



Najwyższa Izba Kontroli

P/10/147

## Raport z kontroli równoległej

### Zapewnienie bezpieczeństwa epizootycznego Polski, Litwy i Słowacji po przystąpieniu do strefy Schengen

W a r s z a w a - W i l n o - B r a t y s ł a w a

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Lietuvos Respublikos valstybės kontrolė

## **Lygiagretaus audito ataskaita**

### **Auditas „Epizootinio saugumo užtikrinimas Lenkijos Respublikoje, Lietuvos Respublikoje ir Slovakijos Respublikoje įstojus į Šengeno erdvę“**

Varšuva - Vilnius - Bratislava

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Gruodis 2010



**Najvyšší kontrolný úrad**

**Správa z paralelnej kontroly**

**zabezpečenia epizootickej bezpečnosti  
v Poľskej republike,  
Litovskej republike a v Slovenskej republike  
po vstupe do Schengenského priestoru**

**W a r š a v a - V i l n i u s - B r a t i s l a v a**

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# Introduction

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## 1. Introduction

As Member States of the European Union (EU), the Republic of Poland, the Republic of Lithuania and the Slovak Republic have become obligated to ensure adequate standards for the protection of their borders that form the external frontier of the EU. When the Republic of Poland, the Republic of Lithuania and the Slovak Republic joined the Schengen Area<sup>1</sup>, their eastern borders became the first stop on the route of import of animals from the east to EU countries.

The national border protection system has been adapted to EU requirements in terms of legal and operational regulations for border services, including for preventing epizootic hazards from spreading across the EU. These responsibilities result from the EU Treaty and the Convention implementing the Schengen Agreement.

Once persons and goods cross the common external EU border, they can freely move across the EU. An infected animal which has gone through the border may pose an epizootic hazard for the entire European Union.

For this reason, our eastern border should provide an effective biological barrier to protect all countries of the European Community (EC) against penetration and spreading of infectious diseases posing a life hazard not only for animals but also for people (potential transmission of animal diseases to people). Border control has to ensure the highest level of protection against undesirable or hazardous people and goods.

One important part of this protection is to monitor the welfare of farm animals and collaboration with Poland's neighbours who are also responsible for the EU border, to ensure tight border control preventing the entry of animals, animal feed, or products of animal origin

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<sup>1</sup> Under the EU Council Decision of 6 December 2007 on the full application of the provisions of the Schengen *acquis* in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, Poland, Lithuania and Slovakia have on 21 December 2007 joined the Schengen Area and have been obligated to fully apply the Schengen *acquis* (OJ L 323 of 8 December 2007, p. 34.).



## Introduction

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posing a real or even potential epizootic risk.

Economic and political factors can be regarded as the basic rationale behind ensuring full epizootic safety. Economic factors include the protection of human health and lives, as well as preventing livestock losses due to restricted or suspended exports of animals and products of animal origin. Political factors relate to Poland's membership of the EU, which requires to implement uniform methods and programmes across the EU to control infectious animal diseases.

Contemporary dictionaries define safety as a state of certainty, peace, security, and associate it with the lack of threats and protection against dangers. **Epizootic safety** is defined as the prevention of and protection against hazards caused by infectious animal diseases transmissible to humans.

The origins and consequences of the world food crises (BSE, contamination of feed and poultry with carcinogenic dioxins, bird flu, foot and mouth disease, swine flu) have convinced the authorities that it was necessary to implement strict requirements in the sector to which epizootic safety applies. These situations also revealed the ease with which animal diseases can spread across borders. Open borders and free trade in animals and products of animal origin within the EU constitute a real epizootic risk.

This all has prompted to conduct a parallel audit by three SAIs of the following EU Member States:

- Supreme Audit Office of the Republic of Poland,
- National Audit Office of the Republic of Lithuania,
- Supreme Audit Office of the Slovak Republic.



## Objective and Scope of the Parallel Audit

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### 2. Objective and Scope of the Parallel Audit

The parallel audit was conducted between 1 April 2010 and 15 September 2010, and covered the period between 1 January 2007 and 31 December 2009.

The agreement to conduct such joint audit was made pursuant to the exchange of Letters of Intent between Mr Jacek Jezierski - President of Poland's Supreme Audit Office, Ms Rasa Budbergyte - Auditor General of the National Audit Office of the Republic of Lithuania, and Mr Ján Jasovský - the President of the Supreme Audit Office, Slovak Republic.

The parallel audits were conducted under the 1998 Agreement between the Supreme Audit Office of Poland and the Supreme Audit Office of the Slovak Republic and the Letter of Intent on cooperation, signed by the National Audit Office (hereinafter the "NIK") in 2002 with the National Audit Office of the Republic of Lithuania.

On 17-18 February 2010, those responsible for carrying out the parallel audit held a working meeting at the NIK headquarters in Warsaw. The meeting agreed that:

1. The audit would be conducted in parallel by three EU Member States (Poland, Slovakia and Lithuania).
2. Supreme Chamber of Control would play the leading role.
3. The parallel audit would be conducted between 1 April 2010 and 31 July 2010, and would cover the period between 1 January 2007 and 31 December 2009.
4. Following the audit, each country would prepare its respective audit report in line with its national legislation.
5. The results of this audit, along with the results of parallel audits, form the basis for a joint communication consolidating the results of the audits conducted by the Supreme Audit Office of Poland, the National Audit Office of the Republic of Lithuania and the Supreme



## Objective and Scope of the Parallel Audit

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Audit Office of the Slovak Republic.

6. The joint communication would be drafted by the Polish party.

The meeting participants decided that the audit would cover at least compliance issues<sup>2</sup> within the meaning of International Standards of Supreme Audit Institutions (ISSAIs). Audits in individual countries would be conducted under audit programmes prepared in compliance with the national legislation in this respect. In addition, it was agreed that audits in individual countries would be conducted under audit programmes prepared in compliance with the respective national legislation of each audit participant.

In individual countries, audit topics covered at least the following areas:

- whether national legislation had been adapted to EU regulations in the audited area,
- whether the recommendations issued following the audit conducted by the Food and Veterinary Office, Directorate General of Health and Consumer Affairs (DG SANCO), European Commission had been implemented in national regulations, within the audited areas,
- whether the applicable procedures had been adapted to current epizootic risks and for the event of emergency situations, including those related to controlled, uncontrolled or illegal movement of animals from non-EU countries,
- whether the institutions responsible for epizootic safety were able to cope with emergency on the local and national levels,
- whether the epizootic safety system has been adapted to make information on epizootic hazard available to the public, on the national and local levels.

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<sup>2</sup> ISSAI 100. 39; ISSAI 4000-4999





## Objective and Scope of the Parallel Audit

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The final report was drafted at a Vilnius working meeting held on 22-24 September 2010. The meeting agreed that the essential findings from Poland, Lithuania and Slovakia will be arranged around the following items:

1. Organisation of the epizootic safety system.
2. Fulfilment of the tasks in the field of epizootic safety.
3. Ensuring epizootic safety on the borders of the Schengen Area.
4. Providing financial resources for the fulfilment of the tasks related to epizootic safety assurance.
5. Preparations for a crisis situation posing a threat to epizootic safety.

## The Audit and Its Results

### 3. The Audit and Its Results

**3.1. In the Republic of Poland**, the audit covered 36 authorities (the Ministry of Agriculture and Rural Development, National Headquarters of the State Fire Service, General Veterinary Inspectorate, 7 out of 16 Voivodeship Offices, 9 out of 11 Border Veterinary Inspectorates, 7 out of 16 Voivodeship Veterinary Inspectorates, and 7 out of 17 Customs Offices) which were authorised to accept notifications of unrestricted marketing within the European Community of the products listed in Annex I to the European Commission Regulation (EC) 1635/2006<sup>3</sup>, as well as in 3 Poviats Veterinary Inspectorates.

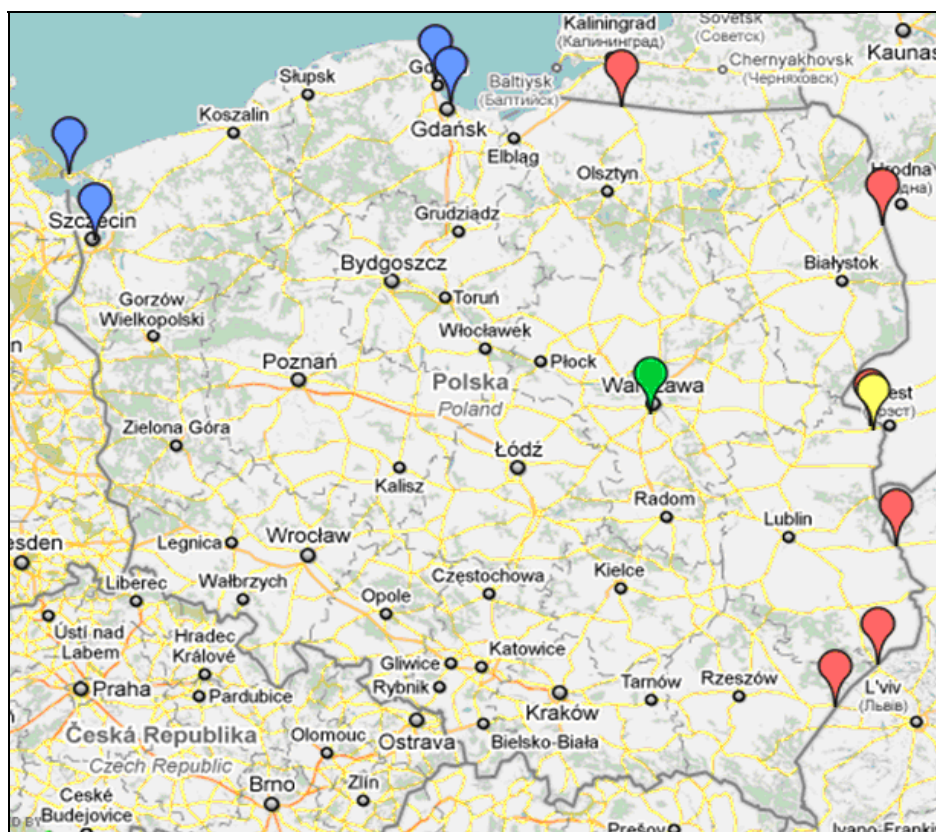


Fig. 1. Location of EU border crossing points in Poland<sup>4</sup>.

<sup>3</sup> On 29 September 2010, the list of customs offices was updated (OJ L 2010 no. C262 p. 08), extending the authority onto all Poland's customs offices.

<sup>4</sup> source: google.pl.



## The Audit and Its Results

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The audit conducted in Poland aimed to evaluate how public authorities fulfilled their responsibility to provide epizootic safety, and in particular:

- 1) Were the legal provisions, procedures and internal regulations governing the national epizootic safety management and control system consistent with the EU requirements and commensurate with the actual epizootic risk level?
- 2) Were the measures resulting from the adopted procedures and internal regulations, relating to the preparedness of services and inspectorates to epizootic emergency situations posing a risk to human and/or animal health or lives, implemented?
- 3) Was the supervision of how the procedures and other internal regulations are adopted and implemented by the appropriate authorities and entities responsible for epizootic safety exercised adequately and efficiently?
- 4) Were the programmes to improve the status of national epizootic safety implemented adequately and efficiently?

**In Poland, the audit covered the following aspects:**

- 1) Implementation to the Polish law of the regulations resulting from EU directives related to epizootic safety;
- 2) Organisational and legal preparedness of veterinary inspection authorities to perform their epizootic safety mandate;
- 3) Preparedness of government authorities for potential or actual epizootic risks in case of emergency, including the provision of reliable information to the public;
- 4) The operation of the system for gathering and sharing of information about the occurrence of infectious animal diseases subject to control and notification;
- 5) Monitoring of epizootic status and control of infectious animal diseases;
- 6) Customs clearance of products subject to veterinary control;
- 7) Conditions and methods for carrying out veterinary border control;
- 8) The provision of funds necessary for the control of infectious animal diseases and monitoring sampling for chemical and biological residues in animal tissues and products



## The Audit and Its Results

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of animal origin;

- 9) Performance of the supervision mandate by the Minister of Agriculture and Rural Development as well as veterinary inspection authorities with regard to assuring epizootic safety.



## The Audit and Its Results

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**3.2. In the Republic of Lithuania** audit subject – assuring of epizootic safety.

Audited entity – State Food and Veterinary Service and its subordinate bodies.

Aim of the audit was to evaluate whether the national epizootic safety assuring system complies with requirements set in the legislation of European Union and Lithuania after Lithuania joined the Schengen zone.

When conducting the audit we took into consideration joint agreements with auditors of Polish and Slovak Supreme Audit Institutions.

We collected the data and information for the audit in the State Food and Veterinary Service and its subordinate bodies. During the audit we analyzed if requirements for assuring of epizootic safety set in the EU legislation are transferred to national legislation. We assessed the practical implementation of the requirements set in legislation. We analyzed reports, recommendations and their follow up of missions (performed audits) in Lithuania in 2007-2009 by European Commission DG SANCO related to assuring of national epizootic safety.

During the audit we visited Vilnius City and Vilnius District State Food and Veterinary Services, as well as Vilnius Airport, Medininkai and Kena border veterinary inspection posts. In the posts we observed procedures and their documentation of veterinary control of consignments brought in Lithuania, as well as examined documents filled in by veterinary inspectors, their performance reports, etc.

Audit data were selected applying document review, interview and observation methods. The data obtained were assessed with the help of calculation, comparative and situation analysis methods. The audit was based on the assumption that the data submitted to auditors were correct and the documents were comprehensive and final, while copies of



## The Audit and Its Results

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documents corresponded to originals. The audit was carried out following Public Auditing Requirements<sup>5</sup>

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<sup>5</sup> Order of the Auditor General of the Republic of Lithuania of 21 February 2002 (as amended on 20 January 2004) „On Approval of Public Auditing Requirements“.



## The Audit and Its Results

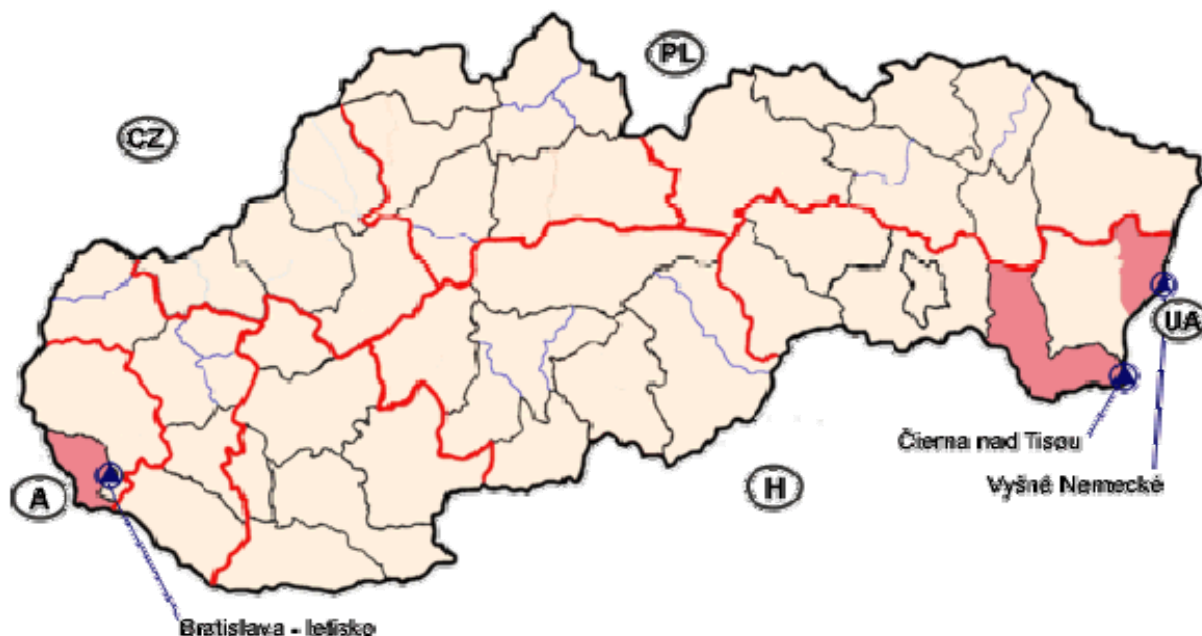
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**3.3. In the Slovak Republic** audits were carried out in the following units:

- The Ministry of agriculture
- The State Veterinary and Food Administration.

The audits have been carried out from May 3 until August 3, 2010. The audited period were years 2007 to 2009. Part of the audit carried out at The State Veterinary and Food Administration were audits at three border inspection spots – Vyšné Nemecké, Čierna nad Tisou and Bratislava airport.

Border inspection posts in the Slovak Republic



The goal of audit was to review the implementation of EU legislation after The Slovak Republic joined the Schengen area and evaluate the performance of duties of state administration in the veterinary field on border veterinary posts related to the protection of the country against impact of animal diseases from outside the Schengen area.

The object of audit was organisation system of assurance epizootic safety in the Slovak Republic and tasks fulfillment on field of veterinary checks, veterinary inspection and



## The Audit and Its Results

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veterinary surveillance (hereinafter veterinary welfare) including fund assurance organizations in the field of veterinary care.

To achieve the goal of audit was the object of audit defined in the following range:

- 1) Implementation, monitoring and fulfilling the obligations of the Slovak and EU legislation in the field of veterinary care.
- 2) Unification procedures, internal regulations and taking measures to ensure their compliance with recommendations of the special audits carried out by DG SANCO in 2008 and 2010.
- 3) Performance of duties of state authorities under the Act on Veterinary Care government regulations and European legislation.
- 4) Creation the prerequisites for ensuring coordination and cooperation between state authorities involved in carrying out the tasks in the veterinary field, including epizootic safety.
- 5) Provide funding to organizations in the field of veterinary care including epizootic safety.





## Epizootic Safety Assurance System

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### 4. Epizootic Safety Assurance System

4.1. Poland's legal system delegates the issues influencing to some extent the operation of the epizootic safety assurance system to various authorities within central and local governments. Under the national competence-sharing legislation, Poland's competent authorities for the purpose of official control of food within the meaning of Article 4 of the Regulation (EC) No 882/2004/EC 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*<sup>6</sup>, are the following:

- Veterinary Inspection,
- State Sanitary Inspection,
- State Inspection of Plant Health and Seed,
- Agricultural and Food Quality Inspection,
- Commercial Inspection.

Close collaboration within the epizootic safety system is also ensured by the crisis management system operating under Act of 26 April 2007 *on crisis management*<sup>7</sup>, responding e.g. to contingencies of significant proportions that adversely affect safety and pose a risk to human and animal health and lives.

In addition, the epizootic safety system is complemented by:

- Health Services – focused on the treatment for diseases, including zoonoses,
- Environmental Protection Inspection – dealing with environmental contamination, including contamination caused by animals or products of animal origin.

**Poland's** legal system entrusts the Veterinary Inspection with the primary responsibility for performing the tasks of government administration in the veterinary area to ensure the protection of public health. The responsibilities and structure of the Veterinary

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<sup>6</sup> OJ L 165 of 30 April 2004, p. 1, as amended



## Epizootic Safety Assurance System

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Inspection are laid down in the Act of 29 January 2004 on Veterinary Inspection<sup>8</sup>. The Veterinary Inspection is led by the Chief Veterinary Officer reporting to the minister competent for agriculture.

The Veterinary Inspection performs the responsibilities in the area of animal health and safety of products of animal origin.

This mandate is implemented by, among other things, the control of infectious animal diseases, monitoring sampling for animal infections, as well as the testing of animals for slaughter and products of animal origin.

The Veterinary Inspection is also required to perform border veterinary controls in the area of marketing and exports of animals and products of animal origin.

In performing veterinary border controls for the welfare of animals introduced from third countries into the EU, the Border Veterinary Officer closely collaborates with the Customs Service, and for the animals accompanying their owners, introduced from third countries into the EU for non-commercial purposes, the following parties are additionally involved: the competent Poviats Veterinary Officer and the Customs Service. In compliance with Council Regulation No 1/2005, the Chief Veterinary Officer also was to closely collaborate with the Customs Service for the inspection of welfare in exit points of the animals exported from the European Union to third countries.

The Veterinary Inspection bodies are the following: the Chief Veterinary Officer, the voivodeship veterinary officer – as the head of voivodeship veterinary inspection included in the combined government administration in the voivodeship, the poviats veterinary officer - as the head of the poviats veterinary inspection included in the non-combined government administration, and the border veterinary officer.

The Chief Veterinary Officer performs his/her responsibilities through 16 voivodeship veterinary officers and 304 poviats veterinary officers. He/she also oversees 10 border

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<sup>7</sup> Journal of Laws (Dz.U.) No 89, item 590, as amended.

<sup>8</sup> Journal of Laws (Dz.U.) of 2010 No 112, item 744, as amended.



## Epizootic Safety Assurance System

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veterinary inspectorates.

The costs of operation of the veterinary services are paid from the national budget. The basic piece of national legislation in this regard is the Act of 11 March 2004 *on animal health protection and control of infectious animal diseases*<sup>9</sup>. The subjects dealt with by the Act include the issues related to veterinary protection of public health, monitoring of animal health, supervision of the animal keeping conditions from the point of view of animal health, and control of individual animal disease entities. The Act implements to the Polish legislation the content of EU directives and European Parliament Regulations on infectious animal diseases. The ordinances of the Minister of Agriculture and Rural Development issued under the authority of that Act laid down detailed veterinary requirements for animal identification, the monitoring of animal health status, and control of individual infectious animal diseases.

The basic piece of national legislation that governs the veterinary aspects of border control is the Act of 27 August 2003 *on veterinary border control*<sup>10</sup>. That Act implements to Poland's legal system the Community requirements specified in Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and in 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.

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<sup>9</sup> Journal of Laws (Dz.U.) of 2008 No 213, item 1342, as amended.

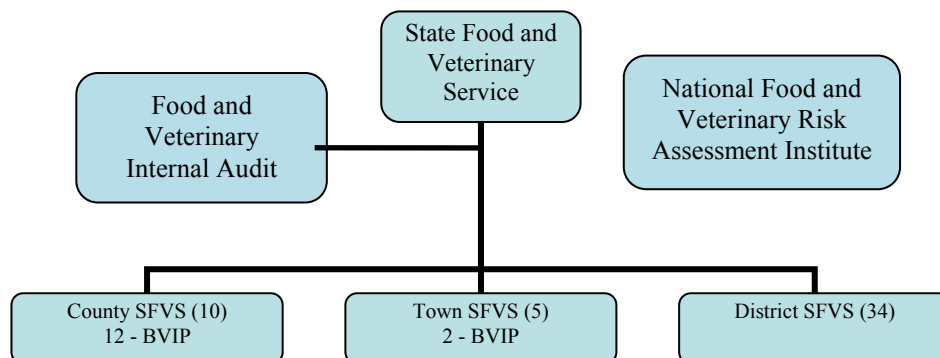
<sup>10</sup> Journal of Laws (Dz.U.) No 165, item 1590, as amended.



## Epizootic Safety Assurance System

**4.2. In the Republic of Lithuania** following the requirements of the Regulation (EC) No 882/2004<sup>11</sup> of the European Parliament and of the Council, a Member State must appoint the competent authority responsible for following the legislation regulating animal feed and food, animal health and welfare rules, as well as ensure the implementation control. National epizootic policy in Lithuania is enforced by the State Food and Veterinary Service (SFVS). SFVS is accredited to ISO/IEC 17020:2004<sup>12</sup> international Standard and implements the state food and veterinary control. SFVS is a Government authority, a founder of 51 budgetary bodies: National Food and Veterinary Risk Assessment Institute (NFVRAI, the Institute), Food and Veterinary Internal Audit Service (FVIAS, Internal Audit Service), 10 Counties, 5 towns and 34 districts SFVS. In Vilnius, Klaipėda, Marijampolė and Tauragė Counties, as well as Vilnius and Druskininkai SFVS there are established structural units - border veterinary inspection posts (BVIP). In the above mentioned territorial SFVS 14 border inspection posts are established.

### Organizational chart of SFVS and its subordinate bodies



Source: National Audit Office of Lithuania

<sup>11</sup> 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.

<sup>12</sup> LST EN ISO standard General criteria for the operation of various types of bodies performing inspection (ISO/IEC 17020:1998).



## Epizootic Safety Assurance System

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According to the data of 1 January 2010, SFVS and its subordinate bodies employed 1592 staff.

The Service organizes animal protection from contagious diseases and when they turn up – eradication of the source of disease, as well as compliance with requirements for import, export and transit of animal, non-animal origin and animal products. SFVS sets mandatory requirements for protection from animal contagious diseases, their prevention and source eradication; together with other public institutions they perform veterinary measures for protection from animal contagious diseases, analyse the level of contagious and noncommunicable diseases, as well as provide and implement prevention and eradication measures of these diseases. Together with the Ministry of Agriculture, the Service establishes requirements and procedure for animal holdings, registration, identification and accounting of animals. SFVS sets obligatory requirements for animal welfare protection, requirements for animal health assessment and control, as well as control the compliance with them.



## Epizootic Safety Assurance System

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**4.3.** On the territory of the **Slovakia** were carried out audits of the European Commission, organized by DG SANCO in Dublin before and after joining the EU. Outcome of the audits showed that the EU export and import rules were implemented in the Slovak Republic and exist system to ensure rapid implementation of new ones.

The state administration authorities in the veterinary field include The Ministry of Agriculture of the Slovak Republic, The State Veterinary and Food Administration of the Slovak Republic, Regional Veterinary and Food Administrations and District Veterinary and Food Administrations. The state authority in the field of veterinary medicinal products is The Institute for Control of Veterinary Medicaments.

The basic position and competences of the state administration authorities in the veterinary field are regulated by Act No 39/2007 Coll. of 12 december 2006 on Veterinary Care.

By this act the all Directives governing the veterinary field were fully transposed to slovakian law system.

The State Veterinary and Food Administration is headed by a Director General. The Director General shall also be holding the Office of Chief Veterinary Officer in the veterinary field. The Chief Veterinary Officer shall report directly to the Minister of Agriculture.

The State Veterinary and Food Administration shall manage, coordinate and control the exercise of state administration by the 8 Regional Veterinary and Food Administrations and by the 40 District Veterinary and Food Administrations. Competencies are very extensive, including the power to order and lift measures in case of discovering or suspecting serious or immediate threat to animal or human health posed by products of animal origin, feeds or animal by-product, or in case of threat to safety of foods of animal origin. Issue decisions on approval and withdraw decisions on approval for border veterinary inspection posts relating to import from third countries and control them by state veterinary inspectors. Following the Act on Veterinary Care the State Veterinary and Food Administration has drafted internal rules concerning the exercise of border veterinary controls in import of



## Epizootic Safety Assurance System

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animals, germinal products, products of animal origin, animal by-products and selected products of plant origin from third countries including the extent and frequency of laboratory tests and methodology of control activity at border control points.

The act on veterinary care provides for a certain public authorities to provide interoperability in the performance of state administration in the field of veterinary care especially in preventing the spread of infectious diseases and disease eradication, prohibition on movement of animals and people in areas contaminated with infectious disease or other factors which may pose a serious risk to animal or human health.

Police, civil protection, army and customs authorities are obliged to cooperate. Details in co-operation are in agreements concluded between the State Veterinary and Food Administration and the competent authorities of the Slovak Republic.

In 2005, the State Veterinary and Food Administration established from the funds of the state budget the Liquidation Mobile Unit for disposal of animals in cases of dangerous diseases. This has been transposed Council Directive, 93/119/EEC of 22.12.2003 on the protection of animals at the time of slaughter or killing. This device was used for the disposal of three outbreaks of dangerous diseases in 2007 and 2008. Device was used in simulated exercises for liquidation and consequences of an outbreak of avian flu in poultry farm with the participation of local authorities, health professionals using forces and resources of the Integrated Rescue System, Armed Forces of the Slovak Republic and other public bodies operated in the territory.



## Epizootic Safety Funding

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### 5. Epizootic Safety Funding

**5.1. In Poland,** the responsibilities related to the assurance of epizootic safety are funded primarily from the national budget. The European Union provides some funds to co-finance some programmes for the control of infectious animal diseases. Funds from the national budget are spent under budget Headings: *32-Agriculture* and *85-Budgets of the Voivodes*. Funds for the control of infectious animal diseases are also assigned under Heading *83-Appropriated Funds* and are transferred as appropriate to the above-mentioned Headings 32 and 85, increasing the spending originally defined in the budget law under these headings of the national budget. The budget Heading *32-Agriculture* funds the central veterinary inspection body (the Chief Veterinary Officer) and 10 border veterinary inspectorates. Under the Heading 85, the Voivode Budgets fund voivodeship veterinary inspectorates and poviats veterinary inspectorates, as well as the responsibilities related to the risk defined in the Act of 26 April 2007 *on crisis management*<sup>13</sup> occurring in voivodeships, including epizootic risks (e.g. control of bird flu, etc.). The Appropriated Funds are spent mainly for the control of infectious animal diseases (including the funding of programmes for the control of infectious animal diseases); monitoring sampling for chemical and biological residues in animal tissues, products of animal origin and feed; the responsibilities delegated by the European Commission; and the funding support of responsibilities of the Veterinary Inspection of all levels.

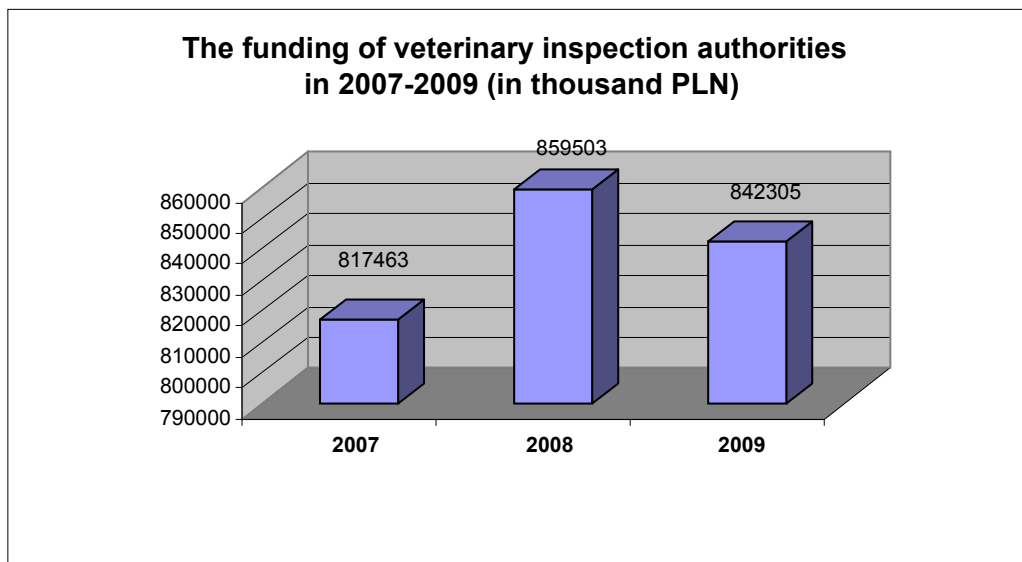
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<sup>13</sup> Journal of Laws (Dz.U.) No 89, item 590, as amended.





## Epizootic Safety Funding



*Source: Supreme Audit Office of the Republic of Poland*

The audit has found that sufficient funds were provided in the period 2007-2009 for the control of infectious animal diseases and monitoring sampling for chemical and biological residues in animal tissues and products of animal origin. Following amendments, the 2007-2009 national budgets assigned for this purpose, respectively: PLN 817,463,000, PLN 895,503,000, PLN 842,305,000. These funds were utilised in the proportion of, respectively, 91.5%, 93.4%, 97.9%. The unspent amounts resulted from a smaller-than-expected number of veterinary measures (a smaller number of infectious animal diseases).



## Epizootic Safety Funding

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**5.2.** In the **Republic of Lithuania** measures of epizootic safety system are financed from the State Budget. Expenditure of Control Programmes for Contagious Animal Diseases are reimbursed by the Commission from 50 per cent to 100 per cent of the incurred expenditure (Chapter 7.2.2.).

In 2007 and 2008 epizootic safety system was allocated 58 per cent of the financing of SFVS. In 2009 this comprised 59 per cent.

General financing of epizootic safety assurance measures was highest in 2008 (16.9 million Euros) and lowest in 2009 (13.8 million Euros), i.e., comparing 2009 to 2008 the financing was 19 per cent lower. Along with the decreasing financing of the Service, share of funds allocated to assurance of epizootic safety in 2009 compared to previous years (in 2007-2008 it was 58 per cent, in 2009 – 59 per cent) almost did not vary.

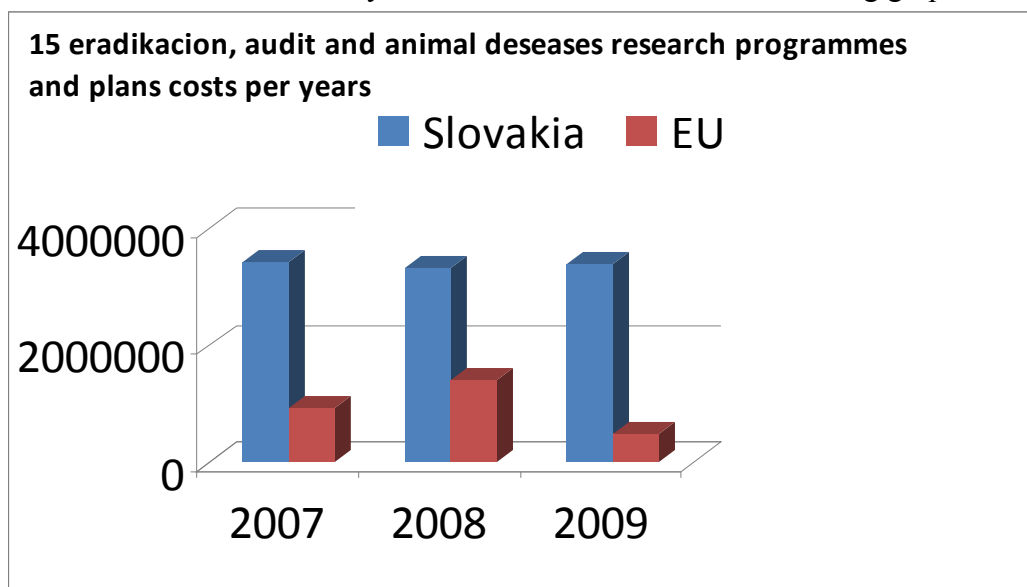


## Epizootic Safety Funding

5.3. The State Veterinary and Food Administration had approved by Ministry of Agriculture 15 programs and plans of eradication, control and investigation of animal diseases in the Slovak Republic (eradication of classical swine fever, rabies, infectious bovine rhinotracheitis, bacterial fish diseases, salmonella infections in poultry flocks, investigation of avian influenza, bluetongue, bees foot and mouth disease).

To implement these programs above the State Veterinary and Food Administration has drawn funds from state budget, EU based on Council Decision 90/424/EEC on expenditure in veterinary field and Council Decision 2009/470/EC on expenditure in veterinary field (Codified version) in the following amounts:

- 3 433 283,00 EUR in 2007, from the EU budget in the amount 938 983,00 EUR,
- 3 351 572,00 EUR in 2008, from the EU budget in the amount 1 425 576,00 EUR,
- 3 396 936,00 EUR in 2009, from the EU budget in the amount 480 475,00 EUR.
- Share of funding the state budget and EU funds for financing the programs mentioned above for the years 2007 to 2009 shows the following graph:



Tasks in the field of veterinary care met also the State Veterinary and Food Institutes and the State Veterinary Institute on the basis of contracts concluded with the Ministry of Agriculture



## Epizootic Safety Funding

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in the respective years. These institutions are responsible for performs laboratory diagnostics, laboratory examinations, analysis or testing of official samples in the field of animal health and protection state territory against the threat of contagious diseases. Presents results of laboratory diagnostics, analyses and testing of official samples to the Chief Veterinary Officer and other competent at uthorities.

Based on signed contracts the Ministry of Agriculture provided for 6 institutions funds from the state budget amount 6 068 512 EUR in 2007, for 4 institutions amount 5 693 056 EUR in 2008 and for 4 institutions amount 5 966 078 EUR in 2009.

In period 2007 – 2009 the Slovak Republic maintained the country's status as officially free of bovine tuberculosis, brucelosis, enzootic bovine leukosis and sheep brucelosis. On the monitoring results was the Slovak Republic officially declared the country free of Aujeszky's disease by Commision Decision 2007/603/EC and maintained this status in 2008 and 2009.



## Assessment of the Audited Activity

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### 6. Assessment of the Audited Activity

Due to different audit procedures in individual countries, different systems of assessment of the performance level of the audited activities have been adopted.

In **Poland**, an audit is concluded with audit protocols that provide the basis for *post-audit statements* (management letters) being sent to the auditee's managers. Post-audit statements evaluate the audited issues, and - where irregularities are identified - also put forward recommendations aimed at elimination of these irregularities. The following grading scale has been applied in the post-audit statements addressed by NIK to heads of auditees:

- 1) *positive grade* - where no major irregularities have been found, and any minor irregularities were of formal nature without negative consequences for effective epizootic protection;
- 2) *positive grade despite minor irregularities* - where irregularities were of a formal character without consequences for the audited activity that would decrease the effectiveness of epizootic safety assurance, or where effective measures were taken to prevent such irregularities in the future;
- 3) *positive grade despite irregularities* - irregularities were found that could result in decreasing the efficiency and effectiveness of epizootic protection;
- 4) *negative grade* - significant irregularities in the audited activity were found, or more than 2% of budget funds for epizootic protection were spent uneconomically and without reasonable purpose.

In its post-audit statements addressed to all auditees, the Supreme Audit Office has awarded the following grades:

- positive grade – 11 auditees (30%);
- positive grade despite minor irregularities – 15 auditees (42%);
- positive grade despite irregularities – 10 auditees (28%);
- no negative grade was awarded. No irregularities were found that would provide



## **Assessment of the Audited Activity**

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grounds for awarding a negative grade.

In Poland, the audit covered 36 auditees performing responsibilities related to the provision of epizootic safety. No epizootic threat was identified in any of the auditees. In 11 (30%) auditees no irregularities were found. They were performing the responsibilities within the subject-area covered by the audit in accordance with the applicable legislation and the adopted internal regulations. In 15 (42%) auditees formal irregularities were found that could be easily removed, with no effect on the occurrence of a risk or worsening of epizootic safety. Meanwhile, irregularities were found in 10 (28%) auditees. Although these irregularities have not given rise to any epizootic risk, they were assessed by the Supreme Audit Office as ones which could contribute to the establishment of a distorted view of the epizootic status, and failures to perform some procedures where infectious animal diseases were suspected or where outbreaks of infectious animal diseases were controlled could lead to real epizootic risks.



## Assessment of the Audited Activity

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### 6.1. General assessment of the audited activity in Poland

Despite the identified irregularities, the Supreme Audit Office assessed in positive terms the performance by government authorities of their national epizootic safety responsibilities following the accession to the Schengen Area.

In awarding a positive grade, the Supreme Audit Office took into account, in particular:

- Implementation to the Polish law of the EU directives containing regulations related to epizootic safety;
- Organisational and legal preparedness of national authorities to perform their responsibilities related to the assurance of national epizootic safety;
- Eradication of brucellosis and bovine tuberculosis, and achieving a positive outcome of the control of other infectious animal diseases, e.g. rabies, leukosis, and Aujeszky's disease,
- Prevention by customs offices and border veterinary inspectorates of the introduction into the Schengen Area of animals and products of animal origin which fail to meet the requirements of European Commission Decisions or arising from the current epizootic and epidemiological status.

The irregularities found during the audit included, in particular:

- Failure to implement the recommendations of the DG SANCO/2009-8303 audit mission conducted in 2009 and again in January 2010, addressed to the Minister of Agriculture and Rural Development to adapt to the Community legislation the rates for fees collected for the performance of veterinary border checks,
- The Chief Veterinary Officer's failure to implement the recommendations of the European



## Assessment of the Audited Activity

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Commission's audit mission<sup>14</sup> regarding the preparation and sending to the European Commission the missing contingency plans to control infectious animal diseases, as listed in the Ordinance of the Minister of Agriculture and Rural Development of 30 April 2004 *on the list of infectious animal diseases, for which control contingency plans shall be prepared*<sup>15</sup>

- Failure to implement at the Chief Veterinary Inspectorate of an internal audit of the subordinated entities,
- Border veterinary officers' delayed sending to laboratory testing of samples of the consignments subject to border veterinary control,
- Instances of delayed sending or providing incomplete information about the current epizootic status as part of the system for gathering and sharing of information about epizootic risks.

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<sup>14</sup> Directorate General of Health and Consumer Affairs (DG SANCO). European Commission Health & Consumers Directorate – General, Directorate F-Food and Veterinary Office

<sup>15</sup> Journal of Laws (Dz.U.) No 108, item 1153. The Regulation has ceased to apply on 24 December 2008.





## Assessment of the Audited Activity

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### 6.2. General assessment of the audited activity in the Republic Lithuania

Epizootic safety assurance system conforms to the requirements set in the European Union and Lithuanian legislation if:

- There are no identified non-conformities between legislation of the European Union and Lithuania and there are no identified non-conformities between the requirements set in the European Union and Lithuanian legislation and their implementation;
- The identified non-conformities of Lithuanian legislation to European Union legislation, or identified violations of requirements set in the European Union and Lithuanian legislation do not have a negative impact on the assurance of epizootic safety;
- Epizootic safety assurance system does not conform to the requirements of legislation of European Union and Lithuania if non-conformities between the legislation of European Union and Lithuania detected during the audit or the detected systematic violations of the requirements of legislation of European Union and Lithuania have a negative impact (increase the risk) on the assurance of epizootic safety.

Epizootic safety assurance system in Lithuania is developed and in 2007-2009 operated following the requirements of legislation of European Union and Lithuania:

- Registration and identification system of farmed animals is developed and operates under the European Union requirements.
- Scope of national veterinary control of animal registration and identification conducted in Lithuania met the requirements set by European Union in 2007-2009.
- State Food and Veterinary Service has established contingency plans for contagious animal diseases as it is required in the EU legislation. SFVS regularly renews the plans and organizes regular simulation exercises for the staff.



## Assessment of the Audited Activity

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- National import and transit control of animals and animal products was carried out with regard to EU requirements and procedures of quality management system approved by SFVS.

Shortcomings of implementation of the requirements of European Union and Lithuanian legislation with no negative impact on the assurance of epizootic safety:

1. Number of monitoring cases of very serious contagious animal diseases (foot-and-mouth disease, classical swine fever (for boars)) did not conform to the requirements of the Control Programme for Contagious Animal Diseases.
2. Scope of control of anti-rabies vaccination of wildlife necessary to detect the efficiency of vaccination was not ensured by the SFVS in 2009, as it is foreseen in the recommendation of Scientific Committee on Animal Health and Animal Welfare.
3. It was not ensured that all the territorial SFVSs should carry out national veterinary control of animal registration and identification of the established scope.
4. TRACES system is not geared to ensure control of consignments of animals and animal products transported by transit when these consignments are transported out of the country through another BVP than it was indicated by the import BVP in a veterinary import documentation.
5. During the audited period there was insufficient supervision (external control) in border veterinary posts of import and transit control of national veterinary animal and animal products: in 2008-2009 veterinary control in border veterinary posts was not included in the work programme of Internal Audit Service, while some recommendations of the previous years audits were not comprehensive, and their implementation was taken formally.



## Assessment of the Audited Activity

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### 6.3. General assessment of the audited activity in the Slovak Republic

Audit performance was conducted in accordance with slovak legislation and with procedures governing the performance of audits of the Supreme Audit Office of Slovak Republic. Tasks fulfillment was in compliance with audit's programme.

Audit findings describe the actual state of audit object and are part of audit protocols. During audit have been identified statutory offence (deviations from the desired state) related to slovakian law enforcement.

No adverse effects were affected to meet the audit's target. Audit findings in various fields didn't affect epizootic safety in the Slovak Republic. The Supreme Audit Office of Slovak Republic assured that the Slovak Republic have been created all preconditions for sucessfull system of epizootic safety and its permanent improvement.

The statutory representatives of auditing entities were informed about the content of audit results and didn't object to the veracity, completeness and evidential of audit findings.

The Ministry of Agriculture and the State Veterinary and Food Administration have taken concrete and term measures to eliminate the shortcomings. The measures are focused to improve the fulfillment duties in the field of veterinary care including border inspection posts and internal control system. Some measures have been taken during audit.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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### **7. Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

#### **7.1. Organisation of the epizootic safety system**

**7.1.1.** In the period 2007-2009, Poland's Minister of Agriculture and Rural Development implemented to the Polish legislation 15 EU directives containing regulations related to epizootic safety assurance, thus complying with the recommendations of the Food and Veterinary Office (FVO), DG SANCO, issued following the 2007-2009 audit missions to inspect how Polish legislation related to national epizootic safety had been adapted to the Community legislation.

The irregularities included:

- Minister of Agriculture and Rural Development's failure to increase the rates for fees charged on the borders for veterinary controls up to the minimum rates laid down in Annex V to the Regulation (EC) No 882/2004 of the European Parliament and of the Council. The rates questioned by the Commission were set for the amount provided for in the Ordinance of the Minister of Agriculture and Rural Development of 15 December 2006 *laying down the methods for determining and the amounts of fees for the activities carried out by the Veterinary Inspection, the methods and places of collection of these fees, and the methods for sharing information in this respect with the European Commission*<sup>16</sup>. These recommendations have been formulated in the wake of the audit mission that took place in the period between 26 January and 06 February 2009 (DG SANCO/2009-8303) and again in January 2010 (DG SANCO/2010-8559). It should

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<sup>16</sup> Journal of Laws (Dz.U.) of 2007 No 2, item 15.



## Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area

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be noted that the drafting of amendments to the Ordinance of the Minister of Agriculture and Rural Development implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council was completed not until 2010. According to the Director of the Department of Food Safety and Veterinary Matters, the work was extended in time because of numerous discussions and proposals for changes submitted during consultations with stakeholder organisations of importers of live animals, fisheries products, products of animal origin, animal feed, as well as by the National Medical and Veterinary Chamber (Krajowa Izba Lekarsko–Weterynaryjna), including on how to translate the minimum EUR fee rates into their PLN equivalents, and a proposal was put forward that the ordinance should also address the rates for non-border fees (e.g. for the testing for Aujeszky's disease). This required further consultations with pig farmers and veterinarians – the beneficiaries of these fees,

- The Chief Veterinary Officer's failure to prepare 14 contingency plans for the control of infectious animal diseases in emergency situations, i.e. epizootic risk. Out of 23 plans required by the Ordinance of the Minister of Agriculture and Rural Development of 21 November 2008 *laying down the list of infectious animal diseases, for which control contingency plans shall be prepared*<sup>17</sup>, only 9 were prepared. The lack of the remaining contingency plans for the control of infectious animal diseases was noted by the European Commission representatives who in 2008 issued a relevant recommendation in this regard.

Despite some minor irregularities, the Supreme Audit Office assessed in favourable terms the organisational and legal preparedness of veterinary inspection authorities to perform their epizootic safety mandate.

The Chief Veterinary Officer (CVO) was found to have implemented the procedures governing the operation of veterinary inspection services across all levels in epizootic-safety

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<sup>17</sup> Journal of Laws (Dz.U.) No 218, item 1397.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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matters, including the rapid alert system for hazardous food and feed. At the request of the European Commission representatives, and in accordance with Article 8 of Regulation (EC) No 882/2004, the CVO removed gaps in procedures for Border Inspection Posts, expanding these procedures to include guidance for NHC (non-human consumption) products. One minor irregularity was the General Veterinary Inspectorate's failure to implement the internal audit of the reporting authorities, as required under Article 4 of the Regulation of the European Parliament and of the Council of 29 April 2004 (EC) No 882/2004/EC *on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules*<sup>18</sup>.

Voivodeship and Poviats Veterinary Inspectorates were prepared to perform their responsibilities related to assuring nationwide safety. The arrangements for how to deal with the matters assigned to the veterinary inspection authorities in the field of animal health and safety of products of animal origin were laid down in internal organisational regulations of individual inspection authorities, guidelines issued by voivodeship veterinary officers, and the scopes of responsibilities of the officers responsible for these matters.

The border posts which performed veterinary controls were adapted in 2003-2004 to EU requirements laid down in Commission Decision No 2001/812 and were verified with approval by experts from the EU's Food and Veterinary Office (FVO).

The border veterinary inspectorates held the legally required equipment and protective clothing, as well as the premises for animal loading/unloading, for sampling, and (where necessary) for animal quarantine. All nine audited border veterinary inspectorates implemented control procedures to enhance the quality of border veterinary controls,

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<sup>18</sup> OJ L of 30 April 2004 No 165, as amended.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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including standard rules for monitoring sampling, carrying out physical checks, and the operation of the Rapid Alert System for Food and Feed (RASFF).



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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**7.1.2.** Nationally the SFVS implements its functions via territorial Food and Veterinary Services (territorial SFVS) of the State Food and Veterinary Services of Counties, Towns and Districts. Key objectives of SFVS are to protect consumer interests, animal health and welfare within territorial principle, to ensure the compliance of animals for the internal market and export, the feed and food with the obligatory protection, identification and other requirements entrenched in the laws of the Republic of Lithuania and other legislation. Territorial SFVS organize and conduct animal protection from contagious diseases, eradicate them, plan preventive measures against contagious diseases, organize and control their implementation; control the safety and right quality of raw materials used for food and feed.

In compliance with provisions of Regulation (EC) 882/2004, the SFVS assigned the functions of national control laboratory to the National Food and Veterinary Risk Assessment Institute. Laboratory Department of NFVRAI conducts national control laboratory function in all the areas indicated in Regulation (EC) 882/2004. Laboratory Department of the Institute cooperates with EU control laboratories and provides information related to their areas of activity. The Institute has an operative and maintained quality management system, which corresponds to requirements of LST EN ISO 17025:2005<sup>19</sup> standard. Following the requirements, the Laboratory Department is accredited by German Accreditation Office (DAkKS). Additionally, NFVRAI is accredited by Russian Federal Agency on Technical Regulation and Metrology (GOST-R) and State Sanitary Epidemiological Service of the Russian Federation. Laboratory Department has the right to use association symbol of International Laboratory Accreditation Cooperation – ILAC. It means that the results of the conducted analysis are accepted in European Union and other countries of the world. German

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<sup>19</sup> LST EN ISO standard General requirements for the competence of testing and calibration laboratories (ISO/IEC 17025:1999).





## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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Accreditation Office performs annual external quality supervision audits of the Institute. Compliance with the set quality standards of NFVRAI is approved by German Accreditation Office.

Following the Regulation (EC) 882/2004 and Decision 2006/677/EC<sup>20</sup> the SFVS has established Food and Veterinary Internal Audit Service. The Internal Audit Service carries out internal audit of SFVS and its subordinate bodies, examination and evaluation of their activities. Audits are conducted in compliance with Regulation (EC) 882/2004. Following the Decision 2006/677/EC, the SFVS ensures the application of systemic method when planning, carrying out audits and performing the follow-up actions. Under the requirements of the Decision, the Board of the Service approves the performance programme of the FVIAS and assesses the compliance with the audit process set by normative documents, as well as the transparent performance of audits on the regular basis.

In compliance with requirements of Regulation (EC) 882/2004, external performance audits of SFVS are carried out by the Commission Food and Veterinary Office (FVO). In 2007 officers of FVO conducted 6 audits related to food safety, animal health, welfare and feed safety; in 2008 – 4 checks; in 2009 a general audit consisting of 9 special audits was carried out. Taking into consideration audit conclusions and recommendations submitted by experts of FVO, the Service drew up follow-up plans and reported about their implementation to EU experts.

Following the requirements of EU legislation, the competent institution responsible for assurance of epizootic safety in Lithuania is the State Food and Veterinary Service.

Quality Management System introduced by SFVS and the established Internal Audit Service conform to EU requirements.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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Under the requirements of Regulation (EC) No 882/2004 of the European Parliament and of the Council, central competent institution in Lithuania is the State Food and Veterinary Service responsible for the assurance of animal health and welfare, as well as control of contagious animal diseases.

With regard to European Union requirements<sup>21</sup>, the SFVS has approved Control Programme for Contagious Animal Diseases. The aim of the Programme is to establish control requirements for contagious animal diseases taking into consideration the epizootic situation and risk of contagious diseases, as well as health condition of animal herds. The Programme also foresees the rights and responsibilities of all the involved persons and institutions in processes of monitoring and control of contagious animal diseases.

Following the provisions of Regulation (EC) No 1760/2000/EC<sup>22</sup> of the European

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<sup>20</sup> Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules.

<sup>21</sup> Council Directive 64/432/EEC of 26 June 1964 on health problems affecting intra-Community trade in bovine animals and swine.

Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC.

Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies.

Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC.

Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease.

Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease.

Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever.

Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue.

<sup>22</sup> 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.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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Parliament and of the Council, Council Regulation (EC) No 21/2004<sup>23</sup>, Council Directive 2008/71/EC<sup>24</sup> and Commission Regulation (EC) No 504/2008<sup>25</sup>, Rules for Registration and Identification of Farmed Animals were approved<sup>26</sup>. They foresee responsible institutions, which register, identify and keep records of farmed animals, as well as define responsibilities and functions of the responsible institutions.

With regard to provisions of Regulation (EC) No 1760/2000/EC of the European Parliament and of the Council, Council Regulation (EC) No 21/2004, Council Directive 2008/71/EC and Commission Regulation (EC) No 504/2008, identification and registration systems of farmed animals have been developed in Lithuania.

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<sup>23</sup> Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC.

<sup>24</sup> Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs.

<sup>25</sup> Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae.

<sup>26</sup> Order of the Minister of Agriculture of the Republic of Lithuania of 16 January 2003 No 3D-234 „On approval of Rules for Registration and Identification of Farmed Animals“.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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### **7.2. Fulfilment of Tasks in the Field of Epizootic Safety**

**7.2.1.** The "positive grade despite irregularities" was awarded for the timeliness and reliability of the information provided to superior organisations as part of the system for gathering, storing, analysing, processing, and sharing of information about the occurrence of infectious animal diseases subject to control and notification, as well as the zoonoses and zoonotic agents subject to monitoring, and the related antimicrobial resistance. The Audit has found that:

- The IT systems required under EU legislation, including those supporting the implementation of tasks of veterinary inspection authorities, were implemented. All 7 voivodeship veterinary inspectorates and 3 poviats veterinary inspectorates subject to the audit properly organised electronic flow of information and reports on the occurrence of infectious animal diseases subject to control and notification, and on the results of monitoring for zoonoses and zoonotic agents, as well as the related antimicrobial resistance.

The irregularities consisted in delayed sharing, in some instances, of the required information or reports, i.e.:

- In 9 out of 15 audited cases, poviats veterinary officers failed to promptly notify the Voivodeship Veterinary Officer of a suspected or identified transmissible disease that was subject to control. The required information about the eradication of outbreaks of transmissible diseases was not provided. Furthermore, poviats and voivodeship veterinary officers were negligent in preparing annual and monthly reports and communications about the results of monitoring for infectious animal diseases, and the official testing of animals for slaughter and meat. The required communications and reports were provided with some delay,
- In their reports for 2007-2009, all 3 audited poviats veterinary inspectorates reported



## Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area

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information about the number of cattle herds, the number of animals in herds and the number of goats and sheep in the poviats, that was inconsistent with the information held by the Agency for Restructuring and Modernisation of Agriculture. None of the audited poviats veterinary inspectorates updated their data from the System for the Identification and Registration of Animals.

In accordance with the Ordinance of the Minister of Agriculture and Rural Development of 17 December 2004 r. *defining disease entities, the methods for performing controls and the scope of monitoring for animal infections*<sup>27</sup>, poviats veterinary officers were implementing their responsibilities related to the monitoring studies of animals to evaluate the epizootic status. Under that ordinance, the tests for brucellosis, enzootic bovine leukosis, and tuberculosis covered all herds from the poviat every 3 years, and for foot and mouth disease, swine vesicular disease and classical swine fever - 10 and 15 animals, respectively, every year.

The failure, in two out of five cases covered by detailed audit, of poviats veterinary officers to take all measures required when a transmissible animal disease was suspected or a transmissible animal disease was controlled, was considered to be an irregularity that could lead to a real epizootic risk. Specifically:

- The poviats veterinary officer at Łuków failed to notify, in connection with the occurrence of enzootic bovine leukosis in 3 cows, the operator who purchased the milk that the herd's status of being officially free from disease was suspended, which was mandatory to do under § 4(1)(2) of the Ordinance of the Minister of Agriculture and Rural Development of 7 February 2005 on the control of enzootic bovine leukosis<sup>28</sup>;
- The Poviat Veterinary Officer at Opole Lubelskie failed to immediately issue an

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<sup>27</sup> Journal of Laws (Dz.U.) No 282, item 2813, as amended.

<sup>28</sup> Journal of Laws (Dz.U.) No 30, item 260. The ordinance was replaced on 3 April 2008 by the MARD Ordinance of 5 March 2008 on the control of enzootic bovine leukosis (Journal of Laws /Dz.U./ No 47, item 278).



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administrative decision following the undertaking of measures to reject or confirm the reasonability of BSE suspicion, and failed to notify the Poviast Office of the Agency for Restructuring and Modernisation of Agriculture of the suspected occurrence of an infectious disease and the need to block the movement of animals for the time of monitoring<sup>29</sup>. Fortunately, the laboratory testing ruled out the disease. However, the NIK considers that had the suspicion of a transmissible disease subject to notification and control been confirmed, the lack or even untimely taking of appropriate action would have caused a real hazard to human and/or animal health or lives.

The Supreme Audit Office assessed in favourable terms also the implementation of national programmes for the control of infectious animal diseases, aimed at maintaining positive results (for hen breeding flocks) at a level below the maximum percentages defined in the programmes, and for cattle, the achievement in individual regions (eventually in Poland) of the status of being officially free from bovine diseases covered by the programmes and being suitable for unrestricted intra-Community marketing. The Audit has found that:

- In the audited period, programmes for the control of 11 infectious animal diseases<sup>30</sup> were implemented under Council of Ministers ordinances. These regulations, except for programmes for the control of some *Salmonella* serotypes in breeding flocks of *Gallus gallus* for 2008 and 2009<sup>31</sup> and the Aujeszky's disease in swine for 2009<sup>32</sup>, had been

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<sup>29</sup> The notification was made on 3 September 2007, and the PVO administrative decision and communication to the ARiMR were issued on 11 September 2007.

<sup>30</sup> The programme for the control of bovine brucellosis was implemented in 2007, for the control of certain *Salmonella* serotypes in laying flocks of *Gallus gallus* – in the years 2008-2009, the programme for the control of certain *Salmonella* serotypes in broiler flocks of *Gallus gallus* and the programme for the detection of the bluetongue virus infections – in 2009. The remaining programmes were implemented in 2007-2009, i.e.: the programme for the control of certain *Salmonella* serotypes in breeding flocks of *Gallus gallus*, tuberculosis, enzootic leukosis, bovine spongiform encephalopathy, rabies, viral infection with the highly pathogenic avian influenza and Aujeszky's disease in pigs.

<sup>31</sup> Ordinance of the Council of Ministers of 28 March 2007 introducing the "National programme for the control of certain *Salmonella* serotypes breeding flocks of *Gallus gallus*" for the years 2007-2009 (Journal of Laws /Dz.U./ No 61, item 414, as amended).



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issued with a delay ranging from 86 to 149 days from the dates specified in European Commission decisions approving these programmes<sup>33</sup>,

- The programme for the control of bovine tuberculosis implemented in 2007 - 2008 was completed, and by European Commission Decision of 23/04/2009<sup>34</sup>, Poland was declared as a Member State officially free from this disease. In addition, progress had been made in the control of enzootic bovine leukosis, BSE and Aujeszky's disease. Despite some improvement and decreased number of infections with *Salmonella* serotypes in hen breeding flocks in 2009, the Community ratios and targets had not been achieved (1%).

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<sup>32</sup> Ordinance of the Council of Ministers of 19 March 2008 *introducing a programme for the control of Aujeszky's disease in pigs* (Journal of Laws /Dz.U./ No 64, item 397, as amended).

<sup>33</sup> Article 19(1)(a) of the Commission Decision (2006/875/EC) of 30 November 2006 approving programmes for the eradication and monitoring of animal diseases, of certain TSEs, and for the prevention of zoonoses presented by the Member States for the year 2007 (OJ L 337 of 5 December 2006, p.46, as amended), Article 21(1)(b) of Commission Decision 2007/782/EC of 30 November 2007 approving annual and multi-annual national programmes and the financial contribution from the Community for the eradication, control and monitoring of certain animal diseases and zoonoses, presented by the Member States for 2008 and following years (OJ L 314 of 1 December 2007, p.29, as amended), and Article 19(1)(b) of Commission Decision 2008/897/EC of 28 November 2008 approving annual and multi-annual programmes and the financial contribution from the Community for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2009 and following years (OJ L 322 of 2 December 2008, p.39, as amended).

<sup>34</sup> OJ EU L 104 of 24 April 2009, p.54 amending Decision 2003/467/EC as regards the declaration that certain administrative regions of Italy are officially free of bovine tuberculosis, bovine brucellosis and enzootic-bovine-leukosis, that certain administrative regions of Poland are officially free of enzootic-bovine-leukosis and that Poland and Slovenia are officially free of bovine tuberculosis.



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As a result of the programme implemented in the period 2007-2009, the percentage of *Salmonella* serotype infections in adult hen breeding flocks (consisting of at least 250 birds) decreased to 2.62% in 2009. In previous years, the percentages in adult flocks in 2007 stood at 3.1%, and in 2008 – at 5.75%.





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**7.2.2.** Taking into consideration the European Union requirements<sup>35</sup>, the SFVS has approved the Control Programme for Contagious Animal Diseases. The aim of the programme is to set out the control requirements of contagious animal diseases taking into account the epizootic situation and risk of contagious diseases, as well as health status of animal herds. The Programme also defines the rights and responsibilities of all the persons and institutions involved in the processes of diseases monitoring and control.

SFVS draws up and submits to European Commission control programmes for contagious animal diseases, the expenditure of which is reimbursed from EC funds. The Commission evaluates the reports on monitoring programmes of contagious animal diseases submitted by the Service and if the expenditure is eligible it is reimbursed from 50 per cent to 100 per cent. Share of the reimbursed expenditure depends on the implemented programme, i.e., for control of which animal disease the programme was meant.

As central competent authority, the SFVS authorizes an annual financing for control measures of contagious animal diseases from the State Budget.

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<sup>35</sup> Council Directive 64/432/EEC of 26 June 1964 on health problems affecting intra-Community trade in bovine animals and swine.

Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC.

Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies

Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC.

Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease.

Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease.

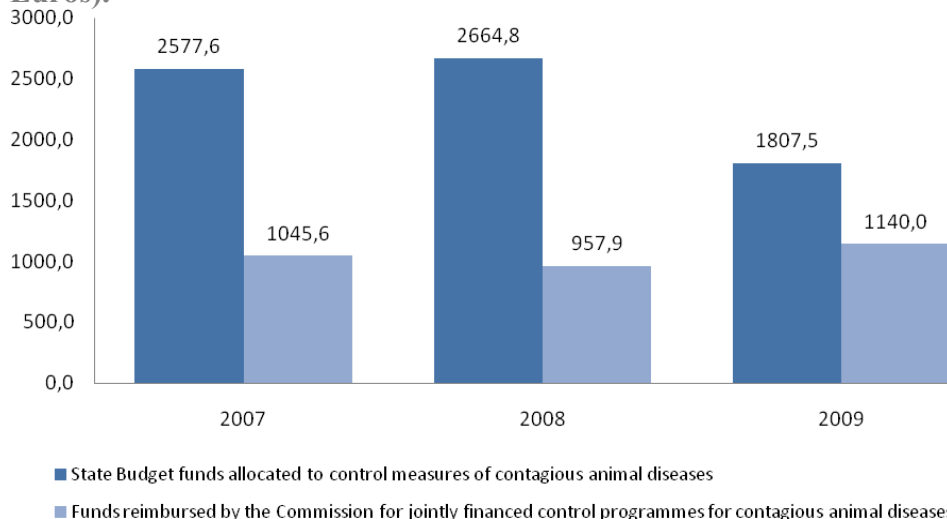
Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever.

Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and



## Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area

Financing for control measures of contagious animal diseases from the State Budget and funds reimbursed by European Commission for jointly financed control programmes for contagious animal diseases in 2007-2009 (thousands of Euros).



Financing of control measures of contagious animal diseases in 2009 decreased by 32.2 per cent compared to 2008.

In 2007 and 2008 the SFVS following the (national) Control Programme for Contagious Animal Diseases and taking into consideration that very serious contagious animal diseases have to be examined in order to detect 5 per cent prevalence with a confidence interval of 95 per cent, determined sampling sizes for assurance of monitoring of contagious animal diseases. In 2007 and 2008 there was more testing conducted than it was planned. There were no registered contagious animal diseases.

According to SFVS, in 2009 a passive monitoring of contagious animal diseases was started, i.e., when all the alleged cases of contagious animal diseases are examined. In 2009 SFVS did not confirm sampling size for passive monitoring of contagious animal diseases.

eradication of bluetongue.



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In 2009 monitoring and testing of very serious contagious animal diseases, e.g., foot-and-mouth disease of livestock and wild animals, classical swine fever, swine vesicular disease, avian influenza and Newcastle disease was allocated half as much funds as in 2008. Therefore the scope of testing on monitoring of very serious contagious animal diseases (except for testing of swine samples for classical swine fever) in 2009 was smaller compared to 2008. Cases of classical swine fever were detected in 2009; cases of other serious contagious animal diseases were not detected.

Number of monitoring cases of very serious contagious animal diseases (foot-and-mouth diseases, classical swine fever (for boars)) conducted by SFVS in 2009 did not conform to requirements of the (national) Control Programme for Contagious Animal Diseases approved by the Order of Director of the State Food and Veterinary Service.

### Control of contagious animal diseases

Contagious animal diseases	Basis	Control measures	Registered in Lithuania last time
Foot-and-mouth disease	2003/85/EC 2004/435/EC	Monitoring Current testing	1982
<u>Newcastle disease</u>	<u>92/66/EEC</u>	Monitoring Current testing	1989
<u>Classical swine fever</u>	2001/89/EC 2002/106/EC	Monitoring Current testing	1992 and 10 July 2009
Transmissible spongiform encephalopathies	2001/999/EC	Testing of fallen animals Monitoring Scrapie testing	Never registered
Swine vesicular disease	<u>92/119/EEC</u>	Monitoring Current testing	Never registered
Aujeszky's disease	64/432/EEC	Monitoring Current testing	Never registered
Bovine tuberculosis	64/432/EEC <u>77/391/EEC</u>	Monitoring Current testing	Never registered
Bovine brucellosis	64/432/EEC <u>77/391/EEC</u>	Monitoring Current testing	Never registered



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Enzootic bovine leucosis	64/432/EEC <u>77/391/EEC</u>	Monitoring Current testing	174 cases in 2007 47 cases in 2008 42 cases in 2009
<u>Bluetongue disease</u>	<u>2000/75/EC</u>	Monitoring Current testing	Never registered
<u>Avian influenza</u>	2005/94/EC	Monitoring Current testing	Never registered
Rabies	2003/99/EC	Anti-rabies vaccination Monitoring Testing of clinical cases Euthanasia of susceptible animals Evaluation of efficiency of vaccination	432 cases in 2007 69 cases in 2008 63 cases in 2009

Source: State Food and Veterinary Service

Executing control of anti-rabies vaccination of wildlife and taking into consideration recommendations of Scientific Committee on Animal Health and Animal Welfare<sup>36</sup>, in 2008 the SFVS identified the sample size necessary for testing of rabies efficiency – 4 762 samples per year (8 samples per 100 sq.m.). In 2009 the SFVS decreased the sample size by 54.6 per cent – up to 2 162 samples per year (3.6 samples per 100 sq.m.).

### Monitoring of rabies in Lithuania

	2008		2009	
	Identified number of samples to be taken	Samples taken	Identified number of samples to be taken	Samples taken
Animals	4762	4833	2162	2749

Source: State Food and Veterinary Service

<sup>36</sup> Report on Oral Vaccination of Wildlife Against Rabies of 23 October 2002 by Scientific Committee on Animal Health and Animal Welfare of the European Commission DG for Health and Consumers.



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Having regard to the recommendation of the Task Force meeting of the Rabies Subgroup on evaluation of rabies control in Lithuania of 28 November 2009 „Attempts should be made to increase sample size for serological testing to get more accurate figures on the herd immunity in wildlife“ and recommendations given in the audit „Assessment of urgent action plans of contagious diseases and rabies eradication programme “ conducted by European Union experts, the SFVS determined the same annual sample size for 2010 as it was in 2008: 4 762.

Although results of rabies eradication programme are positive, in 2009 the scope of control of anti-rabies vaccination of wildlife necessary to detect the efficiency of vaccination was not ensured, as it is foreseen in recommendations of Scientific Committee on Animal Health and Animal Welfare.

Following the provisions of Regulation (EC) No 1760/2000 of the European Parliament and of the Council<sup>37</sup>, Council Regulation (EC) No 21/2004<sup>38</sup>, Council Directive 2008/71/EC<sup>39</sup>, as well as Commission Regulation (EC) No 504/2008<sup>40</sup>, Systems for Registration and Identification of Farmed Animals are established. They define responsible authorities implementing the registration, identification and accounting of farmed animals; they also list the duties and functions of the responsible authorities.

Animals are identified in order to ensure the prevention of contagious diseases, control of animal diseases identifying the source of disease and contacts with other animals, and also to ensure the administration of direct payments to animals keepers. Animal identification

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<sup>37</sup> 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.

<sup>38</sup> Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC.

<sup>39</sup> Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs.



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system is one of the key links of the whole traceability system. Data base of the register of farmed animals is accessible to all the levels of territorial SFVS and authorized veterinarians.

Every keeper of farmed animals has to register, identify the farmed animals, as well as to keep their records. In the holdings it is mandatory to register and identify the cattle, sheep, goats, equidae and pigs (pigs are identified only when transferring), as well as to keep their records.

Following the requirements of Commission Regulation (EC) No 1082/2003<sup>41</sup> and Commission Regulation (EC) No 1505/2006<sup>42</sup>, every country has to carry out annual checks, which should cover at least 10 per cent cattle holdings and 3 per cent ovine and caprine holdings comprising at least 5 per cent of all the sheep and goats of the country.

### Checks on animal holdings in 2007-2009 in Lithuania

	2007		2008		2009	
	Cattle	Sheep and goats	Cattle	Sheep and goats	Cattle	Sheep and goats
Number of animal holding areas	159 345	6 747	122 968	7 387	112 606	7 624
Number of examined animal holding areas	16 171	914	14 321	905	12 345	686
Per cent of the examined animal holding areas	10,1	13,5	11,6	12,3	10,9	9
EU requirement to examine animal holding areas: no less than ... per cent	10	3	10	3	10	3

Source: State Food and Veterinary Service

<sup>40</sup> Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae.

<sup>41</sup> Commission Regulation (EC) No 1082/2003 of 23 June 2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals.

<sup>42</sup> Commission Regulation (EC) No 1505/2006 of 11 October 2006 implementing Council Regulation (EC) No 21/2004 as regards the minimum level of checks to be carried out in relation to the identification and registration of ovine and caprine animals.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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Registration and identification systems of farmed animals are developed and operate under EU requirements. Scope of national veterinary control of animal registration and identification in Lithuania conforms to EU requirements.

SFVS exchanges information and cooperates with competent institutions of other EU countries and international organizations: Food and Veterinary Office of the Health and Consumers DG of the European Commission, European Food Safety Authority, Food and Agriculture Organisation of the United Nations, World Health Organization and World Trade Organization. SFVS receives information about serious animal diseases, inappropriate products and other relevant information related to animal health and animal products, which is forwarded to border veterinary posts and territorial SFVS. The SFVS provides information related to assurance of epizootic safety to the above mentioned organizations.

SFVS approved the Rules for Notification on Animal Diseases to European Commission, which stipulate the procedure of submission of the above mentioned notifications.



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### **7.3. Ensuring Epizootic Safety on the Borders of the Schengen Area**

**7.3.1.** The NIK has assessed in favourable terms, despite the identified irregularities, the activities of customs offices to ensure epizootic safety. The Audit has found that:

- All audited customs offices seven were prepared, in terms of organisation and personnel, for the clearance of consignments subject to veterinary border controls. They had IT systems in place to ensure efficient and economical verification of customs declarations, recording and registering the consignments that enter the area of the border crossing and move within the Community area,
- Customs offices complied with the restrictions on the entry into the Polish customs area of animals and products of animal origin arising from the current epizootic and epidemiological status,
- They implemented accurately the border veterinary officers' decisions to reject the entry in the Schengen Area of consignments found to be in breach of importation requirements. These consignments were returned to their countries of origin or destroyed under supervision,

The irregularities identified to take place in 2007-2009 included customs officers' failure to send to border veterinary control on border crossings: at Bezledy and Koroszczyn, of 11 consignments of feed containing compounds of animal origin subject to such control, which provided the possibility for products posing a potential epizootic risk to enter the Schengen customs area. In one instance, the customs office at Koroszczyn assigned to 12 consignments subject to the supervision of the border veterinary officer a customs destination to places other than those indicated in the veterinary transit advice note.

The NIK has assessed in favourable terms, while pointing out to some irregularities, the activities of border veterinary inspectorates to ensure epizootic safety. All audited customs





## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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offices complied with the restrictions on the entry into the Polish customs area of animals and products of animal origin. In the audited period, these restrictions were introduced mainly by regulations and decisions of the Commission of European Communities and consisted in prohibition of entry as well as temporary restriction of the importation of animals and products of animal origin from third countries, or resulted from the current epizootic and epidemiological status. This was also aimed at protecting the EU territory against potential spread of infectious diseases, such as avian and swine influenza, and foot and mouth disease.

In 2007-2009, the audited border veterinary inspectorates carried out a total of 41,760 veterinary border controls of consignments entering the Schengen Area, of which 14,237 in 2007, 13,912 in 2008, and 13,611 in 2009. Various irregularities were found in 212 consignments. The border veterinary officers' decisions to reject the entry in the Schengen Area of consignments were adequately carried out by the Customs Offices and the contested consignments were returned to the country of origin (196) or destroyed under supervision (16).

In six cases, there was an irregularity consisting in sending animal blood samples and samples of products of animal origin intended for human consumption for laboratory testing with a delay of 8 to 42 days. It should be emphasised that the result of blood sampling in one of the horses (sample sent after 42 days) confirmed an infectious disease (glanders). In the opinion of the Supreme Audit Office, a delay in sending these samples for testing could contribute to a potential risk to consumer health, because the meat of the slaughtered horse was intended for human consumption.

It was found that the implemented computer system TRACES<sup>43</sup> which is homogenous for the whole European Union does not provide border veterinary inspectorates with information on transit consignments being transferred through the territory of Poland in a



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situation when consignments being transferred through the territory of Poland via transit from third countries leave Poland via different border crossings than it was initially stated in the TRACES system during entry to Poland. In such a case the TRACES system allows the border veterinarian to receive information on the estimated arrival of the transit consignment subject to veterinary border control but does not provide information whether a given consignment left the European Union territory via a different border crossing or whether the consignment is still within the EU territory.

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<sup>43</sup> TRACES (Trade Control and Expert System) is a web-based veterinarian certification tool controlling the import and export of live animals and animal products to and from the European Union.



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**7.3.2.** International relations division of SFVS assumed responsibility for central coordination and management of import control system:

- In Lithuania the State Food and Veterinary Service is responsible for the central import and transit control system<sup>44</sup>; locally – territorial SFVSs with border veterinary posts.
- The following institutions are responsible for checking of passenger luggage: Customs Department – institution responsible for checks in border inspection posts where there are Customs. State Border Guard Service – institutions responsible for border inspection posts where there are no customs.
- SFVS is responsible for organization, coordination and training of non-commercial movement of animals, while the Customs Department under the Ministry of Finance is assigned to perform non-commercial checks of animals crossing the border.
- List of customs warehouses has been approved, for veterinary control of which territorial SFVSs are responsible.

State Food and Veterinary Service of a county or town (territorial SFVS), where a border inspection post is situated, is responsible for the organization and coordination of national veterinary control of imported animals in that border inspection post.

In Lithuania 2 border inspection posts have been confirmed through which animals may be transported into the country:

- **Medininkai BIP** – ungulates, equine and other animals may be transported through this post.
- **Vilnius airport BIP** – other animals may be transported (except ungulates and equine).



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Non-commercial movement of pets (dogs, cats, ferrets) is permitted through 21 border inspection posts. According to the established procedure<sup>45</sup> customs officers are in charge of pet movement control.

Veterinary inspections in border posts are performed with the aim to ensure that healthy animals, which comply with requirements of animal health and welfare of transported animals are transported into European Community. With regard to EU requirements, the aim of veterinary inspections in border posts is the operation of general veterinary inspection system.

Scope of national veterinary control in 2007-2009 inspecting the import to the territory of Lithuania (see the Table below)

<b>Import consignments, which passed through veterinary inspections of Lithuania in 2007–2009(units)</b>			
	<b>2007</b>	<b>2008</b>	<b>2009</b>
Import consignments	2278	2610	2309

Source: National Audit Office of Lithuania based on data provided by SFVS

A person in charge of a consignment informs a BVP (border veterinary post) about his intention to import an animal consignment and indicates the number of animals, their species and preliminary time of their transportation to BVP.

During the veterinary inspection at BVPs veterinary doctors carry out a documentary, compliance and physical check. Having performed the check of animals crossing Schengen border, a veterinary doctor registers information about a consignment in the Register of Imported Animals. Information about the consignment of imported animals is entered into the

<sup>44</sup> Government Resolution No 744 of 28 June 2000.

<sup>45</sup> Order of the Director of the State Food and Veterinary Service and Director General of the Customs Department of 12 July 2010 „On approval of the list of non-commercial movement of pets from third countries and inspection procedure of non-commercial transportation of pets“.



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TRACES system<sup>46</sup>, single electronic database for monitoring the movement of animals and certain products of animal origin within the European Union and from third countries. With regard to results of veterinary checks, a person in charge of a consignment is issued a common veterinary entry document (CVED), which lays out the decision taken on the imported consignment of animals.

Having detected that live animals and animal products do not correspond to EU requirements and following the working procedures developed and approved by the SFVS, a veterinary doctor of BVP takes a decision on further actions.

If an animal consignment does not meet import requirements, a veterinary doctor has to decide with the agreement of a person in charge of the consignment, whether to unload animals and provide them with appropriate keeping conditions (laikymo sąlygos) (to feed and water them and to treat them if needed) if there is a need to keep animals in quarantine or isolate. Medininkai and Vilnius airport border inspection posts include premises, in which animals may be provided with appropriate keeping conditions.

Following the requirements<sup>47</sup> for animals imported from third countries to European Union via border veterinary posts, it may be decided to return the consignment to the country consignor within the set time or to allow to slaughter animals with the agreement of SFVS if there is no possibility to return the consignment.

In 2008 notifications about three cases of inappropriate consignments were sent: having detected a salmonella in fish flour, parasites in fish and inappropriate temperature of frozen pork.

Information about these measures was provided to other Member States via the TRACES system, as it is required in EU legislation.

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<sup>46</sup> Commission Decision 2005/123/EC of 9 February 2005 amending Decision 2004/292/EC on the introduction of the TRACES system and amending Decision 92/486/EEC. .

<sup>47</sup> Order of the Director of the State Food and Veterinary Service No B1-723 of 5 July 2004 „On veterinary



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Information about inappropriate consignments detected in BVPs during the audited period is shown in the Table below.

### Inappropriate consignments detected in BVPs of Lithuania in 2007-2009

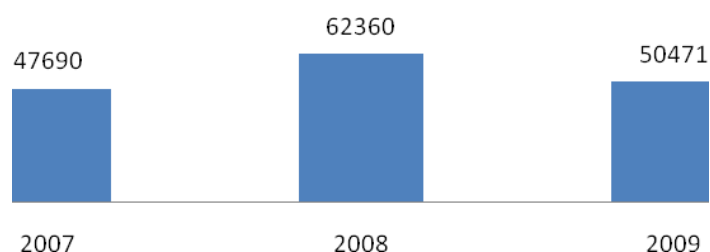
	2007	2008	2009
Import consignments	125	9	12
Transit consignments		55	26 (including 1 animal)
In total:	125	64 (including animal feed)	38

Source: National Audit Office of Lithuania based on data provided by SFVS

Veterinary control of import of animals and animal products from third countries was conducted in accordance with the requirements of the EU and Lithuanian legislation.

Taking into consideration geographical location of Lithuania, a lot of consignments are transported by transit from (to) Russian Federation, Belarus and other third countries to (from) Kaliningrad region. Freight movement via our country is one of the priorities of our economy. During the audit it was detected that the scope of the transit, which requires veterinary control, increased. (see Picture .).

### Transit consignments, which passed through veterinary checks (units)



Source: National Audit Office of Lithuania based on data provided by SFVS

checks of animals imported to the Republic of Lithuania“.



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Under the veterinary check procedure, if a consignment was transported through the entry BVP and within 30 days there was no registration about the exit BVP in part II of CVED in TRACES information system, the entry BVP notifies its territorial SFVS. Control procedure for export terms of transit consignments is established; however, during the audited period there was an increase of cases when transit consignments were not exported through BVP indicated in the CVED: in 2008 four cases were detected when written applications were submitted to the customs on export of consignments; in 2009 – 34 such cases were detected.

Having conducted evaluation (audit) of import and transit system in 2009, experts of FVO detected that the foreseen information exchange and access to database was not implemented. Due to the mentioned lack of access, the staff of BVP had difficulties getting a correct general understanding about imported, transported by transit or transferred consignments. With regard to the shortcoming detected by FVO experts, the SFVS developed Information Management System of Border Veterinary Control. The object of Information Management System of Border Veterinary Control is import and transit control system exchanging data with other information systems of animals, animal products and products of non-animal origin imported from third countries to Lithuania. The purpose of the system is to collect, process, systematize, store and use veterinary control data of consignments of animals, animal and non-animal origin products in order to enhance border veterinary control in border veterinary posts and exchanging data with databases used by the Customs Department and TRACES system.

All the border veterinary posts have access to Information Management System of Border Veterinary Control. The system stores data about the movement of animals and animal products to third countries via Lithuanian border.

During the audited we visited a BVP, the staff of which indicated that it happens that transit consignments are exported from the territory of Lithuania via BVP, which is not indicated in part I of CVED. In such cases the BVP via which the consignment is transported



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does not have possibilities to enter data into TRACES so that it would be visible to the entry BVP, which is obliged to monitor the departure of the transit from Lithuania and at the same time from Schengen zone within 30 days. During the audit we detected that the exit BVP informs the entry BVP about the departure of the transit consignment from the territory of Lithuania via other means of information: by fax, e-mail, etc.

EU requirements and recommendations on assurance of epizootic safety do not stipulate that in such cases officers in the exit BVP have to take care of informing the entry BVP about the exit of a transit consignment and thus ending the transit movement procedure and entering the data to TRACES. If a transit consignment is transported from Lithuania to third country, the entry BVP may find data on the entry of the consignment in Information Management System of Border Veterinary Control. When a transit consignment is transported through the border of another Schengen country with the third country, there is no data in the system, and exit BVP officers of another Schengen country do not provide information to the entry BVP. The entry BVP is not able to find this information either in Information Management System of Border Veterinary Control or in TRACES information systems. In such cases officers of entry BVP request the Customs Department of the Republic of Lithuania for information about the exit of a transit consignment from Schengen zone.

Provisions of Directive 97/78/EC do not stipulate that a transit consignment on which veterinary checks are performed would exit the country through another BVP than it was indicated by the entry BVP, therefore the TRACIS system is not adjusted to documentation of transit exceptions. Possibility to enter the exit BVP data to TRACES, which would be visible to the entry BVP, would simplify the supervision and documentation of transit consignments and would allow the freight carriers to more flexibly and efficiently organize the transportation of consignments in Schengen zone.

In 2007-2009 European Commission Food and Veterinary Office conducted missions (carried out audits) on import and transit control and border inspection posts and issued





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evaluation reports and recommendations.

In 2007 officers of FVO conducted 6 audits related to food safety, animal health, welfare and feed safety; in 2008 – 4 checks; in 2009 a general audit consisting of 9 special audits was carried out. Taking into consideration audit conclusions and recommendations submitted by experts of FVO, the Service drew up follow-up plans and reported about their implementation to EU experts.

In 2007 tasks of the mission were to evaluate import and transit control system applied to animal products, including the non-conformity with EU requirements, consignments transported by transit and intended for personal consumption, live animals, as well as to check the application of EU requirements in border inspection posts. Evaluation of the import and transit control system operating in Lithuania was favourable, i. e., it is well organized and based on documents.

In 2009 FVO conducted an audit during which they assessed the import and transit control system applied to animal products and consignments, which do not meet the EU requirements, are transported by transit and intended for personal consumption, as well as live animals, and checked the application of EU requirements in two indicated border inspection posts. Final report of the audit says that import and transit control system in many cases is consistent with EU requirements; however, it needs certain improvements.

It was detected during the FVO audit that eggs were transported by transit via the territory of Lithuania, although it was not allowed. With regard to conclusions of FVO inspectors, the SFVS informed the competent authority of Belarus on transportation of eggs. Belarus applied to European Commission for exceptions to such transit. Having considered the Belarus application, the European Commission amended<sup>48</sup> the valid provision on

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<sup>48</sup> Commission Regulation (EU) No 241/2010 of 8 March 2010 amending Annex I to Regulation (EC) No 798/2008 as regards the inclusion of Belarus in the list of third countries set out in that Regulation in order to permit transit from Belarus through the Union of eggs and egg products for human consumption and



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inclusion of Belarus in the list of third countries<sup>49</sup>. An exception was made permitting transit from Belarus via the European Union of egg consignments.

During the audited period the transit control of animals and animal products was conducted following the requirements of the EU and Lithuanian legislation.

Common veterinary entry document consisting of two parts should be filled in for live animals<sup>50</sup> and animal products<sup>51</sup>: part I is filled in for imported and transit consignments, part II is filled in for transit consignments exported from the EC.

SFVS has approved procedures for veterinary checks of consignments of animals and animal products or live animals<sup>52</sup>, which indicate when, who and how conducts the veterinary checks and what documents have to be filled in. These requirements correspond to the requirements of EU legislation for the documentation of import and transit control. Requirements following which consignments are acknowledged as inappropriate and are withheld, confiscated and destroyed, are set in the EU legislation. The above mentioned requirements set in EU Directives<sup>53</sup> have been transposed to national legislation<sup>54</sup>.

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modifying certification for day-old chicks of poultry other than ratites.

<sup>49</sup> Annex I of Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community.

<sup>50</sup> Annex I of Commission Regulation (EC) No 282/2004.

<sup>51</sup> Annex III of Commission Regulation (EC) No 136/2004.

<sup>52</sup> Order of the Director of the State Food and Veterinary Service No B1-207 „On approval of quality system documentation“, which approves the following procedures: „Examination procedure of animals imported from third countries“, „Physical checks of animals imported from third countries“, „Procedure after veterinary checks of animals imported from third countries“, „Return or or sending for slaughter of animals imported from third countries“.

<sup>53</sup> Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC.

<sup>54</sup> Order of the Director of the State Food and Veterinary Service No B1-723 of 5 July 2004 „On veterinary checks of animals imported to the Republic of Lithuania“.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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Veterinary control requirements for entry BVP of animals and animal products transported by transit comply with import veterinary control requirements. If consignments are transported by transit, but are not unloaded from vehicles, but instead only checks of a consignment declaration of an aircraft, a vessel or a train are conducted, as it is foreseen in Directive 97/78/EC.

Confirmation of departure of consignments transported by transit and consignments delivered to customs warehouses should be applied 30 days of monitoring procedure<sup>55</sup>. The SFVS has developed and approved procedures of quality management system<sup>56</sup>, which regulate veterinary control<sup>57</sup> of consignments containing animal products, which are transported by transit. Control of transportation of consignments to the approved warehouses is applied the same requirement of 30 days<sup>58</sup>.

BVP performs checks on all the declarations of the arriving consignments from commercial operators of railways, ports or airports according to the set procedures. Following the provisions of Article 13 of Regulation (EC) No 998/2003 and Article 2(3) of Decision 2007/25/EC, the SFVS has drawn up lists of entry posts or companies, which have customs warehouses to which the controlled animal products or live animals are delivered. The above mentioned lists are submitted to European Commission and all the Member States.

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<sup>55</sup> Article 11 (2) (c) of Directive 97/78/EC.

<sup>56</sup> „Veterinary checks procedure of animal products transported by transit from one third country to another or to the same third country in entry border veterinary post“, „Veterinary checks procedure of animal products transported by transit from one third country to another or to the same third country in customs warehouse, in a free warehouse or in a temporary warehouse (import and export terminal)“, “Veterinary checks procedure of animal products transported by transit from one third country to another or to the same third country in exit border veterinary post“.

<sup>57</sup> *ibid.*



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Provisions of EU legislation on import and transit of animals and animal products are transposed to the national legislation.

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<sup>58</sup> Article 12 of Directive 97/78.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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### **7.4. Providing Financial Resources for the Fulfilment of Tasks Related to Epizootic Safety Assurance**

**7.4.1.** Funds were appropriated for the period 2007-2009 for the control of infectious animal diseases and monitoring sampling for chemical and biological residues in animal tissues and products of animal origin. The Audit has found that:

- Following the promulgation of the Budget Act, the Minister of Agriculture and Rural Development set out the annual rules for the distribution of the Appropriated Funds for the control of infectious animal diseases<sup>59</sup>, and - in accordance with Article 133(1) of the Public Finance Act of 30 June 2005<sup>60</sup> - participated in their distribution (PLN 220,595,600 in 2007, PLN 229,200,000 in 2008, PLN 246,197,500 in 2009).

The vast majority of the appropriated funds were spent in accordance with their intended purpose. Spending irregularities were found in two cases. The Department of Food Safety and Veterinary Matters, Ministry of Agriculture and Rural Development, had not challenged the requests by the Voivodes of Mazowieckie and Zachodniopomorskie Voivodeships to award money from the Appropriated Funds in 2008, despite that these requests provided for spending PLN 54,000, under chapter 01022-*Control of infectious*

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<sup>59</sup> Appropriated funds for the control of infectious animal diseases (including the funding of control programmes), monitoring sampling for chemical and biological residues in animal tissues, products of animal origin and feed, funding of the tasks delegated by the European Commission, and co-funding of the costs of performance of the tasks entrusted to the Veterinary Inspection (section 758, chapter 75818, item 14 in 2007, item 16 in 2008, item 14 in 2009).

<sup>60</sup> Applicable on the date of the decision (Journal of Laws /Dz.U./ No 249, item 2104, as amended).



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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*animal diseases and monitoring of chemical and biological residues in animal tissues and products of animal origin*<sup>61</sup> on the purchase of computer accessories, although such spending was not provided for in § 2 of the Ordinance of the Minister of Agriculture and Rural Development of 22 December 2004 *on the types of spending by veterinary inspection authorities*. The spending for computer accessories was planned in the Budget Act for 2008, part 83 – *Appropriated Funds*, item 16.

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<sup>61</sup> The Ordinance of the Minister of Finance of 14 June 2006 on the detailed classification of income, spending, revenues and costs, and funds from foreign sources (Journal of Laws /Dz.U./ No 107, item 726, as amended), which ceased to be valid on 1 January 2010.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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### **7.5. Preparations for a Crisis Situation Posing a Threat to Epizootic Safety**

**7.5.1.** The Supreme Audit Office has assessed with a "positive grade despite minor irregularities" the preparedness of government administration to epizootic risks in a crisis situation, because although:

- The National Headquarters of the State Fire Service provided the appropriate equipment and accessories to be used during activities in support of veterinary inspection authorities. Prepared the personnel and funds necessary to support the activities of the veterinary inspection authorities addressing the events related to the control of animal diseases. Implemented the procedures to govern the activities of the State Fire Service units and the National Rescue and Fire-fighting System in support of veterinary services. Established a team for the monitoring of risks in the Republic of Poland from highly pathogenic avian influenza,
- Voivodes prepared their Voivodeship Offices, in terms of organisation and personnel, for the performance of crisis management tasks. They organised the work of Safety and Crisis Management Divisions, voivodeship crisis management centres and crisis voivodeship management teams affiliated to voivodes to respond to crisis situations, including epizootic risks. The epizootic safety system was prepared to monitor the developments and make information on epizootic safety available to the public,
- Voivodeship crisis management sections were outfitted with equipment and protective clothing, or the participation of other entities which had an appropriate equipment at their disposal to respond to epizootic risks was ensured,
- The voivodeship crisis response plans contained the legally-required description of hazards, assessment of the risk of their occurrence, crisis response procedures, including the procedure for how to act when faced with a risk of occurrence or actual occurrence of



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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a transmissible animal disease, and designated the entities responsible for its implementation,

- Voivodeship veterinary officers prepared their respective contingency plans for the control of infectious animal diseases, containing the procedures for the control of epizootic risks. Also, a hazard monitoring system was put in place,

However, minor irregularities included:

- In the Mazowieckie Voivodeship, professional decontamination mats were not purchased,
- Three (43%) voivodeship veterinary inspectorates failed to update their contingency plans for the control of infectious animal diseases or submit them for approval to the Chief Veterinary Officer.





## Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area

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**7.5.2.** Following the EU legislation and in order to rapidly and efficiently eradicate serious contagious animal diseases, SFVS has developed the following contingency plans: Foot-and-mouth diseases, Swine vesicular disease, Avian influenza and Newcastle disease, Classical swine fever, Bluetongue diseases, Bovine spongiform encephalopathy, Rinderpest (cattle plague), Peste des petits ruminants, Epizootic haemorrhagic disease of deer, Sheep and goat pox, Vesicular stomatitis, Lumpy skin disease, Rift valley fever.

Implementing recommendations issued by DG (SANCO)/2009-8265 EC Food and Veterinary Office mission „Assessment of contingency plans for epizootic diseases and the eradication programme for rabies“ and following Council Directives 2002/60/EC<sup>62</sup> and 92/35/EEC<sup>63</sup>, in 2010 the SFVS developed new contingency plans for African swine fever and African horse sickness, as well as renewed the contingency plan for classical swine fever.

Contingency plans for contagious animal diseases and Strategic plans of SFVS stipulate that the staff have to be regularly trained for procedures of diagnosis and eradication of contagious animal diseases. Training courses should cover identification of clinical diagnosis, epidemiological analysis, cleaning, disinfecting and eradication procedures for infected premises, as well as all the procedures applied in the monitoring zones and procedures applied in centres for control of contagious diseases.

### **Classical swine fever**

On 11 July 2009, an outburst of classical swine fever was registered in a pedigree swine farm of JSC Pasodėlė in Panevėžys region, Rabikiai village. Prior to that, a case of classical swine fever was detected in 1992.

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<sup>62</sup> Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever.

<sup>63</sup> Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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As soon as the presence of the disease was suspected and having confirmed it, the SFVS and its subordinate bodies applied all the necessary measures stipulated in the Contingency plan for classical swine fever. Although an animal keeper delayed the information on the suspicions about the disease to the staff of territorial SFVS since there were no clinical symptoms characteristic of classical swine fever, the source of disease was successfully eradicated and no more cases of the disease were detected. All the 455 pigs were destroyed. The source was eradicated; restrictions were lifted on 11 August 2009.

On 20-24 July 2009 experts of European Commission conducted an audit „Assessment of contingency plans for epizootic diseases and the eradication programme for rabies“ and evaluated actions taken by SFVS to eradicate an outburst of classical swine fever in Lithuania.

### **Conclusions issued by European Commission experts:**

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- SFVS has established command and communications systems and contingency plans addressing all the key epizootic diseases determined by Community legislation except African swine fever and African horse sickness.
  - Regular simulation exercises and reviews are taking place.
  - Contingency plans do not include sufficient preparations for, and guidance on, dealing with scenarios that are likely to occur in the event of a major disease outbreak, particularly with regard to the killing of suspect and in-contact animals, the disposal of carcasses and the selection of appropriate disinfectants for the cleaning and disinfection of premises, vehicles and equipment.
  - The NFVRAI has adequate analytical capacity to deal with a small to medium sized epizootic in poultry or farm animals and has made arrangements with laboratories in neighbouring MSs to provide assistance in the event of a larger epizootic outbreak.
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SFVS has established contingency plans for contagious animal diseases, as it is required in the EU legislation.

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## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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SFVS implemented a recommendation issued by the Food and Veterinary Office of the European Commission: in 2010 the SFVS developed new contingency plans for African swine fever and African horse sickness, as well as renewed the contingency plan for classical swine fever.

SFVS organizes regular simulation exercises for the staff on eradication of contagious animal diseases following contingency plans.

Course and results of eradication of classical swine fever show that all the measures provided in the contingency plan were applied timely and appropriately.

In order to enhance readiness to organize eradication of contagious animal diseases, to coordinate implementation of eradication measures for contagious animal diseases, as well as control and prevention of serious contagious animal diseases, the SFVS approved the Regulations of the Centre for Control of Contagious Diseases of the State Food and Veterinary Service.

Centre for Control of Contagious Diseases of the State Food and Veterinary Service (CCCD) organizes eradication of contagious animal diseases, manages activities of Centres for Control of Contagious Diseases of the State Food and Veterinary Service of counties and districts (territorial CCCDs), coordinates implementation of eradication measures for contagious animal diseases, conducts control and prevention of serious contagious animal diseases, coordinates the preparation of subordinate bodies under SFVS to eradicate contagious animal diseases.

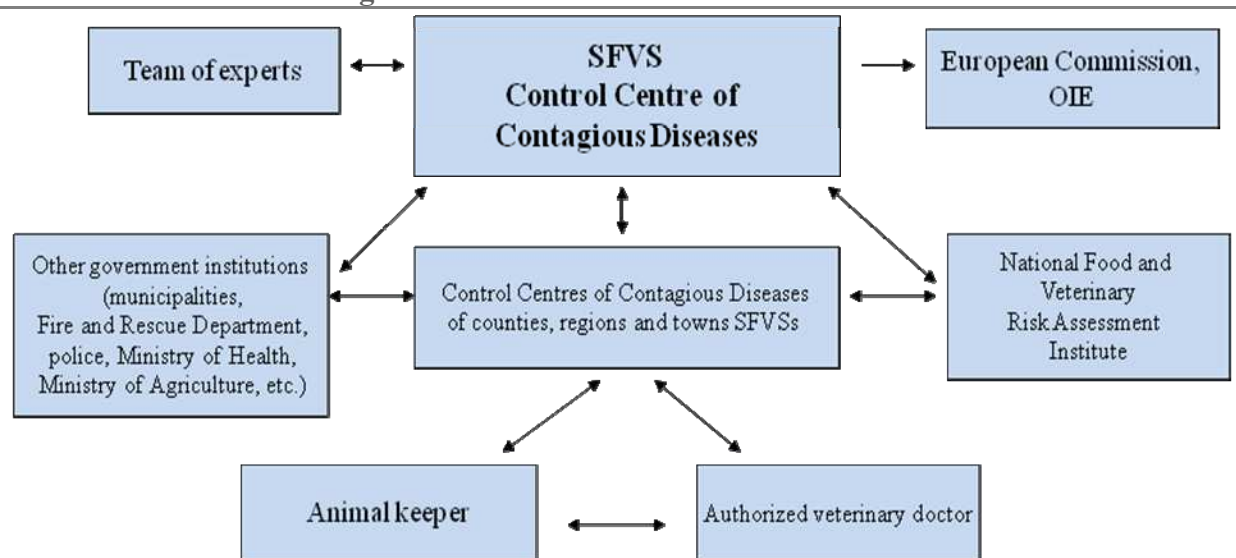
CCCDs take active actions as soon as the presence of the disease is suspected or having confirmed the disease. In its activities the CCCD follows the Law on Veterinary Activities of the Republic of Lithuania and contingency plans for eradication of diseases.

Territorial CCCDs are formed in State Food and Veterinary Services of counties, districts and towns. Territorial CCCDs have established the following working groups: contingency measures and information management, performance of contingency measures,

## Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area

epizootic analysis, cleaning and disinfection, and personnel procurement. Territorial CCCDs approve composition of working groups, set directions for their activities, as well as ensure procurement of the necessary facilities.

**Picture 1. Scheme of information provision having suspicions of or having confirmed the outburst of contagious animal diseases**



Source: State Food and Veterinary Service

### Provision of information to responsible institutions having suspicions of or having confirmed the outburst of contagious animal diseases

Keeper of an animal informs a private veterinary doctor or territorial SFVS about the suspected disease.

Territorial Centres for Control of Contagious Diseases hands over the information to the SFVS Centre for Control of Contagious Diseases.

Competent staff of the territorial Centre for Control of Contagious Diseases arrive to a farm under suspicion, take samples and submit them to the National Food and Veterinary Risk Assessment Institute.

SFVS Centre for Control of Contagious Diseases passes the information about the suspected disease to the Automated Digital Network System, the World Organisation for Animal Health, as well as neighbouring countries.

Competent staff of a territorial CCCD apply contingency measures in a farm.



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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National Food and Veterinary Risk Assessment Institute informs about the results of analyses to CCCD and territorial CCCD. Samples are sent for confirmation to a referent laboratory. SFVS and a municipality take decisions on application of measures in protection and surveillance zones

SFVS has signed cooperation agreements on implementation of contingency plans with the following public institutions: Ministry of Health of the Republic of Lithuania, Ministry of Environment of the Republic of Lithuania, Police Department under the Ministry of the Interior, Fire and Rescue Department under the Ministry of the Interior, Customs Department under the Ministry of Finance, as well as private companies.



## Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area

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**7.5.3. In the Slovak Republic.** Founded shortcomings have the financial and non-financial nature.

Shortcomings of financial nature have been found during audit and were related to payments by The State Veterinary and Food Administration for purchase of vaccines invoices within National Control Programme for salmonella infections in poultry farms. When issuing invoices farmers didn't respect maximum price of vaccination doses respectively used the wrong rate of VAT. Payment of higher compensations as have been eligible for cost recovery to farmers were 39 305,73 EUR in 2008 and 49 726,10 EUR in 2009 and the Supreme Audit Office of Slovak Republic has been qualified it as a non-compliance with the budget law of public administration.

Shortcomings have been remedied and improperly used funds were returned to the state budget during audit.

Inasmuch as farmers and veterinarians use different rates of VAT the Supreme Audit Office of Slovak Republic recommended to the State Veterinary and Food Administration to ask the Ministry of Finance of Slovak Republic of methodological guidance related to correct application of VAT rates in invoice of vaccines, veterinary drugs and animal health operations and subsequently advised the farmers and veterinarians on the proper procedure for billing under guideline of the Ministry of Finance.

Shortcomings of non-financial nature were related mainly to:

- Development, validation, completeness and timeliness of the content process of National Contingency Plans which establish measures for suspicion of disease or occurrence of animal disease
- Ensure that certain procedures under the Statute of National Commission of disease control established by Minister of Agriculture in 2005 for the measures relating to protection against diseases and mass animal diseases including animal diseases



## **Major Audit Findings related to the Assurance of Epizootic Safety after Accession to the Schengen Area**

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transmissible to humans. The chairman is the Minister of Agriculture and its members are representatives of state authorities (Ministry of Interior, Ministry of Health, Ministry of Finance, the State Veterinary and Food Administration, the Customs Directorate of the Slovak republic and others.) The Supreme Audit Office has been recommended to develop and approve a new statute of the National Commission for disease control and the Minister of Agriculture accepted it.

- Didn't concluded a new agreement between the State Veterinary and Food Administration and the Customs Directorate of the Slovak republic. New agreement should be solve local cooperation agreements directly on the border crossings between border inspection posts and the relevant customs authorities including linking databases
- Update agreement proposed the State Veterinary and Food Administration in response to problem solving, which recommended the inspectors from the Food and Veterinary Office in Dublin, in 2008 carried out in the Slovak Republic general audit, which also included a specific audit to assess the import system at border inspection posts – Results DG (SANCO)/2008-7751
- Didn't performed audits at border inspection posts and irregularities in the observance of certain procedures at border inspection posts by the State Veterinary and Food Administration
- Procurement process for the procurement of goods and services by the State Veterinary and Food Administration to ensure that certain activities from the state budget in the field of the epizootic safety

The above shortcomings do not affect assurance of key tasks in the field of epizootic safety in the Slovak Republic.



## Conclusions

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### 8. Conclusions

**8.1.** The Supreme Audit Office has formulated a total of 67 audit recommendations in its post-audit statements addressed to the management of the auditees, including to: the Minister of Agriculture and Rural Development – 4, Chief Veterinary Officer – 3, Voivodes – 6, voivodeship veterinary officers – 16, border veterinary officers – 15, heads of customs offices – 8, and poviats veterinary officers – 15.

In order to remove the irregularities or minor irregularities found, the Supreme Audit Office has formulated in particular the following audit recommendations, including addressed to:

- 1) **Minister of Agriculture and Rural Development** to adapt the minimum rates for fees for veterinary border checks to the Community legislation, and to exercise closer supervision of the performance of European Commission recommendations on the development of contingency plans for the control of certain infectious animal diseases;
- 2) **Chief Veterinary Officer** to develop the missing 14 contingency plans for the control of infectious animal diseases, and to organise the internal audit provided for by the Regulation (EC) No 882/2004;
- 3) **9 voivodeship veterinary officers** to perform their duty to promptly notify the Chief Veterinary Officer of the identified animal diseases, and to notify of the eradication of outbreaks of diseases notifiable in the European Union, as well as to timely prepare the applicable reports;
- 4) **3 poviats veterinary officers** to diligently prepare their monthly communications about the results of monitoring for zoonoses and zoonotic agents, and to diligently inform about the number of identified cases of infectious animal diseases, and to comply with the rules of procedure applicable when an animal disease is suspected to have occurred, or when infectious animal diseases are controlled in a way provided for in legislation;
- 5) **7 Voivodes** to prepare recommendations for poviats crisis management plans, based on the





## Conclusions

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analysis of risks in individual poviats, to purchase the missing decontamination mats, and to implement a procedure for alternative activities designed to carry out decontamination of vehicles on public roads.

- 6) **7 heads of customs offices** to direct to veterinary control any consignments subject to border veterinary controls, and to assign customs designation of the consignments supervised by the border veterinary officer in accordance with the terms and conditions specified in the veterinary transit advice note.
- 7) **9 border veterinary officers** to promptly send to external laboratories the animal blood samples and samples of products of animal origin intended for human consumption taken for the purpose of laboratory testing, and to diligently prepare sampling reports for the purpose of organoleptic and laboratory testing, and to increase the number of inspections by customs officers aimed at verifying whether or not the consignments are directed to border veterinary controls in a competent way.

All heads of the auditees to which the Supreme Audit Office has addressed the post-audit statements containing audit recommendations aimed at improving the audited activities, notified the NIK that these recommendations have been implemented.

The Minister of Agriculture and Rural Development has informed, among other things, about:

- Sending on 2 November 2010 for promulgation in the Journal of Laws an ordinance which changes the rates for fees for border veterinary according to the recommendation of the Food and Veterinary Office, DG SANCO, and requires the Chief Veterinary Officer to promptly send, in the version agreed with the European Commission, other contingency programmes for the control of infectious animal diseases.

The Chief Veterinary Officer has informed about, among other things:

- Obtaining European Commission's approval of the contingency plans for 4 infectious animal diseases, and starting work aimed at developing other plans, and about implementing, on 26 November 2010, the internal audit at the veterinary inspection



## Conclusions

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authorities.

Voivodeship and powiat veterinary officers, as well as voivodes and heads of customs offices also notified the Supreme Audit Office about taking appropriate measures and implementing all audit recommendations.



## Conclusions

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**8.2.** In Lithuania: **State Food and Veterinary Service** was also issued recommendations: to improve functions related to the assurance of epizootic safety:

- To approve minimum sample sizes for the assurance of monitoring of contagious animal diseases.
- To change procedure of submission or form of reports of national veterinary control of animal registration and identification in order to enhance the national veterinary control of animal registration and identification.
- To include the evaluation of import and transit on the border in the 2011 work programme of Internal Audit Service of the State Food and Veterinary Service, as well as to improve issuing and implementation of recommendations of Internal Audit Service, as well as to review and supplement documents of quality management system.



## Conclusions

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**8.3. In the Slovak Republic. To positive end of joint audit also contributed mutual working meetings of representatives participated SAIs, which took place in each of participating countries. The positive methodological experiences gained during joint audit may be a good inspiration for further cooperation of SAIs or for new candidates countries for EU membership. This joint audit is a good example of three countries in such a sensitive area as ensuring protection against diseases transmissible from animals to humans. It creates mutual trust among EU member states, which is necessary for the successful operation and protection of epizootic safety of European Community.**

Audit showed that the competent Slovak authorities transparently inform the wide professional and general public in relation to possible outbreaks of dangerous diseases and about all major sources and symptoms of animal diseases.

Despite this need to constantly provide high protection of human health by integrated control of the whole food chain including creation appropriate conditions of animal husbandry, health and welfare with consistent implementation of official veterinary controls in import and export from the third countries.

Importance of epizootic safety of Members States underlines the fact that in 2007 was in the Slovak Republic meeting of representatives of the Parliamentary Agriculture Committees of the Visegrad countries members widespread of the representatives of Bulgaria and Romania. One of the key issues was assurance effective information on the occurrence of notifiable diseases and coordination of procedures in case of outbreaks of such diseases.



## Recommendations

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### 9. Recommendations

#### 9.1. Recommendations to the Food and Veterinary Office of the Directorate General for Health and Consumers of the European Commission

In the light of the above considerations on supervision and documentation of the transit process, we recommend to consider the possibility to improve TRACES information system: in exceptional cases data on the exit of transit consignments from Schengen zone through the unforeseen border veterinary inspection post should be also accessible to the border veterinary inspection post of the entry.

**Justification for the recommendations to for the Directorate General of Health and Consumer of European Commission is the following:**

Provisions of Directive 97/78/EC do not stipulate that a transit consignment on which veterinary checks are performed would exit the country through another border veterinary post than it was indicated by the entry border veterinary posts, therefore the TRACES system is not adjusted to documentation of transit exceptions. Possibility to enter the exit border veterinary post data to the TRACES system, which would be visible at the entry border veterinary post, would simplify the supervision and documentation of transit consignments and would allow the freight carriers to more flexibly and efficiently organise the transportation of consignments in the Schengen Area.

During the audit conducted in Poland, analogically to the audit results of the Supreme Audit Office of the Slovak Republic, it was decided that it is appropriate to issue a motion to the Directorate General of Health and Consumers of the European Commission (DG SANCO) to consider improving the functioning of the TRACES system with the aim of allowing for facilitation of a complete control of animals and animal origin consignments being transferred through the European Union territory from third countries (transit consignments). It applies



## Recommendations

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especially in situations when consignments being transferred through the territory of Poland via transit from third countries leave Poland via different border crossings than it was initially stated in the TRACES system during entry to Poland.

The fact that carriers change the initially declared border crossing is mainly caused by accumulation of large quantities of border clearance at given border crossings. As a result, some consignments are sent to border crossings where bordered clearance is done more effectively. In such a case the TRACES system allows the border veterinarian to receive information on the estimated arrival of the transit consignment subject to veterinary border control but does not provide information whether a given consignment left the European Union territory via a different border crossing or whether the consignment is still within the EU territory.



## Recommendations

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**9.1.1.** Notwithstanding the audit recommendations, the results of the Polish part of the audit point to the need for the Minister of Agriculture and Rural Development and the Minister of Finance to amend the procedure for the disbursement of appropriated funds under the budget heading 83. The procedures applicable in this regard result in the 1st tranche of the appropriated funds being disbursed actually in May, rather than in the 1st quarter of the respective year. Furthermore, there are restrictions imposed on the appropriation of funds under the 1st tranche at up to 50% of the requested annual requirement. The 2nd tranche of these appropriated funds are released upon meeting the condition of utilising 90% of the funds from the 1st tranche nationwide.

The NIK's position on this matter has been supported by the Olsztyn Voivode and the Lublin Voivode, who - in implementing the NIK's audit recommendations - sent on 31 August 2010 a letter to the Minister of Finance requesting to step up and change the rules for the disbursement of Appropriated Funds under Heading 83, assigned for:

- the control of infectious animal diseases (including the funding of the implemented programmes for the control of infectious animal diseases),
- monitoring sampling for chemical and biological residues in animal tissues, products of animal origin and feed,
- the funding of the tasks delegated by the European Commission, and to co-funding of the costs of implementation of the tasks of the Veterinary Inspection.



## Recommendations

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**9.1.2. State Food and Veterinary Service** was also issued recommendations: to improve functions related to the assurance of epizootic safety:

- To approve minimum sample sizes for the assurance of monitoring of contagious animal diseases.
- To change procedure of submission or form of reports of national veterinary control of animal registration and identification in order to enhance the national veterinary control of animal registration and identification.
- To include the evaluation of import and transit on the border in the 2011 work programme of Internal Audit Service of the State Food and Veterinary Service, as well as to improve issuing and implementation of recommendations of Internal Audit Service, as well as to review and supplement documents of quality management system.





## Recommendations

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### 9.1.3. In the Slovak Republic

- Develop, update and approve National Contingency Plans which establish measures for suspicion of disease or occurrence of animal disease
- Develop and approve the Statute of National Commission of disease control
- Develop and approve a new agreement between the State Veterinary and Food Administration and the Customs Directorate of the Slovak republic. New agreement should be solve local cooperation agreements directly on the border crossings between border inspection posts and the relevant customs authorities including linking databases
- Ensure performance of audits at border inspection posts and modify some procedures at border inspection posts by the State Veterinary and Food Administration



## Concluding Comments

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### 10. Concluding Comments

The Report on the parallel audit is sent to:



#### **In Poland.**

The report is submitted to:

The President of the Republic of Poland,  
the Marshall of the Sejm of the Republic of Poland,  
the Marshall of the Senate of the Republic of Poland,  
the Chairman of the Council of Ministers,  
the Minister of Agriculture and Rural Development, the Chief Veterinary Officer,  
the Minister of the Interior and Administration, Voivodes.



#### **In the Republic of Lithuania.**

The report is submitted to:

State Food and Veterinary Service,  
Office of the Prime Minister of the Republic of Lithuania,  
Committee on Audit of the Seimas of the Republic of Lithuania.



#### **In the Slovak Republic.**

The report is submitted to:

The audit results were discussed with statutory representatives of audit entities which have taken concrete and term measures to eliminate the shortcomings.

Audit report was sent to the Minister of Agriculture, Environment and Regional Development, Parliamentary Committees - The chairman of the Committee on Land Economy and Environment and the chairman of the Committee on Health Care and the chairman of the Committee on Finance and Budget.





Prezes  
Najwyższej Izby Kontroli  
Rzeczypospolitej Polskiej



Lietuvos Respublikos  
Valstybės kontrolierė



Predseda  
Najvyššieho kontrolného  
úradu  
Slovenskej republiky

President  
of the Supreme Audit Office  
of the Republic of Poland

Auditor General  
National Audit Office  
of the Republic  
of Lithuania

President  
of the Supreme Audit Office  
of the Slovak Republic

**Mr Jacek Jezierski**  
Warszawa, 14 grudnia 2010 r.

**Ms Giedrė Švedienė**  
Varšuvos 14 gruodis 2010 r.

**Mr Jan Jasovsky**  
Varšava 14. prosince 2010 r.