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FINAL REPORT OF A MISSION
CARRIED OUT IN
THE CZECH REPUBLIC
FROM 04 FEBRUARY TO 08 FEBRUARY 2008
IN ORDER TO
ASSESS THE OFFICIAL CONTROL SYSTEMS IN PLACE FOR FOOD HYGIENE
(WITHIN THE MEANING OF REGULATION (EC) NO 852/2004), TRACEABILITY
AND LABELLING

Executive Summary

This mission to assess the official control systems in place for food hygiene (within the meaning of Regulation (EC) No 852/2004), bottled waters, traceability and labelling in the Czech Republic is part of a series of missions to all Member States with similar objectives. The report is the result of a mission conducted by a team of two Food and Veterinary Office (FVO) inspectors from 4 to 8 February 2008.

Since the last FVO food hygiene mission in October 2005, there have not been major changes in the structure of the Competent Authorities (CAs) responsible for food hygiene. With regard to recognition of natural mineral water sources, the Ministry of Health (MH) is the responsible CA.

The annual control programme – inspection and sampling - includes national and regional activities, on the basis of risk assessment. The CAs have the legal powers to carry out official controls and impose sanctions on operators in cases of non compliances.

The inspections observed were in general well structured and focused on general hygiene requirements, procedures based on HACCP principles, labelling of allergens and traceability. The sampling demonstration during an on site control visit was satisfactory.

The Czech Agriculture and Food Inspection Authority (CAFIA) planned frequency of inspection for traceability, the Hazard Analysis and Critical Control Points (HACCP) system and hygiene is not fully in line with the requirements of Article 3.1 of Regulation (EC) No 882/2004. The frequency of controls planned by the CAFIA in high risk premises, every 5 years, is not sufficient to achieve the objectives of this Regulation.

There are 27 Good Hygiene Practice guides which have been validated by the CAs in accordance with the requirements of Article 8 of Regulation (EC) No 852/2004.

There are 15 MH and 1 external laboratories, all accredited to ISO 17025, approved to perform official control analysis. The laboratory visited was adequately structured and staffed to perform its current official control responsibilities.

Overall, the Czech Republic has a clearly defined structure of CAs responsible for food hygiene with adequate vertical and horizontal communication. Nevertheless, a shortcoming has been identified as regards inadequate frequency of official control.

The report makes a recommendation to the CAs of the Czech Republic.

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
CA	Competent Authority
CAFIA	Czech Agriculture and Food Inspection Authority
CCA	Central Competent Authority
CCP	Critical Control Point
EU	European Union
FVO	Food and Veterinary Office
GHP	Good Hygiene Practice
HACCP	Hazard Analysis Critical Control Points
LHO	Local Health Office
MA	Ministry of Agriculture
MH	Ministry of Health
RASFF	Rapid Alert System for Food and Feedstuffs
RPHO	Regional Public Health Office
SVA	State Veterinary Administration

1 INTRODUCTION

This mission to the Czech Republic took place from 4 to 7 February 2008. The mission team comprised two inspectors from the Food and Veterinary Office (FVO).

The mission was carried out as part of the FVO's planned mission programme.

The inspection team was accompanied, during the mission, by representatives from the Central Competent Authority (CCA), the Ministry of Agriculture (MA), the Ministry of Health (MH) and the Czech Agriculture and Food Inspection Authority (CAFIA).

An opening meeting was held on 4 February 2008 with the representatives from the CCA. At this meeting, the inspection team confirmed the objectives of and itinerary for the mission and additional information required for the satisfactory completion of the mission was requested.

2 OBJECTIVES OF THE MISSION

The objectives of the mission were:

- To evaluate the implementation of Regulation (EC) No 852/2004 on the hygiene of foodstuffs and Regulation (EC) No 882/2004 on official controls
- To evaluate the implementation of Community legislation regarding the general principles and requirements of food law, in particular the implementation of Article 18 of Regulation (EC) No 178/2002 regarding traceability
- To evaluate the transposition and implementation of Directive 80/777/EEC and Directive 98/83/EC, in particular the recognition procedure of natural mineral water sources and official inspections and controls carried out in relation to bottled water for human consumption
- To evaluate the transposition and implementation of Directive 2000/13/EC relating to the labelling, presentation and advertising of foodstuffs, in particular the implementation of provisions addressing the labelling of allergens
- Follow up of the last food hygiene mission DG SANCO 2005/7655.

In pursuit of these objectives, the following sites were visited:

Visits		Comments	
Competent Authority			
Competent Authority	Central	1	MA, MH and CAFIA
	Regional	2	CAFIA Regional Inspectorate in Tabor Regional Public Health Office in Liberec
Laboratories			
Microbiological analysis		1	Institute of Public Health in Liberec
Food processing establishments			
Processor		1	-one producer of natural mineral water -one producer of foodstuffs of non animal origin
Food Retailers		1	-one small supermarket
Restaurants		1	-one restaurant

3 LEGAL BASIS FOR THE MISSION

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

- Regulation (EC) No 882/2004, Article 45.

All legal references relevant for this mission are listed in Annex 1. Legal acts quoted refer, where applicable, to the last amended version.

4 BACKGROUND

A previous series of missions was carried out to all Member States from June 2004 to October 2005 with the objective of evaluating EU legislation on controls on the hygiene of foodstuffs. These missions also evaluated aspects of the veterinary legislation, in so far as they were applicable to butchers shops. The overview report of this series of missions is available on the Directorate General Health and Consumer Protection's Internet site at:

http://ec.europa.eu/food/fvo/specialreports/index_en.htm

The last mission carried out in the Czech Republic, DG/SANCO 2005/7655, by the FVO from 3 to 7 October 2005 concerning the above objectives can be found at:

http://ec.europa.eu/food/fvo/ir_search_en.cfm

This was the second food hygiene mission undertaken to the Czech Republic and it is the first mission for the above legal basis. It forms part of a series of missions to Member States with similar objectives concerning the evaluation of the implementation of Community legislation on official controls for food hygiene (within the meaning of Regulation (EC) No 852/2004), traceability, labelling and includes bottled water. The final reports of these missions are also available on the DG Health and Consumer Protection Internet site.

5 MAIN FINDINGS

5.1 LEGISLATION

Responsibility for food legislation in the Czech Republic falls within the competence of MA and MH. Acts are primary legislation which give powers to individual ministries to make secondary laws known as Decrees.

The main Czech legislation on foodstuffs, within the scope of this mission, is Act No 110/1997 Coll., on foodstuffs and tobacco products as amended, and Act No 258/2000 Coll., on the protection of the public health as amended. Both Acts provide for the sanctions applicable to infringements of food law.

The Decrees to Act No 110/1997, relevant to this mission, are Decree No 147/1998 Coll., on determination of critical points in the production technology as amended, the Decree No 211/2004 Coll., on methods of analysis and sampling and methods of preparation of control samples for checking food quality and food safety and safety of raw materials intended for food production and quality of tobacco products as amended, Decree No 113/2005 Coll., on foodstuff and tobacco products labelling as amended and the Decree No 275/2004 Coll., on requirements on quality and on health safety of bottled waters and on their treatment as amended. This Decree includes requirements especially on bottled water used for infants and small children, as regards labelling, treatment and quality, and those requirements go beyond the existing Community legislation.

The Decrees to Act No 258/2000, relevant to this mission, are the Decree No 137/2004

Coll., on hygienic requirements on catering service and on hygiene principles in case of epidemiologic risk activities as amended, and the Decree No 252/2004 Coll., on hygienic requirements on drinking water and on warm water and on frequency and range of checking drinking water as amended.

Regarding natural mineral water, the main Czech legislation is the Act No 164/2001 Coll., on natural health sources, natural mineral water sources, natural health spas and spa locations and on amendments of certain related Acts as amended. The Decrees to this Act, relevant to this mission, are the Decree No 370/2001 Coll., on examination on professional qualifications for expert supervision on exploitation and protection of natural medicinal waters and natural mineral waters and the Decree No 423/2001 Coll., on requirements on evaluation of natural medicinal sources and sources of natural mineral waters and details on their exploitation, requirements on environment and facilities of natural medicinal spas and particulars of expert report on exploitation of natural medicinal and on climatic conditions for medicinal purposes, natural mineral waters for production of natural mineral waters and on environmental conditions in natural medicinal spas (Decree on sources and spas).

According to the information provided by the CA, all Community Directives in the context of this mission have been transposed into the Czech national legislation.

5.2 COMPETENT AUTHORITIES

Since the last FVO food hygiene mission in October 2005 there have not been major changes in the structure of competent authorities (CA) responsible for food hygiene.

The Ministry of Health (MH), the Ministry of Agriculture (MA) and its supervisory body the Czech Agriculture and Food Inspection Authority (CAFIA) are the CCA for foodstuffs and food hygiene, within the scope of this mission. The distribution of responsibilities, strategic objectives and co-operation between these Ministries and CAFIA are described in the Country Profile of the Czech Republic: http://ec.europa.eu/food/fvo/country_profiles_en.cfm

5.2.1 Co-ordination and Communication

The interdepartmental Food Safety Coordination Group was set up at the MA to coordinate the activities of the various ministries, to set priorities, to ensure mutual cooperation between the competent state supervisory bodies, scientific committees, consumers and state administration, and to establish links with national food safety institutions in EU Member States and with EFSA. The Coordination group contains representatives of the MA, the MH, the CAFIA, the State Veterinary Administration (SVA), the Central Institute for Supervising and Testing in Agriculture, the State Phytosanitary Administration, and consumer and professional organizations. Coordination Group members approve the Multiannual National Control Plan and are obliged to implement it. Other tasks addressed by the Coordination Group include the coordination of the activities of scientific committees, the fulfillment of the project of a food safety information centre and information system, and the coordination of the RASFF system. The Coordination Group meets 4 times a year and is supported by 4 working groups (consumers, RASFF, feedstuffs and laboratories).

There is a written agreement between the MH and CAFIA on the division of tasks in the enforcement of food law. The agreement lists the type of food business operators that should be controlled by each body. The mission team received written evidence of the implementation of the agreement in the two regions visited.

Internal channels of communication exist between the CCA –MH and CAFIA- and its regional units. These include written instructions, regular meetings and the intranet of the CA.

5.2.2 Internal Audit

The MH has developed a standard methodology for internal audits that takes into account Commission Decision 2006/677/EC and ISO 19001. It was implemented in two Regional Public Health Offices (RPHOs) in 2007 and it is foreseen that all RPHOs will be audited by the end of 2009. In addition, the RPHOs have a supervisory function and the power to audit the local health offices (LHOs).

CAFIA adopts annually an internal audit programme that is implemented by its 18 internal auditors. Most audits focus on verifying that the aims of Regulation (EC) No. 882/2004 are achieved. An independent certification body assesses annually the efficiency of internal audits, as part of the evaluation of the compliance of the CAFIA quality management system with ISO 9001:2000. The mission team was informed at the CAFIA Regional Inspectorate in Tabor that audits take place 3 times a year and received documentary evidence of the recommendations of the last one.

5.2.3 Resources and Training

The MH employs 366 inspectors involved in official control of the hygiene of foodstuffs. This includes 119 university graduates and 247 inspectors with secondary school education. Inspectors receive basic training after entering the service and continuous training is organised at central and regional level. The 2007 MH training plan included courses on HACCP (Hazard Analysis Critical Control Points), Listeria, Commission Regulation (EC) No 2073/2005, controls in the catering sector and internal audits under Community legislation. The RPHO in Liberec, visited by the mission team, was staffed with 16 food hygiene inspectors allocated to 4 LHOs. The head of each local unit team was a university graduate.

CAFIA staff in the Control, Laboratory and Certification Department, responsible at central level for food hygiene controls, amounts to 23. At regional level, 221 inspectors, 18 Heads of Control Units and 7 Directors of Control Departments are involved in food hygiene controls. The 2007 CAFIA training plan included courses such as risk assessment of occurrence of Listeria in foodstuffs, quality of microbiological laboratories, HACCP and food safety audits. The CAFIA Regional Inspectorate, visited by the mission team, was staffed with 38 inspectors, 23 of them with university education. The mission team received evidence of the training followed by some of the inspectors at regional and national level.

5.2.4 Crisis Management

Further to the requirements of Commission Decision No 2004/478/EC concerning the adoption of a general plan for food/feed crisis management, the 'Manual for the management of emergencies and crises relating to food and feed safety' was issued. This document offers a description of the cooperation of the MA, the MH and the supervisory authorities in the preparation, collection and processing of information for more effective and faster crisis management in the field of food and feed safety. It is intended for officials involved in controls, and defines the obligations of stakeholders. According to the Manual, the crisis coordinator is supported by a working group for informative support at solving extraordinary events or crisis situations in the food and feed safety area. The mission team was informed that there had never yet been the need to call a meeting of the working group.

5.3 COMPETENT AUTHORITY CONTROLS

5.3.1 Registration of Food Premises

Under Act No 258/2000 Coll., any operator intending to start a catering business must notify the RPHO to be registered in the Food Hygiene Information System. The notification includes the scope of the activity, starting date and address. In case of termination of activity, the operator has also to inform the CA.

Under Act No 110/1997 Coll., any food business operator, carrying out activities under the control of CAFIA, must notify the commencement and termination of the activities of each establishment to the supervisory body.

A few business operators that are under the control of CAFIA and the MH should register with both.

5.3.2 Recognition of Natural Mineral Water Sources

Under Act No 164/2001 Coll., as amended, the MH has recognised 12 natural mineral waters. Currently, no Third Country natural mineral water has been recognised in the Czech Republic.

The procedure for recognising a natural mineral water in the Czech Republic starts with the submission of an application by the operator to the MH. The MH issues a certificate recognising the mineral water source and authorising its exploitation. The certificate includes the source location, information on the composition of the water and its properties, the hydrogeological, chemical, physical and microbiological monitoring of the source, the approved treatments, and the suitability and possibility of exploitation of the source. Information on the certificate is published, as an announcement, in the Czech Official Gazette. The recognition may be withdrawn if the source is no longer complying with the characteristics described in the certificate. The operator should ensure expert supervision of the source and should report to the MH any deviation from the issued certificate. Natural mineral water operators have to register with CAFIA (see 5.3.1).

Decree 275/2004 Coll. defines the requirements that spring water should fulfil in line

with Directive 80/777/EEC. However, recognition of spring water is not regulated as such. The water management administrative authorities grant permits for the exploitation of any water source, including spring water sources, for bottling and resale. No official controls are performed to assess the requirements provided by Article 9.4a of Directive 80/777/EEC, regarding spring waters, before granting these permits. Under Decree 275/2005 Coll, the operator should perform periodically microbiological and chemical analysis, as listed in Article 9 of the Directive. The CA informed the mission team that CAFIA inspectors, when performing official controls at spring water establishments, usually request evidence of these analysis. There is no national registry of spring waters but the water management authorities maintain registries of all water sources that have been granted permits. Spring water operators have to register with CAFIA (see 5.3.1) and a total of 21 spring waters were marketed at the time of the mission.

Details of the results of official control analysis for natural mineral water and spring water carried out by CAFIA in 2006 have been summarised in Table C of Annex II.

5.3.3 Organisation of Controls

The Public Health Promotion and Protection Section of the MH draws up the annual national monitoring plan for official controls on catering and food contact materials. Implementation is by the 14 RPHOs, which are subdivided into 79 LHOs. Based on this plan the RPHOs draw up their own annual plans. The central plan covers 80% of the control activities while the remaining 20% is left to the discretion of each RPHO. The plans are drawn up in accordance with the guidelines of the Chief Public Health Officer, based on the 'Methodology for the Preparation of Control Plans' for the given year. The control plans are assessed every year and, based on results from previous years, are modified for the next year. Comparisons are run between regions and the causes of any differences in implementation are identified.

The frequency of controls by the MH is derived from the control plan and is based on the risk categorisation of the catering establishment. This depends on the nature of the activities performed and the target group of consumers, i.e. greater attention is paid to mass caterers, within the health and social services, and meals for children. In the RPHOs, the planned frequency of inspection for restaurants and catering establishments is annual or every two years, depending on the specific type of establishment.

Within CAFIA, the Control, Laboratories and Certification Department is responsible for drawing up national monitoring plans. The plan is developed based on RASFF notifications, amendments to legislation, outcomes from inspections and opinions from the regional inspectorates. Based on this plan each regional inspectorate prepares its own annual plan. Operational instructions for the implementation of the annual plan are issued to the 7 regional inspectorates. Planning, implementation and evaluation of controls are in accordance with ISO 9001. All control data is entered into the CAFIA food safety information system, which is used to monitor follow-up actions of previous controls.

The CAFIA controls over the 2007–2009 period include so called comprehensive controls (food hygiene, traceability and HACCP) in primary producers, food processors, carriers, distributors, retail establishments and food distribution centres, unless such controls are the competence of the SVA. In addition, thematic controls, during this

period, focus on food labelling, adulteration and safety.

The frequency of inspections by CAFIA is determined by risk categorisation of registered food business operators. Operators are classified, using documented risk assessment criteria, according to the hazard associated with the foodstuff, and the size of the establishment as high, medium and low risk. The planned frequency of comprehensive controls for high risk establishments, without a previous history of non-compliance, is of a minimum of five years. There is no planned frequency of comprehensive controls for establishments categorised as either medium or low risk, without a previous history of non-compliance.

Details of the results of official controls, inspections and samples, carried out by CAFIA in 2006 have been summarised in Tables A and B of Annex II.

5.3.4 Hygiene and HACCP at on site control visits

The mission team visited a number of food premises, namely a bakery, a mineral water plant, a restaurant and a small supermarket in the 2 regions visited. The mission team was accompanied by the inspectors responsible for the food premises visited. The MH and CAFIA have issued several instructions that detail the procedures to follow by the inspectors when performing official control activities.

The mission team observed during the visit to the bakery the follow-up to a previous food hygiene inspection, which had identified several non-compliances (insects in equipment, risk of industrial oil contaminating foodstuffs, belt carrier for dough torn), as well as the assessment of the HACCP system. The food business operator had received a warning from the CAFIA Regional Inspectorate with a deadline for correcting the non-compliances. After the deadline, a follow-up inspection reported that still one non-compliance had not been fully corrected and a future follow-up was scheduled. CAFIA Internal Regulation No. 001/2007 – "Procedure for Performing Complex Controls of Hygiene Conditions during Production and Releasing Foodstuffs into Circulation" includes binding instructions for hygiene and HACCP inspections and was available to the inspectors during the visit. With regard to the procedures on HACCP, the inspector assessed the company manual, the HACCP team, the flow charts, the hazard analysis, the critical control points (CCPs), the thresholds, the monitoring records and the corrective measures.

The mission team observed also the follow-up to the food hygiene inspection of a restaurant. The restaurant had been inspected in June 2006 and January 2007, non-compliances had been detected, a deadline for correcting them was decided and a fine was imposed. The inspector considered that all non-compliances, except small shortcomings, had been corrected. The inspector followed the requirements of Annex II of Regulation (EC) No 852/2004.

The mission team observed also the food hygiene inspection and the assessment of the HACCP system of a small supermarket. The supermarket had been inspected in December and June 2007. The inspector followed CAFIA Internal Regulation No. 001/2007 and the requirements of Annex II of Regulation (EC) No 852/2004.

The mission team observed also the inspection of a mineral water plant for hygiene

pre-requisites, traceability and the HACCP system. Regarding the HACCP system, the inspector assessed the flow charts, the hazard analysis, the CCPs and the monitoring systems. The inspection followed the requirements of the relevant EU legislation.

5.3.5 Sampling and Analysis

Under Decree No 211/2004 Coll, the RPHOs of the MH decide on number of samples to be collected to fulfil the long-term sampling averages. These depend on risk groups of meals and food in relation to establishments and the epidemiological situation. The minimum number of samples should be 5% of the prescribed number of inspections. When sampling is planned for microbiological monitoring, only one sample is taken. If the sample reveals the presence of the micro-organism it was tested for, the same type of product will be sampled as provided under Regulation (EC) No 2073/2005. When sampling is part of an official control, operators are informed on the possibility to ask for a duplicate sample.

The Standardized Procedures for Sampling of Foods and Meals, issued by the MH, take into account the Commission Guidance Document on official controls, under Regulation (EC) No. 882/2004, concerning microbiological sampling and testing of foodstuffs. They are accessible to all inspectors in written and electronic format and include the standardized forms for sampling reports, transport of samples to the laboratory and laboratory analysis of samples. The national list of sampling and testing methods for food microbiology is annexed to the non-binding national technical standard CSN 56 9609 Guides to good hygiene and manufacturing practice – Microbiological criteria for food.

The CAFIA annual control plan includes the laboratory capacity plan. This lists the maximum number of samples that can be taken and sent to CAFIA laboratories for a required analysis. The maximum number of samples includes both the number of samples taken within the scope of all scheduled centrally managed controls and the number of samples intended for regional inspectorates' own control actions. Each inspectorate is assigned a maximum number of samples per month and the laboratories where to send the samples.

The mission team observed the sampling of natural mineral water at a bottling plant. The CAFIA inspectors implemented the Internal Regulation No. 017/2004 – "Principles for Sampling and Preparation of Samples of Raw Materials, Foodstuffs and Other Products" and selected 2 bottles of finished products for chemical analysis. The sample and counter-sample were labelled and sealed and the counter-sample was kept by the operator.

5.3.6 Traceability and labelling

Instructions to inspectors on how to assess traceability requirements are included into CAFIA Internal Regulation No. 001/2007 – "Procedure for Performing Complex Controls of Hygiene Conditions during Production and Releasing Foodstuffs into Circulation". The mission team observed that the assessment of the traceability system by the inspectors, in the mineral water plant visited, followed the requirements of Regulation (EC) No 178/2002.

The mission team also observed the assessment of the labelling procedures for allergens, by the inspector, during the visit to the bakery. The inspection was well structured and fulfilled the requirements of Directive 2000/13/EC.

5.3.7 Enforcement

CAFIA and the MH implement the requirements of Articles 54 and 55 of Regulation (EC) No 882/2004 regarding legal powers (to gain access to premises, to examine and seize documents, to take samples for evidence or analysis) and powers to impose sanctions.

In case of non compliances, CAFIA and the MH can prohibit the placing on the market of foodstuffs, order the recall, withdrawal and destruction of food, close the establishment, and impose sanitation measures and fines.

The mission team was provided with documentary evidence of administrative sanctions to operators in cases of non compliance, during the visits to the regions.

5.3.8 Guides to Good Hygiene Practice

The Guides have been developed by food business sectors, producer's organisations and representatives of other interested parties, in consultation with the CA.

At present, there are 27 Good Hygiene Practice Guides which have been assessed by either one of the supervisory bodies of the MA or the MH, following the requirements of Article 8 of Regulation (EC) No 852/2004. These apply mainly to the restaurant and catering sectors, milk industry, bakeries, fish, poultry, meat and egg products, frozen foodstuffs and mineral water.

The mission team was informed by several of the operators of the establishments visited that they had not purchased the official Good Hygiene Practice Guides but they availed of guidelines prepared by the company or other bodies.

5.4 OFFICIAL CONTROL LABORATORIES

General Organization

There are a 15 MH laboratories, 14 of them included in the regional Institutes of Public Health, designated to perform official controls of foodstuffs samples in 2008. CAFIA has designated one private laboratory in Slovakia to perform official controls for microbiology. This is a delegated control body under Article 5 of Regulation (EC) No 882/2004. All laboratories are accredited according to ISO 17025.

The 3 Reference Laboratories for Natural Healing Sources perform the official mineral water analysis required before authorization or renewal of authorization of the source. They are under the MH and are certified under ISO 9001:2000 and ISO 14001:2004.

Laboratories visited

The mission team visited the Laboratory of the Institute of Public Health in Liberec, which belongs to the Ministry of Health. This laboratory is one of the laboratories approved in Czech Republic to perform official food control analysis.

The laboratory employs five staff, two of which have university degrees. The total number of samples received in 2006 for food microbiological analysis was about 1799 and in 2007 the figure was approximately 1320.

The laboratory was reaccredited to ISO 17025 in 2003 and in January this year. The scope of the accreditation is quite comprehensive and includes all the parameters within the scope of this mission.

Quality control procedures are in place. Reports on the most recent external and internal audits were made available to the mission team and training records for staff members were in place. Staff has been trained in different analytical methods.

Performance in proficiency testing schemes/interlaboratory comparative analyses was good with no ongoing problems.

The mission team made a general evaluation of the laboratory system for sample reception, processing and reporting. In the sample reception area, samples are brought in by inspectors of the Liberec RPHO together with a form containing all details regarding the sample and the analytical parameters to be performed. This data is entered into a database, and a serial number is assigned to the sample. Samples are handled anonymously in the laboratory. The temperature of the sample is not monitored on arrival at the laboratory reception.

Samples which are the subject of microbiological analysis are accepted and analysed the same day. All parameters are analysed according to the relevant ISO technical method.

The laboratory does not decide whether the sample complies with legislation or not, this is the responsibility of the inspection service who collected the sample. For this reason data on non-compliance is not available at the laboratory.

The mission team also visited the Laboratory of the Public Health Institute of Ceske Budejovice. This Laboratory had not performed any official control of natural mineral water or spring water since April 2007 and such controls are not planned in the future. Therefore, no information is included in the report because its activity regarding natural mineral water and spring water is not within the scope of the mission.

5.5 FOLLOW UP TO MISSION 2005/7655

Recommendation in mission 2005/7655	Follow up in mission 2008/7838
Encourage the development of guides to Good Hygiene Practice for all food sectors, in particular for those sectors covered by the scope of this mission as well as to notify the guides to the Commission as required by Article 5 of Council Directive 93/43/EEC (repealed by Reg (EC) No 852/2004)	Satisfactorily addressed. See 5.3.8.
Ensure that inspections include a general assessment of all the potential food safety hazards associated with food businesses (Art 8 of Council Directive 93/43/EEC (repealed by Reg (EC) No 852/2004)), and ensure that traceability requirements are included within the scope of the inspections (Art 18 of Regulation (EC) No 178/2002)	Satisfactorily addressed. See 5.3.6.
Ensure that sampling bags are adequate to prevent secondary contamination	Satisfactorily addressed. A copy of "Methodological Instruction No. 4/2006 (2006/312/RED) concerning sampling of foodstuffs, raw materials, feedingstuffs and drinking water within official controls performed to ensure verification of compliance with feed and food law" was provided to the mission team.
The CAFIA should take actions to address the low level of enforcement in terms of the frequency of establishments inspected coming under its remit	Not satisfactorily addressed. See 5.3.3 and recommendation (1) below.

6 CONCLUSIONS

(1) According to the information provided by the CAs, all Community Directives within the scope of this mission have been transposed.

- (2) There is adequate communication between the CCAs and their regional departments.
- (3) There is effective coordination between the MH and CAFIA in the enforcement of food law (Article 4.3 of Regulation (EC) No 882/2004).
- (4) Training of MH and CAFIA staff is well planned and organized at central and regional level (Article 6 of Regulation (EC) No 882/2004).
- (5) There is an adequate operational contingency plan for food crisis (Articles 4.2 (f) and 13 of Regulation (EC) No 882/2004).
- (6) There is an adequate system in place for registration of food premises (Article 31 of Regulation (EC) 882/2004).
- (7) The recognition of natural mineral water sources is in line with Council Directive 80/777/EEC.
- (8) The CAFIA planned frequency of inspection for some food operators is not fully in line with the requirements of Article 3.1 of Regulation (EC) No 882/2004.
- (9) The MH and CAFIA have issued several instructions that detail the procedures to follow by the inspectors when performing official control activities.
- (10) The inspections evaluated were in general well structured and focused on general hygiene requirements, procedures based on HACCP principles, labelling of allergens and traceability.
- (11) The sampling observed during the on site control visits was satisfactory (Article 10 of Regulation (EC) No 882/2004).
- (12) CAFIA and the MH have adequate legal powers of enforcement.
- (13) There are 23 Good Hygiene Practice guides which have been assessed by the CAs in accordance with the requirements of Article 8 of Regulation (EC) No 852/2004.
- (14) The laboratory visited is adequately structured and staffed to perform its current official control responsibilities (Article 12 of Regulation (EC) No 882/2004).
- (15) All recommendations from mission 2005/7655 have been satisfactorily addressed, except the low level of enforcement in terms of the frequency of inspections of establishments by CAFIA.

Overall conclusion

The Czech Republic has a clearly defined structure of CAs responsible for food hygiene, with vertical and horizontal communication pathways in place. Nevertheless, a shortcoming has been identified regarding planned frequency of inspections in some sectors.

7 CLOSING MEETING

A closing meeting was held on 8 February 2008 with the central competent authorities, the MH, the MA, CAFIA and the Ministry of the Environment. At this meeting, the inspection team presented the initial findings and conclusions of the mission. The

representatives of the CAs provisionally accepted these findings and offered some clarifications and comments.

8 RECOMMENDATIONS

An action plan in response to the recommendations should be forwarded to the Commission within 25 days of receipt of the report. This action plan should clearly set out the manner and deadline by which the competent authorities will address each of the following recommendations:

No.	Recommendation
1	To ensure that food business operators are inspected regularly and with appropriate frequency, as required by Article 3.1 of Regulation (EC) No 882/2004.

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

http://ec.europa.eu/food/fvo/ap/ap_the_czech_republic_7838_2008.pdf

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
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 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 178/2002	OJ L 31, 1.2.2002, p. 1–24	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
Directive 2000/13/EC	OJ L 109, 6.5.2000, p. 29–42	Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs
Directive 80/777/EEC	OJ L 229, 30.8.1980, p. 1–10	Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters
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 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
Decision 2006/677/EC	OJ L 278, 10.10.2006, p. 15–23	2006/677/EC: Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to

Reference	OJ Ref.	Detail
		verify compliance with feed and food law, animal health and animal welfare rules
Decision 2004/478/EC	OJ L 160, 30.4.2004, p. 98, corrected and re-published in OJ L 212, 12.6.2004, p. 60	2004/478/EC:Commission Decision of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management
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