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HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL
Directorate F - Food and Veterinary Office

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OVERVIEW OF A SERIES OF MISSIONS
CARRIED OUT IN 2005 AND 2006
IN EIGHT MEMBER STATES
CONCERNING THE EVALUATION OF THE CONTROL OF DIOXINS
AND OTHER ORGANOCHLORINATED CONTAMINANTS
IN FISH FROM THE BALTIC REGION



EXECUTIVE SUMMARY

This report describes the outcome of a series of missions, carried out by the Food and Veterinary Office (FVO) to the eight Member States bordering the Baltic Sea, evaluating controls on organochlorinated contaminants (particularly polychlorinated dioxins and furans) in fish from the Baltic region. The missions took place from September 2005 to June 2006.

For six Member States the mission series focussed on the effectiveness of national measures put in place by the competent authorities to ensure compliance with Commission Regulation (EC) No 466/2001 establishing maximum (Community) levels for polychlorinated dioxins and furans in fish within their own territory. For two Member States, Sweden and Finland, the missions focussed also on how the competent authorities implemented the provisions of the derogation given in Commission Regulation No 466/2001 as regards dioxins, allowing the marketing under certain conditions of fish originating in the Baltic region containing dioxins and furans exceeding Community maximum levels on their domestic markets.

Numerous dioxin monitoring programmes have been conducted on fish from the Baltic region by most of the Member States on the Baltic Sea coast. Herring older than 3-4 years, larger salmon and certain sprat have been identified as likely to contain dioxin levels exceeding the Community maximum level laid down in Commission Regulation (EC) No 466/2001.

Two Member States have been granted a derogation in Regulation 466/2001 allowing marketing of such fish in their territories, under certain conditions, while trading only fish containing dioxin levels below the Community maximum level with other Member States. In these two Member States the control systems cannot fully guarantee the separation of the two groups of fish and consequently the implementation of Regulation 466/2001 cannot be ensured. Of the six Member States without a similar derogation, one Member State had national measures in place which could effectively prevent Baltic Sea herring and salmon likely to contain dioxin levels exceeding the Community maximum level being placed on the EU market for human consumption, thus meeting the requirements of Regulation 466/2001 for salmon and herring. Another Member State had implemented national measures aimed at preventing that salmon containing dioxin levels exceeding the Community maximum level are placed on the EU market for human consumption, thus meeting the requirements of Regulation 466/2001 for salmon. In the remaining four Member States fish from the Baltic region is placed on the market for human consumption without specific national restrictions or measures with respect to fishing areas or age of fish.

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

DG SANCO	Health & Consumer Protection Directorate-General
Dioxins	Sum of polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans
EEC	European Economic Community
EC	European Commission
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FVO	Food and Veterinary Office
ICES	International Council for the Exploration of the Sea
PCBs	Polychlorinated Biphenyls
PCDD/F	Polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans
WHO	World Health Organisation
WHO-PCDD/F-TEQ	World Health Organisation toxic equivalents, using the WHO toxic equivalency factors for PCDD/F

1. INTRODUCTION

This series of Food and Veterinary Office (FVO) missions on the controls on dioxins and other organochlorinated contaminants in fish originating in the Baltic region was carried out between September 2005 and June 2006 and covered all eight Member States on the Baltic Sea coast, as detailed in Annex I. Maximum levels for contaminants, including dioxins, in foodstuffs have been laid down in Commission Regulation (EC) No 466/2001¹. These maximum levels must not be exceeded in foodstuffs placed on the market in the EU. In addition, Article 4a of this Regulation states that it is prohibited to mix products complying with the maximum levels with products exceeding these levels or to use products which do not comply with the maximum levels as an ingredient for the manufacture of other foodstuffs. This report summarises the main findings and conclusions made in the mission series and provides an overview of the situation in the eight Member States visited, while the recommendations made to Member States can be found only in the individual reports.

2. OBJECTIVES AND SCOPE OF THE MISSION SERIES

The **objective** of the mission series was to evaluate the national measures put in place, and their operation, aimed at ensuring compliance with Community legislation on organochlorinated contaminants, in particular, dioxins² in fish and fishery products. The missions focussed on the effectiveness of national measures put in place by the competent authorities to ensure compliance with Commission Regulation (EC) No 466/2001 establishing maximum (Community) levels for dioxins in fish placed on the market for human consumption.

The standards used were Council Directive 91/493/EEC (in force until 31 December 2005), Regulation (EC) No 854/2004 of the European Parliament and of the Council (in force from 1 January 2006), Council Directive 96/23/EC and other applicable Community legislation in this field.

The **scope** of the mission series focussed on the roles of the competent authorities, the legal and administrative measures in place to give effect to the relevant Community requirements and on the controls exercised on fish originating in the Baltic region and fishery products. In two Member States, the missions also focussed on the ability of the competent authorities to meet the requirements of derogations contained in Regulation 466/2001 as regards dioxins.

In pursuit of this objective, meetings were held with the relevant levels within the Competent Authorities and on-the-spot visits were made to sites such as landing sites, wholesalers and retail outlets dealing with fish from the Baltic region.

¹ EU legal acts quoted in this report and in Annex II refer, where applicable, to the last amended version.

² The term “dioxins” is used in this report as a sum of polychlorinated dibenzo-p-dioxin (PCDD) and polychlorinated dibenzofuran (PCDF) compounds, in accordance with Commission Regulation (EC) No 466/2001.

3. LEGAL BASIS FOR THE MISSION SERIES

The mission series was carried out under the general provisions of Community legislation and, in particular:

- Art. 21 of Council Directive 96/23/EC;
- Art. 8 of Council Directive 91/493/EEC (in force until 31 December 2005);
- Art. 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council (in force from 1 January 2006);
- Commission Decision 98/139/EC of 4 February 1998, laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States.

A full list of the legal instruments referred to in this reports of these missions is provided in Annex II.

4. BACKGROUND

4.1. DIOXINS IN FISH FROM THE BALTIC REGION

Dioxins (PCDD/F) are persistent, bio-accumulative, organic pollutants that can cause long-term impacts on wildlife, whole ecosystems and human health. More than 90% of human dioxin exposure derives from foodstuffs. Long-term exposure may affect the immune response, reproduction and central nervous system and may cause cancer at high exposure levels.

Dioxins enter the Baltic Sea as air fallout or through the multitude of waterways and are stored in seabed sediments, where they have accumulated over decades. Dioxin contamination in the Baltic Sea has been recognised for years.

Dioxins are fat soluble and therefore accumulate in fatty tissues. Scientific and monitoring data show that the degree of dioxin contamination in fish varies geographically, from year to year, and between seasons. Dioxin contamination also varies with the fat content and increases with age of the fish. Thus in sea fish, fatty fish, such as herring, salmon and sprat, contain the highest levels of dioxin when calculated by fresh weight. For herring, which is the most studied species; fish in the northern and eastern parts of the Baltic Sea have been shown to have higher levels of dioxin contamination than herring from the south western Baltic Sea.

In response to this potential health risk Community legislation has been put in place with the aim of reducing dioxin contamination and consumer exposure to these chemicals.

4.2. LEGISLATION

A full list of the legal instruments referred to in this report is provided in Annex II. However, the most relevant legal requirements for this mission series are summarised below.

Catch areas

Catch areas for fish are defined by the International Council for the Exploration of the Sea (ICES) and laid down in Council Regulation (EEC) No 3880/91. In this Regulation, the Baltic Sea is defined as ICES statistical division IIIId, comprising ICES statistical sub-divisions 24-32. This ICES sub-division classification has been

used by those Member States implementing fishing or marketing restrictions on certain fish from certain areas within the Baltic Sea. Masters of fishing vessels equal to or longer than 8 m are obliged to record in log books and on landing declarations the ICES sub-division, as well as the statistical rectangle within an ICES sub-division, where the fish was caught (Council Regulation (EC) No 27/2005, Council Regulation (EC) No 52/2006, Commission Regulation (EEC) No 2807/83, and Council Regulation (EEC) No 2847/93).

Under the classification by the Food and Agriculture Organization of the United Nations (FAO), the whole North-East Atlantic is listed as FAO area 27, while the Baltic Sea is FAO area 27 IIIId, which corresponds to ICES statistical division IIIId, i.e. ICES sub-division 24-32. This FAO definition of the Baltic Sea (FAO 27 IIIId) is used in the requirement for consumer information in Article 5 of Commission Regulation (EC) No 2065/2001.

Maximum levels

Regulation 466/2001 establishes maximum (Community) levels for dioxins in foodstuffs, including fish, fisheries products and fish oil. For muscle meat of fish and fishery products and products thereof (hereafter, "fish") the maximum level is 4 pg WHO-PCDD/F-TEQ/g fresh weight (expressed in World Health Organisation toxic equivalents, using the WHO toxic equivalency factors). For fish oil intended for human consumption, the maximum level is 2 pg WHO-PCDD/F-TEQ/g fat.

Through Regulation 466/2001, Sweden and Finland have been granted derogations, allowing fish originating in the Baltic region with dioxin levels exceeding the Community maximum level to be placed on the market within their territory until the 31 December 2006 provided, among other requirements, that these Member States have systems in place to ensure that consumers are fully informed of the dietary recommendations with regard to the consumption of fish from the Baltic region by identified vulnerable groups of the population. .

Although Latvia and Lithuania had recently applied to the Commission services for a similar derogation, at the time of the mission series all Member States other than Sweden and Finland were required to comply with Regulation 466/2001 and must not place on the EU market any foodstuffs, including *inter alia* fish and fishery products exceeding Community maximum levels.

Traceability and consumer information

Fish, crustaceans and molluscs offered for retail sale must be marked or labelled with information on the commercial designation of the species, the production methods and the catch area (Article 4 of Council Regulation (EC) No 104/2000). This information, complemented by the scientific name of the species, must be available at all stages of marketing (Article 8 of Regulation 2065/2001). The information is one of the prerequisites for an informed decision by the consumer buying the product. These rules do not apply to small quantities offered directly to consumers by fishermen.

Monitoring

Commission Recommendation 2002/201/EC advises Member States to conduct random monitoring for the presence of dioxins and dioxin-like PCBs in feed materials, feedingstuffs and foodstuffs, and sets recommended action levels (below the maximum levels of Regulation 466/2001) which are to trigger follow-up investigations and actions to reduce or eliminate the source of the contamination. Commission Recommendation 2004/705/EC indicates as guidance an annual

minimum frequency for such monitoring sampling for fifteen Member States, as well as lays down reporting procedures. At the time of the mission series, this Recommendation did not provide specific minimum frequencies as guidance for those Member States joining the EU in 2004. The sampling methods and methods of analysis for the official control of dioxins and the determination of dioxin-like polychlorinated biphenyls (PCBs) in foodstuffs are laid down in Commission Directive 2002/69/EC.

4.3. FISHING ACTIVITIES IN THE BALTIC REGION

Fishing in the Baltic Sea is restricted through annual national quotas for Member States laid down in EU legislation. The total allowable catch by EU Member States in ICES statistical subdivisions 22-32 in 2006, as defined in Regulation 52/2006, is 294,942 tonnes of herring, 420,826 tonnes of sprats and 467,751 individual salmon.

There was no production of fish oil for human consumption from fish from the Baltic region in any of the eight Member States visited.

5. MAIN FINDINGS AND CONCLUSIONS OF THIS MISSION SERIES

5.1. LEGISLATION IN MEMBER STATES

A national legal framework implementing the relevant Community legislation on dioxins is in place in most Member States. However, in one Member State (EE), the requirements of Regulation 2065/2001 with regard to consumer information on fish at retail level, although binding for all Member States, had not been fully implemented pending its incorporation into national law.

In addition to Community legislation, four of the eight Member States had adopted national restrictions on fish from the Baltic Sea. These restrictions were all based on national and international monitoring data but differed between the Member States.

In the two Member States (SE, FI), which had been granted derogations from Regulation 466/2001, national legislation specified the fish which could be marketed without restriction within the European Union, while other fish were restricted to being placed on the market for human consumption only within their territory.

Regarding the six Member States visited, which have to apply Regulation 466/2001 without a derogation, two (DK, LV) have implemented national legislation to reduce consumer exposure to dioxins from fish originating in the Baltic region through banning or restricting sale of certain fish for human consumption.

5.2. MONITORING PROGRAMMES FOR ORGANOCHLORINATED CONTAMINANTS (IN FISH)

5.2.1. Dioxins and PCBs

Regular monitoring of background levels of dioxins in fish, as recommended in Recommendation 2002/201, including fish from the Baltic region were conducted in all but two (PL, FI) Member States visited. Of the six Member States conducting regular monitoring, the three Member States included in Recommendation 2004/705 were generally respecting the sample numbers indicated. In addition, several of the Member States visited had sampled Baltic Sea fish for dioxins within research projects.

The fish species, age distribution of the fish and catch areas sampled varied between Member States, as did the way the results were presented. This sometimes made it difficult to compare results and complicated to clearly identify the catch areas and fish, which might be linked to dioxin levels exceeding the Community maximum level. Not all Member States visited could provide data on the age distribution of the national herring and sprat catches. The catch area sampled was not always representative of where the majority of the national catch originated. This is a summary of the test results from monitoring and research studies presented by the Member States during the mission series:

Herring

Herring sampled by two Member States from ICES sub-division 24 (the Baltic Sea west of Bornholm) had not contained dioxin levels exceeding the Community maximum level.

Herring from the other ICES sub-divisions (25-29) in the Baltic Sea may contain dioxin levels exceeding the Community maximum level, as shown by sampling in six Member States. In addition, herring from coastal waters in ICES sub-division 26 have been shown by two Member States to contain dioxin levels exceeding the Community maximum level, while in contrast, all samples of herring from these coastal waters by one Member State contained levels below the Community maximum level.

Results from four Member States indicated that Baltic Sea herring, from ICES 25-32, which are older than 3-4 years (as determined by otolith examination) frequently contained levels of dioxins exceeding the Community maximum level. In one Member State the age, and thereby the dioxin levels, of the herring could be further correlated to the length of the fish, while in contrast, studies in another Member State saw no such correlation between length and age/dioxin levels.

Salmon

In ICES sub-divisions 29-31, salmon sampled by two Member States frequently exceeded the Community maximum level.

Salmon in the rest of the Baltic Sea (ICES sub-divisions 24-28) have been shown by two Member States to frequently contain dioxin levels exceeding the Community maximum level, irrespective of the size of the fish. However, results from two other Member States indicate that salmon weighing no more than 4.4 kg contain dioxin levels below the Community maximum level, while in contrast, dioxin levels exceeding the maximum level were observed also in smaller salmon by one Member State.

Studies from one Member State showed that deep trimming (i.e. removal of red muscles, fat, fatty tissues and skin) of salmon weighing 4.4-6 kg reduced the dioxin levels to below the Community maximum level.

Sprat

Results from four Member States indicated that sprat from the Baltic Sea, used for human consumption in some Member States, may contain dioxin levels exceeding the Community maximum level, while recent studies in two Member States contradicted this.

Other results

Although not covered by Regulation 466/2001, cod liver had been sampled by two Member States and the dioxin levels frequently exceeded the Community maximum level set for fish muscle.

A pilot study in one Member State indicated that hot smoking of fish increased the dioxin levels in smoked fish.

Six Member States visited had analysed the sum levels of dioxins and dioxin like PCBs in fish from the Baltic Sea. The results showed that in many cases salmon, irrespective of size, and herring, irrespective of age, would have exceeded the new sum maximum level for dioxins and dioxin-like PCBs coming into force 4 November 2006 under Regulation 466/2001.

5.2.2. Other organochlorinated contaminants

All eight Member States visited have conducted monitoring of other organochlorinated contaminants, including pesticides, in aquaculture products (mostly from inland waters) as required under Directive 96/23 and reported these results annually to the Commission. In addition, four Member States had conducted monitoring of other organochlorinated contaminants in wild caught fish from *inter alia* the Baltic Sea. In summary, the levels of sum dichloro-diphenyl-trichloroethane (p,p'-DDT and two of its metabolites) were higher in herring from the Baltic Sea than in herring from the North Atlantic (although a reduction was observed compared to results from the mid 1990-ies) and high levels were also found in cod liver from the Baltic Sea.

5.3. LABORATORIES

In seven of the Member States visited, the dioxin analyses are performed by laboratories accredited to ISO 17025, while accreditation of one national laboratory is pending (PL). The competent authorities provided evidence that the accredited laboratories had participated in relevant proficiency tests with satisfactory results and that they performed the analyses in accordance with Commission Directive 2002/69/EC.

5.4. ACTIONS TAKEN TO REDUCE CONSUMER EXPOSURE TO DIOXINS

5.4.1. Measures regarding fish from the Baltic region

Herring

Two Member States visited (SE, DK) had national legislation preventing all herring from ICES sub-divisions 25-32 from entering the EU market for human consumption. One Member State (FI) had national legislation banning herring of size class 6 (as defined in Council Regulation (EC) No 2406/96) or bigger, from ICES sub-divisions 24-32, from entering the EU market for human consumption. In two of these Member States (SE, FI) all herring may be marketed in their own territory under the derogation from Regulation 466/2001, while in the third Member State (DK) this fish cannot be marketed for human consumption.

In the remaining five Member States visited (EE, LV, LT, PL, DE) no restrictions applied to the marketing of herring for human consumption from any ICES sub-division in the Baltic region.

Although monitoring results and catch data in four Member States indicate that herring older than 3-4 years, caught in the open Baltic Sea, was likely to contain dioxin levels exceeding the Community maximum level, very different approaches were taken with regard to herring from the same catch areas, depending on the nationality of the fishing vessel and landing site. One Member State (DK), out of the six Member States without derogation, had implemented national measures to

prevent herring likely to contain dioxin levels exceeding the Community maximum level being placed on the market for human consumption. Thus, with regard to herring, five Member States (EE, LV, LT, DE, PL) did not have national measures in place to ensure that the maximum level for dioxins laid down in Regulation 466/2001 was adhered to.

Salmon

Four Member States visited (SE, DK, LV, FI) had national legislation restricting the marketing of Baltic Sea salmon for human consumption. In one Member State (FI) no Baltic Sea salmon can be placed on the EU market for human consumption. In another Member State (SE) neither salmon from ICES sub-divisions 29-32, nor any salmon weighing 4.4 kg or more from ICES sub-divisions 24-28, can be placed on the EU market for human consumption. However, in both of these Member States all salmon can be placed on the market in their territory under the derogation contained in Regulation 466/2001. In two Member States (DK, LV) no Baltic Sea salmon weighing 4.4 kg or more may be placed on the market for human consumption, with the exception of fish weighing 4.4-6 kg which has been extensively trimmed. Four Member States (EE, LT, PL, DE) had no restrictions on salmon from the Baltic region.

Although monitoring data from the Member States which have sampled salmon, showed that larger salmon were likely to contain dioxin levels exceeding the Community maximum level, different approaches were taken to salmon from the Baltic region, depending on the nationality of the fishing vessel and landing site. Two Member States (DK, LV), out of the six Member States without derogation, had implemented national measures to prevent salmon likely to contain dioxin levels exceeding the Community maximum level being placed on the market for human consumption. Thus, with regard to salmon, four Member States (EE, PL, LT, DE) did not have national measures in place to ensure that the maximum level for dioxins of Regulation 466/2001 is adhered to.

Sprat

Monitoring data for sprat differed between Member States and between studies. Certain monitoring results indicated that sprats intended for human consumption may exceed the maximum level for dioxins in Regulation 466/2001, while other studies showed levels below the maximum level. None of the Member States visited, including those Member States where sampling had shown that a proportion of the sprat catch was likely to contain dioxin levels exceeding the Community maximum level, had measures in place to ensure that the maximum level for dioxin of Regulation 466/2001 was adhered to for sprat.

5.4.2. Advice to consumers

Dietary advice to consumers is a requirement for the derogation contained in Regulation 466/2001 granted to two Member States (SE, FI). In both of these Member States such advice was freely available, easily accessible and clearly identified special risk groups, thus fulfilling the requirements of Art 1a of Regulation 466/2001.

Dietary advice on consumption of fish, *inter alia* fatty fish from the Baltic region, was also available in the six Member States without derogation, although not required under EU legislation. In three of these Member States (DK, LV, EE), two of which have national measures in place restricting the marketing of such fish,

restrictive intake of fatty fish from the Baltic Sea was recommended. In the other three Member States no such recommendations were given to the consumers.

5.5. OFFICIAL CONTROL

5.5.1. Traceability and consumer information

Under Article 18 of Regulation (EC) No 178/2002 of the European Parliament and of the Council, establishments must be in a position to trace both the purchaser and the supplier and present this information to the Competent Authority on demand. In addition, traceability of fish is required under both Regulation 2065/2001 and Regulation 178/2002. At retail level, consumers must have access to information about the commercial designation of the fish species (in accordance with a national list under the requirements of Art 4 of Regulation 104/2000), the production method and the catch area. This information can be given on a label, package, commercial document or invoice and should be available to consumers at point of sale (Regulation 2065/2001).

In all eight Member States Regulation 2807/83 was satisfactorily implemented with regard to recording of fish catches in log books on fishing vessels and in landing declarations.

In the two Member States (FI, SE) with derogations in Regulation 466/2001, the requirements of Regulation 2065/2001 had not been fully implemented, which means that the consumers may be unable to make an informed choice taking into account the dietary advice issued by the competent authorities in accordance with the requirements for the derogation.

In two other Member States (EE, PL) the requirements of Regulation 2065/2001 had not been fully implemented, which means that consumers may be unable to make an informed choice at retail level, with regard to fish from the Baltic region.

In the remaining four Member States (DK, DE, LT, LV) the requirements of Regulation 2065/2001 and Regulation 104/2000 had been implemented.

5.5.2. Control system

In the two Member States (SE, FI) granted a derogation in Regulation 466/2001 the co-operation between the different competent authorities involved in the relevant controls was weak. The controls of the specific national measures to separate fish restricted to their territory from fish approved for marketing for human consumption in the whole EU were not satisfactory. In one of these Member States (SE), where the national measures under the derogation differentiated between fish caught in different ICES sub-divisions, the recording of such information was not compulsory in the distribution chain. Therefore, the competent authorities of these two Member States cannot ensure effective implementation of the national derogations contained in Regulation 466/2001.

In the two Member States (DK, LV) implementing national restrictions on fish from the Baltic region, without derogations in Regulation 466/2001, comprehensive control systems were in place covering all levels of distribution. However, in both Member States minor deficiencies were observed with regard to the control of recently introduced special requirements for Baltic Sea salmon and at the time of the

missions, these Member States did not fulfil the requirements of Regulation 466/2001 with regard to certain large salmon.

In the four Member States without derogation or national restrictions (PL, DE, EE, LT) control systems were generally adequate and regular controls were conducted at all levels of distribution from the landing sites to the retail outlets. However, since no restrictions had been implemented to fulfil the requirements of Regulation 466/2001 there were no controls with the aim of checking adherence to this Regulation. Furthermore, in the two Member States (PL, EE) where Regulation 2065/2001 had not been fully implemented, the requirements for consumer information on fish at retail level were not controlled.

6. OVERALL CONCLUSION

Numerous dioxin monitoring programmes have been conducted on fish from the Baltic region by most of the Member States on the Baltic Sea coast. Herring older than 3-4 years, larger salmon and certain sprat have been identified as likely to contain dioxin levels exceeding the Community maximum level laid down in Commission Regulation (EC) No 466/2001.

Two Member States have been granted a derogation in Regulation 466/2001 allowing marketing of such fish in their territories, under certain conditions, while trading only fish containing dioxin levels below the Community maximum level with other Member States. In these two Member States the control systems cannot fully guarantee the separation of the two groups of fish and consequently the implementation of Regulation 466/2001 cannot be ensured. Of the six Member States without a similar derogation, one Member State had national measures in place which could effectively prevent Baltic Sea herring and salmon likely to contain dioxin levels exceeding the Community maximum level being placed on the EU market for human consumption, thus meeting the requirements of Regulation 466/2001 for salmon and herring. Another Member State had implemented national measures aimed at preventing that salmon containing dioxin levels exceeding the Community maximum level are placed on the EU market for human consumption, thus meeting the requirements of Regulation 466/2001 for salmon. In the remaining four Member States fish from the Baltic region is placed on the market for human consumption without specific national restrictions or measures with respect to fishing areas or age of fish.

7. ACTIONS PLANNED BY COMMISSION SERVICES FOLLOWING THE FINDINGS AND CONCLUSIONS OF THE MISSION SERIES

The Commission will play an active role in the co-ordination amongst Member States from the Baltic region to:

- compare analytical results and examine the differences;
- achieve common conclusions as regards the dioxin and dioxin-like PCB contamination level in a certain fish species from a certain age, size and geographical region and in particular as regards their compliance with the maximum levels established in Regulation 466/2001;
- conclude on common risk management measures to ensure that fish placed on the market in the EU complies with the maximum levels as established by

Regulation 466/2001 (except for fish placed on the market only in Finland and Sweden under derogation);

- ensure the correct application of these risk management measures by all Member States.

The Commission will also closely follow-up the actions and measures taken by Finland and Sweden to ensure that only fish complying with the maximum levels in Regulation 466/2001 is placed on the market in other EU Member States.

The Commission will propose to the competent authorities of the Member States to report the results of the official control on the presence of dioxins and dioxin-like PCBs in fish from the Baltic region separately and regularly in order to facilitate the verification of the follow-up of the recommendations from this report and from the eight individual Member State inspection reports.

ANNEX I

FVO missions regarding controls on dioxins and other organochlorinated contaminants in the eight Member States on the Baltic Sea coast

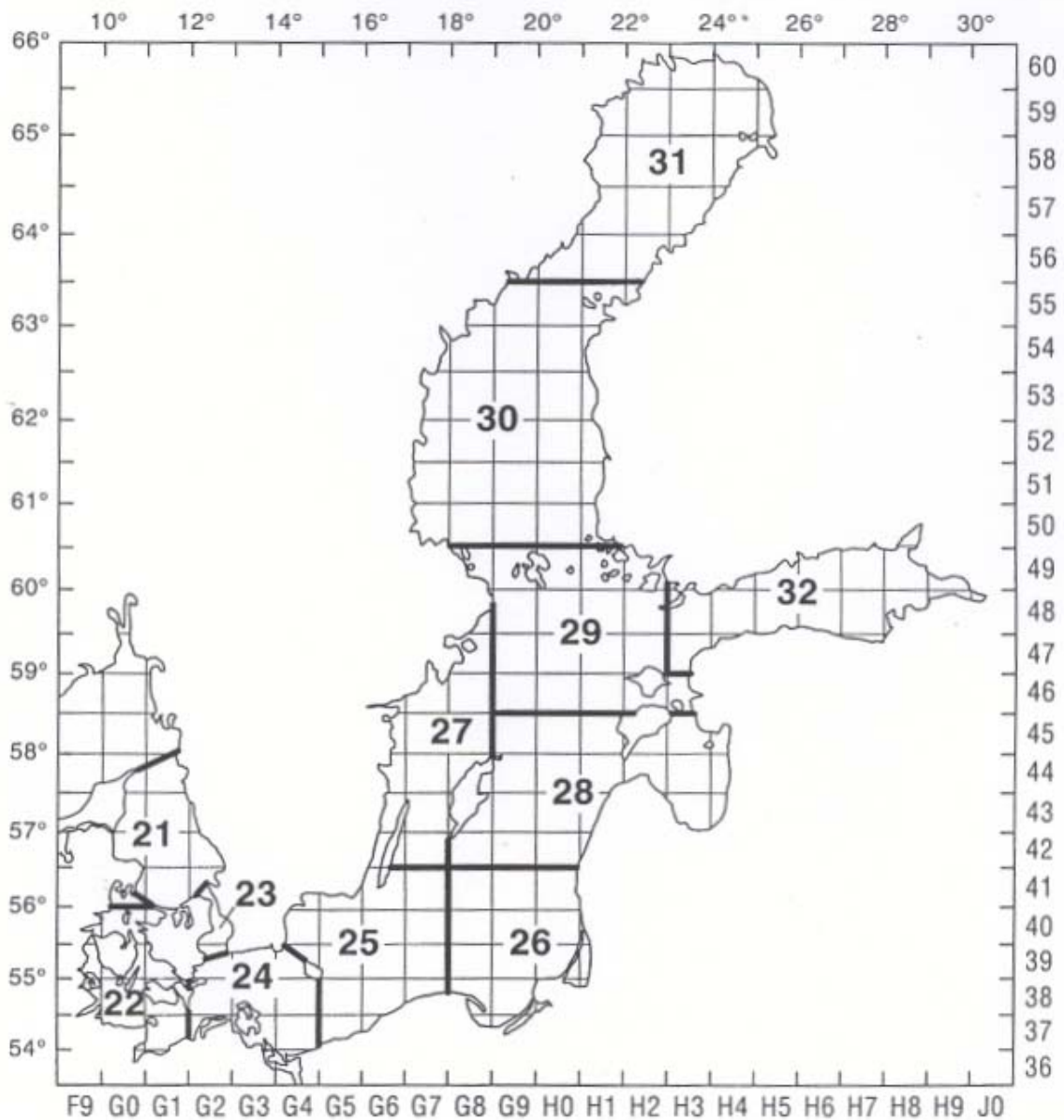
All reports can be found through entering the mission number in the search engine on the SANCO web page: http://europa.eu.int/comm/food/fvo/ir_search_en.cfm

Member State	Dates of mission	Report reference number
Denmark	23-28 January 2006	DG(SANCO)8004/06
Estonia	12-16 December 2005	DG(SANCO)7781/05
Finland	19-22 September 2005	DG(SANCO)7709/05
Germany	20-24 February 2006	DG(SANCO)8005/06
Latvia	24-28 April 2006	DG(SANCO)8013/06
Lithuania	29 May - 2 June 2006	DG(SANCO)8014/06
Poland	20-24 February 2006	DG(SANCO)8003/06
Sweden	12-15 September 2005	DG(SANCO)7708/05

ANNEX II

APPLICABLE COMMUNITY STANDARDS	Official Journal publication details
Food Law	
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.	Official Journal L 031, 01/02/2002, pp. 1-24.
On-the-spot checks in Member States	
Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States.	Official Journal L 38, 12/02/1998, pp. 10-13.
Regulation (EC) No 882/2004 of the European Parliament and the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with the feed and food law, animal health and animal welfare rules.	Official Journal L 265, 30/04/2004. Corrected and re-published in OJ L 191, 28/05/2004, pp.1-52.
Residues and contaminants monitoring and sampling – aquaculture	
Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products, and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC.	Official Journal L 125, 23/05/1996 pp. 10 - 32.
Commission Decision 98/179/EC of 23 February 1998 laying down detailed rules on official sampling for the monitoring of certain substances and residues thereof in live animals and animal products.	Official Journal L 65, 5.3.98, pp. 31 – 34.
Residues and contaminants monitoring and sampling – wild caught fish	
<i>In force until 31 December 2005:</i> Council directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and placing on the market of fishery products.	Official Journal L 268, 24/08/1991, pp. 15-34.
<i>In force from 1 January 2006:</i> 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.	Official Journal L 139, 30/04/2004, pp 206-319. Corrected and re-published in OJ L226, 25/06/2004, pp. 83-127.
Monitoring of background levels of dioxins in food	
Commission Recommendation 2004/705/EC of 11 October 2004 on the monitoring of background levels of dioxins and dioxin-like PCBs in foodstuffs.	Official Journal L 321, 22/10/2004 pp. 45–52.
Sampling methods and methods of analysis for dioxins and dioxin-like PCBs in fish	
Commission Directive 2002/69/EC of 26 July 2002 laying down the sampling methods and the methods of analysis for the official control of dioxins and the determination of dioxin-like PCBs in foodstuffs.	Official Journal L 209, 06/08/2002 pp. 5 – 14.
Maximum levels for contaminants in food	
Commission Regulation (EC) No 466/2001 of 8 March 2001 setting maximum levels for certain contaminants in foodstuffs.	Official Journal L 77, 16/03/2001, pp. 1-13.
<i>From 4 November 2006:</i> Commission Regulation (EC) No 199/2006 of 3 February 2006 amending Regulation (EC) 466/2001 setting maximum levels for certain contaminants in foodstuffs as regards dioxin and dioxin-like PCBs.	Official Journal L32, 04/02/ 2006, pp. 32-38.
Derogation for FI and SE in respect of dioxins in Baltic	

Sea fish	
Council Regulation (EC) No 2375/2001 of 29 November 2001 amending Commission Regulation (EC) No 466/2001 setting maximum levels for certain contaminants in foodstuffs.	Official Journal L 321, 06/12/2001 pp. 1 – 5.
<i>From 4 November 2006:</i> Commission Regulation (EC) No 199/2006 of 3 February 2006 amending Regulation (EC) 466/2001 setting maximum levels for certain contaminants in foodstuffs as regards dioxin and dioxin-like PCBs.	Official Journal L 32, 04/02/ 2006, pp. 32-38.
Reduction of the presence of dioxins, furans and PCBs in foodstuffs	
Commission Recommendation (2002/201/EC) of 4 March 2002 on the reduction of the presence of dioxins, furans and PCBs in feedingstuffs and foodstuffs.	Official Journal L 67, 09/03/2002, pp. 69 - 73.
Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC.	Official Journal L 158, 30/04/2004, pp. 7 – 49. Corrected and re-published in OJ L299, 29/06/2004, pp. 5-22.
Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee: Community Strategy for Dioxins, Furans and Polychlorinated Biphenyls. COM (2001) 593 Final.	Official Journal C 322, 17/11/2001 pp 2 – 18.
Control, inspection and monitoring of fishing activities re traceability of fish	
Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic.	Official Journal L365, 31/12/1991, pp. 1-18.
Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish.	Official Journal L 276, 10/10/1983, pp. 1-18.
Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy.	Official Journal L 261, 20/10/1993, pp. 1-16.
Council Regulation (EC) No 27/2005 of 22 December 2004 fixing for 2005 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable on Community waters and, for Community vessels, in waters where catch limitations are required.	Official Journal L 12, 14/01/2005, pp. 1-151.
Council Regulation (EC) No 52/2006 of 22 December 2005 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2006.	Official Journal L 16, 20/01/2006, pp. 184-198.
Common organisation of markets for fishery products including consumer information	
Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products.	Official Journal L 17, 21/01/2000, pp. 22-52.
Commission Regulation (EC) No 2065/2001 of 22 October 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards informing consumers about fishery and aquaculture products.	Official Journal L 278, 23/10/2001, pp. 6-8.
Council Regulation (EC) No 2406/96 laying down common marketing standards for certain fishery products.	Official Journal L 334, 23/12/1996, pp. 1-15.
Incineration of waste	
Directive 2000/76/EC of the European Parliament and the Council of 4 December 2000 on the incineration of waste.	Official Journal L 332, 28/12/2000, pp. 91-111.



ICES statistical division III d (common name: the Baltic Sea) comprises ICES sub-divisions 24-32 (Council Regulation 3880/91). In Council Regulation 52/2006, fixing the fishing quotas, ICES sub-divisions 22-23 (ICES statistical divisions III b and III c) are also included in the definition of the Baltic Sea. The map also shows the statistical rectangles within the ICES areas.