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Republic of Latvia

Cabinet

Regulation No. 494
Adopted 9 March 2003

Procedures regarding Importation of Milk and Milk-Based Products into Latvia

Issued pursuant to
Section 42, Clause 8 of the Veterinary Medicine Law

I. General Provisions

1. These Regulations prescribe the procedures regarding the importation of raw milk, heat-treated milk, milk for the manufacture of milk-based products and milk-based products intended for human consumption (hereinafter – milk) into Latvia.

2. These Regulations shall not affect milk that:

2.1. in accordance with the accompanying documents is intended for purposes other than human consumption (for example, exhibitions, research). In such case, the consignee shall obtain a permit from the Food and Veterinary Service and shall ensure the storage of the milk, destruction of its waste or its shipment back to the exporting state. The territorial units of the Food and Veterinary Service shall ensure that the milk is used for the purposes intended; or

2.2. is intended for serving as food to passengers and crew of international cruises, international flights and international trains. If milk and its residues are unloaded, they shall be destroyed. Milk and its residues shall not be destroyed, if they are transferred to another means of transport under the supervision of the responsible official of the customs authority.

3. It is permitted to import milk into Latvia in compliance with the requirements prescribed by these Regulations, regulatory enactments regarding the handling of food, as well as regulatory enactments associated with the field of customs, after a veterinary inspection has been performed by a State Sanitary Border Inspector with veterinarian qualifications.

II. Milk Exporting States and Undertakings (Companies) Permitted to Import Milk into Latvia

4. It is permitted to import milk into Latvia from such states or parts thereof, which are included in the list of milk exporting states. The list of milk exporting states shall be established and maintained by the Food and Veterinary Service, and the Minister for Agriculture shall approve it.

5. It is permitted to import such milk into Latvia, which has been produced in the undertakings (companies) of a state included in the list of milk exporting states, which ensure

compliance with the requirements prescribed in Latvia or with requirements equivalent to such and are included in the list of milk exporting undertakings (companies). The list of milk exporting undertakings (companies) shall be established and maintained by the Food and Veterinary Service, and the Minister for Agriculture shall approve it.

6. If a state, a part thereof or an undertaking (company) is not included in the list referred to in Paragraphs 4 and 5 of these Regulations, the Food and Veterinary Service shall perform an inspection in the relevant state, a part thereof or the undertaking (company) on the basis of a mutual agreement with the competent authority of the relevant state and in accordance with the guidelines for the evaluation of state veterinary services developed by the International Epizootic Office and the principles of the Agreement on the Application of Sanitary and Phytosanitary Measures of the World Trade Organisation. Expenditures related to the performance of the inspection shall be covered by the relevant state or undertaking (company).

7. If a state or part thereof is not included in the list referred to in Paragraph 4 of these Regulations, in order to establish whether a state or part thereof complies with the requirements prescribed in Latvia or with requirements equivalent to such, and to take a decision regarding the admission of a state or part thereof to the list of milk exporting states, the Food and Veterinary Service shall, with respect to the relevant state, assess the following:

- 7.1. the animal health situation;
- 7.2. the structure and authority of the veterinary service;
- 7.3. regulatory enactments regarding the circulation of animal feedstuff and the field of veterinary medicine, and measures regarding the prevention and combating of animal diseases;
- 7.4. use of feed additives, veterinary drugs and other substances for animals, and control of such;
- 7.5. environmental pollution that may affect human and animal health;
- 7.6. information system efficiency and contribution on a regular basis to awareness regarding outbreaks of animal diseases and prevention of spread of such; and
- 7.7. guarantees provided regarding control of the issues referred to in this Paragraph.

8. After the assessment of a state or part thereof in accordance with the requirements referred to in Paragraph 7 of these Regulations, the Food and Veterinary Service shall submit proposals to the Ministry of Agriculture regarding the admission of the relevant state, a part thereof or an undertaking (company) to the relevant list.

9. The Food and Veterinary Service shall be responsible for the preparation and supplementation of the lists referred to in Paragraphs 4 and 5 of these Regulations in accordance with changes in the lists of milk exporting states and undertakings (companies) of the European Union, as well as for their publication in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia] within two working days after the admission of a state, a part thereof or an undertaking (company) to the relevant list.

III. Requirements for Undertakings (Companies) of the Republic of Latvia Permitted to Import (Receive) Milk into Latvia

10. Milk may be imported into (received) Latvia by an undertaking (company) registered in the Enterprise Register of the Republic of Latvia that is included in the list approved by the Minister for Agriculture and the activities of which at all stages in the handling of food

comply with the requirements prescribed by the regulatory enactments regarding handling of food.

11. The proposals of the Food and Veterinary Service regarding the admission of a milk importing undertaking (company) to the relevant list or its deletion therefrom shall be examined by a commission established by the Minister for Agriculture (hereinafter – commission) and approved by the Minister for Agriculture.

12. The Food and Veterinary Service shall:

12.1. examine compliance with the requirements regarding the handling of foodstuffs in an undertaking (company) at the request of the owner of the undertaking (company) or a person authorised by the owner; and

12.2. if the opinion is positive, submit proposals regarding the inclusion of the relevant undertaking (company) in the list of importing undertakings (companies), which list shall be published in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia].

13. If a milk importing undertaking (company) fails to comply with the requirements regarding handling of food prescribed by regulatory enactments, the Minister for Agriculture is entitled, upon a recommendation of the Food and Veterinary Service or other State supervision and control institutions, which has been examined by the commission, to delete the undertaking (company) from the list of milk importing undertakings. The relevant amendments shall be published in the newspaper *Latvijas Vēstnesis*.

IV. Restrictions on the Importation of Milk

14. It is permitted to import such milk into Latvia as a postal consignment and as personal luggage (if a person is crossing the border), which:

14.1. is intended for personal consumption;

14.2. is imported from a state or part thereof, which is included in the list approved by the Minister for Agriculture; and

14.3. is obtained in a state or part thereof, which is not affected by infectious diseases and in which the risk of importation of relevant diseases does not exist.

15. If the conditions referred to in Paragraph 14 of these Regulations are violated, the milk shall be heat-treated or destroyed at a location co-ordinated with the Food and Veterinary Service in accordance with the procedures prescribed by the regulatory enactments regarding further use and distribution of foods unusable for distribution.

16. When milk is imported into Latvia, a veterinary (health) certificate (hereinafter – certificate) approved by the Food and Veterinary Service shall be required. The certificate shall attest that the milk meets the requirements prescribed in Latvia and is obtained from animals not fed in their lifetime with feedstuff containing tissues of ruminants.

17. It is not permitted to import into Latvia:

17.1. milk that has been treated with ionising or ultraviolet radiation;

17.2. milk treated with substances that affect, or may affect, the quality or organoleptic characteristics of milk;

17.3. milk that does not comply with the mandatory harmless and quality requirements prescribed by regulatory enactments;

17.4. milk that is not packaged and labelled in accordance with the requirements prescribed by regulatory enactments;

17.5. milk during the production, storage and transport of which the requirements prescribed by regulatory enactments have not been complied with; and

17.6. milk the trade name of which does not comply with the trade names prescribed by regulatory enactments.

18. It is prohibited to import milk from states or parts thereof, included in the list referred to in Paragraph 4 of these Regulations, if the state, part thereof or the herd within it has been, or is, in accordance with the International Animal Health Code, developed by the International Epizootic Office, considered as affected by infectious diseases, and there is a risk of importing the relevant disease. The Food and Veterinary Service shall assess the risk factor on the basis of the requirements of the Agreement on the Application of Sanitary and Phytosanitary Measures of the World Trade Organisation and the veterinary requirements of Latvia.

19. The importer of the consignment – the owner of the consignment or a person authorised by the owner – shall notify the control point of the Sanitary Border Inspection of the Food and Veterinary Service, regarding the consignment, and the place and time of the importation of such at least 24 hours prior to the importation of the milk. The Sanitary State Border Inspection of the Food and Veterinary Service shall notify the importer of the consignment regarding importation procedures (if there are changes in the importation regulations).

V. Veterinary Inspection of Milk

20. Veterinary inspection of the consignment shall be performed at the state border, in free zones, free warehouses and custom warehouses in accordance with the regulatory enactments regarding procedures for food control.

21. If non-compliance with the requirements prescribed by the regulatory enactments regarding the handling of food is determined, the State Sanitary Border Inspector has the right to prohibit importation of the milk, and:

21.1. if a threat to human and animal health or life, or the environment exists, to hold the consignment for destruction and to supervise it until the moment when supervision is taken over by the territorial units of the Food and Veterinary Service. The consignment for destruction shall be transported in accordance with the procedures prescribed by the regulatory enactments regarding further use and destruction of food unusable for distribution to a location co-ordinated with the Food and Veterinary Service and under the supervision thereof;

21.2. to send the consignment back if it does not endanger human and animal health or life, or the environment; and

21.3. to decide, at the request of the importer of the consignment and in accordance with the instructions of the Food and Veterinary Service, regarding the processing and destruction of the consignment, or utilisation of such for other purposes (other than human consumption) by assessing the harmlessness of the consignment.

22. Expenditures related to the destruction, forced processing or transportation of the consignment to the processing or destruction location shall be covered by the importer of the consignment.

23. The certificate (the original) shall be valid for the importation of milk, if:
- 23.1. it has been completed in the Latvian language or a language chosen by the exporting state;
 - 23.2. it has been drawn up for each consignment;
 - 23.3. it has been issued on the day of dispatch of the consignment;
 - 23.4. it has been drawn up on one page or on several pages, which have been folded, fastened and stamped in the top left-hand corner; and
 - 23.5. it has been signed and stamped by a veterinarian authorised by a competent authority of the exporting state and if it certifies that the milk meets the requirements prescribed by the regulatory enactments of Latvia regarding handling and harmlessness of food, as well as the quality requirements or requirements equivalent to such and is exported from undertakings (companies) included in the list of exporting undertakings. If the certificate contains deletions, a competent authority of the exporting state shall certify such with a signature and seal.
24. The certificate shall indicate the following information:
- 24.1. the name of the exporting state;
 - 24.2. the approval number of the undertaking;
 - 24.3. the indication “No termiski neapstrādāta piena” [made with raw milk] for milk-based products manufactured from raw milk; and
 - 24.4. the use-by date for products in which growth of micro-organisms can occur.
25. If the exporting state fails to comply with the requirements prescribed by the regulatory enactments regarding the handling of food, as well as the requirements prescribed in Latvia regarding certificates, other accompanying documents and inspections, the importer of the consignment shall be punished in accordance with the procedures prescribed by the regulatory enactments of the Republic of Latvia.

VI. Closing Provisions

26. Cabinet Regulation No. 320 of 25 August 1998, Procedures Regarding Importation of Milk and Milk-Based Products into Latvia (*Latvijas Vēstnesis*, 1998, No. 246/247), is repealed.
27. These Regulations shall come into force on 1 October 2003.

Informative Reference to the European Union Directive

Legal norms arising from the directive 92/46/EEC have been included in these Regulations.

Prime Minister

E. Repše

Minister for Agriculture

M. Roze