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FINAL REPORT OF A SPECIFIC AUDIT  
CARRIED OUT IN  
LATVIA  
FROM 17 MARCH TO 25 MARCH 2009  
IN ORDER TO  
EVALUATE THE FOOD SAFETY CONTROL SYSTEMS IN PLACE GOVERNING  
THE PRODUCTION AND PLACING ON THE MARKET OF POULTRY MEAT  
AND POULTRY MEAT PRODUCTS  
IN THE CONTEXT OF A GENERAL AUDIT

*In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of an endnote.*

### ***Executive Summary***

*This report describes the outcome of an inspection mission carried out by the Food and Veterinary Office in Latvia, from 17 to 25 March 2009.*

*The objective of the mission was to verify, as part of a general audit, that official controls for poultry meat and poultry meat products are carried out in compliance with Community legislation and in accordance with the Latvian multi-annual national control plan drawn up in accordance with Article 41 of Regulation (EC) No 882/2004.*

*The mission found that there is a comprehensive control system in place which includes regular controls of poultry farms and establishments. Overall the system, which is the subject of internal audits, works effectively. However, there are some weaknesses particularly as regards implementation of Hazard Analysis and Critical Control Points plans and the full application of the procedure for granting approval to establishments.*

*The report includes a number of recommendations addressed to the Latvian Competent Authority aimed at rectifying the identified shortcomings and enhancing the control system in place.*

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## ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
AMI	Ante-mortem Inspection
CA/s	Competent Authority/ies
CCA	Central Competent Authority
CCP	Critical Control Point
CP/s	Cutting Plant/s
EC	European Commission
EU	European Union
FBO/s	Food Business Operator/s
FI/s	Food inspector/s
FVO	Food Veterinary Office
HACCP	Hazard Analysis Critical Control Points
MANCP	Multi-annual National Control Plan
MS	Member State
MT	Mission Team
NDC	National Diagnostic Centre
NRL	National Reference Laboratory
OV/s	Official Veterinarian/s
PME/s	Poultry meat establishment/s
PMI	Post-mortem Inspection
PMP	Poultry Meat Products
RASFF	Rapid Alert System for Food and Feed
SAV/s	State Authorised Veterinarian/s
SH/s	Slaughterhouse/s
TSU/s	Territorial Structural Unit/s

## **1 INTRODUCTION**

The specific audit formed part of the Food and Veterinary Office (FVO) planned mission programme and was carried out as a component of a general audit, as described in Article 45 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.

This report focuses on the sector specific issues identified during the audit. It does not necessarily include aspects relating to Regulation (EC) No 882/2004; these aspects will be addressed in the subsequent General Audit report.

The mission took place in Latvia from 17 to 25 March 2009.

The mission team (MT) comprised three inspectors from the FVO.

## **2 OBJECTIVES OF THE MISSION**

The objective of the current mission was to verify, as part of a general audit, that official controls for poultry meat and poultry meat products are carried out in compliance with Community legislation and in accordance with the Latvian multi-annual national control plan (MANCP) drawn up in accordance with Article 41 of Regulation (EC) No 882/2004.

In pursuit of this objective, the MT proceeded as follows:

- an opening meeting was held on 17 March 2009 with the Latvian Competent Authority (CA). At this meeting the MT confirmed the objectives of, and itinerary for the mission, and requested additional information required for the satisfactory completion of the mission;
- the following sites were visited:

<b>Competent authority visits</b>		
Central	1	
Local Territorial structural Unit (TSU)	1	
<b>Laboratory visits</b>		
National Reference Laboratory	1	
<b>Primary production</b>		
Farm	1	
<b>Food processing facilities</b>		
Slaughterhouses (SHs)	3	one under the national legislation
Cutting plants (CPs)	2	attached to the SHs visited
Meat Product establishments	3	two as a part of integrated establishment
<b>Other sites</b>		
Cold store	1	part of integrated establishment

- Representatives from the CA accompanied the MT during the whole mission.

### **3 LEGAL BASIS FOR THE MISSION**

The mission was carried out in agreement with the Latvian authorities and under the general provisions of Community legislation and, in particular:

- Article 45 of Regulation (EC) No 882/2004;
- 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 (MS).

Full legal references are provided in Annex 1. Legal acts quoted in this report refer, where applicable, to the last amended version.

### **4 BACKGROUND**

#### **4.1 PRODUCTION AND TRADE INFORMATION**

The MT was informed by the CA that in 2008 Latvia exported 1752 tonnes of poultry meat and poultry meat products to other EU member states (MS) In the same period it imported 10617 tonnes of poultry meat from other EU MS.

#### **4.2 RAPID ALERT SYSTEM FOR FOOD AND FEED (RASFF)**

There were no RASFF notifications triggered for Latvian poultry meat and poultry meat products during the last three years.

### **5 FINDINGS AND CONCLUSIONS**

#### **5.1 LEGISLATION AND IMPLEMENTING MEASURES**

##### **Legal basis**

Article 10 of Regulation (EC) No 853/2004.

##### **Findings**

There are eight small poultry and lagomorph SHs registered in Latvia as defined in Article 1(3)(d) of Regulation (EC) No 853/2004, poultry is slaughtered in five of them. These establishments are approved under the national legislation Regulation of Cabinet of Ministers No 286 from 11/4/2006. This regulation contains mandatory hygiene requirements for poultry and lagomorph slaughter of small quantities (up to 10000 animals/year) and their direct supply to the final consumer or retail sale within the territory of Latvia.

This national legislation however has not yet been notified to the Commission and other MS as required under Directive 98/34/EC.

##### **Conclusions**

The national legislation in place regarding the slaughter of small quantities of poultry and lagomorphs and their direct supply to the final consumer or retail sale within the territory of Latvia as defined in Article 1(3)(d) of Regulation (EC) No 853/2004 has not yet been notified to the Commission and other MS as required under Directive 98/34/EC.

#### **5.2 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET**

##### *5.2.1 Approval procedures*

##### **Legal basis**

Article 4 of Regulation (EC) No 853/2004. Article 31 of Regulation (EC) No 882/2004.

## **Findings**

The MT reviewed the approval documents of four establishments.

The MT was informed that the detailed procedure for approval of establishments is set down in the national legislation regulation of the Cabinet of Ministers No 127 “The order of approval and registration of enterprises dealing with food” of March 18, 2003 as well as in the procedures No KR.10.P.130 “Approval of operations of registered food establishments” for approval of previously registered establishments and No KR.10.P.138 “Approval of operations of newly opened food establishments”. These procedures are also described in the MANCP.

- All establishments visited during this mission were re-approved by the CA after January 2006.
- The CA informed the MT that in order to approve an establishment an on-the-spot inspection has to be performed, while the establishment is in operation, by a Food Inspector (FI) from the TSU in which the establishment is located. The MT visited one establishment which was approved and then again later approved as a CP and meat products establishment. It was noted that there was no dedicated premises or equipment for CP activities and the establishment has never operated as a CP. During the approval inspection it was inspected only as a meat products establishment and only this activity was mentioned in the inspection report. However it was approved also as a CP without being inspected while carrying out CP activities and without a Hazard Analysis and Critical Control Points (HACCP) plan for this type of operation. The MT was informed that the food business operator (FBO) has recently asked for the removal of the CP designation from its approval.

## **Conclusions**

The CA follows the prescribed procedures for approval of poultry establishments. Establishments visited by the MT were re-approved after 1 January 2006 in accordance with the new Community "hygiene package" (The " Hygiene Package" is comprised of five pieces of legislation; Regulations (EC) Nos 852/2004, 853/2004, 854/2004, of the European Parliament and of the Council; as well as Council Directive 2002/99/EC and Directive 2004/41/EC of the European Parliament and Council ). However, as noted in one establishment visited the procedure for granting approval was not fully applied.

### *5.2.2 Controls in slaughterhouses: Ante-mortem (AMI) and Post-mortem inspection (PMI)*

## **Legal basis**

Annex II to Regulation (EC) No 852/2004. Section II of the Annex III to Regulation (EC) No 853/2004. Regulation (EC) No 854/2004 Chapter V of Section IV of Annex I



## **Findings**

There is permanent supervision in poultry SHs carried out by State Authorised Veterinarians (SAVs) who perform their tasks under a contract between the individual SAV and the relevant TSU. All slaughterhouses are located in the same area as a poultry farm (integrated system) and each slaughterhouse slaughters only its own farmed poultry. Birds are transported from farm to slaughterhouse with an “Accompanying document for transporting of animal to slaughterhouse”, which contains food chain information in accordance with Regulation (EC) No 853/2004.

Each day SAVs carry out hygiene controls in the slaughterhouse premises, study food chain information, perform AMI and PMI, and control animal welfare conditions, study information received from farm about poultry health status. Results of these controls are then filled in the “Day-to-day slaughterhouse inspection protocol concerning hygiene conditions” and the “Animal reception and veterinary inspection register”.

- Evidence of the use of these forms and documents was available to the MT in two SHs visited.
- In one SH visited the carcasses were washed after evisceration, before the PMI, preventing the official veterinarian (OV) from assessing properly possible faecal contamination (paragraphs 5 and 8 of Chapter IV Section II of Annex III to Regulation (EC) No 853/2004);
- In two SH visited there were no separate lockable facilities for refrigerated storage of detained meat as required under Regulation (EC) No 853/2004.

## **Conclusions**

AMI and PMI were in general carried out in line with Community requirements.

### *5.2.3 Controls in other establishments: cutting plants, cold stores, poultry meat products establishments*

## **Legal basis**

Annex II to Regulation (EC) No 852/2004; Chapter III of Section II of the Annex III to Regulation (EC) No 853/2004; Section VI of Regulation (EC) No 853/2004

## **Findings**

There is a comprehensive and well documented system of official controls of poultry establishments. All poultry establishments visited by the MT were controlled by an OV in line with the defined frequency for the type of establishment.

The MT visited two CPs (both attached to SHs), two meat products and meat preparations establishments as a part of integrated establishments.

Despite the fact that the establishments visited were found to be broadly in compliance with Community requirements, some deficiencies had not previously been reported in the official reports and therefore had not been corrected.

- The MT noted some deficiencies regarding floor and walls. These were not maintained in sound condition in particular in one processing plant.
- In one establishment visited the premises used for smoking of products were not in compliance with the requirements of Community legislation. They did not permit adequate maintenance and cleaning, floor and wall surfaces were almost impossible to be cleaned, it was not pest proof (no insect proof screens were present and there were gaps in gates).
- In several establishments visited condensation was observed sometimes directly over exposed meat. This had also been noted in the CA reports.
- Splashing of water while washing equipment or floor close to unprotected products was observed in two establishments.
- In one establishment exposed meat and carcasses were in direct contact in several areas with the plastic door curtains: while entering the processing area on trolleys, during washing after the PMI as well as at the moment when carcasses were passing from one area to another one.
- Some deficiencies in good hygiene practice were noted such as: direct contact of carcasses during evisceration with the aprons of workers or the fact that the tools used for evisceration were not washed during operation.

## **Conclusions**

There is a comprehensive and well documented system of official controls of poultry establishments. All poultry establishments visited were controlled by the OV with the required frequency. Despite the fact that premises visited presented in general a good level of compliance with Community requirements, some deficiencies had not previously been reported in the official reports and therefore had not been corrected.

### *5.2.4 Official sampling*

#### **Legal basis**

Point 8 (c) of Article 4 of Regulation (EC) No 854/2004

#### **Findings**

The National Monitoring Programme (inspection and sampling plan) is elaborated by the Food Veterinary Service in consultation with all the TSU, as well as the National Diagnostic Centre (NDC). The final programme is submitted to the Food Council, an inter-ministerial body, for consideration and finally approved by the Minister of Agriculture.

The programme

- sets priorities on the basis of the results of the preceding annual controls, reports from RASFF and consumer complaints
- is updated annually

- is implemented in all the districts visited

The CCA prepares a general programme for all food producing establishments specifying the number of establishments and type of analyses to be performed. This programme is then sent to all TSU and they decide in which specific establishments the sampling will be carried out.

- There is an official sampling programme for residues and contaminants in place (benzopyrene, residues, dioxins, radioactive contamination).
- When the samples for microbiological investigations are being taken this is carried out in accordance with requirements specified in Commission Regulation (EC) No 2073/2005 and national procedure KRS.10.P.002 “Methodological guidelines for evaluation of self-control system of establishments involved in food chain in accordance to requirements set by Regulation (EC) No 2073/2005 “About microbiological criteria of foodstuffs”.
- However the MT noted that the official samples for microbiological testing in order to verify the own check analysis were not taken in all establishments visited.
- Analyses of neck skin for *Salmonella* in order to verify the FBO own-checks analyses were performed only in one SH visited which had 10% of positive results from the FBO own checks analyses and were carried out in accordance with Regulation (EC) No 2073/2005. In the second SH visited the neck skin analyses were planned for the last quarter of 2008, however due to a reduction in the CA budget this plan was not fulfilled
- No official samples for *Salmonella* analysis in any other visited establishment were taken in 2008. As explained to the MT this was decided following a risk assessment of these establishments.
- Water samples for microbiological analyses (Coliform bacteria, E.coli, *Enterococcus*) are taken by the FI once a year. Evidence of these samples was noted in all establishments visited except one, where no water samples were taken in 2008. The physicochemical analysis of water was not performed in any of the establishments visited.
- All official samples are sent to one of the accredited NDC laboratories. The MT was informed by the NDC that in cases where samples arrive but do not comply with the criteria set in Community legislation, they would not be rejected. However this non-compliance would be noted on the relevant document accompanying the sample. Test results are communicated by the NDC laboratory directly to the relevant TSU and are then inserted into the database. In the case of positive results both central and local CA levels are informed by fax by the NDC laboratory concerned.
- There was no evidence that the CA had in place a system to ensure that only additives approved by Directive 95/2/EC are used and that where approved additives are included in a product that they are used in accordance with the approved limits set by the above mentioned Directive.

## Conclusions

There is an official sampling programme for residues and contaminants in place (benzopyrene, residues, dioxins, radioactive contamination). However the MT noted that official samples for microbiological testing in order to verify own check analyses were not taken in all establishments visited.

Furthermore, official controls of potable water do not include physicochemical parameters.

#### 5.2.5 *Own-checks sampling*

##### **Legal basis**

Article 4 of Regulation (EC) No 2073/2005

##### **Findings**

Concerning own checks systems based on HACCP principles, all establishments visited had a documented HACCP plan, which appeared to be continuously updated and all relevant records kept.

Audits of the HACCP plans were performed by the OV when visiting establishments in line with Article 4 paragraphs 2, 3, 4 and 5 of Regulation (EC) No 854/2004.

However, the MT noted some deficiencies during the study of the HACCP related documents and records highlighting irregularities which had not been picked up in the CA inspection reports:

- As a general remark it was noted that the verification procedures were not clearly mentioned in all of them and corrective measures were not always complete.
- In two establishments the MT noted that if the temperature in the freezers was higher than the critical limits, this fact was recorded but no corrective action was mentioned.
- In one establishment where mechanically separated meat was produced there was no instruction mentioned that the raw material received from SHs and used for the manufacture of this product must be no more than three days old as set out in Annex III, Section V, Chapter III, Article 3 (a) of Regulation (EC) No 854/2004.
- In another establishment one of the critical control points specified by the FBO in the HACCP plan was that the temperature in the freezer should be not more than -18°C. During the control of the relevant documentation the MT noted that this temperature was much higher (around -5°C) for a period of six days. During the last day of this period there was an official control in the establishment and even if the FI ordered the removal of the products from the freezer because of the temperature at the time of visit, the period of the irregularity was not recorded in the FI report.

Microbiological analyses on products, water and surfaces are carried out in accredited laboratories. The samples were taken in accordance with Commission Regulation (EC) No 2073/2005.

- In general the samples for own checks analyses were performed in accordance with the terms of Community legislation. However, in one establishment the frequency of

*Salmonella* sampling of meat preparations was not in compliance with Community requirements.

## **Conclusions**

FBO have put in place a permanent procedure based on HACCP principles as is required under Article 5 of Regulation (EC) No 852/2004. Audits of HACCP plans are not always properly carried out by the CA which is contrary to Articles 4.3 and 4.5 of Regulation (EC) No 854/2004.

Testing of poultry carcasses and under the *Salmonella* monitoring programme implemented by FBOs is in general carried out but not always in line with the frequency established in Chapter 3 of Annex I to Regulation (EC) No 2073/2005.

## **5.3 LABORATORIES**

### **Legal basis**

Articles 11 and 12 of Regulation (EC) 882/2004

### **Findings**

The MT visited the National Reference Laboratory (NRL) for food analysis and animal diseases control - NDC of the Food and Veterinary Service.

- It is designated by the CA to carry out analyses of samples taken during official control purposes in poultry establishments and includes a large net of regional laboratories. All NDC laboratories are accredited in accordance with the National Accreditation System of Latvia, in compliance with the standard LVS EN ISO/IEC 17025. The Central NDC Laboratory of Food and Environmental examinations is in addition accredited under the German and Russian accreditation systems.
- Furthermore the CA informed the MT that there is a specific procedure in place which guarantees the right of the FBO whose products are subject to sampling and analyses for a supplementary expert opinion and this was also confirmed by the FBOs during the visits.

### **Conclusions**

The CA has designated laboratories to support the official control in the poultry sector in accordance with Article 11 and 12 of Regulation (EC) No 882/2004.

## **6 OVERALL CONCLUSION**

There is a comprehensive control system in place which includes regular controls of poultry farms and establishments. Overall the system, which is the subject of internal audits, works effectively. However, there are some weaknesses particularly as regards implementation of HACCP plans and the procedure for granting approval to

establishments.

## 7 CLOSING MEETING

During the closing meeting held in Riga on 25 March 2009, the MT presented the findings and preliminary conclusions of the mission to the CA.

During this meeting, the CA acknowledged the findings and preliminary conclusions presented by the MT and gave a commitment to correct the deficiencies. Furthermore, the CA provided evidence that some of the deficiencies detected by the MT during the visits had already been corrected.

## 8 RECOMMENDATIONS

The CCA should provide Commission services with guarantees and an action plan, including a timetable for its completion, within one month of receipt of the report in order to address all the deficiencies identified in the report and in particular, the following:

No.	Recommendation
1	The CA should notify their national legislation regarding the small poultry and lagomorph slaughterhouses to the Commission and Member States in line with Directive 98/34/EC and as required by the Article 13 of Regulation (EC) No 852/2004 and Article 10 of the Regulation (EC) No 853/2004.
2	The CA should take further measures in order to ensure that FBOs comply with their obligations as laid down in Chapter II of Regulation (EC) No 853/2004 and with the general and specific hygiene requirements set out in Articles 4 and 5 of Regulation (EC) No 852/2004.
3	The CA should take further measures in order to ensure that staff responsible for official controls are able to identify non-compliances when verifying the FBOs' compliance with the relevant requirements, as laid down in Article 4 of Regulation (EC) No 854/2004.
4	The CA should take further measures in order to ensure that the FBO sampling and microbiological analysis of carcasses are in line with the requirements set out in Regulation (EC) No 2073/2005 and to improve the official controls regarding this aspect.

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

[http://ec.europa.eu/food/fvo/ap/ap\\_latvia\\_8068\\_2009.pdf](http://ec.europa.eu/food/fvo/ap/ap_latvia_8068_2009.pdf)

## ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Directive 95/2/EC	OJ L 61, 18.3.1995, p. 1–40	European Parliament and Council Directive No 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners
Directive 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
Regulation (EC) No 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
Regulation (EC) No 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
Regulation (EC) No 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
Regulation (EC) No 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
Regulation (EC) No 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

Reference	OJ Ref.	Detail
		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
Regulation (EC) No 2076/2005	OJ L 338, 22.12.2005, p. 83–88	Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004