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FINAL REPORT OF A MISSION
CARRIED OUT IN
THE FAROE ISLANDS
FROM 04 SEPTEMBER TO 12 SEPTEMBER 2008
IN ORDER TO
EVALUATE THE CONTROL SYSTEMS IN PLACE GOVERNING THE
PRODUCTION OF FISHERY PRODUCTS INTENDED FOR EXPORT TO THE
EUROPEAN UNION

Executive Summary

This report describes the outcome of an inspection mission carried out by the Food and Veterinary Office (FVO) in the Faroe Islands (FO) from 4 to 12 September 2008 and was undertaken as part of the FVO's planned mission programme. The objective of the current mission was to assess the implementation of national provisions, against which the CA controls FP intended for export to the EU.

The main conclusions can be summarised as follows. The FO CA has adopted several legislative and administrative procedures to apply the provisions of the relevant Community legislation. An official control system for FP is in place, however, it does not cover all the Community requirements since there are gaps in some areas, namely organoleptic checks, testing for histamine, and controls of contaminants and additives. As regards the implementation of controls, it is concluded that they are not fully effective as demonstrated by the deficiencies observed in the conditions of establishments, some of which had not been detected or recorded by the official services.

The report addresses to the Faroese CA a number of recommendations aimed at rectifying the identified shortcomings and enhancing the official control system in place.

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
BIP	Border Inspection Post
CA	Competent Authority
Cd	Cadmium
CVO	Chief Veterinary Officer
EC	European Community
EU	European Union
EUROSTAT	Statistical Office of the European Communities
FBO(s)	Food Business Operator(s)
FO	Faroe Islands
FP	Fishery Products
FV	Factory vessel
FVO	Food and Veterinary Office
GRT	Gross Registered Tonnes
HACCP	Hazard Analyses of Critical Control Point
HFS	Heilsufrøðiliga Starvsstovan - Faroese Food and Veterinary Agency
Hg	Mercury
ISO	International Organisation for Standardisation
MT	Mission Team
PAHs	Polycyclic Aromatic Hydrocarbons
Pb	Lead
PCBs	Polychlorinated Biphenyls
RASFF	Rapid Alert System for Food and Feed
RSW	Refrigerated Sea Water
SANCO	Health and Consumer Protection Directorate General of the European Commission

Abbreviation	Explanation
Sn	Tin
TVB-N	Total Volatile Basic Nitrogen
ZV	Freezer vessel

1 INTRODUCTION

The mission took place in the Faroe Islands from 4 to 12 September 2008 and was undertaken as part of the FVO's planned mission programme.

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

2 OBJECTIVES OF THE MISSION

The objective of the current mission was to assess the implementation of national provisions, against which the CA controls FP intended for export to the EU.

2.1 SCOPE OF THE MISSION

The mission team paid particular attention to the structure and organisation of the CA, the written procedures used by the CA, the human resources available, the implementation of the official controls on the FP to be exported to the EU and in the light of the relevant Faroese laws and the following Community legislation:

- 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 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 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption;
- Regulation (EC) No 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;

With reference to the above mentioned Community rules it should be noted that the Protocol on Veterinary Matters supplementing the Agreement between the European Community, and the Faroe Islands, refers to now repealed Community legislation (e.g. Council Directives 91/493/EEC and 92/48/EEC) which therefore, remains relevant in the context of this mission. However, it should also be noted that the above mentioned new Community requirements do not substantially differ from the repealed ones (it is essentially a recast of the legislation) and therefore the approach taken by the MT in the context of this mission is to refer to the current Community legislation where it is substantially identical to the repealed laws. Whenever stricter requirements were included in the previous legislation and not repeated in the current, the MT, in accordance with the mentioned Protocol, considers the stricter requirements as the reference standards. These issues were properly identified during the mission and in this report.

2.2 PROCEDURE OF THE MISSION

In pursuit of the mission's objective, the MT proceeded as follows:

- An opening meeting was held on 4 September with the CA, the Faroese Food and Veterinary Agency (HFS) of the Ministry of Trade and Industry. At this meeting the inspection team confirmed the objective 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		
CA	1	HFS
Laboratory visits		
FP, potable water	1	HFS Laboratory
Primary production		
Aquaculture farms	1	Slaughter facility
Vessels	4	1 long-liner, 2 trawler, 1 trap net
Landing sites	3	for fresh FP preserved on ice
Food processing facilities		
Vessels	1	factory vessel
Cold stores	2	
Establishments	7	Processing fresh and frozen products 5 FP / 2 FP aquaculture

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

3 LEGAL BASIS FOR THE MISSION

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

- Point 1 of Article 9 of Chapter II of Decision No 1/2001 of the EC-Faeroe Islands Joint Committee laying down the provisions to implement the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part.

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

4.1 HISTORICAL BACKGROUND

Currently, trade in FP between the Faroe Islands and the European Community is regulated by Article 9 of Decision No 1/2001.

Under point 1 of Article 9 of Chapter II of Decision No 1/2001 the Faroe Islands undertake to apply the provisions laid down in Council Directives 91/493/EEC and 92/48/EEC, as last amended, and their rules of application fixed in the relevant Commission decisions.

4.2 PRODUCTION AND TRADE INFORMATION

Currently there are 53 listed establishments (including landing sites, auction halls, processing plants and cold stores) as well as 3 factory vessels (FV) and 9 freezer vessels (ZV).

In 2007, according to EUROSTAT, the Faroe Islands exported to the EU approx. 100,000 tonnes of FP, which were mainly composed of fresh and chilled fish (38,700 tonnes) and fresh, chilled or frozen filets (45,600 tonnes). Most of the FP was exported to the United Kingdom, Denmark and the Netherlands.

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

No Rapid Alert System for Food and Feed (RASFF) notifications have arisen in relation to FP originating from the Faroe Islands.

5 MAIN FINDINGS

The findings are based on Regulations (EC) Nos 852/2004 (especially its Annex II), 853/2004 (especially its Annex III, section VIII), 854/2004 (especially its Annex III), 882/2004 and other Community legislative acts implementing these regulations.

5.1 LEGISLATION

Before the mission, the Ministry of Trade and Industry provided the FVO MT with translated versions of its main FP legislation.

The mission team evaluated the documentation provided and verified that the Faroese legislation, used by HFS for the control and of FP intended for export to the EU, covers almost all aspects of Community legislation and can, in general, be considered as in line

with Community requirements.

The main pieces of Faroese legislation covering FP are:

- “Executive Order No 122 of 24 August 2001 on the production, purchase and placing on the market of fish and fishery products on land”, as last amended, providing the main provisions for the control of the health conditions for the production and placing on the market of fishery products, and;
- “Executive Order No 161 of 18 December 1995 on hygienic operation, processing of fish and fishery products and authorization of fishing vessels”, providing the main provisions for the minimum hygiene rules applicable to fishery products caught on board certain vessels.

However, the MT noted that the maximum levels for certain contaminants in FP as set out in Commission Regulation (EC) No 1881/2006 are not yet applied.

It was also noted that the requirements for the microbiological parameters of potable water defined in Council Directive 98/83/EC are included in Executive Order No 122 of 24 August 2001, with the exception of *Clostridium perfringens*, which is covered in a letter from the CA to the establishments dated 27/10/2005 complementing the Executive Order No 122. Only five from eighteen indicator parameters for potable water under Council Directive 98/83/EC are defined in these two documents, the microbiological, the colour and turbidity and none of the chemical parameters are defined.

The CA informed the MT that an Executive Order which corresponds to Council Directive 98/83/EC is currently in the process of approval and that HFS and the Ministry of Trade and Industry intend to update the legislation regarding FP to take into consideration Regulations (EC) Nos 852/2004, 853/2004, 854/2004, 882/2004 and other Community legislative acts which implement these regulations, thereby bringing Decision No 1/2001 up to date.

5.2 COMPETENT AUTHORITY PERFORMANCE

5.2.1 Structure and organisation of the CA

The HFS is the Faroese CA, working under the Ministry of Trade and Industry.

The HFS has a managing director and two inspection departments, the Foodstuffs Department and Fish and Animal Health Department and one laboratory (with three sections - Microbiological, Chemical and Fish pathology laboratories). The Chief Veterinary Officer (CVO) also belongs to the HFS and is the highest veterinary official in the Faroe Islands with overall responsibility for ensuring that food laws are upheld. As concerns animal health and wellbeing the CVO reports directly to the Ministry.

The staff involved in the official control of the FP production chain of are attached to the Foodstuffs Department.

The head of Foodstuffs Department has weekly meetings with the inspectors to discuss

the results of inspections and to ensure a harmonized approach in official controls. Once a year a special meeting is held and the establishments to be controlled are assigned to a specific inspector or to two specific inspectors, who is/are in charge of the official controls of that particular establishment for a period of not less than one year. In subsequent years the same inspector/s may be assigned to control the same establishment again.

The CA informed the MT that the staff involved in the official control of the production chain of FP are free of any conflict of interest, as is required, under Faroese legislation, for all persons working in a public agency.

5.2.2 Competencies and powers of the CA

Under Faroese food legislation, the CA is responsible for approval of FP establishments, FV, ZV and fishing vessels over 20 gross registered tonnes (GRT) as well as for the regular monitoring and inspection of the approved establishments and vessels.

Under Faroese legislation, the CA has the ability to seize or dispose of products, to apply fines and withdraw the authorisation of the establishments, auction halls, landing sites, FV, ZV and fishing vessels as sanctions for non-compliances.

5.2.2.1 Written procedures

The CA has in place a comprehensive set of written procedures and instructions which includes, among others, the following:

- Application form for approval of establishments, landing sites, auction halls, FV, ZV and fishing vessels.
- Check list for assessment of the application form.
- Approval document for establishments, landing sites, auction halls, FV, ZV and fishing vessels.
- Procedures for assessment of own checks.
- Instructions for complete audits (once every five years) and for partial audits (once a year).
- Check lists for audits and partial audits of all the different types of establishments.
 - o Supplementary check lists covering the following subjects:
 - Unloading of fish, hygiene conditions and freshness of FP;
 - Reception of raw material at establishments;
 - Maintenance of premises, handling of products, description of production steps, labelling, pest control, water, cleaning procedures and staff hygiene.
- Control documents for follow-up of audits performed at establishments
- Written reports of the visits, which are delivered to the food business operator (FBO), and requests for corrective actions regarding the non-compliances detected.
- Outline letters for communicating sanctions for non-compliances.

- Documents to harmonize procedures.
- Instructions regarding minutes of the weekly internal meetings.

The check lists mentioned were available to the MT, they cover the most important Community legal requirements and are considered adequate for the purpose of official controls.

The CA has published on their web-site several guidelines and guidance documents for the FBOs covering the labelling of FP, sampling of water for microbiological analyses and interpretation of results, HACCP and prerequisites, which includes among others, pest control, personal hygiene, maintenance of buildings and equipment, requirements for cleaning, etc..

The CA informed the MT that since the beginning of 2008 they are collaborating in a contract with the Danish Food and Veterinary Agency in order to establish internal and external audit procedures for CA activities. The HFS also informed the MT that this collaboration contract is in the final stages of negotiations and will be launched as soon as possible, hopefully in the beginning of 2009.

The CA provided the MT with written evidence of actions taken against the FBOs, namely fines and authorisation for withdrawal, in cases of non-compliances detected during the official controls visits.

5.2.3 Human resources and qualification

Currently 20 officials (including one consultant) are assigned to the foodstuffs department, from which four are on leave of absence, one official is a temporary position for the summer of 2008 (Border Inspection Posts (BIP) for live animal), three are assistants performing specific tasks at the BIPs (physical checks of consignments) and the remaining twelve officials (including two veterinarians, a further six with other university degrees and four technicians) are involved in the official control of the FP production chain.

The tasks of the officials involved in the official control of the FP production chain also include the official control of other foodstuffs at production and retail levels. Every year the establishments and vessels to be visited are assigned to a specific inspector or inspectors (see section 5.2.1).

On recruitment control staff received internal training covering, among others, official control techniques (auditing and inspection), official control written procedures, Community food and feed law and legislation applicable to FP, HACCP evaluation, legal proceedings, organoleptic examinations, identification of commercial fish species (poisonous FP) and hygiene of vessels and land-based establishments.

External training was provided in 2006 and 2007 covering "Internal Audits", "Legislation" and "Veterinary checks in Seaport Inspection Post".

The MT noted that, in general, the CA officials have a sound and good knowledge regarding the inspection performance and Community FP legislation. However, during the official control visits some of the legal requirements were not checked thoroughly which permitted the persistence of some shortcomings for more than one year (see

description of deficiencies in chapter 5.5) and the MT also noted that inspections performed in different establishments by different inspectors were not performed in a harmonised way.

5.3 OFFICIAL CONTROLS

5.3.1 Health control and monitoring of production conditions

Approval procedures

Approval procedures for fishing vessels over 20 GRT, ZV and FV, fish farms and farms premises and establishments have been established by the CA (see chapter 5.2.).

Approval files were available and MT noted that the described written procedures were followed. However, the approval number is sometimes indicated incorrectly (FO missing) in the approval document.

Several updated lists were provided by the CA to the MT during the mission:

- A list of 26 approved fish farms.
- A list of 97 registered/approved fishing vessels to supply FP to establishments approved for export to the EU (EU listed establishments)
- A list of 3 freezer vessels and 9 factory vessels approved to supply the EU market with FP.
- A list of 48 EU listed establishments and 5 cold stores approved to supply FP to the EU.

Fishing vessels of more than 20 GRT are approved by the CA. However, fishing vessels of less than 20 GRT are neither approved nor registered. While this is accordance with Council Directive 91/493/EC, it is not in line with Regulation (EC) No 852/2004.

Carrier/reefer vessels are not approved, which is not in accordance with the Regulation (EC) No 852/2004. However, the MT was informed that the transport vessels flying under Faroese flag only transport packed products and usually in containers.

HACCP plans of ZV, FZ, establishments and cold stores are evaluated and approved by the CA as part of initial approval and are re-evaluated by the CA every five years.

Checks to fishing vessels and conditions of landing and first sale sites

The MT was informed by the CA that all the approved vessels are checked by them, using a specific check list, once every three years. Files with reports of those checks were made available and the MT noted that although those vessels were approved and checked in accordance with the information provided by the CA, the frequency of those checks was not always respected (frequency ranging from once every four years to once every seven years).

The fishing vessels under 20 GRT, which do not require approval by the CA, are not checked by the CA concerning the requirements of minimum hygiene rules applicable to those vessels.

Landing and first sale sites are approved and checked once a year by the CA.

Files regarding the approval of fishing vessels and landing sites and reports of the checks performed were available.

Inspection at regular intervals of vessels (ZV and FV)

The MT was informed that the frequency of inspection was, on average, once every five years. However, the MT noted that frequency was not always respected. Inspection reports for listed freezer and factory vessels were available. The MT noted that shortcomings were identified in the reports and requests were made to the FBOs to provide written evidence of the correction of those deficiencies. However, during a visit to a listed FV the MT noted important shortcomings, already mentioned in the previous CA visit report, which should have been immediately addressed in order to achieve compliance with Community requirements (see description of deficiencies in chapter 5.5 – factory vessels).

Carrier/reefer vessels are not inspected by the CA as required by Regulation (EC) No 852/2004.

Inspections at regular intervals of establishments

The CA performs unannounced partial audits once a year to every approved establishment. During these partial audits the official selects several key subjects to be evaluated which include, among others, parts of the HACCP plan, hygiene of the establishment and the operations, results of microbiological analyses on water, ice and final products and follow-up of previous deficiencies.

The CA sometimes also performs additional visits to follow-up the correction of the deficiencies found during inspections.

Every five years the CA performs a complete audit of establishments covering all subjects and including the complete reevaluation/approval of the HACCP plans. Files regarding the inspections of the establishments were made available to the MT.

However, the MT noted that the frequency of visits to the establishments was not always respected, with a two year interval between inspections in a few cases and the MT found that some shortcomings identified during the mission visits to the establishments had not previously been identified by the CA (see description of deficiencies in chapter 5.5 - establishments).

All the establishments visited presented HACCP plans that were approved/evaluated by the CA during the approval procedures and inspection visits. The MT found those HACCP plans, in general, as adequate.

5.3.2 Official controls on fishery products

5.3.2.1 Organoleptic checks

Organoleptic checks on each batch of FP at the time of landing or before first sale to check whether they are fit for human consumption are not carried out by the CA. Nevertheless, the CA informed the MT that during the visits to the fishing vessels and to

the landing and first sale sites, organoleptic checks are made. These organoleptic checks are based on a document issued by the CA that can be considered as conforming to Community legislation. However, the reports shown to the MT only stated that organoleptic checks were carried out, not mentioning the quantities checked, the species checked and the outcome of those checks.

In general the freshness of FP observed by the MT in all establishments and vessels during the mission is considered as in line with Community requirements.

5.3.2.2 *Parasite checks*

During the visits to establishments and vessels the CA performs checks for the purpose of detecting any parasite that are visible in accordance with community legislation. Those checks were indicated on the inspection reports of the vessels and the establishments.

5.3.2.3 *TVB-N testing*

The MT was informed that, whenever the organoleptic assessment raises doubts as to the freshness of the FP the CA takes samples to control the levels of TVB-N. Some results of analyses for TVB-N on FP were made available to the MT and the results showed that they were in compliance with Community legislation.

5.3.2.4 *Histamine testing*

FO exports to the EU three species belonging to the fish families associated with a high amount of histidine, mackerel (*Scomber scombrus*), herring (*Clupea harengus*) and roundnose grenadier (*Coryphaenoides rupestris*), either as fresh unprocessed whole fish or frozen headed and gutted fish. However, no sampling for determining histamine levels of those FP is carried out by the CA or by the FBOs.

5.3.2.5 *Testing for contaminants and additives*

The CA performs regular sampling for contaminant analyses (mercury (Hg), lead (Pb) and cadmium (Cd)) in FP from aquaculture as well as for residues, in accordance with the Faroese residue monitoring plan.

Regarding wild FP the CA does not have any monitoring arrangement to control the level of Hg, Pb and Cd on those products. Although the Faroese Environmental Agency has an annual sampling programme for Hg, Cd and dioxins they only test wild cod (*Gadus morhua*). No sampling on canned product for determining the content of tin (Sn) is performed by the CA or by the FBOs.

The CA and the FBOs do not perform any sampling of FP to analyse additives or PAH.

5.3.2.6 *Microbiological checks*

In the approval documentation sent to the establishments, ZV and FV the CA clearly indicates the microbiological analyses and sampling frequency that must be performed,

taking into consideration the nature of product and the production process. In general, the MT saw evidence that the analyses are carried out in accordance with the requirements set by the CA and that the results were satisfactory.

5.3.3 Official controls for water/ice

As a condition of approval of establishments, ZV and FV the CA requires that the FBO perform monthly sampling on water to analyse the microbiological parameters (*Escherichia coli*, *Enterococci*, Coliforms, *Clostridium perfringens*, total bacterial count at 20°C and 37°C) and four times a year on ice for the same parameters, which is considered as in line with the requirements of Council Directive 98/83/EC. The sampling and delivery of samples for the microbiological analyses is performed exclusively by the FBO, the CA does not supervise these actions nor takes independent samples to ensure the reliability of results. In general, the frequency of sampling is followed by the FBOs and almost all the results observed by the MT were in accordance with the limits set in Community legislation.

However, for all the chemical parameters and for a majority of the indicators parameters (except for colour, turbidity, Coliforms and *Clostridium perfringens*) sampling and analyses on water and ice, in accordance with the requirements of Council Directive 98/83/EC, is not performed at all.

5.4 LABORATORIES

The laboratory visited by the MT in Torshaven belongs to the HFS and carries out microbiological and chemical analyses as well as animal health diagnostic. The laboratory was found to be well equipped and maintained for the relevant analyses performed.

The laboratory is accredited to ISO standard (ISO 17025) by DANAK (Danish accreditation scheme) for the majority of the analyses in the areas described below.

Microbiological and chemical analyses of water are performed for private customers in the context of their own checks and also for the municipalities. Regarding the chemical analyses on water, the HFS informed the MT that in 1998-1999 analyses of all the chemical parameters required under Council Directive 98/83/EC were carried out with good results and had never been repeated since.

Microbiological analyses on FP are carried out for private customers in the context of their own checks programme and also for the CA.

Chemical analyses for heavy metals on FP, are performed for the programme of the Faroese Environmental agency. However they cannot be considered as in line with the Commission Regulation (EC) No 333/2007, because of the sampling method and the size of the sample.

Analyses that cannot be performed in this laboratory i.e. histamine testing, and dioxins are sent to foreign laboratories. The histamine testing concerns analyses requested by the FBOs to quantify histamine in salmon (*Salmo salar*), however, this species does not belong to the fish families associated with a high amount of histidine and the sampling was not made in accordance with the Commission Regulation (EC) No 2073/2005.

5.5 VISITS CARRIED OUT BY THE MT

Fishing vessels

In general the fishing vessels visited could be considered as in line with the community requirements. However, it was noted that FP during the fishing activities (trawling) are in contact of with surfaces liable to transmit harmful or abnormal substances (rusted areas on deck and holds).

Fish farm facilities

The fish farm facilities visited by the mission team, and their catching, bleeding and loading equipment, can be considered as in line with Community requirements.

Landing sites

All the three landing sites visited by the MT appeared, in general, compliant with Community requirements. However the presence of some easy to correct shortcomings were noted, e.g.:

- Containers used for the storage of FP did not ensure their preservation under satisfactory hygiene conditions (storage of clean containers for FP in the exterior of the building and without protection);
- Equipment for cleaning the FP containers located at the exterior of the facilities);
- Traceability of some of the FP was not ensured (presence of unlabeled, unidentified FP);
- Absence of information or lists regarding approved fishing vessels.

The MT observed in the landing sites that an organoleptic check is performed by the FBO in approximately 1% of the unloaded FP and that the information collected during these checks is recorded in proper forms and sent to the vessels supplying the FP and to the establishments being supplied. However, the MT noted that on one occasion after the rejection at landing of nine tonnes of FP from a specific vessel (classified as unfit for human consumption), six tonnes of the same consignment were afterwards supplied to an establishment, where they were finally rejected.

One of the landing sites visited had an ice factory adjacent. That ice factory is still in the process of approval and in spite of that it was supplying ice to the both to the landing site and to fishing vessels. In the day prior to the MT visit, the ice factory was closed by the CA because of a second consecutive non compliant result of microbiological analyses on ice.

Factory vessel

The MT visited a factory vessel producing fresh headed and gutted FP and frozen FP. For the fresh FP the vessel was equipped for Refrigerated Seawater (RSW) chilling and the MT saw that these operations were done in accordance with Community requirements. However, regarding the activities of heading, gutting, filleting, freezing, packing and storing frozen FP, the MT found that correction of shortcomings is necessary in order to consider the FV as in compliance with the Community requirements. The following were noted:-

- Hydraulic circuits not arranged or protected in such a way as to ensure the avoidance of contamination of FP in the case of leaking oil in areas used for the preparation, processing and freezing of FP;
- Work areas not designed and arranged in such a way as to prevent contamination of the products (the circuit of fresh fillets goes through the exterior deck of the vessel between the filleting area and the freezing area, which is located on a different deck level);
- No histamine testing of species belonging to the fish families associated with a high amount of histidine, mackerel (*Scomber scombrus*) and herring (*Clupea harengus*);
- The identification number of the establishment and the code of the country of dispatch was not present in packages of final frozen FP intended for export to the EU (approval number missing and/or FO missing); and
- HACCP not yet fully implemented (even though the FV was approved on September 2000).

Although the two cold stores of the FV were equipped with temperature recording devices, with two probes in each cold store, temperature records before 27/06/2008 were not available. The available temperature records presented temperature readings above the legal limit in one probe of one cold store. According to the vessel's skipper this was due to a malfunction of that particular probe. However, in the cold store in which the products were deposited, the MT collected evidence that the FP presented temperatures above the legal limits, ranging from -13,3°C to -17°C (10 readings out of 56).

Cold stores

In general the two cold stores visited by the mission team could be considered as in compliance with Community requirements providing that shortcomings noted during are corrected. The following were noted:

- Presence of exposed and packed product in the same cold room;
- Presence of incorrectly labelled product (approval number missing and/or FO missing); and
- Frozen FP stored with temperatures above the legal limits permitted under Community legislation(see previous section).

In spite of the presence of working temperature recording devices, during the visits the MT also noted that temperature records were not available for certain periods of time (absence of and/or gaps in the temperature records of the cold rooms).

Establishments

In general all seven establishments visited can be considered as in compliance with Community requirements. However all the shortcomings noted during the visits should be addressed i.e.

- In three of the establishments the containers used for the storage of FP did not ensure their preservation under satisfactory conditions of hygiene (storage of clean containers for FP in the exterior of the building and without protection; equipment for cleaning the containers of FP located at the exterior of the facilities).

- In one establishment the identification number of the establishment and/or the code of the country of dispatch was not present in packages of final FP intended to be shipped to EU (approval number missing and/or FO missing).
- In another establishment the MT found the presence of fish feed for mink labeled with the approval number of the establishment.
- In three establishments, temperature records were not available for certain time periods (absence and/or gaps in the temperature records of the cold stores) even though all the cold stores were equipped with working temperature recording devices.
- In three establishments the design and layout of working areas do not preclude contamination of the product (inadequate flow of production - possible cross-contamination; thawing process not done in accordance with Community requirements; incorrect storage of intermediate product – fish fillets in standing water; presence of production waste in the chilling room for raw material; incorrect hygiene procedures in FP handling – unhygienic packing of fish meat and fish fillets).
- In two establishments inadequate ventilation and absence of good steam and water vapour extraction facilities (small areas of water condensation on the ceilings of production areas).

6 CONCLUSIONS

6.1 LEGISLATION

The FO legislation in force covers almost all aspects of Community legislation and can be in general considered as in line to Community requirements. However, regarding contaminants (heavy metals, dioxins/PCBs and PAH), Faroese legislation has not been updated with the provisions of the Regulation (EC) No 1881/2006, Commission Regulation (EC) No 1883/2006 and Regulation (EC) No 333/2007.

6.2 COMPETENT AUTHORITY

The CA has a sufficient number of officials involved in the official control of the FP production chain and has in place a comprehensive set of written procedures and instructions. However due to the fact that sometimes the existing written procedures are not followed by all staff in order to cover all the relevant and applicable legal requirements and/or that they are not followed in a harmonised way, the CA is not in a position to ensure that all the establishments and FP produced in FO and exported to the EU meet the Community standards.

6.3 OFFICIAL CONTROLS

The CA has an auditable official control system in place covering almost completely the whole production chain of fish and FP (with only small vessels less than 20 GRT not controlled). However, the failure in identifying some important shortcoming (non-compliances with Council Directives 91/493/EEC and 92/48/EEC) by the CA inspectors, together with the lack of official control on environmental contaminants (as contained in Regulation EC No 1881/2006), additives (as in European Parliament and Council Directive 95/2/EC), histamine (as in Commission Regulation EC No 2073/2005) and organoleptic criteria (as in Council Directive 91/493/EEC), as well as an incomplete official control on the quality of water and ice (as in Council Directive 98/83/EC), undermines the reliability of the system.

6.4 LABORATORY

The laboratory was found to be accredited against ISO standard (ISO 17025) by DANAK, well equipped and maintained for the relevant analyses performed.

6.5 FISHING VESSELS, LANDING SITES, ESTABLISHMENTS AND FV

In general the fishing vessels and landing sites visited by the MT could be considered as compliant with Community legislation.

All establishments visited by the MT presented several easy to correct shortcomings, nevertheless they can be considered, in general, as in compliance with the requirements of Community legislation. The FV visited presented serious shortcomings and for that reason it can not be considered as meeting the Community standards.

6.6 OVERALL CONCLUSION

The FO CA has adopted several legislative and administrative procedures to apply the provisions of the relevant Community legislation. An official control system for FP is in place, however, it does not cover all the Community requirements since there are gaps in some areas, namely organoleptic checks, testing for histamine, and controls of contaminants and additives. As regards the implementation of controls, it is concluded that they are not fully effective as demonstrated by the deficiencies observed in the conditions of establishments, some of which had not been detected or recorded by the official services.

7 CLOSING MEETING

During the final meeting, held in Torshavn on 12 September 2008, the MT presented its findings and preliminary conclusions to the CA.

During this meeting, the CA acknowledged the deficiencies pointed out by the MT, and presented written documents demonstrating actions already taken to address some of the non-compliances noted in the establishments and FV, including:

- The seizure of non-compliant FP originating from the FV, in order to check if it can

be considered as fit for human consumption;

- The seizure of all non-compliant products found in the establishments visited (exposed FP in cold chambers and unidentified or badly labelled FP);
- A general letter sent to all approved establishments listing the main deficiencies noted during the FVO visit - temperature records, labelling, storage and cleaning of containers for FP outside the premises;
- A summary of the all the actions taken regarding the shortcomings identified by the MT in the establishments visited,
- A commitment to inspect all the other establishments and to perform those inspections during autumn and winter 2008 and early in 2009.

8 RECOMMENDATIONS

No.	Recommendation
1	The CA should ensure that the Community standards regarding contaminants (as established in Regulation (EC) No 1881/2006, Regulation (EC) No 1883/2006 and Regulation (EC) No 333/2007) are applied to the FP exported to the EU.
2	The CA should take the necessary measures (e.g. training of staff) to ensure that the official control system is applied in a manner that it can guarantee that FP exported to the EU meet the Community standards.
3	The CA should ensure that all fishing vessels that supply FP to EU approved establishments meet the conditions laid down on the relevant Community legislation (considering the requirements of Chapter I of Annex III of Regulation (EC) No 854/2004 on official controls and Regulations (EC) Nos 852/2004, and 853/2004 on hygiene).
4	The CA should ensure that all the organoleptic checks, parasites, and chemical and microbiological checks and testing analyses of FP are carried out taking into account the specific Community requirements of Council Regulation (EC) No 2406/96 and Commission Regulations (EC) Nos 2073/2005, 2074/2005, 1881/2006, Council Directive 95/2/EC and where applicable taking into consideration the requirements of Chapter II of Annex III of Regulation (EC) No 854/2004 on FP.
5	The CA should ensure that (and considering the requirements of Council Directive 98/83/EC on drinking water) all the relevant microbiological, chemical and indicator parameters are analysed.
6	The CA should ensure that only those facilities that comply with the requirements laid down in the relevant Community legislation (considering the Point 1 of Article 9 of Chapter II of Decision No 1/2001 of the EC-Faeroe Islands Joint Committee) are maintained on the lists of registered/approved vessels and establishments.

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

http://ec.europa.eu/food/fvo/ap/ap_the_faroe_islands_7658_2008.pdf

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Directive 91/493/EEC	OJ L 268, 24.9.1991, p. 15–34	Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fish Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products
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
Regulation (EC) No 2406/96	OJ L 334, 23.12.1996, p. 1–15	Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products
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
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
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 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,	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

Reference	OJ Ref.	Detail
	25.6.2004, p. 22	
Regulation (EC) No 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Regulation (EC) No 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 1664/2006	OJ L 320, 18.11.2006, p. 13–45	Commission Regulation (EC) No 1664/2006 of 6 November 2006 amending Regulation (EC) No 2074/2005 as regards implementing measures for

Reference	OJ Ref.	Detail
		certain products of animal origin intended for human consumption and repealing certain implementing measures
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 1883/2006	OJ L 364, 20.12.2006, p. 32–43	Commission Regulation (EC) No 1883/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs in certain foodstuffs
Regulation (EC) No 333/2007	OJ L 88, 29.3.2007, p. 29–38	Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs