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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

THE SEYCHELLES

FROM 09 TO 17 MARCH 2011

IN ORDER TO EVALUATE THE CONTROL SYSTEMS IN PLACE GOVERNING THE
PRODUCTION OF FISHERY PRODUCTS INTENDED FOR EXPORT TO THE EUROPEAN
UNION

Executive Summary

This report describes the outcome of a Food and Veterinary Office audit in Seychelles carried out from 9 to 17 March 2010, as part of its programme of audits in Member States and third countries.

The objective of the audit was to evaluate the public health conditions for the production of fishery products intended for export to the European Union. The audit covered the relevant European Union legislation for the public health sector.

The report concludes that the system for official controls implemented by the competent authority, the Fish Inspection and Quality Control unit of the Seychelles Bureau of Standards, is able in general to offer adequate guarantees concerning the quality of the fishery products exported to the European Union. Improvements were made since the last Food and Veterinary Office audit in 2006 but compared to the requirements of the European Union legislation concerning imports from third countries, deficiencies were noted by the audit team (mainly concerning: the official supervision of the primary production, deficiencies in the exporting facilities (establishments and freezer vessels), the implementation of contaminants monitoring arrangements, the official laboratory).

The report addresses to the competent authority of Seychelles a number of recommendations aimed at rectifying the identified shortcomings and enhancing the control system in place.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
ACP/OCT	Africa, Caribbean and Pacific countries, signatories to the Lomé Convention and Overseas Countries and Territories of the Netherlands and the United Kingdom
CA	Competent Authority
CEO	Chief Executive Officer
EC	European Community
EU	European Union
EU listed	Facilities listed by the CAs for participation in the EU FP export chain
EUROSTAT	Statistical Services of the European Union
FIQCU	Fish Inspection and Quality Control Unit
FVO	Food and Veterinary Office of the European Commission
HACCP	Hazard Analysis Critical Control Points
HPLC	High Performance Liquid Chromatography
ISO	International Organisation for Standardisation
LOD	Limit Of Detection
LOQ	Limit Of Quantification
PAH	Polycyclic Aromatic Hydrocarbons
PCB	Polychlorinated biphenyls
RASFF	Rapid Alert System for Food and Feed
SANCO	Health and Consumers Directorate General of the European Commission
TARIC	Integrated Tariff of the European Communities
TRACES	Trade Control and Expert System: this is an internet-based network between veterinary authorities in EU countries and business operators which notifies, certifies and monitors imports, exports and trade in animals and animal products. It is based on Decision 2002/459/EC.

1 INTRODUCTION

The audit took place in the Republic of Seychelles from 9 to 17 March 2011 and was undertaken as part of the Food and Veterinary Office's (FVO) audit programme.

The audit team comprised two auditors from the FVO.

2 OBJECTIVES

The objectives of the audit were:

- to evaluate whether the official controls put in place by the Competent Authority (CA) can guarantee that the conditions of production of fishery products in Seychelles destined for export to the European Union (EU) are equivalent to those set out in EU legislation, and in particular with the health attestations contained in the certificate of Appendix IV to Annex VI to Commission Regulation (EC) No 2074/2005;
- to verify the extent to which the guarantees and the corrective actions submitted to the Commission services in response to the recommendations of the 2006 FVO mission report have been implemented and enforced by the CA.

In pursuit of these objectives, the audit team proceeded as follows:

- an initial meeting was held in Victoria on 10/03/2011 with the CA, which is the Fish Inspection and Quality Control Unit (FIQCU) within the Seychelles Bureau of Standards. At this meeting the audit team confirmed the objectives of, and itinerary for the audit, and requested additional information required for the satisfactory completion of the audit;
- the following sites were visited:

Competent authority		
Central level	1	
Laboratory visits		
	1	
Primary production		
Fishing vessels	5	
Landing and first sale		
Landing sites	2	
EU listed facilities handling fishery products		
Freezer vessels	2	
Establishments	4	

Representatives from the CA accompanied the audit team during the whole mission.

3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and, in particular Article 46 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004, on official controls performed in third countries to ensure the verification of compliance or equivalence with EU feed and food law.

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

4 BACKGROUND

4.1 LEGAL AND HISTORICAL BACKGROUND

Seychelles is presently listed in Annex II of Commission Decision 2006/766/EC establishing the list of third countries and territories from which imports of fishery products in any form for human consumption are permitted.

The Seychelles are not listed in the Annex to Commission Decision 2004/432/EC and therefore cannot export farmed fishery products to the EU.

A previous mission took place in 2006 (ref. DG(SANCO)/2006/8252) and the report – published on the Health and Consumers Directorate-General (SANCO) Internet site at http://ec.europa.eu/food/fvo/ir_search_en.cfm – made a number of recommendations in respect of the action required of the CA. They concerned mainly the laboratory service (completion of the accreditation procedure, change of the histamine testing method used), fishing vessels and the establishments (correction of the shortcomings found by the mission team), procedure and official controls concerning the imports of fishery products from other third countries (EU eligibility of the factory/freezer vessels which caught the fish, presence of an export health certificate).

Written guarantees were received from the CA in relation to the implementation of actions aimed at addressing those recommendations.

4.2 PRODUCTION AND TRADE INFORMATION

In 2009, according to information provided by Eurostat (see table 1), the Seychelles mainly exported canned and frozen fish to the EU.

According to information provided by the CA, in 2009, 1,840 tonnes of fishery products were imported into Seychelles as raw material and after processing were exported to the EU.

According to the list set up by the CA and available on the SANCO web site (list valid as of 22/09/2010) imports of fishery products from Seychelles into the EU are authorised from four establishments and eight freezer vessels.

This list is available on the SANCO web site at the following address:

http://ec.europa.eu/food/food/biosafety/establishments/third_country/index_en.htm.

Table 1 - Exports of fishery products from Seychelles to the EU (tonnes) (source Eurostat/CA)

TARIC code	2009	%
0302 Fish, fresh or chilled (excluding fish fillets and other fish meat of heading 0304)	142	0.3
0303 Frozen fish (excluding fish fillets and other fish meat of heading 0304)	13,002	23.4
0304 Fish fillets and other fish meat, whether or not minced, fresh, chilled or frozen	103	0.2
0306 Crustaceans, fit for human for human consumption, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine, including crustaceans in shell cooked beforehand by steaming or by boiling in water; flours, meals and pellets of crustaceans, fit for human consumption	23	0
0307 Molluscs, fit for human for human consumption, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine, including aquatic invertebrates (other than crustaceans and molluscs); flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption	0.4	0
1504 Fats and oils and their fractions of fish or marine mammals, whether or	98	0.2

not refined (excluding chemically modified)		
1604 Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	42,287	76
TOTAL	55,654	

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

The most recent RASFF notifications covering fishery products imported from Seychelles into the EU concerned the following:

Year	RASFF cause	Number of cases	Tonnes of fishery products imported from Seychelles into the EU
2007	bulging packaging of canned tuna	1	59,903
2007	histamine	2	
2009	contaminant (mercury)	1	55,654
2010	rupture of the cold chain	1	47,665

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION

Legal requirements

Requirements laid down in Article 46(1)(a) of Regulation (EC) No 882/2004 and Article 11(4)(a)(i) of Regulation (EC) No 854/2004.

Findings

The main Seychellois legislation covering fishery products consists of the Export of Fishery Product Act of 1996 lastly amended in December 2010 hereinafter referred to as the Act.

Under the Act, the Chief Executive Officer (CEO) of the Seychelles Bureau of Standards is identified as the person in charge of implementing the provisions of the Act and the related Regulations; it indicates also that the CEO operates under the Minister of Industry.

It establishes for the purposes of the Act the FIQCU within the Seychelles Bureau of Standards as CA.

It includes several definitions (establishments, freezer vessels, factory vessels) and designates the Seychelles Bureau of Standards as the official reference laboratory.

It also provides for the protection of confidential information, avoidance of corruption and protection of officials actions done in good faith. The penalties under the Act have also been enhanced (2010 amendment).

Four technical regulations have been developed and framed under the Act to provide the technical basis necessary to enforce the Act. These regulations were approved by the Minister of Industry in December 2010. The regulations related to this mission are the Export of Fishery (Sanitary) Regulations 2010 hereafter referred to as the "Fisheries Regulations". The provisions of the Fisheries Regulations are largely inspired by the provisions of Regulations (EC) Nos 852/2004, 853/2004 and 854/2004. The audit team noted a discrepancy between EU legislation (Regulation (EC) No 1881/2006) and this legal text as follows:

- Hazard Analysis Critical Control Points (HACCP) programmes are not required for freezer vessels;
- in Schedule 10, maximum limits for cadmium are less strict. Levels of 0.1ppm are accepted for Marlin, sailfish, rays, sharks and dogfish, while the maximum level for these species is 0.05ppm in the EU legislation;
- there is no maximum level for inorganic tin in canned food.

Conclusion

There is a comprehensive legal framework concerning the production and the export of fishery products from the Seychelles. Some deficiencies were identified.

5.2 COMPETENT AUTHORITY

Legal requirements

Requirements laid down in Article 46(1)(b) to (e), (g) and (h) of Regulation (EC) No 882/2004.

Findings

Section 9A (1) of the Act (2010 amendment) is the legal basis for the establishment of the FIQCU as the CA within the Seychelles Bureau of Standards.

Based on Section 9A (2) (3) (4) of the Act, the CEO appoints the head of the FIQCU. The position of Authorized Officer is also created under the Act. Section 10 (1) (a) - (g) gives them the power to perform his/her duties. Section 10 of the Act (2010 amendment) gives protection to the Authorized Officers against liability when performing their duties in good faith and without negligence.

As Seychellois legislation is largely inspired by EU legislation, authorised officers are aware of the relevant EU provisions applicable to the production of fishery products and can provide guarantees that the statements contained in the health certificate are reliable.

There are seven authorised officers (inspectors) in the CA and two official cars are available (including one provided by the EU programme “Strengthening Fishery Products Health Conditions in ACP/OCT Countries” (i.e. Africa, Caribbean and Pacific countries, signatories to the Lomé Convention and Overseas Countries and Territories of the Netherlands and the United Kingdom).

Documented control procedures are being implemented with the target to become accredited to standard ISO 17020 (General criteria for the operation of various types of bodies performing inspection).

There is no delegation or performance of official controls to/by other official services or organisations.

Conclusions

The CA is clearly organised, has adequate powers and independence to perform its duties. Authorised officers have a good knowledge of EU requirements.

5.3 NATIONAL PROVISIONS AND PROCEDURES FOR LISTING FOOD BUSINESS OPERATORS INVOLVED IN THE CHAIN OF EXPORT OF FISHERY PRODUCTS TO THE EU

Legal requirements

Requirements laid down in Article 6 of Regulation (EC) No 852/2004, Article 12(1) and (2) of Regulation (EC) No 854/2004 and contained in part I.11. of the model health certificate for imports

of fishery products intended for human consumption established in Appendix IV to Annex VI to Regulation (EC) No 2074/2005.

Findings

Fishing vessels (other than freezer or factory vessels) providing raw material to exporting establishments are not obliged to be registered by the CA. However they have to comply with the requirements described in Schedule 2 of the Fisheries Regulations. The CA has nevertheless a list of all the vessels of this category, provided by the Seychelles Fisheries Authority which issues boat licences to them; the establishments' food business operators to whom they supply fish confirmed this list. It totals 93 vessels, eight of them being long liners keeping the catches in cooled seawater.

The ice factory at one of the landing sites (where most of the small fishing vessels are moored and land their catch) has been in operation for some months but is not yet under the supervision of the CA.

According to Regulations 4 (6) and (7) of the Fisheries Regulations, only landing sites designated by the CA shall be used for fishery products intended for export. These landing sites shall be in compliance with the relevant requirements of the Fisheries Regulations and are listed by the CA. The list is published in the Official Gazette. Four landing sites are listed and used for landing fishery products for export: two in Victoria fishing port, one in the commercial port and one in Providence.

According to Regulation 4 of the Fisheries Regulations, facilities exporting fishery products shall have a permit granted by the Seychelles Bureau of Standard CEO. Article 5 of the Act provides that this permit is only delivered if the sanitary operating and management requirements are complied with. In all of the facilities visited by the audit team, an approval document issued by the CA and valid for up to one year was available.

Conclusions

National provisions and procedures for approving and listing food business operators involved in the export chain of fishery products to the EU are in place (establishments and freezer vessels).

However there are no specific provisions for registering facilities of the primary production (fishing vessels (other than factory and freezer vessels), and ice factories).

5.4 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

Legal requirements

Requirements contained in point II.1 of the model health certificate for imports of fishery products intended for human consumption established in Appendix IV to Annex VI to Regulation (EC) No 2074/2005 and Paragraph 1, Chapter I of Annex III to Regulation (EC) No 854/2004.

Findings:

5.4.1 Primary production

The CA has a list of 93 fishing vessels providing raw material to the EU listed establishments. According to the inspection programme of the CA, these boats are visited continuously throughout the year but in 2009, only 64 visits were carried out, and some visits concerned the same boats (follow-up visits).

The audit team visited five of these boats, all long liners using cooled sea water to store the fish in their holds. Despite minor structural and hygiene deficiencies (rusted knives, some cockroaches,

wooden equipments) they were all in satisfactory condition. Inspection reports and the check-lists used were made available. Some deficiencies were noted concerning the official controls:

- follow-up visit not done in the time-frame fixed in the inspection report, or not done at all;
- Lack of consistency between the check-list and the inspection report (no deficiencies in the check list but a description of deficiencies in the inspection report);
- Deficiencies were found on the boats visited by the audit team which had not been identified by the CA inspectors:
 - Record of temperature does not cover the entire period when fish is kept in the holds in cooled seawater;
 - Storage of headed fish in cooled seawater (under Regulation (EC) No 853/2004, Section VIII, Chapter III, Part A, 5., this should only occur for whole and gutted fish);
 - concerning the efficiency of the chilling of fish in cooled seawater, under the Fisheries Regulations, the core temperature of the fish shall reach 0°C within 12 hours for vessels equipped for chilling fishery products in cooled seawater. However in practice fish core temperature are never monitored on the Seychelles' boats; only the temperature of the mixture of cooled seawater and fish is recorded.

5.4.2 Landing and first sale

Landing sites are regularly visited by the FIQCU and inspection reports are sent to the public authorities in charge (Seychelles Fisheries Authority and Seychelles Port Authority) and to the exporting establishments concerned.

Victoria fishing port was inspected by FIQCU in May 2010 and inspection reports sent to the relevant authorities; follow-up visits took place in July and September 2010.

Providence landing site was visited by FIQCU in November 2010, and the inspection report was sent to the authority in charge in December. Several deficiencies were found by the audit team in the ice factory installed at the landing site and providing ice to the fishing vessels (which are not freezer or factory vessels): damaged floor, flies, wooden equipment, unprotected bulbs, absence of own-checks analyses on the ice used.

The audit team visited these sites: some of the deficiencies found by the CA in May and November still need to be corrected before the all sites can be considered to be of acceptable standard.

5.4.3 Facilities, including vessels, handling fishery products

The audit team visited two EU listed freezer vessels and four EU listed establishments. All EU listed freezer vessels and establishments are approved by the CA to export to the EU, and an approval document is issued and valid for not more than one year; this official document details the products which can be exported.

The freezer vessels are inspected by FIQCU staff at least once a year for the renewal of the approval and in general each time they come in port. Check lists are used. Official samples are taken regularly: once a year for contaminants (heavy metals) and once to three times a year for histamine.

The audit team found the freezer vessels in good condition and the official samples results seen by the audit team were satisfactory.

The audit team found some deficiencies:

- no HACCP programmes implemented (under the Seychellois legislation, they are not

required for this type of facility);

- Some inspection visits include the follow-up of the previous inspection, but this is not clearly mentioned in the follow-up inspection check list and/or on the inspection report;
- In one freezer vessel two inspectors performed an inspection separated by only three days but had inconsistent or at least confusing conclusions. For example, one reported that holds are equipped with temperature recording devices and the other noted that two sensors were faulty;
- Other than the pest control certificate there is no document available describing the operations carried out by the pest control contractor. The facility operators could not describe what was done by the contractor;
- Some crew members do not have medical certificates indicating that they are fit for handling food. This is a requirement of Seychellois legislation (Food Act (general hygiene) regulations of 1992).

The audit team visited the four EU listed establishments. They are inspected by FIQCU staff several times a year (in 2009, 26 inspection visits were carried out) and check-lists are used. Official samples are taken regularly, mainly for histamine.

Inspection visits are done on the basis of the check-lists, and an inspection report detailing the deficiencies noted is sent to the operator. Follow-up visits take place where the operator's action plan is reviewed.

The audit team found in general the establishments in good condition, but found some deficiencies not noted by the CA inspectors:

- Raw material for fish oil production is not chilled as soon as possible and does not remain at a temperature equivalent EU requirements (temperature of melting ice or -18°C) and is not stored and transported in hygienic conditions (dirty containers initially partly filled with fish blood);
- as regards HACCP programme:
 - Inconsistencies: critical limit for tuna heads is 30°C while commercial document and day-to-day practice uses 15°C; heavy metal contamination not considered as a potential critical control point in the hazard analysis but becomes a critical control point later in the document; species to be monitored for histamine vary: initially several species are covered but later only Scombridae are supposed to be monitored;
 - Critical limits not equivalent to EU provisions (temperature of tuna heads for oil production);
 - Documents not filled out correctly: temperature reported not reflecting the temperature measured (the audit team saw that when the temperature measured is above the critical limit, the temperature recorded was frequently below), time recorded not reflecting the real time at which the products were accepted;
 - Tin not considered as a hazard despite the use of tin cans on some production lines; tin not tested for on tin cans (but tested for on tin free cans);
 - Polycyclic Aromatic Hydrocarbons (PAH) not considered as a hazard despite a pre-cooking procedure where the audit team saw the presence on the cooking trays of traces of organic matter which were subject to an incomplete combustion; PAH not tested for;
 - Critical control points not defined on the basis of a logical approach method (i.e.

decision tree not used)

- in the in-house laboratory of an establishment, there was no quality check concerning the analytical method of water used to cool the cans after retort (where the water is in direct contact with the cans): insufficient guarantees are available concerning the reliability of the analysis result which is defined by the operator as a critical control point;
- microbiological analysis of official samples of potable water: the test for *Clostridium perfringens* and their spores is not performed (for surface water, this is a requirement of Directive 98/83/EC);
- written documentation in one establishment shows that temperature in the cold stores for frozen products was very rarely below -18°C; moreover the temperature recording device had not been operational for more than six months;
- one operator was not able to demonstrate the origin of several batches of *Coryphaena hippurus* which were exported to the EU and covered also by a catch certificate;
- maintenance problems (rusted pieces, floor damaged, leaks, dirty locker in the changing room, untidy changing room) in several establishments;
- in one establishment, the operator could not demonstrate that corrective action had been taken after a test result of own-check samples (swabs) turned out to be above the action limit he established;
- insufficient protection of the facilities against contamination from outside (doors with gaps, holes in walls or roof) in several establishments.

5.4.4 Import controls of fishery products

For import of fishery products which are further processed before export to the EU, the CA checks the compliance with EU requirements of the country of origin (authorised or not to export to the EU) and the listing of the exporting facility (presence on the EU lists). An export certificate is also required from the exporting country: the EU model is required unless the country of export has a special agreement with the EU, authorizing the use of other model certificates (e.g. New Zealand).

The CA collects samples for histamine and heavy metals analysis at the point of entry.

5.4.5 Follow-up of RASFF notifications

The audit team saw that appropriate action is implemented by the CA when RASFF notifications concerning fishery products from the Seychelles are received.

Conclusions

Primary production: the official controls of the primary production are not sufficiently organised and performed. Deficiencies were still were found by the audit team, as a consequence the recommendation of the 2006 mission report concerning fishing vessels can not be considered as entirely addressed.

Landing sites: the official controls of the landing sites are implemented.

Facilities, including vessels, handling fishery products: EU listed facilities are regularly inspected but deficiencies were noted by the audit team. As a consequence the recommendation of the 2006 mission report concerning establishments can not be considered as entirely addressed.

Import controls of fishery products: relevant checks are implemented, as a consequence the

recommendation of the 2006 mission report concerning checks on imported raw material can be considered as entirely addressed.

Follow-up of RASFF notifications: appropriate action is implemented by the CA.

Guarantees concerning compliance with standards equivalent to those of EU legislation concerning the official controls of production and placing on the market of fishery products are adequate for landing sites, import controls of fishery products and follow-up of RASFF notifications, but not completely satisfactory for primary production and facilities, including vessels, handling fishery products.

5.5 OFFICIAL CONTROLS OF FISHERY PRODUCTS

Legal requirements

Requirements contained in point II.1 of the model health certificate for imports of fishery products intended for human consumption established in Appendix IV to Annex VI to Regulation (EC) No 2074/2005.

Findings

5.5.1 Random organoleptic checks at all stages of production, processing and distribution

The audit team noted that organoleptic checks are performed during official visits and also before export certification and during landing operations.

5.5.2 Random histamine testing

The audit team noted that numerous official samples were taken of the relevant fish species, of raw material and of finished products (940 in 2009). All results observed by the audit team were below the maximum levels fixed in EU and Seychellois legislation.

5.5.3 Monitoring arrangements for residues and contaminants

The audit team noted that monitoring arrangements are in place for heavy metals and dioxins. For heavy metals, in 2009, one official routine sample was taken per EU listed facility and on every batch of fish oil. Ten samples were taken in total. One was found above the maximum limit for mercury.

For dioxins and dioxin-like polychlorinated biphenyls (PCBs), one sample per year per EU listed facility was planned. As two establishments have the same fishing grounds, one sample was taken to cover both.

To complete these official samples, many own check samples are taken for heavy metals. No monitoring arrangement has been set up for PAH and inorganic tin in canned food.

5.5.4 Parasites

The audit team noted that official controls on parasites are performed during facilities inspections and also while organoleptic checks are performed but these checks are not recorded. The CA officials stated also that during establishment visits they verify if the operator performs and records checks of fishery products for parasites.

5.5.5 Poisonous fish

Regulation 6.1 of the Fisheries Regulations indicates clearly that retention on board by a freezer or factory vessels, or the possession by an establishment of poisonous fishery products is prohibited. This concerns:

- fish of the families *Tetraodontidae*, *Molidae*, *Diodontidae*, *Canthigasteridae*, *Gempylidae*,
- fishery products commonly containing biotoxins of marine origin, such as ciguatera or other toxins dangerous to human health, and
- bivalve and gastropods molluscs, tunicates and echinoderms harvested from areas in which such animals may become contaminated with marine biotoxins, unless production and harvest is subject to a monitoring plan approved by the CA.

Moreover, the species exported to the EU almost exclusively belong to the *Scombridae* family, with some high value fresh or frozen demersal fish species, which are known not to be poisonous.

Conclusions

Guarantees concerning compliance with EU legislative requirements concerning the official controls on fishery products are adequate as far as organoleptic and histamine checks are concerned, but not completely satisfactory for monitoring arrangements which are only partially implemented (PAH and inorganic tin in canned food are not covered) and parasites checks (no records available). No exports of poisonous fish are permitted.

5.6 OFFICIAL CERTIFICATION

Legal requirements

Requirements laid down in Article 14 and Annex VI to Regulation (EC) No 854/2004 and model health certificate for imports of fishery products intended for human consumption established in Appendix IV to Annex VI to Regulation (EC) No 2074/2005.

Certification procedure must be in line with the requirements of Directive 96/93/EC.

Findings

The audit team noted that the certification procedure is clearly implemented with the use of the TRACES system.

Conclusions

The certification procedure is in line with the provisions of Regulation (EC) No 854/2004 and Directive 96/93/EC.

5.7 LABORATORIES

Legal requirements

Requirements laid down in Article 46(1)(d) of Regulation (EC) No 882/2004, Chapter 1 of Annex I to Regulation (EC) No 2073/2005, Section II of Annex II to Regulation (EC) No 2074/2005 and Regulations (EC) Nos 1883/2006 and 333/2007.

Findings

The laboratory of Seychelles Bureau of Standards used for the official analyses was visited by the

audit team. Staff met were knowledgeable on the methods in use and the premises are adapted to the analyses performed. The laboratory is recommended for accreditation to ISO 17025 standard for pH, conductivity, nitrate, nitrite and sulphate in water. The laboratory is working for accreditation for tests on fishery products.

As far as official samples for fishery products exported to EU are concerned, the laboratory performs tests for histamine, and until May 2010, tests for heavy metals.

For histamine the laboratory uses a commercial kit. This method is not an internationally recognised one and has not been validated against the EU reference method (which is based on High Performance Liquid Chromatography (HPLC)). The last proficiency test for histamine was in November 2010 and the result was not satisfactory (zscore of 2.5). At the time of the final meeting for the audit, the cause of the unsatisfactory result was still being investigated.

Specific equipment (HPLC) was acquired some years ago and validation of the method was recently completed on raw fish. Application for accreditation is expected to be made in June 2011 for this matrix. Works to validate the method for canned fish are currently being done.

For heavy metals, the equipment broke down in May 2010. It was not able to meet the performance criteria of EU legislation: the limit of detection (LOD) and the limit of quantification (LOQ) for lead and cadmium were too high to meet the provisions of Regulation (EC) No 333/2007. Replacement equipment was requested to the EU which provided an atomic absorption spectrophotometer in October 2010. According to the laboratory manager, the equipment should be operational in May 2011. Official samples are currently sent to an accredited laboratory abroad.

Conclusions

Diagnostic facilities are available to the CA. The laboratory is scheduled for accreditation to ISO 17025 standard for some parameters on water.

Due to the analytical method for histamine currently being used, there are not sufficient guarantees as to the reliability of the analysis carried out during the official controls of products to be exported to the EU.

The recommendations of the last mission report (mission DG(SANCO/2006-8252) concerning the laboratory (accreditation procedure to be completed by 31 December 2009 and to cover all analyses performed for fishery products, water and ice in the framework of the official control, histamine testing method) have not been addressed yet.

6 OVERALL CONCLUSIONS

There is a system for official controls on fishery products for export to the EU based on written procedures, implemented by the Fish Inspection and Quality Control unit of the Seychelles Bureau of Standards.

Since the last FVO inspection report in 2006, improvements have been made, mainly concerning the organisation of the CA, its resources, the use of written procedures, the official controls on imported fishery products later exported to the EU. The system of official controls now in place can in general offer adequate guarantees concerning the quality of the fishery products exported to the EU. Compared to the requirements of the EU legislation concerning imports from third countries, deficiencies were noted by the audit team, mainly concerning: the official supervision of the primary production, deficiencies in the EU listed facilities (establishments and freezer vessels), the implementation of monitoring arrangements covering all relevant contaminants, the official laboratory.

7 CLOSING MEETING

During the closing meeting held in Victoria on 17 March 2011, the audit team presented the findings and preliminary conclusions of the mission to the CA.

During this meeting, the CA acknowledged the findings and preliminary conclusions presented by the audit team and provided commitment to correct all the deficiencies.

8 RECOMMENDATIONS

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

Nº.	Recommendation
1.	The CA should ensure that maximum levels for contaminants at least equivalent to those of Regulation (EC) No 1881/2006 are set.
2.	The CA should ensure that standards applicable to freezer vessels are at least equivalent to the European Union legislative requirements, as far as HACCP programmes are concerned (Article 5 of Regulation (EC) No 852/2004).
3.	The CA should ensure that ice factories and the fishing vessels (other than freezer or factory vessels) providing raw material to exporting establishments are registered by the CA (Article 6 of Regulation (EC) No 852/2004) and regularly inspected (Regulation (EC) No 854/2004, Chapter I, 1, (b) of Annex III). The deficiencies found during the audit (see part 5.4.1 and 2) should be corrected and checks should be performed in vessels not visited to ensure that similar deficiencies either do not exist or are corrected.
4.	Through comprehensive official controls the CA should ensure that only freezer vessels and establishments that comply with requirements at least equivalent to those set out in Section VIII of Annex III to Regulation (EC) No 853/2004, are authorised to export fishery products to the EU. The deficiencies described in part 5.4.3 of the report should be corrected.
5.	The CA should set up monitoring arrangements to control the level of contaminants as set out in point D of Chapter II of Annex III to Regulation (EC) No 854/2004 in order to ensure that fishery products exported to the EU comply with the maximum levels of contaminants defined in Regulation (EC) No 1881/2006, in particular the levels of polycyclic aromatic hydrocarbons, and inorganic tin in canned food.
6.	The CA should ensure that for official controls, histamine testing is performed using the method described in Regulation (EC) No 2073/2005 (Annex I, Chapter 1, point 1.26) or, if an alternative method is used, with a method validated according to the provisions of Article 5.5 of the above mentioned Regulation.

N°.	Recommendation
7.	The CA should ensure that laboratories involved in official controls apply the principles of internationally recognised quality assurance techniques and are evaluated and/or accredited under officially recognised quality management and assurance programmes equivalent to international standards, such as ISO/IEC 17025, to ensure the reliability of analytical results.

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

http://ec.europa.eu/food/fvo/ap/ap_sc_2011-8885.pdf

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Dec. 2004/432/EC	OJ L 154, 30.4.2004, p. 44-50, corrected and re-published in OJ L 189, 27.5.2004, p. 33	2004/432/EC: Commission Decision of 29 April 2004 on the approval of residue monitoring plans submitted by third countries in accordance with Council Directive 96/23/EC
Dec. 2006/766/EC	OJ L 320, 18.11.2006, p. 53-57	2006/766/EC: Commission Decision of 6 November 2006 establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted
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
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
Reg. 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Reg. 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Reg. 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
Reg. 2073/2005	OJ L 338, 22.12.2005, p. 1-26	Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs
Reg. 2074/2005	OJ L 338, 22.12.2005,	Commission Regulation (EC) No 2074/2005 of 5

Legal Reference	Official Journal	Title
	p. 27-59	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. 2076/2005	OJ L 338, 22.12.2005, p. 83-88	Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements 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 and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
Reg. 1881/2006	OJ L 364, 20.12.2006, p. 5-24	Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs
Reg. 1883/2006	OJ L 364, 20.12.2006, p. 32-43	Commission Regulation (EC) No 1883/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs in certain foodstuffs
Reg. 333/2007	OJ L 88, 29.3.2007, p. 29-38	Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs