



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Health and food audits and analysis

DG(SANTE) 2019-6692

FINAL REPORT OF AN AUDIT
CARRIED OUT IN
NAMIBIA
FROM 25 NOVEMBER 2019 TO 06 DECEMBER 2019
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 an audit in Namibia carried out from 25 November to 6 December 2019, as part of the published Directorate-General for Health and Food Safety audit programme.

The objectives of the audit were to evaluate whether the official controls put in place by the competent authority can guarantee that the conditions of production of fishery products in Namibia destined for export to the European Union are in line with the requirements laid down in European Union legislation and to assess the extent to which corrective actions submitted to the Commission services in response to the recommendations following the previous fishery products audit in 2012 (ref. DG(SANCO)2012-6464) have been implemented and enforced by the competent authority (Namibian Standards Institution), and their effectiveness in addressing the identified deficiencies.

The official control system developed by the competent authority is based on adequate legislation and comprehensive documented procedures, to provide the guarantees required by the European Union export health certificate. The system covers the entire production chain and its implementation is done in accordance with planned frequencies and in a consistent way. In general, official controls identified relevant findings and ensured follow-up of corrective actions. However, in one establishment listed for export to the European Union, the competent authority had not fully enforced corrective actions for some relevant non-compliances.

The official controls of fishery products covers European Union requirements with the exception of testing for dioxins, which was discontinued in 2015 based on a series of negative analytical results.

The shortcomings identified impact to a limited extent on the ability of the competent authority to provide consistently, and in full, the guarantees required by the European Union health certificate when exporting fishery products to the EU.

In terms of the follow-up by the competent authorities to the recommendations of the previous audit report, this audit established that announced corrective actions had been implemented in full and effectively in respect of the recommendations made in the previous audit report.

The report contains recommendations to address the identified shortcomings.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

| Abbreviation | Explanation |
|---------------------------|--|
| CA | Competent authority |
| DG Health and Food Safety | Directorate-General for Health and Food Safety of the European Commission |
| EU | European Union |
| EU Health Certificate | Model health certificate for imports of fishery products intended for human consumption, as defined in Appendix IV to Annex VI to Commission Regulation (EC) No 2074/2005 |
| EU Listed | Facilities included in lists made in accordance with Article 12 of Regulation (EC) No 854/2004 and available at http://ec.europa.eu/food/safety/international_affairs/trade/non-eu-countries_en from which imports into the EU are permitted |
| EUROSTAT | Statistical Services of the European Union |
| HACCP | Hazard Analysis Critical Control Points |
| MITSMED | Ministry of Industrialisation, Trade and Small and Medium Enterprises Development |
| NSI | Namibian Standards Institution |
| PCBs | Polychlorinated biphenyls |
| SADCAS | South African Development Countries Accreditation Services |
| SANAS | South Africa National Accreditation System |
| RASFF | Rapid Alert System for Food and Feed |
| TRACES | Trade Control and Expert System |

1 INTRODUCTION

The audit took place in Namibia from 25 November to 6 December 2019, as part of the audit programme of the European Commission’s Directorate-General for Health and Food Safety (DG Health and Food Safety). The audit team comprised two auditors from DG Health and Food Safety.

An opening meeting was held in Windhoek on 25 November with the competent authority (CA) the Testing and Inspection division of the Namibian Standards Institution (NSI) under the Ministry of Industrialisation, Trade and Small and Medium Enterprises Development (MITSMED).

At this meeting, the audit team confirmed the audit objectives and itinerary, and asked additional information on specific elements of the control system in place. Representatives from the CAs accompanied the audit team throughout the audit.

2 OBJECTIVES AND SCOPE

The objectives of the audit were:

- to assess whether the official controls put in place and implemented by the CAs can provide adequate assurance that the conditions of production of fishery products in Namibia and destined for export to the European Union (EU) are in line with the relevant requirements laid down in EU legislation, and in particular that it can attest to the requirements contained in the model health certificate for fishery products intended for the EU (as defined in Appendix IV to Annex VI to Commission Regulation (EC) No 2074/2005, hereafter: “the EU health certificate”); and, in this context:
 - to verify the extent to which corrective actions submitted to Commission services in response to the recommendations contained in the report of the earlier 2012 audit on fishery products¹ have been implemented by the CA, and their effectiveness in addressing the identified deficiencies ;
- in terms of scope, the audit covered the national legislation in force, the organisation and competencies of the CA, their performance in terms of both the design and on-the-ground implementation of the official control systems in respect of the production chain of fishery products intended for EU export, and the operation of export certification procedures.

In pursuit of these objectives, the audit itinerary comprised the following:

| Competent Authority | | |
|----------------------------|---|---|
| Competent Authority (CA) | 1 | NSI |
| Regional level | 2 | Inspection Centres at Lüderitz and Walvis Bay |

¹ Audit report reference: ref. DG(SANCO) 2012-6464:
http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=2905

| Laboratory visits | | |
|------------------------------------|---|---|
| Fishery Products | 1 | NSI Testing Centre, Walvis Bay |
| Primary production | | |
| Landing sites/ports | 2 | Lüderitz, Walvis Bay |
| Fishing vessels | 3 | Ice vessels (Trawlers, longline) |
| Processing Facilities/Other | | |
| Freezer Vessels | 3 | One EU-listed, one in the process of approval and one South African for brine frozen tuna |
| Factory Vessels | 2 | |
| Establishments on land | 8 | EU-listed and including one stand-alone cold store |

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 to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

A full list of the EU legal instruments relevant to the scope of this audit is provided in Annex I to this report. Legal acts quoted refer, where applicable, to the last amended version².

4 BACKGROUND

4.1 GENERAL

Namibia is included in Annex II to Commission Decision 2006/766/EC which sets out the list of third countries and territories from which imports of fishery products are permitted.

EU Member States are authorised to import fishery products from Namibia from 26 EU-listed facilities, 18 freezer vessels and 41 factory vessel (list valid from 25 October 2019). Namibia is not listed for aquaculture products or live bivalve molluscs.

4.2 PRODUCTION AND TRADE INFORMATION

In 2017 and 2018, the EU imported 78 035 and 80 595 tonnes of fishery products respectively from Namibia (EUROSTAT data). Hake is the main exported species, 80%, and the rest is a large variety of demersal and pelagic fish (e.g. 3.5 % monkfish, 3% blue shark, 1.3% crab). Spain is the biggest importer followed Italy, Portugal, France and Germany.

² EU legislation (Internet): <http://eur-lex.europa.eu/homepage.html>. Full legal references to EU legal acts quoted in this report are provided in Annex 1 and refer, where applicable, to the last amended version and applicable at the time of the audit.

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

During 2017 and 2018 Members of the RASFF network³ have issued 16 notifications linked to products originating in Namibia. Mercury in shark and swordfish are most frequent (six), a problem with health certificates lead to four notifications, rupture of the cold chain resulted in three and one concerned histamine in tuna.

Section 5.5 describes how the CA handled RASFF notifications.

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION

Legal requirements

Article 46(1)(a) of Regulation (EC) No 882/2004.

Article 11(4)(a) of Regulation (EC) No 854/2004.

Findings

1. The NSI is responsible at national level for the relevant Namibian food safety legislation on fishery products.
2. The legal framework (other than for updates) and the requirements for fishery products to be exported to the EU remain largely unchanged since the fishery product audit in 2012. The main legislative acts covering fishery products are:
 - Foodstuffs, Cosmetics and Disinfectants Act 54/1972;
 - the Standard Act No 18 of 2005;
 - Standards Regulations of 2013.
3. These legal documents makes provisions for and outlines appointments, duties and powers of inspectors. They are also the basis for development of technical regulations and compulsory standards and guidelines with requirements to be followed by food business operators involved in the production chain of fishery products for export to the EU.

Conclusions on Legislation

4. The Namibian rules applicable to fishery products intended for export to the EU allow the CA to control and, as necessary, enforce compliance with the relevant EU requirements.

³ European Commission, EFSA, EFTA Surveillance Authority, EU Member States, Iceland, Liechtenstein, Norway and Switzerland.

5.2 COMPETENT AUTHORITY

Legal requirements

Article 46(1) of Regulation (EC) No 882/2004, in particular points (b) to (e).

Findings

Structure and organisation

5. The NSI has acted as the CA for fishery products since 2009 and was formally appointed as CA for fish and fishery products on 9 February 2010 by the MITSMED. Its structure remains unchanged since the last audit in 2012. Within the NSI, the Testing and Inspection division is responsible for carrying out official controls on fishery products.
6. There are two NSI Inspection centres, one in Lüderitz and one in Walvis Bay. The headquarter of the Testing and Inspection division is located in Walvis Bay and manage the two offices. Besides the General manager and the inspection centres managers, there are 11 inspection staff located in Walvis Bay and three in Lüderitz.
7. NSI Inspection centre has been accredited to ISO/IEC 17020 since 2008 by the South African National Accreditation System (SANAS) and after 2018 by the Southern African Development Countries Accreditation Services (SADCAS).

Powers, Independence and Supervision

8. The powers of NSI officials are described in the above-mentioned legislation and are adequate. In particular, the Standards Act of 2005 and the Standards Regulation of 2013 to act and implement sanctions if necessary. There are also procedures and guidelines on how to act in those cases.
9. Measures have been put in place to ensure that staff is free from any conflict of interest by the NSI Code of Conduct and Ethics. Staff carrying out the official controls are required to declare any financial, commercial or other internal or external pressures that may affect the quality of the work or damage the confidence in competence, impartiality, judgement or operational integrity. At a practical level, inspections are conducted in the field by inspection teams that operate on a rotational basis if possible, and are subject to periodic review under their ISO accreditation.
10. Internal audits of the inspection system are carried out as part of the requirements of ISO 17020 and most recent reports for both sites in March and May 2019 identify areas for correction/improvement, and the follow-up procedure were available to the audit team.
11. In addition, external audits are performed annually by the accreditation body to verify the compliance of the system with the requirements of current standards. The most recent audit was performed in 2018, identifying an administrative weakness related to follow-up procedures, lack of action taken in relation to temperature fluctuations in an incubator and unlabelled disinfectant bottle in a canning factory. A follow-up audit by the accreditation body was performed in 2019 and corrective actions had been taken and no other non-conformities were noted on this occasion.

12. Frequent communication and reviews of inspection/audit reports bring together inspectors from the two sites (Lüderitz and Walvis Bay) and are conducted regularly by the NSI to discuss among other things, the harmonized application of regulations and procedures.

Training – Knowledge of EU requirements

13. The audit team noted that the staff met and involved in the control of fishery products was highly knowledgeable in most areas.
14. Comprehensive training information for the period 2016 – 2019 was provided to the audit team covering e.g. legislation and official controls on fishery products, technical requirements of ISO standards, quality management systems, inspection techniques of various types of fishery products, canning, sensory evaluation, parasites, and hazard analysis critical control points (HACCP) principles.

Resources available to the competent authority

15. NSI has been given adequate resources (facilities, equipment and skilled staff) to perform official controls of fishery products.
16. NSI is assigned a budget from the State and also supplement the resources with charges for approval, certification and analyses performed in their accredited laboratory.

Documented control procedures

17. The CA activities (including inspection and quality control of fishery products) are carried out according to the procedures described in the quality management system. There are guidelines and procedures for e.g. registration and approval of establishments, sampling, guidance for different types of commodities, surveillance activities under normal production and issuing of health certificates for fishery products.
18. Inspectors are provided with a detailed checklist (used as a basis for all reports) covering land-based processing establishments, cold stores and freezer and factory vessels. A special checklist is used for fishing vessels (ice vessels). These are supplemented by a range of written procedures and guidelines.

Delegation of tasks

19. There is no delegation of tasks by NSI.

Conclusions on competent authority

20. The CA structures and organisation, their powers, staff (independence and knowledge) and resources available, are adequate for the performance of official control tasks.
21. The correct use of their procedures would allow the CA to implement an official control system providing adequate assurances with regard to the EU requirements applicable to fishery products exported to the EU.

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

Legal requirements

Article 12(1), (2) and (3) of Regulation (EC) No 854/2004.

Parts I.8., I.11. and I.28. of the EU health certificate.

Findings

22. The CA has in place national provisions and procedures for listing fishery product establishments exporting to the EU, and for updating the information included in those lists. In brief, this comprises the following steps:
 - an application for approval has to be sent to the NSI;
 - an NSI inspection team is appointed to perform an in-depth review the infrastructure (plans, construction and installations), equipment and HACCP plans;
 - an initial on-site inspection is carried out;
 - following a satisfactory assessment, an approval certificate, called a HACCP certificate is issued for three months for the food business operator/vessel to show relevant records of their HACCP based "own control" procedures and a new inspection is required to prolong the HACCP certificate;
 - in the event that the result of the inspection visit is unfavourable, NSI draws up an observation report recording the defects and submits this to the operator. An action plan to address the findings must be submitted by the food business operator/vessel within seven days. A re-inspection visit is performed after the operator has corrected the defects and an updated HACCP certificate may be issued;
 - the establishment/vessel is authorised and listed for export to the EU;
 - significant change to an existing approval (e.g. installation of a new production line or a modification to the site) follow the same procedures;
 - the same process is followed for factory and freezer vessels, following a request from the ship-owner and before the commissioning of the vessel;
 - an in-depth, scheduled evaluation and inspection is carried out at least annually to assess the level of compliance with the regulatory requirements for structure and operations and twice per year for freezer and factory vessels.

Conclusions on national provisions and procedures for listing establishments exporting fishery products to the EU

23. The national provisions and procedures for listing establishments are comprehensive and can be considered as in line with the EU requirements.

5.4 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

Legal requirements

Article 11(4) and 12(2) of Regulation (EC) No 854/2004.

Article 46(1)(g) and (h) of Regulation (EC) No 882/2004.

Point II.1 of the EU health certificate, and in particular the controls laid down in Annex III, Chapter I of Regulation (EC) No 854/2004.

Findings

5.4.1 Official control system in place

24. The official control system in place covers the entire production chain. The official controls (e.g inspection, sampling) are supported by a quality management system with written procedures, guidelines and comprehensive checklists.
25. Fishing vessels supplying raw material to EU-listed establishments are inspected minimum once per year.
26. Freezer and factory vessels are inspected once every six months including their HACCP based procedures.
27. Processing plants are audited minimum once per year including an in-depth evaluation of their HACCP based procedures.
28. Surveillance is performed more frequently with unannounced visits for so called line-inspections when a part or one processing line is inspected and also when water/ice samples are collected.
29. Inspection reports are signed both by the inspector and the food business operator, action plans for corrective actions are required and follow-up inspection are dated and signed by the inspector.
30. Follow-up inspections are performed to check whether corrective actions submitted by the food business operators are in place.
31. Official controls are also carried out in connection to planned exports to check on consignments and to take samples if required (e.g. heavy metals in large pelagic fish plus for histamines in susceptible species) (see also section 5.4.2.).

Primary production fishing vessels and landing operations

32. The audit team visited the ports of Lüderitz and Walvis Bay and noted the landing of fishery products from three randomly selected vessels. The fishery products were unloaded in a hygienic way using bins/crates adequately filled with ice.

33. Fishing vessels are registered and are inspected at minimum once per year. A specific checklist is used for this purpose and it includes e.g. records of temperature of the fish, checks on parasites, organoleptic examinations, pest and cleaning controls.
34. Vessels registered in Walvis Bay can be inspected in Lüderitz or vice versa. Inspection reports are communicated between the two inspection centres.

Facilities, including vessels, handling fishery products

35. The audit team visited two freezer and two factory vessels processing hake, monkfish and shark. All vessels were inspected at the set frequency, had HACCP based procedures in place and were broadly satisfactory with regard to construction, maintenance, equipment and operational hygiene. Frozen products were stored well below -18°C and this was associated with continuous temperature records.
36. The audit team visited seven EU listed land-based establishments and one stand-alone cold store. The audit team noted that official control staff was present regularly, that official controls and oversight tasks (routine, in-depth, follow up and pre-export inspections for certification and official sampling) were carried out at the stipulated frequencies, using dedicated check-lists and EU health certificates were issued as described in section 5.7.
37. The audit team saw an example of a HACCP certificate issued for a shorter period (six months instead of a year) due to non-conformities (without food safety impact) to allow the food business operator to address these and the CA to re-assess the establishment.
38. The establishments did in general comply with the relevant hygiene standards, using wall and floor materials that are easy to clean. All had own-control plans based on HACCP principles and pre-requisite procedures were in place.
39. However, one establishment did not meet relevant hygiene standards with several doors with gaps to the outside. This establishments also stored pallets with frozen fishery products in a container outside which were transported back into the cold store during the visit of the audit team. The food business operator explained that this was due to repairs of the cold store, which had not been communicated to the CA. In addition, raw material (hake stored under ice) being processed the day of the visit was thirteen days old. The food business operator's own standards stated that fish may never exceed twelve days from catch to processing. The CA staff took immediate action and the consignment was seized and processed into fish meal, which was confirmed in writing the following week. The audit team checked the processing records of the last two years and did not find any comparable cases.
40. The following points were regular findings, also noted by NSI: damage to walls, floors and ceilings or flaking paint making surfaces difficult to clean; rust and condensation.
41. The audit team noted some points that had not been previously noted by NSI:
 - incomplete ducting of waste water from refrigeration units;
 - in the stand-alone cold store, the temperature records showed that the temperature did not reach -18°C during certain days. The food business operator explained that this was due to the door being open during pallet transport from vessels discharging large volumes. The quality manual of this cold store indicated storage temperature between -15°C and -18°C;

- flake ice storage directly on the floor which allows for direct contact with workers' footwear.

42. In relation to operational hygiene, the audit team noted that in general fish had good organoleptic characteristics and were stored under ice, except in one establishment where new ice was added at arrival only to the top crates, but not to all crates in a pile. For frozen product, where checked, all frozen fish was at -18°C or below. The audit team conducted several traceability exercises and the food business operators could demonstrate in a consistent way that the relevant information in the production chain could be maintained (e.g. identification of vessel, catch days, quantity.) Raw material input and yield exercises showed reliable results.

Checks on the EU eligibility of imported raw materials

43. In EU listed establishment, there is a procedure for controls of imported raw material. Each consignment has to be accompanied by a health certificate in English containing guarantees that the product complies with EU requirements. This was properly implemented by the CA and documented import controls were available.
44. Fishery products from South Africa are considered to be equivalent to Namibian food safety standards under a Memorandum of Agreement on Technical Cooperation and health certificates are not required.
45. If introduced into the export chain the South African producer/vessel supplying raw material must demonstrate that the establishment/vessel is approved and complies with relevant standards, by submitting an updated CA inspection report before the issuance of health certificates by the Namibian CA. This applies for imports via truck or container and for fish landed by South African vessels and loaded into containers on the jetty.
46. Imports of fishery products for the domestic market are controlled by the Ministry of Health and the audit team was informed that health certificates are not required. There are currently sporadic imports of sardines from Morocco used for the manufacture of products for the national market.

Conclusions on official controls of production and placing on the market

47. Official controls cover the entire production chain for fishery products destined for the EU. These controls are carried out in accordance with the applicable procedures, that overall are in line with EU requirements. However, the CA enforcement activities had not ensured timely rectification of deficiencies in one EU-listed establishment.
48. In addition, import rules for fishery products cannot fully guarantee EU eligibility of imported raw material.

5.4.2 Official controls of fishery products

Legal requirements

Point II.1 of the EU health certificate, and in particular official controls laid down in Annex III, Chapter II of Regulation (EC) No 854/2004.

Findings

49. In general, the sampling plans for testing products, water and ice drafted in the framework of the food business operators pre-requisite (own-check) programmes were in line with EU rules, and applied satisfactorily. Own-checks analyses are conducted at the accredited NSI laboratory in Walvis Bay or in accredited South African laboratories.
50. Water/Ice samples are taken monthly and tested for *E.coli* and *Enterococci*. Potable water is obtained from the public supply network. For rinsing of fish and cleaning, food business operators can use treated sea water that meets potable water's microbiological standards.

Organoleptic examination

51. During inspections/audits, random organoleptic checks are carried out at all stages of production, processing and distribution. The inspectors do their own examinations within the HACCP-audits and the line inspections and also check that food business operator's own-checks are performed.
52. All consignments are controlled pre-export with samples taken for organoleptic examination and applicable microbiological and/or chemical analyses (see below).

Freshness indicators

53. Tests for total volatile basic nitrogen (TVB-N) are not done.

Histamine

54. Histamine testing is performed for relevant risk species (e.g. sardines, tuna, horse mackerel). The CA takes nine samples prior to exports and separate results are reported by the laboratory. All results observed by the audit team were well below EU limits.

Residues and contaminants

55. The CA takes samples at establishment level for heavy metals (lead, cadmium and mercury). After a recommendation in the 2012 audit, dioxins and polychlorinated biphenyls (PCBs) were tested for in 12 samples taken in 2012 to 2015. The results were consistently negative and the CA decided to not continue with the monitoring. The audit team saw results of dioxins/PCBs analyses made in an accredited South African laboratory at one food business operator testing all processed species once per year. All the results seen of heavy metal and dioxin analyses were compliant.

Additives

56. At present there is no production of fishery products where additives are used, so no testing takes place. There are maximum limits for meta-bisulphite in crustaceans in the Namibian standards which are in line with EU requirements.

Microbiological checks and parasites

57. Total Viable Count, *E.coli* and coagulase positive *S.aureus* are always tested for in all export consignments and in one out of ten consignments also *Salmonella*, *Vibrio* spp. and *Cl.perfringens* are analysed for.
58. Parasites are visually checked both by food business operators and the CA inspectors during landings and in establishments. Pre-export samples taken to the Inspection centres are thawed for parasite checks by candelling as well as for the organoleptic examinations.

Official control on water and ice

59. Official controls are undertaken in establishments every second month (six times per year) for microbiology (*E. coli*, total coliforms, *Enterococci* and enumeration of culturable micro-organisms).

Official controls of fishery products

60. The official controls of fishery products destined for EU export cover the relevant EU requirements and, in general, offer sufficient assurances that fishery products exported to the EU comply with the relevant EU rules. Dioxin monitoring was discontinued in 2015 after a series of negative results.

5.5 FOLLOW UP OF RASFF NOTIFICATIONS

Legal requirements

Article 11(4) of Regulation (EC) No 854/2004.

Findings

61. Investigations following a RASFF notification have to be carried out including an inspection of the establishment (physical and documentary) and official analyses performed where appropriate. The NSI Walvis Bay office is the contact point and NSI staff are notified directly or via email or telephone call when an alert is generated.
62. The audit team reviewed a series of four RASFF notifications due to improper health certificates. The CA had inspected export consignments of shark in accordance with the procedures and issued health certificates. The exporting food business operator was notified from the EU border inspection post that the certificate and the label on the products (fishing vessel) did not match. The CA was notified by the food business operator before the formal RASFF notification arrived. The CA investigation showed

that a worker in the food business operator had mixed up the vessel numbers. The products were returned, re-labelled, re-inspected and certified again by the CA.

Conclusion on follow up of RASFF Notifications

63. There are adequate procedures in place for follow-up of RASFF notifications by the CA.

5.6 LABORATORIES

Legal requirements

Article 46(1)(d) of Regulation (EC) No 882/2004.

Chapter 1 of Annex I to Regulation (EC) No 2073/2005.

Regulations (EC) No 333/2007 and (EU) No 589/2014.

Findings

64. The audit did not focus on laboratory performance; however, a visit to the NSI Testing centre in Walvis Bay was included in the itinerary. The audit team noted well equipped, new facilities with ample space to allow progress of anonymised samples and with limited risk of cross-contamination.

65. The laboratory is accredited since May 2011 to ISO 17025:2005, first by SANAS and since 2019 by SADCAS. In an ongoing process the accreditation will be changed to the 2017 version of the standard.

66. The scope of accreditation is under continuous expansion and has a flexible scope regarding matrixes.

67. The laboratory participates regularly in proficiency testing with participation in international tests and with satisfactory results for cadmium, lead and mercury and histamine as well as microbiological parameters.

Conclusion on laboratories

68. The laboratory available to the CAs for their official analyses is accredited to EN ISO/IEC 17025:2005 and follows EU reference methods or internationally recognised methods for the parameters tested.

5.7 OFFICIAL CERTIFICATION

Legal requirements

Article 14 of Regulation (EC) No 854/2004.

Article 6 of Regulation (EC) No 2074/2005, and in particular the EU health certificate.

Article 6 of Council Directive 96/93/EC.

Findings

Issuance of EU export certificates

69. The exporting company has to send an application for an export certificate to the CA together with an inventory list of loading.
70. The export certification includes a pre-export consignment check (physical, documentary and sampling of products) before approval.
71. Samples are checked at the CA Inspection centres for organoleptic criteria and samples are also sent to the laboratory for chemical and microbiological analyses if necessary. In case of large pelagic fish, heavy metal testing is compulsory and for histamine sensitive species the respective analysis.
72. If all tests are compliant, a feed-back report is sent to the food business operator who sends a final packing list used for the issuing of a health certificate.
73. The CA checks the loading of containers randomly.

Issuance of Certificates for fishery products caught by member state vessels

74. NSI has been issuing certificates for fishery products from EU vessels that land fishery products in Namibia for further transport to the EU. These consignments are subject to the same official controls and testing as undertaken for Namibian products.

Checks on-the-spot of EU export certification of products exported to the EU

75. The audit team undertook a number of traceability exercises and reviewed several examples of health certificates and considered them to be adequately filled in.

Conclusions on certification

76. Export certification procedures and their implementation can provide adequate assurance that EU certification principles are correctly applied.

6 OVERALL CONCLUSIONS

The official control system developed by the competent authority is based on adequate legislation and comprehensive documented procedures, to provide the guarantees required by the EU export health certificate. The system covers the entire production chain and its implementation is done in accordance with planned frequencies and in a consistent way. In general, official controls identified relevant findings and ensured follow-up of corrective actions. However, in one establishment listed for export to the EU, the competent authority had not fully enforced corrective actions for some relevant non-compliances.

The official controls of fishery products covers EU requirements which was discontinued in 2015 based on a series of negative analytical results.

The shortcomings identified impact to a limited extent on the ability of the competent authority to provide consistently, and in full, the guarantees required by the EU health certificate when exporting fishery products to the EU.

7 CLOSING MEETING

At the closing meeting held in Windhoek on 6 December 2019, the audit team presented the main findings and preliminary conclusions of the audit. The CA acknowledged the audit findings and undertook to take actions to address them.

8 RECOMMENDATIONS

| No. | Recommendation |
|-----|--|
| 1. | <p>The competent authority should ensure that enforcement activities lead to timely rectification of deficiencies in EU-listed establishments, in order to provide guarantees required by the public health attestation under 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, in particular those of Regulation (EC) No 853/2004.</p> <p>Recommendation based on conclusion No 47.</p> <p>Associated findings in paragraphs No 39.</p> |
| 2. | <p>The competent authority should establish a system which enables its staff to verify EU eligibility of imported raw material that enter the production chain of fishery products intended for export to the EU, as required in the model health certificate for imports of fishery products laid down in Appendix IV of Anne VI to Regulation (EC) No 2074/2005.</p> <p>Recommendation based on conclusion No 48.</p> <p>Associated findings in paragraphs Nos 44 and 46.</p> |

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

http://ec.europa.eu/food/audits-analysis/rep_details_en.cfm?rep_inspection_ref=2019-6692

ANNEX 1 – LEGAL REFERENCES

| Legal Reference | Official Journal | Title |
|------------------------|---|---|
| Dir. 96/23/EC | OJ L 125, 23.5.1996, p. 10-32 | 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 |
| 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 |
| Reg. 2406/96 | OJ L 334, 23.12.1996, p. 1-15 | Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products |
| Reg. 852/2004 | OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3 | Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs |
| Reg. 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 |

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|----------------|-----------------------------------|---|
| Reg. 2074/2005 | OJ L 338, 22.12.2005, p. 27-59 | Commission Regulation (EC) No 2074/2005 of 5 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. 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. 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 control of the levels of trace elements and processing contaminants in foodstuffs |
| Reg. 1333/2008 | OJ L 354, 31.12.2008, p. 16-33 | Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives |
| Reg. 589/2014 | OJ L 164, 3.6.2014, p. 18-40 | Commission Regulation (EU) No 589/2014 of 2 June 2014 laying down methods of sampling and analysis for the control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No 252/2012 |