

STATE FOOD AND VETERINARY CONTROL

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SUMMARY

Relevance of the Audit

According to the World Health Organisation, more than 200 diseases occur when eating food contaminated with bacteria, parasites or chemicals¹. This growing public health concern has a major socio-economic impact, affecting tourism and trade. The trend of infections with food-borne diseases is decreasing, but Lithuania ranks 14th (out of 27 EU countries) in terms of salmonellosis infections per 100 inhabitants². At the same time, animal health and welfare is a serious problem. The number of outbreaks of enzootic bovine leukosis is decreasing every year³, but in 2021 Lithuania ranks first in the EU in terms of the number of outbreaks of this leukosis⁴. The number of complaints and reported cases of animal cruelty is increasing every year.

To improve quality of life and create a modern and competitive economy, the European Commission has developed a strategy for sustainable growth, the European Green Deal⁵, which also includes the EU's Farm to Fork Strategy⁶. It aims to keep food safe, nutritious and of high quality. The main objectives of the strategy include improving animal welfare. One of the priorities of Lithuania's 18th Government Programme is the Green Deal⁷. In order to create an environment conducive to animal welfare, the Seimas declared 2022

¹ Foodborne diseases. Available at: https://www.who.int/health-topics/foodborne-diseases#tab=tab_1 (referred to on 30 January 2023).

² EFSA and ECDC (European Food Safety Authority and European Centre for Disease Prevention and Control), The European Union One Health 2021 Zoonoses Report, 2022. Available at: https://www.ecdc.europa.eu/sites/default/files/documents/EFS2_7666_Rev3.pdf (referred to on 01/12/2022).

³ Lithuania is a country with the status free from enzootic bovine leukosis. Available at: [EUR-Lex-32021R0620-EN-EUR-Lex\(europa.eu\)](https://eur-lex.europa.eu/lexuri/EN-EUR-Lex(europa.eu)) (referred to on 1 March 2023).

⁴ Animal Diseases Information System – ADIS. Available at: https://food.ec.europa.eu/system/files/2022-01/ad_adns_overview_2021.pdf (referred to on 25/11/2022).

⁵ Available at: <https://zum.lrv.lt/lt/zaliasis-kursas> (referred to on 1 February 2023).

⁶ EU Farm to Fork Strategy. Available at: <https://zum.lrv.lt/lt/zaliasis-kursas/es-strategija-nuo-lauko-iki-stalo> (referred to on 1 February 2023).

⁷ Government Resolution No 155 of 10 March 2021 approving the Implementation Plan of the 18th Programme of the Government of the Republic of Lithuania.

the Year of Animal Welfare. It is important to prevent transmissible diseases, to focus on animal welfare, food quality and safety, as this has an impact on Lithuania's economy, sustainable and balanced development.

Aware that effective and efficient enforcement of state food and veterinary control and incident prevention are crucial factors in ensuring human health and animal welfare, we carried out a public audit.

Objective and Scope of the Audit

The objective of the audit is to assess whether efficient and effective food and veterinary control, and prevention are ensured.

The main audit issues are:

- ✓ whether state control is planned in such a way as to ensure food quality, safety and animal health and welfare;
- ✓ whether state food and veterinary control is organised in such a way as to ensure its efficiency and effectiveness;
- ✓ whether prevention measures are aimed at reducing the need for control (physical inspections).

The audited entities included:

The State Food and Veterinary Service, as it develops and implements the state policy in the areas of food and feed safety and quality, labelling, provision of information on goods, including price indication, and compliance with other mandatory requirements, handling of food, animal by-products, feed and additives, veterinary medicinal products and measures, animal health and welfare, general diseases communicable to humans and animals, breeding of farm animals, consumer protection of food and food-related services⁸.

- ✓ The Ministry of Agriculture, as it develops state policy in the fields of agriculture and food industry, the quality of food products and their raw materials, organic agriculture and food production, organises, coordinates and controls the implementation of this policy. It also develops state policy in the veterinary field, with the participation of the State Food and Veterinary Service, organises, coordinates and controls the implementation of this policy⁹.

During the audit, we collected information from the National Food and Veterinary Risk Assessment Institute, the National Paying Agency, the Ministry of Economy and Innovation. We conducted surveys of business associations and service inspectors. We communicated with representatives of the Lithuanian University of Health Sciences, Lithuanian Business Confederation.

The auditing period is 2019-2021. We used 2022 data in some cases to assess trends and developments.

⁸ Regulations of the State Food and Veterinary Service approved by Government Resolution No 744 of 28 June 2000, Section I. Paragraph 1.

⁹ Regulations of the Ministry of Agriculture approved by Government Resolution No 1120 of 16 September 1998.

The audit was carried out in accordance with international standards of supreme audit institutions. The scope of the audit and the methods used are described in more detail in Annex 2 'Scope and methods of audit' (page 52).

Main Results of the Audit

Improved control planning processes by the State Food and Veterinary Service, directing supervisory actions to sensitive operators, evenly distributing the workload of inspectors and paying greater attention to the planning and evaluation of preventive measures would allow for more effective and efficient food and veterinary control.

1. State Food and Veterinary Service should aim for better targeted control planning

- ✓ The strategic planning documents of the Ministry of Agriculture do not include planning (objectives, targets, indicators, etc.) of the activities of the State Food and Veterinary Service which reports to it. The Ministry does not analyse the performance of the Service, the results of control and does not participate in the formulation of tasks of the Head of the Service. In this way, it does not contribute to the improvement of the Service's performance. The Service did not reach all the planned benchmarks: one third (33 %) of the benchmarks in 2019-2020 and one quarter (25 %) in 2021¹⁰ and therefore, did not achieve all the planned objectives for 2019-2021. All the activities of the Service are prioritised and therefore the areas with the biggest changes are not identified to be supported when allocating resources (Section 1.1, page 14).
- ✓ Risk assessment is not carried out in one third (34 activities, 452 operators) of activities of veterinary control entities¹¹. The majority (83 %) of veterinary control entities are agricultural operators for which risk assessment and selection are also not carried out by the Service, and for which the frequency of inspections is therefore not set. They are selected for inspections by the National Paying Agency, which focuses on the number of violations detected in previous years, but not on the likelihood or extent of the occurrence of damage. Some agricultural operators selected by the Agency are subject to more than one inspection per year: 29 % (493) of agricultural operators inspected during 2021 were checked from 2 to 4 times. Failure to carry out a risk assessment of economic operators and to determine the frequency of the inspections leads to over-inspection, which increases the administrative burden on economic operators and inefficient use of the Service's resources (Section 1.2, page 17).
- ✓ The Service's risk assessment criteria scores are based on expert assessment, Regulation (EU), guidelines from the Ministry of Economic and Innovation and foreign countries, but are not statistically calculated so that the weighting of the criteria (or the scores assigned) is proportionate to the likelihood or the extent of the occurrence

¹⁰ A total of 24 criteria were not met in 2019: The actual value of 8 reached 90-99 %, of 13 - 50-89 %, of 3 - 0-49 %. In 2020, 18 criteria were not met, of which 6 reached 90-99 %, 8 - 50-89 % and 4 - 0-49 %. In 2021, 15 criteria were not met: The value of 5 criteria reached 90-99 %, of 9 - 50-89 %, of 1 - 0-49 %.

¹¹ Commission Implementing Regulation (EU) 2022/160 of 4 February 2022 laying down a uniform minimum frequency for certain official controls in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council to verify compliance with Union animal health requirements and repealing Regulations (EC) No 1082/2003 and (EC) No 1505/2006.

of the damage. The criterion of complaints received does not appear in the risk assessment instructions of 5 out of 12 economic operators. Complaints are assessed indirectly and, in such cases, the criteria overlap. The weighting of the complaint criterion in the risk assessment of economic operators varies. Unjustified assessment criteria and their scores in the risk assessment Instructions create pre-conditions to the assessment of the entity in the wrong risk group and to an inappropriate frequency of inspections (Section 1.2, page 20).

- ✓ The risk assessment of economic operators and the drawing up of control plans are not automated in the Service. The investment draft¹² prepared in 2020 should have been implemented by the end of 2021 but has not yet been implemented in the absence of timely funding (EUR 1.344 million)¹³. The manual risk assessment of economic operators is more time consuming and prone to human error: we found 12 % of errors in cases¹⁴ where the risk score was incorrectly calculated, where the risk group identified in the risk assessment sheet was not the same as that recorded in the control plan, etc. The lack of automation of risk assessment and control plans does not ensure transparency in the planning of state control, with data being stored in several unconnected systems and in paper files (Section 1.2, page 21).
- ✓ In 8 (out of 10) Territorial Departments, at least one inspector was involved in the working groups for the development of the control plans for 2020-2021, although the functions of planning and carrying out inspections should be separated. 27% (51 out of 189) of the inspectors surveyed indicated that they had been involved in such a working group at least once in 2019-2021. 13% (25 out of 189) of the inspectors surveyed indicated that they had not been rotated to another department or division in 2019-2021. This does not ensure transparency and impartiality in the planning and execution of control (Section 1.3, page 22).

2. State food and veterinary control should be more targeted and effective

- ✓ The supervisory activities of the Service were not directed to the high-risk operators, with the share of inspections of the high-risk operators ranging from 17.9 % to 20.1 % in food control, and from 1.8 % to 2.6 % in the veterinary control area of all inspections. Unplanned inspections accounted for almost half¹⁵, and in 2020 exceeded 50 % of all inspections carried out. More than half (52 %) of the surveyed inspectors say that unplanned inspections prevent planned inspections, resulting in some delays or complete failures of part of the inspections. Inspections are considered to be the most expensive supervisory tool, but the share of resources in the Service for physical inspections decreased by only 2 percentage points between 2019 and 2021 (from 44 % to 42 %), before increasing again in 2022 (to 46 %) and didn't reach the Service's target of 35 % of the total available resources. Due to the high number of unplanned inspections and the focus of the Service's activities on non-sensitive operators, the use of resources is not efficient. (Section 2.1, pages 25-27).

¹² "Establishment of a national food control information system".

¹³ The end of the project was postponed to the end of 2023.

¹⁴ After reviewing the risk assessment sheets of the 311 operators selected and the operators' control plans for 2021, we found 37 errors.

¹⁵ Between 2019 and 2021, unplanned inspections in the area of food quality and safety accounted for 39.3 % to 52.8 % and for animal health and welfare 42.3 % to 54.2 % of the total number of inspections carried out.

- ✓ The Service does not monitor the number of violations detected in planned and unplanned inspections and does not analyse the statistics on recurrent violations. Without monitoring or analysing these data, it is not possible to assess which type of inspections contain more proven cases or trends in recurrent violations, and it is not possible to take appropriate selection and resource efficiency decisions (Section 2.1, page 28).
- ✓ The Service has developed a complaint-handling programme¹⁶ to categorise complaints received into risk levels and to differentiate them in relation to the organisation of inspections, but in the audited period almost all complaints received¹⁷ initiated unplanned inspections, of which only more than a quarter were confirmed in the food sector¹⁸ and more than a third in the veterinary field¹⁹. The high number of unplanned inspections due to complaints received is one of the reasons for an increase in workload, non-implementation of plans and inefficient allocation of resources (Section 2.1, page 29).
- ✓ The State Food and Veterinary Service published the control questionnaires on the website but did not use other active dissemination methods. 94 % (16 out of 17) of the business associations surveyed claim that the dissemination of questionnaires is insufficient or only partially sufficient. When preparing or amending them, supervisory authorities should consult economic operators or associations representing them, but the Service has not done so. The lack of dissemination of questionnaires does not allow economic operators to use them as a means of self-monitoring and to raise awareness of how to carry out their economic activities properly. In 17 (out of 149) questionnaires, 33 questions are ambiguous and abstract in nature. 43 % (64 out of 149) of the questionnaires did not refer to the legislation on which the questions were based. This does not guarantee the proper quality of the questionnaires and makes it difficult for economic operators to understand what actions they need to take in order to comply with the requirements (Section 2.2, pages 31-34).
- ✓ The workload in the departments is uneven. The calculations of the inspectors' workload on the basis of the inspections carried out showed that in 2021 the maximum and minimum number of inspections per inspector varies by up to three times in the departments. According to the Service, there was a 21 % (126) shortfall of employees in the departments in 2021 performing the functions of control and prevention of economic operators, of which 10 % are inspectors. The implementation of certain control plans was as low as 50 % between 2020 and 2021²⁰. The lack of human resources, the high and uneven workload has a negative impact on the effective implementation of the national control plans (Section 2.3, page 34).

¹⁶ In the area of food, in 2019-2021, all complaints received were subject to inspections, while in the veterinary field, 95 % of complaints received were subject to inspections in 2020-2021.

¹⁷ In the area of food, in 2019-2021, all complaints received were subject to inspections, while in the veterinary field, 95 % of complaints received were subject to inspections in 2020-2021.

¹⁸ Between 2019 and 2021, 26 % of complaints were confirmed in food and 28 % in 2021.

¹⁹ In the veterinary field, 37 % of complaints were confirmed in 2020 and 39 % in 2021.

²⁰ For example: Implementation of the 2020 food control plan in Marijampole Department was 17%, Alytus – 46%, Vilnius – 24 %.

- ✓ The quality control of the veterinary service²¹ is not assigned to any authority in Lithuania and is therefore not carried out. There are no regulated requirements for the assessment of the health status of animals and the state control of veterinary services, therefore the Service does not assess the treatment used, the method of treatment chosen, does not control²² the diagnosis of diseases. Failure to ensure an assessment of the quality of the veterinary services provided does not create preconditions for better animal health (Section 2.4, page 37).

3. The Service's prevention activities need to improve the understanding of economic operators about the proper conduct of their activities

- ✓ The share of the Service's planned resources for advice, information and prevention remained stable (25 %) between 2019 and 2022 and the actual figures for the resources used were almost doubled from those planned (42 % in 2022)²³. The Service does not draw up a general summary or list of prevention measures. Cases of non-compliance identified during inspections are not analysed in a complex manner and there is therefore no distinction between areas requiring prevention. This does not ensure targeted planning of prevention measures and is not necessarily carried out in the control areas where the likelihood of the occurrence of damage is highest (Section 3.1, page 38).
- ✓ The Service does not conduct an analysis of the effectiveness of preventive measures, does not carry out an analysis of the implementation of preventive measures by the departments and does not systematically plan measures for the following year. In its departments, the number of preventive measures planned for operators in the food and veterinary fields decreased: in 2022, 11% less training was planned in 2022 than in 2021. 71 % (12 out of 17) of the associations indicated that they were not consulted by the Service on the planned preventive measures. The implementation of these measures varies between departments: 80 % of departments didn't implement all measures in 2020 (implementation of measures was between 31 % and 55 %); and in 2021-2022, the overall implementation of all departments exceeded 100 %. Without assessing the effectiveness of the preventive measures, it is not known which measure has the greatest impact on economic operators and is to be included in the plan (Section 3.2, page 40).

²¹ 'Veterinary service' means a service provided by a veterinary service provider, for a fee or free of charge, by a veterinary service provider: consultation on animal welfare and health issues, diagnosis, treatment and prevention of animal diseases, temporary holding and care of animals for medical purposes in the premises of the veterinary service provider, marking of animals, determination of causes of animal mortality, etc.

²² In accordance with Paragraphs 2 and 8 of Article 6(1) of the Law on Veterinary Activities, Article 3 of the Law on Animal Welfare and Protection, paragraphs 14.1 and 14.4 of the Regulations of the State Food and Veterinary Service, the Service carries out state veterinary supervision, registration of veterinary control entities and their places of activity, issuing licences for veterinary practice and monitoring of training of veterinarians.

²³ The share of resources allocated to the State Food and Veterinary Service for counselling, information and prevention decreased by 5 % (from 47 % to 42 %) in 2021-2022 and by 2 % (from 44 to 42 %) between 2019 and 2022.

Recommendations

To the State Food and Veterinary Service

1. To ensure that the Service's resources are used efficiently and that inspections are more targeted, assess the risk of all economic operators under the Service's control and assign all economic operators to the correct risk group.
2. To separate the functions of control planning and execution, form working groups for the preparation of national control plans in such a way as to exclude inspectors carrying out inspections of economic operators.
3. Allocate resources efficiently when supervising/inspecting economic operators, with the majority of physical inspections taking place where the likelihood and scale of damage is highest.
4. Base decisions on control actions (inspections, etc.) on the results of trend analysis of inspections carried out or violations detected, to improve the targeting of inspections and the efficiency of resources:
 - ✓ automating the risk assessment of economic operators and drawing up annual control plans. Having all information on planned and unplanned inspections and violations detected in one or linked systems, so that this information can be filtered and analysed by different breakdowns;
 - ✓ assessing the effectiveness and efficiency of the supervision of economic operators and planning inspections in the light of the assessment results.
5. Improve control questionnaires for economic operators as a means of self-monitoring making them understandable to all participants in the control process and ensure their dissemination.
6. Implement preventive measures in a targeted and consistent manner to educate and inform economic operators about the proper conduct of their activities:
 - ✓ planning prevention measures for the coming year on the basis of the analysis and priorities identified;
 - ✓ carrying out an assessment of the effectiveness of preventive measures to identify the most effective measures.

To the Ministry of Agriculture

7. Ensure effective regulation of the selection of economic operators engaged in agricultural activities for inspections carried out by the Service to reduce the administrative burden on economic operators engaged in agricultural activities and to optimise the resources of the Service.
8. Assess the need for regulatory changes to provide quality veterinary services.

During the audit, we submitted written proposals to the Service:²⁴ to review the functions assigned to the Service by law and consistently transpose them into the regulations of the Service, its divisions or departments; to establish a format (template) for the submission of information provided by departments on the results of the implementation of quarterly control plans; to specify the periodicity of the review of the control questionnaires; to publicise information on complaints received in the field of animal health and welfare; to implement the recommendations made by the Ministry of the Economy and Innovation in 2018 on improving the quality of advice; in the future, when the EC will set up a system to monitor the results of official controls in all EU countries, to analyse and evaluate these data and EU statistics on food-borne diseases and animal transmissible diseases and to establish Service's performance criteria on the basis of these analyses; to adjust the wording of the functions provided for in the Statutes of the National Institute of Food and Veterinary Risk Assessment, a subordinate body of the Authority, in line with the activities actually entrusted to the Institute by the legislation and in line with the competences established.

The measures and deadlines for implementing the recommendations, the expected impact of the audit and the indicators for measuring change are set out in the section of the report entitled 'Recommendations Implementation Plan' (page 43). Up-to-date information on the status of implementation of the recommendations, results and developments is published in the Open Data Section of the National Audit Office's website <https://www.valstybeskontrole.lt/LT/AtviriDuomenys>.

²⁴ The share of resources allocated to the State Food and Veterinary Service for counselling, information and prevention decreased by 5 % (from 47 % to 42 %) in 2021-2022 and by 2 % (from 44 to 42 %) between 2019 and 2022.