

ANNEX

Response of the Competent Authorities of Latvia to the recommendations of Report ref. DG(SANCO)/2013-6876-MR of an audit carried out from 03 to 14 June 2013 in order to evaluate the follow-up action taken by the competent authorities with regard to official controls related to the safety of food of animal origin, in particular meat, milk and their products

N°.	Recommendation	Action Proposed by the Competent Authority
1	To take into account for designing risk based official controls the past records of the food business operator and any information that might indicate non-compliance as required by Article 3, b and d of Regulation (EC) No 882/2004.	<p>1. An inspection system based on risk assessment has been set up within the FVS [Food and Veterinary Service] which is closely linked to the database for the registration of food establishments and the database of food establishment inspections, which are currently merged into a single electronic database. Furthermore, in June 2013 major changes and improvements were made to the database. During the official control, the irregularities identified during the previous check on the establishment are assessed. We therefore take the view that the requirements of Article 3(b) of Regulation 882/2004 are being complied with and an additional risk criterion, namely the inclusion in the risk assessment matrix of an undertaking by business operators to remedy irregularities, does not now need to be introduced for various reasons:</p> <ul style="list-style-type: none"> - there are no objective assessment criteria; - the small number of such business operators; - the possibility of using other methods to apply penalties. <p>1.1. In accordance with the FVS Order 'FVS inspections plan' (No 393 of 23 September 2011), the frequency of checks stipulated in this plan is the basic criterion and changes are made using information from the last scheduled check on the enterprise in question. If during the last scheduled check the establishment was assessed as:</p> <p>1.1.1 complying with the requirements of food legislation assessed in accordance with the report (group A), then the base criterion is multiplied by a coefficient of 0.5 (frequency decreased),</p> <p>1.1.2. complying with the requirements of food legislation assessed in</p>

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		<p>accordance with the report, though observations were made which do not basically influence the integrity and safety of food (group B), then the basic criterion remains unchanged;</p> <p>1.1.3 not complying with the requirements of food legislation assessed in accordance with the report (group C), then the base criterion is multiplied by a coefficient of 2.</p>
2	<p>To improve the enforcement system currently in place to comply with the requirements of Article 55, 1 of Regulation (EC) N° 882/2004. In particular, to consider making the food business operator bear the costs of extra official controls linked to its inability to comply with European Union requirements.</p>	<p>1. On 4 July 2013 the Territorial Structural Units of the FVS were informed of the levying of a charge for an additional official control (Article 28 of Order 882/2004).</p> <p>2. As regards Article 55 of Order 882/2004, the FVS only applies the penalties set out in regulatory acts. The Ministry of Justice makes amendments to the Code of Administrative Infringements (CAI). The Ministry of Agriculture has sent the Cabinet amendments increasing penalties for infringements relating to the labelling and traceability of food.</p> <p>3. The FVS has drawn up criteria for the application of a fee for an additional official control. On 8 August 2013, training was organized for food inspectors during which they were informed of the arrangements for charging a fee.</p>
3	<p>To address the deficiencies identified in the procedures and their implementation in relation to the approval of food establishments as required by Article 31 of Regulation (EC) No 882/2004.</p>	<p>1. In subsequent establishment approval procedures, ensure procedural compliance in respect of two-stage establishment approval. In the course of approval, pay attention to ensuring the traceability of products.</p> <p>2. During the approval of meat processing establishments, as from 1</p>

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		<p>October 2013 information will be made available on animal species from which meat is obtained for use as a raw material. This information will be given on the CA page of the establishment approval report and will be used in the next check on the establishment.</p> <p>3. In the food inspector training course held on 8 August 2013 ('Food of animal origin - official control and recent developments'), training was given in the uniform application of FVS procedures in the process of approving establishments working with food of animal origin.</p>
4	<p>To address the deficiencies identified in relation to general and specific hygiene in the establishments visited as required by Article 4(2) of Regulation (EC) No 852/2004 and Annex II to Regulation (EC) No 852/2004. To consider amending the procedures in place in relation to official controls for improving the effectiveness of the detection of these types of deficiencies in all Latvian establishments in line with Article 8 of Regulation (EC) No 882/2004.</p>	<p>1. In the food inspector training course held on 8 August 2013 ('Food of animal origin - official control and recent developments'), inspectors were informed of the FVS audit results and observations and food inspectors were issued with recommendations on the application of hygiene requirements.</p> <p>2. The 2013 training plan includes practical training for food inspectors in the field of slaughterhouse surveillance.</p> <p>3. In undertakings where infringements were identified, deadlines for remedying shortcomings were set. Shortcomings have already been remedied in part, or warning notices drawn up with deadlines for remedying the shortcomings.</p> <p>4. Field managers in the meat and milk sectors will pay increased attention to the effectiveness of practical inspection during the carrying out of lead supervision of field food inspectors.</p>
5	<p>To amend the procedures in place for the follow up of positive</p>	<p>1. The Food and Veterinary Service has sent the Ministry of Agriculture</p>

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	<p>cases of antibiotics in milk in such a way that the Competent Authorities are informed and can act appropriately without undue delay as is required by Article 8 of Regulation (EC) No 854/2004 and Annex IV of Regulation (EC) No 854/2004.</p>	<p>proposals for amendments to Cabinet Regulation No 123 of 9 February 2010 on veterinary, hygiene and safety requirements for the marketing of fresh milk, on action to be taken in the event of inhibitors being found in fresh milk.</p> <p>1.1 Supplement paragraph 37 of the Regulation, which sets out the action to be taken in cases where fresh milk does not comply with the requirements set out in section 21.2 (presence of inhibitors identified) with the following sentence: 'Where fresh milk does not comply with the criteria set out in section 21.2 of this Regulation and the FVS has taken the decision to ban sales of such fresh milk, the producer of the fresh milk shall register the amount of non-compliant milk and stipulate the manner of its use or destruction within the period covered by the ban.</p> <p>1.2 Once the amendments to the Regulation have been approved by the Cabinet, amendments will be made to FVS procedure No KR.10.P.873 'Surveillance and control of the quality of fresh milk', stipulating that, when carrying out checks on undertakings purchasing milk, inspectors shall carry out detailed checks in all cases where inhibitors are found to be present, and take the necessary measures in respect of non-compliant milk.</p>