



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office

DG(SANCO) 2014-7166 - MR FINAL

FINAL REPORT OF AN AUDIT

CARRIED OUT IN

ESTONIA

FROM 18 TO 28 MARCH 2014

IN ORDER TO EVALUATE CONTROLS OF CONTAMINANTS IN FOOD OF PLANT ORIGIN

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 the Food and Veterinary Office audit in Estonia, carried out from 18 to 28 March 2014 under the provisions of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004.

The objectives of the audit were to:

- verify that the official controls for contaminants in food are organised and carried out in accordance with the relevant provisions of Regulation (EC) No 882/2004, and the Multi-Annual National Control Plan prepared by Estonia;*
- evaluate the implementation of EU legislation in the area of food contaminants;*
- gather information about the results of investigations undertaken on food contaminants as specified in Commission Recommendations.*

Overall, there are arrangements in place to carry out official controls on food contaminants listed in Regulation (EC) No 1831/2003. Official controls on food are under a single competent authority; there are risk-based national sampling and inspection plans to monitor food contaminants and their controls by food operators and defined channels for sharing information and communication between the competent authorities. Written procedures and instructions facilitate the implementation of the national control plans. However, the overall effectiveness of the control system is weakened by the absence of official controls at primary production level, a lack of adequate training on food contaminant controls, the lack of adequate laboratory capacity to test for all regulated contaminants and deficiencies in the food contaminants sampling and the assessment of the Hazard Analysis and Critical Control Points based systems. As regards controls at primary production level, the competent authority is planning to include such controls in risk assessment for 2015.

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

Table of Contents

1	<u>INTRODUCTION</u>	1
2	<u>OBJECTIVES</u>	1
3	<u>LEGAL BASIS</u>	2
	3.1 <u>LEGAL BASIS</u>	2
	3.2 <u>STANDARDS</u>	2
4	<u>BACKGROUND</u>	2
	4.1 <u>AUDIT SERIES</u>	2
	4.2 <u>COUNTRY PROFILE</u>	2
5	<u>FINDINGS AND CONCLUSIONS</u>	3
	5.1 <u>RELEVANT NATIONAL LEGISLATION</u>	3
	5.2 <u>ORGANISATION AND IMPLEMENTATION OF OFFICIAL CONTROLS</u>	3
	5.2.1 <u>DESIGNATION OF COMPETENT AUTHORITIES</u>	3
	5.2.2 <u>RESOURCES FOR PERFORMANCE OF CONTROLS</u>	4
	5.2.3 <u>CONTAMINANT CONTROLS PROGRAMMES</u>	6
	5.2.4 <u>SAMPLING</u>	11
	5.2.5 <u>OTHER CONTAMINANT CONTROL PROGRAMMES</u>	12
	5.2.6 <u>LABORATORY PERFORMANCE</u>	12
	5.2.7 <u>PROCEDURES FOR PERFORMANCE AND REPORTING OF CONTROL ACTIVITIES</u>	14
	5.2.8 <u>CO-OPERATION BETWEEN AND WITHIN COMPETENT AUTHORITIES</u>	15
	5.2.9 <u>ENFORCEMENT MEASURES</u>	16
	5.2.10 <u>VERIFICATION PROCEDURES</u>	17
6	<u>OVERALL CONCLUSIONS</u>	18
7	<u>CLOSING MEETING</u>	18
8	<u>RECOMMENDATIONS</u>	18
	<u>ANNEX 1 - LEGAL REFERENCES</u>	20
	<u>ANNEX 2 - RECOMMENDATIONS AND STANDARDS QUOTED IN THE REPORT</u>	22

ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
ARC	Agricultural Research Centre
CA(s)	Competent Authority(ies)
CCA	Central Competent Authority
CRM	Certified Reference Material
CVC(s)	County Veterinary Centre(s)
DG (SANCO)	Health and Consumers Directorate-General of the European Commission
EC	European Commission
EU	European Union
EURL	European Union Reference Laboratory
FBO(s)	Food Business Operator(s)
FNAO	Food of Non-Animal Origin
FVO	Food and Veterinary Office
GHP	Good Hygiene Practice
HACCP	Hazard Analysis and Critical Control Points
HB	Health Board
HPLC	High Performance Liquid Chromatography
MA	Ministry of Agriculture
MANCP	Multi Annual National Control Plan
3-MCPD	3-Monochloropropane-1,2-diol
MS(s)	Member State(s)
NRL(s)	National Reference Laboratory(ies)
OROFFNAO	Office for Retail, Organic Farming and Food of Non-Animal Origin
PAHs	Polycyclic Aromatic Hydrocarbons
PCBs	Polychlorinated Biphenyls
PTs	Proficiency Tests
RASFF	Rapid Alert System for Food and Feed
VFB	Veterinary and Food Board
VFL	Veterinary and Food Laboratory

1 INTRODUCTION

The audit formed part of the Food and Veterinary Office's (FVO) planned programme and was carried out in accordance with Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

The audit took place from 18 to 28 March 2014. The team comprised one auditor from the FVO and a national expert from a European Union (EU) Member State (MS).

Representatives from the Central Competent Authorities (CCAs) accompanied the FVO team for the duration of the audit. An opening meeting was held on 18 March 2014 with representatives from the Veterinary and Food Board (VFB), the Health Board (HB) Laboratory in Tartu, the Laboratory for residues and contaminants of the Agricultural Research Centre (ARC) in Saku and the Veterinary and Food Laboratory (VFL) in Tartu. At this meeting, the objectives of, and itinerary for, the audit were confirmed by the FVO team and the control system was described by the authorities.

2 OBJECTIVES

The objectives of the audit were to:

- verify that the official controls for contaminants in food are organised and carried out in accordance with the relevant provisions of Regulation (EC) No 882/2004, and the Multi-Annual National Control Plan (MANCP) prepared by Estonia;
- evaluate the implementation of the EU legislation in the area of food contaminants;
- gather information about the results of investigations undertaken on food contaminants as specified in Commission Recommendations.

In terms of scope, the audit reviewed the designation of Competent Authorities (CAs) for official control of food contaminants, assessed the organisation, implementation and enforcement of contaminant controls including national control and the monitoring plans, the performance of officially designated laboratories, as well as consideration of relevant Commission Recommendations, guidance and standards.

This audit did not cover the implementation of measures aimed at the control of contaminants in live animals and animal products required by Council Directive 96/23/EC.

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

Table: Audit visits and meetings

Visits/Meetings		Comments
Competent Authorities		
Central	1	VFB
Regional	2	Two County Veterinary Centres (CVCs) in Tartu and Harjima
Laboratories		
Public	2	ARC Laboratory in Saku and HB Laboratory in Tartu
Establishments		

Food processing establishments	5	One baby food processing establishment One smoked meat processing establishment Two mills for cereals One canned food processing establishment
Food distributing/importing establishments	1	One wholesaler of cereals and nuts
Facilities for primary plant production	2	One facility for growing cereals One facility for growing green leafy vegetables

3 LEGAL BASIS

3.1 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation, in particular Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council.

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

3.2 STANDARDS

Additionally, the standards and EU recommendations, as listed in Annex 2, were relevant for this audit. Reference to the specific provisions of these documents is provided at the beginning of each section.

4 BACKGROUND

4.1 AUDIT SERIES

This audit in Estonia is the twelfth in a series of FVO audits to the MSs of the EU regarding the implementation of national measures, aimed at the control of contaminants in food in accordance with the requirements of Regulation (EC) No 1881/2006. The reports on these audits are available on the Health and Consumers Directorate-General of the European Commission (DG SANCO) internet site at:

http://ec.europa.eu/food/fvo/ir_search_en.cfm.

4.2 COUNTRY PROFILE

The FVO has published a country profile for Estonia, which describes in summary the control systems for food and feed, animal health, animal welfare and plant health. The country profile can be found at:

http://ec.europa.eu/food/fvo/controlsystems_en.cfm?co_id=EE.

5 FINDINGS AND CONCLUSIONS

5.1 RELEVANT NATIONAL LEGISLATION

Legal requirements

Article 291 of the Treaty on the Functioning of the EU establishes that MSs shall adopt all measures of national law necessary to implement legally binding Union acts.

Findings

There is no additional national legislation in place on national limits for food contaminants.

Decree No 22/24.01.2012 of the General Director of the VFB defines the procedure for listing primary producers of food of non-animal origin (FNAO) subject to official control by the VFB. These rules do not apply to primary producers of FNAO who put small quantities on the market. These quantities are defined as quantities that are directly delivered to a final consumer and/or to retailers based in Estonia (Decree No 72/15.06.2006 on hygiene requirements for marketing primary products in small quantities).

The National Reference Laboratories (NRLs) are nominated through Decrees of the Minister of Agriculture. The official control laboratories for analysis of food contaminants are designated through Decrees of the General Director of the VFB (see section 5.2.5).

All legislation in the context of this audit is made available to the public on the Ministry of Agriculture (MA) website: (www.agri.ee).

The VFB provides regularly the CVCs, via e-mails and other communications, with updated information on the relevant contaminants legislation. In addition, they can access EU legislation through the link to Eur-Lex from the VFB Extranet web-page or MA website. The audit team confirmed that the CVC inspectors met have access to the food legislation which they are required to enforce.

Conclusions

Relevant legislation is publicly available and accessible to the CAs inspectors.

5.2 ORGANISATION AND IMPLEMENTATION OF OFFICIAL CONTROLS

5.2.1 *Designation of Competent Authorities*

Legal requirements

Article 4(1) of Regulation (EC) No 882/2004 requires MSs to designate the CAs responsible for official controls.

Findings

All aspects of the control of food contaminants are under the authority of the Food Department of the VFB under the MA. Within the Food Department, the Office for Retail, Organic Farming and Food of Non-Animal Origin (OROFFNAO), is the CCA with responsibility for, among other things, contaminant controls in FNAO at all stages of the food chain, including baby foods and composite foods. The OROFFNAO is responsible for the risk assessment and preparation of the national monitoring and control plans for contaminants in FNAO, developing the inspection and sampling

guidelines and instructions, and assessing the effectiveness of contaminant controls performed by the CVCs.

The 15 CVCs are the units responsible for the implementation of the monitoring and control plans on the production and processing of foodstuffs. The CVC inspectors receive their instructions from and report to the OROFFNAO with respect to contaminants issues in FNAO.

The Trade, Import and Export Department of the VFB is the contact point of the Rapid Alert System for Food and Feed (RASFF) and is responsible for monitoring of alerts.

According to the representatives of the CCA, the VFB has contracts with three laboratories as regards official analyses of FNAO within the scope of this audit:

- the HB Laboratory under the Ministry of Social Affairs for nitrate (in baby foods), patulin, polycyclic aromatic hydrocarbons (PAHs), 3-Monochloropropane-1,2-diol (3-MCPD), acrylamide and furan analyses;
- the Laboratory for residues and contaminants of the ARC under the MA for nitrate (in vegetables), tin and mycotoxins analyses;
- the VFL under the MA for heavy metals analyses.

The detailed structure of the CAs and their responsibilities are described in the Estonian 2013 – 2016 MANCP. All officials met have a clear understanding of their tasks and activities, and of the system in place for official controls on food contaminants.

Conclusion

The requirements concerning the designation of CAs laid down by Article 4(1) of Regulation (EC) No 882/2004 are satisfactorily complied with.

5.2.2 Resources for Performance of Controls

5.2.2.1 Legal Basis for Controls

Legal requirements

Article 4 of Regulation (EC) No 882/2004 requires that the necessary legal powers to carry out controls are in place and there is an obligation on food business operators (FBOs) to undergo inspection by the CAs. Article 8 of the above Regulation requires that CAs have the necessary powers to access food business premises and documentations.

Findings

The Food Act gives the power to the VFB to carry out food controls, provides for sanctions for non-compliance and establishes a system of fees to be charged to the food industry for official controls.

The responsibilities for the official food controls, including food contaminant controls, of the VFB are defined in Regulation No 91/13.06.2007 of the Minister of Agriculture on the statutes of the VFB.

The CVC inspectors have legal and administrative tools to undertake corrective actions in the case of non-compliance, including the seizure of food products, application of fines, suspension and withdrawal of approval.

Implementing instructions on sampling programmes for food contaminant analysis are issued each year to the CVC staff by means of Decrees of the General Director of VFB.

Under national legislation, the FBOs have no obligation to notify the CAs about non-compliant results identified during their own-checks.

Conclusion

Legal provisions are in place to ensure that CAs have the necessary legal powers to carry out official controls on food contaminants.

5.2.2.2 Staffing Provisions and Facilities

Legal requirements

Article 4 of Regulation (EC) No 882/2004 requires the CAs to ensure that they have access to a sufficient number of suitably qualified and experienced staff; that appropriate and properly maintained facilities and equipment are available, and that staff who perform controls are free from any conflict of interest.

Findings

According to the information provided to the audit team by the CA, at VFB central level, in OROFFNAO, there is one chief specialist responsible for the planning and supervision of the food contaminant controls.

At county level, there are 22 CVC inspectors assigned to perform all food safety controls on FNAO, which include official contaminant controls.

Appropriate and properly maintained facilities are available at the offices of the CAs visited, including those at laboratories. The CVC inspectors met have access to rapid communications and service vehicles.

The audit team confirmed that the sampling equipment available at the CVCs visited was suitable for taking samples for food contaminants and that materials for packing and labelling the food samples were adequate.

Provisions of the national legislation on conflict of interest in public administration and practical arrangements are in place as described in the country profile for Estonia (Chapter 1, p. 15).

Conclusions

The relevant requirements of Regulation (EC) No 882/2004 in relation to staffing provisions and facilities have been met.

The VFB has adequate staff provisions and facilities to perform controls in the context of this audit.

5.2.2.3 Staff Qualification and Training

Legal requirements

Article 6 of Regulation (EC) No 882/2004 requires CAs to ensure that staff receive appropriate training and are kept up-to-date in their competencies.

Findings

The educational level and the training requirements for VFB staff are described in the Estonian 2013 – 2016 MANCP.

Specific training in food contaminant controls, including sampling, has not been organised for CVC

inspectors. However, the audit team was informed by the CAs that issues with regard to EU legislation on food contaminants have been presented, *inter alia*, during meetings organised between central level staff and CVC inspectors.

All CVC inspectors met by the audit team had received training on Hazard Analysis and Critical Control Points (HACCP) based procedures. However, two out of seven of the inspectors met in the food establishments visited, had difficulties in checking the HACCP plans against the requirements for food contaminants laid down by EU legislation (see section 5.2.3.2).

The OROFFNAO chief specialist on contaminant controls had participated in the European Commission Better Training for Safer Food training on food contaminants in 2013.

Records of training attended by the CVC inspectors met were held by the CVCs visited. Certificates were issued to participants on completion of the training.

Conclusion

The relevant requirements of Regulation (EC) No 882/2004 in relation to staff qualification and training have not been fully met. The training on food contaminant controls provided for CVC inspectors is considered insufficient.

5.2.3 Contaminant Controls Programmes

5.2.3.1 Planning of Official Controls on Contaminants

Legal requirements

Article 3 of Regulation (EC) No 882/2004 requires MSs to ensure that official controls are carried out regularly, on a risk basis and with appropriate frequency. In doing so they must take account of identified risks that may influence feed and food safety, animal health or animal welfare, past records of operators, the reliability of operators' own-checks, and any information on non-compliance. Official controls shall be carried out at any of the stages of the production and processing chain. In general, such controls are to be carried out without prior warning, except where prior notification of the FBO is necessary.

Article 4 of Regulation (EC) No 852/2004 requires FBOs carrying out primary production and those associated operations listed in Annex I to comply with the general hygiene provisions laid down in part A of Annex I.

General procedures for contaminants in food are laid down in Council Regulation (EEC) No 315/93. Commission Regulation (EC) No 1881/2006 lays down maximum levels for contaminants in food.

Consideration could also be taken of EU Recommendations on the monitoring of the presence of and on the prevention and reduction of certain contaminants in foodstuffs.

Findings

According to the information provided by VFB, inspection and sampling activities are designed following a risk-based approach and their frequency for each type of establishments is calculated on the basis of a defined risk rate.

The CA stated that, since 2012, official sampling for contaminants in FNAO is carried out on the basis of a three-year (rolling) plan. The aim is to efficiently use the limited budgetary resources and to focus on possible 'problem' areas.

Each year VFB decides on the total number of samples to be taken for each of the substances to be analysed. This number is worked out on the basis of information related to certain food types (likelihood of contamination, previous monitoring results, RASFF notifications, production and consumption data, European Food Safety Authority opinions, etc.) and the relevant legal requirements. According to representatives of the CCA, the number of planned samples depends on production data of food mainly consumed in Estonia, laboratories' capacity and financial resources.

The annual sampling plans with implementation instructions are approved by Decrees of the General Director of the VFB. There are specific sub-chapters for the counties, allocating the numbers of samples to be taken by each county based on its food production profile.

The audit team noted that there is no laboratory capacity for dioxins, dioxin-like polychlorinated biphenyls (PCBs) and melamine testing of FNAO. The audit team was informed by the CA that given the exposure data in the 1997 dietary study of the Health Development Institute under the Ministry of Social Affairs, which indicated that fishery products (in the broad sense) were the main cause of dioxin and PCBs exposure to the public, the VFB, therefore, focuses its controls on dioxin and PCBs levels in fishery products.

The VFB also prepares instructions for the monitoring of certain contaminants in FNAO according to Commission Recommendations. In formulation of a monitoring programme, the decisive criteria are the availability of an analytical method and the cost of carrying out the programme. The VFB monitors acrylamide and furan in FNAO.

VFB has a risk rating system in place for food establishments. The risk categories are determined pursuant to Decree No 6/14.01.2013 of the General Director of the VFB. At CVC level, each establishment is also risk categorised on the basis of criteria such as history of compliance, implementation of effective HACCP plans and production volumes. The inspection frequency is determined by the combination of the results for both central and county risk categorisations and is as follows: once per year for establishments at low risk, twice per year for establishments at medium risk and three times per year for establishments at high risk. The VFB stated that the minimum frequency of inspection visits could be changed if necessary. Additional inspections are carried out according to regional needs or unplanned events (such as alerts, complaints, etc).

The audit team noted:

- There is no written procedure regarding the planning process for contaminant monitoring.
- All authorities responsible are involved in the preparation of the annual sampling plan for contaminants in FNAO.
- The sample distribution takes into account the food production profile in each county. Sampling sites are selected either by the chief specialist at central level or by the CVC inspectors.
- Foodstuffs are not sampled for 3-MCPD and melamine analyses. In the course of the audit, VFB presented the 2014 sampling plan, where samples for 3-MCPD analyses were included but not for melamine analyses.
- Samples for measuring PCBs and dioxins in FNAO have never been included in the monitoring programmes due to budgetary constraints and lack of laboratory capacity.
- There were no established maximum time limits between the date of receipt of the sample at the laboratories and the date of the availability of the analytical result.
- The planning of food establishment inspections performed at CVCs visited was risk-based and followed the VFB guidelines. In the food establishments visited, the audit team noted that the flexibility given to the CVCs for establishing the frequency of inspection visits was

implemented after a comprehensive inspection.

- The risk categorisation system of food establishments does not cover facilities for primary production of FNAO and they are not subject to regular official controls. According to the CCA, general hygiene provisions for primary production of FNAO (Annex I to Regulation (EC) No 882/2004) are verified only in case of complaints investigation. This is not in line with the requirements of Article 17 of Regulation (EC) No 178/2002.
- There are no checklists or detailed instructions available for CVC inspectors on the scope and depth of official controls on food contaminants.

Conclusions

The contaminant monitoring programmes do not cover all contaminant groups as listed in Regulation (EC) No 1881/2006.

The monitoring of specific contaminants not listed in Regulation (EC) No 1881/2006 further assists in ensuring the safety of foodstuffs.

Planning of official controls of food establishments follows the legislative requirements. Good practice is in place to re-assess the risk category of a food establishment after a comprehensive inspection. However, risks arising at primary production of FNAO are not taken into account in the development of risk-based planning of official controls and the risk categorisation of food establishments does not cover facilities for primary production of FNAO. Consequently, the official controls do not cover compliance with the hygiene requirements as laid down in Article 4 and in Annex I to Regulation (EC) No 852/2004 and therefore FBOs' compliance with these requirements cannot be ensured.

5.2.3.2 Implementation of Official Controls

Legal requirements

Articles 3 and 4 of Regulation (EC) No 882/2004 deal with the general obligations with regard to the organisation of official controls. EU methods of sampling for the official control of contaminants in food are laid down in several pieces of Community legislation: Commission Regulation (EC) No 1882/2006 (nitrates); Commission Regulation (EC) No 1883/2006 (dioxins and dioxin-like PCBs); Commission Regulation (EC) No 333/2007 (certain chemical elements); Commission Regulation (EC) No 401/2006 (mycotoxins).

Article 10(2)(d) of Regulation (EC) No 882/2004 requires official controls on food to include, *inter alia*, assessment of procedures on good manufacturing practice, Good Hygiene Practice (GHP), good farming practices and HACCP, taking into account the use of guides established in accordance with EU legislation.

Article 7 of Regulation (EC) No 852/2004 requires that MSs encourage the development of national guides to GHP and for application of HACCP principles.

Article 8(1)(c) of Regulation (EC) No 852/2004 stipulates that guides to GHP for primary production activities should be developed having regard to the recommendations set out in Part B of Annex I of that Regulation.

Findings

VFB is the CCA for the implementation of the contaminants control plans. All sampling and inspections for the official control of food contaminants is done by CVC inspectors.

Procedures are in place for the registration of all food establishments, including the facilities for primary production of FNAO.

The CVC inspectors carry out controls of food contaminants during food hygiene controls by assessing the HACCP based procedures in place and through sampling.

The number of inspections is decided by the CVC inspectors on the basis of a risk assessment. The audit team verified that the guidelines issued by the CCA for risk categorisation of establishments were followed by the inspectors met.

The audit team was informed that in 2011, on the basis of Decree No 133/06.07.2011 of the General Director of the VFB, a targeted control of primary producers of FNAO was performed in order to gather information on compliance with the hygiene requirements as laid down in Annex I to Regulation (EC) No 852/2004. Hygiene inspections were carried out at 28 primary producers of FNAO (33% of all registered at that time). Improvement notes were issued only to two primary producers. Given the satisfactory results, the VFB took the decision to carry out official controls at primary producers of FNAO only in case of complaints. In 2012 and 2013, there were no complaints about primary production facilities and no official inspections were conducted. During the audit, the VFB presented to the audit team a preliminary strategy to have official hygiene controls of primary producers of FNAO in place for 2015.

According to the CA, sampling is performed on foodstuffs originating in Estonia, MSs or third countries along the food chain. However, the audit team noted that sampling at primary plant production level was carried out only for nitrate analysis of leafy vegetables.

During the visits to the HB laboratory and the ARC laboratory the audit team noted that samples with inadequate weight were accepted for analysis, although sample weight was indicated in the instructions provided to the CVC inspectors.

Regarding the implementation of the requirements of Article 2 of Regulation (EC) No 1881/2006 requiring the application of the process factor in the case of the testing of dried, diluted or compound food, written instructions were not issued on how to determine compliance with the maximum limits for contaminant in the case of such foodstuffs.

In both counties visited, the planned sampling and inspections for 2012 and 2013 were completed.

Control at food processing establishments

The audit team undertook visits to eight food premises (two mills, a canned food producer, a smoked meat products producer, a nuts and dried fruit wholesaler, a baby food producer, a cereal grower and a leafy vegetable producer). The audit team observed official controls for contaminants carried out by the CVC inspectors and verified control records and information provided by the FBOs. The staff involved were regular CVC inspectors who had carried out previous controls in the visited food establishments. Inspections are performed without prior warning.

According to the CA, all FBOs processing FNAO are subject to regular official controls. This was confirmed by the audit team at all food operators visited. All premises visited had been categorised and the actual frequency of inspections was in line with the targets set out in the control plans.

A checklist for inspections of food establishments was available at the CA. This checklist includes controls on compliance with Annex II to Regulation (EC) No 852/2004. However, this checklist was adopted on 31.12.2013, and was not used by the inspectors met.

Contaminants issues were covered during official controls at all food processing establishments visited. The CAs stated that during official food controls, the risk of food contaminants is assessed, *inter alia*, using the HACCP based procedures. However, some of the inspectors met were not able to verify, whether measures put in place by the FBO were adequate to manage the risks related to

contaminants.

Most of the inspections observed were focused on the verification of the flow chart diagram of the production process, availability of hazard analysis, monitoring records and records for the own-checks carried out by the operators. The evaluation of the hazard analyses, although part of the inspection, carried out by the FBOs was not thorough enough.

In the canned food producer, self-monitoring was not conducted for the presence of food contaminants. The food operator stated that there were agreements with the suppliers on the maximum level of contaminants that the raw materials supplied could contain. Tin had not been identified as a potential hazard because the FBO relied entirely on the declaration of compliance from the can producer and this was not included in the hazard analysis. Consequently, self-monitoring for the presence of tin in the final product was not performed. During the inspection observed, the inspector together with the audit team highlighted some of these shortcomings which had not been identified by the official controls up to the time of the audit.

The smoked meat producer visited used a hot smoking process. It was performed in automatically regulated kilns. The smoke was produced in a smoke generator by glowing alder chips and delivered to the kilns through pipes. The audit team noted that own-checks were performed and the HACCP based procedure in place included the contamination of smoked meat products with benzo(a)pyrene as a hazard. However, no verification of the sum of four PAHs (benzo(a)pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoreanthene) levels was carried out by the FBO after the introduction (in 2012) of the new requirements in the EU food contaminants legislation and the need to re-validate the smoking process was not identified as an outstanding requirement by the CA during the inspections carried out.

The audit team noted examples of good co-operation between the CVC inspectors and the baby food producer visited, in taking measures to resolve problems with regard to food safety issues.

With the exception of the canned food producer, in all food establishments visited, the inspectors met had performed official sampling to verify that food operators comply with the requirements laid down in Regulation (EC) No 1881/2006.

The audit team noted that the traceability requirements were complied with by all establishments visited. Traceability checks are routinely included in official controls and adequately checked by the inspectors met.

Control at farm level

The inspectors met by the audit team confirmed that farms for primary production of FNAO are not covered by the risk categorisation system of food establishments and are visited only in case of complaints or official food sampling.

The inspections observed during this audit covered primary production activities for which requirements laid down in Annex I to Regulation (EC) No 852/2004 were applied.

The audit team visited a farmer who grows cereals on 600 hectares. He had facilities for storage (500 tonnes) and drying cereals. During the observed inspection, the CVC inspector checked only the handling and storage of cereals. The risks linked to the drying process (dioxins as a potential hazard) were not considered either by the grower or the CVC inspector. Tests for dioxins in the cereals had never been performed by the farmer using the drying equipment, which was not considered as a shortcoming by the CVC inspector.

During the observed inspection at the green leafy vegetable producer, the CVC inspector paid special attention to the application of fertilisers and the quality of the irrigation water in order to check that these were correctly used.

Conclusions

Sampling plans are implemented as foreseen notwithstanding inadequate sample weights noted in the laboratories visited.

Official controls at food processing establishments are carried out regularly and the frequency of inspections takes account of the reliability of FBOs' own-checks (including HACCP based procedures) as required by Article 3 of Regulation (EC) No 882/2004.

HACCP based procedures are checked during official inspections. In some of the observed inspections the evaluation of these procedures by the CVC inspectors, was not seen as thorough enough to assess compliance with the provisions of Article 5(2)(a) of Regulation (EC) No 852/2004. Although CVC inspectors were provided with training and a detailed checklist, the assessment could not be performed correctly due to the fact that some of the inspectors met did not follow the instructions provided.

5.2.4 Sampling

Legal requirements

Article 11 of Regulation (EC) No 882/2004 establishes general requirements for sampling. Article 8 of Regulation (EC) No 1881/2006 requires that the sampling for the official control of the levels of contaminants in foodstuffs shall be performed in accordance with the methods set out in Regulation (EC) No 401/2006 (mycotoxins), Regulation (EC) No 1882/2006 (nitrates), Regulation (EC) No 1883/2006 (dioxins and dioxin-like PCBs). Article 1 of Regulation (EC) No 333/2007 stipulates that sampling for the official control of the levels of chemical elements, 3-MCPD and benzo(a)pyrene in foods shall be carried out in accordance with the Annex to that Regulation.

Additionally, the Commission Guidance document for CAs for the control of compliance with EU legislation on aflatoxins is relevant to this audit.

Findings

Official sampling of lettuce was observed by the audit team at a greenhouse. The inspector took 12 lettuce plants from different parts of the greenhouse plot. The sample consisted of the whole lettuce with the pot (and soil) it had grown in. The inspector took a sample with a weight greater than 2 kg taking into account the included weight of the pot. The CA explained that the deviation from the sampling method laid down in Regulation (EC) No 1882/2006 was due to the fact that in Estonia the final consumer purchases the lettuce in the pot.

At the packer of nuts and dried fruits, the audit team observed a sampling of dried figs for aflatoxins analysis. The lot consisted of cardboard boxes with a total weight of 145 kg. The inspector correctly followed Regulation (EC) No 401/2006 to determine the number of incremental samples to take and took an aggregate sample of 4.7 kg from different parts of the lot. The sample was packed, sealed, labelled and brought to the laboratory by the inspector.

After sampling, sample protocols were drafted and signed by the inspectors and representatives of the food establishments. The protocols contained information on the incremental and aggregate samples but not on the lot weight. A cover letter with a request for the laboratory analysis was completed and accompanied the sample to the laboratory. This document did not contain any indication on the lot weight.

The audit team noted in the CVCs and at one of the laboratories visited, that samples taken for pesticide residue analysis were also used for contaminant analyses. It was not clear under which

monitoring plan the sampling procedures were carried out.

In the two counties visited, the audit team checked the sampling equipment used and considered it to be adequate.

All inspectors observed were experienced, sufficiently equipped for the sampling and were provided with adequate written instructions or guidelines.

Conclusion

The observed sampling of dried figs for aflatoxins analysis was in line with the EU requirements. However, some shortcomings were noted with regard to the declaration of the lot weight on the sampling documents and the sampling procedure in place for nitrate analysis of lettuce which does not follow the requirements of Regulation (EC) No 1882/2006 and consequently Article 11 of Regulation (EC) No 882/2004.

5.2.5 Other Contaminant Control Programmes

Findings

The owner of one of the mills visited required contaminant levels to be declared by raw material suppliers and operated an own monitoring of mycotoxins and heavy metals.

The baby food producer had a policy of evaluating its suppliers and operated its own control programme for acrylamide.

Conclusion

Other contaminants control programmes, in addition to national contaminant monitoring plans, further assist in ensuring the safety of foodstuffs.

5.2.6 Laboratory Performance

Legal requirements

Requirements for designating laboratories are laid down in Article 12(1) of Regulation (EC) No 882/2004. Requirements pertaining to the capacity and capability of laboratories are described in Article 4(2)(c) of Regulation (EC) No 882/2004. Requirements for accreditation of laboratories are laid down in Article 12(2) and (3) of Regulation (EC) No 882/2004. Requirements for designation of NRLs for each European Union Reference Laboratory (EURL) as well as tasks of NRLs are laid down in Article 33 of Regulation (EC) No 882/2004.

Criteria for sample preparation and performance parameters for methods of analysis used for the official control of the levels of contaminants in foodstuffs as well as results reporting requirements are laid down in the annexes to Regulation (EC) No 401/2006 (mycotoxins), Regulation (EC) No 1882/2006 (nitrates), Regulation (EC) No 1883/2006 (dioxins and dioxin-like PCBs) and Regulation (EC) No 333/2007 (chemical elements, 3-MCPD, benzo(a)pyrene).

Additionally, the Commission guidance document “Report on the relationship between analytical results, measurement uncertainty, recovery factors and the provisions of EU food and feed legislation” is relevant to this audit.

Findings

There are three laboratories for the official analyses of food for contaminants (see section 5.2.1).

VFB has designated the following laboratories as NRLs for food contaminants:

- HB Laboratory in Tartu is the NRL for PCBs and PAHs in FNAO;
- ARC Laboratory in Saku is the NRL for mycotoxins in food;
- Tartu department of VFL is the NRL for heavy metals in food.

The audit team visited the HB Laboratory in Tartu and the ARC Laboratory for residues and contaminants in Saku. The laboratories are located in adequate facilities and equipped with state of the art instruments.

In both laboratories visited, samples were registered correctly at the sample reception stage using a computer based information system. However, the laboratories have no written instruction in place listing acceptance/rejection criteria or specific requirements with regard to minimum weight (quantity) of incoming samples for contaminants analyses. The sampling forms studied by the audit team and the log books in the laboratories revealed that the quantity of the samples provided to the laboratories was not always in accordance with the requirements of EU legislation but these samples were still accepted for analyses.

Both laboratories participated each year in Proficiency Tests (PTs) organised by the EURLs and commercial providers with satisfactory results, with the exception of one PT for deoxynivalenol carried out by ARC laboratory. The investigation carried out for the root cause of the questionable z-score resulted in a change to the method used.

HB Laboratory in Tartu

In the HB laboratory validation files for the High Performance Liquid Chromatography method (HPLC) for nitrates and patulin, were examined by the audit team. The calculation of the limits of detection and quantification follows the signal to noise approach. The recoveries were in the acceptable ranges as laid down in Regulation (EC) No 401/2006 except for patulin in baby food.

For quality control purposes, the HB laboratory has never used certified reference material (CRM). The audit team was informed that PT material was used when available.

With regard to nitrate and patulin analyses, the reporting routines did not follow the requirements as laid down in Regulation (EC) No 1882/2006 and Regulation (EC) No 401/2006 concerning information indicating the results were corrected for recovery. The audit team noted that the analytical reports do not contain information on recovery¹.

ARC Laboratory in Saku

The laboratory is designated to perform official control analysis for mycotoxins in FNAO. This laboratory is accredited by the Estonian accreditation body according to European Norm /International Organisation for Standardisation (EN/ISO IEC) 17025 standard. The sample preparation, homogenization and measurement equipment of the laboratory is state of the art and fit for purpose.

Regarding mycotoxins analytical method, the system suitability is checked before starting a new sequence of samples. The results of the system suitability standards are recorded in a control table with given limits (20% peak area derivation). However, these standards are not prepared independently from the calibration standards. The recovery of the different batches of the used immunoaffinity column is not checked except during the validation.

The validation of the method was carried out by using different matrices (almonds, rye flour, spices

¹ In their response to the draft report the CAs noted that the recovery and the measurement uncertainty have been reported in test protocols when it was significant for the interpretation of the results. For the results far below MLs the data have not been added up to the time of this audit. The reporting routine will be revised in order to follow the relevant requirements of the EU legislation.

(paprika), cocoa and dried figs). The concentration level for these matrices was the lowest level of interest (2 µg/kg). However, the method used for analysis of aflatoxins in baby foods was not validated.

The audit team was not provided with evidence that CRM had been used. However, the laboratory occasionally uses self-spiked matrices.

Conclusions

All laboratories designated to carry out official testing of foodstuffs for contaminants are accredited as required by Article 12 of Regulation (EC) No 882/2004 and use accredited and validated analytical methods, with the exception of the method used for analysis of aflatoxins in baby foods in ARC laboratory in Saku.

The lack of sample acceptance criteria in both laboratories visited runs the risk that samples of inadequate weight are accepted for analysis and results cannot therefore be legally binding. The way of reporting laboratory results in the HB Laboratory is not in line with the requirements laid down in Regulations (EC) No 401/2006 and No 1882/2006. Therefore, for contaminants regulated by these EU Regulations the results generated in the laboratories visited cannot be compared with those produced by laboratories in other MSs and could lead to incorrect decisions on the compliance of foodstuffs with the maximum levels laid down in the EU legislation.

The NRLs are nominated as required by Article 33 of Regulation (EC) No 882/2004.

5.2.7 Procedures for Performance and Reporting 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.

Article 9 of the above Regulation 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.

Findings

Procedures and instructions about the official inspections of food establishments are in place. They are formally approved for implementation by Decrees of the General Director of the VFB.

Although instructions on actions to be taken upon receipt of non-compliant results were included in the annual sampling plans, the VFB has not yet developed formal procedure for follow up in cases of non-compliant results for contaminant levels in FNAO.

Sampling arrangements are given each year in guides approved by a Decree of the General Director of the VFB. At the official laboratories visited by the audit team, there were no procedures stipulating sample acceptance criteria to prevent samples with inadequate weight to be registered and accepted for testing.

All samples are registered in an electronic database by the sampling inspectors. The database is accessible for both VFB staff and CVC inspectors.

Monthly checks of sample data submitted to the database are carried out at central level. In case of delays in the implementation of the sampling plan appropriate action is taken directly by contacting the relevant CVC by e-mail or telephone.

The testing laboratory reports the non-compliant results both to the VFB headquarters and to the inspector who took the sample as soon as they are detected.

The audit team noted:

- A checklist for inspections of food establishments was available at the CA (see section 5.2.3.2).
- Inspection reports were given to the food operators and non-compliances and requests for improvement were recorded.
- Records, containing all relevant official controls data, were properly kept at all visited food establishments.
- The FVB sampling database provides a good overview, and evidence of adequate supervision was observed. Samples data were submitted by the CVC inspectors in accordance to the instructions provided.
- The centralised structure of the VFB facilitates contact between the parties involved in the implementation of the control plan for contaminants in FNAO.
- In the laboratories visited there were no written instruction in place listing acceptance/rejection criteria with regard to minimum weight of incoming samples for contaminants analyses (see section 5.2.6).

Conclusion

There are procedures and instructions in place for official controls of FNAO. However, shortcomings were identified in relation to instructions and procedures in laboratories visited on sample acceptance criteria.

5.2.8 Co-operation 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 Regulation (EC) No 882/2004 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.

Findings

There was a clear line of reporting and command between the VFB central level and CVCs. According to the CA, annual meetings are held between the OROFFNAO and CVC inspectors.

The Food Department of VFB co-ordinates contaminants sampling activities by issuing implementation instructions, distributing by county the number of samples to be taken, designating the laboratories for the official contaminant analyses, etc.

The audit team confirmed that regular meetings and contacts between the OROFFNAO and CVCs take place to share information on the monitoring plans for food contaminants. The audit team was provided with evidence of such meetings.

Conclusion

Mechanisms and approaches are in place to ensure effective co-operation and co-ordination within

the CAs with responsibilities for food contaminant controls as required by Articles 4(5) of Regulation (EC) No 882/2004.

5.2.9 Enforcement Measures

5.2.9.1 Measures in Case of Non-compliance

Legal requirements

Article 54 of Regulation (EC) No 882/2004 lays down the principles to be followed in the application of national enforcement measures and actions to be taken in cases of non-compliance.

Implementing measures for the RASFF are laid down in Commission Regulation (EU) No 16/2011.

Findings

The Food Act provides for administrative sanctions as well as criminal offences related to contaminants in food.

There are provisions for follow up sampling in cases of contaminants violation in the implementing instructions of the annual sampling plans for monitoring of contaminants in FNAO. According to this document, the laboratory has to immediately inform both the OROFFNAO of the VFB and the CVC inspector who submitted the sample about the non-compliant result.

The CVC then co-ordinates the additional sampling and investigates the reason for non-compliance with maximum contaminant limits. The inspector has to take additional samples from the food product. It is prohibited to sell the food until the analysis results are received and indicate compliance with the EU maximum limits.

The CVC inspectors have legal and administrative tools to undertake corrective actions in the case of non-compliance, including the seizure of food products, application of fines, suspension and withdrawal of approvals.

In one of the CVCs visited, there was one case of a non-compliant result for aflatoxins in spices. A comprehensive and complete file detailing all actions taken was available. Proper reporting procedures had been followed by the testing laboratory - the relevant CVC and the VFB headquarters had been informed. Follow-up investigations (including additional sampling) had been carried out and administrative measures had been taken regarding the food product involved.

In 2013, there were four laboratory results for acrylamide levels in a food product exceeding the indicative value. The relevant CVC had initiated an investigation on the source of the contamination. The FBO involved also carried out research to find ways of reducing the levels of acrylamide.

The Trade, Import and Export Department of the VFB is the contact point of the RASFF and is responsible for monitoring alerts. There is an updated procedure (Decree No 169/31.12.2013 of the General Director of the VFB) in place for the operation of the RASFF system.

There were no RASFF notifications on contaminants in FNAO originating from Estonia in the three years prior to the audit. The audit team checked the files regarding follow-up activities of four RASFF notifications on food contaminants in which the Estonian CAs were involved. The internal correspondence provided evidence that in all cases the follow-up activities of the CAs were adequate.

Conclusions

Legal and administrative bases are in place in order to allow CAs to take action in the cases of non-compliance as required by Article 54 of Regulation (EC) No 882/2004. Measures undertaken by the CAs to address non-compliances were adequate.

The administrative arrangements in place ensure effective exchange of information between the national RASFF contact point and the CAs.

5.2.9.2 Sanctions

Legal requirements

Article 55 of Regulation (EC) No 882/2004 states that MSs shall lay down the rules on sanctions applicable to infringements of feed and food law and other Community 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.

Findings

The sanctions which may be applied for non-compliance with food legislation are described in Decree No 17/22.01.2014 of the General Director of VFB. The Substitutive Enforcement and Penalty Payment Act provide the legal basis for imposing sanctions related to food contaminant controls.

According to the information provided to the audit team, in the context of this audit sanctions regarding cases of excessive contaminant levels in food products have not been imposed by the CAs.

Conclusion

Legal and administrative bases are in place in order to allow CAs to impose sanctions as required by Article 55 of Regulation (EC) No 882/2004.

5.2.10 Verification 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.

Findings

According to VFB, the verification of the effectiveness of official controls on food contaminants is performed in two different ways:

- The OROFFNAO chief specialist on contaminant controls monitors the completion of the planned controls (number of inspections, samples taken, analytical results and follow-up actions). The CCA has set up a database which contains the information received and in order to facilitate the supervision of contaminant controls by CVCs.
- All CVC inspectors performing official food controls are evaluated every three years by the Food Directorate of VFB. This assessment comprises the evaluation of the inspectors'

professional skills through documentary checks and evaluation of their performance during a joint inspection. Reports of such visits in the CVCs visited were presented to the audit team.

The audit team noted that:

- The organisation and performance of food contaminant controls had not yet been evaluated; however, there was evidence that compliance with sampling procedures for food contaminants had been checked.
- All CVC inspectors met have been subject to evaluation carried out by VFB.
- The CCA was not aware that official controls performed by CVCs in FBOs could overlook non-compliance with food hygiene requirements (see section 5.2.3.2).

Conclusion

The CCA has procedures in place to verify the effectiveness of official controls on food contaminants although the supervision of inspectors' controls is based only upon records and documents of controls undertaken. In addition, some of these procedures only give partial information about the activities of CVCs. As a consequence, the CCA is not aware that official controls can be of limited effectiveness (basic non-compliance with food hygiene requirements not always detected). Therefore, the procedures in place do not fully meet the requirements of Article 8 of Regulation (EC) No 882/2004 as regards the verification of the effectiveness of official controls.

6 OVERALL CONCLUSIONS

Overall, there are arrangements in place to carry out official controls on food contaminants listed in Regulation (EC) No 1881/2006. Official controls on food are under a single CA; there are risk-based national sampling and inspection plans to monitor food contaminants and their controls by food operators and defined channels for sharing information and communication between the CAs. Written procedures and instructions facilitate the implementation of the national control plans. However, the overall effectiveness of the control system is weakened by the absence of official controls at primary production level, a lack of adequate training on food contaminant controls, the lack of adequate laboratory capacity to test for all regulated contaminants and deficiencies in the food contaminants sampling and the assessment of the HACCP based systems. As regards controls at primary production level, the CA is planning to include such controls in risk assessment for 2015.

7 CLOSING MEETING

A closing meeting was held on 28 March 2014 with representatives from all the CAs concerned. At this meeting the audit team presented the main findings and preliminary conclusions of the audit. The authorities did not express disagreement and offered some comments to the findings and preliminary conclusions.

8 RECOMMENDATIONS

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

N°.	Recommendation
1.	Ensure that hygiene provisions in primary production of FNAO are controlled to meet requirements laid down in Article 4 and in part A of Annex I to Regulation (EC) No 852/2004.
2.	Ensure that staff responsible for official food contaminant controls, including those taking samples under monitoring programmes, receive appropriate training on contaminants as required by Article 6 and Annex II of Regulation (EC) No 882/2004 and are kept up to date so that they can perform their task competently as required by Article 4 of the same Regulation.
3.	Ensure that the implementation of auto control plans based on HACCP principles in food businesses are fully assessed as required by Article 10(2)(d) of Regulation (EC) No 882/2004.
4.	Ensure that samples accepted by the laboratory for the analysis of nitrate and PAHs have an adequate weight/quantity as stipulated in Regulation (EC) No 401/2006 and Regulation (EC) No 1882/2006.
5.	Ensure that analytical results are uniformly reported with adequate information on recovery and expanded MU as required by Annex II, p. 4.4 of Regulation (EC) No 401/2006 (mycotoxins), Annex to Regulation (EC) 1882/2006 (nitrates).
6.	Ensure procedures for verification that the official controls of contaminants are effectively implemented as required by Article 8 of Regulation (EC) No 882/2004.

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

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2014-7166

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 315/93	OJ L 37, 13.2.1993, p. 1-3	Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food
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. 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
Reg. 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. 1881/2006	OJ L 364, 20.12.2006, p. 5-24	Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs
Reg. 401/2006	OJ L 70, 9.3.2006, p. 12-34	Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs
Reg. 1882/2006	OJ L 364, 20.12.2006, p. 25-31	Commission Regulation (EC) No 1882/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of the levels of nitrates in certain foodstuffs

Legal Reference	Official Journal	Title
Reg. 333/2007	OJ L 88, 29.3.2007, p. 29-38	Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs
Reg. 252/2012	OJ L 84, 23.3.2012, p. 1-22	Commission Regulation (EU) No 252/2012 of 21 March 2012 laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EC) No 1883/2006
Reg. 16/2011	OJ L 6, 11.1.2011, p. 7-10	Commission Regulation (EU) No 16/2011 of 10 January 2011 laying down implementing measures for the Rapid alert system for food and feed

ANNEX 2 - RECOMMENDATIONS AND STANDARDS QUOTED IN THE REPORT

Reference number	Full title	Publication details
2007/196/EC	Commission Recommendation of 28 March 2007 on the monitoring of the presence of furan in foodstuffs	OJ L 88, 29.3.2007, p. 56
2007/331/EC	Commission Recommendation of 3 May 2007 on the monitoring of acrylamide levels in food	OJ L 123, 12.5.2007, p. 33
2010/133/EU	Commission Recommendation of 2 March 2010 on the prevention and reduction of ethyl carbamate contamination in stone fruit spirits and stone fruit marc spirits and on monitoring of ethyl carbamate levels in these beverages	OJ L 52, 3.3.2010, p. 53
2010/161/EU	Commission Recommendation of 17 March 2010 on the monitoring of perfluoroalkylated substances in food	OJ L 68, 18.03.2010, p. 22
2010/307/EU	Commission Recommendation of 2 June 2010 on the monitoring of acrylamide levels in food	OJ L 137, 3.6.2010, p. 4
None	Guidance document for competent authorities for the control of compliance with EU legislation on aflatoxins.	http://ec.europa.eu/food/food/chemicalsafety/contaminants/guidance-2010.pdf
None	Report on the relationship between analytical results, measurement uncertainty, recovery factors and the provisions of EU food and feed legislation	http://ec.europa.eu/food/food/chemicalsafety/contaminants/report-sampling_analysis_2004_en.pdf