



EUROPEAN COMMISSION
HEALTH & CONSUMERS DIRECTORATE-GENERAL
Directorate F - Food and Veterinary Office

DG(SANCO)/ 2008-7940 - MR - FINAL

FINAL REPORT OF A MISSION
CARRIED OUT IN
LITHUANIA
FROM 02 SEPTEMBER TO 12 SEPTEMBER 2008
IN ORDER TO
EVALUATE THE FOLLOW-UP ACTION TAKEN BY THE COMPETENT
AUTHORITIES WITH REGARD TO OFFICIAL CONTROLS RELATED TO THE
SAFETY OF FOOD OF ANIMAL ORIGIN, IN PARTICULAR MEAT AND MILK

*Please note that factual errors in the draft report have been corrected in response to comments by the
Competent Authority.*

Executive Summary

The Lithuanian Central Competent authority (CCA) replied to all the recommendations of the previous mission report DG(SANCO)/8154/2006. The action plan addressed most of the recommendations in a satisfactory way.

The Competent authority (CA) is well designated and has sufficient legal powers. No major changes have been made in relation to structure and organisation of the CA, except for the merger on 1 July 2008 of the National Veterinary Laboratory and the State Inspection on Veterinary Preparations into the new National Risk Assessment Institute for Food and Veterinary.

Accreditation of the official services according to ISO 17020:2004 is ongoing and is currently covering the central level and all counties and cities but two.

The procedures and checklists used as well as the reporting system are well elaborated and allow for a harmonised approach. The frequencies of official controls are laid down in the MANCP and were generally followed.

Certification was generally found to be compliant with Community requirements as well as the controls of EU non-conforming goods for transit.

All EU-approved establishments have been re-approved according to the new hygiene legislation and new approval letters were available in all establishments visited. Six out of 8 establishments visited were found to be generally compliant with Community requirements and the CA had in their reports been able to detect most of the deficiencies detected by the mission team. However, deadlines for rectification of shortcomings were occasionally too long.

One small meat product plant had been approved without fulfilling basic structural requirements. Another combined slaughter, cutting and meat products establishment was far from being compliant and operated under unhygienic conditions especially in the freezing store. At the final meeting the CCA confirmed that the approval number had been withdrawn and that the entire contents of the freezer store had been sent for rendering.

The traceability exercises carried out by the mission team were successful. The sampling for microbiological examination was not compliant with Regulation (EC) No 2073/2005 in the two EU approved slaughterhouses visited.

Records from official controls of establishments were available on standardised forms and in most cases thoroughly filled out. However, in the 2 establishments mentioned above the various levels of the CA had failed to identify major shortcomings.

Progress can be noted as regards the system in place, but the implementation of official controls on food hygiene in the meat and milk sector still requires further efforts by the CA. The situation as seen on the spot in some establishments gives rise to concerns regarding the conditions for the approval/registration of the establishments and the efficiency of official controls.

A number of recommendations have been made to the CA with a view to addressing the deficiencies identified during this mission.

TABLE OF CONTENTS

1	INTRODUCTION.....	1
2	OBJECTIVES OF THE MISSION.....	1
3	LEGAL BASIS FOR THE MISSION.....	2
4	BACKGROUND.....	2
5	MAIN FINDINGS.....	3
5.1	Competent Authorities	4
5.1.1	<i>Designation of competent authorities and operational criteria.....</i>	4
5.1.2	<i>Staff performing official controls.....</i>	5
5.1.3	<i>General obligations with regard to the organisation of official controls</i>	6
5.1.4	<i>Control and verification procedures.....</i>	7
5.1.5	<i>Reports.....</i>	8
5.2	Official certification.....	8
5.3	Registration and approval of establishments	9
5.3.1	<i>Approval of establishments.....</i>	9
5.3.2	<i>National measures and derogations.....</i>	9
5.4	Application of Hygiene Rules at establishment level and official controls.....	10
5.4.1	<i>Food business operators' obligations.....</i>	10
5.4.2	<i>Official controls at establishments for verification of food business operators' compliance.....</i>	12
5.4.3	<i>Official inspection tasks in establishments.....</i>	13
5.4.4	<i>Action in case of non-compliance.....</i>	15
6	CONCLUSIONS.....	15
6.1	Competent Authorities	15
6.2	Official certification	16
6.3	Registration and approval of establishments	16
6.4	Application of Hygiene Rules at establishment level and official controls	16
6.5	Follow-up of the previous FVO mission.....	17
6.6	Overall conclusion.....	17
7	CLOSING MEETING.....	17
8	RECOMMENDATIONS.....	17

ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
CA(s)	Competent authority (ies)
CCA	Central Competent Authority
CVED	Common Veterinary Entry Document
EU	European Union
FBO	Food Business Operator
FVIAS	Food and Veterinary Internal Audit Service
FVO	Food and Veterinary Office
HACCP	Hazard Analysis and Critical Control Points
OV	Official Veterinarian
SFVS	State Food and Veterinary Service (<i>Valstibynė maisto ir veterinarijos tarnyba</i>)
TRACES	Trade Control and Expert System

1 INTRODUCTION

The mission took place in Lithuania from 2 to 12 September 2008 as part of the planned mission programme of the Food and Veterinary Office (FVO). The mission team comprised 2 FVO inspectors from the Food and Veterinary Office (FVO) and was accompanied during the mission by representatives from the CCA, the State Food and Veterinary Service (*Valstibynė maisto ir veterinarios tarnyba* - SFVS).

At the opening meeting, the objectives, itinerary, and reporting procedures were confirmed, and information complementary to that received in the course of the preparation of the mission was requested by the mission team.

2 OBJECTIVES OF THE MISSION

The objectives of the mission were the evaluation of the follow-up action taken by the CA with regard to:

- CA organisation and operation,
- official controls over food business operators' (FBO) compliance with general and specific rules on the hygiene of food of animal origin,
- the implementation of these rules by FBOs,
- the correct implementation of the chain of certification.

In particular, controls over meat, milk and their products in the framework of Regulations (EC) No 178/2002, No 852/2004, No 853/2004, No 854/2004 and No 882/2004 were subject to the evaluation.

In pursuit of these objectives, the mission itinerary included the following:

Competent authorities			Comments
Competent authorities	Central	1	
	Regional	5	
	Local	7	
Food production/processing / distribution - Activities			
Slaughterhouses		3	1 domestic market only
Cutting plants		2	both integrated
Meat products/meat preparations plants		3	1 independent plant
Minced meat, MSM		2	both integrated
Milk processing plants		2	
Milk collection points		2	
Dairy farms		2	
Storage establishments		2	also customs warehouse

3 LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation and, in particular Article 45 of Regulation (EC) No 882/2004.

A full list of the legal instruments referred to in this report is provided in Annex 1. Legal acts quoted in this report refer, where applicable, to the last amended version.

4 BACKGROUND

The previous FVO mission in the evaluated sectors was carried out in March 2006 (ref. number DG(SANCO)/8154/2006, hereafter referred to as the previous report) and the following recommendations were made:

1. To ensure access for the OVs to update information about official controls and to improve knowledge at central level about the applied approach of the controls at the county level.
2. To update procedures and instructions in particular as regards definitions applied for

different types of official control to bring them all fully in line with the provisions of Regulations (EC) No 882/2004 and No 854/2004 respectively.

3. To improve and further develop the risk assessment applied with the aim of increasing the diversification of control frequencies of similar types or establishments displaying different risks in the national official control programme as the basis for establishing control frequencies.
4. To implement a system to review the efficiency of the official controls carried out by the SFVS as laid down in Article 8 (3) of Regulation (EC) No 882/2004.
5. To strengthen the official control of EU-non-compliant third country animal products in order to ensure full compliance in all cases with the requirements of Commission Decision 2000/571/EC, Article 11 (2)(d) of Council Directive 97/78/EC and Article 12 of Regulation (EC) No 854/2004 respectively.
6. To ensure the issuing of accurate approvals reflecting all activities carried out by the food businesses in line with Article 4 of Regulation (EC) 853/2004 and Article 3 of Regulation (EC) No 854/2004 respectively.
7. To strengthen the audits on HACCP-based procedures and verification of the compliance in all cases with the requirements of Regulation (EC) No 2073/2005.
8. To apply a health mark for emergency slaughtered animals with a format that fully ensures that the requirements of Annex III, Section I, Chapter 9 of Regulation (EC) No 853/2004 will be complied with.
9. To organise the system of official control of dairy farms in a way that ensures immediate suspension of milk deliveries when required by the legislation.
10. To ensure that proper risk assessment and definition of period of acceptance in line with the requirements of Article 5 of Regulation (EC) No 852/2004, Chapter II(II)(2)(a) of Annex III of Regulation (EC) No 853/2004 and Article 12 of Regulation (EC) No 2076/2005 are established.
11. To bring the training of officials fully in line with the provisions of Annex I, Section III, Chapter IV, Point A of Regulation (EC) No 854/2004.
12. To ensure the correct application of all the approval requirements of Article 12 (4)(b) of Council Directive 97/78/EC with regard to warehouses.

The action plan received in response to above recommendations provided satisfactory guarantees with the exception of the first part of recommendation one "to ensure access for the OVs to update information about official controls" and implementation of all the actions was announced for 1 November 2006.

The previous report for Lithuania DG(SANCO)/8154/2006 can be found on the internet on the following address: http://ec.europa.eu/food/fvo/ir_search_en.cfm

5 MAIN FINDINGS

5.1 COMPETENT AUTHORITIES

The structure and organisation of the CA is described in the previous report as well as in the Country Profile for Lithuania. The Country Profile for Lithuania can be found on the internet on the following address: http://ec.europa.eu/food/fvo/country_profiles_en.cfm

5.1.1 Designation of competent authorities and operational criteria

In response to the recommendation to improve knowledge at central level about the control approach applied at county level the CCA indicated that they conduct evaluation of certain Official Veterinarians (OVs) according to a specific procedure. Furthermore in response to recommendation 2, the CCA indicated that the relevant procedures and instructions will be updated by 1 November 2006.

Observations:

- The structure of the CA can basically be seen as flat with one CCA and 49 territorial units. However, the Order of the CVO (B1-226) which outlines the distribution of responsibilities between the counties and the districts clearly gives the responsibility for, among other things, approval and Hazard Analysis Critical Control Points (HACCP) audits of establishments handling products of animal origin to the counties and gives the districts a supporting role regarding these tasks.
- The SFVS is accredited to ISO 17020:2004 as a body performing inspection. Presently this accreditation covers the CCA and 3 out of 5 cities and 9 out of 10 counties. The accreditation is planned to be expanded in order to include the remaining city, county and the 34 districts.
- The only change noted in relation to structure and organisation of the CA was the merger on 1 July 2008 of the National Veterinary Laboratory and the State Inspection on Veterinary Preparations into the new National Risk Assessment Institute for Food and Veterinary.

5.1.1.1 Co-ordination of competent authorities

Observations:

- The organisation of the SFVS provides for good possibilities as regards co-ordination and no gaps or overlapping responsibilities were identified during the mission.
- The Food and Veterinary Internal Audit Service had during an audit in July 2008 identified an overlap in responsibilities concerning the supervision of certain types of establishments between a county and a city and consequently the recommended change was introduced from 1 September 2008 which gave full responsibility to the county.
- At least one establishment visited had been inspected and approved by the responsible district and county officials without fulfilling basic structural requirements (parts of production out doors). The CCA was not aware of this flexible interpretation of the legal requirements and in addition, this is a repeat finding from the previous report.

5.1.1.2 Legal powers

Observations:

- The CA has sufficient legal powers to carry out the official controls and to take the necessary measures if enforcement is needed.

5.1.1.3 Audits of the competent authorities

Observations:

- The system for internal audit has been changed and earlier the counties inspected the districts whereas they now are supporting the districts in their internal evaluation of the quality management system. Presently all the lower levels (county, city, district) are audited against the quality manual and the working instructions by the Food and Veterinary Internal Audit Service (FVIAS). The FVIAS conduct internal audit, the aim of which is to assess the effectiveness of official controls. In addition the Strategic Planning and Quality Management Department of the SFVS carry out internal audit of the quality system.
- The FVIAS is an independent body reporting directly to the CVO and carries out audits according to an annual plan which includes audits of the lower levels against the quality management system as well as targeted audits in specific sectors. In addition a number of ad hoc audits are carried out on demand each year. In 2008 two specific audits have been carried out pertaining to issues covered by this mission, both these were also a follow-up of findings from earlier FVO missions. The two audit reports seen were rather comprehensive and included recommendations to the responsible CA. A specific working instruction details the procedures to be followed for these audits.
- The relevant procedures have been updated as indicated by the CCA in their action plan following the previous report.

5.1.1.4 Other criteria

Observations:

- The SFVS has a total of 1 810 staff of which 110 are working at central level which means that staff numbers have increased since the last mission.
- No elements were identified by the mission team that could pose a risk of conflict of interest.
- No delegation of official tasks to control bodies has taken place.
- The quality management system includes a performance assessment of official staff and the target is that each person should be assessed every 4 years. This procedure started in 2006 and so far only covers the parts of the SFVS that are accredited.

5.1.2 Staff performing official controls

The CCA did not provide a response to the first part of recommendation one which pertained to ensure access for the OVs to update information regarding the official controls. The system in place as regards training etc. is described in the previous report.

Observations:

- The OVs met had, when checked, access to the relevant procedures and work instructions via the internet and/or in printed form.
- The level of knowledge about procedures and legal requirements among official staff met varied but was in general found to be acceptable. However, the situation as seen in 2 establishments visited indicates that the level of knowledge was either very limited or the interpretation of legal requirements was inadequate.

5.1.3 General obligations with regard to the organisation of official controls

In response to recommendation 3 in the previous report the CCA indicated that the amended working instruction on control frequencies was approved on 7 April 2006.

5.1.3.1 Organisation of official controls

Observations :

- The work instructions and guidelines encompasses the relevant criteria for carrying out official controls on a risk basis and with an appropriate frequency according to a point scoring system. In addition, the national control plan lays down minimum frequencies to be met for certain types of establishments. The result however, was that the frequency of controls in establishments of the same type visited was basically the same and variation was only seen between different types of establishments.

5.1.3.2 Periodicity and frequency of the official controls

Observations:

- The official controls were performed regularly and with an adequate frequency as stated in the national control plan.
- The only exception noted was a combined slaughter, cutting and meat products plant where the obligatory annual HACCP audit had not been carried out in 2007.

5.1.3.3 Procedure to review the system

- The system for setting the frequencies is according to the CCA reviewed annually and it was explained that the working instruction on division of food handling business into risk groups for next year will provide for greater flexibility as regards the frequency of official controls for an individual establishment based on assessment by the CA. The draft version seen of this document included the relevant criteria and the frequency of official controls varied between 3 times per year and once every 2 years.

5.1.4 Control and verification procedures

In response to recommendation 4 in the previous report the CCA indicated that the review of the efficiency of the official controls are now included in the quality management system.

5.1.4.1 Procedures on tasks, responsibilities and duties of staff

Observations:

- The system in place is well documented as described in the previous report.

5.1.4.2 Procedures on control methods and techniques

Observations:

- The system in place is well documented with plenty of checklists and working instructions as described in the previous report. Two minor issues were noted in the checklists used as the specific checklist on labelling did not include identification marking as a separate issue and the specific checklist for slaughterhouses did not include Food Chain Information as a separate issue. The CCA explained regarding the latter that the requirements for Food Chain Information for slaughtered pigs will be implemented later this year.

5.1.4.3 Actions following official controls

Observations:

- The system in place is described in a working instruction and the official controls over approved establishments carried out are entered into the establishment database (VEPRAS) as regards the date, if it was planned/unplanned, scope, samples taken, result, possible infringements and follow up.
- Prompt action was taken by the CA in 2 establishments where the mission team found serious shortcomings.

5.1.4.4 Verification procedures

Observations:

- One of the priorities of the internal audit carried out by the FVIAS described under 5.1.1.3 is to verify the efficiency of official controls carried out by the territorial SFVS.
- The data entered into the establishment database are used to produce quarterly reports which makes it possible for the CCA to see if targets are being met as well as providing summaries of shortcomings detected and infringements. The software used also generates tables but the didactic graphs shown were added manually and made it easier to detect any possible trends.
- The CCA started a project in 2007 to calculate the efficiency of official food control

using specific parameters and the graphs shown indicated that the situation has improved since 2005.

- The ISO 17020 standard in itself contains provisions for management review of the quality system as well as corrective action when deficiencies are detected.

5.1.5 Reports

Observations:

- Reports were drawn up after official controls and the format of these were harmonised and fulfilled the requirements of Article 9 of Regulation (EC) No 882/2004.
- In respect of establishments with multiple activities it was at the discretion of the inspector to chose which additional checklists/appendices to use during one particular inspection.
- The reports were countersigned by the FBO and a copy was provided to the FBO.

5.2 OFFICIAL CERTIFICATION

In response to recommendation 5 the CCA indicated that all consignments of non-conforming and conforming goods are entered into the TRACES database. The general procedures for certification are well described in the previous report.

Observations:

- The procedures for certification included documentary checks as well as a physical check of the consignment before signing the certificate.
- The CA was able to demonstrate that EU non-conforming products were entered into the TRACES database in a satisfactory way.
- In all the examples checked by the mission team concerning splitting of EU non-compliant products, there was a link to the incoming common veterinary entry document (CVED) in the outgoing CVED in the form of a reference number, as foreseen in Article 1(6) of Commission Decision 2000/571/EC.
- The traceability exercises carried out by the mission team on non-conforming products gave a satisfactory result.
- The log books of entries and dispatches kept by the OVs in the cold stores visited were found to be accurate. However the weekly summaries derived from these and presented to the mission team in one cold store showed that around 100 tonnes of non-conforming beef was stored, whereas in reality 75 tonnes of these had been dispatched already in February this year. The CA could however present documentary evidence that these consignments had been handled in accordance with the legal requirements. Hence only the weekly summaries had not been updated appropriately.

5.3 REGISTRATION AND APPROVAL OF ESTABLISHMENTS

In response to recommendation 6 the CCA indicated that all establishments will be evaluated following their procedures based on the new EU hygiene legislation and when compliant re-approved with a listing of all types of activities, in which they engage and for which they are approved. Furthermore, in response to recommendation 12 the CCA stated that all customs warehouses were revised as regards the categories for which they are approved and re-registered by 1 May 2006.

5.3.1 *Approval of establishments*

Observations

- The CCA stated that all establishments had been re-approved based on the new EU hygiene legislation. The mission team could confirm that approval letters based on the new legislation were available in all establishments visited.
- The evaluation leading to a re-approval did not normally include the HACCP system and it was explained that there was only one procedure for approval and in this procedure this element was not included.
- In one establishment visited the inspection upon which the approval was based had been carried out 10 months before the issue of the new approval letter.
- In one establishment visited the responsible county had issued a document further detailing the limitations of the approval but in other districts the approval letters were rather general in nature.
- One meat product, minced meat and meat preparations establishment visited had been approved in 2005 and re-approved in 2008 without fulfilling basic structural requirements (production partly out doors). This establishment had an approval letter from 2008 which included activities (minced meat, meat preparations) that had not been carried out for three years. At the final meeting the CCA announced that the plant was from now on approved for meat products for the domestic market only. This is a procedure which is not foreseen by Article 4(1) of Regulation (EC) No 853/2004 and Article 4 of Regulation (EC) No 2076/2005.
- The 2 cold stores visited which were also registered as customs warehouses had procedures in place to physically separate EU conforming products from non-conforming.
- The lists of establishments published on the internet were generally accurate but also included a number of establishments in transition. The CCA explained that these establishments had all been correctly approved but an error had been made when entering the details into the establishment database. This mistake was corrected already during the mission.

5.3.2 *National measures and derogations*

The CCA stated that the derogation concerning national measures foreseen in Article 10 of Regulation (EC) No 853/2004 and Article 7 of Regulation (EC) No 2074/2005 has not been used by Lithuania.

5.4 APPLICATION OF HYGIENE RULES AT ESTABLISHMENT LEVEL AND OFFICIAL CONTROLS

5.4.1 Food business operators' obligations

5.4.1.1 General hygiene requirements

Observations:

- Six out of 8 establishments visited were found to be compliant (2) or mainly compliant (4) with the general hygiene requirements. Nevertheless in these 6 establishments a number of deficiencies were noted and several of these had been detected by the CA. Listed below are some examples of deficiencies that had not always been detected by the CA:
 1. several deficiencies related to maintenance such as rusty equipment and damaged floors and walls;
 2. process equipment stored outside the building in one establishment (not detected by CA);
 3. metal detector (CCP) on cheese slicing line in one dairy plant not operating satisfactorily during the visit;
 4. gaps between walls and floor and between wall panels in one plant (not detected by CA);
 5. unprotected electrical cables over exposed products (not detected by CA);
 6. in some establishments the maps over pest control bait stations were not updated and from the protocols seen from the company responsible for the controls it was impossible to see if and where there had been any rodent or other pest activity (detected by CA in one plant);
 7. in one plant, the water samples taken for microbiological analysis did not contain a substance to inactivate the chlorine in the potable water sample (not detected by CA).
- (A) One small meat product, minced meat and meat preparations plant did not fulfil basic requirements for approval since it had parts of the production outdoors. A lot of rusty equipment was seen in this plant, unprotected halogen lights in the reception area and the loading in and out bays had docking stations that were not functional. These deficiencies had not been detected by the CA. The action taken by the CA is described under 5.3.1.
- (B) Another combined slaughter, cutting, minced meat, meat preparations and meat products establishment was partly congested, not fully pest proof, had very poor maintenance and was operating under very unhygienic conditions especially in the

freezing store where unprotected meat was lying on the floor and stacked against the wall. These deficiencies had not been detected by the CA. The plant was suspended immediately and at the final meeting the CCA confirmed and provided documents showing that the approval number had been withdrawn and that the entire contents of the freezer store had been sent for rendering.

5.4.1.2 Specific requirements

Observations

Overall the situation is as described for the general hygiene requirements with two establishments clearly standing out as not compliant.

- In 2 slaughterhouses visited extensive use of pressure hoses close to exposed carcasses was seen. Furthermore, some sterilising boxes were seen in these 2 plants that did not meet the temperature requirements (not detected by the CA).
- The 2 non-compliant establishments above (A and B) had several hand washing facilities that were hand operated and in B sometimes not working at all (not detected by CA).
- In 2 slaughterhouses the sampling for microbiological sampling of carcasses did not meet the legal requirements (detected by the CA in one plant)
- In plant B above the sampling plan for microbiological analyses did not fully meet the legal requirements and this plan was not followed. The result was that analyses of minced meat, meat preparations, surface swabs and potable water was either very limited or absent (not detected by CA).
- In establishment B the temperature of the offal chilling room was +13 degrees Celsius and there was insufficient light at the meat inspection station (not detected by the CA).

5.4.1.3 HACCP based systems

Observations

- HACCP based systems were in place in the establishments visited but in one case the system had not been updated and in another case not implemented in full (no monitoring records of one CCP). These deficiencies had earlier been detected by the CA. Please note that several findings under point 5.4.1.2 relate to the operation of HACCP based system as well.

5.4.1.4 Identification marking

Observations

- No deficiencies were noted as regards identification marking.

5.4.1.5 Traceability and labelling

Observations

- All the establishments visited had traceability systems in place but in one case this system was rather complicated and therefore very difficult to follow.
- The traceability exercises carried out by the mission team were successful in all cases.
- No deficiencies were noted as regards the labelling of products.

5.4.2 Official controls at establishments for verification of food business operators' compliance

In response to recommendations 7, 9 and 10 the CCA indicated that the working instruction on auditing of HACCP systems will be updated before 1 November 2006, that the requirements on procurement of milk will be amended to facilitate suspensions by the local authorities when required by the legislation and finally that the detected non-compliance regarding period of acceptance has been eliminated immediately and the relevant procedures been updated.

Observations

- Documents received by the mission team confirm that the above actions have been taken, and deadlines met in respect of the issues raised above.

5.4.2.1 Audits of good hygiene practices

Observations

- These were carried out by the district level at the planned frequency and using harmonised forms and checklists.
- Normally the documents were thoroughly completed and included recommendations or requests for an action plan, when needed.
- The officials were in most cases able to detect deficiencies identified by the mission team. This was however not the case as regards establishments A and B above.

5.4.2.2 Audits of HACCP-based procedures

Observations

- Audits of HACCP based procedures in the establishments were carried out regularly by specialists from the county level together with the district at the frequency set in the national control plan that was once per year. See also 5.1.3.2.
- Standardised checklists and forms were used and they were normally thoroughly completed. The officials were in most cases able to detect deficiencies identified by the mission team. This was however not the case in the establishment highlighted

above (B).

5.4.2.3 Controls over the application of identification marks

Observations

- This issue was not specifically addressed during inspections and it was explained that it was covered by the checklist on labelling. This checklist, however, did not specify identification marking as one of the issues to be covered.

5.4.2.4 Verification of traceability requirements

Observations:

- This issue was normally covered during inspections and examples were seen that this was carried out.
- Labelling in general had been one of the key areas identified by the CCA to be looked at specifically in 2008 during inspections.

5.4.3 Official inspection tasks in establishments

In response to recommendations 8 and 11 the CCA indicated that the Health Mark for emergency slaughtered animals will be changed until October 2006 and that the requirements for a probation period for new officials has been changed to comply with EU legislation.

5.4.3.1 Ante-mortem inspection

Observations

- The ante-mortem inspections were always carried out by an OV and properly recorded.
- The systems in place concerning movement documents did not always include all the relevant Food Chain Information for slaughtered pigs. The OV had not reacted to the absence of the name of the veterinary practitioner responsible for the farm and the CCA explained that it was planned to implement the specific requirements later in 2008.

5.4.3.2 Post-mortem inspection

Observations

- The post-mortem examination was carried out satisfactory and the results properly documented.
- The Trichinae examinations were also carried out by official veterinarians and no deficiencies were detected. In the low capacity slaughterhouse, the compression method was used as foreseen in Article 16 of Regulation (EC)No 2075/2006. The

carcasses were later provided with the domestic (round) health mark.

5.4.3.3 Health marking

Observations:

- Health marking was under the control of the OV's and no deficiencies were noted by the mission team.
- The order of 27 June 2006 on emergency slaughter of animals foresees a rectangular health mark for these carcasses.

5.4.3.4 Animal welfare at the time of slaughter or killing

Observations:

- In one slaughterhouse 3 pigs were moved into the restraining box at the same time causing unnecessary stress to the animals. Immediate corrective action was initiated.
- In another slaughterhouse (B), the electrical stunning equipment was not handled properly and re-stunning had to be carried out.

5.4.3.5 Criteria for raw milk

Observations:

- Printouts from the national milk laboratory database indicated that in the first 6 months of 2008 there had been 2 922 samples that had come out positive for inhibitors (0,51%) and hence purchases from these farms were stopped. In the same period 873 farms had been blocked from delivering due to a rolling geometric average exceeding the permissible limits for somatic cell count and for total plate count the number of farms blocked was 387.
- The 2 dairies visited were not able to provide an overview of how they were complying with the requirements as regards these blocked farms. They could however, demonstrate in a satisfactory way when looking at individual farms. This raises some concerns as regards the possibility of the CA to monitor the situation at establishment level.
- The CA explained that they have access to the national milk laboratory database and whenever carrying out an inspection at a collection centre for milk or a dairy plant, they print out the relevant records for the suppliers and can use these for a cross check with actual deliveries. This was demonstrated in a milk collection centre visited.
- The requirement is that farms from which the milk purchase has been suspended must have additional samples taken with a good result plus a favourable opinion from the SFVS before they can start delivering milk again. Examples were seen that farms who were blocked from deliveries were positively selected for inspection by the SFVS, if not requested by the farmer himself.

5.4.3.6 *Professional qualifications of official veterinarians and auxiliaries*

Observations

- The procedure on recruited civil servants and employees has been supplemented to fulfil the requirements regarding the length of the probation period for newly recruited official veterinarians.

5.4.4 *Action in case of non-compliance*

Observations:

- If deficiencies were identified in the reports, recommendations on corrective actions were normally made.
- If there were several deficiencies which may take more time to rectify, an action plan from the FBO was normally requested.
- Follow up of these was normally done during the next audit or in slaughterhouses by the on plant veterinarian. In one case seen, (establishment A) the follow-up was carried out more than one year after the initial inspection.
- The action plans seen had sometimes been accepted with rather generous deadlines which occasionally were extended if needed. Some examples:
 1. Revision of HACCP plan - 15 months
 2. Comply with the requirements for microbiological sampling of carcasses - 3 months
 3. Improve the traceability system - 6 months.

6 CONCLUSIONS

6.1 COMPETENT AUTHORITIES

- The CAs are clearly designated and have sufficient legal powers. This, in combination with a well developed quality management system, an independent internal audit unit and the ongoing accreditation provides for a CA well suited to meet the requirements of Regulation (EC) No 882/2004 and No 854/2004. This is however to some degree undermined by the lack of awareness at central level, of the occasionally inadequate interpretation of legal requirements by lower levels during official controls, as demonstrated in 2 establishments visited.
- The system for organisation of official controls broadly encompasses the relevant criteria but in reality the frequencies of inspection does not vary between similar types of establishments, even when the hygienic conditions are different. This is not fully in line with Article 3 of Regulation (EC) No 882/2004 and the system in use cannot be regarded as truly risk based.

6.2 OFFICIAL CERTIFICATION

- Official certification as well as controls over EU conforming and non-conforming products from third countries in customs warehouses was in line with the requirements of Council Directives 96/93/EC and 97/78/EC and Commission Decision 2000/571/EC.

6.3 REGISTRATION AND APPROVAL OF ESTABLISHMENTS

- All approved establishments have been re-approved based on Article 31.2 of Regulation (EC) No 882/2004 but the inspections upon which these re-approvals were based normally did not include the HACCP based procedures, despite these establishments already having an approval under the "old" legislation. Therefore these re-approvals can be considered as partial unless backed up by a favourable HACCP audit.
- One small meat products establishment visited had been approved in 2005 and re-approved in 2008 without fulfilling basic structural requirements. At the final meeting the CCA handed over documents indicating that the plant was from now on approved for the domestic market only. This is a procedure which is not foreseen by Article 4(1) of Regulation (EC) No 853/2004 and Article 4 of Regulation (EC) No 2076/2005.

6.4 APPLICATION OF HYGIENE RULES AT ESTABLISHMENT LEVEL AND OFFICIAL CONTROLS

- Most of the establishments visited can be regarded as mainly compliant with the general hygiene requirements in Annex II of Regulation (EC) No 852/2004 and the specific hygiene requirements in Annex III of Regulation (EC) No 854/2004. In most cases the responsible competent authority had been able to identify deficiencies noted by the mission team. However, as indicated below some huge variations were seen.
- The exemptions being the small meat products plant mentioned above plus one combined slaughter and meat products plant which was operating under conditions that were far from being compliant with legal requirements concerning hygiene, maintenance and own-checks. In these two cases the competent authorities responsible for supervision from the various levels had not been able to identify major deficiencies. Regarding the latter plant the CCA handed over documents at the final meeting indicating that the approval number had been withdrawn and the contents of a freezer store sent for rendering.
- Traceability, labelling and identification marking was generally found to be compliant with Article 18 of Regulation (EC) No 178/2002 and Article 5 of Regulation (EC) No 853/2004.
- The microbiological sampling was not always found to be in compliance with Regulation (EC) No 2073/2005.

- Audit reports meeting the requirements of Article 9 of Regulation (EC) No 882/2004 were available in all establishments and normally thoroughly filled out. The forms and checklists used were harmonised and backed up by working instructions. However when corrective actions were requested from the FBO the accepted deadlines were sometimes rather generous, and when needed, extended.
- Ante-mortem as well as post-mortem examinations and health marking was properly done and well documented as foreseen in Article 5 and Annex I of Regulation (EC) No 854/2004. However, the requirements for Food Chain Information as regards pigs were not always fully met as detailed in Annex II, section III of Regulation (EC) No 853/2004 and Article 8 of Regulation (EC) No 2076/2005.

6.5 FOLLOW-UP OF THE PREVIOUS FVO MISSION

- The action plan received in response to the recommendations in the report from the mission DG(SANCO)/8154/2006 provided satisfactory guarantees to almost all recommendations. The verification on the spot by the mission team does however indicate that as regards the action taken to address recommendations number 1, 3 and 7 there is room for further improvement.

6.6 OVERALL CONCLUSION

Progress can be noted as regards the system in place, but the implementation of official controls on food hygiene in the meat and milk sector still requires further efforts by the CA. The situation as seen on the spot in some establishments gives rise to concerns regarding the conditions for the approval/registration of the establishments and the efficiency of official controls.

7 CLOSING MEETING

A closing meeting was held on 12 September with the representatives of the CCA, during which the mission team presented its initial findings. The CCA did not express disagreement with these and provided evidence of action already taken and planned in relation to these findings as well as action plans from almost all establishments visited.

8 RECOMMENDATIONS

The competent authorities of Lithuania are invited to provide the Commission services with an action plan describing the action taken or planned in response to the recommendations of this report and setting out a time table, and a description of the actions taken to correct the deficiencies found, within 25 working days of receipt of the report.

No.	Recommendation
1	To take measures in order to increase the awareness at central level, of the occasionally inadequate interpretation of legal requirements by lower levels during official controls as laid down in Regulation (EC) No 852/2004 and No 853/2004.
2	To review the system for risk assessment of establishments in order to encompass all the relevant criteria and to ensure that official controls are carried out regularly, on a risk basis and with an appropriate frequency as laid down in Article 3 of Regulation (EC) No 882/2004.
3	To take measures in order to ensure that the establishments that have been re-approved have been subject to a HACCP audit with satisfactory results as foreseen in Article 3 of Regulation (EC) No 854/2004.
4	To take action in order to ensure that the requirements of Regulation (EC) No 2073/2005 are being complied with in all establishments.
5	To initiate further measures in order to be able to detect establishments that are working under conditions far from being compliant with the general hygiene requirements in Annex II of Regulation (EC) No 852/2004 and the specific hygiene requirements in Annex III of Regulation (EC) No 854/2004 and if detected, take the necessary corrective action as foreseen in Article 54 of Regulation 882/2004.
6	To take action in order to fully implement the requirements for Food Chain Information for pigs as detailed in Annex II, Section III of Regulation (EC) No 853/2004 and Article 8 of Regulation (EC) No 2076/2005 and the controls thereof as foreseen in Article 5 and Annex I of Regulation (EC) No 854/2004.
7	When the CA takes action in order to ensure that the FBO remedies the situation when non-compliance is identified as foreseen in Article 54 of Regulation (EC) No 882/2004 to take account of the nature of the non-compliance and avoid the acceptance of excessively long deadlines in action plans submitted by the FBO.

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

http://ec.europa.eu/food/fvo/ap/ap_lithuania_7940_2008.pdf

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Directive 64/432/EEC	OJ 121, 29.7.1964, p. 1977–2012	Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine
Directive 89/662/EEC	OJ L 395, 30.12.1989, p. 13–22	Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market
Directive 92/118/EEC	OJ L 62, 15.3.1993, p. 49–68	Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC
Directive 93/119/EC	OJ L 340, 31.12.1993, p. 21–34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
Directive 96/22/EC	OJ L 125, 23.5.1996, p. 3–9	Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of β -agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC
Directive 96/23/EC	OJ L 125, 23.5.1996, p. 10–32	Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC
Directive 96/93/EC	OJ L 13, 16.1.1997, p. 28–30	Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products
Directive 97/78/EC	OJ L 24, 30.1.1998, p. 9–30	Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries
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	OJ L 18,	Council Directive 2002/99/EC of 16 December

Reference	OJ Ref.	Detail
2002/99/EC	23.1.2003, p. 11–20	2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin 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
Directive 2004/41/EC	OJ L 157, 30.04.2004, p.33 corrected and re-published in OJ L 195, 02.06.2004, p. 12	Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC
Regulation (EC) No 1760/2000	OJ L 204, 11.8.2000, p. 1–10	Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97
Regulation (EC) No 1825/2000	OJ L 216, 26.8.2000, p. 8–12	Commission Regulation (EC) No 1825/2000 of 25 August 2000 laying down detailed rules for the application of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the labelling of beef and beef products
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

Reference	OJ Ref.	Detail
		854/2004
Regulation (EC) No 2075/2005	OJ L 338, 22.12.2005, p. 60–82	Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for Trichinella in meat
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 1774/2002	OJ L 273, 10.10.2002, p. 1–95	Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption
Regulation (EC) No 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
Regulation (EC) No 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Regulation (EC) No 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p.	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

Reference	OJ Ref.	Detail
	83	
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
Decision 2000/571/EC	OJ L 240, 23.9.2000, p. 14–18	2000/571/EC: Commission Decision of 8 September 2000 laying down the methods of veterinary checks for products from third countries destined for introduction into free zones, free warehouses, customs warehouses or operators supplying cross border means of sea transport