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Directorate F - Food and Veterinary Office

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FINAL REPORT OF A MISSION CARRIED OUT IN PERU FROM 18 MARCH TO 26 MARCH 2009 IN ORDER TO ASSESS THE CONTROL SYSTEM IN PLACE TO CONTROL MYCOTOXIN CONTAMINATION IN SPICES INTENDED FOR EXPORT TO THE EUROPEAN UNION

Executive Summary

This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in Peru from 18-26 March 2009.

The objectives of this mission were to evaluate the facilities and measures in place to control mycotoxin contamination in spices intended for export to the European Union (EU). Peru exports around 16 000 tonnes of paprika to the EU, mainly to Spain. Nine notifications were circulated through the Rapid Alert System for Food and Feed (RASFF) system in 2007 for mycotoxins, none in subsequent years.

There is no official control system in place falling within the scope of this mission and the export of paprika consignments to the EU takes place without official control as regards mycotoxin contamination.

There is general legislation in this field since 2008, laying down control powers and designating SENASA (Plant Health National Service) as the competent authority (CA), but specific implementing legislation is not yet available. In particular, there is no inspection at any stage of the paprika chain, no sampling plan, and no laboratory capability. No research activities have taken place in this field.

The producers visited apply general Good Agricultural Practice (GAP) to some extent but this does not include specific recommendations to prevent mycotoxin contamination. The paprika is sun-dried directly on the ground without any protection from the soil which could contribute to fungal contamination. Sorting takes place only after the drying process and no controls are carried out to evaluate the effectiveness of this drying step.

Traceability to farmers was possible in all paprika processing companies visited. However, at the export point the consignment observed was not labelled. None of the paprika processors have implemented food safety procedures based on HACCP principles. Most of the establishments are not in line with the general hygiene requirements of Article 10 of Regulation (EC) No 852/2004 in conjunction with Article 4 (Annex II) of that Regulation and with the requirements of the Code of Hygienic Practice for Spices and Dried Aromatic Plants (point 4.3 CAC/RCP 42-1995) adopted by the Codex Alimentarius.

The State laboratory visited is preparing a method of analysis and has most of the equipment but it will take some time to have the method validated and accredited.

Overall, there is no official control system in place to ensure that exported consignments of paprika are in line with EU standards. Official control procedures on mycotoxins are being developed (sampling, laboratory method and export certification system). Shortcomings were identified with regard to the design of facilities and the application of procedures based on HACCP. The absence of implementation of appropriate GAP to minimise fungal infection and the climate conditions may lead to mycotoxin production.

This report makes a number of recommendations to the Peruvian authorities to address the deficiencies noted.

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
CA	Competent Authority
CCA	Central Competent Authority
CN	Combined Nomenclature
EU	European Union
FAPAS	Food Analysis Performance Assessment Scheme, UK
FBO	Food Business Operator
FVO	Food and Veterinary Office
GAP	Good Agricultural Practice
GHP	Good Hygiene Practice
GMP	Good Manufacturing Practice
HACCP	Hazard Analysis and Critical Control Point
ISO	International Organisation for Standardization
LC-MS/MS	Liquid Chromatography - Tandem Mass Spectrometry
MS	Member States
OJ	Official Journal of the European Union
OTA	Ochratoxin A
RASFF	Rapid Alert System for Food and Feed
SANCO	Health and Consumers Directorate-General
SENASA	Plant Health National Service (Servicio Nacional de Sanidad Agraria)
UV	Ultraviolet

1 INTRODUCTION

The mission took place in Peru from 18-26 March 2009. The mission team comprised two inspectors from the FVO and one expert from the Institute for Reference Materials (DG Joint Research Centre).

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

The inspection team was accompanied during the mission by representatives of the central competent authority (CCA), SENASA of the Ministry of Agriculture.

An opening meeting was held on 18 March 2009 on the premises of SENASA, attended by representatives of SENASA, of the Ministry of Health, and of the private sector. During this meeting, the objectives of the mission and its itinerary were finalised and confirmed by the mission team.

2 OBJECTIVES OF THE MISSION

The objectives of the mission were:

To verify whether the control systems are in place to control mycotoxin contamination in spices intended for export to the EU within specified European Union contaminant limits, complying with or being at least equivalent to Commission Regulation (EC) No 1881/2006.

To achieve these objectives, the following visits were carried out in accordance with the itinerary agreed between SENASA and the FVO:

Competent Authority visits			**Comments**
Competent authority	Central	1	SENASA
	Provincial	3	SENASA Ica SENASA Arequipa SENASA. Lima-Callao
Laboratory visits			
Public laboratories SENASA		2	Laboratory for the analysis of toxic residues (Centre for the Control of Commodities and Toxic Residues) — Laboratorio de análisis de residuos toxicos) (Centro de Control de Insumos y Residuos Toxicos) Plant Health Diagnosis Centre (Centro de Diagnostico de Sanidad Vegetal).
Establishments visited			
Paprika farms		8	Ica and Arequipa
Paprika processors and export establishments		4	Ica and Arequipa
Ports of export			
Lima-Callao		1	Main port of export of paprika

3 LEGAL BASIS FOR THE MISSION

3.1 LEGAL BASIS

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

- Article 46 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

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

3.2 OTHER RELEVANT LEGISLATION

Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004.

Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002.

Council Regulation (EEC) No 315/93 of 8 February 1993.

Commission Regulation (EC) No 1881/2006 of 19 December 2006.

Commission Regulation (EC) No 401/2006 of 23 February 2006.

Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004.

4 BACKGROUND

4.1 OVERVIEW OF PREVIOUS MISSIONS REGARDING MYCOTOXIN CONTAMINATION IN FOODSTUFFS

The European Commission has carried out missions to Iran, Peru, Turkey, China, Brazil, India, the USA, Argentina, Egypt and Ghana with the objective of evaluating official control systems for the prevention of mycotoxin contamination in foodstuffs originating from those countries. In addition, missions to assess controls on imported products of plant origin have been carried out in 18 MS: Austria, Belgium, Bulgaria, the Czech Republic, France, Germany, Greece, Hungary, Italy, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, the Slovak Republic, Spain and the UK.

The reports on these missions are available on the DG Health and Consumers website at: http://ec.europa.eu/food/fvo/ir_search_en.cfm

4.2 BACKGROUND TO PRESENT MISSION

Information on foodstuffs found to have public health implications is disseminated in the form of alert notifications via the RASFF to all MS and when relevant to the exporting country concerned. From 2006 up to the time of the mission, nine notifications relating to mycotoxins in paprika from Peru had been transmitted via the RASFF, seven for Ochratoxin A (OTA), two for aflatoxins and one for both. The breakdown of these notifications from 2006 to 2008 and the volume of imports into the EU are shown in Table 1. The main importing MS are indicated in brackets.

The mission team was informed that Peru's total national production in 2008 was 50 000 tonnes of paprika (*Capsicum annum L.*). The area cultivated was about 10 000 hectares, of which some 16 000 tonnes were exported to the EU (mainly dried pods and mainly to Spain).

Table 1

Paprika Products	**Imports (Tonnes)**	**Number of RASFF Notifications**		
	2008	**2006**	**2007**	**2008**
Dried sweet peppers (excl. crushed or ground) (CN code 09042010)	3,442 (ES, NL, DE)	0	9	0
Dried fruits of Genus Capsicum or Pimenta, neither crushed or ground (excl. sweet peppers) (CN code 09042030)	15,632 (ES)			
Crushed or ground fruits of Genus Capsicum or pimenta (09042090)	1,757 (ES, UK, EL			

Source: Eurostat COMEXT database and EC RASFF database

4.3 FOOD PRODUCT INFORMATION RELATED TO PUBLIC HEALTH ISSUES

Aflatoxins are mycotoxins produced by certain species of Aspergillus, which develop at high temperatures and humidity levels and may be present in a large number of foods. The mycotoxin group includes a number of compounds of varying toxicity and occurrence. Aflatoxin B1 is the most toxic compound. For food safety reasons, it is advisable to limit both the total aflatoxin content (compounds B1, B2, G1 and G2) in food and the aflatoxin B1 content. Maximum limits for aflatoxins in spices are laid down in Regulation (EC) No 1881/2006. The maximum admissible mycotoxin levels are as follows:

Capsicum spp (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne and paprika):

5 µg/kg aflatoxin B1 content; and

10 µg/kg total aflatoxin content.

OTA is a mycotoxin produced by several fungi (Penicillium and Aspergillus species) and occurs naturally in a variety of plant products such as cereals, coffee beans, dried fruit and spices all over the world. Investigations into the frequency and levels of occurrence of OTA in food indicate that foodstuffs frequently contain this mycotoxin. Maximum limits for OTA in food have been set in Regulation (EC) No 1881/2006 for unprocessed cereals and derived products, dried vine fruit, roasted coffee beans and ground roasted coffee, soluble coffee, wine, grape juice, processed cereal-based foods and baby foods and dietary foods for special medical purposes. However, limits for spices have not been set yet but they are currently under discussion at Community level.

Sampling also plays a crucial part in determining mycotoxin levels, which are very heterogeneously distributed in any consignment. Therefore, Commission Regulation (EC) No 401/2006 established sampling procedures and general criteria to ensure that laboratories conducting the analysis use methods giving comparable levels of performance.

5 FINDINGS AND CONCLUSIONS

5.1 LEGAL REQUIREMENTS

Article 11 of Regulation (EC) No 178/2002 requires that food and feed imported into the Community for placing on the market within the Community shall comply with the relevant requirements of food law or conditions recognised by the Community to be at least equivalent thereto.

Article 10 of Regulation (EC) No 852/2004, in conjunction with Article 3 of the same Regulation, requires that Food business operators shall ensure that all stages of production, processing and distribution of food under their control satisfy the relevant

hygiene requirements laid down in this Regulation.

Article 10 of Regulation (EC) No 852/2004, in conjunction with Article 4.1 of the same Regulation, requires that Food business operators carrying out primary production and those associated operations listed in Annex I shall comply with the general hygiene provisions laid down in part A of Annex I.

Article 10 of Regulation (EC) No 852/2004, in conjunction with Article 4.2 of the same Regulation, requires that Food business operators carrying out any stage of production, processing and distribution of food after those stages to which Article 4.1 applies shall comply with the general hygiene requirements laid down in Annex II.

Article 10 of Regulation (EC) No 852/2004 in connection with Article 5 of the same Regulation requires that Food business operators shall put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles.

Article 1 of Regulation (EC) No 401/2006 requires that sampling for the official control of the levels of mycotoxins in foodstuffs shall be carried out in accordance with the methods set out in its Annex I. Concerning spices, the method of sampling is laid down in Annex I.E.

Article 2 of Regulation (EC) No 401/2006 requires that sample preparation and methods of analysis used for the official control of the levels of mycotoxins in foodstuffs shall comply with the criteria set out in Annex II of the same Regulation.

Article 1 of Regulation (EC) No 1881/2006 requires that the foodstuffs listed in the Annex of the same Regulation shall not be placed on the market where they contain a contaminant listed in the Annex at a level exceeding the maximum level set out in the Annex.

5.2 FINDINGS

5.2.1 Legislation

The relevant national legislation within the scope of this mission is as follows:

- Food Safety Law (Legislative Decree No 1062 - June 2008), establishes the principles underlying the food safety policy, such as CAs and FBOs' responsibilities, transparency and participation.
- Food Safety Law Regulation (Supreme Decree No 034-2008-AG - December 2008), sets out rules and procedures for applying the above mentioned law, such as traceability, the responsibilities of SENASA and the regional and local governments.

There is no national legislation or guidelines setting out the following:

- A control system for the control of mycotoxins in spices to be exported to the EU.
- A procedure for sampling and analysing paprika in line with Regulation (EC) No

401/2006.

- Maximum limits for mycotoxins in spices.
- A requirement that FBOs that export paprika to the EU apply and maintain a permanent procedure based on HACCP principles in line with or at least equivalent to Article 5 of Regulation (EC) No 852/2004.

SENASA showed the mission team a draft regulation that is being discussed at Ministry level. This document contains several requirements for FBOs and exporters of agricultural products to be registered by SENASA, to comply with GAP and GMP (Good Manufacturing Practice) and to implement a HACCP plan. It also establishes the need for a sampling plan for contaminants and for a national laboratory network responsible for official analysis of foodstuffs.

5.2.2 Competent Authorities

The main CA for this mission is SENASA. SENASA is an executive decentralised public body under the umbrella of the Ministry of Agriculture. It is technically, administratively, and financially autonomous. The relevant authority for this mission is the Directorate for Agricultural Commodities and Food Safety, specifically the Subdirectorate for Food Safety. There are 25 executive directorates at regional level.

At central level, the Directorate for Agricultural Commodities and Food Safety is responsible for legislation, laboratory analyses and for coordinating with the regions and private entities. At regional level, SENASA is responsible for implementing official controls (inspection and sampling) on agricultural commodities, including paprika intended for export. However, these controls have not yet been implemented.

Communication between central and regional level takes place by means of circulars and instructions. Some communications were shown to the mission team, such as:

- An instruction (1 August 2007) to collect general data on the number and details of existing producers and processors of agriculture products
- An instruction (20 February 2009) to collect data on the number of producers and processors of agriculture products that apply GAP, Good Hygiene Practice (GHP) and HACCP. The questionnaire also included data on general hygiene conditions in the establishments, their structure, equipment and staff
- An invitation (10 March 2009) to discuss implementation of food safety activities and to explain the new draft regulation.

The mission team was informed that there is an internal audit plan and that the audit activities include checks of the relevant administrative files and their compliance with the current legislation. However, no evidence of that was shown to the mission team.

At present there are no staff training activities organised on mycotoxin prevention or with regard to official control.

The mission team visited SENASA's Plant Health Diagnosis Centre. This laboratory

carries out scientific research on plant health and the agricultural sector. It intends to carry out research on mycotoxins in paprika to be able to support SENASA's prevention and control activities. No dates were provided for the start of these activities.

5.2.3 Process controls

5.2.3.1 Paprika cultivation

The main paprika-growing areas are in the west of the country, along the coast. According to the statistical data provided by the Peruvian authorities, it is estimated that for the 2007-2008 season, 1 500 farmers grew about 10 000 hectares of paprika producing a total of 50 000 tonnes.

The main paprika-producing regions are Ica, Arequipa, Lima and Lambayeque, although it is also produced elsewhere on the Peruvian coast.

SENASA informed the mission team that it keeps a register of farmers which is permanently updated.

The mission team visited 8 paprika producers all of which were subject to periodic phytosanitary checks by SENASA. However, no visits are carried out as regards prevention of mycotoxin contamination.

The mission team was informed that the farmers visited follow recommended practices based on general GAP such as the use of certified seeds, crop rotation, use of fertilisers and pesticides and soil testing. However, no specific requirements with regard to mycotoxin control are included in these recommendations.

Paprika is harvested approximately five months after sowing. The harvesting time varies depending on the area but in the areas visited (Ica and Arequipa) it was taking place during our visit. Both areas have a warm and arid climate.

The harvest is carried out manually when the fruit is slightly overipe and partially dried on the plant. The farmer decides when to harvest based on his experience, on average when one third or half of the pod is dried and able to be folded without breaking.

Once harvested, it is spread directly on the ground in the open air to sun-dry for a period of between 7 and 15 days. This is not in line with point 3.2 of the Code of Hygienic Practices for Spices and Dried Aromatic Plants (CAC/RCP 42-1995). The paprika is regularly turned over to achieve better drying.

The end of the drying period is decided by the farmer, based on his experience. When he considers that the paprika is dried enough (the full pod is flaccid and with a characteristic dark red colour) it is collected from the drying area and put into sacks. The product is brought to the exporter's premises, which are located close to the farms. There the pods are sorted (if this has not been done previously in the field).

During sorting, all stained, underdeveloped, discoloured and damaged pods are rejected. The mission team observed that some pods with signs of fungal growth were broken in order to reject the damaged part and keep the rest of the pod for processing.

The farmers and processors visited informed the mission team that the level of rejection

is around 5-10 %.

Recommendations on GAPs from the private sector are available. The mission team was informed that the private associations have conducted various campaigns since 2006 to promote the use of the abovementioned GAPs by training producers and conducting the relevant audits. Forty-four production areas of between 5 and 20 hectares are currently applying the GAPs. However the GAPs do not specifically include measures for the prevention of mycotoxin contamination. The mission team was informed that SENASA is assessing the available GAPs for official recognition subject to the necessary amendments.

5.2.3.2 Companies visited

At the processors visited the pods are cleaned to remove dust and sand by shaking or rotating, (shredded sometimes), pressed with special equipment, and packed into polypropylene bags.

The mission team was informed that the product is sent to Lima and shipped without delay. The truck transport to Lima takes about 4 hours from Ica and 12 hours from Arequipa. However, the mission team could not verify the storage time between arrival to Lima and shipment or departure of the consignment to Europe.

Most of the consignments are shipped to Spain and transport takes between 25 and 30 days under humid tropical climatic conditions.

In all the FBOs visited, the paprika was kept traceable not only in the production phases but in the drying and packaging stages.

The mission team was informed that the product exported to the EU, mainly to Spain, is dry paprika (*Capsicum annum L.*), mostly whole, sometimes shredded, pressed, and packed in bales of approx. 90 kg. Export consignments usually weigh 22 tons.

Processing facilities are usually situated near the production areas. About 21 enterprises export 90 % of the paprika.

The mission team visited four processor-exporters. None of the FBOs visited by the mission team had been subject to a documented food safety inspection by SENASA and none had implemented a permanent procedure based on HACCP principles in line with Article 10 in connection with Article 5 of Regulation (EC) No 852/2004.

The design of the processing facilities and the storage conditions in the majority of the FBOs visited were not in line with Article 10 in connection with Article 4 (Annex II) of Regulation (EC) No 852/2004 in that they did not permit good hygiene practices including protection against contamination and, in particular, pest control. There were no walls in these facilities, and the floor surfaces were not made of impervious, non-absorbent and washable materials.

Sorting is the main method of mycotoxin control in the establishments visited. However, these establishments do not check the effectiveness of sorting techniques by conducting regular mycotoxin analysis of the sorted paprika stream or of the finished products.

5.2.4 Method of sampling

No sampling takes place for the analysis of mycotoxins in paprika at any stage of the chain.

The mission team was handed a copy of a draft document containing monitoring procedures for pesticides residues and contaminants (only for aflatoxins) in paprika which includes sampling procedures and maximum limits. The mission team assessed this draft document and found that the weight for the samples required is 1 kg minimum and the number of samples for lots over 500 kg is ten. This is not in line with Commission Regulation (EC) No 401/2006.

5.2.5 Exporting procedure

The procedure followed at export depends on the requirements set out by the country of destination. In the case of Spain, the requirement is a phytosanitary certificate for each consignment of paprika. The exporter or his/her representative applies for it to SENASA once the final customs authorisation for export has been obtained.

The mission team observed the phytosanitary inspection of a consignment of dry paprika to the EU. The SENASA inspector followed the relevant procedures, and ordered part of the product to be unloaded so that he could have access to the inside of the container. The whole paprika was packed in bales which had no identification or label and thus traceability was not possible. Signs of fungal growth were visible on the product.

The inspector filled out the inspection report including information on the exporter, the importer and the product. He checked the identification and the hygienic conditions of the container and the presence of insects. Since he found insects he ordered the consignment to be fumigated.

5.2.6 Laboratory services

Currently, there is no laboratory performing mycotoxin analysis in food.

The laboratory designated to carry out analysis for mycotoxins in foodstuffs and specifically in paprika is the SENASA Centre for the Control of Commodities and Toxic Residues within the Unit of Centres for Diagnosis and Production.

This laboratory was visited by the mission team.

5.2.6.1 Laboratory visited

The laboratory is not accredited yet for any analytical method. However, it is going to apply for accreditation according to EN ISO/IEC 17025:2005 to the "Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual-

(INDECOPI)" for a Multitoxin LC-MS/MS method next July. This method is being developed at present. The mission team was informed at the final meeting that priority has been given to validate this method of analysis.

The laboratory has three staff responsible for developing methods for mycotoxin analysis, plus a supervisor who is also the unit manager. Staff are regularly involved in training, including conferences and courses on instrumentation (hands-on).

In preparation for the accreditation, the laboratory prepared a Quality Manual and some related procedures with a view to accreditation according to EN ISO/IEC 17025. In order to achieve this objective a procedure has been set up for training and authorisation of staff.

The authorisation criteria follow the relevant parameters for method validation (recovery, repeatability, etc.) and the values established for the said parameters.

The laboratory premises are suitable for analysing food for contaminants (preparation of the sample and instrumental analysis are separated). However, the mission team observed that the area for the preparation of the samples to be analysed for aflatoxins is not protected against UV light. Moreover, there is no equipment available to homogenise 10 kg samples as required by Regulation (EC) No 401/2006.

5.2.7 Response to RASFF notifications

The mission team was informed that SENASA had never received six of the nine RASFF notifications.

As regards the other three cases, SENASA stated that, in one, the notified company was not located in Peru. In another, SENASA could not carry out an inspection due to its lack of legal powers at that time. However, it had requested the application of GAP to prevent contamination through the private associations. In the third, SENASA had carried out an inspection of the relevant FBO and issued a letter with the results of the inspection, which had been sent to the RASFF team. Evidence of these documents was seen by the mission team.

No written procedure is in place for the management of the RASFF notifications.

5.3 CONCLUSIONS

5.3.1 Legislation

- Framework legislation recently enacted (2008) establishes general responsibilities and official control powers for food safety.
- No national legislation or guidelines are yet in place establishing a control system for paprika intended for export to the EU, sampling procedures, analysis or

maximum limits for mycotoxins in spices.

5.3.2 Competent Authorities

- CAs' responsibilities in the context of this mission are designated and vertical communication is adequate.
- No control system is in place to control mycotoxin contamination in spices intended for export to the European Union.
- No staff training on mycotoxins has taken place yet.
- No research has been undertaken on mycotoxin contamination in paprika to evaluate the factors affecting the formation of mycotoxins and the effect of the sorting on this levels.

5.3.3 Process controls

- An adequate traceability system was in place in all production areas and establishments visited. However, problems may exist in this field given the lack of identification of the consignment observed at the port.
- General GAP were implemented by the producers visited but the scope of the GAP does not cover prevention on mycotoxin contamination.
- Sorting of paprika takes place after the drying process. However, the effectiveness of the sorting techniques is not evaluated. No sorting is carried out after harvesting.
- Sun-drying of paprika takes place directly on the ground, which is not in line with the Code of Hygienic Practice for Spices and Dried Aromatic Plants (point 3.2-CAC/RCP 42-1995).
- The FBOs visited have not implemented food safety procedures based on HACCP principles; hence, their procedures are not in line with the requirements of Article 10 in conjunction with Article 5 of Regulation (EC) No 852/2004.
- Most of the facilities visited are not in line with Article 10 in conjunction with Article 4 (chapter II of annex II) of Regulation (EC) No 852/2004 and with the requirements of the Code of Hygienic Practice for Spices and Dried Aromatic Plants (point 4.3 CAC/RCP 42-1995).

5.3.4 Method of sampling

- Paprika is not sampled for mycotoxin analysis and no sampling procedures are in

place.

5.3.5 Laboratory services

- There is no capability at present to carry out official analyses for mycotoxins in paprika. A multitoxin method is being developed using LC-MS/MS in an official laboratory.
- The laboratory is not accredited and has no quality control schemes in place. This is not in line with Article 12(2) of Regulation (EC) No 882/2004.
- No equipment is available to prepare samples taken from large consignments pursuant to Annex I.E of Regulation (EC) No 401/2006.

5.3.6 Response to RASFF notifications

- Adequate response to RASFF notifications when and if received by CAs.
- No routine procedure has been established for RASFF follow up.

6 OVERALL CONCLUSION

Overall, there is no official control system in place to ensure that exported consignments of paprika are in line with EU standards. Official control procedures on mycotoxins are being developed (sampling, laboratory method and export certification system). Shortcomings were identified with regard to the design of facilities and the application of procedures based on HACCP.The absence of implementation of appropriate GAP to minimise fungal infection and the climate conditions may lead to mycotoxin production.

7 CLOSING MEETING

A closing meeting was held on 26 March 2009 with SENASA. At this meeting, the inspection team presented the main findings and conclusions of the mission.

The representatives of the above CAs did not express any major disagreement.

8 RECOMMENDATIONS

To the competent authorities of Peru.

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	Should consider to continue the development of the mycotoxin official control system for spices to be exported to the EU which would provide guarantees that consignments are in line with EU standards specified in Regulation (EC) No 1881/2006.
2	Ensure that food business operators exporting paprika to the EU implement standards at least equivalent to Article 10 in connection with Article 5 of Regulation (EC) No 852/2004 on food safety procedures based on HACCP principles.
3	Should consider to provide appropriate training for officials responsible for the relevant controls in line with Article 6 of Regulation (EC) No 882/2004.
4	Provide guarantees that processing activities and facilities are in line with the requirements of the Code of Hygienic Practice for Spices and Dried Aromatic Plants (point 4.3 CAC/RCP 42-1995) and Article 4 of Regulation (EC) No 852/2004 (chapter II of Annex II).
5	Consider the accreditation to ISO 17025 of official control laboratories to ensure the equivalence with Article 18 of Regulation (EC) No 2076/2005. Equivalence to Article 12(2) of Regulation (EC) No 882/2004 should be demonstrated by January 2010.
6	Should consider that laboratories designated for the analyses of mycotoxins in spices to be exported to the EU have the necessary equipment for grinding samples taken from large consignments in line with Annex I.E of Regulation (EC) No 401/2006.
7	Consider the possibility of developing and promoting the implementation of GAP standards for the prevention of mycotoxins in the area of paprika cultivation, and processing.
8	Provide guarantees that the drying process is in line with the requirements of point 3.2 of the Code of Hygienic Practice for Spices and Dried Aromatic Plants (CAC/RCP 42-1995) and point II(2) of part A of Annex I to Regulation (EC) No 852/2004 by avoiding the fruits being in direct contact with the sand in order to prevent the contamination and growth of mycotoxin producing mould.
9	Should consider to require the traceability of the lots exported to the EU at the point of export in line with Article 18 of Regulation (EC) No 178/2002.
10	Should consider undertaking research on the incidence of Aspergillus and Penicillum genera contamination, growth and mycotoxin formation in the production chain of paprika exported to the EU and also research on the effects of sorting over the mycotoxin levels of the paprika exported to the EU.

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

http://ec.europa.eu/food/fvo/ap/ap_peru_8175_2009.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 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 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
Regulation (EC) No 315/93	OJ L 37, 13.2.1993, p. 1–3	Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food
Regulation (EC) No 1881/2006	OJ L 364, 20.12.2006, p. 5–24	Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs
Regulation (EC) No 401/2006	OJ L 70, 9.3.2006, p. 12–34	Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs
Decision 2006/504/EC	OJ L 199, 21.7.2006, p. 21–32	2006/504/EC: Commission Decision of 12 July 2006 on special conditions governing certain foodstuffs imported from certain third countries due

Reference	OJ Ref.	Detail
		to contamination risks of these products by aflatoxins