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FINAL REPORT OF A MISSION CARRIED OUT IN THE RUSSIAN FEDERATION FROM 16 JUNE TO 27 JUNE 2008 IN ORDER TO EVALUATE THE CONTROL SYSTEMS IN PLACE GOVERNING THE PRODUCTION OF FISHERY PRODUCTS INTENDED FOR EXPORT TO THE EUROPEAN UNION (FOLLOW UP)

Executive Summary

This report describes the outcome of an inspection mission carried out by the Food and Veterinary Office (FVO) in the Russian Federation from 16 to 27 June 2008. This was a follow-up inspection to a previous Fishery Products (FP) mission carried out in May 2006. The objectives were to verify the extent to which proposed corrective actions taken following recommendations made in the report of the 2006 mission had been implemented and to verify the extent to which official controls currently in place guarantee that Russian FP destined for the European Union (EU) are produced in conditions equivalent to the requirements laid down in Community legislation.

The report concludes that since the previous FVO inspection mission the CA has improved the quality of the control system for FP exported to the EU. However, the system of official controls does not fully ensure that FP exported to the EU are produced in compliance with, or according to standards at least equivalent to the Community requirements as set out in the health certificate (cf Appendix IV to Annex VI of Commission Regulation (EC) No 2074/2005). Longstanding irregularities remain uncorrected particularly those related to follow-up of deficiencies and enforcement of action plans in establishments and vessels. Official controls not in line with Regulation (EC) No 854/2004, Chapter III, Article 11 are carried out in some parts of the food chain. Other remaining problems include the monitoring of contaminants, the analytical methods and sampling procedure used for testing for histamine, the certifying of FP of which the certifying officers have no personal knowledge, and the outdated consolidated list of land-based establishments and of FV and ZV approved for export to the EU.

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

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
BIP	Border Inspection Point
CA/s	Competent Authority/ies
CCA	Central Competent Authority
CCP	Critical Control Point
EC	European Community
ELISA	Enzyme-Linked Immunosorbent Assay
EU	European Union
EU approved	Facilities approved by the Russian CA for involvement in the export of fish or fish products to the EU
EUROSTAT	Statistical Office of the European Communities
FBO/s	Food Business Operator/s
FP	Fishery Products
FV	Factory Vessel
FVO	Food and Veterinary Office
GMP	Good Manufacturing Practices
HACCP	Hazard Analyses of Critical Control Point
HPLC	High Performance Liquid Chromatography
MS	Member State
MT	Mission Team
NFA	National Fisheries Quality
NFQ-HQ	NFQ headquarter
PAH	Polycyclic Aromatic Hydrocarbons
PCB	Polychlorinated Biphenyls
RASFF	Rapid Alert System for Food and Feed
SANCO	Health and Consumer Protection Directorate General of the European Commission

Abbreviation	Explanation
WHO-TEQ	World Health Organization – Toxic Equivalent
ZV	Freezer Vessels

1 INTRODUCTION

The mission took place in the Russian Federation from 16 to 27 June 2008 and was undertaken as part of the Food and Veterinary Office's (FVO) planned mission programme.

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

2 OBJECTIVES OF THE MISSION

The objectives of the mission were to:

- evaluate whether the control systems in place governing the production of fishery products (FP) intended for export to the European Union are equivalent to the requirements listed in the certificate of Regulation (EC) No 2074/2005, Appendix IV to Annex VI;
- verify the extent to which the guarantees and the corrective actions proposed to Commission services following the recommendations of the previous 2006 FVO mission on this subject, have been implemented, enforced and controlled by the Russian Competent Authority (CA).

In order to achieve these objectives, the mission team evaluated the organisation of the CA and its capacity for implementing provisions considered as at least equivalent to the relevant Community legislation.

2.1 PROCEDURE OF THE MISSION

In pursuit of these objectives, the MT mission team proceeded as follows:

an opening meeting was held on 16 June 2008 with the Central Competent Authority (CCA), National Fisheries Quality (NFQ) which is under the authority of the Rosselkhoznadzor (Federal Service on Veterinary and Phytosanitary Surveillance of the Ministry of Agriculture). At this meeting the inspection team confirmed the objectives of and the itinerary for the mission, and requested additional information required for the satisfactory completion of the mission.

Representatives from NFQ accompanied the MT during the whole mission.

The following sites were visited:

Competent authority visits		
Central Competent authority	1	NFQ in Moscow
Regional Competent authority	4	NFQ regional offices in Murmansk, Kaliningrad, Astrakhan and St. Petersburg
Laboratories involved in the official control		
Fishery Products, water	4	2 laboratories in Moscow, the MVL in Kaliningrad and the MVL in Murmansk
Primary production		
Landing sites	1	Kaliningrad
Fishing vessels		3 in Kaliningrad, 2 in Murmansk and some small vessels in Astrakhan
Freezer and factory vessels	6	Kirkenes (Norway) and Murmansk
Other:		
FP processing establishments	18	7 in operation and 11 not in operation. In Astrakhan, Murmansk, St. Petersburg, Kaliningrad and Moscow
Cold store	1	Murmansk
Ice machine	1	Kaliningrad

3 Legal Basis for the Mission

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

- Regulation (EC) No 882/2004 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, Article 46;

- Commission Decision 98/140/EC of 4 February 1998, laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in third countries.

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

4 BACKGROUND

4.1 HISTORICAL BACKGROUND

The Russian Federation is presently listed in Annex II to Commission Decision 2006/766/EC, which lists the third countries and territories from which imports of FP are permitted.

The conditions governing these imports are now listed in the model health certificate in Appendix IV to Annex VI of Regulation (EC) No 2074/2005 and include a public health and where relevant, an animal health certificate.

This FVO mission was a follow up of a previous one to the Russian Federation carried out from 10 to 24 May 2006 (ref. DG(SANCO)/8187/2006). During that mission a number of deficiencies were identified: inadequate follow up activities of corrective actions in establishments, standards of the Russian FP chain not equivalent to Community ones, incomplete monitoring of contaminants in FP and insufficient official sampling of water.

The report of this 2006 mission included fifteen recommendations. The CA response dated 31.08.06 submitted a corrective action plan with a timetable for completion. The action plan was updated by letter No FS-SD-2/II622 dated 29.12.2006 [1].

The findings in the current report follow the structure of the above mentioned action plan, and cover all the recommendations of the previous mission report.

[1] This report is published on the Internet at http://europa.eu.int/comm/food/fvo/ir_search_en.cfm

4.2 PRODUCTION AND TRADE INFORMATION

According to Eurostat, the Russian Federation exported in 2007 103,000 tons of FP to the EU from 79 processing establishments (PP), 159 freezer vessels (ZV) and 173 factory vessels (FV). Shortly after the current mission a new consolidated list of EU approved establishments came into force on 30 June 2008.

According to the information provided by the CA to the MT, main FP exports to Europe are:

- 273,000 tons of frozen fish under captain's declaration (direct landings) to EU as

well as Faeroe Islands and Norway, and

- 61,000 tons with an export certificate issued by NFQ to EU MS.

The CA at the final meeting made known their disapproval of the direct landing system as they cannot control directly such exports as permitted under Community legislation.

The products exported to the EU are mainly Alaska pollock, cod, pike-perch, perch, haddock, halibut and pilchard. The main importing Member States (MS) are Germany, the Netherlands, Portugal, the United Kingdom, Poland, Spain and Lithuania.

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

Since the completion of the 2006 FVO mission, the following notifications related to fish and FP originating in the Russian Federation were issued:

RASFF NOTIFICATION – Country of origin: the Russian Federation

REF.	DATE	NOTIFIED BY	PRODUCT	REASON FOR NOTIFYING
2007.CIR	12/10/2007	Germany	Frozen pike-perch fillets from the Russian Federation	Bad temperature control (rupture of the cold chain) (-7.8 °C)
2007.CHF	05/10/2007	Iceland	Fish meal from the Russian Federation	Content of dioxins (2.4 pg WHO TEQ/g) and dioxin-like polychlorinated biphenyls (PCBs) (8.9 pg WHO TEQ/g) /
2008.AIC	19/02/2008	Poland	Dried and smoked fish and squid delivered from China, dispatched from the Russian Federation	The establishment is not approved for deliveries to the EU
2008.APO	11/04/2008	Poland	Salmon caviar from the Russian Federation, via Ukraine	The establishment is not approved for deliveries to the EU

5 MAIN FINDINGS

5.1 LEGISLATION

Recommendation number 1 of the previous mission report stated that: "the CA should provide guarantees to the Commission services indicating that the sanitary standards applied to the Russian fish and FP intended for export to EU are compliant or at least equivalent to all relevant Community requirements. In particular, the requirements for testing for histamine, heavy metals and the potable water criteria should be addressed."

In the corrective action plan the CA stated that: *"the new Russian food safety standards are being developed, taken into account international requirements. They should be available in 2012 at the earliest. NFQ has however started to draft regulating documents for safety assessment of fish products for exports to EU Member States in line with requirement of current Community Regulations, first of all in part of histamine, heavy metals and drinking water criteria."*

In its update of 29.12.06 it was stated: *"NFQ is engaged in the elaboration of "Uniform List of Requirements of the EU and of the Russian Federation for Fish Product Safety and Condition of Fishing and Fish-Processing Enterprises of the Russian Federation delivering export products to EU countries" for October 2006. The time limit for its elaboration—December 2006*."

This "uniform list" of Community requirements was provided to the MT prior to the current mission. It includes all updated Community standards applicable in Russia for FP. However the MT noted that some of these standards are not yet applied in practice.

5.2 THE COMPETENT AUTHORITY

The Russian authorities appointed NFQ as the CA for the certification of FP for export to the EU. NFQ has a central office based in Moscow and 15 regional offices with total staff of 168. It carries out its duties based on legal mandate issued by the Rosselkhoznadzor. If an establishment or vessel wants to produce FP it has to receive an approval from Rosselkhoznadzor on an annual basis and from 2008 on a biannual basis. Moreover if these establishments want to export FP to the EU they have to be inspected and registered by NFQ. NFQ is responsible for issuing the health certificates which accompany FP exported to the EU. The fisheries inspectors of NFQ carry out official controls of listed facilities i.e. processing establishments, ZV and FV, approved by the CA for export of fish and FP to the EU and since the end of 2007 NFQ also controls the suppliers to these facilities which include fishing vessels and land based establishments which do not export directly to the EU.

Recommendation number 2 of the previous mission report stated that: "the CA should ensure that appropriate resources (see point 2.2.4.) are available at all times to ensure that official controls and control duties can be carried out efficiently and effectively."

In the action plan the CA stated that: *"the Federal Service of Veterinary Surveillance*

foresees in the 2007 budget of NFQ (income/expenditure estimate) an increase of funds for official laboratory control of fish products exported to EU Member States and the purchase of modern laboratory equipment for the reference laboratory.

At the same time measures will be taken to allocate funds for official control procedures for fish products exported to EU countries."

The MT noted that one laboratory has recently been built and is very well equipped. Other laboratories visited are well equipped and maintained. However the MT was informed during the visits in the regions that sometimes there was no budget for official testing of water; means of transport were not always available obliging inspectors to use their own vehicles at their own expense.

5.3 OFFICIAL CONTROL ACTIVITIES

Recommendation number 3 of the previous mission report stated that: "the CA should ensure that the official control system covers the whole production chain of fish and FP intended for export to the EU (see part 2.2.2)."

In the action plan the CA stated that*: "it has started to develop a draft "new single system of control over all phases of production of fish products exported to the EU".*

In its update of 29.12.06 it was stated: *"NFQ is engaged in the elaboration of "Regulations for the Uniform System of Control over All Stages in the Manufacture of Fish Products Exported to EU Countries". The time limit for its elaboration—March 2007"*

An order encompassing procedures for the implementation of control at all stages of production of FP for export to the EU was adopted on 1 September 2007. It describes steps to be taken for the assessment and approval of suppliers of FP to establishments approved by the Russian CA for export to the EU (EU approved). The MT saw some evidence of the implementation of this order.

There are some parts of the production chain which are not under the supervision of the NFQ inspectors. These are fishing vessels which supply raw materials to the EU approved establishments, landing sites and the ice machines which are located on these sites as well as cold stores from which FP are exported to the EU. These facilities are inspected by officials of the regional veterinary services which are part of the regional governments. These officials are supervised by Rosselkhoznadzor.

The cold store visited during the current mission, which is inspected by officials of a regional veterinary service daily while loading and unloading takes place, was in a good state of repair and temperatures were in line with Regulation (EC) No 853, Annex III, Section VIII, Chapter III, Point B. This facility is used to store raw material before processing and final product prior to export. It has never been on the consolidated list of EU approved facilities. Some EU approved establishments stock their own FP prior to export. The MT was informed that in cases where FP are stored prior to export in stand alone cold stores, the FP bears the approval number of the establishment in which the FP was processed. There is no reference on either the packaging or on the export certificate of the cold store's approval number. This is not in line with Regulation (EC) No 854, Chapter III, Article 12, Point 1.

The MT has been informed by FBOs that unapproved fishing vessels deliver fresh or frozen fish to EU approved establishments, ZV and FV. This is not in line with Regulation (EC) No 852, Article 6.

The MT was provided with a list of the fishing vessels during their visits in the regions. In some regions the NFQ inspectors have begun inspecting fishing vessels. This is an improvement compared to the situation found during the 2006 FVO inspection. The MT visited three fishing vessels in Kaliningrad, two in Murmansk and some small fishing vessels (fishing on rivers and lakes) in Astrakhan.

On the Kaliningrad vessels only gutting and grading was carried out. They were in a very bad state of maintenance. Staff facilities and gutting areas were in a very unhygienic state. The crates and holds (bunkers) were very dirty. A lot of rusty devices (ice machines, ladders, partitions etc.) were in the holds. One ZV visited had no temperature recording device on board. This is not in line with Regulation (EC) No 853, Annex III, Section VIII, Chapter I, Part I, Points A and for the absence of the temperature recording device Point C2.

The regional veterinary services issue approval documents for these vessels. Only a few reports of these inspections were made available to the MT. Despite the bad conditions of the vessels visited by the MT, they hold veterinary certificates attesting their compliance with Russian standards. To improve this situation NFQ has recently started to inspect fishing vessels in Kaliningrad. Reports of these inspections mention deficiencies similar to the ones found by the MT. Corrective actions have not yet been taken by the vessels' operators.

The conditions of hygiene on small fishing vessels in the Astrakhan region were found to be acceptable. As regards frozen raw material imported from Kazakhstan and delivered to EU approved facilities, NFQ does not check and does not have information whether the facilities from which these raw materials originate are EU approved in Kazakhstan or if the materials themselves comply with Community requirements. This is not in line with Regulation (EC) No 854/2004, Annex III, Chapters I and II.

Recommendation number 4 of the previous mission report stated that: "if official controls are delegated to other official services, the CA should ensure that provisions compliant with or equivalent to Art.5 of Regulation (EC) No 882/2004, and in particular part 2. (e) (communication of the results of the controls), 2. (f) (coordination), 3 (audit or inspection of the control body which received the delegation), are respected."

In the corrective action plan the CA stated that*: "for laboratory supervision, it is planned to draft the "Procedure of auditing the activities of official laboratories" in line with requirements of Regulation 882/2004. Contracts made with testing laboratories will include the term of obligatory periodical auditing."*

In its update of 29.12.06 it was stated: *"NFQ is engaged in the elaboration of the Procedure for Carrying Out an Audit of Activity of Official laboratories Analyzing Fish Product Exported to the EU Countries. The time limit for its elaboration—April 2007"*

Tasks of official control not performed by NFQ but carried out by other official services include not only the laboratories. Some of these control tasks are done by the regional veterinary services.

The MT noted that the veterinary services issued veterinary certificates for vessels which were not in compliance at all (see above) and the MT was informed by an FBO that veterinary certificates were issued for FP badly eviscerated and highly contaminated with parasites. This undermines the reliability of the certification provided by these services (NB: this finding was already reported in the 2006 FVO mission report).

The MT was informed that communication between the regional NFQ branch and the regional veterinary service sometimes was not direct but passed via Rosselkhoznadzor which resulted in unnecessary delays.

Recommendation number 5 of the previous mission report stated that: "the CA should ensure at all time the independence of its official control activities (see part 2.3.1.4, 6th §)."

In the corrective action plan the CA stated that*: "by its Order No. 31-A of 01.06.2006, NFQ has introduced since 01.06.2006 the procedure of internal auditing of the activities of regional branches including control over the work of experts."*

In its update of 29.12.06 it was stated:

"The document has been elaborated and approved by NFQ Order No. 31-A of 01.06.2006 and it took effect on the same date. A copy of the document was sent to the EU in June 2006"

During the visits, the MT did not find any evidence of a lack of independence of the official control services.

Recommendation number 6 of the previous mission report stated that: "the CA should ensure that access to all relevant premises is ensured by the FBOs in order to enable the NFQ staff to perform effective official control activities (Art.4 of Regulation (EC) No 854/2004)."

In the corrective action plan the CA stated that*: "relevant changes will be introduced in the procedure of registration and official control inspections. Sanctions against the offender and possible delisting of the establishments are envisaged."*

In its update of 29.12.06 it was stated: *NFQ is engaged in the elaboration of amendments and addenda to the "Procedure for Registration and Carrying out of Official Control Checks" in the Part of Stricter Sanction for the Refusal to Provide Access to All Premises of the Exporter Producer. The time limit for its elaboration — January 2007."*

During the visits, the MT did not find any evidence of obstruction of access to FP premises or vessels.

Recommendation number 7 of the previous mission report stated that: "the CA should ensure that HACCP (Hazard Analysis Critical Control Points) based procedures implemented in EU approved facilities are drawn up in accordance with the principles described in Art.5 of Regulation (EC) No 852/2004 and based on the implementation on standards compliant or at least equivalent to Community ones."

In the corrective action plan the CA stated that*: "the CA guarantees to ensure control over each exporting establishment as regard their own check system based on HACCP principles."*

In its update of 29.12.06 it was stated: *"NFQ is going on with the planned work for the*

introduction of the HACCP principles at exporter enterprises."

All the establishments visited had a HACCP plan. These plans were approved at the same time as the facilities were inspected for registration by NFQ.

The land-based establishments visited had well described own check systems based on HACCP principles, which are regularly assessed by the regional CA during the planned and unplanned inspections. The Critical Control Points (CCPs) were established and monitored and records of this monitoring were made available to the MT.

However, the MT noted that in some cases critical limits for the CCPs exceeded EU thresholds. For example the temperature of fresh fish delivered to a FP establishment is set at +5°C instead of a temperature approaching the temperature of melting ice which is not in line with Regulation (EC) No 853/2004, Annex III, Section VIII, Chapter II, Point 3. The detection of histamine in the final product was not always considered as a hazard or a CCP.

Corrective actions for CCPs were not always described which is not in line with Regulation (EC) No 852/2004, Article 5. Records on monitoring of CCPs in general were available.

Recommendation number 8 of the previous mission report stated that: "the CA should confirm the relevant information concerning the EU approved facilities (approval number, approved activities, address…) and ensure their availability to all concerned stakeholders (FBOs, NFQ branches, NFQ-HQ, Commission services)."

In the corrective action plan the CA stated that*: "Location and address of facilities listed for export to the EU was provided by the companies concerned. The approval number and approved type of activity of all facilities listed for export to the EU are being checked. Official notifications have been sent out to all exporting enterprises which have not this information."*

In its update of 29.12.06 it was stated: *"NFQ is currently elaborating for transfer to the EU the next revised list of exporter enterprises with the adjusted data of the location, the approval number and of the approved kinds of activity."*

The MT noted that on the list that was valid during the mission many mistakes appear mainly as regards the region where the establishment is located. At that time this list included 401 land-based establishments and vessels. (The new list valid from 30 June 2008 includes 420 facilities.)

Recommendation number 9 of the previous mission report stated that: "the CA should set up monitoring arrangements in all relevant parts of the Russian Federation territory in order to guarantee that fish and FP intended for export to the EU do not contain contaminants in excess of the limits laid down in Community legislation (Chapter II, D of Annex III of Regulation (EC) No 854/2004 and part 3.1 (lead), 3.2 (cadmium), 3.3 (mercury), 5 (dioxins) and 7 (PAH (benzopyrene)) of Annex I of Regulation (EC) No 466/2001."

In the corrective action plan the CA stated that: *"a draft Regulation concerning the monitoring of risks in production of export fish products for EU Member States in all necessary Russian regions is being drafted, including all safety indices set out in the EU documents. A NFQ reference laboratory will start its work by the end of 2006 in order to*

coordinate and implement monitoring".

In its update of 29.12.06 it was stated: *"NFQ is engaged in the elaboration of the Regulations of Monitoring the Risks of Fish Products Manufacture for export to the EU countries.*

The time limit for its elaboration—June 2007."

A monitoring programme is carried out in the three regions of the Far East, the Kaliningrad region and in the Murmansk region for heavy metals (Pb, Cd and Hg), nitrosamines, pesticides, polychlorobiphenyls (PCBs), radioactive contamination and parasites. The results reviewed by the MT were all below the Community maximum levels. No monitoring has been organised yet for PAH and dioxin which is not in line with Section 5 of the Annex of Regulation (EC) No 1881/2006 which replaced Regulation (EC) No 466/2001.

However for PAH, the central CA laboratory has started performing tests to detect the presence of benzo(a)pyrene in the fish samples they receive.

Scallops were exported in 2007 and 2008 to the EU. From each consignment samples were taken by the Russian Veterinary Service and sent to a German laboratory for testing for biotoxins. Other than this ad hoc sampling there is no overall monitoring programme for biotoxins in scallops in line with Regulation (EC) No 854/2004, Annex II, Chapter III.

Recommendation number 14 of the previous mission report stated that: the CA should define a sampling frequency for the official control of the quality of the water used in processing establishments and should analyse it in accordance with the requirements of Community legislation, in particular those of Directive 98/83/EC

In the corrective action plan the CA stated that: " *Relevant additions and changes in line with Directive 98/83/EC will be introduced in the Procedure of official laboratory control approved by NFQ Order No. 36 of 12.12.2005 concerning the frequency of sampling water and a set of quality indices."*

In its update of 29.12.06 it was stated:

"NFQ is engaged in the elaboration of amendments and addenda to the Procedure for the Exercise of Official Laboratory Control, approved by NFQ director's Order No. 36 of 12.12.2005, in relation to frequency in the selection of water tests and to the set of quality indicators.

The time limit for elaboration—November 2006"

Sampling and analysis of water and ice is not carried out by the NFQ. The inspectors of Rosspotrebnadzor (Federal Service for Oversight of Consumer Protection Rights and Welfare) of the Ministry of Public Health and Social Security take samples of water but only rarely at the taps in the FP establishments. These samples are taken mainly somewhere in the municipal water distribution net. The results of this sampling of water were available in the establishments. Official samples of water are not analysed for *Enterococci* as foreseen under Directive 98/83/EC, Annex I, Part A.

Some establishments have, for their own checks a contract with independent laboratories which comes regularly to take samples to test the water quality. These samples are tested against the Russian standard, but in general, the routine supervision concerns only some

microbiological parameters. Some chemical tests are carried out from time to time but the MT never saw tests results covering all parameters required by Directive 98/83/EC.

Recommendation number 15 of the previous mission report stated that: the CA should provide guarantees as to the correction of the deficiencies found by the mission teams in all facilities visited.

In the corrective action plan the CA stated that: " *exporting establishments have developed and presented to NFQ plans to correct deficiencies. NFQ identified deadlines for the removal of deficiencies of 3-6 months. The establishments will then be re-inspected. If the deficiencies are not corrected, sanctions and even delisting will be implemented."*

In its update of 29.12.06 it was stated:

"NFQ inspectors carry out planned work with enterprises for the removal of the revealed defects.

The time limit for elaboration—December 2006"

The part of the CA's inspection reports giving the recommendations indicates the shortcomings to be rectified. After each inspection by the CA, the establishments must draw up action plans for the elimination of shortcomings noted. Documentary evidence of follow-up to these action plans was generally available. The inspectors of the regional CA check the shortcomings identified in previous CA inspection reports. However, some shortcomings identified by the MT had not been recorded in the CA's reports.

The MT noted that in some cases the inspection reports of the regional CA mention repeatedly the same shortcomings without sanctions being applied during 2007 or the beginning of 2008.

However, the MT was provided with official letters from 2008 of one Regional CA regarding the suspension of five fish processing establishments from the EU approved list.

The EU approved list is not regularly updated and as a consequence is unnecessarily long. For example two out of six freezer/factory vessels visited were considered, after discussion and agreement with the CA, not to be in compliance. A total of 332 vessels are on the list and a number of them according to the CA's inspection reports are not in compliance. The same situation exists for land-based establishments where three out of 18 visited were not in compliance. The MT also noted that some establishments have closed down or the FBO does not intend to export to the EU, yet these establishments remain on the EU approved list.

5.4 LABORATORIES

Recommendation number 10 of the previous mission report stated that: "the CA should provide guaranties as to the equivalence of the accreditation standard of NFQ contracted laboratories with ISO 17025 standard."

In the corrective action plan the CA stated that*: "all laboratories which have contracts with NFQ for carrying out laboratory control are accredited in line with GAST R ISO/MEK 17025-2000, the text of which is fully authentic to the text of the international*

standard ISO/MEK 17025-99."

One laboratory of the four visited by the MT confirmed that it is accredited to ISO 17025 standard. The other laboratories were accredited to Russian standards (GOST R ISO/MEK 17025-2006). The MT was informed that this Russian standard is equivalent to ISO 17025.

Inter-laboratory comparative tests were performed by these laboratories with favourable results (tests in general organised by the Metrology and Certification Institute). However, these tests are not always regularly carried out (e.g. last test performed five years ago in one laboratory visited) and the analytic method tested did not always concern one of those used for FP. The elements concerned by the tests were mainly Pb and Cd and the MT found no evidence that Hg or histamine were covered in these proficiency tests.

Recommendation number 11 of the previous mission report stated that: the CA should ensure that analytical methods, limits, maximum levels and sampling plans used in the NFQ contracted laboratories are in compliance or at least equivalent to Community requirements.

In the corrective action plan the CA stated that: "*NFQ is planning to develop new methods of sampling, analyses and assessment criteria in line with the Community requirements. Methods will be tested at the reference laboratory and then introduced in laboratories contracted by NFQ.*

In its update of 29.12.06 it was stated: *"NFQ is engaged in the elaboration of the following documents:*

- *Methods for the selection of tests of fish products instead of State Standard 7631-85, with the respective amendments to be introduced to the Procedure for the Exercise of Official Laboratory Control in the Part of the Procedure for the Selection of Tests by NFQ Inspectors;*

  The time limit for elaboration—December 2006.

- *Methods for the quantitative appraisal of Listeria monocytogenes content in fish and raw fish products;*

  The time limit for elaboration—March 2007.

- *Methods of chemical analyses(heavy metals, histamines);*

  The time limit for elaboration—March 2007"

For histamine testing the Photocolorimeter method is generally used in the visited laboratories. One laboratory is developing the HPLC method for histamine testing and a second laboratory visited has the equipment to do it but has not foreseen to use it for testing for histamine. In addition to the Photocolorimeter method one laboratory uses an ELISA test. In this laboratory about 1500 analyses are carried out for histamine per year, mainly on imported FP. In all laboratories visited performing histamine tests, the number of samples submitted for analyses depends on the quantity of the consignment and generally one to three samples are submitted. This is not in line with Regulation (EC) No 2073/2005, Annex I, Chapter I, Point 1.25 where 9 samples from each batch have to be analysed. The MT examined about 30 test results of these analyses and no values above Community thresholds were observed. The highest value observed was 60mg/kg from a

sample in which parts from different fishes were mixed together. The maximum level for histamine for the laboratories is 100 mg/kg; if this value is exceeded the tests are repeated and the CA is informed.

All visited laboratories carry out organoleptic checks and microbiological analyses on incoming FP. Most of the laboratories visited do not carry out testing for *Enterococci* in water as required in the Council Directive 98/83/EC, Annex I, Part A.

NFQ has built and fully equipped a National Reference Laboratory which receives samples taken by NFQ inspectors during their inspections throughout Russia. This laboratory performs many tests to check compliance with Community standards. The results are given with a comparison between the Russian and the Community standards. Histamine and mercury are not yet tested for. This laboratory has participated in proficiency tests (cadmium, lead, benzopyrene, general chemical indicators) with satisfactory results, but, as it has recently been established, it has not yet organised this kind of tests with the regional laboratories.

5.5 OFFICIAL CERTIFICATION FOR EXPORTS

Recommendation number 12 of the previous mission report stated that: "as regards the export certificates, the CA should take into account the requirements of Community standards in this field (Annex VI of Regulation (EC) No 854/2004 and Council Directive 96/93/EC".

In the action plan the CA stated that: " *A sample of the new certificate with introduced changes in line with the requirements of Regulation 854/2004 (Annex VI) will be presented for coordination with the CE by 01.01.2007. A new Health Certificate will be introduced after the introduction of amendments in Annex A of the Commission's Decision 2005/155/EC of 18.02.2005.*

These health certificates are issued by the inspectors of the NFQ according to the procedure which was approved in 2007. These health certificates are issued based on a series of official documents including a veterinary certificate, results of laboratory tests, shipment documents etc. The MT observed that some export health certificates were incompletely filled. The following details were missing, on occasion, from the export health certificate: name of the BIP, the country of origin, the fishing area (region of origin) and the means of transport. This is not in line with Regulation (EC) No 2074/2005, Appendix IV to Annex VI.

Recommendation number 13 of the previous mission report stated that: the CA should revise the current certification procedure when the certifying officers are not in a position to make any official controls on the consignments to be exported. It should consider involving the CA of the foreign countries where the final product is transhipped / stored before export to EU.

In the corrective action plan the CA stated that: "*at present mutually beneficial options are being considered of involving competent authorities from foreign countries into the safety assessment of exports to the EU. A draft protocol of intentions has been developed for its further consideration by interested parties, first of all by Norway, China and South Korea.*

In its update of 29.12.06 it was stated:

"NFQ is engaged in the elaboration of "Draft Protocols of Intentions" for consideration by the competent bodies of Norway, China and South Korea.

Possible time limits for holding negotiations are being currently specified.

The time limit for elaboration—January 2007"

According to the information provided by the CA, since the 2006 FVO mission, there have been no improvements in the certification procedure of FP exported from Far East Russia to the EU via South Korean or Chinese ports (cf part 2.3.4 of the 2006 FVO mission report). The certifying officers still certify FP data of which they have no personal knowledge or which cannot be ascertained by them, directly or on the basis of another certificate or attestation delivered by another person so authorized by the CA. This is not in line with the provisions of Council Directive 96/93/EC on the certification of animals and animal products (Art. 3 and 4).

6 CONCLUSIONS

Compared to the last mission, the CA has made some improvements regarding the overall functioning of the control system.

The "Uniform List of Requirements of the EU and of the Russian Federation for Fish Product Safety and Condition of Fishing and Fish-Processing Enterprises of the Russian Federation delivering export products to EU countries" is a good basis for maintaining compliance with Community EU export requirements. However, in practice, this "Uniform List of Requirements…" is not yet fully implemented.

The set up of a new reference laboratory is an improvement of reliability of the FP analyses. However, lack of resources does not permit the CA to carry out all the required official checks on water.

Most elements of the production chain are under the control of the NFQ. Some elements of the control carried out by the regional veterinary services cannot be considered as reliable (inspection of vessels and FP). The communication between the two services is not very efficient.

There were no signs of a lack of the independence of NFQ inspectors during the mission who acted with independence. Furthermore there was no evidence of obstruction of access to any establishment.

As there are no temperature recording devices installed on board of some freezer and factory vessels, the cold chain cannot be controlled on these vessels.

HACCP plans, approved by the CA, are in place in the establishments visited. However, CCPs are not always in line with Regulation (EC) No 852/2004, Article 5 and corrective actions for CCPs not always described.

A significant number of errors appear on the consolidated EU approved list. A number of land-based establishments and vessels, on this list, were found to be not in compliance

and this list cannot be considered as up-to-date.

A monitoring programme for contaminants is carried out but omits two mandatory tests, for PAH and for dioxin, in contravention of the Section 5 of the Annex of Regulation (EC) No 1881/2006. As there is no overall monitoring programme for scallops, the control on this FP has to be considered as noncompliant.

The official sampling of water is only rarely done in the establishments and, when carried out, not all the parameters required by the Directive 98/83/EC are examined.

Deficiencies in facilities found by the NFQ inspectors are often not addressed by the FBO concerned which undermines the reliability of the follow-up of noncompliances. Important revision and updating of the consolidated list has still to be done.

One of the four laboratories visited is accredited to ISO 17025 standard. The others are accredited to Russian standards. For histamine testing the analytical methods and the sampling procedures are not in line with Regulation (EC) No 2073/2005, Annex I, Chapter I, Point 1.25. In the visited laboratories mercury and histamine were not included in proficiency tests.

The Health Certificate in line with Regulation (EC) No 2074/2005, Appendix IV to Annex VI has been introduced successfully but in a few cases not all the required information is filled in.

No improvement, since the previous mission, has been made in the certification procedure for FP exported from Far East Russia.

7 CLOSING MEETING

The final meeting was held in Moscow on 27 June 2008, the mission team presented the findings and preliminary conclusions of the mission to the CCA. At the meeting, NFQ took note and acknowledged the deficiencies identified by the MT and reiterated its commitment to improving official sanitary export controls. The CCA stated that for one vessel a request for delisting will be submitted immediately to the relevant services of the EU and that the three non-compliant establishments will have two to three months for a "radical change" in order to give them a chance to comply with Community requirements or they will be delisted.

8 RECOMMENDATIONS

The CCA should provide Commission services with a comprehensive action plan, including a timetable for its completion, within one month of receipt of the report in order to address the recommendations set out below.

No.	Recommendation
1	The CCA should ensure that all standards specified in the "uniform list of requirements for the producers-exporters of FP to EU Member States" are applied and respected in practice. In particular the important deficiencies in sampling and analysing for histamine should be corrected in order to be in line with Regulation

No.	Recommendation
	(EC) No 2073/2005. Furthermore the CCA should ensure that official sampling for water and ice is done regularly for all parameters to ensure equivalence with Community standards of potable water (Directive 98/83/EC).
2	The CCA should make appropriate resources available to ensure that official controls on water and ice can be carried out and that the work plans for surveillance and inspection activities can be respected so that the official controls are in line with Regulation (EC) No 854/2004.
3	The CCA should ensure that the official controls carried out by the regional veterinary services on some elements of the production chain of FP intended for export to the EU can guarantee equivalence with the relevant provisions of Regulation (EC) No 854/2004.
4	The CCA should ensure that the communication and coordination between NFQ and the regional veterinary services is efficient and effective
5	The CCA should make sure that the freezer and factory vessels are all equipped with a temperature recording device as foreseen in Regulation (EC) No 853/2004, Annex III, Section VIII, Chapter I, Part I, Point C 2.
6	The CA should ensure that the corrective actions for CCPs are well described in the HACCP plans implemented in EU approved facilities in accordance with the principles layed down in Article 5 of Regulation (EC) No 852/2004. The CCA should ensure that the CCPs do not exceed EU thresholds and that the corrective actions for CCPs are described in the HACCP plans.
7	The CCA should ensure that only those establishments and vessels meeting standards at least equivalent to Community requirements are kept on the list of establishments and vessels approved for export to the EU in accordance with Articles 12, Point 2 and 3 and Art 15 of Regulation (EC) No 854/2004 and with Article 48 of Regulation (EC) No 882/2004.
8	A full monitoring programme for live bivalve molluscs should be put in place to ensure equivalence with Regulation (EC) No 854/2004, Annex II, Chapter III for scallops for export to the EU.
9	The CCA should ensure that deficiencies in approved establishments and vessels are properly addressed and that an effective follow-up is ensured. The CCA should demonstrate through effective enforcement of existing standards that they can ensure that only FP originating from establishments and vessels with standards at least equivalent to those required by Community legislation as foreseen in Regulation (EC) No 854/2004 Article 12.2 are approved for export to the EU.
10	The CCA should ensure that proficiency tests are carried out in line with Regulation (EC) No 882/2004, Article 12.
11	The CCA should ensure that the official method for testing histamine is in line with Regulation (EC) No 2073/2005, Annex I, Chapter I, Point 1.25.
12	The CCA should revise the current certification procedure to ensure that

No.	Recommendation
	certifying officers only sign export health certificates for fish and FP which are personally controlled by them, to be in line with the requirements of Council Directive 96/93/EC. It should consider involving the CA of the foreign countries where the final products are transhipped / stored before export to EU.

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

http://ec.europa.eu/food/fvo/ap/ap_the_russian_federation_7673_2008.pdf

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
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 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 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 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 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
Regulation	OJ L 338,	Commission Regulation (EC) No 2073/2005 of 15

Reference	OJ Ref.	Detail
(EC) No 2073/2005	22.12.2005, p. 1–26	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 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
Directive 98/83/EC	OJ L 330, 5.12.1998, p. 32–54	Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption
Regulation (EC) No 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
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
Decision 98/140/EC	OJ L 38, 12.2.1998, p. 14–16	98/140/EC: Commission Decision of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in third countries