EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office

DG(SANCO) 2013-6876 - MR FINAL

FINAL REPORT OF AN AUDIT

CARRIED OUT IN

LATVIA

FROM 03 TO 14 JUNE 2013

IN ORDER TO EVALUATE THE FOLLOW-UP ACTION TAKEN BY THE COMPETENT AUTHORITIES WITH REGARD TO OFFICIAL CONTROLS RELATED TO THE SAFETY OF FOOD OF ANIMAL ORIGIN, IN PARTICULAR MEAT, MILK AND THEIR 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

The report describes the outcome of an audit carried out by the Food and Veterinary Office (FVO) in Latvia from 3 to 14 June 2013. The main objective of the audit was to evaluate the official controls related to production and storage of food of animal origin and the follow-up action taken by the competent authorities (CAs) with regard to official controls related to the safety of food of animal origin, in particular meat, milk and their products.

There have been no changes in relation to Central Competent Authorities (CCA) structure, and co-operation between and within CAs since the country profile was last updated. Procedures are in place and documented in relation to approval. Nevertheless in different cases, establishments were approved which had not been seen in operation.

A system is in place countrywide for the planning of the official controls. This planning is risk based with the establishments being classified based on most of the criteria of Regulation (EC) No 882/2004. The performance of the food business operator (FBO) itself is not taken into account. Additional "unplanned" official controls on the spot are possible but without any additional cost for the FBO even when these official controls are linked to the FBO's inability to comply with EU requirements. Procedures are in place for the performance of the official controls, covering the general and specific requirements of the European Union (EU) legislation. All official controls carried out are documented.

A range of sanctions are available to the officials in case of infringements to the EU requirements starting from warnings to fines, confiscating products, stopping activities, suspension of approval and withdrawal of approval. The application of appropriate sanctions in certain cases where deficiencies, some of them significant and even very significant, were identified by the FVO audit team, is questionable.

The majority of the establishments visited were largely compliant with the requirements of the EU legislation. Deficiencies were found concerning maintenance, cleaning and disinfection of certain structures and equipment. Deficiencies were also found in relation to the operational hygiene. Very significant deficiencies were identified in one meat establishment where risks for human consumption cannot be excluded. The CA took immediate action to address these deficiencies.

Hazard Analysis Critical Control Point (HACCP) plans were in place in all establishments visited. Only minor deficiencies were identified. Sampling programmes based on Regulation (EC) No 2073/2005 were in place in all establishments visited covered by this Regulation. In most cases the programme in place was acceptable. All establishments visited had traceability procedures in place. Some deficiencies were identified, in particular, in relation to a consignment of milk tested positive for antibiotics.

Ante- and post-mortem examinations evaluated were properly carried out and documented including the recording of the results in the national database. Food chain information (FCI) was available, however, it did not cover the last day(s) before slaughter. In 2013 all laboratories approved for Trichinella testing participated in a proficiency test organised by the National Reference Laboratory (NRL). This proficiency test was using pig meat only and gave very poor results. Corrective action was immediately undertaken.

Only minor issues were identified in relation to animal welfare at the time of slaughter.

Follow-up by the CA of the raw milk consignments found to be positive at farm and milk processing establishment levels is questionable as in practice the CA is not informed or informed too late to take appropriate action.

A number of recommendations have been made to the CA with a view to addressing the deficiencies identified during this audit.

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Abbreviations and definitions used in this report

Abbreviation	Explanation
CA(s)	Competent Authority(ies)
CCA(s)	Central Competent Authority(ies)
DG(SANCO)	Health & Consumers Directorate General
EC	European Commission
EU	European Union
FBO(s)	Food Business Operator(s)
FCI	Food Chain Information
FVO	Food and Veterinary Office
HACCP	Hazard Analysis and Critical Control Points
Hygiene Package	Regulations (EC) No 852/2004, No 853/2004 and No 854/2004
NRL	National Reference Laboratory
SCC	Somatic Cell Count

1 Introduction

The audit took place in Latvia from 3 to 14 June 2013 as part of the planned audit programme of the FVO. The audit team comprised 2 auditors from the FVO and one national expert.

The FVO audit team was accompanied throughout the audit by a representative of the CCA, the Food and Veterinary Service.

The opening meeting was held on 3 June 2013 with the CCA in Riga. At this meeting the FVO audit team confirmed the objectives of, and itinerary for the audit, and additional information required for the satisfactory completion of the audit was requested.

2 Objectives

The main objective of the audit was to evaluate the official controls related to production and storage of food of animal origin and the follow-up action taken by the competent authorities (CAs) in response to the recommendations made in reports DG(SANCO)/8207/2009 and DG(SANCO)/8821/2009– MR Final with regard to:

- CA organisation and operation;
- official controls over FBO's compliance with general and specific rules on the hygiene of food of animal origin.

In particular, controls over meat of domestic ungulates, minced meat, meat preparations, meat products, raw milk and dairy products in the framework of Regulations (EC) No 178/2002, (EC) No 852/2004, (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 were subject to this evaluation.

In pursuit of these objectives, the audit itinerary included the following meetings and visits:

Table 1

COMPETENT AUTHORITIES			**Comments**
Competent authorities	Central	1	
	Regional	1	The regional authorities were present in all the establishments and other locations audited
	Local	8	The local authorities were present in all the establishments and other locations audited
FOOD PRODUCTION / PROCESSING / DISTRIBUTION – ACTIVITIES			
Slaughterhouses		3	
Cutting premises		3	Integrated in slaughterhouses
Minced meat / meat preparation establishments		6	Integrated in meat products establishments
Meat product establishments		6	
Cold stores		3	2 integrated in meat establishments
Laboratories		1	NRL
Milk processing plants		2	
Dairy holdings		1	

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.

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

4 Background

The previous audit concerning the safety of food of animal origin in Latvia was carried out from 19 to 29 January 2009, the results of which are described in reports DG(SANCO)/8207/2009 and DG(SANCO)/8821/2009– MR Final.

These reports are accessible at: http://ec.europa.eu/food/fvo/index_en.cfm.

The action plan received from the Latvian authorities provided satisfactory guarantees in response to all of the reports' recommendations.

5 Findings And Conclusions

5.1 Competent Authorities

5.1.1 Designation of Competent Authorities

Legal requirements

Article 4 of Regulation (EC) No 882/2004 requires Member States to designate the CAs responsible for the purposes and official controls set out in the Regulation. It also lays down operational criteria for the CAs.

Audit findings

No changes have taken place since the last updating of the country profile. The country profile can be found at: http://ec.europa.eu/food/fvo/country_profiles_en.cfm

5.1.2 Co-operation and co-ordination between and within Competent Authorities

Legal requirements

Article 4(3) of Regulation (EC) No 882/2004 provides for efficient and effective co-ordination and co-operation between CAs. Article 4(5) of the Regulation requires that, when, within a CA, more than one unit is competent to carry out official controls, efficient and effective co-ordination and co-operation shall be ensured between the different units.

Audit findings

No changes have taken place since the last updating of the country profile in relation to Central Competent Authority (CCA) structure and co-operation between and within Competent Authorities (CAs).

5.1.3 Registration/approval of Food Business establishments

Legal requirements

Article 31 of Regulation (EC) No 882/2004 requires Member States to establish procedures for the registration/approval of food and feed business establishments, for reviewing compliance with conditions of approval and for the withdrawal of approvals.

Audit findings

The FBO carrying out activities to be registered has to notify the CA. The FBO may start working without an initial evaluation.

Procedures are in place and documented in relation to approval of establishments.

There is a two step process carried out for new approvals:

- evaluation of the request and, if the structure and equipment are satisfactory, conditional approval is given for three months.

- final evaluation of the request including on the spot visit. Approval without time limit is granted in the case of a positive outcome.

Approvals are under on-going monitoring during official controls.

This two step process does not apply to a renewal or to an extension of an approval and in certain cases it does not apply to cold store approvals.

Observations

- No deficiencies were found in relation to the re-approval or extension of an existing approval.
- One cutting plant had been approved which had not been seen in operation.
- One cutting plant had been approved without having a dedicated room available: the cutting activities took place in the expedition area.
- One cold store had been approved without the traceability procedures and their implementation being evaluated.
- In another case the approval process could not be demonstrated by the CAs and only partly by the FBO.

The FVO audit team also noted that one establishment had received an approval for activity, which was not taking place in this establishment.

5.1.4 Prioritisation of official controls

Legal requirements

Article 3 of Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency. Controls shall be carried out at any of the stages of the production and processing chain and, in general, are to be carried out without prior warning.

Controls shall be applied with the same care to exports from the EU, imports into the EU and to product placed on the EU market.

Audit findings

A system is in place countrywide for the planning of the official controls and is risk based. Classification of the establishments is based on the following criteria: type of establishments, type of activities, risks related to products, risks related to activities, performances of the establishment during the last official control visits on the spot.

Classification is made in four categories: high, medium, low, very low.
The products covered by this audit fall into the three first categories.

Observations

- The performance of the FBO itself is not taken into account. In one establishment, in particular, it could be seen that the main reasons for a significant number of deficiencies occurring over a long period of time was the FBO's lack of commitment to act efficiently to solve the deficiencies identified.
- Additional “unplanned” official controls on the spot are possible but without any additional cost for the FBO.

5.1.5 Official sampling and laboratory analysis

Legal requirements

Article 4 of Regulation (EC) No 882/2004 requires CAs to have, or to have access to, adequate laboratory capacity. Article 11 of the Regulation establishes requirements for sampling and analysis and Article 12 requires the CA to designate laboratories that may carry out analysis of samples taken during official controls. It also lays down accreditation criteria for the laboratories so designated.

Audit findings

The FVO audit team visited the Institute of Food Safety, Animal Health and Environment. Its activities cover the duties as the NRL but also the analysis of all the samples linked to the official controls carried out by the CAs. All its activities are accredited by the Latvian national accreditation body. These activities are also accredited by the Russian Authorities.

As part of its activities, the NRL also carries out an analysis at the request of the FBOs making sure that no conflict of interest could arise from this type of activity.

In 2013 the FVS with the assistance of experts from the NRL has also developed a specific programme to assess the competences of the laboratories approved for *Trichinella* testing (see point 5.2.6).

5.1.6 Procedures for performance of control activities

Legal requirements

Article 8 of Regulation (EC) No 882/2004 requires that CAs carry out their official controls in accordance with documented procedures, containing information and instructions for staff performing official controls.

Audit findings

Procedures are in place for the performance of the official controls, covering the general and specific requirements of the EU legislation.

Detailed check-lists are to be completed for all controls carried out. However, certain parts of the check-list are very detailed (structures, equipment etc.) and others not (traceability, HACCP).

All official controls carried out are documented. The report issued has to mention the classification of the establishment and has to be signed by the FBO.

All officials controls carried out are to be registered in the CCA's database allowing all CAs access to up to date information countrywide and the possibility for an accurate and timely follow up.

Observations

Deficiencies identified by the FVO audit team had not always been identified.

- Certain parts of the check-list are very detailed (structures, equipment…) and other parts not so detailed (traceability in general and for bovine meat traceability, HACCP).

5.1.7 Enforcement measures

Legal requirements

Article 54 of Regulation (EC) No 882/2004 requires a CA which identifies a non-compliance to take appropriate action to ensure that the operator remedies the situation. Article 55 of the Regulation states that Member States shall lay down the rules on sanctions applicable to infringements of feed and food law and other EU provisions relating to the protection of animal health and welfare and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

Audit findings

A range of sanctions is available to the officials in case there are infringements to the EU requirements starting from warnings to fines, confiscating products, stopping activities, suspension of approval and withdrawal of approval.

Observations

- Deadlines were sometimes not respected. They were on-going/repeated for the same deficiencies being identified. The follow-up of the CA findings on non-compliances identified in one establishment visited was not adequately carried out and a number of issues remained during subsequent visits without appropriate action taken by FBO and the CA in order to remedy the situation.
- The maximum fines to be applied by the CCA are quite limited (3000 Lats = 4,300 euros). Only the Court can give higher fines (up to 15.000 Lats = 21,500 euros).
- The application of appropriate sanctions in certain cases audited is questionable: for

example, in two establishments where deficiencies, some of them significant and even very significant, were identified by the FVO audit team without the CA having taken appropriate enforcement actions to solve the problem.

5.1.8 Verification and review of official controls and procedures

Legal requirements

Article 4 of Regulation (EC) No 882/2004 requires the CAs to ensure the impartiality, consistency and quality of official controls at all levels and to guarantee the effectiveness and appropriateness of official controls. Article 8 states that they must have procedures in place to verify the effectiveness of official controls, to ensure effectiveness of corrective action and to update documentation where needed. Under Article 4 of the Regulation CAs are required to carry out internal audits, or have external audits carried out. These must be subject to independent scrutiny and carried out in a transparent manner.

Audit findings

Three levels of audits of the official controls are carried out:

- Internal audit within the Veterinary services.
- Audit of the Veterinary services by the Ministry of Agriculture.
- Third party audits including those of the FVO.

Currently an internal audit on HACCP is being carried out countrywide in 50 establishments.

Observations

- In most cases audited HACCP audit reports demonstrated a thorough and well documented review.

Conclusions on Competent Authorities

Procedures are in place and documented in relation to approval. Nevertheless in different cases, establishments were approved which had not been in operation.

A system is in place countrywide for the planning of official controls. This planning is risk-based with the establishments being classified based on most of the criteria of Regulation (EC) No 882/2004. The performance of the FBO itself is not taken into account. Additional "unplanned" official controls on the spot are possible but without any additional cost to the FBO even when these official controls are linked to the FBO's inability to comply with EU requirements.

Procedures are in place for the performance of the official controls, covering the general and specific requirements of the EU legislation. All official controls carried out are documented.

A range of sanctions are available to the officials in the case of infringements to the EU requirements starting from warnings to fines, confiscating products, stopping activities, suspension of approval and withdrawal of approval. The application of appropriate sanctions in certain cases where deficiencies some of them significant and even very significant, were identified by the FVO audit team, is questionable.

5.2 Official controls over food Business Operators' compliance with hygiene rules at establishment level

5.2.1 General and specific hygiene requirements

Legal requirements

Article 4(2) of Regulation (EC) No 852/2004 establish that the FBO carrying out any stage of production, processing and distribution of food after the stage of primary production/associated operations shall comply with general hygiene requirements as set out in Annex II to Regulation (EC) No 852/2004. These provisions relate to cleaning and maintenance, layout, design, construction, siting and size of food premises.

Article 3 of Regulation (EC) No 853/2004 sets out that the FBO shall comply with the specific requirements of Annexes II and III to this Regulation. Article 4(3) of Regulation (EC) No 852/2004 states that FBOs shall adopt specific hygiene measures regarding compliance with microbiological criteria for foodstuffs, compliance with temperature control requirements and sampling and analyses.

Article 4(2) of Regulation (EC) No 854/2004 specifies that the CA shall carry out official controls in respect of products of animal origin to verify the FBO's compliance with these requirements.

Audit findings

Ten establishments, the reference laboratory, one regional unit, and one farm have been audited.

Observations

- The majority of the establishments visited were largely compliant with the requirements of the EU legislation.

- Deficiencies in relation to the maintenance of the ceiling were noted. Deficiencies were found concerning cleaning of certain structures and equipment: knives and crates. Weaknesses were identified in relation to the sterilisation of equipment. In one case an alternative method was used but it could not be documented that the alternative system had been evaluated and accepted by the CA. Hygiene deficiencies were identified: carcasses touching the floor or structure of the slaughter-line. Paper towels were used to “dry” carcasses.

- Very significant problems were identified in one meat establishment where risks for human consumption cannot be excluded even after the measures already taken by the Regional Competent Authority following a complaint received that a consumer became ill: cleaning - not to speak about disinfection - was almost non-existent in numerous places in the establishments with plenty of visual contamination all over the area and particularly in the “fast” chilling room for heated meat products. As a consequence, re-contamination of already heat treated products could not be excluded. The CA committed to take immediate additional action and to inform the FVO audit team.

Significant problems in relation to maintenance and also cleaning were found in another establishment. In addition, in this establishment the male changing rooms were in a very unsatisfactory state. Civil and work clothes were mixed and unclean clothes had not been removed.

In the two slaughterhouses visited the bleeding was not performed hygienically. In addition, in one of them the de-hiding process was not compliant. The CA committed to take action immediately.

Conclusion

The majority of the establishments visited were largely compliant with the requirements of the EU legislation. Deficiencies were found concerning maintenance, cleaning and disinfection of certain structures and equipment. Deficiencies were also found in relation to operational hygiene.

Very significant deficiencies were identified in one meat establishment during the FVO audit, where risks to food for human consumption cannot be excluded. The CA took immediate action to address these deficiencies.

5.2.2 HACCP-based systems

Legal requirements

On the basis of Article 5 of Regulation (EC) No 852/2004 the FBO shall put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles. Section II of Annex II to Regulation (EC) No 853/2004 lays down the specific requirements for HACCP-based procedures in slaughterhouses. Official controls in respect of all products of animal origin in the scope of Regulation (EC) No 854/2004 shall include audits of HACCP-based procedures (Article 4 (3)(a) and (5) of Regulation (EC) No 854/2004).

Audit findings

Concerning the own checks, the FVO audit team noted that the water analysis was sometimes not carried out for all microbiological and physico-chemical parameters as foreseen in EU legislation and in national legislation.

A HACCP audit is currently being carried out in 50 establishments countrywide (see point 5.1.8).

A HACCP system was in place in all establishments visited, including the milk collector.

Observation

- In one establishment visited the HACCP plan was not updated.
- In another establishment the flow chart did not mention the removal of the wrapping. In addition there was no mention of the timing to bring the products below 6 degrees.
- In a third case the HACCP plan was being finalised and was still not compliant with EU requirements.
- A HACCP plan was in place in a raw milk collector with no facilities.

Conclusion

All establishments visited had own checks and procedures based on HACCP principles.

HACCP plans were in place in all establishments visited. Only minor deficiencies were identified.

In addition, the FBOs' obligation and CA controls for potable water testing were not always in line with the relevant EU requirements.

5.2.3 Microbiological criteria for foodstuffs

Legal requirements

Details on which the microbiological criteria for foodstuffs shall comply with are set out in Regulation (EC) No 2073/2005. Article 1 of Regulation (EC) No 2073/2005 specifies that the CA shall verify compliance with the rules and criteria laid down in that Regulation. These cover a range of items with regard to requirements for slaughterhouses, cutting plants, emergency slaughter, game handling, raw milk and dairy products and other products of animal origin.

Audit findings

Sampling programmes based on Regulation (EC) No 2073/2005 were in place in all establishments visited covered by this Regulation.

Observations

- In most cases the programme in place was acceptable.
- In one establishment visited the programme was almost non-existent.
- In another establishment visited significant differences were noted between officials laboratory analysis and those carried out by the FBO in a private laboratory. This had already been noted by the CA.

Conclusion

Sampling programmes based on Regulation (EC) No 2073/2005 were in place in all establishments visited covered by this Regulation. In most cases the programme in place was acceptable.

5.2.4 Traceability, labelling and identification marking

Legal requirements

According to Article 18 of Regulation (EC) No 178/2002 the traceability of food and food-producing animals and any other substance intended to be incorporated into a food shall be established at all stages of production, processing and distribution. The FBO shall have in place systems and procedures to identify from whom they have been supplied and the other businesses to which their products have been supplied. Article 4(6) of Regulation (EC) No 854/2004 requires that the verification of compliance with traceability requirements takes place in all approved establishments.

Provisions for the identification marking of a product of animal origin are made in Article 5 and Annex II, Section I to Regulation (EC) No 853/2004 and verification of compliance with these requirements is foreseen by Article 4(6) of Regulation (EC) No 854/2004. Article 3 of Directive 2000/13/EC sets out the particulars on the labelling of foodstuffs to be delivered as such to the ultimate consumer. Regulations (EC) No 1760/2000 and 1825/2000 set out specific labelling requirements for beef meat.

Audit findings

All establishments visited had traceability procedures in place.

Observations

- Beef traceability quantitative exercises are not carried out on a routine basis during the planned official controls.
- In one establishment visited, when requested by the FVO audit team, it was difficult for the FBO to demonstrate the backward and forward traceability of the fresh meat.
- In one cutting plant visited the same carcass label could be scanned more than once.
- In two meat processing establishments visited the labelling did not reflect the additives used in the product.
- In one milk collector the traceability of a consignment of raw milk positive for antibiotics could not be demonstrated on the spot.
- In the same milk collector, the invoicing of 9 319 kg of raw milk appropriate documentation could not be provided confirming the collection of the milk at farms.

Conclusion

All establishments visited had traceability systems in place. Some deficiencies were identified, in particular, in relation to a consignment of milk positive for antibiotics.

5.2.5 Food Chain Information

Legal requirements

According to Article 3 of Regulation (EC) No 853/2004, the FBO shall comply with the relevant provisions of Annex II and III to this Regulation. In particular the FBOs operating slaughterhouses must as appropriate, request, receive, check and act upon FCI in respect of all animals, other than wild game, sent or intended to be sent to the slaughterhouse. According to Article 5(1) of Regulation (EC) No 854/2004 the OV shall carry out inspection tasks in slaughterhouses also as regards FCI.

Audit findings

A documented procedure is in place implementing the EU requirements.

Observations

The FCI is not covering the last day(s) before slaughter.

5.2.6 Ante-mortem and post-mortem inspection

Legal requirements

Article 5(1) of Regulation (EC) No 854/2004 requires that the OV carries out inspection tasks, including ante-mortem inspection of all animals before slaughter in accordance with the general requirements of Section I, Chapter II of Annex I to Regulation (EC) No 854/2004 and post-mortem inspection in accordance with the general requirements of Section I, Chapter II of Annex I and the specific requirements of Section IV, Regulation (EC) No 854/2004.

Audit findings

Specific rules on official controls for *Trichinella* in meat are laid down in Regulation (EC) No 2075/2005.

Observations

Ante-mortem examinations evaluated were properly carried out and documented including with the recording of the results in the national database.

27 laboratories are approved for *Trichinella* testing: two are accredited, the others are not. In 2013 all participated in a proficiency test organised by the NRL. This proficiency test used pig meat only and gave very poor results (only seven laboratories received satisfactory results). As corrective action, audits were carried out by the FVS with the assistance of experts from the NRL and additional training given was followed with a theoretical and practical examination. At this second round only four laboratories failed. A new proficiency test will be carried out in the near future.

Post-mortem examinations evaluated were properly carried out and documented including the recording of the results in the national database.

Conclusion

Ante- and post-mortem examinations evaluated were properly carried out and documented including the recording of the results in the national database. The *Trichinella* proficiency test gave very poor results. Corrective action was immediately carried out.

5.2.7 Health marking

Legal requirements

Article 5(2) of Regulation (EC) No 854/2004 requires that health marking of carcasses of domestic ungulates, farmed game mammals other than lagomorphs and large wild game as well as half-carcasses, quarters and wholesale cuts shall be carried out in slaughterhouses and game-handling establishments by, or under the responsibility of, the OV when official controls have not identified any deficiencies that would make the meat unfit for human consumption.

Audit findings

No significant findings. Some health marks were less legible.

5.2.8 Animal welfare at the time of slaughter or killing

Legal requirements

Article 5(1) of Regulation (EC) No 854/2004 requires that the OV carries out inspection tasks, including animal welfare. Council Directive 93/119/EC sets out EU rules with regard to the protection of animals at the time of slaughter or killing.

Audit findings

The stunning was performed correctly in the different cases reviewed. In one establishment visited the stunning box was not used appropriately. Nevertheless, the animals were properly stunned.

In one establishment visited, the corridor leading the animals to stunning was not properly designed.

Conclusion

Only minor issues were identified in relation to animal welfare at the time of slaughter.

5.2.9 Control of milk production holdings and of raw milk upon collection

Legal requirements

Article 8 of Regulation (EC) No 854/2004 requires that Member States shall ensure that official controls with respect to raw milk and dairy products take place in accordance with Annex IV to Regulation (EC) No 854/2004. The CA shall carry out official controls to verify that health requirements and hygiene requirements for raw milk and colostrum are complied with and monitor the checks carried out for plate count, Somatic Cell Count (SCC) and residues of antibiotic substances.

Audit findings

The milk collector visited demonstrated a good understanding of his responsibilities. The farms evaluated showed a good level of performance relating to SCC and Total Bacteria Count and an absence of antibiotics.

The two milk processing establishments visited were of a satisfactory standard. One of these establishments performed very well in all areas audited. On the contrary, the second one was not properly aware of what should be documented and how to document in some of the areas audited.

Follow-up by the CA of the raw milk consignments found to be positive at farm and milk processing establishment level is questionable as, in practice, the CA is not informed or informed too late to carry out appropriate action.

Conclusion

Follow-up by the CA of the raw milk consignments found positive at farm and milk processing establishment level is questionable as in practice the CA is not informed or informed too late to carry out appropriate action.

5.2.10 Documentation of official controls

Legal requirements

Article 9 of Regulation (EC) No 882/2004 requires CAs to draw up reports on the official controls carried out, including a description of the purpose of official controls, the methods applied, the results obtained and any action to be taken by the business operator concerned.

Audit findings

Procedures are in place for the performance of the official controls, covering the general and specific requirements of the EU legislation. All official controls carried out are documented.

6 Overall Conclusions

A system is in place countrywide for the planning of the official controls. This planning is risk based with the establishments being classified based on most of the criteria of Regulation (EC) No 882/2004. The performance of the FBO itself is not taken into account. Additional “unplanned” official controls on the spot are possible but without any additional cost for the FBO even when these official controls are linked to the FBO's inability to comply with EU requirements. Procedures are in place for the performance of the official controls, covering the general and specific

requirements of the European Union (EU) legislation. All official controls carried out are documented. Weaknesses were identified in relation to prioritisation of controls, implementation of the EU requirements in relation to hygiene, traceability and enforcement.

In one establishment visited, the situation found was particularly unsatisfactory and risks for food safety could not be excluded. The CCA undertook to take actions to address the situation.

7 Closing Meeting

A closing meeting was held on 14 June 2013 with the CCA. At this meeting the FVO audit team presented the findings and preliminary conclusions of the audit and advised the CCA of the relevant time limits for production of the report and their response.

The representatives of the CCA acknowledged the findings and conclusions presented by the FVO audit team. In addition, information on action already taken and planned in order to address particular findings in the establishments visited was provided.

8 Recommendations

An action plan describing the action taken or planned in response to the recommendations of this report and setting out a time table to correct the deficiencies found should be presented to the Commission within 25 working days of receipt of the report.

N°.	Recommendation
1.	To take into account for designing risk based official controls the past records of the food business operator and any information that might indicate non-compliance as required by Article 3, b and d of Regulation (EC) No 882/2004.
2.	To improve the enforcement system currently in place to comply with the requirements of Article 55, 1 of Regulation (EC) N° 882/2004. In particular, to consider making the food business operator bear the costs of extra official controls linked to its inability to comply with European Union requirements.
3.	To address the deficiencies identified in the procedures and their implementation in relation to the approval of food establishments as required by Article 31 of Regulation (EC) No 882/2004.
4.	To address the deficiencies identified in relation to general and specific hygiene in the establishments visited as required by Article 4(2) of Regulation (EC) No 852/2004 and Annex II to Regulation (EC) No 852/2004. To consider amending the procedures in place in relation to official controls for improving the effectiveness of the detection of these types of deficiencies in all Latvian establishments in line with Article 8 of Regulation (EC) No 882/2004.
5.	To amend the procedures in place for the follow up of positive cases of antibiotics in milk in such a way that the Competent Authorities are informed and can act appropriately without undue delay as is required by Article 8 of Regulation (EC) No

N°.	Recommendation
	854/2004 and Annex IV of Regulation (EC) No 854/2004.

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

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2013-6876

Annex 1 - Legal References

Legal Reference	Official Journal	Title
Reg. 1760/2000	OJ L 204, 11.8.2000, p. 1-10	Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97
Reg. 1825/2000	OJ L 216, 26.8.2000, p. 8-12	Commission Regulation (EC) No 1825/2000 of 25 August 2000 laying down detailed rules for the application of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the labelling of beef and beef products
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

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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
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. 2075/2005	OJ L 338, 22.12.2005, p. 60-82	Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for Trichinella in meat
Reg. 1162/2009	OJ L 314, 1.12.2009, p. 10–12	Commission Regulation (EC) No 1162/2009 of 30 November 2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council
Dir. 93/119/EC	OJ L 340, 31.12.1993, p. 21-34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
Dir. 96/93/EC	OJ L 13, 16.1.1997, p. 28-30	Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products
Dir. 98/83/EC	OJ L 330, 5.12.1998, p. 32-54	Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption

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Dir. 2000/13/EC	OJ L 109, 6.5.2000, p. 29-42	Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs