

COMMUNITY AND NATIONAL RULES FOR THE CONTROL INSPECTIONS

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Summary

The official controls should be carried out without prior warning, except audit work where is required prior notice to the operator for animal food domain or the food sector. Also, official ad-hoc controls may be made.

The official controls are carried out in any of the stages of production, processing and distribution of animal food or feed and animal products.

Official controls have to be performed using appropriate control methods and techniques such as: monitoring, supervision, checking, auditing, inspection, sampling and analysis.

Key words: control, audit, risk, monitoring

The official control represents any kind of control made by the competent authority or the European Commission and EU member states, to verify compliance with food law.

Must ensure that official controls are carried out regularly, based on a risk analysis and an appropriate frequency, given by:

1) Identified risks associated with animals, animal food, feed, business activity in animal feed, food business enterprises, use of feed or animal food or with any process, material, substance, activity or operation that can influence animal food or feed security, health or animal welfare;

2) Previous records of animal food or feed operators, on compliance with legislation in the feed or food law or the rules of health and animal welfare.

The reliability of the already done self checks;

Any information that may indicate non-compliance (5).

Official controls should be carried out without a prior warning, except audit activities, where the prior notice of the food or feed operator is necessary. Also, official checks may be made ad hoc.

Official controls are carried out in any of the stages of production, processing and distribution of animal food or feed and animal products.

These should include checks on business activity in the feed and food business, regarding the use of feed and animal food, food and feed storage or any process, substance, activity or operation including transport feed or food and live animals.

Competent authorities for performing official controls should meet a number of operational criteria in order to ensure their impartiality and effectiveness. They should have enough staff, with adequate qualifying and experience and to possess adequate facilities and equipment to properly perform their duties.

Competent authorities should ensure that, in cases in which the official controls requires the participation of different control units, they apply and effectively implement appropriate coordination procedures. Competent authorities should also ensure that, in cases in which the competence of performing official controls has been delegated from a central level to a regional level, between the central and the regional or local level exists an efficient and effective coordination (1).

Laboratories participating in the analysis of official samples should operate in accordance to certain internationally approved procedures or rules based on performance criteria and to use analysis methods that were considered valid, as far as this was possible. These laboratories should provide especially with equipments that allow the correct determination of the standards, like the maximum levels of residue set by legislation. Also, the national and community reference laboratories should contribute to achieving a high level of quality and consistency of analytical results. This objective can be achieved through activities such as application of validated analytical methods, the availability of reference materials, organizing comparative testing and forming laboratory staff. There should be proper procedures for cooperation of the competent authorities of a member state and of different member states, especially where official controls reveal that food issues concern more than one member state. In order to facilitate this cooperation, member states should assign one or more liaison bodies with the purpose of coordinating sending and receiving requests for assistance.

Official controls on products of animal origin should include all matters that are important in the protection of public health and, where appropriate, animal health. These controls should be based on the most recent relevant information and therefore should be possible to adapt them in light of new relevant information available. Official controls on meat production are necessary in order to verify that food business operators and inspections, including checks of controls even operators.

Member states shall ensure that food business operators provide all necessary assistance to ensure effective implementation of official controls by the competent authority. The competent authority shall carry out controls to ensure that food business operators comply with the requirements of Regulation (EC) no. 852/2004, Regulation (EC) no. 853/2004 and Regulation (EC) no. 1774/2002 (4).

The competent authority in Romania as a destination can control the authorities responsible to its food compliance with food law through discriminatory controls. For reasons strictly necessary for the organization of official checks, the

competent authority may require operators who have their goods that were supplied from the European Union member states to report the arrival of such goods.

If during a check destination or during storage or transport in Romania, the competent authority finds non-compliance, it may take steps which may include return of European Union member state of origin.

The competent authorities must ensure:

-the effectiveness and appropriateness of official controls on food in all stages of production, processing and distribution;

-that those carrying out official controls are out of any conflict of interest;

-that they own or have access to adequate laboratory capacity for testing and staff suitability qualified and experienced enough so that official controls and control responsibilities to be carried out efficiently and effectively;

-that they have facilities and equipment maintained in proper condition to ensure that staff can perform official controls efficiently and effectively;

-that they have legal powers to carry out official controls and to take appropriate action;

-that they have contingency complained place and ready to implement such complaints the situation of need;

-that food business operators are obliged to undergo any inspection carried out and assist staff in carrying out its authority.

The competent authorities must ensure that all their staff performing official controls:

a) receive, for competence, appropriate training allowing him to perform competently and to carry out official duties consistently.

b) inform the purpose and days to follow, if necessary, additional training regularly;

c) provide skills for multidisciplinary cooperation (3).

The official checks shall be performed using appropriate control methods and techniques, such as: monitoring, supervision, checking, auditing, inspection, sampling and analysis.

Monitoring is achieving planned sequence of observations or measures in order to obtain a general assessment of the level of compliance with food law;

Supervision is a careful examination of one or more businesses with food business operators to work food or their activities. Monitoring mean observing the detail of various aspects of products and units which fall within the competence of ANSVSA - DSVSA, following the incidence of potentially having impact on food safety.

Verification is control, by examination and consideration of evidence, in terms of meeting the requirements specified. Verification is a method of testing by examining objective evidence and analysis on legislative requirements.

The audit is the systematic and independent examination to determine whether the activities and results comply with planned programs and these programs are implemented effectively and are suitable for meeting targets.

Inspection is the examination of any aspect of feed, food, health and welfare, to verify that such matters are in accordance with the requirements of legislation on feed and food law and health and welfare rules animals.

The inspection is based on the element of surprise. If it is considered that, by explaining why the completion of the inspection can distort the result, will not communicate a particular view.

Sampling for analysis is sampling of feed or food or other substances representative of the production, processing and distribution of feed or food or animal health (including environmental) in order to verified by analysis of compliance with legislation in the feed or food law or animal health rules;

Sampling methods and analysis used in official controls must comply with EU rules into national law, or:

a) if such rules do not exist, with internationally agreed rules and protocols, as those that the European Committee for Standardization (CEN) has accepted or those agreed by national legislation or

b) where those referred to above, other methods for their purpose or developed in accordance with scientific protocols.

Official controls on food should include, inter alia, the following activities:

1. examining control systems that feed business operators and those with pet food business have implemented and results achieved;

2. inspection:

- primary-production facilities, business activity in feed and food business enterprises, including their surroundings, facilities, offices, equipment, facilities and equipment, vehicles, and feed and food;

- raw materials, ingredients, processing auxiliary agents and other products used in the preparation and production of feed and food;

semi-products;

- materials and articles intended to come into contact with food;

- products and processes for cleaning and maintenance and pesticides;

- labeling, presentation and advertising;

3. controls on hygiene in business activity in feed and food business enterprises;

4. evaluating Procedures for Good Manufacturing Practice (GMP), good hygiene practices (GHP), good agricultural practice and HACCP (Hazard Analysis and Critical Control Point), taking into account the use of guides established in accordance with national legislation transposing EU legislation specifies;

5. examining written materials or other records that may be relevant to assess compliance with legislation in the feed and food law;

6. interviews with animal feed business operators, with the activity in food and their staff;

7. reading values recorded by measuring instruments business activity in the feed or food business enterprises;

8. controls' own instruments made by the competent authority to verify the measurements made by operators of animal feed business and those with food business. (4)

Multiannual national control plan should contain general information on the structure and organization of food control systems, in particular on:

- strategic objectives of the plan and how to control priorities and allocating resources reflect these objectives;
- risk-classification of those activities;
- designation of competent authorities and their functions at national, regional and local levels and the resources available to these authorities;
- management and general organization of official controls at national, regional and local level, including official controls in individual companies;
- control systems applying to different sectors and coordination between various services of the competent authorities responsible for official controls in these sectors;
- where appropriate, delegated tasks to other control bodies;
- methods to ensure compliance with operational criteria;
- staff training for performing official controls;
- documented procedures;
- organization and operation of contingency Plans for emergency animal disease or in case of food poisoning due to contamination of food and other situations of public health risk;
- organization cooperation and mutual assistance.

Conclusions

Official control means any form of control that made him competent authority or the European Commission and EU Member States, to verify compliance with food law.

Responsible authorities for official controls should meet a number of operational criteria to ensure their impartiality and effectiveness.

Official controls must be carried out without prior warning, except audit work that is required prior notice to the operator for animal feed business activity or the food. Also, official checks may be made ad hoc. Official

Controls must be made in any of the stages of production, processing and distribution of feed or food and animal products.

Official controls must be made using appropriate control methods and techniques, such as: monitoring, supervision, checking, auditing, inspection, sampling and analysis.

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3. **Regulation (EC) no. 599/2004 of 30 March 2004** adopting a harmonized model certificate and inspection report relating to Community trade in animals and animal products;
4. **Regulation (EC) no. 854/2004 of the European Parliament and EU Council** of 29 April 2004 laying down specific rules for the organization of official controls on products of animal origin for human consumption;
5. **Regulation (EC) no. 882/2004 of the European Parliament and EU Council** of 29 April 2004 on official controls performed to ensure verification of compliance with feed and food standards and animal health animal welfare