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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

SWEDEN

FROM 18 TO 22 MARCH 2013

IN ORDER TO EVALUATE THE NATIONAL PROCEDURES IN PLACE TO VERIFY
EFFECTIVENESS OF THE IMPORT CONTROL SYSTEM

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 audit carried out by the Food and Veterinary Office in Sweden from 18 to 22 March 2013. Its overall objective was to assess how the Swedish authorities evaluate the performance and effectiveness of their system of official import controls regarding live animals and products of animal origin. Follow-up of relevant recommendations from previous FVO reports in the area of import controls was also carried out.

In terms of scope, the audit covered products of animal origin and live animals arriving in the EU from third countries and the audit spanned over the objectives of the national system for import controls, the checks carried out in this area and the procedures to ensure they work as planned, the collection of data, their analysis and how the authorities use results to evaluate achievement of the objectives, for planning and to improve the system.

Overall, the audit team concludes that:

The Swedish authorities are developing the necessary elements to enable them to verify effectiveness. The updated Multi Annual National Control Plan 2013-2016 introduced the possibility, for the competent authorities, to break down the general objectives for all areas of controls and to set indicators. It also incorporates the 'improvement wheel' concept, the four-step management method for the control and continuous improvement. The plan was published in February 2013, and implementation of the national goals for food control is ongoing. In the plan, there are no specific goals nor indicators for the import control system which hampers the possibility of the authorities to verify its effectiveness.

Responsibilities regarding controls are well defined and there are documented procedures for controls and verification activities. However, controls on animal products at processing establishments and market level are not very useful to feed the assessment of effectiveness of the import control system due, for instance, to the little awareness of controllers on requirements for imported products and the absence of overview results in areas such as traceability.

At Border Inspection Posts (BIPs), the import control system works well for goods that are presented for veterinary checks. For non-notified consignments, the system relies on Customs identification of goods and due to Swedish particularities they are not identified in all cases.

The monitoring system covers the whole food chain and provides relevant data to verify effectiveness. However, the current data collection process do not support adequately verification of effectiveness as data sources not linked to the BIP environment (e.g. Customs') are not taken into account and data from later steps of the food chain (e.g. controls at importers) do not have sufficient quality. Co-operation and co-ordination between authorities is good and contributes to harmonisation of controls but it is not very effective in identifying system level effectiveness issues, as there are no formalised mechanisms to ensure that relevant findings are communicated to interested parties to investigate the root causes of the problems.

Despite this, data are collected and analysed and this had an impact in subsequent planning and leads to improvements in the import control system. As a down side, the analysis is not documented and it is performed separately by different authorities and departments. This, together with the fact that many relevant data are not considered and that objectives are not yet defined creates a risk of policies and objectives not covering all risks or not focussing on key processes.

Regarding follow-up from previous FVO audits, the authorities addressed satisfactorily most of the recommendations that were open in the area of import of animals and animal products.

The report makes one recommendation to the Swedish authorities in order to further enhance their system.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
BIP	Border Inspection Post as defined in Council Directives 97/78/EC and 91/496/EEC
CN-code	The goods nomenclature code as laid down by Annex 1 to Council Regulation (EEC) No 2658/87 (i.e. the Combined Nomenclature)
CVED	Common veterinary entry document for products of animal origin as laid down in Annex III to Commission Regulation (EC) No 136/2004 and for live animals as laid down in Annex I to Commission Regulation (EC) No 282/2004.
DG(SANCO)	Health and Consumers Directorate-General
EU	European Union
FVO	Food and Veterinary Office
Linus	IT tool used by Divisions and Departments of the Swedish National Food Administration for strategic planning, planning of activities and monitoring their follow-up
LS Dok	Document management system used by the Swedish National Food Administration
MANCP	Multi-Annual National Control Plan
NFA	Swedish National Food Administration – <i>Livsmedels verket</i>
PIMKO	electronic tool used at the Swedish National Food Administration to support the controls in processing establishments
SBA	Swedish Board of Agriculture – <i>Jordbruks verket</i>
TRACES	TRAde Control and Expert System introduced by Commission Decision 2004/292/EC
IMYR	IT system for regulatory reporting. System used by local authorities to report results of their controls to the Swedish National Food Administration.

1 INTRODUCTION

The audit formed part of the Food and Veterinary Office's (FVO) planned audit programme. It took place in Sweden from 18 to 22 February 2013. The audit team comprised three auditors from the FVO.

An opening meeting was held on 18 March 2013 with the Swedish central competent authorities, the National Food Administration (NFA) and the Swedish Board of Agriculture (SBA), with representatives of Customs and local authorities. At this meeting, the objectives of, and itinerary for, the audit were confirmed and the control systems were described by the authorities. Representatives from the central competent authorities accompanied the team during the audit.

2 OBJECTIVES

The objective of the audit was to assess the measures in place in Sweden in order to be able to verify and ensure that their official import control system is appropriate and effective and to ensure compliance with the Article 4 (2) (a) of Regulation (EC) No 882/2004.

The other objective of this audit was to assess how the competent authorities' action plans to relevant recommendations from the FVO audit report DG(SANCO)/2009-8085 (hereinafter, the 2009 report) were addressed.

Controls on non-commercial pets and on consignments introduced in the EU for personal consumption were excluded from the scope of the audit, except to the extent necessary for the follow-up of the recommendations of the 2009 report.

Regarding the scope the audit examined :

1. the objectives set by the national system for import controls of live animals and products of animal origin and the competent authorities involved and their co-ordination;
2. the checks carried out and procedures in place to ensure they work as planned;
3. the collection of data, analysis /evaluations performed and how the authorities use results to evaluate achievement of the objectives;
4. the use of results for future planning and improvement of the system.

This involved examining the allocation of responsibilities and co-ordination between different authorities, services and/or departments, procedures for monitoring and reporting and corrective and preventive actions taken where problems were identified.

The audit included visits to and meetings with relevant services of the competent authorities (NFA, SBA, Customs, Country Administrative Boards, municipalities). One border inspection post (BIP), one municipality, one Customs clearance office and one regional service of the NFA were visited on the spot.

3 LEGAL BASIS

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 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

Annex 1 comprises a list of legislation and other reference documents used as audit criteria for this report. EU legal acts quoted in this report refer, where applicable, to the last amended version.

4 BACKGROUND

The FVO has been carrying out audits on import controls at BIPs for more than ten years. The last overview report published in this area (DG(SANCO) 2011-6255 - MR FINAL) concluded that all Member States visited had comprehensive import control systems in place and in the main they work properly. These audits were completed in 2011 and 2012 with a follow-up series to evaluate the actions taken by competent authorities in response to previous FVO recommendations in this field, and the preliminary assessment showed a favourable outcome. The FVO audits performed also indicated that written procedures were available to staff performing import controls and that supervision systems and audits were widely developed.

Regulation (EC) No 882/2004 on official controls to ensure verification of compliance with feed and food law, animal health and animal welfare rules, in its Article 4 requires that the competent authorities ensure the effectiveness and appropriateness of official controls on live animals, and food at all stages of production, processing and distribution.

Verification is a process used nowadays in most administrations to assess compliance with policies, procedures and requirements, as well as to assess the adequacy of those procedures and identify areas requiring improvement. Verification activities, if properly designed and implemented, should give an indication of whether or not an organisation is doing things as planned and whether the activities are properly designed to move the organisation towards its objectives. In this context, it was considered appropriate to move the focus of the FVO's audits on import controls towards verification.

Statistics show that every year, Member States detect inland consignments of animal products that were not presented for veterinary checks at entry. Data stored in common public databases such as Trade Control and Expert System -TRACES- (whose data are provided by veterinary services) and the reference database for external trade kept by the Commission's statistical office-COMEXT (whose data are provided by Customs services) showed significant differences regarding imports. It is important to determine whether the responsible authorities are aware of these facts and investigate their origin and whether these cases trigger investigations, the results of which can be used to identify weaknesses in the import control system and to establish corrective and required measures to prevent re-occurrence.

The main EU import control legislation was adopted over ten years ago and the Commission has scheduled their review. In this context, it is also important to identify potential improvements of the effectiveness of the current EU system of import controls to feed into the forthcoming review.

The overall series of audits on national verification systems of import controls aims to strengthen Member States mechanisms to evaluate their own performance and effectiveness and thus, strengthen the overall EU import control system on a continuous basis.

At the time of the audit, Sweden had six BIPs listed. During 2012, according to data in TRACES, 588 consignments of live animals – mainly registered horses and ornamental fish, cats and dogs - were imported through those. For animals products, around 4,500 consignments were checked at Swedish BIPs in 2012. The majority of the products were fish and fishery products, followed by fresh meat.

According to the Swedish Chambers of Commerce's report on ethnic foods (the Swedish Chambers/the Chamber of Commerce of East Sweden October 2010 -7th revised edition), consumption of ethnic food products account for a small, but increasing part of the total food consumption. The most important product groups for ethnic foods include items such as preserved meat and dairy products and there are more than 1,000 specialised ethnic stores around the country. These ethnic stores are generally supplied by independent wholesalers, mostly specialised companies acting both as importers and wholesalers and that quite a few of the ethnic stores belong to specialised companies that also act as importers and/or wholesalers.

5 FINDINGS AND CONCLUSIONS

As regards the audit criteria for this report the EU legislation listed in Annex I was used, in particular the following provisions:

- Article 4 (2) (a) of Regulation (EC) No 882/2004, which requires the competent authorities in Member States to ensure the effectiveness and appropriateness of official controls on live animals, feed and food at all stages of production, processing and distribution, and on the use of feed;
- Article 8 (3) of the same Regulation, which requires the competent authorities to have procedures in place to verify the effectiveness of official controls that they carry out and to ensure that corrective action is taken when needed and that the documented procedures, including instructions and other information for staff performing the official controls, are updated as appropriate.

In addition to the above legal requirements, parts of the following standards were used as audit criteria:

- NFA instructions contained in their document management system LS Dok and guidances.
- NFA's Border Control Division's instructions, including its BIP manual.
- SBA's instructions, including its BIP manual.

5.1 OBJECTIVES OF THE IMPORT CONTROL SYSTEM AND COMPETENT AUTHORITIES

Objectives for the import/transit control system

1. The Swedish updated Multi-Annual National Control Plan (MANCP) for 2013-2016 published in February 2013. It includes general objectives and includes provisions for breaking them down by areas and developing indicators. At the time of the audit, this was not yet done and no deadline had been fixed for it.
2. The previous MANCP (2010-2013) included three general national goals (e.g. safe food, honest food management) and specific objectives for four areas. The specific objectives were formulated also in a very general manner (e.g. for the area of “food”, the specific objectives for the NFA were “food is safe” and “food handling is honest”).
3. There were no specific objectives or indicators for the import control area at the NFA or SBA at the time of the audit. The objectives set by Customs refer to the number of physical controls performed.

Responsibilities of competent authorities

4. The NFA is the central competent authorities regarding imports of animal products for human consumption. The Border Control and Support Division (within the Food Control Department) is responsible for controls at BIPs. It is responsible for the procedures and activities related to BIPs, including training of staff, manual of procedures, supervision and planning of control activities. BIPs staff deployed from NFA are responsible for import/transit controls of products of animal origin for human consumption.
5. The regional services of the NFA control food processing establishments. The controls include traceability as one of the fifteen areas to be controlled in a period of five years.
6. In 2011, the NFA created the Evaluation Division (within the Guidance Department) which is responsible to receive and analyse data from results of controls and audits.
7. Local authorities (municipalities) register and control importers (with and without storage, i.e. brokers), retail food establishments and restaurants. Municipalities also control food processing establishments, in agreement with the NFA, if they have sufficient resources and skills. The municipality visited had a veterinarian controlling cutting plants and a meat importer. The controls include traceability of the products.
8. The SBA is the central competent authority for imports of animal products not for human consumption and live animals. The District Veterinarians Department is responsible for checks at BIPs in these matters and the Department of Animal Welfare and Health for procedures and activities indicated in paragraphs 1 and 4.
9. The SBA is the central authority for animal health and welfare and they are responsible to investigate problems regarding animal identification. The controls on animal identification are carried out by County Administrative Boards as part of activities related to controls on animal health and welfare.
10. Customs Administration monitors and controls traffic from abroad to ensure that rules on entry of goods are followed. They play an important role in the identification of consignments subject to veterinary checks if they have not been notified to the BIP.

Conclusions:

The Swedish authorities prepared themselves to make it possible to evaluate effectiveness including provisions in the MANCP. However, as different organizations (NFA, SBA, County administrative board, authorities at local level and Customs) developed their own objectives and goals and strategic objectives are not well broken down and indicators have not been decided for the import control area, there is not yet a solid base for the verification of effectiveness in the area audited.

The competent authorities and their responsibilities are well defined and they cover all the trade steps for imported products (from import to use or sale to consumer) which provides a good support to implement verification of effectiveness of the import control system.

5.2 IMPORT/TRANSIT CONTROLS

Procedures for controls at BIPs

11. The Border Control Division of the NFA has instructions for staff performing checks at BIPs. Most of the instructions are gathered in the BIP Manual and others within the NFA document management system called LS Dok. Each NFA Division is responsible to update their documents and place them on LS Dok. The documents regarding import controls were kept updated at the time of this audit. At the BIP visited, staff could reach the instructions

via Intranet and they kept a paper copy of the last version.

12. The NFA's national instructions require, in certain cases, developing more specific instructions or procedures locally. At the BIP visited, this was in place. For instance, there were very detailed instructions on how to check cargo manifests and the records that should be kept.
13. The SBA has a manual for checks at BIPs, which includes instructions for sampling. Staff had access to the manual via the SBA's Intranet.

Other controls

14. The regional Divisions of the NFA perform controls at processing establishments (e.g. slaughterhouses, dairy establishments). One of the 15 areas that inspectors should cover in a period of five years, is traceability. Until 2012, inspectors chose when to inspect each area. The representative met did not have notice that regional inspectors covering traceability had ever risen concern regarding imported products used or found in processing establishments, but he indicated that they did not have knowledge about which documents should accompany imported products nor about which countries of origin are allowed for animal products.
15. An electronic tool called "PIMKO" was introduced in 2012 to support the controls in food processing establishments, to allow a better overview of results and to ensure all areas are covered in all establishments. This interactive guide includes planning of controls in different sectors, operators and on various areas of relevance, e.g. traceability. This is used by all Food Control Department Divisions and includes key questions to identify the real cause of the problems. There is an optional feature of the essential questions which can be used when limited time is available. Reporting of control results is standardised through an electronic platform called "e-LVIS".
16. The control plan showed that traceability would be covered in all food establishments during 2013. It was not planned to carry out horizontal following of products through the production chain or tracing back to origin. PIMKO included aid-memoirs for traceability controls and the use of an audit-type approach for the controls. A project for supervision on controls covering traceability was also planned for 2013 in order to verify that inspectors followed instructions and guidance.
17. Municipalities carry out controls on food retailers, including importers, and in some processing establishments. Each municipality keeps data of its controls and stores them in its IT system which are chosen from commercially available ones. The IT systems are not connected with each other nor with the NFA or the SBA.
18. There is general guidance from the NFA about what should be controlled in retailers. The municipality visited had set areas of control for food establishments, one of which was traceability, and all of them had to be covered in a three-year period. Traceability was indicated as one of the major areas for importers. A control sheet was also developed locally to inspect brokers.
19. In market controls, the Head of the control office indicated that reconciliation of quantities of food of animal origin is done upon request, or when a need arises, on a reactive basis. that was routinely included in the controls. She also indicated that there was no analysis, nor an overview, of the results of controls regarding traceability at ordinary controls but this is done at project-oriented controls.
20. The SBA performs controls in petfood/feed establishments using animal products as raw materials/ingredients. There were instructions covering traceability of animal by-products

available for the inspectors. The controls performed never uncovered possible problems regarding imported products.

21. Controls on animal identifications are performed by County Administrative Boards. There were instructions dated January 2013 from the SBA on how to perform controls for live animals. The SBA representatives indicated that the only problems found regarding irregularly or illegally imported animals concerned pets, mainly dogs, and follow-up investigations to prevent recurrence were done by Customs.

Competence for performance of import controls:

22. The NFA had a annual training programme. Staff involved in import controls have, at least, three days of training a year. To identify training needs and set the topics for courses, results from audits, current issues and analysis of data in TRACES are taken into account at central level. Staff performing checks also has an input indicating areas where they would like to receive training. At the time of the audit, there was a course planned for April 2013 on, among others, freezer containers.
23. The SBA has a similar system for training, but staff working on import controls receive two days of training in one session.
24. Staff from central level and staff working at BIPs (from the NFA and the SBA) had attended recent Commission courses “Better training for safer food” on import controls and BIPs.
25. The municipalities develop their own training programmes. The one visited during the audit identified training needs during annual interviews and internal audits. The area 'import controls and controls on products arriving from other Member States' had been recently identified as a need for training and an in-house course was planned for 2013.

Identification of consignments subject to import/transit controls

26. Consignments that require veterinary checks have to be notified to the BIPs 24 hours before arrival into Sweden. The 2009 FVO audit report (DG SANCO 2009/8085) recommended (recommendation No 10) ensuring that notifications were received in advance of arrival and that appropriate cross-checks of manifests were carried out at BIPs. An instruction was included in the BIP manual to cover this recommendation and as indicated in paragraph 12, it was developed locally to cover specific needs. At the BIP visited, all cargo manifests were checked by BIP staff before the arrival of ships and data were compared with notifications received. Where BIP staff identified consignments that had not been notified, they contacted the port terminal to identify the shipper and block the container.
27. The SBA has an additional fee for consignments that were not pre-notified to BIPs. Officials met indicated that the measure was effective for small importers, but not for big companies as the penalty is low. The NFA does not have any measure in place to prevent repeated non-compliances regarding notification. At the port visited, staff indicated that they had no problems regarding repeated offenders, but one official from the airport indicated that repeated offenders were sometimes a problem at the airport BIP.
28. When cargo was indicated as “foodstuffs” or “consolidated cargo” on the manifests, BIP staff indicated that they did not carry out follow-up on them to see if they required veterinary checks. They relied on Customs identifying relevant products as the importer had to declare the specific Customs codes for the different products. The personnel interviewed at the BIP (Customs and veterinary staff) perceived consolidated containers are more risky

based on their experience. The Customs officer presented a recent case where cheese was seized in consolidated cargo as it was not declared.

29. The 2009 report recommended (recommendation No 11) considering the use of automatic identification of consignments subject to veterinary checks in the Customs electronic processing systems. The Customs IT system includes profiles for different types of products. The products that require veterinary checks are identified by the system based on their Customs nomenclature code (CN code). When a declaration includes a veterinary product, the system indicates to the official processing data that there is a restriction and that additional documentation has to be requested (i.e. a common veterinary entry document (CVED) is needed). The system records what measures the Customs official takes when a product is flagged.
30. Customs officials processing import declarations have access to TRACES. When a product is flagged by the system, they check within TRACES whether a valid CVED has been issued by the BIP for that consignment.
31. In Sweden, there is a possibility to make the Customs declaration in different ways (normal, simplified in one step, simplified in two steps). In the 'simplified procedure in two steps', the importer does not include the CN code for the product in the first declaration. In case the product being imported is subject to any restriction (e.g. veterinary products), the importer should include a two-digit code called “ call-me koder” to alert Customs, because the IT system will not identify any profile for veterinary products in the absence of the CN code. A second declaration is made 11 days later, and at that time, it includes the CN code and the system identifies restrictions. However, by then, the products have already been released (cleared) by Customs.
32. Customs representatives estimated that around 50% of declarations were done following the simplified procedure (the declarations sent with the simplified procedure do not show up in the system's statistics and it was not possible to get exact figures for veterinary products). In 2012, five consignments of veterinary products were identified as cleared by Customs without BIP checks. In most cases, Customs realised this at the time of the second declaration and alerted the veterinary services.

Verification of import/transit controls

33. The NFA has written procedures indicating how and when verification activities regarding controls at BIPs have to be carried out. Verification of compliance with written procedures and legislation is carried out by an annual visit to each BIP by the central level (Border Control Division). Verification visits were carried out in line with the instructions.
34. In 2012, all listed BIPs were inspected and reports were available. According to the reports, there was good implementation of the instructions nationwide. The reports indicated some shortcomings at individual BIPs, but no systemic problems. The follow-up of deficiencies detected depended on the type of deviation identified (e.g. BIP staff was required to notify actions taken, extra visit scheduled or issues were incorporated for review in the next annual visit). Shortcomings indicated in reports were followed-up and corrected at the BIP visited.
35. There is a national co-ordination group for audits where municipalities, County Administrative Boards, the SBA, Surgeon General and the NFA are represented. The group plays a consultation role and developed a strategic plan to ensure a consistent auditing system in Sweden. At the time of the audit, it has the intention to review the situation and have a complete picture of the audits in the country. For all the audits performed by these

authorities, there were procedures for planning, reporting and follow-up.

36. The SBA has an audit group that reports directly to its Director General and audits the controls performed by their own services (e.g. feed, import controls on live animals). The audits performed focused mainly on compliance issues, but according to the representatives met, there is an increased look at effectiveness of controls. The group had decided to use the guidance document drafted by the Regulation EC No 882/2004 Audit Network (a working group of national officials responsible for implementing Article 4(6) of Regulation EC No 882/2004) to assess, in the near future, how effective their systems are.
37. The NFA performs audits under the auspicious of its Director General. It audits its own services, County Administrative Boards and municipalities. There are two instructions that directs its job (and the audits performed by the County Offices, that audit municipalities): 'How to audit NFA authorities' and 'audit handbook'. The latter was issued on 20 February 2013 and has not yet been used in practice. It included guidance to assess how competent authorities verify effectiveness.
38. The document that was used for audits previously was less developed regarding the concept of effectiveness, but included aspects that contributed to assess compliance and to a certain degree, the suitability of the controls for purpose and their effectiveness. During 2012, one BIP was audited and the audit report indicated that the controls were effective. The audit did not include the verification activities carried out by the Border Control Division.
39. According to the results of the audits performed during 2012, there were many shortcomings regarding verification of compliance. Representatives from the NFA audit group indicated that the biggest challenge they faced auditing against effectiveness was that not all authorities had a good verification system in place and that objectives had not been correctly broken down.
40. The Customs IT system registers all cases where alerts were brought to the attention of officers (i.e. number of cases where declarations triggered alerts). The Analysis Department of Customs produces monthly reports that it sends to the clearance office for information and actions.
41. As indicated in paragraph 31, simplified declarations consist of two steps. As the step 1 declaration does not hold information of the CN code, only the last step of the declaration is stored in the statistics data warehouse and there is no possibility to check how many declarations that should include the "call me" code did in fact include it (unless step 1 of the simplified declarations are retrieved one by one).

Conclusions:

The NFA and the SBA have all relevant administrative and specific processes and procedures documented, in line with the relevant provisions of Regulation (EC) No 882/2004, which contributes to the quality of the controls and the verification activities. At regional and municipal levels, although some instructions are in place and there are controls on traceability, the little awareness of controllers on the requirements for imported products hampers the possibility to detect irregularities. The absence of an overview of results at these levels makes it difficult for the competent authorities to verify the effectiveness of the import control system.

The training of the control staff facilitates compliance with the procedures and contributes, at BIPs, to the effectiveness of the controls performed. However, at other levels, training is not geared towards ensuring that veterinary products have been correctly imported.

Although verification activities in the past focused on verification of compliance with the procedures in place, EU and National legislation, the main elements enabling the competent

authorities to verify the effectiveness of the import control system are in place at controls' level.

5.3 DATA COLLECTION, COMMUNICATION AND CO-ORDINATION

Data collected by Customs

42. All controls on Customs declarations are recorded in their electronic database. There is a vast amount of data, clearly categorised, and controls are conducted on a risk-based approach. Customs have set general objectives for their controls. The overall goal is linked to the number of controls and the veterinary-related controls are monitored as a percentage of the total amount of physical controls. There are no targets or limits on the results that could trigger actions on improvement and/or change the operating system's processes.
43. At the request of the audit team, Customs extracted specific data regarding veterinary products. In 2012 the 33 flags/profiles that Customs have in the IT system concerning animal products notified a total of 19,299 items. Of these, 0.6 % were checked and resulted in identified irregularities, 65% were checked and approved and 4% were not checked. The remaining 30% were automatically cleared due to the operators' status as authorised economic operator. These cases were subject to post-clearance checks, but there were no statistics concerning the number and outcomes of these checks. The data were not supplied to, nor requested by the veterinary authorities and were not used to verify the effectiveness of the import control system.
44. Customs representatives indicated that all incidents were followed-up and analysed with the aim to discover patterns. This could lead to modification in the risk profiles for products.

Data collected by the Food Control Department of the NFA

45. The NFA uses an IT tool called “Linus” accessible via Intranet. The different Divisions and Departments use it for strategic planning, for introducing the planned activities and link them to one general objective and for monitoring their follow-up on a quarterly basis. The tasks are linked to a category and to a process. The audit team determined that it had a great potential to assess the use of resources, main problems identified, timeliness of actions and other indicators relevant to verification of the effectiveness process.

A. Border Control and Support Division

46. All consignments for human consumption arriving and checked at BIPs are recorded in the national database called “REDA”. The number of rejected consignments is monitored as an indicator of the import control process, but it was not specified what the use of this indicator was. The results of rejections were supervised during the annual supervisory visits, but it was not clear whether the results were satisfactory or not.
47. There was a register for incidents (e.g. consignments that were found in warehouses cleared by Customs without veterinary checks). The use of these records was to document the history of events and follow-up. Results of the supervisory visits and audits to BIPs were also kept.

B. Regional Divisions

48. The representative met indicated that due to the planning system before 2013, it was very difficult to have an overview or analysis of results regarding traceability in food processing establishments, and this was not available. He indicated that the system in place for 2013 together with the supervision project (see paragraph 16) will facilitate the collection and

analysis of data in the near future.

Data collected by the Guidance Department of the NFA

49. Reports from controls carried out by local authorities were received annually by the Guidance Department through the national system called IMYR (i.e. IT system for regulatory reporting). The NFA identified problems regarding incomplete and late reporting. Follow-up of this point was not covered during the audit. Also, a representative of the Guidance Department explained that the data received were not detailed enough to be useful to evaluate the effectiveness of the import control system. For instance, it was not possible to know the results of controls at importers or the results on the area of traceability.
50. According to the information received, RASFF messages were used to identify possible issues for further investigation. The Evaluation Department analyses data from local level reports and directs results to the Control Management Division .

Data collected by local authorities and Administrative County Boards

51. Each municipality and County Board keeps data of its controls and stores them in its own IT system. Municipalities and County Boards have the obligation to annually report the result of their controls to the NFA.

Data collected by the SBA

52. Results of controls performed at petfood/feed establishments and incidents related to animal identification were kept by the SBA. The results of internal audits on the SBA services were also collected for analysis.
53. The SBA also gathered results of checks performed at BIPs on live animals and animal products not for human consumption.

Communication and co-operation between authorities

54. Within the NFA, the Evaluation Division, which belongs to the Guidance Department, act as co-ordinator. It facilitates and promotes improvement in the organisation after gathering data from different sources and departments.
55. The national co-ordination group for audits indicated in paragraph 35 plays an important role for communication and co-operation between the authorities involved. Its mission involves supporting the control authorities, to identify and analyse needs on competences and methodologies and to exchange expertise and good practices between authorities.
56. There is no formal procedure for directing problems and relevant findings found at market level to the interested parties. For example, the representative of the local authorities stated that local inspections sometimes found products suspicious of having bypassed BIP controls (e.g. as part of consolidated containers). There were no formalised mechanisms to give this information to the Border Control Division and therefore, although measures were taken at local level (e.g. rejection, seizure), the cause of the problem was not investigated.
57. A multilateral agreement is in place between the NFA, the SBA and Customs regarding consignments that have by-passed veterinary check. There are regular meetings between the three authorities at central level and *ad hoc* communication by e-mail and phone. As an example, communication was proved in the case where a consignment was cleared by Customs without veterinary checks and found inland by the NFA services. Operational *ad hoc* meetings and communication between these authorities were observed during the visit

to the BIP.

Conclusions:

There is a good monitoring system at BIPs which allows collection of relevant data to verify effectiveness. However, as available data from other sources - such as Customs - are not used and data to monitor different stages of the food chain do not have sufficient detail (e.g. results from traceability controls at importers), the current data collection do not to support adequately verification of effectiveness.

Although communication and co-operation between authorities and departments works well and contribute to harmonisation of controls and to the effectiveness of the import control system, it is not currently effective in identifying system level effectiveness issues.

5.4 ANALYSIS, PLANING AND IMPROVEMENT

Analysis of available data

58. The data collected by the Border Control and Support Division (paragraphs 46-47) is analysed within the same Division. However, there is no analysis to determine the appropriateness and the suitability of the data collected. The analysis process was not documented and it was not clear which methodology was used.
59. The SBA performs the analysis of its own data for imports. According to the information received, results from internal audits and import controls were taken into account. As in the paragraph above, the analysis process was not documented and it was not clear which methodology was used.
60. The Regional Divisions of the Food Control Department and local authorities reported annually to the Evaluation Division of the NFA who analysed all information collected and checked for outliers. There was a simple procedure for analysing appropriateness and correctness of data collected: if there was any strange record, the relevant authority was contacted and inquired for further clarification.
61. The NFA Guidance Department conducts data analysis using data from FVO and national audits (on municipalities, Administrative County Board and the NFA services), from controls carried out by local authorities and Regional Divisions of the NFA, and microbiological sampling. Other sources feeding the analysis are new legislation, environmental studies, projects, new processes introduced by operators and risk evaluation and incidents.
62. Representatives from the Guidance Department indicated that the analysis performed until 2012 was mainly descriptive, taking into account the goals set in the MANCP. There was no documentation regarding how the analysis was made and its results, although the authorities indicated that it could be extracted by comparing consecutive MANCPs and tasks entered in Linus after the analysis. They indicated that from 2013 onwards, the process, although mainly descriptive, will be more statistical and that indicators would be developed. They stated that the evaluation would indicate whether controls were bringing the authorities towards reaching their objectives.
63. There was no joint analysis of data from different authorities involved in import and related controls. Data from Customs on controls on animal products were not analysed further than explained in paragraph 42.
64. The audit team was informed that the NFA management had started a project called “food

controls of the future”. Its aim was to analyse the current environment, situation of food controls and needs to modify food controls in order to increase their effectiveness.

Planning of official controls

65. The results of the analysis performed by the Border Control Division (paragraph 58) led to the inclusion of activities in Linus (e.g. development of instructions, planning of specific training) for that Division.
66. There was no evidence that the analysis of data performed by the SBA fed the planning process regarding import controls.
67. The analysis performed by the Evaluation Division of the NFA (paragraphs 61-62) led to modifications in planning, which were reflected in the updated MANCP. For instance, the analysis performed in 2011 concluded that controls did not target high risk establishments, which led to include high risk establishments as a priority in the subsequent year. However, there was no evidence that this analysis has any impact in the planning of the import controls area.

Improvement of the import/transit control system

68. The system in place requires corrective action when a non-compliance is detected. During the audit, this was observed on several occasions (e.g. when supervision reports at BIPs identified shortcomings, corrective actions were requested; deficiencies identified during the internal audit led to the inclusion of the tasks such as “create instructions for rejection of consignments” in Linus). The documentation demonstrated proper follow-up (e.g. follow-up of the actions taken by the BIP was documented in subsequent visits, Linus tasks were monitored quarterly indicating the degree of completion).
69. The Border Control Division used its analysis (paragraph 58) for identifying weaknesses and possible areas of improvement at BIPs. The audit team saw evidence of decisions taken after the annual review that aimed to strengthen controls at BIPs (e.g. the new legislative requirements, the interviews with BIP staff and the analysis of checks at BIPs led to include training on composite products).
70. The Swedish MANCP 2013-2016 incorporates the so-called 'improvement wheel' or PDCA cycle (Plan Do Control Act). It makes emphasis that all authorities should apply it to all areas of control.
71. At the time of the audit there was no evidence that data generated outside the BIP environment (e.g. data from Customs, data from controls at market level, data from public complains) were used to modify the controls associated to imported products or to strengthen the import control system.

Conclusions:

The competent authorities have available most of the necessary elements for building a system for verification of effectiveness of the import control system and the implementation of the updated MANCP should bring the rest (e.g. objectives and indicators). The authorities carry out analysis of data and this leads to improvements in the import control area, mainly at BIPs. However, the link between data and decisions is not always clear. The current system where many relevant data are not taken into account and the analysis is done separately by different authorities and departments without assessing all risks and determining the needs beyond the checks performed at BIPs, pose a risk that policies and objectives which are decided will not cover all risks or focus on key processes.

5.5 FOLLOW-UP OF RECOMMENDATIONS FROM PREVIOUS FVO AUDITS

The 2009 report included recommendations to the Swedish authorities. Although an action plan with measures for all recommendations was presented by the Swedish authorities, some recommendations were still open at the time of the audit, and these are detailed below.

72. Recommendation No 3 on providing complete information and instructions or training to Customs to ensure the correct implementation of checks on non-commercial pets arriving from Third Countries and personal consignments containing veterinary products. In response to this, the competent authorities indicated in their action plan that training had been provided to BIP staff and a one-day information meeting was planned for BIP staff and Customs regarding pets. The SBA indicated its intention to update guidelines on the two subjects and provide them to veterinary staff and Customs.

In response to the last general follow-up audit of the FVO (DG(SANCO)/2011/6090 Final), the authorities confirmed that the information day had been carried out and the publication of the guidance.

During the audit, the authorities provided evidence of the meeting where the new requirements were explained and of the information available to Customs on the SBA website and the guidance. The SBA is receiving reports from Customs which indicate the number of controls performed and the results concerning introduction of personal consignments and checks of cat and dog furs..

73. Recommendation No 6 on taking the necessary administrative measures to implement requirements in different EU legislation elements. In response to this recommendation, the competent authorities provided an action plan where most of the necessary measures were detailed. During the last FVO's general follow-up audit to Sweden, only information regarding quarantine requirements for fish was pending.

During the audit, representatives of the SBA presented their website and demonstrated that information regarding absence of quarantine facilities for fish is accessible to BIP staff.

74. Recommendation No 10 on ensuring that notifications are received before physical arrival of consignments and appropriate cross-checks of manifest. In response to this recommendation, the NFA indicated that new instructions would be included in the BIP manual. At the last general follow-up audit to Sweden, the authorities presented the instructions and indicated that the SBA had included the information on its website.

During the visit to the BIP, it was verified that the national manual included an instruction regarding cross-check of manifests and that this was done (see paragraphs 12, 26 and 28).

Regarding pre-notification of consignments, relevant findings are detailed in paragraphs 12, 26 and 27 of this report.

75. Recommendation No 11 on considering the use of automatic identification of consignments in the Customs electronic system. In response to this, the authorities indicated that the problem was linked to the presentation of simplified Customs declarations and agree to investigate the conditions to review the routines related to it. In an updated action plan, the authorities indicated the introduction of a new compulsory procedure for the importer or his agent to declare a two digit code if the consignment contained any goods subject to restrictions.

Findings relating to this are detailed in paragraphs 29-32 and 41. Customs representatives interviewed indicated that the procedure to approved operators to enable them to use the simplified procedure had been reviewed recently, and more conditions had been imposed to

operators in order to improve compliance and some permits were going to be reviewed and revoked.

76. Recommendation No 13 on ensuring sampling, at BIPs, of animal products not used for human consumption and reporting of results to the Commission. In their response to the recommendation, the authorities indicated that instructions for sampling these products had been issued and a monitoring plan would be prepared and the results would be sent to the Commission during 2011. During the last general follow-up audit to Sweden, the authorities stated that they were working on the instructions and sampling plan.

During the audit, the SBA presented the BIP manual, which included instructions for sampling non-human consumption products (last update was dated 4/3/2013 and it clarified the concept of “random selection”). The monitoring plan for 2012 was given to the audit team. It included the products planned for sampling and the test foreseen. The SBA presented the results of the 2012 plan. A sampling plan for 2013 was available to the BIPs. They indicated that an option could be that the SBA sends the results to the NFA who reports this together with the results of other samples taken at BIPs

77. Recommendation No 17 on ensuring that Customs officials were aware of certain requirements regarding checks on non-commercial pets. The answer and findings to recommendation 3 of the 2009 report (paragraph 72 of this report) covers also this recommendation.
78. Recommendation No 22 on improving co-operation with Customs to enable BIP staff to carry out veterinary checks as required. In their response to this, the authorities indicated that co-operation had been strengthened and instructions developed with that aim and that Customs could not allow BIP staff to access its system regarding pre-notifications due to EU legislation.

During the visit to the BIP, the audit team observed that BIP staff has access to all necessary information to carry out veterinary controls. The representative of the Border Control Division stated that manifests were obtained by BIP staff from shippers and that all BIPs had access to cargo manifests.

Conclusions:

Recommendations Nos 3, 6, 13, 17 and 22 were addressed satisfactorily. Recommendation No 10 has been partially addressed as no actions are yet taken by the NFA to avoid recurrent cases of absence of or late pre-notification. Recommendation No 11 has been satisfactorily addressed as the Customs electronic system is linked to the positive list but the problem that veterinary consignments are cleared, in certain cases, by Customs without veterinary checks still remains.

6 OVERALL CONCLUSIONS

The Swedish authorities are developing the necessary elements to enable them to verify effectiveness. The updated Multi Annual National Control Plan 2013-2016 introduced the possibility for the competent authorities to break down the general objectives for all areas of controls and to set indicators. It also incorporates the PDCA concept, the four-step management method for the control and continuous improvement. The plan was published in February 2013 and implementation of the national goals for food control is ongoing. In the plan, there are no specific goals nor indicators for the import control system which hampers the possibility of the authorities to verify its effectiveness.

Responsibilities regarding controls are well defined and there are documented procedures for

controls and verification activities. However, controls on animal products at processing establishments and market level are not very useful to feed the assessment of effectiveness of the import control system due, for instance, to the little awareness of controllers on requirements for imported products and the absence of overview results in areas such as traceability.

At BIPs, the import control system works well for goods that are presented for veterinary checks. For non notified consignments, the system relies on Customs identification of goods and due to Swedish particularities they are not identified in all cases.

The monitoring system covers the whole food chain and provides relevant data to verify effectiveness. However, the current data collection process do not support adequately verification of effectiveness as data sources not linked to the BIP environment (e.g. Customs') are not taken into account and data from later steps of the food chain (e.g. controls at importers) do not have sufficient quality. Co-operation and co-ordination between authorities is good and contributes to the harmonisation of controls but it is not very effective in identifying system level effectiveness issues, as there are no formalised mechanisms to ensure that relevant findings are communicated to interested parties to investigate the root causes of the problems.

Despite this, data are collected and analysed and this had an impact in subsequent planning and leads to improvements in the import control system. As a down side, the analysis is not documented and it is performed separately by different authorities and departments. This, together with the fact that many relevant data are not considered and that objectives are not yet defined creates a risk of policies and objectives not covering all risks or not focussing on key processes.

Regarding follow-up from previous FVO audits, the authorities addressed satisfactorily most recommendations that were open in the area of import of animals and animal products.

7 CLOSING MEETING

A closing meeting was held on 22 March 2013 with representatives from the NFA, SBA, Customs and local authorities. At this meeting, the main findings and the preliminary conclusions of the audit were presented by the audit team. The competent authorities indicated that they found the new approach used during the audit to import controls useful but expressed their view that the Commission should provide an “official” definition of the term “effectiveness” so it can be interpreted similarly through Member States and different authorities.

8 RECOMMENDATIONS

The competent authorities are invited to provide details of the actions taken and planned, aimed at addressing the recommendation set out below, within twenty five working days of receipt of this audit report.

N°.	Recommendation
1.	To ensure that Customs authorities only allow the intended customs-approved treatment or use of the consignments in accordance with the conditions set in the CVED as required by Article 3.4 of Directive 97/78/EC.

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=2013-6894

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Dir. 97/78/EC	OJ L 24, 30.1.1998, p. 9-30	Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries
Dir. 91/496/EEC	OJ L 268, 24.9.1991, p. 56-68	Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC
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
Dec. 2006/677/EC	OJ L 278, 10.10.2006, p. 15-23	2006/677/EC: Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules