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FINAL REPORT OF A MISSION
CARRIED OUT IN
UKRAINE
FROM 09 JUNE TO 18 JUNE 2009
IN ORDER TO
EVALUATE THE CONTROL SYSTEMS IN PLACE GOVERNING THE
PRODUCTION OF POULTRY MEAT, EGGS AND THEIR PRODUCTS FOR
POTENTIAL EXPORT TO THE EU

Executive Summary

This report describes the outcome of an inspection mission carried out by the Food and Veterinary Office in Ukraine, from 9 to 18 June 2009.

The objective of the mission was to evaluate whether the official controls systems for poultry meat, eggs and their products destined for export to the European Union can provide equivalent guarantees to those required by Community legislation.

The report concludes that there is a control system in place which includes daily supervision and regular controls in the establishments and poultry farms. However, this system needs to be adjusted to be at least equivalent to the requirements of Community legislation especially with regards to the implementation of HACCP plans, the procedure for granting approval to establishments wishing to export to the European Union and sampling requirements. The knowledge of Community requirements by staff directly involved in the official controls in establishments appears to be very limited. Overall the system currently in place to control poultry meat, eggs and their products in Ukraine cannot at present give guarantees that these commodities have been produced with standards at least equivalent to those required by Community legislation.

The report includes a number of recommendations addressed to the Ukrainian Competent Authority and aimed at rectifying the identified deficiencies 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
CCP/s	Critical Control Point/s
CP/s	Cutting Plant/s
CRL	Community Reference Laboratory
EU	European Union
FBO/s	Food Business Operator/s
FVO	Food and Veterinary Office
HACCP	Hazard Analysis and Critical Control Points
MP	Meat Products
MSM	Mechanically Separated Meat
MT	Mission team
OV	Official Veterinarian
PHS	Public Health Services
PM	Poultry meat
PMI	Post-mortem Inspection
SCVMU	State Committee of Veterinary Medicine of Ukraine
SH/s	Slaughterhouse/s
SRILDVSE	State Scientific and Research Institute for Laboratory Diagnostics and Veterinary and Sanitary Expertise
SRL	State Regional Laboratory

1 INTRODUCTION

The mission took place in Ukraine from 9 to 18 June 2009 and was undertaken as part of the Food and Veterinary Office's (FVO) planned mission programme.

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

2 OBJECTIVES OF THE MISSION

The objective of the current mission was to:

- evaluate whether the official controls systems for poultry meat (PM), eggs and their products destined for export to the European Union (EU) can provide guarantees equivalent to those required by Community legislation and in particular Commission Regulation 798/2008 and Commission Decision 2007/777

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

- an opening meeting was held on 9 June 2009 with the 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:

Competent authority visits		
Central CA	1	
Regional CA	1	
Laboratory visits		
Regional State Laboratory of Veterinary Medicine	1	
Primary production		
farms	2	Only documentation check was carried out.
Food processing facilities		
Slaughterhouses (SH)	3	
Cutting plants (CP)	3	All attached to the SHs visited.
Meat Product establishment	1	
Egg packing centre	1	
Egg Product establishment	1	

- 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 Ukrainian Authorities and under the general provisions of Community 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 in third countries performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules;
- Commission Decision 98/140/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 third countries.

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

4 BACKGROUND

Currently Ukraine does not export PM, eggs or their products to the EU. This was the first mission in this field to the country and it took place after Ukraine requested to be listed for export to the EU of the above mentioned commodities.

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION AND IMPLEMENTING MEASURES

Legal requirements

Article 46 of Regulation (EC) No 882/2004 states that Commission experts may carry out official controls in third countries in order to verify the compliance or equivalence of third-country legislation and systems with the relevant Community legislation.

Findings

There are two main pieces of Ukrainian national legislation relevant for the scope of the current mission: Law of Ukraine "On the Veterinary Medicine" and Law of Ukraine "On the Quality and Safety of Food Products". In these two laws the competencies of State Committee of Veterinary Medicine of Ukraine (SCVMU) under the Ministry of Agrarian Policy and Public Health Services (PHS) under the Ministry of Public Health as well as the co-operation between these two services are identified and the basic principles of the control and supervision in the establishments are being introduced. The Law of Ukraine "On the Quality and Safety of Food Products" covers controls along the whole chain of food production and supply, it is based on risk analysis, requires a Food Business Operator (FBO) to implement the system of own checks and provides extensive powers to the official services. A specific part is given to requirements for establishments wishing to export to other countries stating that these establishments have to comply with the importing country's legislation with regard to the exported commodity.

Furthermore a number of Orders and Directives of State Committee of Veterinary Medicine as well as Orders of the Cabinet of Ministers were issued in order to set clear instructions for performance of activities generally mentioned in the above mentioned laws (i.e. setting minimum sampling requirements, approving the *Salmonella* control plan, specifying requirements for inspection of establishments and products as described in the relevant chapters of this report).

Conclusions

Although a comprehensive analysis of national legislation was not carried out during this mission, Ukrainian legislation (consisting of a number of laws and other relevant pieces of legislation) were found to be adequate to give the necessary powers to the CA to implement the system of official controls.

5.2 COMPETENT AUTHORITY

Legal requirements

Article 46 of Regulation (EC) No 882/2004 also specifies that official controls carried out in third countries by Commission experts shall have particular regard to the organisation of the third country's CAs, their powers and independence. This article refers too, to other issues such as the training of staff in the performance of official controls, the existence and operation of documented control procedures and control systems based on priorities.

Findings

The MT was informed that the CA responsible for daily supervision, regular inspections and control of the establishments producing PM, eggs and their products is the SCVMU. The control of water together with other tasks (as described further down in this section) lies with the PHS. The MT was also informed that the SCVMU will be the only CA responsible for preparation and signing of the veterinary health certificates for export to the EU of the commodities covered by the scope of the current mission. During the mission the heads of both services met and discussed this matter. This was however agreed only unofficially and no formal agreement between these two authorities has been prepared by the time of the end of the mission.

There is a clearly defined structure of the CA. The central office based in Kiev supervises 27 regional offices including Autonomous Republic of Crimea and cities Kiev and Sevastopol. Each regional office is responsible for supervision and co-ordination of the work of a number of district offices. This structure involves also regional and district laboratories which are responsible for the analytical examination of official samples including those of PM, eggs, their products as well as samples taken at farm level.

The MT was informed that regular meetings are held between central and regional level as well as between regional and local level. Furthermore every district office prepares monthly and three-monthly statistical information on their work within the district to the relevant regional office where this information is summarised for all districts within the region and sent once every three months to the central office. Written minutes from meetings and statistical information were shown to the MT in the regional office visited which confirmed these exchanges of information.

The CA has a sufficient number of qualified staff to perform official controls within the scope of this mission. There is at least one official veterinarian (OV) present in each establishment on a daily basis. Veterinary inspectors responsible for regular inspections in the establishments as well as OVs in charge of daily supervision of establishments follow written procedures and standard check-lists are being used nationwide. Standard check-lists are being used nationwide. New procedures partially covering Community requirements (including a new *Salmonella* control plan) were adopted very recently and are already being used during inspections.

The control of the quality of water and use of additives in establishments is the responsibility of the PHS. They are responsible for the monitoring in the establishments which involves amongst others control of technology, hygiene of staff, quality of water, emissions and their influence on the environment, pest control and quality of raw

material and final products. During their regular checks samples of final products are being taken independently from those taken by the SCVMU and analysed in PHS laboratories.

The MT was informed about a general training course on Community regulations and new *Salmonella* sampling plan which was organised by the Central CA at the end of May 2009 where representatives of all regional offices were present. There is a further training session foreseen by the CA for district veterinary inspectors and OVs working in establishments which has not so far taken place. The MT noted that the OVs and the veterinary inspectors directly involved in the inspections of establishments were not yet familiar with the Community requirements (among others: requirements for AMI & PMI, laboratory analyses and temperature requirements for meat). The CA has not provided detailed training on these specific issues.

Conclusions

The CA has appropriate structures and sufficient number of qualified staff to perform official controls on PM, eggs and their products. However, despite the training organised recently by the CA, the knowledge of the Community requirements appears very limited.

5.3 OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

5.3.1 Approval procedures

Legal requirements

Article 12(1) and 12(2) of Regulation (EC) No 854/2004 establishes certain requirements for establishments exporting products of animal origin into the EU, namely to appear on lists drawn up and updated by the CA in accordance with this article.

Findings

The procedure and requirements that the FBOs wishing to export to other country have to comply with are clearly described in the Law of Ukraine "On the Quality and Safety of Food Products". Every FBO wishing to export to other country has to send a request to the CA (specifying to which country he wishes to export) after which an on-the-spot inspection is carried out by the district veterinary inspector. An assessment of Hazard Analysis and Critical control Points (HACCP) plan is also a part of the approval procedure. However at the moment there is no legal requirement obliging FBOs to implement HACCP.

On the basis of results of approval inspection and after the assessment of the establishment's compliance with the requirements fixed by the country of destination for which the export of the products is intended, the CA approves these premises and grants an approval number. Updated registers of establishments approved for export to different countries are maintained by the CA and are also accessible to the public. The CA has the necessary legal powers to withdraw from the EU register establishments that fail to fulfil the necessary standards.

Currently the FBOs are not approved as individual establishments. As a result, approval can include several operations and different stages of production sited at different

locations but belonging to the same owner (this could include hatchery, farm, SH, CP and processing establishment all approved as a single entity and with a single approval number.) Furthermore the approval document does not identify the individual activities for which it is being granted.

During the approval inspection a standard check-list is used nationwide. This check-list was prepared recently and it specifies also a list of Community rules that establishments wishing to export to the EU have to comply with.

Conclusions

Instructions for approval of establishments wishing to export to the EU as well as new check-lists have been prepared recently, however this procedure is not fully equivalent with Community legislation as the approval is granted not to individual establishments and the approval document does not identify the specific activities for which it is being granted.

5.3.2 Controls in farms

Legal requirements

Annex I to Regulation (EC) No 852/2004

Findings

Control of poultry farms is carried out under the Law of Ukraine "On the Veterinary Medicine" and Law of Ukraine "On the Quality and Safety of Food Products". Furthermore, veterinary and sanitary rules and requirements for poultry farms are included in the Order of the Chief Veterinary Officer No. 53 from 2001.

There is permanent supervision by the OVs on the farms, including hatchery. All relevant flock records were presented to the MT. Among these records was information regarding veterinary medicinal products and other treatments administered to the birds together with the dates of their administration, the occurrence of diseases, mortality (including the number of poultry presenting different pathological signs), as well as feed and water consumption.

The OV is responsible also for control of quality of feed and water given to birds and bio-security measures as well as sampling in the framework of the new *Salmonella* sampling programme.

Conclusions

Official control at farm level was found, in general, to be well organised.

5.3.3 Ante-mortem (AMI) and Post-mortem inspection (PMI)

Legal requirements

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

Findings

Rules for AMI and PMI for all species of animals are described in the Order of Ministry

of Agrarian Policy No. 28 from 2002.

AMI and PMI are carried out by at least one OV employed by the district CA present in SH on a daily basis. OVs in the SH are working as a team where one of them (chief OV) is acting as a supervisor of their work. There are no official auxiliaries working in the SH. Furthermore there is a number of veterinarians employed and paid directly by the FBO. The MT understood that the FBO-employed veterinarians are working independently from the team of OVs however their work is also partially supervised by the chief OV. In all establishments visited the AMI was carried out by OV at the farm of the origin. One common certificate is then prepared for the whole batch of birds consisting of one or more trucks transporting them to the SH.

In one SH visited the OV only carried out a check on the first truck arriving with the certificate. The MT noted that there was no official control of the animals' identification and welfare conditions for the rest of the trucks (including unloading of birds) as required in point 4, Part A, Chapter V, Section IV, annex I to Regulation (EC) No 854/2004.

In two SHs visited there was no room or covered space for the reception of the animals and for their inspection before slaughter as required in Chapter II, Section II, annex III of Regulation (EC) No 853/2004.

There were up to three OV-posts for PMI of carcasses (depending on the speed of the slaughter line). The first OV controls the viscera and keeps records of his/her findings. The other two OVs control the quality of carcasses from outside. However the MT noted that the PMI was not carried out fully in line with Community requirements (Point 1, Part B, Chapter V, Section IV, annex I to Regulation (EC) No 854/2004) in all of the SH visited. Not all external surfaces of the carcasses could be viewed by the OV present. It was carried out after the carcasses were already at least partially washed and so potential faecal contamination could not be assessed. There was no inspection of body cavities of a representative sample of birds and no detailed inspection was carried out of random sample from each batch of parts of birds or of entire birds declared unfit for human consumption.

Neck skin samples of poultry carcasses after chilling are taken by the OVs within the framework of *Salmonella* control plan (see point 5.3.5).

Conclusions

AMI and PMI were found to be clearly organised and recorded however this was not done fully in equivalence with Community legislation.

5.3.4 Controls in establishments

Legal requirements

Article 5 of Regulation (EC) No 852/2004 requires FBOs to implement a programme based on HACCP principles.

Annex II to Regulation (EC) No 852/2004; Chapter I, II and IV of Section II to Regulation (EC) No 853/2004 contain requirements for SHs;

Chapter III of Section II of the Annex III to Regulation (EC) No 853/2004; Section V and VI of Regulation (EC) No 853/2004 contain requirements for CPs and PM products

establishments;

Section X to Regulation (EC) No 853/2004 contains requirements for eggs and eggs products establishments.

Article 4 of Regulation (EC) No 2073/2005 requires FBOs to carry out certain sampling activities.

Findings

a) General findings

There was permanent supervision carried out by OVs in all establishments visited. Furthermore a number of veterinarians employed by the establishment were present on a daily basis. The MT was informed that there were no official auxiliaries working in the establishments.

There is a risk-based categorisation of inspections frequency in the establishments according to Regulation of Cabinet of Ministers No 848. All establishments visited during the mission were visited at least twice a year until the end of 2008. However, since the beginning of 2009 these establishments have been classified into a high risk category and the frequency of inspection has been increased to at least four times a year. The inspections are carried out by district veterinary inspectors and at least twice a year the inspection team is joined also by the regional inspector. Written evidence of these inspections was available in all establishments visited.

There is a standard check-list used nationwide in all establishments. The current one was prepared recently and so far only first inspections were carried out using this checklist. This check-list includes general information about all the premises included in a complex. However it does not allow the evaluation of each activity separately. As a result the CA cannot do an adequate assessment of each of the different facilities in the light of Community legislation which establishes different requirements for different types of establishments or production activities.

Shortcomings found during inspection are mentioned in a specific part of the report. The FBO is then provided with a copy of this report and he/she then prepares a letter where he/she commits himself/herself to correct the deficiencies found within a specific deadline. A follow-up inspection is carried out by the relevant veterinary inspector or these corrections are checked during the next planned regular inspection.

The MT found that all establishments visited during the mission were subject to regular official controls by the district and at least twice a year also by the regional veterinary inspectors following the prescribed frequency. Written evidence (inspection reports) of these inspections was presented to the MT in all establishments visited. However most of the MT findings in the establishments (as described in the subsections below) had never been mentioned in the CA reports.

The PHS is in charge of monitoring of establishments including control of technology, hygiene of staff, quality of water, emissions and their influence on the environment, pest control and quality of raw material and final products. The frequency of inspections was followed in all establishments visited and inspection reports were presented to the MT.

b) Slaughterhouses, Cutting plants and PM products establishments

The MT visited four establishments in total, two of which were generally compliant with some minor deficiencies, a third one had more serious but easily correctable deficiencies while the fourth was non-compliant and presented major deficiencies.

The MT noted the following deficiencies in hygiene practice and maintenance of the premises (note: not all deficiencies were present in all establishments), such as:

- - o condensation over unprotected meat or meat products
 - o lack of wash-hand basins for cleaning hands in processing rooms, nor were basins provided with warm running water and in one establishment the taps were hand-operated and rusted
 - o pooling of water on the floor in processing areas caused by inadequately designed drainage facilities (in one establishments being critical), causing splashing of water on unprotected PM and products stored in crates in these areas.
 - o premises not always kept clean and maintained in good repair and condition (in one establishment visited this being critical)
 - o the floor and wall surfaces damaged and not easy to be maintained and cleaned, in some cases the ceiling was very high and constructed from material not allowing proper cleaning and disinfection (old dirt observed during the inspection)
 - o in one establishment the walls and ceiling in the freezers used for storage of final products were covered by large amounts of ice, some of these areas could not be properly closed, cleaning and disinfection was not possible.
 - o in one slaughterhouse there was no separation between area for stunning and bleeding and area for plucking and scalding
 - o in one establishment an additive, permitted under national legislation was used, however this substance is not included in the list of food additives permitted for use in foodstuffs under Directive 95/2/EC
 - o in dispatch areas the gates did not close properly
 - o in one establishment wooden pallets were used in the storage area of unprotected chilled products

c) Packing centre and egg products establishments

The MT noted some deficiencies in hygiene practice and maintenance of the premises in the establishments visited, such as:

- - o No clear separation between the area for washing, drying and disinfection of dirty eggs and area of breaking eggs and collecting their contents.
 - o Technical waste was stored in marked containers however it was not denatured in a way to ensure that it would be not used for human consumption.

- o The premises of the packing centres visited were not pest-proof as there were several gaps under the gates in the packing area and the area for storage of packed eggs ready to be dispatched.
- o Traceability of the product origin could not be assured as there was presence of unlabeled pallets with eggs in the packing area as well as in the storage area where products were stored ready for dispatch.
- o In general there was poor hygiene maintenance of the premises of the packing centre and the egg products establishment visited.

d) HACCP and own checks

One part of the check-list is also dedicated to the evaluation of the HACCP plan. All establishments visited (in both the PM and eggs sectors) had HACCP plans in place. However these plans were very recent. The MT noted some shortcomings during the control of HACCP and relevant documents, such as:

- - o other than in one case, the HACCP plans consisted only of the a listing of the Critical Control Points (CCPs) and the relevant records.
 - o the characteristic of the CCPs were very general and did not follow specific individual parameters (for example: a CCP and the critical limit was specified for room temperature however for the monitoring and verification activities the temperature of product was measured). This makes it very hard for the veterinary inspector to evaluate the implementation of the system.
 - o in some HACCPs the OVs were also included in the plans in monitoring or verification activities.
 - o the temperature limits were not clearly specified as they were often set as a variation between two limits (for example: not more than 0-2 °C)
 - o in one establishment visited the limit for temperature in the freezer for storage of the mechanically separated meat (MSM) was -12°C which is not equivalent to Community requirements of -18°C. Furthermore as well as the maximum duration of storage of MSM was set to not more than six month, whereas under Community legislation this duration is set at not more than three months.
 - o in another establishment the temperature after chilling of carcasses was set to not more than 8°C, which is also not equivalent to the Community rules.
 - o during control of the relevant temperature records in the establishments visited the MT noted several times higher temperatures recorded than the critical limit set in the HACCP. No explanation or corrective measures were indicated.

In general in all establishments visited (included in the subsections of part 5.3.4) the MT found a system of control and sampling by the FBOs in place following own-check sampling plan. All visited establishments had their own laboratories where samples, taken in the framework of own control (water, carcasses, meat, eggs and their products), were analysed.

The establishments visited had their own water supply (well) or used both municipal supply and own well. Water samples were taken regularly once a month or once per quarter dependent on the establishment visited. A number of chemical parameters and microbiological parameters (Mesophyll aerobic count and E.coli) were analysed.

Samples of carcasses, PM and final products were taken regularly following the own check sampling plan in all establishments visited including testing for the following parameters: mesophyll aerobic count, *Salmonella* and *Listeria monocytogenes*.

In egg products samples were taken for testing of mesophyll aerobic count, coliforms and *Salmonella*.

The OV has access to all own-check records and results from analyses carried out by the FBO.

Conclusions

There is a documented system of official and own controls in SHs and establishments producing PM, eggs and their products. All establishments visited by the MT were under daily surveillance by OVs, regularly controlled by the CA (veterinary inspectors from district and regional offices) and monitored by the PHS.

However the MT noted several deficiencies in hygiene practice and maintenance of premises, some of them being major, during the visits to some of the establishments.

Furthermore, at the moment the CA cannot guarantee that food additives used in the establishments wishing to export to the EU are limited to those included in the list of Annex I to the Directive No 95/2/EC.

The HACCP studied by the MT did not have standards equivalent to those set in Article 5 of Regulation (EC) No 853/2004.

Most of these deficiencies as well as the deficiencies mentioned with regards to HACCP had never been recorded in any of the CA inspection reports.

5.3.5 Official sampling

Legal requirements

Point 8 (c) of Article 4 of Regulation (EC) No 854/2004 indicates how the CA should take special care to take samples for laboratory analysis when necessary. Section F of Chapter II of Annex I to Regulation (EC) No 854/2004 specifies that the OV is to ensure that sampling takes place in the context of different scenarios.

Findings

At the moment the official analyses of PM, eggs and their products is carried out by the SCVMU following two sampling schemes: "The minimum sampling requirements" set by the Order of the Ministry of Agrarian Policy No 87 of 2003 and *Salmonella* control plan which was approved on 21 May 2009.

There are also several pieces of legislation in place specifying the sampling procedure and preparation of samples in general for all samples taken at different levels of the production chain. In general it was noted by the MT that an extensive number of samples was taken and many analyses were carried out through the whole production chain,

however some deficiencies in both sampling schemes were noted.

“The minimum sampling requirements” specify food category, parameters (microbiological/chemical) and limits for all kind of products to be tested. The MT noted that samples were taken at regular intervals following the frequency of the above mentioned scheme.

a) “*The minimum sampling requirements*”

The MT also noted that:

- - o at the moment there are no sampling requirements for testing for *E.coli* and aerobic colony count in minced meat and meat preparations as required by Commission Regulation (EC) No 2073/2005
 - o in the egg products establishment no samples are being taken for analyses of the 3-OH-butyric acid and lactic acid in the dry matter of the unmodified egg product., lactic acid in raw material and the quantity of eggshell remains, egg membranes and any other particles in the processed egg product as required by Commission Regulation (EC) No 853/2004. It was explained to the MT that at the moment there is no laboratory in Ukraine performing these analyses and in the past only one sample was taken for own checks in the establishment visited and sent for analysis of 3-OH-butyric acid to a German laboratory.

b) *Salmonella control plan*

A general *Salmonella* control plan was prepared at central level including requirements for testing for the whole production chain (including hatchery, farms, SH, CP and processing establishments). This plan was sent to all regional offices and regional laboratories for any comments; the final plan was prepared and approved by the Order of the Chief Veterinary Officer of Ukraine No 68 from 21 May 2009. Each region then submitted its final plan and Order to the district offices and district laboratories where a concrete plan for each complex and each stage of production in this complex within the district was prepared. The MT was provided with a copy of these specific plans in all regions visited. As the plan was approved and signed only at the end of May, at the time of the current mission only first samples had been taken at the farm level.

The MT also noted that:

- - o both general and specific plans include category, frequency and composition of samples. However the current plans do not include the interpretation of results (number of units comprising the sample and number of samples giving values between the lower and upper limit) as described in Annex I to Commission Regulation (EC) No 2073/2005.
 - o the frequency of sampling of neck skins from carcasses after chilling is at the moment set at once every 10 days, however under Commission Regulation (EC) No 2073/2005 this should be done at least once a week
 - o Concerning *Salmonella* controls at farm level, (requirements for export of table eggs to the EU) the plan is prepared for five *Salmonella* serotypes (*S.enteritidis*, *S.hadar*, *S.infantis*, *S.typhimurium* and *S.virchow*), however in

the case of positive result this plan specifies only measures (regarding live poultry and products produced from them) to be taken in the case of Pullorum disease (caused by *S.pullorum*). There is another piece of national legislation, which was in place already before the Salmonella plan came into force which specifies measures to be taken in the case of presence of *S.enteritidis*.

- o the size and number of units forming the sample taken at farm level is much lower than in the Community legislation and therefore the test sensitivity cannot be considered as equivalent.

The MT saw evidence of regular controls in establishments carried out by the PHS as well as their results from analyses of water and final products. These samples were being taken independently from those taken by the SCVMU and analysed by PHS laboratories.

Water analysis is carried out twice a year when chemical (a number of parameters) and microbiological (*E.coli*, *Enterobacteriaceae* and total bacterial count) parameters are checked.

In the establishments visited the PHS took samples from final products or meat two or four times a year depending on the establishment. The following parameters were checked: *Salmonella*, *L. monocytogenes*, *Enterobacteriaceae*, *Proteus*, *Staphylococcus* and Mesophyll aerobic count.

No samples of water, PM, eggs or products taken by the SCVMU, PHS or within the framework of own checks have been tested positive in any of the establishments visited within the period of last two years.

Conclusions

An extensive number of samples is taken at the different stages of productions by both official services, and many analyses are carried out. However this is not always done in equivalence with Community requirements with regard to frequency, preparation of sample or obligatory parameters to be tested in different types of products.

Furthermore, as the *Salmonella* control plan was approved and signed only at the end of May 2009, at the time of the current mission only first samples had been taken at the farm level. Therefore it was not possible for the MT to fully evaluate its implementation. The plan does not specify measures to be taken in the case of occurrence of *S.typhimurium*.

5.4 LABORATORIES

Legal requirements

Article 46 of Regulation (EC) No 882/2004 indicates how Commission controls in third countries will have particular regard to the resources available to the CA, including diagnostic facilities. Article 5 of Regulation (EC) No 2073/2005 contains some specific rules for testing and sampling.

Findings

The analyses of official samples from PM, eggs and their products is carried out by the

network of state laboratories of veterinary medicine. The central laboratory is the State Scientific and Research Institute for Laboratory Diagnostics and Veterinary and Sanitary Expertise (SRILDVSE) based in Kiev and it is responsible for the supervision of 27 State Regional (SRL) and City Laboratories and 425 State District and Town Laboratories. All of these laboratories are accredited by the National Accreditation Body and seven of these laboratories including the central one are also accredited in accordance with EN ISO/IEC 17025 by the German Accreditation Body.

Proficiency tests are organised by the central laboratory for all laboratories under its supervision. The MT was provided with the results of these proficiency tests in the regional laboratory visited and the results were satisfactory. Furthermore, since 2003, the central laboratory participates in the proficiency tests organised by the Community Reference Laboratory (CRL).

The SRL visited is responsible for analyses of the official samples from PM, eggs and their products taken within the region. The laboratory has adequate facilities and competent staff. The MT was informed that in the case of positive result both relevant district and regional veterinary administrations would be immediately informed. There is a documented system in place regarding the samples and the MT was provided with a number of official analyses results and documentation accompanying samples from the time of reception until the final results.

Conclusions

All laboratories analysing official microbiology tests are accredited by the National Accreditation Body and seven of these laboratories including the central one are also accredited in accordance with EN ISO/IEC 17025 by the German Accreditation Body.

The laboratory visited by the MT has adequate facilities, competent staff and it regularly participates in proficiency testing.

6 OVERALL CONCLUSION

There is a control system in place which includes daily supervision and regular controls in the establishments and poultry farms. However, this system needs to be adjusted to be at least equivalent to the requirements of Community legislation especially with regards to the implementation of HACCP plans, the procedure for granting approval to establishments wishing to export to the European Union and sampling requirements. The knowledge of Community requirements by staff directly involved in the official controls in establishments appears to be very limited. Overall the system currently in place to control poultry meat, eggs and their products in Ukraine cannot at present give guarantees that these commodities have been produced with standards at least equivalent to those required by Community legislation.

7 CLOSING MEETING

During the closing meeting held in Kiev on 18 June 2009, the MT presented the findings

and preliminary conclusions of the mission to the CA.

During this meeting, the CA acknowledged all the findings and preliminary conclusions presented by the MT and gave a commitment to correct the deficiencies in a short time, including the approval procedure for establishments and sampling requirements.

8 RECOMMENDATIONS

The CA should provide Commission services with an action plan, including a timetable for its completion, within one month of receipt of the report, in order to address the following recommendations for PM, eggs and their products intended to be exported to the EU.

No.	Recommendation
1	The CA should guarantee that establishments wishing to export to the EU comply with their obligations as laid down in Annex II and Sections II, V and X of Annex III to Regulation (EC) No 853/2004 and Annex II to Regulation (EC) No 852/2004.
2	The CA should ensure that establishments wishing to export to the EU are approved in line with Point 1, Article 3, Chapter II of Commission Regulation (EC) No 854/2004.
3	The CA should guarantee the conditions regarding AMI and PMI are at least equivalent to those required in Chapter V, Section IV, Annex I to Regulation (EC) No 854/2004. Furthermore, the CA should ensure that slaughtered poultry can be inspected properly during PMI. In particular and in order to allow OV to verify that meat does not show soiling, faecal or other contamination in line with Point 1(s), Chapter V, Section II, Annex I to Commission Regulation (EC) No 854/2004, the poultry carcasses should not be rinsed before the post-mortem inspection has been carried out.
4	The CA should guarantee that food additives used in the establishments wishing to export to the EU are among those included in the list of Annex 1 of European Parliament and Council Directive No 95/2/EC.
5	The CA should ensure that the official veterinarians participating in the EU certification chain are familiar with the Community requirements as referred to in the EU export certificates (Part II.2, Annex III to Commission Decision (EC) No 2007/777) and in the commodity specific EU export certificates (Part 2, Annex I, to Commission Regulation (EC) No 798/2008).
6	The CA should ensure that the Salmonella sampling and analysis of PM, eggs and their products are carried out in line with the requirements of Chapter 1 and 2 of Annex I to Regulation (EC) No 2073/2005 and follow the rules for sampling and preparation of test samples in line with Chapter 3 of the same Regulation
7	The CA should ensure that Salmonella sampling (frequency and composition of samples) carried out in laying hen farms producing table eggs to be exported to the EU is carried out in line with the requirements of Commission Regulation (EC) No 1168/2006 and covers the guarantees given in point II.2.5 of the model

No.	Recommendation
	veterinary certificate for eggs of Commission Regulation (EC) No 798/2008.
8	The CA should ensure that temperature requirements and duration of storage of frozen MSM is carried out in accordance with those established by Point 4 (f), Chapter III, Section V of Annex III to Regulation (EC) No 853/2004.
9	The CA should ensure that HACCP plans are properly implemented and that FBOs maintain a permanent procedure based on HACCP principles as is established in Article 5 of Regulation (EC) No 852/2004.

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

http://ec.europa.eu/food/fvo/ap/ap_ukraine_8334_2009.pdf

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Decision 2007/777/EC	OJ L 312, 30.11.2007, p. 49–67	2007/777/EC: Commission Decision of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC
Directive 93/119/EC	OJ L 340, 31.12.1993, p. 21–34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
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 2003/99/EC	OJ L 325, 12.12.2003, p. 31–40	Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC
Regulation (EC) No 2160/2003	OJ L 325, 12.12.2003, p. 1–15	Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents
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	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

Reference	OJ Ref.	Detail
	and re-published in OJ L 226, 25.6.2004, p. 83	official controls on products of animal origin intended for human consumption
Regulation (EC) No 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
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 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
Regulation (EC) No 1168/2006	OJ L 211, 1.8.2006, p. 4–8	Commission Regulation (EC) No 1168/2006 of 31 July 2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in laying hens of Gallus gallus and amending Regulation (EC) No 1003/2005
Regulation (EC) No	OJ L 226, 23.8.2008, p.	Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries,

Reference	OJ Ref.	Detail
798/2008	1-94	territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements