

Annex II

ADDITIONAL COMMENTS BY CA ON DRAFT REPORT OF AN AUDIT CARRIED OUT IN KENYA FROM 27 MAY TO 07JUNE 2013 IN ORDER TO EVALUATE THE CONTROL SYSTEMS IN PLACE GOVERNING THE PRODUCTION OF FISHERY PRODUCTS INTENDED FOR EXPORT TO THE EUROPEAN UNION

4 BACKGROUND

4.2 Production and trade information

Paragraph 1

Among the list of fishery products Kenya Exports to EU include **chilled Nile Perch**.

4.3 Rapid Alert System for Food and Feed (RASFF) Notifications

Paragraph 1

The word *Pseudomonas* should be in italics “*Pseudomonas*”

5.2. CA Structure

Legal requirements

Findings

Structure and organisation

First Paragraph, Second sentence should read: Within the Ministry there is a **State Department of Fisheries**.....

Second Paragraph, second bullet: Amend the sentence to delete the word **sometimes** to read:

-At local level, Provinces have District Offices and Divisions.

Third Paragraph, second bullet: Amend the sentence to read:

- Directorate of Marine and Coastal Fisheries responsible for the management of Marine and Coastal Fisheries.

Training

First paragraph, third sentence to read:

“In recent years staff attended among others,

Second paragraph, second sentence: Replace ‘fish assistants’ with ‘Fisheries Assistants’

Second paragraph, second sentence: BTSF is missing in the list of abbreviations appearing in page III.

5.3 NATIONAL PROVISIONS AND PROCEDURES FOR LISTING ESTABLISHMENTS EXPORTING TO THE EU

Findings

First Paragraph, 1, Fifth Sentence: the certificate issued by the municipality is a proof that the new establishment is allowed to conduct business within the jurisdiction of that municipality not a certificate to produce fishery products.

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Second paragraph, should be amended to read “Once an establishment is issued with a fish processing license and inspected by CCA for compliance with requirements, the establishment is issued with a Certificate of Compliance which is necessary for export to the EU. The Certificate is issued by the CCA and an approval number given.”

Third paragraph: Take note that the Departmental licensing Committee consists of Director of Fish Quality Assurance and Marketing, Director of Marine and Coastal fisheries, Director Aquaculture development, Director of Inland and Riverine Fisheries and Heads of the Provincial offices.

Fourth Paragraph: Rephrase “so called national inspection” to read; the CCA performs an annual audit and verification (national inspection) to each establishment and based....

5.4 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

FINDINGS

5.4.1 *Official control system in place*

Second paragraph: Replace “fish assistants” with “Fisheries Assistants”

Fourth paragraph: Rephrase to read “There is a national requirement for medical checks of staff every six months which is monitored by Municipalities and the CA.”

5.4.2 *Primary production*

Fifth paragraph, second sentence: Rephrase to read: The audit team visited two farms in Nyanza and Western provinces to

Fifth paragraph, Add a fourth sentence to indicated that “Official control system for aquaculture products has been included in the Manual of Operating Procedures (MSOP) and a National Residue Monitoring Plan had been prepared and submitted to the EU for consideration”.

5.4.3 *Landing and first sale*

First paragraph, first sentence: Replace “fish assistants” with “Fisheries Assistants”.

Third paragraph, second sentence: harmonised implementation and interpretation of the legislation.

Sixth paragraph 6, second sentence: Amend to read: The landing site is run by the Beach Management Unit and the fishermen’s cooperative society that have an office at the site.

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Ninth paragraph, Fifth sentence: Delete the word ‘Development’ to “ This landing site belongs to the Department of Fisheries and the CA.....”.

5.4 *Facilities, including vessels, handling fishery products*

Third paragraph, second sentence: replace “spot inspection” with ‘spot check inspection’.

Sixth paragraph, second sentence: “Heavy metals and pesticides are not considered a risk in the Lake Victoria as the CA has implemented a monitoring plan for contaminants in the lake and the results of analysis received to date are satisfactory.

5.4.5 *Import controls of fishery products*

Second paragraph, Third sentence: “The vessel itself is not inspected” should be amended to read that “The vessel is inspected for fish safety and issued with a foreign vessel inspection certificate.” (*See section 7.3.4 of Manual of Standard Operating Procedures for Fish Inspection and Quality Assurance in Kenya*).

Fifth paragraph, First sentence: Further investigations by the CA have revealed that the reefer vessel from Thailand with frozen tuna in bulk storage had transhipped at Port Victoria, Mahe, Seychelles and not at the sea and health certificates issued. The tuna originated from an EU listed vessel and was landed in Kenya by the reefer vessel from Thailand (*See the attached copies vessel arrival notification Form and the health certificates*).

5.5. OFFICIAL CONTROLS OF FISHERY PRODUCTS

Findings

Paragraph 1 bullet 5: Amend to read “Dioxins are not analysed for.

Paragraph 1 bullet 9: Rephrase to read “There are no species of poisonous fish handled and supplied to processing establishments in Kenya”.