



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

DG(SANCO)/ 2008-7997 - MR - FINAL

FINAL REPORT OF A MISSION
CARRIED OUT IN
ROMANIA
FROM 18 AUGUST TO 29 AUGUST 2008
IN ORDER TO
EVALUATE OFFICIAL CONTROLS IN RELATION TO A PROPOSED SYSTEM TO
AUTHORISE TRADE OF PIG MEAT AND PIG MEAT PRODUCTS FROM
ROMANIA

Executive Summary

In order to prevent the spread of classical swine fever (CSF) from Romania to other areas of the European Union, the Commission adopted Decision 2006/779/EC banning the dispatch of live pigs, fresh pig meat, and meat preparations and meat products consisting of, or containing pig meat from Romania. According to Article 5 of Decision 2006/779/EC derogations are foreseen for dispatch of meat preparations and meat products, provided they have been treated in accordance with Article 4 (1) of Council Directive 2002/99/EC to destroy any CSF virus present. The mission took place at the request of the Romanian authorities. Their intention is to put in place the "lohn" system allowing specially approved and listed Romanian establishments to receive live pigs or fresh pig meat from CSF free areas in other Member States for slaughtering/cutting/processing and after processing to release the products into Intra Community Trade (ITC).

Romania is in the very early stages of creating the "lohn" system using EU eligible pig meat. The system is aimed at allowing some establishments to trade with pig meat products not covered by the derogation of Article 5 of Commission Decision 2006/779/EC and has just recently been designed by the Central Competent Authority (CCA). This system does not offer sufficient guarantees to ensure that ITC with pork and pork products from Romania but produced from EU eligible pork or pigs would not cause the spread of CSF to other Member States (MS).

The weakest point is the reliability of the official controls at establishment level in particular with regard to the lack of knowledge and awareness of the responsibilities of the Official Veterinarians (OVs) under the proposed system, including the verification of relevant requirements and certification.

The Food Business Operators (FBOs) have not yet implemented reliable systems and there are currently no products eligible in accordance with the proposed "lohn" system for ICT. Major deficiencies found in relation to the raw material marking make traceability systems unreliable.

TABLE OF CONTENTS

1	INTRODUCTION.....	1
2	OBJECTIVES OF THE MISSION.....	1
3	LEGAL BASIS FOR THE MISSION.....	3
4	BACKGROUND.....	3
5	MAIN FINDINGS.....	4
5.1	Design of "lohn" system.....	4
5.2	Central competent authority.....	5
5.3	County, circumscription and establishment level of the official controls.....	5
5.4	Application of "lohn system" at establishment level.....	6
6	CONCLUSIONS.....	7
7	CLOSING MEETING.....	7
8	RECOMMENDATIONS.....	8

ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
CCA	Central Competent Authority
CSF	Classical Swine Fever
EC	European Commission
EU	European Union
FBO(s)	Food Business Operator(s)
FVO	Food and Veterinary Office
ICT	Intra Community Trade
MS	Member States
NSVFSA	National Sanitary Veterinary and Food Safety Authority <i>(Autoritatea Națională Sanitar Veterinara și pentru Siguranța Alimentelor)</i>
OV(s)	Official veterinarian(s)
SN	Service note
TRACES	Trade Control and Export System

1 INTRODUCTION

The mission took place in Romania from 18 to 29 August 2008. The mission team comprised 2 inspectors from the Food and Veterinary Office (FVO) and was accompanied during the whole mission by representatives of the CCA, the National Sanitary Veterinary and Food Safety Authority (NSVFSA).

This mission was added to the FVO's mission programme for 2008.

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

2 OBJECTIVES OF THE MISSION

The mission was foreseen as a fact finding mission to provide the Commission services with the information required to consider approval of the system proposed by the Romanian Competent Authority. This system was proposed to permit trade of pig meat and pig meat products that do not fulfil the requirements of Article 4 (1) of Directive 2002/99/EC.

The objectives of the mission were to report on the situation regarding:

- official controls established for controlling the "lohn" system;
- official controls regarding the food business operators' (FBOs) compliance with the proposed "lohn" system;
- the design of these systems by the FBOs;
- the implementation of these systems by the FBOs.

In particular, fresh pork and products containing pork within the framework of Regulations (EC) Nos 178/2002, 852/2004, 853/2004, 854/2004 and 882/2004 and Council Directive 2002/99/EC were evaluated.

The mission itinerary in pursuit of the mission's objectives included the following visits:

Competent authorities			Comments
Competent authorities	Central	1	Opening and closing meeting
	Regional	6	Representatives of county offices in Ilfov, Satu Mare, Bihor, Prahova, Hunedoara and Teleorman were present at all establishments visited
Food production/processing/distribution activities			
Integrated meat establishments (slaughterhouse/cutting plants/meat products/minced meat/meat preparations)		2	Both establishments willing to apply a "separation in time/space" policy
Cutting plants/meat products plants		4	3 establishments visited had opted for using only EU eligible pig meat directly supplied to their establishment from establishments in other Member States and 1 willing to apply a "separation in time/space" policy
Meat products plants		2	1 establishment visited had opted for using only EU eligible pig meat directly supplied to their establishment from establishments in other Member States and 1 willing to apply a "separation in time/space" policy

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 and Article 6(3) of Council Directive 2002/99/EC.

4 BACKGROUND

In order to prevent the spread of CSF from Romania to other areas of the European Union (EU), the European Commission (EC) adopted Decision 2006/779/EC banning the dispatch of live pigs, fresh pig meat, and meat preparations and meat products consisting of, or containing pig meat from Romania. Such pig meat and pig meat products and preparations should be marked with special marks which cannot be confused with the health marks for pig meat provided for in Regulation (EC) No 854/2004 and the identification mark provided for in Regulation (EC) No 853/2004. However, the Decision allows for meat products and meat preparations consisting of, or containing pig meat to be dispatched to other MS if they are treated in such a way that any CSF virus present is destroyed in accordance with Article 4(1) of Directive 2002/99/EC.

The mission took place at the request of the Romanian authorities. Their intention is to put in place the called "lohn" system allowing specially approved and listed Romanian establishments to receive live pigs or fresh pig meat from CSF free areas in other MS for slaughtering/cutting/processing and after processing to release the products into Intra-Community Trade (ICT).

On 13 August 2008 the FVO received information from the National Sanitary Veterinary and Food Safety Authority (NSVFSA) under which conditions the "lohn" system would operate. The proposed conditions were the following (*original text from the CCA via e-mail*):

1. Romanian establishments approved for ICT which intend to perform this type of operations, should request in writing to NSVFSA an agreement to place on the Community market pork meat or meat products in other conditions than those stipulated in Decision 2006/779/EC, obtained from raw materials mentioned in point 2.
2. Live animals or pork meat must only come from EU member states or regions thereof, free of CSF and also from establishments approved for ICT.
3. In all the cases, the official veterinarian in the establishment will participate to the receiving of raw materials (documents, quantity, quality), and in case of suspicion can ask for additional information in order to establish traceability forward and back.

4. NSVFSA will ensure by its Programme of control and inspections that county and local veterinary authorities implement in the establishments on the list for "lohn", control systems that guarantee the eligibility of the raw materials according to point 2 and the traceability of the products.
5. NSVFSA has elaborated a procedure which was transmitted to the county veterinary Directorates and to the FBO, which stipulates that FBO have to implement a traceability system which can identify suppliers and beneficiaries of a certain product, to establish a connection between supplier – product and in the same time to monitor all the necessary information for the whole food chain.
6. NSVFSA will permit ICT with fresh meat and pork meat products not earlier than 30 days from the moment of eliminating from the establishment of any un-conform pork meat according to point 2.
7. Following the agreement to perform this operation, fresh meat and pork meat products will be marked with an oval health/identification mark, in order to be sent on the internal market of the EU, including România.
8. In case that one establishment that is included in the list of the approved establishments intends to give up to obtaining products in "lohn" system due to commercial or other nature reasons, it is obliged to notify NSVFSA 30 days in advance of stopping this activity.
9. County veterinary authorities will perform quarterly audits and will issue reports regarding the fulfilling of conditions for performing lohn operations.
10. In all cases of infringement by an establishment of requirements for performing of the "lohn" operations, county and local veterinary authorities will notify NSVFSA, who will delist that specific establishment and will apply the legal punishments in force.
11. Establishments which will get NSVSA agreement for ICT in other conditions than those stipulated in Commission Decision no. 779/2006, will be published on NSVFSA web – site. Besides this, Romanian Meat Association forwarded to NSVFSA a process procedure: „PROCESS PROCEDURE – IDENTIFICATION AND TRACEABILITY” which has to be applied in all the establishments requesting to perform “lohn” operations (*end of authentic text*).

On the same date the FVO also received a list of 15 "candidate establishments" from the NSVFSA.

5 MAIN FINDINGS

5.1 DESIGN OF "LOHN" SYSTEM

The term "lohn" is generally used for operations between two establishments where one supplies raw material or intermediate product to another establishment where some

processing or treatment is performed and then the upgraded products are sent back to the first establishment.

Observations

- None of the establishments visited was able to demonstrate the permanent supply by FBO(s) located in other MS for whom some completion or after-treatment is done and the targeted location where the final products of the Romanian meat establishments will be sent.

5.2 CENTRAL COMPETENT AUTHORITY

The Food Hygiene and Veterinary Public Health Directorate of NVFSA issued 3 Service Notes (SN) dealing with the subject of the so called "lohn" system:

Service Note No. 64001/12.06.2008 - Pork meat operations in "lohn" system;

Service Note No. 64316/08.07.2008 - Intra-Community Trade with pork meat products made of fresh pork meat originating in other EU MS;

Service Note No. 64720/14.08.2008 - Procedure regarding Intra-Community Trade with pork meat and meat products made of fresh pork meat originating in other EU Member States.

Observations

- The last Note was prepared just before the FVO mission started and was presented to the mission team in the initial meeting. The mission team received the English translated version on the last day of the mission.
- The Romanian CCA stated that SN 64720 is not final and that it will be revised based on the findings of the mission team. It will be used later as the proposal from the Romanian CCA for the "lohn" system.

5.3 COUNTY, CIRCUMSCRIPTION AND ESTABLISHMENT LEVEL OF THE OFFICIAL CONTROLS

Observations

- All three SNs were sent out and they were available in all the counties and local offices visited.
- The OVs had a very limited time to study the SN and their knowledge of the content of the SN was also very limited.
- The OV from the county, circumscription and establishment level were present in all the establishments visited. The OVs at establishment level perform the official controls on a permanent basis (being present full time in the establishment). The OVs were not aware of all their duties in the framework of their permanent presence.
- All establishments visited were (in addition to their EU approvals) approved for the production under the requirements of Decision 2006/779/EC but the OVs could

not explain what was the significance of these additional approvals.

- In addition the OV's at establishment level were not familiar with the provisions of Decision 2006/779/EC especially with the provisions of Art. 4 regarding marking and Art. 5 regarding heat treatment.
- Six establishments visited were using oval identification marks on the heat-treated products which have been produced and processed in compliance with Article 4(1) of Directive 2002/99/EC (i.e. reaching a process temperature of 70°C in the core of the product) but the OV's were not able to explain the conditions for the use of the oval marks.
- The OV's could not demonstrate evidence of official controls to verify that the conditions of Article 4(1) of Directive 2002/99/EC were met.
- The OV's in the establishments have no access to the Trade Control and Export System (TRACES); (no username and password) and they were not familiar with the certification procedures.
- In one case, an establishment had sent processed meat to another MS without the additional declaration foreseen by Decision 2006/779/EC on the accompanying health certificate. The OV was not aware of the obligation to add this declaration to the official health certificate.
- The official veterinarian in one slaughterhouse did not notice that the health certificates accompanying live slaughter pigs from Hungary were not completed with the additional declaration required by Commission Decision 2006/805/EC.
- Information was provided to the OV's in a "cascade" system (CCA trains regional OV's, who in turn train local OV's) regarding the new possible "lohn" (mainly linked to the preparation for the FVO mission). Nevertheless the OV's had only a very limited knowledge of the proposed "lohn" system.
- OV's were not involved in the preparation or implementation of the "lohn" system at the FBO level and they were not well informed by the FBO's about the future plans and design of this system and its future implementation.
- The FVO mission team came across some major deficiencies regarding the official controls over the ID marking, animal welfare at pig stunning and operational hygiene. With regard to the animal welfare problem at stunning of pigs the FBO took immediate action during the FVO visit.

5.4 APPLICATION OF "LOHN SYSTEM" AT ESTABLISHMENT LEVEL

Based on SN 64001 and SN 64316 a list of 15 establishments who had expressed their interest in participating in the "lohn" system was drawn up. Eleven establishments proposed to organise their production using only EU eligible pig meat and 4 establishments proposed to use a separation in time/space strategy for their production. The mission team visited 8 meat establishments belonging to 6 different FBO's. All 4 establishments willing to apply a separation in time/space policy were visited. The other

4 establishments had opted to use only EU eligible pig meat directly supplied to their establishments from meat establishments in the other MS.

Observations

- The "lohn" systems put in place in the establishments visited were at very different stages of development, from initial reflection to the early beginning of implementation.
- None of the establishments visited was able to present the mission team with a system ready to be implemented except in one establishment which is able to start production from now on based on the direct supply of pork meat from other MS.
- Major deficiencies regarding the identification marking of the incoming material were identified in all the establishments visited. They were related to consignments of fresh meat supplied by Romanian meat traders/cold stores, which apparently removed, in some cases, the original marks to replace them with a Romanian oval mark bearing their approval number.

6 CONCLUSIONS

Romania is in the very early stages of creating a "lohn" system using EU eligible pig meat. The system is aimed at allowing some establishments to trade pig meat products not covered by Article 5 of Decision 2006/779/EC and has just recently been designed by the NVFSA. The proposed system however does not comply with the conditions stipulated by the CCA. It does not offer sufficient guarantees at the moment to ensure that ITC with pork and pork products from Romania but produced from EU eligible pork or pigs would not cause the spread of CSF to other MS.

The weakest point is the reliability of the official controls at establishment level in particular with regard to the lack of knowledge and awareness of the responsibilities of the OV's under the proposed system, including the verification of relevant requirements and certification.

The FBOs have not yet implemented reliable systems and there are currently no products eligible in accordance with the proposed "lohn" system for ICT. Major deficiencies found in relation to the raw material marking make traceability systems unreliable.

7 CLOSING MEETING

A closing meeting was held on 29 August 2008 with the representatives of the CCA, in the course of which the mission's main findings and preliminary conclusions were presented by the mission team to the CCA.

The CCA accepted the findings and preliminary conclusions as presented and provided some further clarifications and additional information requested by the mission team during the mission.

The CCA informed the mission team that they will thoroughly revise SN 64720. The

revision of SN will establish a new approval procedure (with five steps) and the approval will be granted only after the establishments have been able to prove that there is no Romanian pork (including EU eligible pork supplied by Romanian cold-stores) or any final products containing Romanian pork present in the establishment for at least 30 days. The intention of the CCA is to keep the possibility for the establishments to accept the supply of the pork via the Romanian cold-stores and the possibility of the dual line system (separation in time and place).

The CCA indicated that it considered providing direct training sessions (including certification procedures) to all OV's directly supervising "lohn" establishments in the near future.

8 RECOMMENDATIONS

There are no recommendations to the CCA because of the fact finding nature of this mission.

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
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 90/425/EEC	OJ L 224, 18.8.1990, p. 29–41	Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra- Community trade in certain live animals and products with a view to the completion of the internal market
Decision 2006/805/EC	OJ L 329, 25.11.2006, p. 67–73	2006/805/EC: Commission Decision of 24 November 2006 concerning animal health control measures relating to classical swine fever in certain Member States
Decision 2006/779/EC	OJ L 314, 15.11.2006, p. 48–49	2006/779/EC: Commission Decision of 14 November 2006 concerning transitional animal health control measures relating to classical swine fever in Romania
Directive 2002/99/EC	OJ L 18, 23.1.2003, p. 11–20	Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption
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 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	OJ L 139,	Regulation (EC) No 852/2004 of the European

Reference	OJ Ref.	Detail
(EC) No 852/2004	30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	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. 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