminants in Baltic Sea fish (DG (SANCO)/8013/2006) in April 2006. The table below lists sites visited and meetings held in order to achieve that objective.

Meetings/Visits		n	Comments
Competent Authorities	Central	2	Opening and closing meetings with the central competent authorities
	Regional	3	Meetings at the Food and Veterinary Service Territorial Structural Units in Dienvidkurzeme, Dienvidzemgale and Austrumzemgale
Laboratories		1	Institute of Food Safety, Animal Health and Environment
Farms		2	One farm with dairy cattle and one farm with laying hens
Establishments		4	One slaughterhouse for pigs, two processing plants handling fish from the Baltic Sea and one processing plant producing fish meal and fish oil
Other sites		4	Two landing sites for fish from the Baltic Sea and two retail outlets selling fresh fish, including from the Baltic Sea

3 Legal Basis

The audit was carried out under the general provisions of EU legislation, and in particular:

- Article 21 of 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.
- Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption, in particular, Annex III, Fishery Products, Chapter II, part D.
- Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

A full list of the legal instruments referred to in this audit report is provided in the Annex and refers, where applicable, to the last amended version.

4 Background

4.1 Summary of previous FVO Audit results

The controls on dioxins and other organochlorinated contaminants in Baltic Sea fish was audited by the FVO in 2006 (DG(SANCO)/8013/2006 MR Final) and the residues area was audited in 2009 (DG(SANCO)/8126/2009 MR Final). The reports of both audits (henceforth referred to as the 2006 and 2009 FVO audits respectively) have been published on the website of the Directorate – General for Health and Consumers here: http://ec.europa.eu/food/fvo/ir_search_en.cfm.

The 2006 report concluded that concerning controls on dioxins and other organochlorinated contaminants in Baltic Sea fish, the relevant legislation was in place, a comprehensive inspection system was operational and traceability was fully implemented. Consumer information on fish origin and species was available at retail level and monitoring programmes for dioxins and dl-PCBs were well established. However, Latvia was not fulfilling the requirements of relevant EU

legislation since a substantial proportion of sprats and herring and certain salmon placed on the market in the EU were likely to contain dioxin levels exceeding the MLs.

Concerning residues and contaminants in live animals and animal products, the 2009 audit concluded that in general the national residues control plan in Latvia was in accordance with Council Directive 96/23/EC. Effective follow-up measures were carried out following non-compliant residues results, although uneven distribution of sampling of some substance groups and sometimes inadequate targeting of sampling weakened the effectiveness of residue controls. The fact that not all analytical methods were validated to Commission Decision 2002/657/EC, or were validated at inappropriate levels, also undermined confidence in the reliability of laboratory performance.

5 Findings And Conclusions

5.1 Residue monitoring

5.1.1 Competent authorities involved

The Ministry of Agriculture (MoA) is responsible for drawing up legislation and policy development while the Food and Veterinary Service (FVS), an institution supervised by the MoA, is responsible for the implementation of veterinary legislation, including for residues.

5.1.2 Planning of the residue monitoring plan

Legal Requirements

Article 5 of Council Directive 96/23/EC provides that EU Member States shall submit to the Commission a plan setting out the national measures to be implemented for the detection of residues or substances listed in Annex I to the Directive, and subsequently, Member States shall submit any update of residue monitoring plans previously approved on the basis of the experience of the preceding year or years, by 31 March at the latest of the year of the update.

The following EU legislation has a direct bearing on the elaboration/updating of the residue monitoring plan.

Article 3 of Regulation (EC) No 882/2004 deals with the general obligations with regard to the organisation of official controls. Articles 3 to 7 of Council Directive 96/23/EC deal with the requirements for residue monitoring plans. Commission Decision 97/747/EC lays down levels and frequencies of sampling for residues. Table 1 of the Annex to Commission Regulation (EU) No 37/2010 lays down Maximum Residue Limits (MRLs) for residues of pharmacologically active substances in food. Regulation (EC) No 396/2005 lays down maximum residue levels of pesticides in or on food and feed of plant and animal origin. Commission Regulation (EC) No 1881/2006 lays down MLs for certain contaminants in food. Minimum Required Performance Limits (MRPLs) are defined in Article 4 of Commission Decision 2002/657/EC.

Findings

According to the Regulation of the Cabinet of Ministers entitled "*Control of residues and procedure of financing*", the FVS is responsible for the surveillance and control of residues. FVS elaborates

the residue monitoring plan (RMP) with input from the Institute of Food Safety, Animal Health and Environment (BIOR). In preparing the RMP, the FVS Division of Food Surveillance, Planning, Analysis and Approval of Enterprises calculates the number of samples required to be taken, based on the requirements of Council Directive 96/23/EC and Commission Decision 97/747/EC. FVS then allocates the samples planned to be taken among the FVS Territorial Structural Units (TSUs), taking into account data on the number of establishments and type of production in each TSU. A list of provisional substances to be tested for is prepared, the budget required to implement the RMP is calculated and the draft RMP is sent to the FVS Veterinary Surveillance Department and Food Surveillance Department for co-ordination. The draft RMP is also sent for consultation to all TSUs and co-ordination takes place with the MoA. Following these steps a consultation takes place with BIOR before the RMP is finally approved. The audit team noted that:

- Preparation of the 2013 RMP began in September 2012. TSUs were consulted on the draft plan in December 2012 and the final RMP was circulated to all TSUs on 8 January 2013.
- Relevant risk factors taken into account in preparing the RMP included the list of veterinary medicinal products currently authorised and used, non-compliant residue results from previous years testing and also warning messages received in the rapid alert system for food and feed (RASFF).
- All relevant commodities, including goat milk, and compulsory substance groups are included in the scope of testing, for example groups A5, B2d and B3b in horses, B2e in rabbits, A1, A4, A5, B2b, B2e and B3a in farmed game. In this way **recommendation No. 1** of the 2009 FVO audit report has been satisfactorily addressed.
- The scope of testing includes relevant veterinary medicinal products such as, inter alia, metamizole (in bovines, pigs, horses, poultry, milk and rabbits), dexamethasone (in bovines and horses) and the testing of honey for substances such as streptomycin and tylosin. In this way **recommendation No. 2** of the 2009 FVO audit report has been satisfactorily addressed.
- Sampling is planned to be evenly distributed among TSUs and throughout all months of the year. In this way **recommendation No. 3** of the 2009 FVO audit report has been satisfactorily addressed.

Conclusions on planning of the residue monitoring plan

The planning of the RMP is timely and comprehensive. The relevant competent authorities and actors are involved and appropriate risk factors are taken into account. Relevant substance groups, individual substances and commodities are included in the scope of the RMP.

5.1.3 Implementation of the residue monitoring plan

Legal Requirements

Articles 3, 4 and 12 of Council Directive 96/23/EC deal with aspects pertaining to the implementation of the residue monitoring plan. Article 4(2)(b) and (c) of Council Directive 96/23/EC lays down the requirements for central competent authorities in co-ordinating the activities of all bodies involved in residues controls. General principles governing the co-ordination of activities and ensuring the co-operation between the various competent authorities are laid down in Articles 4.3., 4.4 and 4.5. of Regulation (EC) No 882/2004. Article 3 of Regulation (EC) No 882/2004 deals with the general obligations with regard to the organisation of official controls and

Article 8(3) of said Regulation places the obligation on competent authorities to, inter alia, ensure that corrective action is taken when needed.

Commission Decision 97/747/EC lays down levels and frequencies of sampling for residues and Commission Decision 98/179/EC lays down the rules for official sampling under the residue monitoring plan. EU methods of sampling for the official control of a wide range of residues in products of animal origin are laid down in several pieces of EU legislation: Commission Directive 2002/63/EC (pesticides); Commission Regulation (EC) No 1883/2006 (dioxins and dl-PCBs); Commission Regulation (EC) No 333/2007 (certain chemical elements); Commission Regulation (EC) No 401/2006 (mycotoxins).

Findings

RMP samples are collected by official FVS inspectors from TSU offices in line with a specific FVS sampling procedure entitled "*Guidelines for the sampling of products of animal origin for testing of residues*". Specific criteria are laid down on the types and quantities of sample material to be collected and the criteria for the selection of establishments and individual animals or products to be sampled. The audit team noted that:

- Sampling is distributed across all TSUs and throughout all months of the year. Implementation of the plan is monitored at central and TSU levels and samples are generally taken as planned. In this way **recommendation No. 3** of the 2009 FVO audit report has been satisfactorily addressed.
- Regional TSU inspectors decide on the individual establishments and farms where sampling will take place. Instructions for the taking of samples lay down specific criteria for the targeting of samples. Inspectors had received training on how to perform their tasks and these criteria for the targeting of sampling are applied in practice. In this way **recommendation No. 4** of the 2009 FVO audit report has been satisfactorily addressed.
- Sampling is unannounced and samples remain under official control from sampling until their receipt in the testing laboratory. TSU inspectors have appropriate equipment for the taking and storage of samples.
- A five year plan for internal audits has been prepared at FVS central level with a more detailed plan, covering specific policy areas to be audited, being prepared each year. Concerning residues, an internal audit was performed at central level in January 2013. Some minor non-compliances had been identified concerning RMP planning and implementation (for example concerning the calculation of required sample numbers) and a deadline was agreed for the implementation of appropriate corrective actions.
- Two internal audits concerning residues were also planned to be performed at TSU level in February 2013. One audit had already been carried out covering RMP implementation for 2010, 2011 and 2012. One non-compliance was found where all of the required information was not being entered into recently updated sampling forms and, as a corrective action, a meeting was organised to inform staff on how the forms should be properly completed.
- In the low-capacity pig slaughterhouse visited, the audit team was informed that suspect sampling is not widely implemented, due in part to the time that would be needed to detain carcases whilst awaiting a laboratory result and the extra costs of sampling that would need to be borne by the competent authority in case of compliant results for such samples. At the closing meeting the FVS confirmed that suspect sampling for residues is not implemented systematically.

- The contracted veterinarian performing ante- and post-mortem inspections in the slaughterhouse visited would be the person to identify any suspect animals and could phone the local TSU office to request the sampling of such animals for residues. This contracted veterinarian also worked as a feed consultant for a farm supplying pigs to the slaughterhouse which raised a potential conflict of interest. This potential conflict of interest had been addressed by the veterinarian in question, informing the FVS central office of these work activities and receiving permission to continue these tasks.
- For planned and targeted sampling a TSU inspector visits an establishment unannounced to take samples. In deciding which animals to sample the inspector takes account, inter alia, of the animals on-site and the accompanying food chain information. The audit team examined one case where a TSU inspector visited a slaughterhouse to take two planned samples in January 2013. By coincidence a cow had been received in the slaughterhouse for emergency slaughter that same day and the carcase was thus additionally sampled by the inspector for stilbenes, chloramphenicol, antibiotics, avermectins and ochratoxins under the RMP.

Conclusions on implementation of the residue monitoring plan

The residue monitoring plan is generally implemented effectively and as planned, with sampling being targeted and distributed evenly throughout the year. The sampling of suspect animals is not systematically implemented even when warranted, which has the potential to weaken the effectiveness of residue controls, but may occur by chance if planned sampling coincides with the presence of a suspect animal in a slaughterhouse.

5.1.4 Follow-up of non-compliant results

Legal Requirements

The measures to be taken by the competent authorities in response to the finding of non-compliant residues results are described in Articles 13, 16, 17, 18, 19, 23, 24, 27 and 28 of Council Directive 96/23/EC. In addition Article 54 of Regulation (EC) No 882/2004 lays down the principles to be followed in the application of national enforcement measures and actions to be taken in cases of non-compliance.

Findings

The Cabinet of Ministers Regulation No. 277 of 8 April 2004 entitled "*Control of residues and the procedure of financing*" provides the legal basis in Latvia for the follow-up of non-compliant results. Detailed guidance on the measures to be taken in individual cases is provided in a specific procedure entitled "*Action to be taken in cases of tracing residues in samples of animal origin*". Non-compliant results are notified by BIOR to the FVS TSU where the sample was taken and the central FVS office is also informed of non-compliant results. The audit team noted that:

- Clear procedures exist on the follow-up of non-compliant results and staff had received relevant training to perform their tasks.
- On the two farms visited by the audit team from which non-compliant results had been reported, the records of treatments with veterinary medicinal products were maintained in line with national and EU requirements.
- On the laying hen farm from which enrofloxacin had been detected in eggs, the cause was suspected to be cross-contamination between water containers used to treat younger birds

and water containers used for older laying birds not treated with enrofloxacin. Follow-up samples were taken with negative results and, as a corrective action, the farm implemented a new procedure for washing these water containers to avoid the risk of such cross-contamination occurring in the future.

- In the case of the dairy farm from which tetracycline was detected in the kidney of a slaughtered cow, the on-farm records showed that the cow had not been treated with tetracyclines and the cause of the contamination could not be established. A veterinary medicinal product containing tetracycline was found on the farm at the time of the follow-up investigation although the farmer and attending veterinarian stated that the cow in question had not been treated with this product.
- Official follow-up investigations commenced very quickly once non-compliant results were reported, although long laboratory turnaround times were seen in a number of cases (see also section 5.2.2).
- For example, in one case of honey sampled and reaching BIOR on 27 October 2011, AOZ was detected and reported as a non-compliant result once analysis of the sample concluded on 18 January 2012 (thus exceeding the target turnaround time of 30 working days for this substance). Upon being informed of the non-compliant result TSU inspectors promptly visited the sampled establishment on 20 January and the remaining implicated product was withdrawn from the market and destroyed.
- In the case of tetracycline detected above the MRL in bovine kidney, the sample was taken on 15 November 2010 in a slaughterhouse, reached BIOR on 16 November and testing concluded on 21 January 2011 (thus exceeding the target turnaround time of 30 working days for tetracycline testing). An alert message was generated on 24 January informing of the non-compliant result, the TSU where the animal had originated from was informed on 27 January and the farm was inspected the next day. The case concluded on 3 February with a fine being issued and the farm was targeted for subsequent resdiue sampling with compliant results.
- As part of the investigation of non-compliant results, official follow-up samples were taken where appropriate and implicated farms were targeted for future sampling under the RMP. Where an animal had been sampled in a slaughterhouse in one TSU area but originated from a farm in another TSU area the audit team saw that the second TSU was promptly notified in case of a non-compliant result and was requested to perform a follow-up investigation.

Conclusions on follow-up investigations/actions

The legal and administrative framework for investigating non-compliant residue results is in line with Council Directive 96/23/EC. Following the reporting of non-compliant results, prompt, comprehensive and effective official follow-up actions take place, although sometimes long turnaround times from sample receipt to the reporting of results may hinder the timeliness and have the potential to reduce the effectiveness of follow-up actions.

5.2 Laboratories

Legal Requirements

Requirements for designating laboratories are laid down in Article 12(1) of Regulation (EC) No 882/2004 and Article 14 of Council Directive 96/23/EC. Requirements pertaining to the capacity and capability of laboratories are described in Article 4(2) (c) of Regulation (EC) No 882/2004.

Requirements for accreditation of laboratories are laid down in Point 1.2. of the Annex to Commission Decision 98/179/EC and in Article 12(2) and (3) of Regulation (EC) No 882/2004. Requirements for the validation of analytical methods for residues of pharmacologically active substances and certain contaminants are laid down in Articles 3, 4, 5 and 6 of Commission Decision 2002/657/EC. Requirements for analytical methods are also laid down in the annexes to Commission Regulation (EC) No 1883/2006 (dioxins and dl-PCBs in foodstuffs), Commission Regulation (EC) No 333/2007 (chemical elements in foodstuffs) and Commission Regulation (EC) No 401/2006 (mycotoxins).

5.2.1 General description

Findings

Under the Ministry of Agriculture, BIOR is designated as the national reference laboratory (NRL) by the Order of Cabinet of Ministers No 714 (06.10.2009) for all substance groups listed in Annex I to Council Directive 96/23/EC. BIOR is the only laboratory in Latvia involved in testing for residues under the RMP. The audit team noted that:

- BIOR performs all testing under the RMP with the exception of testing for dyes (malachite green and leucomalachite green) in aquaculture which is carried out by a sub-contracted laboratory (Laboratory A) in another EU Member State.
- BIOR has an agreement with Laboratory A which specifies, inter alia, the methods used for testing malachite green and its leuco-base (HPLC-UV and LC-MS/MS methods validated according to Commission Decision 2002/657/EC). The agreement also includes the obligation to participate in proficiency tests for the evaluation of these methods and the requirement for accreditation according to ISO 17025.
- BIOR has not planned to carry out any audits in Laboratory A due to the very small number of samples sent to this laboratory for testing.
- BIOR reports monthly to the FVS on the progress of residues testing. Target turnaround times have been set which generally vary from 15 to 45 working days depending on the analysis, and up to 60 working days in the case of testing for carbamates.

5.2.2 On the spot visits in the laboratories

The audit team visited BIOR and noted that:

- BIOR is accredited to ISO 17025 by the Latvian Accreditation Body (LATAK) which is a member of the European Accreditation and International Laboratory Accreditation Co-operation. Analytical methods for monitoring residues and contaminants are generally included in the flexible scope accreditation, with a few RMP-relevant methods included within the fixed scope accreditation (testing for dioxins, dl-PCBs, pesticides, avermectins, ochratoxin A, aflatoxins and dithiocarbamates).
- Regarding its tasks as an NRL, BIOR fulfils the requirements set for NRLs in Articles 14 and 15 of Council Directive 96/23/EC. These include, inter alia, regular participation in European Union Reference Laboratory (EURL) organised workshops; participation in proficiency tests and assisting in the planning of the RMP.

- BIOR participates regularly in proficiency tests arranged by the EURLs and other proficiency test organisers. Performance in these proficiency tests was generally very good and in case of poor performance the audit team saw that appropriate and documented corrective actions were taken.
- The number of staff involved in residues testing is 14, of whom 12 are senior experts including the head of the unit for residues and contaminants. Initial training for newcomers is carried out and there is a training plan for staff including familiarisation with new testing methods introduced. Staff participate regularly in conferences and EURL workshops and have access to a scientific database from which relevant articles can be ordered.
- The laboratory is well equipped with four LC-MS/MS instruments in operation. All metrological follow-ups of laboratory instruments are performed adequately according to the quality assurance procedures in place. No specific deficiencies were identified in the quality assurance system during the last external audit carried out by LATAK in June 2012.
- Internal audits covering various aspects of the laboratory management have been performed annually by BIOR for several years according to a specific audit plan. Information was available on the training received by the internal auditors.
- Progress since the 2009 FVO residue audit is still ongoing as regards method development, validation and accreditation. All methods for which BIOR is responsible as an NRL for residues and for environmental contaminants are considered validated in line with Commission Decision 2002/657/EC and subsequent guidance documents SANCO/2726/2004 rev4 of December 2008 and the EURLs' document for validation of screening methods of January 2010.
- An SOP for method validation is in place and validation reports were available. The validation procedure followed the minimum requirements of Commission Decision 2002/657/EC although some deficiencies were identified in the validation process with a lack of information on the critical concentrations (cut-offs) to be evaluated for the screening step of analysis (CC-ß screening).
- A discrepancy exists concerning the use of the calculated critical concentration for the confirmatory step (CC-α confirmation and CC-ß confirmation) at the screening step. CC-α and CC-ß for confirmatory methods should be higher than the MRL, whereas CC-ß for screening methods should be lower than the MRL. In this respect **recommendation No. 5** of the 2009 FVO report has not been fully addressed.
- Validation of the multi-antibiotic method had been performed using muscle as a matrix but was used to analyse liver and kidney samples for which the method had not been validated. In this respect **recommendation No. 5** of the 2009 FVO report has not been fully addressed.
- BIOR had carried out periodic spot-checks to confirm that individual samples had been processed within the agreed turnaround times, with no non-compliances being detected. BIOR had also performed a client satisfaction survey which was sent to TSU inspectors responsible for taking RMP samples. Of the 52 responses received, two were not satisfied with the laboratory turnaround times and 14 were partially satisfied. The audit team saw a number of cases where the agreed turnaround times had been exceeded, including for non-compliant samples taken in 2010 and 2011 (see also section 5.1.4).

Conclusions on laboratories

Notwithstanding some remaining deficiencies concerning the validation of analytical methods, the fact that testing of RMP samples is performed in well-equipped, accredited laboratories, with

validated methods included in the scope of accreditation, gives the competent authority confidence in the general reliability of laboratory performance and underpins guarantees on the residue status of food of animal origin.

5.3 Monitoring and control of dioxins, furans and PCBs in fish from the Baltic region

5.3.1 Latvia's fishing activities in the Baltic region

According to the information provided by the FVS (as prepared by the Fishery Department of the MoA), the following quantities of fish from the Baltic region were landed/placed on the market in Latvia. The quantities are in tonnes except for salmon where the number of fish is given. River lamprey, eel and trout are caught in inland waters.

Year	**2010**				**2011**				**2012***			
Species	National vessels' landings		Other EU vessels' landings in Latvia	**Total quantities landed in Latvia**	National vessels' landings		Other EU vessels' landings in Latvia	**Total quantities landed in Latvia**	National vessels' landings		Other EU vessels' landings in latvia	**Total quantities landed in Latvia**
	In Latvia	In other EU ports			In Latvia	In other EU ports			In Latvia	In other EU ports		
Sprat	39083	6768	1578	40661	30164	3277	1151	31315	27436	125	3512	30948
Herring	20845	520	1869	22714	22574	268	747	23321	18656	1	659	19315
Cod	1766	3393	0	1766	2261	2687	0	2261	2086	1899	0	2086
Salmon	1098	0	0	1098	1169	0	0	1169	1422	0	0	1422
River lamprey	73	0	0	73	100	0	0	100	19	0	0	19
Eel	8	0	0	8	6	0	0	6	2	0	0	2
Trout	5	0	0	5	6	0	0	6	7	0	0	7

* data for river lamprey, eel and trout in 2012 relate to the first nine months of the year

The following table indicates the catch areas (International Council for the Exploration of the Sea – ICES) of national fishing vessels in the period from 2010 to 2012. According to the FVS, 85 fishing vessels are currently registered, of which approximately 65 are operational, including four factory and four freezer vessels.

Species	**ICES catch areas**
Sprat	24, 25, 26, 27, 28, 29 (most catches in area 28)
Herring	24, 25, 26, 27, 28, 29 (most catches in area 28 - Gulf of Riga)
Cod	24, 25, 26, 28 (most catches in area 26)
Salmon	26, 28 (most catches in area 28)

There is no sea-based aquaculture in Latvia and production of freshwater aquaculture is relatively

small (e.g. in 2011 450 tonnes of carp were produced while for other species – mainly sturgeon, rainbow trout, pike, crucian and tench – production ranged from six to 19 tonnes, depending on the species).

Data on domestic production of fish (cod) liver and products thereof, marine oils and fish roe were not available. According to the Fishery Department of the MoA, fresh and frozen cod liver for the production of canned products (cod liver in oil, cod liver pate etc.) are imported from Norway, Iceland and four Baltic EU Member States. From the latter, cumulatively 424, 797 and 293 tonnes were imported in 2010, 2011 and 2012, respectively (data for 2012 relate to the first nine months).

There are four establishments in Latvia producing fishmeal intended for production of animal feed, and one of these plants also produces fish oil. The following production data (in tonnes) were provided by the FVS:

Product	**2010**	**2011**	**2012**
Fishmeal	3639	4052	2411
Fish oil	710	835	840

In addition, there are five vessels producing fishmeal which, according to the FVS, is not placed on the EU market.

5.3.2 Competent authorities involved

According to the FVS, there were no major changes to the structure and roles of the competent authorities compared to those described in section 5.5 of the 2006 FVO audit report, apart from the following: a) controls conducted by veterinary experts at the level of the first buyer are no longer carried out (this point of the distribution chain is not directly controlled by the FVS which stated that processing establishments are often also the first buyers of fish) and b) co-ordination and exchange of information between the FVS and authorities responsible for the elaboration and enforcement of fishing rules are now taking place at central level through regular meetings organised by the MoA.

The Marine and Inland Waters Administration (within the Ministry of Environmental Protection and Regional Development) is responsible for controls on compliance with EU and national fishing regulations. The FVS is responsible for controls on fish and fishery products for human and animal consumption at all stages of the production and distribution chain, including the monitoring and controls of dioxins and PCBs.

BIOR carries out analyses for dioxins, dl-PCBs and ndl-PCBs in food and feed and while the FVS Assessment and Registration Department (formerly the Assessment and Registration Agency) is currently responsible for risk assessments, the MoA reorganisation plan foresees the transfer of this function to BIOR.

5.3.3 Monitoring of dioxins, dl-PCBs and ndl-PCBs in wild-caught and farmed fish and their products intended for human consumption or animal feed

Legal Requirements

Annex III, Chapter II, part D of Regulation (EC) No 854/2004 requires that EU Member States set up monitoring arrangements to control the levels of residues and contaminants in fishery products in accordance with EU legislation.

MLs for, inter alia, organochlorinated contaminants in fish and fishery products for human consumption are laid down in Section 5 of the Annex to Commission Regulation (EC) No 1881/2006. In this Regulation, Article 1(1) stipulates that foodstuffs listed in the Annex containing levels of contaminants exceeding the MLs must not be placed on the market. Article 3 stipulates that foodstuffs complying with the MLs must not be mixed with foodstuffs which exceed those levels and Article 8 concerns the sampling and analysis for dioxins and dl-PCBs. The relevant MLs were revised and additional MLs for ndl-PCBs were introduced through Commission Regulation (EU) No 1259/2011.

MLs for, inter alia, organochlorinated contaminants in fish, fish protein and fish oil intended for animal feed are laid down in Annex I to Directive 2002/32/EC. Article 3 of this Directive states that products intended for animal feed cannot be imported from third countries, put into circulation or be used in the EU if the levels of, inter alia, dioxins and dl-PCBs exceed the MLs listed in the Annex.

Commission Recommendation 2011/516/EU (replacing Commission Recommendation 2006/88/EC) recommends Member States to perform, proportionate to their production, use and consumption of feed and food, random monitoring of the presence of dioxins, dl-PCBs and ndl-PCBs in feed and food. Commission Regulation (EC) 152/2009 lays down the methods of sampling and analysis for the official control of feed, including for dioxins and PCBs.

Findings

The Division of Food Surveillance, Planning, Analysis and Approval of Enterprises within the Food Surveillance Department (FSD) of the FVS prepares an annual monitoring programme for dioxins and PCBs in products of animal origin including fish and fishery products. The programme, issued as an Order of the FVS Director-General, allocates samples to relevant TSUs which decide on the sampling time and place. If samples are not available to be taken, re-allocation to another TSU is possible in consultation with the FSD.

The Food Surveillance Department (FSD) of the FVS prepares an annual sampling programme for feed, including sampling for dioxins and PCBs in fishmeal and fish oil (the latter are planned in 2013). The programme includes the quarterly allocation of samples to TSUs and a list of animal by-product (ABP) processing plants to be sampled for dioxins and PCBs in fishmeal/fish oil. Plants are selected mainly on the basis of previous non-compliant results and production volumes, in consultation with the Division of Surveillance of Animal Origin Products Processing of the FSD which is responsible for controls on compliance with ABP regulations.

The FVS reported that the following tests were carried out from 2008 to 2013 (to date).

Species/ product	Dioxins	dl-PCBs	ndl-PCBs
Baltic herring	12	12	5
Sprat	10	10	8
Salmon	3	3	-
Char	3	3	3
Cod	2	2	2
Cod liver and products thereof	1	22	45
Marine oil (imported food supplement)	2	1	-
Fish oil (feed ingredient)	1	1	-
Fishmeal	19	19	2

The audit team noted that:

- All laboratory analyses for dioxins, dl-PCBs and ndl-PCBs have been carried out in BIOR since 2009. The laboratory is accredited according to ISO 17025 and the method for dioxins, dl-PCBs and ndl-PCBs is included in the scope of accreditation and validated. The laboratory has participated in proficiency tests for fish muscle (in 2011) and fish oil (in 2008 and 2011) with satisfactory results.
- In addition to the FSD annual monitoring programme for dioxins and PCBs, BIOR started a research project commissioned by the MoA for Baltic salmon in 2012. Twenty five fish of different gender, age/size and origin were sampled in two rivers during the spawning season and analysed for dioxins, dl-PCBs and ndl-PCBs. According to the BIOR, the MLs for dioxins and dl-PCBs were exceeded in 44% and 88% of fish respectively, while the sum of dioxins and dl-PCBs was exceeded in 72% of fish. In none of the samples was the ML for ndl-PCBs exceeded. Based on the results and calculations by using various models, the recommended quantities for consumption (i.e. below tolerable weekly intake) were elaborated for different population groups including vulnerable ones (children, teenagers and females in reproductive age). The outcome of the study has been published on the BIOR website and is also planned for publication in the media.
- The FVS also provided information on the exposure assessment of dioxin and dl-PCBs' effects on consumer health, considering the consumption of Baltic salmon by the Latvian population. The assessment was conducted by the FVS Assessment and Registration Agency in 2011 and concluded that the increasing of the ML of dioxins and dl-PCBs from 8 pg/g to 15 pg/g wet weight did not cause a significant health risk or any threat to consumers, taking into account the comparatively very low consumption and low contribution of Baltic salmon to the overall proportion of consumed food.
- The number of food samples planned/taken for dioxin and dl-PCB analysis has fallen in recent years due to budgetary restrictions. In 2009, 18 samples of fish and products thereof (canned cod liver) were taken and since 2010, three to five samples of wild-caught fish have been taken annually (aquaculture samples have not been taken since 2008).

- While ndl-PCBs have not been included in official food monitoring since 2010, there has been an increase in food business operators´ own-check tests which covered exclusively ndl-PCBs (cumulatively circa 30 samples per year since 2009, see also section 5.3.4).
- According to the FVS, due to the limited number of official samples taken no particular risk-based criteria are used for their allocation in terms of species, age/size, geographical distribution (catch area) or season and not all relevant species were sampled every year (e.g. sprats as a major catch for human consumption have not been sampled in 2010 and 2011 while in 2010 only Baltic herring was sampled). Baltic salmon was not always sampled as planned due to its unavailability on the market or for sampling (e.g. no samples taken from 2008 to 2010).
- There are general sampling instructions in place for dioxins and dl-PCBs in food products. The TSU inspector interviewed explained that fish sizes included in the final sample should be representative of those in the sampled catch. Samples can be taken at landing sites or other places in the distribution chain. The records available at the FVS (test reports, sampling forms) did not always indicate the sampling location and/or that the fish sampled were of Baltic origin.
- There were two non-compliant results for the sum of dioxins and dl-PCBs found in canned cod liver in the 2009 monitoring programme. Both samples were taken at retail level from products originating in other EU Member States and RASFF notifications were issued. In addition, information for consumers was published on the FVS website concerning the affected product lot numbers etc. There was also one RASFF notification in 2009 for canned cod liver produced in Latvia. Follow-up investigations were carried out by the FVS and were generally timely and effective in removing the remaining products from the market. The Latvian producer also committed to stop using Baltic cod liver as a raw material.
- Cod liver and products thereof have not been officially sampled since 2009, although FBOs were advised by the FVS not to use Baltic cod liver in their production (see also section 5.3.4).
- Official sample numbers for feed monitoring are elaborated using certain risk-based criteria and other relevant factors including the cost of analysis and available budgetary resources. Since 2009, between one and nine samples of fishmeal have been taken annually from ABP processing plants for analysis of dioxins and dl-PCBs (ndl-PCBs were last included in 2009) and one sample of fish oil was taken in 2011 for analysis for dioxins and dl-PCBs.
- General sampling instructions for feed (including ABPs for use as feed ingredients) are in place and contain reference to relevant EU legislation dealing, inter alia, with sampling and analysis for dioxins and PCBs.
- There were five non-compliant results found in fishmeal since 2008 (four were non-compliant both for dioxins and for the sum of dioxins and dl-PCBs and one was non-compliant for dioxins alone). In two cases (in 2011 and 2012), follow-up investigations were generally timely and intended to remove the products from the market. Two other cases (in 2008) were not investigated due to long turnaround times for analysis in a foreign laboratory (approximately nine to eleven months) while in one case (in 2011) the non-compliant result was erroneously overlooked.

Conclusions on the monitoring of dioxins, dl-PCBs and ndl-PCBs in fish and fishery products

for food and feed

Official monitoring programmes for dioxins and PCBs are in place and the competent authorities can have confidence in the reliability of the laboratory results received. A recent study on salmon from the Baltic region provided a sound basis for dietary recommendations to consumers as required under derogation rules laid down in Article 7 of Commission Regulation (EC) 1881/2006.

5.3.4 Official controls

Legal Requirements

General obligations relating to the organisation of official controls and the operational criteria for competent authorities are set down in Articles 3 and 4 of Regulation (EC) No 882/2004. Criteria for staff performing official controls are set down in Article 6 of this Regulation and Article 8 thereof establishes requirements for control and verification procedures. Point 3 of the latter Article places the obligation on competent authorities to, inter alia, ensure that corrective action is taken when needed. Article 10 of Regulation (EC) No 882/2004 specifies the methods and techniques for control activities of food and feed business operators which include, inter alia, the examination of any control systems put in place by the operators and assessment of HACCP and Good Manufacturing Practice procedures established in accordance with Article 5 of Regulation (EC) No 852/2004.

Council Regulation (EC) No 1224/2009 establishes a Union control system for ensuring compliance with the rules of the Common Fisheries Policy which, inter alia, includes requirements for registration of fishing vessels, record keeping and traceability. More detailed rules for the implementation of this regulation are laid down in Commission Implementing Regulation (EU) No 404/2011. Traceability of fish is also required under both Commission Regulation (EC) No 2065/2001 and Regulation (EC) No 178/2002. The information can be given on a label, package, commercial document or invoice and should be available to consumers at the point of sale. Under Article 18 of Regulation (EC) No 178/2002, the establishment must be in a position to trace both the purchaser and the supplier and present this information to the competent authority on demand. All food must be adequately labelled.

Findings

FVS official controls are based on the inspection plan issued as an Order of the FVS Director-General (most recently issued in January 2013). The plan lays down minimum inspection frequencies for different types of establishments according to their risk profile and other relevant criteria (e.g. availability of staff resources). Fishing vessels (including those producing fishmeal) and landing sites should be inspected once per year, fish processing establishments three times per year and retail outlets and ABP plants twice per year. Frequencies can be reduced or increased depending on the outcome of the previous inspection. The FVS also stated that approximately 10% of landed catches are randomly checked every year for freshness by FVS food inspectors.

Detailed results of official controls are kept in the FVS database including specific lists of non-compliances found at inspected entities which need to be followed-up. Check-lists and work instructions for the inspection of different types of establishments are in place. Official controls are carried out without prior notice and food/feed business operators receive copies of the completed inspection reports. Operators are also obliged to report to TSUs any non-compliant test results found under their own-check programmes. The audit team noted that:

- The food and feed operators visited by the audit team have been controlled by the FVS TSUs at least at the required frequency and often more frequently. In fish processing establishments, these controls included, inter alia, checks on internal control systems (HACCP) which should cover all relevant hazards including dioxins and PCBs.
- The inspector met at the TSU visited had received training in relevant areas including HACCP, official controls of fishery products and food labelling and was aware of regulatory and recommended restrictions on the use of salmon, herring, sprats and cod liver from the Baltic region.
- Latvia has not yet implemented the derogation for salmon originating from the Baltic region, as granted by Commission Regulation (EU) 1259/2011 amending Article 7 of Commission Regulation (EC) No 1881/2006. The FVS Order No. 131 of 30.11.2005 (described in the 2006 FVO audit report) providing restrictions for placing Baltic salmon on the market is still in force.
- According to the FVS, if Baltic salmon were placed on the market, checks on fish size/weight and trimming of fish would need to be performed by the establishments supplying retail outlets or by fishermen selling fish directly to consumers, and official controls would cover these points accordingly. More detailed instructions for the filleting (trimming) of salmon, as announced in the FVS response to **recommendation No. 2** of the 2006 FVO audit report, have not yet been issued because this species is considered in practice to be absent from the market due to a steep decline of salmon catches from the Baltic region in recent years. This fish is considered to be consumed almost entirely by local coastal fishermen and thus not placed on the market.
- Establishments manufacturing cod liver products were advised by the FVS (via TSUs) not to use cod liver of Baltic origin as raw material or - if used - to test final products for dioxins. Evidence was available that this has been checked during extraordinary (targeted) official controls and actions were taken (including the temporary cessation of production and sampling of products) where the use of cod liver from Baltic fish was noted or suspected. There were nine manufacturers of cod liver products operational in Latvia in 2012 and, according to the FVS, these establishments use imported cod liver of non-Baltic origin. In the fish establishment visited evidence of the purchase of cod liver of Atlantic origin was presented.
- According to the FVS, studies carried out between 2004 and 2006 by the Latvian Fish Resources Agency (now part of BIOR) demonstrated that Baltic herring and sprats aged four years and more (i.e. likely to contain dioxin levels above the MLs) measure 17 cm or more for Baltic herring and 12 cm or more for sprats. These age-size correlations were generally confirmed in a study carried out by BIOR in 2011. According to that study, the average proportion of Baltic herring in the trawl catch from ICES areas 26 and 28 aged four years or older was 45% while for sprats this proportion was 11%.
- The HACCP programme of one of the fish establishments visited did not mention dioxins as a hazard and this establishment sorted only a minor proportion of incoming catches. The food business operator stated that they mainly receive sprat catches and sorting is only performed in mixed catches composed of sprats and Baltic herring. The other establishment visited by the audit team stated that sorting is routinely carried out, although from the documentation available the precise quantities of oversized fish sent for disposal to an ABP processing plant could not be confirmed. These aspects had not been identified during official controls in these establishments. In this way, **recommendation No. 1** of the 2006 FVO report has not been fully addressed.

- Testing for ndl-PCBs was performed under the own-checks plan in one fish establishment visited while in the other testing for dioxins had been recently added to the own-checks plan, with the first analysis foreseen for 2013.
- Establishments producing fishmeal/oil (see section 5.3.1) have been approved as ABP plants and one (visited by the audit team) had also been recently registered as a producer of animal feed. According to the VSD, such registration of other fishmeal producers is pending the adoption of relevant national legislation which is expected early in 2013. The establishments have been controlled by the FSD in line with the requirements of ABP legislation. Whilst aspects relating to requirements of feed legislation including dioxins and PCBs have not yet been covered, the VSD stated that these controls are foreseen to commence in 2013 (after the adoption of national rules).
- The ABP plant visited receives, inter alia, ABPs of fish from the Baltic Sea as raw material. Testing for dioxins has been recently added to the own-check plan both for fishmeal and fish oil. However, the current sampling approach of taking one sample of fish oil per year cannot fully ensure the representativeness of sampling of annual production.
- Information for consumers on risks relating to, inter alia, dioxins in Baltic fish has been included in an FVS leaflet providing recommendations on fish consumption. The leaflet is also accessible on the FVS website and was available in the fish retail outlets visited. Specific information related to consumption of salmon originating from the Baltic region has been recently published on the BIOR website (see also section 5.3.3).
- Fresh fish in the retail outlets visited were correctly labelled in line with the requirements of Commission Regulation (EC) No 2065/2001 and fish were traceable to the previous point in the distribution chain. These aspects have been checked by the TSU inspectors during official controls.

Conclusions on official controls

There is a well elaborated system of official controls in place covering the production and distribution of fish and fishery products, including those of Baltic origin. This is strengthened by the provision of recommendations to food business operators on avoiding the use of Baltic cod liver, scientific data on the likely exceedance of MLs in Baltic herring and sprats and by corresponding official controls on food and feed business operators. In addition, consumer information on limiting exposure to dioxins is available. However, shortcomings in the effectiveness of official controls mean that the competent authority cannot currently fully ensure that the relevant EU MLs for dioxins and PCBs are not exceeded in Baltic herring and sprats placed on the market for human consumption.

5.4 Follow-up of relevant recommendations made in previous FVO reports on residues (DG SANCO 2009-8126 MR Final) and on dioxins and other organochlorinated contaminants in Baltic Sea fish (DG SANCO 8013/2006 MR Final)

Residues report DG SANCO 2009-8126 MR Final		
No.	**Recommendation**	**Findings**
1	Ensure that all compulsory groups are included in the NRCP in accordance with Annex I of Council Directive 96/23/EC.	Compulsory substance groups are included in the scope of RMP testing. This recommendation has been addressed (see section 5.1.2).

2	Ensure that the scope of testing carried out under the NRCP includes all substances in line with the range of veterinary medicinal products on the market taking into account recital 13 of Council Directive 96/23/EC.	The scope of RMP testing includes substances in veterinary medicinal products which are authorised and used in Latvia. This recommendation has been addressed (see section 5.1.2).
3	Ensure that sampling for all substance groups is distributed evenly throughout the year in line with Commission Decision 98/179/EC.	Sampling for all substance groups is quite evenly distributed throughout the year. This recommendation has been addressed (see sections 5.1.2 and 5.1.3).
4	Ensure that staff are aware of the criteria for targeting to comply with Commission Decision 98/179/EC.	Staff are aware of the relevant criteria for the targeting of RMP sampling and apply these criteria in practice. This recommendation has been addressed (see section 5.1.4).
5	Ensure that analytical methods for residues of pharmacologically active substances and certain contaminants are validated in accordance with the requirements laid down in Articles 3, 4, 5 and 6 of Commission Decision 2002/657/EC.	Although some progress has been made concerning the validation of analytical methods certain issues remain to be addressed. This recommendation has been partially addressed (see section 5.2 and recommendation 3 of this report).
Dioxins and other organochlorinated contaminants in Baltic Sea fish report DG SANCO 8013/2006 MR Final		
No.	**Recommendation**	**Findings**
1	To implement controls on sprats and herring intended for human consumption, to ensure that no fish or fishery products with dioxins levels exceeding the maximum level laid down in Commission Regulation (EC) No 466/2001 are placed on the EU market.	Controls on sprats and herring intended for human consumption do not yet ensure that fish or fishery products with dioxins exceeding maximum levels are not placed on the EU market. This recommendation has not been fully addressed (see section 5.3.4 and recommendation 4 of this report).
2	To implement controls on salmon weighing more than 4.4 kg, to ensure that such fish with dioxins levels exceeding the maximum level laid down in Commission Regulation (EC) No 466/2001 are not placed on the EU market for human consumption.	According to the competent authority this recommendation is no longer relevant since Baltic salmon are only used for own consumption by fishermen and are not placed on the market. Thus the corresponding actions announced in response to the 2006 FVO audit report have not been implemented (see section 5.3.4).
3	To ensure that consumer information on Baltic Sea fish is fully implemented in accordance with Commission Regulation (EC) No 2065/2001.	Information is available to consumers concerning the risk of dioxins in Baltic fish and this recommendation has been addressed (see section 5.3.4).

6 Overall Conclusions

In general the system of residues controls in Latvia is in compliance with EU rules. The residue monitoring plan covers the required substance groups and relevant veterinary medicinal products and sampling is generally implemented as planned and evenly distributed throughout the year. However the effectiveness of the national residues control plan is compromised by some deficiencies in its implementation as regards suspect sampling and some remaining weaknesses concerning the validation of analytical methods and sometimes long laboratory turnaround times for the analysis of samples.

Latvia has not yet made use of the derogation granted to it by Commission Regulation (EU) No 1259/2011 to place on its national market wild-caught salmon with dioxin levels higher than the maximum levels established. Baltic salmon are normally used for own consumption only by fishermen and are not placed on the market, while official controls are effective in ensuring that Baltic cod liver is not placed on the market for human consumption. For Baltic herring and sprats, although official controls are in place, it cannot be guaranteed that such controls are sufficient to ensure that fish or fishery products with levels of dioxins, dioxin like- and non-dioxin-like PCBs exceeding the maximum levels are not placed on the EU market.

7 Closing Meeting

A closing meeting was held on 27 February 2013 with representatives of the central competent authorities. At this meeting, the audit team presented the main findings and preliminary conclusions of the audit. The authorities did not express disagreement and stated that they would take what ever actions were necessary in order to address the recommendations of the audit report.

8 Recommendations

The competent authorities are invited to provide details of the actions taken and planned, including deadlines for their completion ('action plan'), aimed at addressing the recommendations set out below, within twenty five working days of receipt of this audit report.

N°.	Recommendation
1.	To implement suspect sampling systematically in line with the requirements of Article 24 of Council Directive 96/23/EC.
2.	To ensure that laboratory turnaround times from the delivery of samples to the reporting of results are short enough to allow for effective follow-up in the case of non-compliant results in line with the requirements of Articles 16-19 of Council Directive 96/23/EC.
3.	To ensure that analytical methods for residues of pharmacologically active substances are validated in accordance with the requirements laid down in Articles 3, 4, 5 and 6 of Commission Decision 2002/657/EC, in particular that methods are validated in matrices appropriate to the samples to be tested and with critical concentrations

N°.	Recommendation
	calculated and applied as appropriate to screening and confirmatory analyses.
4.	To ensure that official controls, carried out to verify compliance with national measures aimed at ensuring that herring and sprat from the Baltic Sea placed on the EU market comply with EU maximum levels for dioxins and PCBs, are effective in achieving this aim for fish intended for human consumption, as required by Article 4.2(a) of Regulation (EC) No 882/2004.

The competent authority's response to the recommendations can be found at:

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2013-6761

Annex 1 - Legal References

Legal Reference	Official Journal	Title
Audits by the Commission Services		
Reg. 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
Food Law		
Reg. 178/2002	OJ L 31, 1.2.2002, p. 1-24	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
Reg. 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
Reg. 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Reg. 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Monitoring and sampling of residues in food of animal origin		

Legal Reference	Official Journal	Title
Dir. 96/23/EC	OJ L 125, 23.5.1996, p. 10-32	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
Dec. 97/747/EC	OJ L 303, 6.11.1997, p. 12-15	97/747/EC: Commission Decision of 27 October 1997 fixing the levels and frequencies of sampling provided for by Council Directive 96/23/EC for the monitoring of certain substances and residues thereof in certain animal products
Dec. 98/179/EC	OJ L 65, 5.3.1998, p. 31-34	98/179/EC: Commission Decision of 23 February 1998 laying down detailed rules on official sampling for the monitoring of certain substances and residues thereof in live animals and animal products
Validation of analytical methods for residues and Minimum Required Performance Limits		
Dec. 2002/657/EC	OJ L 221, 17.8.2002, p. 8-36	2002/657/EC: Commission Decision of 12 August 2002 implementing Council Directive 96/23/EC concerning the performance of analytical methods and the interpretation of results
Bans on the use of hormones and beta-agonists for growth promotion in food producing animals		
Dir. 96/22/EC	OJ L 125, 23.5.1996, p. 3-9	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 ß-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC
Maximum Residue Limits for veterinary medicinal products in food of animal origin		

Legal Reference	Official Journal	Title
Reg. 470/2009	OJ L 152, 16.6.2009, p. 11-22	Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council
Reg. 37/2010	OJ L 15, 20.1.2010, p. 1-72	Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin
Maximum Residue Levels for pesticide residues in food of animal origin		
Reg. 396/2005	OJ L 70, 16.3.2005, p. 1-16	Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC
Maximum Levels for contaminants in food		
Reg. 1881/2006	OJ L 364, 20.12.2006, p. 5-24	Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs
Authorisation of veterinary medicinal products		
Dir. 2001/82/EC	OJ L 311, 28.11.2001, p. 1-66	Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products

Legal Reference	Official Journal	Title
Dir. 2006/130/EC	OJ L 349, 12.12.2006, p. 15-16	Commission Directive 2006/130/EC of 11 December 2006 implementing Directive 2001/82/EC of the European Parliament and of the Council as regards the establishment of criteria for exempting certain veterinary medicinal products for food-producing animals from the requirement of a veterinary prescription
Reg. 726/2004	OJ L 136, 30.4.2004, p. 1-33	Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency
Medicated feedingstuffs and additives		
Dir. 90/167/EEC	OJ L 92, 7.4.1990, p. 42-48	Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community
Reg. 1831/2003	OJ L 268, 18.10.2003, p. 29-43	Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition
Reg. 183/2005	OJ L 35, 8.2.2005, p. 1-22	Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene
Sampling methods and methods of analysis for contaminants in foodstuffs		
Reg. 333/2007	OJ L 88, 29.3.2007, p. 29-38	Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs
Reg. 401/2006	OJ L 70, 9.3.2006, p. 12-34	Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs

Legal Reference	Official Journal	Title
Sampling methods for pesticides in foodstuffs		
Dir. 2002/63/EC	OJ L 187, 16.7.2002, p. 30-43	Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC
Dir. 2002/32/EC	OJ L 140, 30.5.2002, p. 10-22	Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed - Council statement
Reg. 152/2009	OJ L 54, 26.2.2009, p. 1-130	Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed
Reg. 1224/2009	OJ L 343, 22.12.2009, p. 1-50	Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006
Reg. 404/2011	OJ L 112, 30.4.2011, p. 1-153	Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy
Reg. 2065/2001	OJ L 278, 23.10.2001, p. 6	Commission Regulation (EC) No 2065/2001 of 22 October 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards informing consumers about fishery and aquaculture products