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Final report
EFTA Surveillance Authority's audit to
Iceland
from 21 to 30 March 2022
on official controls of food and feed of non-animal origin entering Iceland from
third countries

In response to the information provided by Iceland, any factual error noted in the draft report has been corrected. Comments to the draft report are included in Annex 3 and information on the corrective actions already taken and planned are included in Annex 4 to the report.

Executive Summary

This report describes the outcome of an audit carried out by the EFTA Surveillance Authority in Iceland from 21 to 30 March 2022.

The objective of the audit was to verify compliance with the applicable legislation governing official controls on products of non-animal origin (PNAO) from third countries; temporary increase of official controls and emergency measures on imports of certain food and feed of non-animal origin entering Iceland from non-EEA countries.

The audit team found that there is a framework in place for the official controls of products of non-animal origin entering Iceland. If consignments are presented, adequate documentary, identity and physical checks are carried out in line with the EEA requirements. Border Control Posts generally comply with the minimum requirements of Regulation (EU) 2019/1014.

However, the audit team also found that there are significant weaknesses in the

organisation of official controls, which does not ensure that relevant consignments are presented for official controls. This undermines the assurance that only compliant products of non-animal origin entering Iceland from third countries are placed on the market. The competent authority had very recently taken actions which should address some of those weaknesses. Due to the timing and the significance of those changes, the lack of some documented procedures for performing official controls and the number of goods added to the import control system, the audit team could not establish whether the system could work in a longer term.

The report includes a number of recommendations addressed to the Icelandic competent authorities aimed at rectifying the identified shortcomings and enhancing the control system in place.

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1 Introduction

The audit took place in Iceland from 21 to 30 March 2022. The audit team comprised two auditors and a legal officer from the EFTA Surveillance Authority (the Authority) as well as an observer from the Health and Food Audits and Analysis Directorate (Directorate F) of DG Health and Food Safety (DG SANTE) of the European Commission.

A pre-audit questionnaire was sent by the Authority to the Icelandic Ministry of Industries and Innovation on 13 January 2022. A reply ('the pre-audit documents') was provided on 7 March 2022.

The opening meeting was held with representatives of the relevant authorities on 21 March 2022 at the Icelandic Food and Veterinary Authority's (MAST) office in Hafnarfjörður. At the meeting, the audit team confirmed the objectives and the itinerary of the audit. The Icelandic representatives provided additional information to that set out in the pre-audit document.

Throughout the audit, representatives of the relevant competent authorities accompanied the audit team.

A final meeting was held at MAST's office in Hafnarfjörður on 30 March 2022, during which the audit team presented its main findings and preliminary conclusions from the audit.

The abbreviations used in the report are listed in Annex 1.

2 Scope and Objective of the audit

The objective of the audit was to verify compliance with the applicable legislation governing official controls on products of non-animal origin from third countries; temporary increase of official controls and emergency measures on certain food and feed of non-animal origin entering the European Economic Area (EEA), in particular the implementation of the following requirements of EEA legislation:

- a) Regulation (EU) 2017/625 of the European Parliament and of the Council (“Official Controls Regulation” (‘OCR’)) including its implementing regulations and delegated acts regarding official controls;
- b) Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain good from certain third countries;
- c) Commission Implementing Regulation (EU) 2019/1014 laying down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points;
- d) Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components (‘the information management system for official controls (IMSOC) Regulation’);
- e) Commission Implementing Regulation (EU) 2019/2130 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts.

The scope of the audit included the review of:

- a) relevant national legislation;
- b) Competent authorities (CAs): their designation, resources and allocation of their responsibilities under the OCR and communication and co-operation within and between CAs;
- c) the organisation of official controls to verify compliance with the applicable EEA legislation governing official controls on products of non-animal origin from third countries;
- d) the temporary increase of official controls and emergency measures on imports of certain food and feed of non-animal origin, including the general requirements and operational criteria;
- e) the implementation of controls at border control posts ('BCPs') and control points ('CPs') other than BCPs, including identification of consignments, identity and documentary controls and sampling and enforcement procedures.

The assessment was carried out based on, and related to, the legislation referred to in Annex 2 to this report.

The assessment was further based on the CA's response to the pre-audit questionnaire.

The meetings with the competent authorities and the visits to operators, undertaken by the audit team, are listed in Table 1.

Table 1: Competent authorities and establishments / sites visited during the audit

	Number	Comments
Competent authorities	2	An initial and a final meeting between the audit team and the Icelandic competent authorities in Hafnarfjörður
MAST	3	
Municipal Environmental and Public Health Offices (LCAs)	2	
Customs Authority	1	
Border control posts (BCPs)	2	
Control Point	1	
Laboratory	1	

3 Legal basis for the audit

The audit was carried out under the general provisions of the EEA Agreement and relevant legislation, in particular Articles 116, 117 and 119 of Regulation (EU) No 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (the OCR), as amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annexes I and II thereto.

4 Background information and previous audits

The audit was a part of the Authority's planned work programme.

The latest audit with a similar scope was carried out by the Authority in Iceland in 2011. That audit covered the application of EEA legislation related to Official Controls on Food Hygiene and Import Controls of Food of Non-Animal Origin. Since then there have been changes to the legislation and the control system in Iceland. The final report can be found on the Authority's website (www.eftasurv.int). In cooperation with the EEA (European Free Trade Association (EFTA) States, the Authority draws up Country Profiles. The Country Profile for Iceland was updated in April 2021, following a general review audit in November 2020.

[Part 1](#) describes the organisation of the Icelandic authorities and their control systems covering the entire chain of animal feed and food production.

[Part 2](#) contains an overview of missions carried out by the Authority in Iceland since February 2016, detailing the status of corrective actions on recommendations that were addressed during the recent general review mission.

5 Findings and conclusions

5.1 Competent authorities and national legislation

Legal Requirements

Article 7 of the EEA Agreement requires acts referred to or contained in the Annexes to the Agreement to be made part of the Icelandic legal order. Simplified procedures apply *inter alia* to acts adopted pursuant to Article 53 of Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as adapted. Article 3 of the EEA Agreement requires the EEA EFTA States to take all appropriate measures to ensure the fulfilment of their obligations under the EEA Agreement.

Article 4(1) of Regulation 2017/625 lays down the requirement of EEA States to designate the competent authority or authorities to organise and or perform official controls and other activities.

Findings

1. The Icelandic Food and Veterinary Authority (MAST) has been designated as CA according to Article 4(1) of the OCR for the official controls of products of non-animal origin (PNAO) entering Iceland from non-EEA countries. Municipal Environmental and Public Health Offices (LCAs) are responsible where follow-up actions are required at importers.
2. The audit team noted that
 - a. Regulation (EU) 2017/625 was made part of the Icelandic legal system by Icelandic Regulation No 234/2020.
 - b. Commission Implementing Regulation (EU) 2019/2130 was made part of the Icelandic legal order by Icelandic Regulation No 488/2020.
 - c. Commission Implementing Regulation (EU) 2019/1014 was made part of the Icelandic legal order by Icelandic Regulation No 375/2020.

- d. Commission Implementing Regulation (EU) 2019/1715 was made part of the Icelandic legal order by Icelandic Regulation No 266/2021.
 - e. Commission Implementing Regulation (EU) 2019/1793 was made part of the Icelandic legal order by Icelandic Regulation No 507/2020. Amendments to this Regulation are incorporated into the EEA Agreement by simplified procedures to ensure that EEA EFTA States take necessary measures simultaneously with the EU Member States.
3. The audit team further noted that the latest amendment of Regulation (EU) 2019/1793, Regulation (EU) 2021/2246 which entered into force on 6 January 2022, was still not made part of the Icelandic legal order at the time of the audit. However, it has been enforced by Customs and MAST since 10 February 2022. Similar delays occurred for other amendments to Regulation (EU) 2019/1793. This situation is not in line with Article 53 of Regulation (EC) No 178/2002 as adapted to the EEA Agreement by the sectoral adaptations in Annex I and II thereto and Articles 3 and 7 of the EEA Agreement.
 4. Food Act (IS) No 93/1995 gives MAST the legal power to require decontamination, seizure, and destruction of foodstuffs.

Conclusions on competent authorities and national legislation

5. CAs within the scope of the audit are clearly designated.
6. The EEA legislation relevant for the audit has been made part of the Icelandic legal order. However, amendments to Regulation (EU) 2019/1793 have been made part of the Icelandic legal order with delay despite them being incorporated by simplified procedures. The consequences are that controls cannot be enforced in line with the EEA legislation in force.

5.2 Designation of BCPs and CPs and compliance of border control posts with minimum requirements

Legal Requirements

Articles 5(1)(f), 53(2), 60(1), 61, 64(1) and (3) of Regulation (EU) 2017/625

Article 44 of Regulation (EU) 2019/1715

Regulation (EU) 2019/1014

Findings

7. MAST informed the audit team that it had re-designated the Border Inspection Posts, points of entry and first points of introduction, as BCPs and CPs.
8. MAST has made available on the internet, a list¹ of the BCPs and CPs that it has designated on its territory. Table 2 presents the designated BCPs and the CPs included in the list at the time of the audit.

¹ <https://www.mast.is/en/import-export/border-inspection-posts>

Table 2: BCPs and CPs designated in Iceland

BCP	TRACES code	Type of transport	CP	Categories of animals and goods for which the BCP is designated	Additional specifications
Reykjavík Eimskip	IS REY 1a	P		POA-HC(2) POA-NHC(2) PNAO-HC(2)	Packed products only
Reykjavík Samskip	IS REY 1b	P		POA-HC(2) POA-NHC(2) PNAO-HC(2)	Packed products only
Aðföng, purchasing and distribution center			IS REY 1a	PNAO-HC(2)	Packed products only
Aðföng, purchasing and distribution center			IS REY 1b	PNAO-HC(2)	Packed products only

9. Two BCPs and two CPs have been designated for performing official controls on food of non-animal origin, in both cases packed products only.
10. The audit team noted however, that the list of BCPs and CPs that have been designated does not correspond to the information in Trade Control and Expert System New technology (TRACES NT). The two CPs have not been included in TRACES NT, and the categories of goods for which two BCPs have been designated are listed in TRACES NT as including feed of non-animal origin, packed products only (PNAO-NHC(2)), in contrast to the published list. This is not in line with Article 44 of Regulation (EU) 2019/1715.
11. The audit team visited all the BCPs and the CPs for PNAO and assessed their compliance with the applicable minimum requirements.
12. The audit team noted that in line with the designation, only packed products of food of non-animal origin are received.
13. Each year the Office of import and export of MAST carries out a check at each BCP of compliance with the minimum requirements. The latest audit took place on 9 December 2021. The completed checklists indicated the absence of a roof covering the unloading area at both BCPs. The audit team observed that unloading areas were still not covered by a roof, which is not in line with Article 3(1)(a) of Regulation (EU) 2019/1014.

Conclusions on designation of BCPs and CPs, and compliance of border control posts with minimum requirements

14. The BCPs and CPs have been re-designated in line with the EEA legislation. However, the published list of BCPs and CPs is not consistent with the

information in TRACES NT and information on the designated CPs has not been entered into TRACES NT. The movement of consignments of goods subject to increased checks or emergency measures to CP is therefore not identifiable in TRACES NT.

15. BCPs generally comply with the minimum requirements of Regulation (EU) 2019/1014 for the categories of goods for which they had been designated, with the exception of unloading areas at BCPs which were not covered by a roof.²

5.3 Organisation of official controls

5.3.1 *Legal powers, enforcement and sanctions*

Legal Requirements

Articles 5, 66, 69, 137, 138 and 139 of Regulation (EU) 2017/625

Findings

16. MAST's powers with regard to enforcement action are laid down in Regulation (IS) No 234/2020 implementing the OCR which requires MAST to carry out the checks deemed necessary to confirm or reject any suspicion of non-compliance. The products shall be kept under MAST's supervision until the results of the checks become available.
17. In the case of a non-compliant product, MAST shall order the (i) re-dispatch of the product to a third country approved by the importer within 60 days, (ii) destroy the product if the 60-day limit has passed, if it is not possible to re-dispatch it and/or if the importer agrees, or (iii) allow the products to be used for purposes other than human consumption.
18. MAST has put in place their own system where they can charge the importers, for the extra work carried out, if consignments are not pre notified or not timely pre-notified.
19. The Food Act enables MAST to require decontamination, seizure, and destruction of foodstuffs if a reasonable suspicion exists that the requirements of the same Act have not been met.
20. The CA confirmed that no sanctions or penalties have been imposed regarding the import control of PNAO in the past three years because that has not been considered necessary.

5.3.2 *Coordination between and within authorities involved in controls of products of non-animal origin entering Iceland from third countries*

Legal Requirements

Articles 75(1) and 76 of Regulation (EU) 2017/625

Findings

² In their response to the draft report Iceland noted that "in addition to the facilities of the border control posts IS-REY 1a and IS-REY 1b, there are defined unloading areas inside the commercial storage facilities. This is in accordance with Regulation (EU) 2019/1014, Article 3(11). In those instances where pallets (samples) are moved from a container outside the BCP, the products are covered by a "cap" while they are picked up with a forklift and transported into the BCP."

21. According to the pre-audit questionnaire, a formal cooperation agreement is in place between MAST and Iceland Revenue and Customs dated 18 November 2011. That agreement requires, *inter alia*, close cooperation related to the control of products from third countries, the mutual exchange of information between the organisations and joint organisation of courses to improve Customs personnel's ability to stop illegal imports of products.
22. MAST confirmed that LCAs do not have a role in the control of PNAO entering Iceland from third countries. LCAs are responsible for food of non-animal origin controls within Iceland. In the event imported PNAO require further investigation once they have been distributed within Iceland, MAST requests LCAs to follow up and take appropriate action with the relevant food business operator.
23. On a monthly basis, Iceland Revenue and Customs send a list of imported products including PNAOs to MAST. The list includes PNAOs and the responsible MAST officer applies country of origin and product filters to establish a list of PNAOs which entered Iceland during the relevant period. MAST compares this list to the list of PNAOs declared in TRACES NT to determine if any PNAO had not been notified in TRACES NT and where Part 1 of the Common Health Entry Document for consignments of food and feed of non-animal origin (CHED-D) was not completed.
24. In the event PNAOs from a third country, subject to a temporary increase of official controls or special conditions for entry into the EEA are not notified in TRACES-NT, but have been cleared by Customs, MAST requests the relevant LCAs to follow up. The audit team visited two LCAs and reviewed a recent example of such follow-up in each LCA (see section 5.4.4).
25. MAST confirmed they participate in regular meetings with Iceland Revenue and Customs. Minutes of meetings were provided to the audit team and agenda items included the inclusion of CN Codes for PNAO subject to increased official controls, in the customs manifest system.
26. MAST informed the audit team that it will submit a request for access to the Customs manifest system, which it is entitled to in line with Article 8 of the Food Act (IS) No 93/1995. Customs informed the audit team that at the time of the audit, the request was under the consideration of the Minister of Finance.
27. MAST informs Customs of relevant legislative changes so that Customs update their system to ensure that all relevant goods are subjected to official controls before releasing them into free circulation. Evidence was provided that MAST had requested Customs to update their database due to changes to Regulation (EU) 2019/1793 only twice although the Regulation was amended five times during the past two years.
28. Cooperation and communication between MAST and Customs did not ensure that the required controls were performed on relevant consignments, as a significant part of consignments subject to temporary increase in official controls or emergency measures had not been notified and checked (see section 5.3.5 and also section 5.5). This is not in line with Article 75.1 of the OCR.

5.3.3 Planning of official controls, training and documented procedures

Legal Requirements

Articles 5(4), 12, 43 and 64(3) of Regulation (EU) 2017/625

Findings

29. According to pre-audit documentation, the qualifications required for staff undertaking official controls related to PNAO include food science, a veterinary degree or qualifications in related fields. MAST confirmed that following initial induction training, specific training on PNAO is provided by more experienced staff. In addition, continuous updating of staff knowledge is provided through e.g. attendance at Better Training for Safer Food (BTSF) courses and attendance at DG SANTE meetings related to imports of products. Individual training records for staff undertaking official controls related to PNAO were provided to the audit team.
30. MAST confirmed that a new system called Cloud Compliance Quality (CCQ) has recently been established to record all training sessions MAST staff have participated in. This system registers courses available to MAST staff, facilitates organisation of training seminars and will be used to record qualifications and training records of staff. Training material and training records for staff dealing with PNAO are not yet available through this system.
31. Documentary evidence was provided to the audit team confirming that appropriate internal and external training had been provided to BCP staff responsible for performing official controls on animals and goods entering the EU. The audit team noted that MAST ensure that staff performing those official controls are adequately trained, in accordance with the requirements of Article 5(4) of the OCR.
32. MAST confirmed they provide relevant import/export training to newly recruited Revenue and Customs staff and topics covered include PNAO. This training was last delivered in 2018 during the last Revenue and Customs recruitment process. MAST confirmed they had not delivered any update training to established Revenue and Customs staff in the interim.
33. The competent authority provided guidance and checklists available to officials involved in the import of PNAO. These included documents:
- VLY 034 on imports of products from third countries;
 - LBE 223 on documentary, identity and physical check of PNAO originating in third countries;
 - LBE 027 on completion of certificates in TRACES NT;
 - GAT 040 – checklist on annual inspection of BCPs;
 - GAT 004 – checklist for documentary and physical checks;
 - LBE 040 – requirements for follow up;
 - LBE 030 – guidance on completion of GAT 040.
34. MAST confirmed that the guidance documents referred to in paragraph 33 are not up to date. Updating was not done to include procedures for PNAO and as necessary to incorporate changes to the legislation. For instance, LBE 027 was not updated to include references to CHED-Ds. This is not in line with Article 12(3)(b) of the OCR.
35. Documented procedures were not available for sampling (see section 5.4.3). This is not in accordance with Article 12(1) in conjunction with Point 5 of Chapter II of Annex II of the OCR.
36. The audit team noted that guidance was not systematically followed by MAST during the performance of official controls. For example checklist LBE 040 was not completed in 2021 when a non-compliance was detected at BCPs. MAST confirmed

that no follow up had occurred in previous years either when the same non-compliances were detected. In addition, MAST confirmed they had only recently started using GAT 004 for PNAO.

5.3.4 Verification of effectiveness

Legal Requirements

Articles 5, 6, 12(2) and (3) of Regulation (EU) 2017/625

Findings

37. The Office of Administration and Coordination of MAST is responsible for organising and implementing internal audits. The internal audits are based on the Quality Management System and are implemented according to a five-year programme, which is reviewed annually. One internal audit on import controls was planned to be carried out, however, it had to be cancelled due to COVID.
38. The relevant MAST office manager is responsible for verifying the effectiveness of the official controls. MAST informed the audit team that the activities in that area had been impacted by the COVID pandemic and a reduction in staff numbers. Documented evidence was provided to the audit team to demonstrate that one verification procedure, concerning the minimum facilities at BCPs, had been partially implemented in the previous two years. The controls were based on a standard check-list, which allowed for the brief recording of any shortcomings identified. According to the MAST procedure, the check-list should form the basis for a report, which includes recommendations for corrective action. The audit team noted that no such report had been completed in either year. This is not in line with Article 12(2) of the OCR. The shortcomings identified by the verification check had not been addressed and were also noted by the audit team i.e. the absence of roof covering the unloading area at both BCPs (see also section 5.6). Therefore, corrective actions are not taken in all cases where shortcomings have been identified, which is not in line with Article 12(3)(a) of the OCR.
39. Each year, MAST reviews their overall work and publishes an annual report. The latest annual report can be found at:

<https://www.mast.is/is/um-mast/utgefild-efni/skyrslur#arsskyrslur-matvaelastofnunar>

Conclusions on organisation of official controls

40. There is a framework for legal powers, enforcements and sanctions, coordination, training, documented procedures and verification of effectiveness. However, missing documented procedures, shortcomings regarding updating and implementation of the documented procedures, and regarding control verification procedures compromise the effectiveness of official controls.
41. In addition, the cooperation and communication between MAST and Customs does not ensure that PNAO subject to a temporary increase in official controls, or special conditions for entry, are identified by the customs entry system.

5.3.5 System to ensure presentation of consignments for checks and system for import control according to Regulation (EU) 2019/1793

Legal Requirements

Articles 47-49 and 56 of Regulation (EU) 2017/625

Regulation (EU) 2019/1793

Findings

42. MAST confirmed there are approximately five large importers of food of non-animal origin subject to import control in Iceland. MAST further stated that most feed of non-animal origin is traded from EEA States.
43. Operators responsible for any consignment of PNAO subject to Article 47(1) of the OCR must complete Part I of the CHED-D in TRACES NT to notify the arrival of the consignments at the BCP.
44. Evidence was provided that MAST informed importers, as a reminder, in an e-mail on 1 March 2022 of their obligation to provide prior notification of arrival of certain PNAO in TRACES NT by submitting Part I of the CHED-D.
45. Staff (2.5 full time equivalent (FTE)) from the Office of import and export perform official controls at BCPs and CP in the cases of consignments notified in TRACES NT and when Customs stops (flags) the consignment for official controls to be carried out by MAST. Customs flags the relevant food and feed of non-animal consignments on the basis of the Combined Nomenclature (CN) code and the country of origin subject to import control. Once MAST completes their inspections they inform the operator and Customs clear the consignment.
46. When amendments are made to Regulation (EU) 2019/1793 MAST forwards the amending Regulation to Customs requesting them to update their database to ensure that the goods are flagged for control. This was done only twice during the past two years (see paragraph 27).
47. The audit team noted that the latest amendment of Regulation (EU) 2019/1793- Regulation (EU) 2021/2246 - was still not part of the Icelandic legal order (see section 5.1). MAST notified Customs of the amendment in January by sending them the English language version of the amending Regulation. Customs incorporated the changes into their system as of 10 February 2022 and confirmed to MAST in an email that they had updated their flagging system.
48. MAST stated that they sample the first consignment of the required product from the relevant third country and then, for example, every fifth consignment thereafter when a 20% sampling frequency is required by Regulation (EU) 2019/1793. MAST started to use an excel table in January 2022 to record products sampled and associated local reference numbers.
49. The audit team noted that
 - a. One consignment in 2020 and one consignment in 2021 were subjected to official control including sampling under Regulation 2019/1793. In 2022, at the time of the audit, a total of six consignments had been subjected to official control including sampling.
 - b. Based on evidence provided by an operator interviewed by the audit team, peanut butter consignments imported by that operator from the USA subject to import control were not controlled in 2020 and 2021. The operator was not aware of the requirement to notify in TRACES the import of this product, although they confirmed they had been using TRACES NT for products of animal origin.

50. MAST provided data from 2019 to 2021 on produce entering Iceland from third countries subject to other controls according to Article 47(1) of the OCR and Regulation (EU) 2015/949, which is summarised in table 3 below. This information is based on CN codes Customs provided to MAST at their request. MAST confirmed that certain consignments of categories of goods referred to in Article 47(1) had not been notified in TRACES, which is not in line with Article 56(4) of the OCR, and as a consequence had not been controlled by them at import. Furthermore, these consignments had not been identified by MAST in the monthly checks of imported consignments (see also paragraph 23) and therefore not subjected to retrospective LCA controls either (see also paragraph 24).

Table 3: The number of consignments of food and feed of non-animal origin subject to controls under EEA legislation other than Regulation (EU) 2019/1793

EEA legislation	Subject	2019	2020	2021	Number of samples taken
Regulation (EU) 2021/1533	Emergency measures – food and feed from Japan post Fukushima	-	-	14	0
Regulation (EU) 2020/1158	Food and feed from certain countries post Chernobyl	-	42	7	0
Decision 2011/884/EU	Emergency measures – Genetically modified rice from China (food and feed)	0	0	0	0
Regulation (EU) 2015/949	Other measures – Pre-export checks on almonds from the USA and wheat and wheat flour from Canada (food)	Wheat meal 14 Almonds 19	Wheat meal 12 Almonds 12	Wheat meal 21 Almonds 16	0

51. Regarding imports of seeds for sprouting, MAST confirmed that at the time of the audit no import of seeds for sprouting intended for human consumption were taking place as there were no operators in Iceland.

Conclusions on system to ensure presentation of consignments for checks and system for import control according to Regulation (EU) 2019/1793

52. The system failed to ensure that goods subject to controls were notified and presented for checks as a significant part of consignments within the scope of the audit were not inspected by MAST until January 2022. Recently, since January 2022, MAST have made arrangements to ensure presentation of relevant consignments for checks.

5.4 Implementation of official controls on consignments of food and feed of non-animal origin entering Iceland from third countries

5.4.1 Prior notification

Legal Requirements

Articles 56(1), (3)(a), (4) and 57(3) of Regulation (EU) 2017/625

Findings

53. MAST stated that the use of TRACES-NT is mandatory for official controls on relevant food and feed of non-animal origin entering Iceland from third countries.
54. MAST confirmed that some importers do not pre-notify in TRACES NT relevant consignments of categories of goods referred to in Article 47(1) prior to their arrival. This is not in line with Article 56(4) of the OCR. In cases where notification was given, MAST carried out the official controls. MAST informed the audit team that non-notification was mainly due to a lack of awareness by the importers, and also because the Customs did not flag certain consignments that had not been notified. Customs do not have a link to TRACES-NT, however customs approval for clearance may only be given if MAST have included a unique local reference number in the CHED-D.
55. MAST provided two recent examples where Customs flagged undeclared consignments. Once notified by customs, MAST informed the operator of the requirement to enter the relevant information to TRACES NT after which MAST carried out the official controls.

5.4.2 Official controls on transit, transshipment and onward transportation

Legal Requirements

Regulation (EU) 2019/2124

Findings

56. Customs and MAST stated that there are no consignments moving in transit, transshipments or onward transportation through Iceland. The audit team noted that there is no record of such activity in TRACES-NT either.
57. It was also noted that onward transportation facilities have been designated in Iceland.

5.4.3 Documentary, identity and physical checks of consignments

Legal Requirements

Articles 45(1)(a) and (b), 47(1), 49(1), 50(1) and (2) and 54(1) and (2) of Regulation (EU) 2017/625

Regulation (EU) 2019/2130

Findings

Documentary checks

58. MAST perform documentary checks of consignments of categories of goods referred to in Article 47(1) of the OCR in their offices, and not at the BCP as required by Articles 47(1) and 49(1) of the OCR. MAST staff are not permanently present at

BCPs and inspectors only attend when they have to perform an inspection. The audit team noted that the documentary checks are carried out in line with Article 2 of Regulation (EU) 2019/2130 and included checks to ascertain that the information contained in the certificates or documents is compliant.

Identity checks

59. MAST performs the identity checks at the BCP or CP to verify elements specified in Article 3 of Regulation (EU) 2019/2130. The checks include content and quantity of consignments and that where applicable, the appropriate stamps and identification marks or codes correspond to the information provided in the official certification.

Physical checks

60. The audit team noted that the frequency of physical checks for consignments of food of non-animal origin subject to a temporary increase of official controls or emergency measures which were declared or flagged by Customs for controls were in line with the frequencies set out in Commission Implementing Regulation (EU) 2019/1793.
61. The audit team was provided with an explanation of how sampling for *Salmonella* and for mycotoxins was performed. The sampling procedures described were largely in line with the applicable EEA legislation. However, the inspector interviewed did not have any documented control procedures for sampling and referred to incorrect EEA legislation. The sampling table in that EEA legislation was the same as in the correct one.
62. The audit team noted and MAST confirmed that in general samples are not sealed. This practice is not in line with certain relevant EEA rules, *inter alia* in the case of pesticide residues section 4.6 of the Annex to Directive 2002/63/EC, and in the case of mycotoxins, point A.3.8 of Annex I of Regulation (EC) No 401/2006. The quantity of the sampled consignment is also not recorded.
63. The audit team visited the laboratory designated for analysis of samples taken of products entering Iceland from third countries subject to official controls. The laboratory confirmed that they have received samples for analysis for pesticide residues and mycotoxins. All the samples were sent abroad to a private laboratory for pesticide and mycotoxin analysis. At the time of the audit, a contract was in place between the designated laboratory and the private laboratory. The audit team noted that the contract includes elements referred to in Article 37 (3), (4) and (5) of the OCR. However, the private laboratory was not designated as an official laboratory to carry out the laboratory analyses, tests and diagnoses on samples taken during official controls and other official activities, which is not in line with Article 37(1) of the OCR.

Conclusions on documentary, identity and physical checks

64. Adequate documentary, identity and physical checks of consignments are carried out in line with the EEA legislation. However, the efficiency of the system is compromised by the fact that it is not ensured that PNAO subject to official controls are pre-notified.
65. Shortcomings in the sampling procedures do not ensure the integrity and legal identity of samples. Furthermore, samples are analysed by a laboratory which has not been designated and audited in line with EEA legislation. Those shortcomings may compromise the reliability and validity of the analysis and the CA from taking appropriate action in a timely manner.

5.4.4 Decisions on consignments and follow-up

Legal requirements

Articles 55 and 65-68 of Regulation (EU) 2017/625, Regulation (EU) 2019/2130

Findings

66. Decisions on consignments are taken by the inspectors of the Office of import and export of MAST.
67. Pending laboratory results, the detained consignments are normally stored in the storage rooms of the BCP or in a restricted area within the BCP accessible to the staff only.
68. Where consignments are detained at the CP, the quality department of the operator places the consignment under detention in a designated area within the CP and the details of the detained consignment are not entered in the inventory database of the warehouse. Once the quality department of the operator receives official clearance for the consignment, they enter the relevant information into the inventory database of the warehouse and the product can then be placed on the market.
69. In case of unfavourable laboratory test results for products, MAST stated they issue an iRASFF notification. CA confirmed that no iRASFF notifications regarding PNAO entering Iceland from third countries have been triggered during the past three years.
70. The audit team noted that the competent authorities had, in general, taken decisions on consignments in line with Article 55 of the OCR, and had also taken measures in case of suspected or confirmed non-compliance or risk (see paragraph 71 on follow-up actions carried out by LCAs). However, the audit team noted that in the case of two examples of PNAO entering Iceland from certain third countries subject to temporary increase of official controls and emergency measures, where samples had been taken for aflatoxins, the consignments were cleared before laboratory results became available. This is not in accordance with point 6(d) of Annex II of Regulation (EU) 2019/2130. MAST stated that on one of these occasions they had informed that operator not to place the product on the market until the satisfactory laboratory results were available.³
71. Since 2020, two consignments of imported PNAO have been the subject of follow-up actions. They occurred earlier in 2022 and related to PNAOs from certain third countries subject to a temporary increase of official controls. In both cases MAST identified consignments which had not been notified through TRACES NT and requested LCAs to investigate. Most correspondence between MAST and LCAs was by e-mail. In one case, the product had been placed on the market when MAST sent an e-mail to the LCA requiring a prohibition on the sale of the product. The LCA informed the operator who confirmed by e-mail that they would stop selling the product. However, there was no verification of this by the LCA. In the second consignment at a different LCA, a sample was taken from the product and the

³ In their response to the draft report Iceland noted that the importer had not placed the product on the market until the laboratory results were available and approved by MAST, although it had been customs cleared. This was in agreement between the MAST and the importer.

laboratory result became available one day before the visit of the audit team. The LCA stated that they would not allow the sale of the product. However, the LCA had initially informed the operator that the product could be sold if the analytical result of the sample was compliant. The LCA noted that the request for follow-up was not clear, and considering the restricted legal competence regarding imported goods, that more precise instructions and guidance was necessary to deal with such cases.

72. In a further consignment identified by the audit team, PNAO from a third country subject to a temporary increase of official controls had not been notified through

TRACES NT. The product had been imported eight months before and was described on a customs declaration (description of product and CN code) as a product requiring increased official controls. This had not been identified by MAST and consequently no follow up action had been taken.

Conclusions on decisions on consignments and follow-up

73. Correct decisions on consignments are not ensured as, in some cases, MAST authorised the release of consignments before laboratory results were available. This increases the possibility that unsafe food will be placed on the market.
74. A retrospective follow-up system is in place for non-declared PNAO, although consistent corrective actions by LCAs are not ensured.

5.5 Use of the Trade Control and Expert System (TRACES)

Legal Requirements

Articles 50(3), 56, 57, 64(3)(f) and (g), 66(5), 74(1)(a), 75(1)(b) and 133(3) of Regulation (EU) 2017/625

Regulation (EU) 2019/1715

Findings

75. MAST informed the audit team that the use of TRACES NT is mandatory for relevant food and feed of non-animal origin, subject to official controls, entering Iceland.
76. Operators responsible for consignments of relevant categories referred to in Article 47(1) of the OCR must complete Part I of the CHED-D in TRACES NT to notify the arrival of the consignments at the BCP.
77. Training in the use of TRACES NT was provided by MAST for operators in advance of the introduction of TRACES NT, and again prior to the UK's withdrawal from the EU and subsequent change of status to a third country.
78. As noted in section 5.3.5, the customs database should automatically identify and hold food and feed subject to official controls, and to notify the operators that they should refer to the MAST Portal, and/or submit a CHED-D.
79. MAST confirmed that certifying officers at BCPs make use of CHED-Ds in an electronic format as provided for in Article 41 of Commission Implementing Regulation (EU) 2019/1715.
80. Customs does not have access to TRACES NT. MAST includes a unique local reference code on the CHED-D following completion of the official controls. The

local reference number for CHED-D is not in the manifest system but in box 44 in the single administrative document which is a document used for Customs declarations or/and in box 14 of the Icelandic version of customs declaration. That reference number is included in the Customs manifest system, which confirms to Customs that the consignment is eligible for entry.

81. As noted in section 5.3.2, the cooperation agreement with Customs provides for the exchange of information related to food and feed of non-animal origin entering Iceland. In particular, Customs provides MAST with a monthly summary of all consignments of feed and food of non-animal origin that were declared to Customs, including details of the CN codes, country of origin and other relevant information. The monthly reports are analysed by MAST to identify any consignments of food or feed of non-animal origin subject to official controls, which were not notified in TRACES NT, or therefore subject to the necessary official controls, prior to their import. In such cases, the relevant LCA is requested to follow-up the consignment and to inform the operator of the requirement to submit a CHED-D for future consignments. As noted in section 5.3.5, several consignments of food of non-animal origin subject to official controls were found to have entered Iceland since 2019 by the time of the audit without being notified in TRACES NT as required.
82. MAST informed the audit team that there had been no occasion to use iRASFF since an update to TRACES NT in April 2021, which allows the direct transfer of data from TRACES NT to the RASFF portal. As noted in section 5.4.4, MAST has documented procedures in place for submitting iRASFF notifications via TRACES NT to iRASFF, in line with Article 20 of Regulation (EU) 2019/1715.

Conclusions on use of TRACES

83. MAST uses TRACES NT appropriately in line with Regulation (EU) 2019/1715.
84. The monthly reports from Customs provide historic data, which although useful, do not support the ability of MAST to carry out controls on all relevant consignments.

6 Overall conclusions

The audit team found that there is a framework in place for the official controls of products of non-animal origin entering Iceland. If consignments are presented, adequate documentary, identity and physical checks are carried out in line with the EEA requirements. Border Control Posts generally comply with the minimum requirements of Regulation (EU) 2019/1014.

However, the audit team also found that there are significant weaknesses in the organisation of official controls, which does not ensure that relevant consignments are presented for official controls. This undermines the assurance that only compliant products of non-animal origin entering Iceland from third countries are placed on the market. The competent authority had very recently taken actions which should address some of those weaknesses. Due to the timing and the significance of those changes, the lack of some documented procedures for performing official controls and the number of goods added to the import control system, the audit team could not establish whether the system could work in a longer term.

7 Final meeting

A final meeting was held on 30 March 2022 at MAST premises in Hafnarfjörður with representatives from the relevant competent authorities present. At this meeting, the audit team presented its main findings and preliminary conclusions of the audit. At the meeting, the audit team also explained that, based on a more detailed assessment of the information received during the audit, additional findings and conclusions could be included in the report.

During this meeting, the representatives of the Icelandic authorities did not express any disagreement with the findings and preliminary conclusions of the audit team.

8 Recommendations

In order to facilitate the follow-up of the recommendations hereunder, Iceland should inform the Authority **by 5 September 2022**, by way of written evidence, of the corrective actions taken in relation to each of the recommendations below and provide a plan for corrective measures and actions, including a timetable for completion of measures still outstanding. Iceland should ensure that such corrective actions are designed in line with a root cause analysis of the situation. This information will be annexed to the final report. The Authority should also be kept informed of the completion of the measures included in the timetable.

No	Recommendation
1	<p>Iceland should ensure that amendments to Regulation (EU) 2019/1793 are made part of its internal legal order without delay in line with Article 53 of Regulation (EC) No 178/2002 as adapted to the EEA Agreement by the sectoral adaptations in Annex I and II thereto and Articles 3 and 7 of the EEA Agreement.</p> <p>Recommendation based on conclusion at paragraph 6.</p> <p>Associated finding: paragraph 3.</p>
2	<p>The competent authority should ensure that the list of designated BCPs and CPs are maintained and kept up to date in TRACES and that information regarding each designated control point is inserted in TRACES, as required by Article 44 of Regulation (EU) 2019/1715.</p> <p>Recommendation based on conclusion at paragraph 14.</p> <p>Associated finding: paragraph 10.</p>
3	<p>Iceland should ensure that competent authorities and customs authorities cooperate closely to ensure that the official controls on consignments of goods entering Iceland from third countries are performed in accordance with the requirements of Regulation (EU) 2017/625, as required by Article 75(1) of that regulation</p> <p>Recommendation based on conclusion at paragraph 41.</p> <p>Associated finding: paragraphs 27 and 28.</p>
4	<p>The competent authority should ensure that official samples are taken in accordance with documented procedures as required by Article 12(1) in</p>

	<p>conjunction with point 5 of Chapter II of Annex II of Regulation (EU) 2017/625.</p> <p>Recommendation based on conclusion at paragraph 40.</p> <p>Associated finding: paragraphs 35 and 61.</p>
5	<p>The competent authority should ensure that documented control procedures are updated as appropriate, as required by Article 12(3)(b) of Regulation (EU) 2017/625.</p> <p>Recommendation based on conclusion at paragraph 40.</p> <p>Associated finding: paragraph 34.</p>
6	<p>The competent authority should ensure that corrective actions are taken in all cases where control verification procedures identify shortcomings as required by Article 12(3)(a) of Regulation (EU) 2017/625.</p> <p>Recommendation based on conclusion at paragraph 40.</p> <p>Associated finding: paragraphs 38 and 13.</p>
7	<p>The competent authority shall ensure that control verification procedures regarding requirements for BCP facilities are in place and implemented in line with Article 12(2) of Regulation (EU) 2017/625.</p> <p>Recommendation based on conclusion at paragraph 40.</p> <p>Associated finding: paragraph 38.</p>
8	<p>The competent authority should ensure that operators responsible for consignments of categories of goods of non-animal origin referred to in Article 47(1) of Regulation (EU) 2017/625 give prior notification in accordance with Article 56(3)(a) of that regulation by completing and submitting the relevant part of the CHED into the IMSOC, as required by Article 56(4) of that regulation.</p> <p>Recommendation based on conclusion at paragraph 64.</p> <p>Associated finding: paragraphs 24, 50 and 54.</p>
9	<p>The competent authority should ensure that samples are sealed as required by relevant EEA rules <i>inter alia</i></p> <ul style="list-style-type: none"> • in the case of pesticide residues as required by section 4.6 of the Annex to Directive 2002/63/EC • in the case of mycotoxins as required by section A.3.8 of Annex I of Regulation (EC) No 401/2006. <p>Recommendation based on conclusion at paragraph 65.</p> <p>Associated finding: paragraph 62.</p>
10	<p>The competent authority should ensure that consignments subject to temporary increase of official controls and emergency measures which are tested, are placed under official detention pending the outcome of the laboratory tests unless onward transportation is authorised in accordance with Article 4 of Commission Delegated Regulation 2019/2124, as required by point 6(d) of Annex II of Regulation (EU) 2019/2130.</p>

	Recommendation based on conclusion at paragraph 73. Associated finding: paragraph 70.
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Annex 1 - List of abbreviations and terms used in the report

Authority	EFTA Surveillance Authority
BCP	Border control post
BTSF	Better Training for Safer Food
CCQ	Cloud Compliance Quality
CHED	Common Health Entry Document
CHED-D	Common Health Entry Document for consignments of food and feed of non-animal origin
CN	Combined Nomenclature
CP	Control point
EC	European Community
EEA	European Economic Area
EEA Agreement	Agreement on the European Economic Area
EFTA	European Free Trade Association
EU	European Union
FTE	Full-time equivalent
IMSOC	Information management system for official controls
MAST	Icelandic Food and Veterinary Authority
LCA	Municipal Environmental and Public Health Offices
OCR	Regulation (EU) 2017/625 ("Official Controls Regulation")
PNAO	Products of non-animal origin
PNAO-NHC(2)	Products of non-animal origin – products not for human consumption, packed products only
TRACES NT	Trade Control and Expert System New Technology

Annex 2 - Relevant legislation

The following EEA legislation was taken into account in the context of the audit:

- a) The Act referred to at Point 11b in Part 1.1 of Chapter I and at Point 31q of Chapter II of Annex I and at Point 164 of Chapter XII of Annex II to the EEA Agreement, Regulation (EU) No 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation), as amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annexes I and II thereto;
- b) The Act referred to at Point 11bs in Part 1.1 of Chapter I and at Point 31qs of Chapter II of Annex I and at Point 164s of Chapter XII of Annex II to the EEA Agreement, Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts, as amended and adapted by the EEA Agreement;
- c) The Act referred to at Point 11bd in Part 1.1 of Chapter I and at Point 31qd of Chapter II of Annex I and Point 164d of Chapter XII of Annex II of the EEA Agreement, Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components ('the IMSOC Regulation'), as amended and as adapted to the EEA Agreement by the sectoral adaptations referred to in Annexes I and II thereto;
- d) The Act referred to at Point 11bg of Part 1.1. of Chapter I and at Point 31qg of Chapter II of Annex I and at Point 164g of Chapter XII of Annex II, Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points;
- e) The Act referred to at Point 11bm in Part 1.1 of Chapter I, Point 31qm of Chapter II of Annex I and at Point 164m of Chapter XII of Annex II to the EEA Agreement, Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries, as amended;
- f) The Act referred to at Point 11bw in Part 1.1, Point 86 in Part 4.2 and Point 9c in Part 7.1 of Chapter I, Point 31qw of Chapter II of Annex I and at Point 164w of Chapter XII of Annex II to the EEA Agreement, Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules

for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC, as amended;

- g) The Act referred to at Point 54zz of Chapter XII of Annex II to the EEA Agreement, Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC;
- h) The Act referred to at Point 54zzzl of Chapter XII of Annex II to the EEA Agreement, Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs, as amended.
- i) Commission Implementing Regulation (EU) 2021/1533 of 17 September 2021 imposing special conditions governing the import of feed and food originating in or dispatched from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) 2016/6, incorporated into the EEA Agreement by simplified procedure;
- j) Commission Implementing Regulation (EU) 2020/1158 of 5 August 2020 on the conditions governing imports of food and feed originating in third countries following the accident at the Chernobyl nuclear power station, incorporated into the EEA Agreement by simplified procedure;
- k) Commission Implementing Decision of 22 December 2011 on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC, incorporated into the EEA Agreement by simplified procedure.

Annex 3 – Iceland's comments to the draft report

Paragraphs no 15: "(referring to rec. no 11)

It must be noted as it was mentioned during the audit, that in addition to the facilities of the border control posts IS-REY 1a and IS-REY 1b, there are defined unloading areas inside the commercial storage facilities.

This is in accordance with Regulation (EU) 2019/1014, Article 11.

In those instances where pallets (samples) are moved from a container outside the BCP, the products are covered by a "cap" while they are picked up with a forklift and transported into the BCP."

Paragraphs no. 70.

"The importer did not place the product on the market until the laboratory results were available and approved by MAST, although it had been customs cleared. This was in agreement between the MAST and the importer."

Annex 4 – Iceland's action plan for corrective measures

TOC – Table of corrective actions ESA audit 2022 to evaluate official controls on import controls of NAOP – 2022/ICE/2

No	Recommendation	Responsible Authority	Corrective action	Date of compliance
1	<p>Iceland should ensure that amendments to Regulation (EU) 2019/1793 are made part of its internal legal order without delay in line with Article 53 of Regulation (EC) No 178/2002 as adapted to the EEA Agreement by the sectoral adaptations in Annex I and II thereto and Articles 3 and 7 of the EEA Agreement.</p> <p>Recommendation based on conclusion at paragraph 6.</p> <p>Associated finding: paragraph 3.</p>	Ministry of Food, Fisheries and Agriculture	<p>It is the responsibility of the Ministry of Food, Fisheries and Agriculture to implement a change in the regulations in question.</p> <p>Iceland being an EFTA state the EU regulations do not apply at the same time, but Iceland is dedicated to promulgate any changes to rg. (EU) 2019/1793 as soon as they have been made part of the EEA agreement, however translation can sometimes delay immediate implementation.</p> <p>Reg. (EU) No. 2020/625 was implemented with national rg. no. 733/2020 on 06.07.2022;</p> <p>Reg. (EU) No. 2020/1540 was implemented with national rg. no. 1343/2020 on 29.05.2022;</p> <p>Reg. (EU) No. 2020/608 was implemented with national rg. no. 474/2021 on 01.05.2021;</p> <p>Reg. (EU) No. 2021/1900 was implemented with national rg. no. 57/2022 on 26.01.2022; and</p> <p>Reg. (EU) No. 2021/2246 was implemented with national rg. no. 452/2022 on 12.04.2022.</p> <p>Reg. (EU) no. 2022/913 is currently in translation</p>	12.04.2022
2	<p>The competent authority should ensure that the list of designated BCPs and CPs are maintained and kept up to date in TRACES and that information regarding each designated control point is inserted in TRACES, as</p>	MAST	<p>Lists of BCP and CP in TRACES will be updated.</p> <p>CP (Adfong) will be registered /listed in TRACES</p>	30 September '22

	<p>required by Article 44 of Regulation (EU) 2019/1715.</p> <p>Recommendation based on conclusion at paragraph 14.</p> <p>Associated finding: paragraph 10.</p>			
3	<p>Iceland should ensure that competent authorities and customs authorities cooperate closely to ensure that the official controls on consignments of goods entering Iceland from third countries are performed in accordance with the requirements of Regulation (EU) 2017/625, as required by Article 75(1) of that regulation</p> <p>Recommendation based on conclusion at paragraph 41.</p> <p>Associated finding: paragraph 27 and 28.</p>	Custom /MAST	<p>Current procedures are that consignments containing food and feed subject to special temporary increased controls are stopped at the border (BCP) for official control, to be carried out by the Icelandic Revenue and Customs. Food and feed with a particular CN-codes and specific third countries are flagged by the Custom-system.</p> <p>Communication between customs and MAST will be registered according to improved procedures. A special Case-key (Málalykill) in the MAST case file system will be created to manage communications related to PNAO regulatory changes.</p> <p>Furthermore, Customs and MAST are in regular contact. As part of the agenda of regular meetings between MAST and Customs, the latest regulatory changes will be discussed. This ensures that Customs is informed of the latest changes.</p>	30 November '22
4	<p>The competent authority should ensure that official samples are taken in accordance with documented procedures as required by Article 12(1) in conjunction with point 5 of</p>	MAST	<p>Inspectors at BCP follow a specific guidelines (LBE-233) when they carry out identity checks and physical checks of PNAO at the border. These guidelines will be updated with regards to sampling of different components of</p>	30 November '22

	Chapter II of Annex II of Regulation (EU) 2017/625. Recommendation based on conclusion at paragraph 40. Associated finding: paragraph 35 and 61.		PNAO, in accordance with the relevant regulations. See, rec. no 5.	
5	The competent authority should ensure that documented control procedures are updated as appropriate, as required by Article 12(3)(b) of Regulation (EU) 2017/625. Recommendation based on conclusion at paragraph 40. Associated finding: paragraph 34.	MAST	Quality documents will be reviewed and updated as follows: - LBE 027 on completion of certificates in TRACES NT; - LBE 223 on documentary, identity and physical check of PNAO originating in third countries; - GAT 040 – checklist on annual inspection of BCPs; - GAT 004 – checklist for documentary and physical checks; - LBE 040 – requirements for follow up; ? - LBE 030 – guidance on completion of GAT 040.	30 September '22 30 November '22 30 November '22 30 October '22 30 October '22 30 December '22
6	The competent authority should ensure that corrective actions are taken in all cases where control verification procedures identify shortcomings as required by Article 12(3)(a) of Regulation (EU) 2017/625. Recommendation based on conclusion at paragraph 40. Associated finding: paragraph 38 and 13.	MAST	To verify the effectiveness of the official control on BCPs, reports and follow-ups will be updated. The report will include proper recommendations for corrective action. That will include time limit for each shortcoming that have been identified in the checklist. LBE-030 will be updated (see no 5), also with improvements of BCP facilities in mind – chapter "Innri úttekt landamærastöðva" (Internal audit of BCPs).	30 November '22

7	The competent authority shall ensure that control verification procedures regarding requirements for BCP facilities are in place and implemented in line with Article 12(2) of Regulation (EU) 2017/625. Recommendation based on conclusion at paragraph 40. Associated finding: paragraph 38.	MAST	MAST will ensure that control verification procedures will be implemented in line with Article 12(2) of Regulation (EU) 2017/625. Instructions will be prepared regarding follow up report and action plan for corrective steps. New and reviewed documented procedures will be introduced to BCP staff. Internal Audit will be carried out by quality chief of MAST in February '23.	October '22 30 December '22 25 February '23
8	The competent authority should ensure that operators responsible for consignments of categories of goods of non-animal origin referred to in Article 47(1) of Regulation (EU) 2017/625 give prior notification in accordance with Article 56(3)(a) of that regulation by completing and submitting the relevant part of the CHED into the IMSOC, as required by Article 56(4) of that regulation. Recommendation based on conclusion at paragraph 64. Associated finding: paragraph 24, 50 and 54.	MAST	Prior notifications have improved. The Customs have started to stop consignments at the border by flagging food and feed mentioned in regulation EU 2019/1793 with changes and other relevant regulation. See details in Corrective actions regarding Recommendation no 3. Letter will be sent to importers to inform them of pre-notification rules.	30 September '22

9	<p>The competent authority should ensure that samples are sealed as required by relevant EEA rules <i>inter alia</i></p> <ul style="list-style-type: none"> • in the case of pesticide residues as required by section 4.6 of the Annex to Directive 2002/63/EC • in the case of mycotoxins as required by section A.3.8 of Annex I of Regulation (EC) No 401/2006. <p>Recommendation based on conclusion at paragraph 65.</p> <p>Associated finding: paragraph 62.</p>	MAST	<p>Procedures regarding sealing of samples will be set in force. The sealed sample will be taken to the laboratory and received by the laboratory staff, who will sign the delivery. No bulk consignments are received on BCPs, only prepacked products.</p> <p>The sampling form will be updated so information about the quantity of the production lot (weight) will be recorded.</p>	<p>30 November '22</p> <p>30 October '22</p>
10	<p>The competent authority should ensure that consignments subject to temporary increase of official controls and emergency measures which are tested, are placed under official detention pending the outcome of the laboratory tests unless onward transportation is authorised in accordance with Article 4 of Commission Delegated Regulation 2019/2124, as required by point 6(d) of Annex II of Regulation (EU) 2019/2130.</p> <p>Recommendation based on conclusion at paragraph 73.</p> <p>Associated finding: paragraph 70.</p>	MAST	<p>Consignments are not released from customs until satisfactory laboratory results have arrived.</p> <p>Occasionally importers decide to split up consignments and receive the part of the consignment which are not in temporary increase of official controls. The other part is placed under official detention until (satisfactory) laboratory results have arrived.</p> <p>Regarding the Case referred to in findings no 70: The company is described as CP. Further consignments will be sealed by MAST at the CP.</p>	