REQUEST FOR EXCHANGE OF INFORMATION

REQUEST DETAILS	
Requesting institution	Federal Food Safety and Veterinary Office FSVO
Country	Switzerland
Date of request	**29.04.2020**
Request Number select from excel file	**154**
Title of request	**Mycotoxins in official controls**
Description of request (including background)	**Background:** In Switzerland, official controls for aflatoxins and ochratoxins in food are carried out either as a.) sampling at retail stage resp at point of sale or b.) as a sampling at the warehouse of the importer / wholesaler. The sampling is based on procedures described in Reg (EU) 401/2006. According to Article 5 of the Swiss Food Enforcement Ordinance the following shall apply: *If an unsafe food or an unsafe consumer product is part of a batch, it is to be assumed that all food or consumer products from this batch are also unsafe, unless a detailed examination shows that the rest of the batch is safe.* Sampling at retail stage is usually limited to a few sales units. If a sample at retail stage contains mycotoxins above the legal limit, a more extensive investigation is carried out by the importer/ wholesaler under the supervision of the competent authorities :

- a representative sample on the remaining goods in Switzerland (which is then considered as a sublot of the total lot) or

- a test report of a representative sampling of the entire lot in accordance with Regulation (EU) 401/2006 at the foreign producer.

In some cases reported by our competent authorites, importers can prove conformity of the entire lot by an analysis according to Reg (EU) 401/2006, taken at the foreign production site, whereas samples in Switzerland were tested positiv (samples at retail stage as well as representive tested sublots according to Reg (EU 401/2006).

We would be interested to hear what experience you have in this subject. We would therefore appreciate it if you could give us an answer to the following questions:

1.Do you have cases in your country where representative samples according to Reg (EU) 401/2006 exceed the legal maximum level, but the foreign producer proves conformity with representative sampling on the entire lot? If yes:

a. What measures do you take in your country?

b. Do you inform the authority of the country of origin so that further clarifications can be made at the production site?

c. Do you inform countries, which have also purchased the affected lot, so that they can also carry out checks if necessary?

2. The goods at the foreign producer are usually sampled before packaging. However, the mycotoxin content might be influenced by packaging or transport conditions.

A: Are this influences taken into account by your enforcement authority, especially for food with a high residual moisture?

B: Is an analysis report only taken into account when the sampling was done on packed goods?

C: Do you limit the validity of analysis reports (similar to the requirements in Art 11 Reg (EU) 2019/1793 where the analysis report is valid for three months)?

3. In order to accept the conformity of a consignment in the country of destination, what documents must be provided by the importer

- Sampling protocol (or is the sentence "sampling according to Reg (EU) 401/2006"” sufficient?)

	- Information on sample preparation in the laboratory - Laboratory analysis - Proof that it is the lot in question/ traceability proof. - other documents? Which ones?
Deadline for submission of replies	**30/06/2020**
Remit(s) of request More than one option can be listed	**Contaminants (CONTAM)**
Request concern(s)	**Risk assessment** **Risk management** **Outside EFSA: RASFF-network**
Title(s) or link(s) to back-ground document(s)	

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[1] *This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.*

REPLYING COUNTRY: Albania

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Date of reply	**DD/MM/YYYY**
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REPLYING COUNTRY: Switzerland

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