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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

LATVIA

FROM 16 TO 25 APRIL 2013

IN ORDER TO EVALUATE THE FOOD SAFETY CONTROL SYSTEMS IN PLACE
GOVERNING THE PRODUCTION AND PLACING ON THE MARKET OF FISHERY
PRODUCTS

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 audit in Latvia carried out from 16 to 25 April 2013, as part of its programme of audits in member states.

The objectives of the audit were to verify that overall, official controls take place in compliance with EU Law, and to evaluate whether the control system in place for the production and placing on the market of fishery products is in compliance with EU requirements.

The report concludes that in Latvia, an organised and documented official control system is in place all along the entire fishery products production chain, in accordance with the relevant provisions of Regulation (EC) No 882/2004. Official controls of production and placing on the market of fishery products are implemented in accordance with EU requirements. Official controls of fishery products comply with EU requirements, except for histamine. The laboratories involved in official controls of fishery products are accredited.

The report addresses to the Latvian competent authority a recommendation aimed at rectifying an identified shortcoming linked to histamine.

Table of Contents

1	<u>INTRODUCTION</u>	1
2	<u>OBJECTIVES AND SCOPE OF THE AUDIT</u>	1
3	<u>LEGAL BASIS FOR THE AUDIT</u>	2
4	<u>BACKGROUND</u>	2
4.1	<u>GENERAL BACKGROUND</u>	2
4.2	<u>PRODUCTION AND TRADE INFORMATION</u>	2
4.3	<u>RAPID ALERT SYSTEM FOR FOOD AND FEED (RASFF) NOTIFICATIONS</u>	2
5	<u>FINDINGS AND CONCLUSIONS</u>	3
5.1	<u>COMPETENT AUTHORITY</u>	3
5.2	<u>REGISTRATION/APPROVAL OF FOOD BUSINESS OPERATORS ESTABLISHMENTS</u>	6
5.3	<u>OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET</u>	7
5.3.1	<u>OFFICIAL CONTROL SYSTEM IN PLACE</u>	7
5.3.2	<u>PRIMARY PRODUCTION</u>	7
5.3.3	<u>LANDING AND FIRST SALE</u>	8
5.3.4	<u>FACILITIES, INCLUDING VESSELS, HANDLING FISHERY PRODUCTS</u>	8
5.3.5	<u>IMPORT CONTROLS OF FISHERY PRODUCTS</u>	9
5.3.6	<u>FOLLOW-UP OF RASFF NOTIFICATIONS</u>	9
5.4	<u>OFFICIAL CONTROLS OF FISHERY PRODUCTS</u>	10
5.5	<u>LABORATORIES</u>	11
6	<u>OVERALL CONCLUSIONS</u>	12
7	<u>CLOSING MEETING</u>	13
8	<u>RECOMMENDATIONS</u>	13
	<u>ANNEX 1 - LEGAL REFERENCES</u>	14

ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
BCD	Border Control Department of FVS
BIOR	Institute of Food Safety, Animal Health and Environment
BIP	Border Inspection Post
BTSF	Better Training for Safer Food
CA	Competent Authority
CCA	Central Competent Authority
CP	Control point
CCP	Critical Control Point
EURL	European Union Reference Laboratory
DG SANCO	Health and Consumers Directorate General of the European Commission
EC	European Community
EU	European Union
EUROSTAT	Statistical Services of the European Union
FBO	Food business operator
FI	Food inspector
FSD	Food Surveillance Department of FVS
FVO	Food and Veterinary Office of the European Commission
FVS	Food and Veterinary Service
HACCP	Hazard Analysis Critical Control Points
HPLC	High Performance Liquid Chromatography
ISO/IEC	International Organisation for Standardisation
LATAK	Latvian National Accreditation Bureau
NRL	National Reference Laboratory
OJ	Official Journal of the European Union
PAH	Polycyclic Aromatic Hydrocarbons
PCBs	Polychlorinated Biphenyls
RASFF	Rapid Alert System for Food and Feed
TSU	Territorial Structural Unit
TVB-N	Total volatile basic nitrogen
VI	Veterinary Inspector
VSD	Veterinary Surveillance Department of FVS

1 INTRODUCTION

The audit took place in Latvia from 16 to 25 April 2013 and was undertaken as part of the Food and Veterinary Office's (FVO) audit programme.

The audit team comprised two inspectors from the FVO. An opening meeting was held in Riga on 16 April 2013 with the Central Competent Authority (CCA). At this meeting the audit team confirmed the objectives of, and itinerary for the audit, and requested additional information required for the satisfactory completion of the audit. Representatives from the Competent Authorities (CAs) accompanied the audit team during the whole audit.

2 OBJECTIVES AND SCOPE OF THE AUDIT

The objectives of the audit were:

- to verify that official controls of fishery products are organised and carried out in accordance with the relevant provisions of 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.
- to evaluate whether the control system in place for the production and placing on the market of fishery products is in compliance with EU requirements.

In terms of scope the audit focused on the organisation and performance of the CAs, the official control system in place covering production, processing and distribution chains applicable to fishery products placed on the market. Accordingly, relevant aspects of the EU legislation referred to in Annex 1 were used as a technical basis for the audit.

In pursuit of these objectives, the following sites were visited:

Competent authority visits		
Central level	1	Food and Veterinary Service (FVS)
Regional level	3	Territorial Structural Unit (TSU)
Laboratory visits		
National Reference Laboratory (NRL)	1	The Institute of Food Safety, Animal health and Environment (BIOR) in Riga
Primary production		
Hatchery	1	
Aquaculture farm	1	
Fishing vessels	1	
Landing and first sale		
Landing sites	1	
Facilities handling fishery products		
Processing plants	4	
Cold stores	2	

3 LEGAL BASIS FOR THE AUDIT

The audit was carried out under the general provisions of EU legislation and, in particular, Article 45 of 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.

Full legal references to EU legal acts quoted in this report are provided in Annex 1 and refer, where applicable, to the last amended version.

4 BACKGROUND

4.1 GENERAL BACKGROUND

This was the first FVO fishery products audit to Latvia since accession. An overview of how control systems are organised in Latvia, based on information supplied by them, is provided in the Country Profile for Latvia and is available at the following link:

http://ec.europa.eu/food/fvo/last5_en.cfm?co_id=LV

4.2 PRODUCTION AND TRADE INFORMATION

According to the CA, in 2012, landings of fish in the fishing ports of Latvia amounted to a total of 48,200 tonnes, primarily sprat (30,600 tonnes) and Baltic herring (17,600 tonnes).

According to the information available in Eurostat, in 2012 Latvia placed on the market the following:-

- On the EU market, a total of 34,617 tonnes of fishery products. The main buyers were by decreasing order of importance: Estonia (13,620 tonnes), Lithuania (10,717 tonnes), Denmark (3,688 tonnes), Poland (2,790 tonnes) and France (1,854 tonnes).
- On third countries market a total of 15,924 tonnes of fishery products. The main importers were by decreasing order of importance: Ukraine (5,867 tonnes), Belarus (5,819 tonnes) and the Russian Federation (3,262 tonnes).

According to the information available in Eurostat, in 2012 Latvia received:-

- From the EU market, a total of 40,250 tonnes of fishery products. The main providers were by decreasing order of importance: Sweden (12,550 tonnes), Lithuania (8,976 tonnes), Estonia (6,668 tonnes), Poland (3,658 tonnes), Denmark (2,071 tonnes) and Finland (1,925 tonnes).
- From third countries: a total of 12,870 tonnes of fishery products. The main exporters were by decreasing order of importance: Norway (6,858 tonnes), Morocco (2,797 tonnes), Vietnam (963 tonnes), the People's Republic of China (780 tonnes) and Iceland (772 tonnes).

4.3 RAPID ALERT SYSTEM FOR FOOD AND FEED (RASFF) NOTIFICATIONS

During 2011 and 2012, ten RASFF notifications were registered with regard to fishery products originating from Latvia, of which:-

- Six notifications were linked to the presence of benzo(a)pyrenes (PAH) respectively in smoked fish in oil (four) and in smoked fish paste (two).
- Three, linked to the detection of *Listeria monocytogenes* in smoked fish in oil (two) and in smoked fish (one).

- One concerning the presence of spoiled fishery products within a consignment.

5 FINDINGS AND CONCLUSIONS

5.1 COMPETENT AUTHORITY

Legal requirements

Articles 3 to 10, 54 and 55 of Regulation (EC) No 882/2004.

Findings

The designated CCA responsible for the official controls of fishery products is the FVS within the Ministry of Agriculture.

Three departments of FVS are mainly involved in the official supervision of the fish sector: the Food Surveillance Department (FSD), the Veterinary Surveillance Department (VSD) and the Border Control Department (BCD).

FSD is responsible for planning, organising and co-ordinating official controls of fishery products all along the production chain. VSD is in charge of the official supervision of hatcheries and aquaculture farms. BCD performs controls on imported fishery products at the Border Inspection Posts (BIPs).

Official controls of fishery products are carried out at regional level by eleven TSUs. The team visited three TSUs and noted that:-

- staff is accommodated in adequate and well equipped premises.
- Veterinary inspectors (VIs) and food inspectors (FIs) are assigned to a TSU based on the number of establishments in each region.
- FIs engaged in official controls related to fishery products are qualified to university degree level and are authorised for controlling a specific area based on theoretical tests of their knowledge and following three months practical training within that area.

As far as fishery products are concerned, there is no delegation of official tasks from FVS to other control bodies.

FSD, VSD and BCD official control systems are accredited according to ISO/IEC 17020 standard by the Latvian Accreditation Bureau (LATAK). The scope of accreditation includes the TSUs and the BIPs. The accreditation was granted respectively to BCD, FSD, VSD in 2003, 2007 and 2009.

Regarding training of staff involved in official controls of fishery products, the team noted that:-

- An annual programme, approved by the director of FVS, is planned based on assessed needs such as legislative changes, new tasks, priorities, etc.
- Every year, VIs and FIs must attend training courses or BTSF trainings sessions covering topics such as food hygiene, HACCP, aquaculture, etc.
- Induction courses for newcomers are also organised, which consist of a three month course followed by theoretical and practical exams. Furthermore, specific training modules are also organised to assess the level of qualification of inspectors in order to grant them an authorisation in a specific control area.

Regarding the general obligations relating to the organisation of official controls of fishery products, the team noted that:-

- FSV has developed a risk-based system. Establishments are classified into different categories depending on the type of activity or products and the risks associated. For each category, a minimum inspection frequency is set.
- Based on the results of official controls, establishments are graded into three risk groups: A- where they fully comply with the requirements of the normative acts; B- where some slight non-conformities are found; C- where serious non-conformities are found. The inspection frequency may change depending on the grade of an establishment granted after the previous inspection.
- Every year, FSV prepares an annual control plan for all categories of establishments based on priorities, which have been determined following analysis of previous control results. The frequency of controls is set out in an FVS Order: at least once a year for fishing vessels and landing sites, twice a year for cold stores and three times a year for processing establishments. The FVS Order can be amended if necessary.
- All information related to official controls is saved in a database, which automatically calculates the frequency of inspections and signals the next inspection date. The results of official analyses are also saved in a specific database.

Regarding control procedures, the team noted that:-

- Exchange of information between FVS and TSU take place by means of orders, procedures and instructions issued and approved by FVS and twice a year meetings between FVS and Heads of TSU.
- Extensive and detailed procedures and instructions (registration and approval, planning and performing inspections, use of checklists, data input in the database, audit procedures, sampling methods, cooperative arrangements with the laboratory, infringement procedures, etc) for staff performing official controls is also accessible via an intranet and the FVS's website, and can be used either electronically or as hard copy.
- Specific checklists, containing all the relevant EU requirements for fishery products are available and used for the assessment of hatcheries, aquaculture farms, fishing vessels, landing sites and processing establishments.

Regarding verification procedures, the team noted that:-

- Supervision of the performance of official controls is carried out according to a specific FVS procedure "Control of professional operation of TSU inspectors" (No KR.02.P.002). Heads/Deputy Heads of TSU are primarily responsible for supervising their own inspectors. The FIs of the TSUs are also regularly supervised during inspection by technical managers from the central office, focusing on their behaviour and performance. The technical managers have to complete a specific checklist on practical surveillance for each FI. The results of supervision activities are summarised in a report and submitted to the Director General of the FVS.

Supervision is also ensured through a review of the data entered by inspectors in a database at regional level which is also accessible at central level. Monthly reports and half yearly comparative reports are compiled for discussions in TSUs in order to ensure uniform implementation.

- Internal audit procedures to verify the effectiveness of official controls are in place, based on the provisions of Regulation (EC) No 882/2004. The eleven TSUs are regularly audited every year by qualified auditors in the framework of a five-year audit plan.

FVS has an internal auditor from the Division of Management Systems, training and Audit,

responsible for planning, organising and co-ordinating auditing activities at central and regional level. 22 auditors from central level and TSUs and 6 auditors from BCD and BIPs have been appointed by the Director General of FVS to participate in audit activities (each audit lasting 2-3 days) and to support the internal auditor. These auditors are independent of their own TSU/BIP when working in this function and do not audit their own area of work. An evaluation of their performance is done every two years. In case of need, relevant specialists from the CA will be trained and included in audit teams from 2012, in order to increase the effectiveness of the audit.

- External audits are also carried out every two years by LATAK in relation to the accreditation (ISO 17020) granted to FVS. An audit for the renewal of accreditation is performed every 15 months (the last audit took place in spring 2012; the next one will take place in summer 2013). The audit team is composed of a team leader accompanied by technical experts. The audit takes place over two days and includes meetings, interviews and documents review at central and regional level. Following the audit, a report including deadlines for corrective actions is prepared.

Regarding reporting procedures, the team noted that:-

- Inspection reports were available in all the establishments visited; examples of inspection FSV prepares an annual reports reviewed by the team showed that reports included descriptions of deficiencies as well as requests for corrective actions where needed, including deadlines for completion.
- After each control, an original of the report is given to the establishment. A copy of the report is kept at TSU level in the dossier of the establishment and all information on control activities is electronically saved into the database within seven working days.

Regarding control activities, methods and techniques, the team noted that tasks related to official controls are, in general, satisfactorily carried out by inspectors, using appropriate control methods and techniques such as monitoring, surveillance, verification, audit, inspection, sampling and analysis.

Regarding actions in case of non-compliance and sanctions, the team noted that:-

- FVS has an extensive range of enforcement instruments at its disposal to perform its tasks, such as issuing warnings, drawing up an official report, imposing fines or penalties, withdrawing authorisations or approval, restricting or prohibiting placing on the market. These powers are based upon provisions of the Latvian Administrative Violations Code and the Law on the Supervision of the Handling of Food.
- In one TSU visited, the team was informed about the case of a processing establishment, where the operation had been suspended following the identification of non-conformities. All fishery products, including raw material, were destroyed. (see 5.3.4).

Conclusions

Competent authorities responsible for the official control of fishery products are clearly designated as required by Article 4 of Regulation (EC) No 882/2004.

Official controls are carried out on a risk basis, according to documented procedures, and comply with most of requirements laid down in Articles 3 to 10, 54 and 55 of Regulation (EC) No 882/2004.

5.2 REGISTRATION/APPROVAL OF FOOD BUSINESS OPERATORS ESTABLISHMENTS

Legal requirements

Article 6 of Regulation (EC) No 852/2004,
Article 4 of Regulation (EC) No 853/2004,
Article 3 of Regulation (EC) No 854/2004 and
Article 31 of Regulation (EC) No 882/2004

Findings

The team noted the following:-

- Up-to-date lists of approved establishments were available on the FVS website, which include two freezer vessels, six factory vessels, 107 processing establishments and 34 cold stores. There are no wholesale markets or auction halls in Latvia, as first sale is normally agreed before the fish has been landed.
- Approval of establishments is granted following specific procedures in accordance with the requirements of Regulation (EC) No 882/2004. It is initiated by an application from the food business operator (FBO) to the FVS. A team of FVS specialists from regions other than where the establishment is located carries out an evaluation of the establishment. In case of a newly built establishment, there are two evaluations: one leading to a conditional approval, the second to a full approval after three months of production. A draft decision on full approval of an establishment is prepared by the FVS Central Office and the decision is taken by its director-general. The database is updated and an approval certificate issued. Lists of approved establishments are available on the FVS website.
- The official notification of the attribution of approval for a specific activity was available in the establishments visited.
- Up-to-date lists of registered establishments were available on the FVS website, which include 156 aquaculture farms, 84 fishing vessels operating in the Baltic sea, and 24 landing sites.
- Registration is granted following set procedures. An application is sent by the FBO to the FVS, which takes a decision for registration, records the decision in the FVS central database and issues the registration certificate.

Conclusions

FVS keeps an up-to-date list of approved and registered establishments. Approval is granted according to the requirements of Regulation (EC) No 882/2004.

5.3 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

Legal requirements

Article 4 of Regulation (EC) No 852/2004,
Article 3 and Section VIII of Annex III to Regulation (EC) No 853/2004,
Article 4 of Regulation (EC) No 854/2004 and Chapter I of Annex III to Regulation (EC) No 854/2004,
Regulation (EC) No 2073/2005 and

Article 50 of Regulation (EC) No 178/2002.

Findings

5.3.1 Official control system in place

At central level, FVS is responsible for the official supervision of the fish sector, namely the registration and the approval of establishments, drafting guidelines, instructions and procedures, evaluating inspection and sampling results, assessing HACCP plans at establishment level and organising the follow-up of corrective actions.

At regional (TSU) level, official controls of fishery products are mainly carried out by authorised FIs, who are responsible for controlling the whole chain of production of fishery products, including fishing vessels, landing sites, processing establishments, cold stores and placing on the market. VIs are in charge of the supervision of aquaculture production facilities, namely hatcheries and aquaculture farms.

FVS prepares an annual control plan for all fishery products establishments under its responsibility in accordance with the terms of an FVS Order which sets the minimum frequency for the controls to be carried out: once a year for fishing vessels and landing sites, twice a year for cold stores and three times a year for processing establishments.

Standardised checklists have been developed to facilitate the performance and consistency of official controls in the fish sector.

A report must be prepared after each inspection including corrective actions specifying deadlines where appropriate. The relevant data is introduced within seven working days into the central database. The database is accessible at regional and central level. Results of inspections of establishments are summarised in monthly, quarterly, semi-annual and annual reports.

5.3.2 Primary production

1- Hatcheries and aquaculture farms

The team noted that official controls of hatcheries and aquaculture farms are carried out by VIs once a year according to the procedures and instructions, using a specific checklist. Reports of inspection, including corrective actions and deadlines for completion were available on the spot.

The team visited one state owned hatchery/aquaculture farm mainly specialised in the production of game fish for restocking rivers (salmon, sea trout, etc.) and noted the following:-

- The different facilities and sections visited (water treatment, brood stock, larvae, post larvae, juveniles, etc.) were well equipped and in good state of maintenance.
- Production records (water temperature, use of feed, growth, mortality, harvesting, use of veterinary medicines, etc.) were included in a standardised document filled in by the FBO.

2- Fishing vessels

The team noted that:-

- Official controls of fishing vessels in operation are carried out by FIs once a year according to the procedures and instructions, using a specific checklist. Reports of inspection, including corrective actions and deadlines for completion were available on the spot.
- All the fishing vessels operating in 2012 (64 out of the 84 registered fishing vessels) were inspected by FIs of the different TSUs.

The team visited one fishing vessel (trawler) operating in the Baltic Sea and noted the following:-

The fishing vessel visited, staying at sea less than 48 hours and using ice, presented good conditions in terms of structure, equipment and material;

- own-check records (quality of ice, temperature of fishery products, checks on cleanliness of equipment/material, etc.) were available.

5.3.3 Landing and first sale

The team noted that:-

- As explained in 5.2 above, there are no wholesale markets or auction halls in Latvia.
- Official controls of landing sites are carried out by FIs once a year according to the procedures and instructions, using a specific checklist. Reports of inspection, including corrective actions and deadlines for completion were available on the spot.

The team visited one private landing site providing fishery products to local processing establishments, which presented adequate conditions in terms of structure and equipment. Ice used in the fishing vessels is provided by the establishments. Plastic crates used for holding fish on board fishing vessels are cleaned and stored in the establishments.

5.3.4 Facilities, including vessels, handling fishery products

1-Freezer and factory vessels

The team noted that official controls of freezer (two) and factory (six) vessels are carried out by FIs once a year according to the procedures and instructions, using a specific checklist.

2-Processing establishments and cold stores

The team noted that:-

- Official controls are carried out by FI, at least twice a year for cold stores and at least three times a year for processing establishments.
- Official controls to verify FBOs' compliance with the requirements of Regulation (EC) No 852/2004 and Regulation (EC) No 853/2004 are regularly carried out by FIs according to the procedures and instructions. Reports of inspection, including corrective actions and deadlines for completion were available on the spot.
- These official controls include checks on good hygiene practices (lay-out, structure, equipment, hygiene, pest controls, training, etc.), audits of HACCP plans and verification of traceability and labelling.
- Water/ice is officially tested for microbiology (*Escherichia coli*, *Enterococci*, *Clostridium perfringens*) twice a year.
- In one TSU visited, infringement procedures, including seizure/destruction of products and suspension of activities, were implemented against an establishment producing canned fishery products, where numerous breaches in relation with illegal activities were found.

The team visited four processing establishments and noted the following:-

- From a general point of view, these establishments presented good conditions regarding structure, equipment, maintenance and hygiene, where in operation.

- A HACCP plan, which generally describes and addresses the hazards related to the product, was available in all establishments visited. In one establishment visited, one critical point concerning temperature control was not recorded and corrective actions were not clearly defined, as requested in Article 5 of Regulation (EC) No 852/2004 regarding HACCP principles.
- Own-checks (training for staff, medical certificates, pest controls, swab tests) were found to be correctly implemented in the establishments visited.
- Own-checks analyses (microbiology and chemistry) of fishery products and water/ice are performed on a regular basis, either in in-house laboratories, private or official laboratories.

In two establishments visited, the team could verify the traceability system in place. End products could be traced back to the level of fishing vessels or approved establishments in third countries or traced forward to the next level of distribution. However, in one establishment visited, the Common Veterinary Entry Document was not available concerning an import from a third country.

5.3.5 Import controls of fishery products

Import controls of fishery products are carried out by inspectors from the BIPs.

The team was provided by BCD with figures concerning official controls carried out by the BIPs on imported fishery products: respectively, in 2011 and 2012, 355 and 264 consignments of fishery products for a total net weight of 9,842 and 5,523 tonnes were officially controlled.

5.3.6 Follow-up of RASFF notifications

In one processing establishment visited, which was involved in a 2011 RASFF notification concerning the presence of benzo(a)pyrenes/PAH exceeding the authorised limits in smoked fishery products in oil, the team could verify that:-

- The follow-up of this RASFF notification was adequately performed by the CA, according to the procedures in place.
- The origin of contamination was found; and the product in question, already sent to another member state, was identified, traced back/forward and withdrawn from the market.

Conclusions

Official controls of the production and placing on the market are implemented in accordance with EU requirements. From a general point of view, establishments visited during the mission were found to be in good condition regarding structure, equipment, maintenance and hygiene. HACCP/own-checks were found to be adequately implemented.

5.4 OFFICIAL CONTROLS OF FISHERY PRODUCTS

Legal requirements

Article 7 of Regulation (EC) No 854/2004 and Chapter II and III of Annex III to Regulation (EC) No 854/2004

Findings

1- Organoleptic examinations

The team noted that:-

- Organoleptic checks to verify compliance with the freshness criteria established in accordance with EU legislation are randomly carried out on fishery products mainly at landing, but also at all stages of production and distribution, where needed.
- According to the Director General Order No 84 dated 26 February 2009, organoleptic examinations have to be carried out on 20% of fish catches landed in Latvia.
- These official controls were correctly carried out by FIs in accordance with the instructions, procedures (KR.10.P.123) and the appropriate checklist.

2- Freshness indicators: TVB-N

The team noted that TVB-N testing is available in the official laboratory, but it has never been used by FIs during official controls of fishery products.

3- Histamine

According to the Director General Order No 143 dated 3 December 2010, official histamine testing is only carried out on fishery products intended for export to the Customs Union of Belarus, Kazakhstan and the Russian Federation, following specific Russian standards, which require one sample and apply a legal limit of 25 mg/kg.

As a result, fishery products are not sampled and tested according to the requirements of Regulation (EC) No 2073/2005, which require nine samples and apply different legal limits. The team was informed by the CA that official histamine testing according to EU requirements was stopped due to budgetary constraints.

4- Residues and contaminants, microbiological checks and parasites

The team noted that:-

- An official sampling plan to monitor the levels of residues and contaminants and to perform microbiological checks and parasites testing on fishery products placed on the market is implemented by FVS in accordance with EU requirements.
- The number of fishery products samples to be analysed varies according to the importance and the profile of the fish sector in each TSU. A specific Director General Order concerning the type and number of samples to be carried out in individual TSUs is issued at the beginning of each year. Official samples are collected by the FIs of the TSUs during inspections and sent to the official laboratory.
- Regarding residues and contaminants, the team verified in two different TSUs that official samples were taken in 2012 to monitor:-
 - The levels of heavy metals (lead, mercury and cadmium) in accordance with the instructions laid down in the Director General Order No 19 dated 2 February 2012.
 - The levels of benzo(a)pyrene/PAH in accordance with the instructions laid down in the Director General Order No 36 dated 16 March 2012.
 - The levels of dioxins/PCBs in accordance with the instructions laid down in the Director General Order No 56 dated 15 May 2012.
- Regarding microbiology, the team verified in two different TSUs that official samples were taken in 2012 to check on ready to eat fishery products:-
 - The presence of *Listeria monocytogenes* in accordance with the instructions laid down in the Director General Order No 31 dated 5 March 2012.

- The presence of *Salmonella* in accordance with the instructions laid down in the Director General Order No 15 dated 31 January 2012.
- Regarding parasites, the team verified in two different TSUs that official samples were taken in 2012 in accordance with the instructions laid down in the Director General Order No 19 dated 2 February 2012.

Conclusions

Official controls of fishery products are carried out according to EU requirements, except for histamine sampling and testing, which is not carried out according to the requirements laid down in Regulation (EC) No 2073/2005.

5.5 LABORATORIES

Legal requirements

Articles 11, 12 and 33 of Regulation (EC) No 882/2004

Article 1 and Annex I to Regulation (EC) No 2073/2005

Article 2 and Section II of Annex II to Regulation (EC) No 2074/2005

Regulation (EC) No 1881/2006

Regulation (EC) No 333/2007

Regulation (EU) No 252/2012

Findings

The team visited the Institute of Food Safety, Animal health and Environment (BIOR), which was created in 2010 following a merger of the National Diagnostic Centre with the Latvian Fish Resources Agency.

BIOR works on animal disease diagnosis and food control and is also active in human diseases diagnosis and environmental analysis, previously covered by the Public Health Agency of the Ministry of Health.

BIOR was designated by Order of Minister No 714 dated 9 September 2009 as the National Reference Laboratory (NRL) in the area of animal diseases and food safety.

BIOR consists of a central institution located in the capital city and regional departments located in towns and administrative districts of Latvia.

The team noted that:-

- BIOR is accredited to ISO/IEC 17025 by LATAK. For contractual reasons the Laboratory is accredited to Russian standards by the Russian accreditation bodies ROSPOTREBNADZOR and the Federal Agency for technical regulation and metrology.
- With regards to fishery products, the scope of accreditation includes the following tests:-
 - Freshness indicators: TVB-N
 - Histamine, using a HPLC method (NDC-T-012-039-2007)
 - Microbiological criteria: *Listeria monocytogenes* (ready-to-eat foods) and *Salmonella* (cooked crustaceans)
 - Heavy metals: lead, cadmium and mercury

- PAH and dioxins
- Parasites
- With regards to water and ice, the scope of accreditation includes the following microbiological analyses:-
 - *Escherichia coli*
 - *Enterococci*
 - *Clostridium perfringens* (surface water)
- BIOR regularly participates in proficiency tests, including inter-laboratory comparison tests with the regional laboratories and their branches.
- In the last three years, the laboratory participated in proficiency testing for the tests described above, with acceptable z scores for all types of analyses.
- As NRL, the laboratory fulfils its responsibilities and tasks according to the requirements laid down in Article 33 of Regulation (EC) No 882/2004. BIOR collaborates with the relevant EU reference laboratories, coordinates the activities of the regional laboratories and their branches and provides scientific and technical assistance to the CA. BIOR is also involved in research in the area of fisheries (fish resources).

Conclusions

The laboratories responsible for official analyses of fishery products are accredited in accordance with ISO/IEC 17025 standards. They regularly participate in proficiency tests with satisfactory results.

6 OVERALL CONCLUSIONS

In Latvia, an organised and documented official control system is in place all along the entire fishery products production chain, in accordance with the relevant provisions of Regulation (EC) No 882/2004. Official controls of production and placing on the market of fishery products are implemented in accordance with EU requirements. Official controls of fishery products comply with EU requirements, except for histamine. The laboratories involved in official controls of fishery products are accredited.

7 CLOSING MEETING

During the closing meeting held in Riga on 25 April 2013, the audit team presented the main findings and preliminary conclusions of the audit to the CA.

During this meeting, the CAs acknowledged the findings and preliminary conclusions presented by the audit team.

8 RECOMMENDATIONS

The CA should provide Commission services with an action plan, including a timetable for its completion, within one month of receipt of the report, in order to address the following recommendation for fishery products placed on the market.

N°.	Recommendation
1.	The CA should ensure that official sampling and testing for histamine follow the requirements laid down in Regulation (EC) No 2073/2005.

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=2013-6670

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
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
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
Reg. 2073/2005	OJ L 338, 22.12.2005, p. 1-26	Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs

Legal Reference	Official Journal	Title
Reg. 2074/2005	OJ L 338, 22.12.2005, p. 27-59	Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
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
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. 252/2012	OJ L 84, 23.3.2012, p. 1-22	Commission Regulation (EU) No 252/2012 of 21 March 2012 laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EC) No 1883/2006