Dr. Ulrich Herzog  
Chief Veterinary Officer  
Federal Ministry of Social Affairs, Health, Care and Consumer Protection  
(Bundesministerium für Soziales, Gesundheit, Pflege und  
Konsumentenschutz-BMSGPK)  
Radetzkystrasse 2  
A-1030 Vienna, Austria

Dear Dr. Herzog,

The United States Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS) conducted a remote ongoing verification audit of Austria’s meat (processed pork) inspection system from September 27 to November 5, 2021. Enclosed is a copy of the final audit report. The comments received from the Government of Austria are included as an attachment to the report.

For any questions regarding the FSIS audit report, please contact the Office of International Coordination at InternationalCoordination@usda.gov.

Sincerely,

Michelle Catlin, PhD  
International Coordination Executive  
Office of International Coordination

Enclosure
FINAL REPORT OF A REMOTE AUDIT CONDUCTED OF

AUSTRIA

SEPTEMBER 27–NOVEMBER 5, 2021

EVALUATING THE FOOD SAFETY SYSTEMS GOVERNING

PROCESSED PORK PRODUCTS

EXPORTED TO THE UNITED STATES OF AMERICA

March 29, 2022

Food Safety and Inspection Service
United States Department of Agriculture
Executive Summary

This report describes the outcome of a routine equivalence verification audit by the United States Department of Agriculture’s (USDA) Food Safety and Inspection Service (FSIS) from September 27–November 5, 2021. Due to the global COVID-19 pandemic, the audit was conducted remotely using video conferences to conduct interviews and records review. The purpose of the audit was to determine whether Austria’s food safety inspection system governing processed pork products remains equivalent to that of the United States, with the ability to export products that are safe, wholesome, unadulterated, and correctly labeled and packaged. Austria currently exports Not Heat Treated – Shelf Stable, Heat Treated – Shelf Stable, Heat Treated but Not Fully Cooked – Not Shelf Stable and Fully Cooked – Not Shelf Stable pork products to the United States.

The audit focused on six system equivalence components: (1) Government Oversight (e.g., Organization and Administration); (2) Government Statutory Authority and Food Safety and Other Consumer Protection Regulations (e.g., Inspection System Operation, Product Standards and Labeling); (3) Government Sanitation; (4) Government Hazard Analysis and Critical Control Point (HACCP) System; (5) Government Chemical Residue Testing Programs; and (6) Government Microbiological Testing Programs.

The FSIS auditors concluded that Austria’s pork products inspection system is organized to provide ultimate control, supervision, and enforcement of regulatory requirements. The CentralCompetent Authority (CCA) has required that establishments certified as eligible to export pork products to the United States implement sanitary operating procedures and a HACCP system designed to improve the safety of their exported products. In addition, the CCA has implemented a microbiological testing program that is organized and administered by the national government to verify its food safety inspection system. An analysis of each component did not identify any findings that represented an immediate threat to public health.
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I. INTRODUCTION

The Food Safety and Inspection Service (FSIS) of the United States Department of Agriculture (USDA) conducted a remote audit of Austria’s food safety system from September 27 – November 5, 2021. The audit began with an entrance meeting held via videoconference on September 27, 2021, with representatives from the Central Competent Authority (CCA) — Federal Ministry of Social Affairs, Health, Care and Consumer Protection — Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (BMSGPK). Representatives from BMSGPK participated throughout the audit.

II. AUDIT OBJECTIVE, SCOPE, AND METHODOLOGY

This was a routine ongoing equivalence verification audit that was conducted remotely. The audit objective was to determine whether the food safety inspection system governing processed pork products remains equivalent to that of the United States, with the ability to export products that are safe, wholesome, unadulterated, and correctly labeled and packaged. Austria is eligible to export the following categories of products to the United States:

<table>
<thead>
<tr>
<th>Process Category</th>
<th>Product Category</th>
<th>Eligible Products¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Heat Treated - Shelf Stable</td>
<td>Ready-to-eat (RTE) Acidified/Fermented Meat (without cooking)</td>
<td>Pork - All Products Eligible</td>
</tr>
<tr>
<td>Not Heat Treated - Shelf Stable</td>
<td>RTE Dried Meat</td>
<td>Pork - All Products Eligible</td>
</tr>
<tr>
<td>Heat Treated - Shelf Stable</td>
<td>RTE Acidified/Fermented Meat (without cooking)</td>
<td>Pork - All Products Eligible</td>
</tr>
<tr>
<td>Heat Treated but Not Fully Cooked - Not Shelf Stable</td>
<td>Not ready-to-eat (NRTE) Otherwise Processed Meat</td>
<td>Pork - All Products Eligible</td>
</tr>
<tr>
<td>Fully Cooked - Not Shelf Stable</td>
<td>RTE Fully-Cooked Meat</td>
<td>Pork - All Products Eligible</td>
</tr>
<tr>
<td>Fully Cooked - Not Shelf Stable</td>
<td>RTE Meat Fully-Cooked Without Subsequent Exposure to the Environment</td>
<td>Pork - All Products Eligible</td>
</tr>
</tbody>
</table>

The USDA’s Animal and Plant Health Inspection Service (APHIS) recognizes Austria as free of foot-and-mouth disease, free of swine vesicular disease, low risk of classical swine fever (CSF) as part of APHIS-defined European CSF region, and affected with African swine fever.

Prior to the remote equivalence verification audit, FSIS reviewed and analyzed BMSGPK’s Self-Reporting Tool (SRT) responses and supporting documentation. During the audit, the FSIS auditors conducted interviews and reviewed records to determine whether Austria’s food safety inspection system governing processed pork products is being implemented as documented in the country’s SRT responses and supporting documentation.

¹ All source meat used to produce products must originate from eligible countries and establishments certified to export to the United States.
FSIS applied a risk-based procedure that included an analysis of country performance within six equivalence components, product types and volumes, frequency of prior audit-related site visits, point-of-entry (POE) reinspection and testing results, specific oversight activities of government offices, and testing capacities of laboratories. The review process included an analysis of data collected by FSIS over a three-year period, in addition to information obtained directly from BMSGPK through the SRT.

Determinations concerning program effectiveness focused on performance within the following six components upon which system equivalence is based: (1) Government Oversight (e.g., Organization and Administration); (2) Government Statutory Authority and Food Safety and Other Consumer Protection Regulations (e.g., Inspection System Operation, Product Standards and Labeling, and Humane Handling); (3) Government Sanitation; (4) Government Hazard Analysis and Critical Control Point (HACCP) System; (5) Government Chemical Residue Testing Programs; and (6) Government Microbiological Testing Programs.

The FSIS auditors reviewed records related to administrative functions and oversight at BMSGPK’s headquarters, as well as government verification records from one provincial office, and three local inspection offices within the establishments. The remote audit involved meetings with government personnel. FSIS scheduled two meetings each week over a six-week period. FSIS did not conduct virtual establishment visits as part of these remote audits. Through records review, the FSIS auditors evaluated the implementation of control systems that ensure the national system of inspection, verification, and enforcement is being implemented as documented in the SRT and supporting documentation.

The FSIS auditors selected all three pork processing establishments certified as eligible to export to the United States for the remote audit. The products these establishments produce and export to the United States include RTE fully-cooked pork; ready-to-eat (RTE) acidified / fermented pork (without cooking); and NRTE otherwise processed pork. Austria presently has no slaughter establishments certified as eligible to export to the United States; therefore, the pork processing establishments source their raw pork products from certified slaughter establishments in eligible countries that have equivalent raw products inspection systems.

The remote audit focused on a review of records associated with official government verification activities conducted at the selected establishments. The FSIS auditors assessed BMSGPK’s ability to provide oversight through supervisory reviews conducted in accordance with FSIS equivalence requirements for foreign food safety inspection systems outlined in Title 9 of the United States Code of Federal Regulations (9 CFR) 327.2.

<table>
<thead>
<tr>
<th>Remote Audit Scope</th>
<th>#</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competent Authority</td>
<td>1</td>
<td>• BMSGPK Headquarters, Vienna</td>
</tr>
<tr>
<td>Provincial Office</td>
<td>1</td>
<td>• Upper Austrian Provincial Veterinary Services, Linz</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Tyrol Provincial Veterinary Services, Innsbruck</td>
</tr>
<tr>
<td>Pork processing establishments</td>
<td>3</td>
<td>• Establishment No. AT40776EG, Hochreiter Fleischwaren GmbH, Bad Leonfelden</td>
</tr>
</tbody>
</table>
FSIS performed the remote audit to verify that the food safety inspection system meets requirements equivalent to those under the specific provisions of United States laws and regulations, in particular:

- The Meat Inspection Regulations (9 CFR Parts 301 to the end).

The audit standards applied during the review of Austria’s inspection system for processed pork products included: (1) all applicable legislation originally determined by FSIS as equivalent as part of the initial review process, and (2) any subsequent equivalence determinations that have been made by FSIS under provisions of the World Trade Organization’s Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement).

### III. BACKGROUND

From May 1, 2018 to April 30, 2021, FSIS import inspectors performed 100 percent re-inspection for labeling and certification on 171,686 pounds of pork products from Austria. This included 4,726 pounds of RTE fully-cooked pork; 10,075 pounds of RTE acidified / fermented pork (without cooking); and 156,885 pounds of NRTE otherwise processed pork exported by Austria to the United States.

Of these amounts, additional types of inspection were performed on 3,141 pounds of pork (1,540 pounds of RTE fully-cooked pork; and 1,601 pounds of RTE acidified / fermented pork (without cooking). These additional types of inspection included physical examinations and testing for microbiological pathogens (*Listeria monocytogenes* [*Lm*] and *Salmonella*), for which no products were rejected for issues related to public health.

The prior FSIS audit in 2018 identified the following finding:

**Summary of Findings from the 2018 FSIS Audit of Austria**

<table>
<thead>
<tr>
<th>Component 3:  Government Sanitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Three pieces of equipment (i.e., a shovel, utensil, and combo bin) that are food contact surfaces had fraying and/or cracked plastic. The plastic could potentially tear off and contaminate the product. The government inspectors were not adequately verifying that food contact surfaces of equipment are designed and maintained to prevent the potential for contamination of products. During the 2016 audit, similar findings were identified on other pieces of equipment that are food contact surfaces.</td>
</tr>
</tbody>
</table>

In this current audit, the FSIS auditors verified through review of records that the corrective actions for the previously reported findings were implemented and effective in resolving the findings.
The most recent FSIS final audit reports for Austria’s food safety inspection system are available on the FSIS website at: https://www.fsis.usda.gov/inspection/import-export/international-reports/foreign-audit-reports.

IV. COMPONENT ONE: GOVERNMENT OVERSIGHT (e.g., ORGANIZATION AND ADMINISTRATION)

The first equivalence component the FSIS auditors reviewed was Government Oversight. FSIS import regulations require the foreign food safety inspection system to be organized by the national government in such a manner as to provide ultimate control and supervision over all official inspection activities; ensure the uniform enforcement of requisite laws; provide sufficient administrative technical support; and assign competent qualified inspection personnel at establishments where products are prepared for export to the United States.

The national government of Austria organizes and manages the food safety system governing processed pork products that are exported to the United States. BMSGPK consists of seven sections. Section III consists of Group A and Group B, and Group B of Section III consists of 7 departments and is responsible for consumer health and veterinary services. The Department III/B/12, Hygiene in Meat Production, Animal By-Products and Export Certification, led by the Central Veterinary Officer, governs processed pork products exported to the United States. This department is responsible for issuing implementing decrees, guidelines, and checklists for inspection, and the Risk-Based National Control Plan. This department also organizes trainings and audits in coordination with provincial and district offices. Austria’s inspection system has the authority and responsibility to enforce the laws and regulations governing meat inspection and to certify products for export to the United States per the Austrian statute Complete Statutory Regulations for the Food Safety and Consumer Protection Act (Lebensmittelsicherheits- und Verbraucherschutzgesetz, hereinafter denoted as LMSVG).

There are nine provincial veterinary offices (PVO), which are headed by Provincial Veterinary Officers who oversee Firstline Veterinarians, who oversee Frontline Veterinarians assigned to establishments certified to export to the United States. Provincial offices are responsible for the implementation and organization of official controls over meat inspection. There are 94 district offices, which are headed by District Veterinary Officers (DVO) and are responsible for handling export certification and hygiene control inspections. The three establishments certified to export to the United States fall under the jurisdiction of the Upper Austria and Tyrol provincial offices.

The FSIS auditors verified that BMSGPK ensures that the same set of laws, regulations, and policies is applied consistently to all establishments certified to export to the United States, which consists of ten specific implementing decrees, additional guidelines and checklists issued by BMSGPK, and European Union (EU) regulations. Specifically, Commission Implementing Regulation (EU) 2019/627 governs official controls for meat, and Regulation (EC) No 178/2002 and Regulation (EU) 2017/625 govern export approval. BMSGPK further implements their national legislation and LMSVG. The national legislation fully implements the EU requirements concerning food which states that establishments intending to export to a third country must comply with the minimum requirements of both the country of origin (Austria) and country of destination (e.g., United States). Additionally, meat inspection requirements implemented per the
EU requirements and LMSVG are further supplemented by and enumerated in the Meat Inspection Regulation 2006 (Fleischuntersuchungsverordnung 2006).

The FSIS auditors verified the process for certifying establishments as eligible to export to the United States as defined in LMSVG article 51 and National Decree No. 9, which outline approval procedures. Establishments that intend to export to the United States must have an official veterinarian from the provincial office review their requests and verify that the establishments meet U.S. requirements. Once this is verified at the provincial level, it is then forwarded to BMSGPK level for final approval and issuance of a decree listing the establishment as eligible. The FSIS auditors reviewed the approval records and decree for the establishment in the Tyrol province recently listed as eligible and identified no issues of concern.

The FSIS auditors reviewed the export certification process as outlined in LMSVG article 52 and National Decree No. 10, which require establishments to meet the requirements of the country to which they are exporting. Frontline Veterinarians verify that these requirements are met prior to certifying the export by reviewing the pre-shipment review, conduct a visual inspection of products being certified for export, and review traceability records. Additionally, the Frontline Veterinarians review and ensure that test results of all samples are acceptable prior to signing the export certificate. If any noncompliance is identified, the Frontline Veterinarian will not sign the export certificate and export eligibility is suspended until corrective actions are taken. Export stamps, certificates and seals are allocated to one Frontline Veterinarian in each establishment who is responsible for keeping it locked away and under their control.

The FSIS auditors verified that BMSGPK ensures that only source materials from establishments and countries certified as eligible to export to the United States can be used. Frontline Veterinarians verify during the export certification process that only eligible establishments are utilized for source material for each shipment. Austrian establishments that are certified as eligible to export processed pork products to the United States are sourcing raw products from certified slaughter establishments in the Netherlands. If establishments choose to add another source material supplier, they must request approval from the provincial office.

The FSIS auditors verified that there have not been any recalls at the establishments eligible to export to the United States. If Frontline Veterinarians identify that any adulterated or misbranded product has been shipped, they notify the provincial office who then notifies the BMSGPK central office. Austria also utilizes the EU Rapid Alert System for Food and Feed (RASFF) to notify other EU countries to which the product has shipped, and the BMSGPK central office notifies FSIS in the event that adulterated or misbranded product is shipped to the United States. Adulterated and misbranded products are defined under Article 5 of LMSVG, which prohibits such products from being placed on the market.

The FSIS auditors reviewed examples of noncompliance documented by Frontline Veterinarians, as well as records documenting corrective actions and verification of corrective actions by the Frontline Veterinarians. The provincial office reviews noncompliance records during their quarterly audits. The FSIS auditors verified that there have not been any enforcement actions or delistments of certified establishments eligible to export to the United States since the prior audit in 2018.
BMSGPK conducts annual audits of certified establishments eligible to export to the United States while PVOs conduct quarterly audits. Additionally, DVOs perform risk-based hygiene control inspections to verify proper implementation of EU and third country requirements. The FSIS auditors reviewed audit reports and records of control inspections that have been conducted since the prior audit in 2018 and verified that when deficiencies were identified, corrective actions were taken by the establishments and such corrective actions were verified by Frontline Veterinarians.

The FSIS auditors reviewed the qualifications of Frontline Veterinarians assigned to establishments and verified that inspection personnel are required to hold a diploma in Veterinary Medicine degree to qualify for their positions, in accordance with EU legislation and the Austrian Law on Training and Education. Frontline veterinarians assigned to establishments that export to the United States are trained on FSIS import requirements and must complete both practical and theoretical training prior to starting their assignment. Ongoing training is held by the BMSGPK headquarters for Frontline and Firstline Veterinarians once per year, with the exception of 2020 due to the COVID-19 pandemic. The FSIS auditors reviewed the most recent training records for the last training held in 2019, which covered FSIS import requirements, sanitation standard operating procedures (Sanitation SOPs) and HACCP verification, and microbiological sampling. Additionally, a virtual training was held in September of 2021, which covered FSIS import requirements.

The FSIS auditors reviewed duty rosters and verified that BMSGPK ensures Frontline Veterinarians are assigned at least once per shift to inspect and verify that all FSIS import requirements are met for pork products exported to the United States. The schedules additionally have a back-up Frontline Veterinarian assigned at least once per shift in the event that any unplanned absences arise. The FSIS auditors confirmed through a review of inspection records that BMSGPK inspection personnel are employees of the Austrian government who are hired and paid by the provincial government.

The FSIS auditors verified that information regarding FSIS requirements is conveyed to inspection personnel and establishments certified to export to the United States through e-mail communication, regular seminars, and trainings provided to provincial offices, district offices, and Frontline Veterinarians. BMSGPK central office monitors the FSIS website for any policy updates that need to be disseminated to inspection personnel.

The sole laboratory responsible for analyzing official samples of product intended for export to the United States is the Lower Saxony State Office for Consumer Protection and Food Safety (LAVES) laboratory in Germany. LAVES is accredited annually by a German accreditation body, Deutsche Akkreditierungsstelle (DAkkS), according to International Organization for Standardization (ISO)/International Electrotechnical Commission (IEC) 17025 standards. BMSGPK receives the accreditation certificates and associated annexes, which include the methods they are certified under; the methods are reviewed on an annual basis. The EU additionally audits this laboratory, and BMSGPK regularly reviews the audit reports. The FSIS auditors reviewed the most recent accreditation certificate and annexes from December 2020 and
verified that they include FSIS analytical methods used for products exported to the United States.

The FSIS auditors reviewed BMSGPK laboratory submission and sample result reports for product intended for export to the United States for Salmonella and Lm verification testing and the sampling schedule and sampling plan for all eligible establishments. All laboratory report results are forwarded by the laboratory to the Frontline Veterinarian, Firstline Veterinarian, and the establishment. The FSIS auditors reviewed a positive result and verified that corrective actions were taken by the establishment and verified by Frontline and Firstline Veterinarians. Auditors also verified that follow up sampling was performed and the product was condemned.

The audit verified that Austria’s processed pork inspection system is organized and administered by the national government, and that BMSGPK inspection officials are assigned to enforce the laws and regulations governing processed pork products.

V. COMPONENT TWO: GOVERNMENT STATUTORY AUTHORITY AND FOOD SAFETY AND OTHER CONSUMER PROTECTION REGULATIONS (e.g., INSPECTION SYSTEM OPERATION, PRODUCT STANDARDS AND LABELING)

The second equivalence component the FSIS auditors reviewed was Government Statutory Authority and Food Safety and Other Consumer Protection Regulations. The system is to provide for controls over condemned materials; controls over establishment construction, facilities, and equipment; at least once per shift inspection during processing operations; and periodic supervisory visits to official establishments.

The FSIS auditors verified that Firstline Veterinarians from the provincial offices conduct supervisory reviews four times per year at establishments that are eligible to export to the United States, one of which is conducted together with a representative from the BMSGPK headquarters. The reviews include verification of HACCP, Sanitation SOPs, sanitation performance standards (SPS), microbiological sampling, and labeling. The reports of these reviews are distributed to the BMSGPK headquarters, Firstline Veterinarians, Frontline Veterinarians, and the establishment. If findings are identified, orders will be issued to the establishment to implement corrective actions and to the Frontline Veterinarians to verify corrective action. Additionally, a performance appraisal of the Frontline Veterinarian is conducted once per year along with the quarterly supervisory review. The FSIS auditors reviewed the periodic supervisory reviews and verified that when findings were identified, corrective actions were taken and verified by Frontline Veterinarians, and found no concerns.

The FSIS auditors verified that establishments maintain identity of products, and control and segregate product destined for the United States from other products by designating either specific production lines or different days. Additionally, the source materials are identified as destined for the United States. Frontline Veterinarians verify once per shift that establishments certified to export to the United States are maintaining separation and identity of product destined for United States export.

If applicable, labeling requirements are verified upon initial approval for export of the product by the Firstline Veterinarians and the CCA headquarters. Additionally, these requirements are
verified by the Official District Veterinarian respectively the Frontline Veterinarians for each shipment of product destined for export to the United States in accordance with National Decree No. 10. The FSIS auditors verified that establishments maintain approved labels from the FSIS’ Labeling and Policy Development Staff. BMSGPK requires that all products destined for export to the United States meet FSIS labeling requirements. The FSIS auditors reviewed examples of labels and corresponding label approvals for each establishment and confirmed that labeling requirements are verified by Frontline Veterinarians for each shipment of product. The FSIS auditors reviewed an example of noncompliance and corrective actions verified by a Frontline Veterinarian and found no concerns.

Frontline Veterinarians verify that each shipment of product destined for the United States meets APHIS requirements for the source live animals. The health attestation includes a certification that APHIS regulations are complied with for applicable diseases for the source region of the Netherlands. The FSIS auditors reviewed export certificates that include health attestations from the certifying veterinarian from the Netherlands and did not identify any concerns.

The FSIS auditors verified through records review that condemned and inedible materials are categorized and disposed of, in accordance with Regulation (EC) No 1069/2009 and the National Regulation on Animal Materials. Frontline Veterinarians verify proper disposal and identification of condemned materials once per shift. The FSIS auditors confirmed through a review of inspection records documenting a recently condemned lot that condemned materials are removed from production and placed in clearly marked containers.

The FSIS auditors concluded that Austria’s food safety inspection system governing processed pork products maintains the legal authority and a regulatory framework that is consistent with criteria established for this component.

VI. COMPONENT THREE: GOVERNMENT SANITATION

The third equivalence component the FSIS auditors reviewed was Government Sanitation. The FSIS auditors verified that BMSGPK requires each official establishment to develop, implement, and maintain written Sanitation SOPs to prevent direct product contamination or insanitary conditions and to maintain requirements for SPS.

The FSIS auditors reviewed the legislation, regulations, official instructions, decrees, and guidelines of BMSGPK and verified that BMSGPK uses its legal authority in the LMSVG to require that certified establishments develop and maintain sanitation programs to prevent direct product contamination and the creation of insanitary conditions. BMSGPK’s authority to enforce EU food safety inspection laws is outlined in the Austrian statute LMSVG. Article 4 of the LMSVG states that the applicable legislative acts of the EU listed in the annex of the LMSVG shall be implemented. Additionally, Article 24 (2) of the LMSVG sets forth that the official controls must be conducted according to Regulation (EC) No 178/2002 and Regulation (EU) 2017/625. LMSVG requires exporters to meet the requirements of the countries to which they are exporting and therefore requires that establishments implement, develop and maintain Sanitation SOPs to prevent product contamination. BMSGPK utilizes National Decree No. 7, which describes the official control for hygiene and describes the inspection procedure to be performed. In addition, the Manual on Inspecting SPS, Sanitation SOP and HACCP includes
instructions for verifying sanitation requirements that are consistent with the instructions provided in FSIS Directive 5000.1.

The FSIS auditors verified through records review that the in-plant inspection personnel at all audited establishments conduct verification of sanitary conditions. These verification activities are in accordance with the Manual on Inspecting SPS, Sanitation SOP, and HACCP. The Frontline Veterinarians verify these requirements through an evaluation of written sanitation programs, verification of both pre-operational and operational sanitation implementation, monitoring of sanitation procedures, and records reviews. The FSIS auditors verified through records review that these verification activities are documented at the frequencies required by BMSGPK. Inspection personnel have the option to increase the frequency of these inspection activities based on the regulatory compliance of the establishment.

The FSIS auditors verified that BMSGPK requires establishments certified to export to the United States to develop, implement, and maintain written Sanitation SOPs to prevent direct product contamination and operate in a manner that prevents the creation of insanitary conditions. The FSIS auditors’ verification activities included a review of noncompliance reports issued where Frontline Veterinarians identified SPS and Sanitation SOP deficiencies and verified corrective actions were taken as appropriate. The auditors also examined supervisory reviews (audits) of each establishment and noted that there were no major concerns identified during the document reviews.

Through interviews and remote review of records, the FSIS auditors confirmed that BMSGPK requires operators of establishments certified to export to the United States to develop, implement, and maintain sanitation programs and that BMSGPK continues to maintain and verify requirements.

VII. COMPONENT FOUR: GOVERNMENT HAZARD ANALYSIS AND CRITICAL CONTROL POINT (HACCP) SYSTEM

The fourth equivalence component the FSIS auditors reviewed was Government HACCP System. The food safety inspection system is to require that each official establishment develop, implement, and maintain a HACCP system.

The BMSGPK requires establishments to develop, implement, and maintain a HACCP system through enforcement of Regulation (EC) No 852/2004. Article 51 of LMSVG contains requirements that establishments eligible to export food to countries outside the EU are required to fulfill the requirements of these countries. This legislation also requires that the establishments meet requirements consistent with recommendations from Appendix A - FSIS Compliance Guidelines for Meeting Lethality Performance Standards for Certain Meat and Poultry Products and Appendix B - FSIS Compliance Guidelines for Cooling Heat-Treated Meat and Poultry Products (Stabilization) to ensure that products are meeting U.S. requirements. BMSGPK reviews the design and implementation of all certified establishments’ HACCP programs yearly, prior to granting export certification renewal. Additionally, Austria utilizes Guidelines for the Slaughter and Cutting of Cattle, Pigs, Sheep, Goats and Solipeds and for the Production of Meat products, which provides guidance to establishments on HACCP.
BMSGPK verification includes the review of all aspects of the written HACCP programs, based on the LMSVG and the Manual on Inspecting SPS, Sanitation SOP and HACCP. This verification includes such activities as, first, evaluating written HACCP programs in accordance with the Manual on Inspecting SPS, Sanitation SOP and HACCP, consistent with FSIS Directive 5000.1 and consistent with FSIS procedures for verifying 9 CFR Part 417; and, second, observing the establishment personnel perform monitoring, verification, corrective actions, and recordkeeping activities. The Frontline Veterinarian verification of HACCP includes daily verification of establishment’s HACCP monitoring, verification, and corrective actions activities to ensure adequate implementation of HACCP requirements. The FSIS auditors reviewed daily and weekly reports and verified that Frontline Veterinarians document their verification of HACCP requirements as required by BMSGPK in accordance with National Decree No. 9 and National Decree No. 10. In addition, the FSIS auditors verified that certified establishments must receive and confirm acceptable testing results from all of the products tested for adulterants, as defined by FSIS, prior to presenting the shipment to the government for export certification. The review of documents showed that BMSGPK requires establishments to maintain a written hazard analysis for each step in the process, a flow chart, and a HACCP plan.

The FSIS auditors reviewed BMSGPK’s supervisory reviews (audits) from the selected establishments and verified that BMSGPK further reviews the establishments’ HACCP systems during its audit process. The quarterly supervisory review includes verification that the establishments are implementing HACCP verification procedures per their HACCP plan. In addition, these reviews include verification that the establishment is meeting HACCP requirements. The records showed that when HACCP noncompliance was identified, the BMSGPK required that establishments take corrective actions and that Frontline Veterinarians verify corrective actions were implemented.

The FSIS auditors confirmed that BMSGPK requires operators of establishments certified to export to the United States to develop, implement, and maintain HACCP plans for each processing category. FSIS determined that the country’s HACCP requirements as described are consistent with criteria established for this component.

VIII. COMPONENT FIVE: GOVERNMENT CHEMICAL RESIDUE TESTING PROGRAMS

The fifth equivalence component the FSIS auditors reviewed was Government Chemical Residue Testing Programs. The food safety inspection system is to present a chemical residue testing program, organized and administered by the national government, which includes random sampling of internal organs, fat, or muscle of carcasses for chemical residues identified by the exporting country’s meat products inspection authorities or by FSIS as potential contaminants.

Although Austria maintains a national residue control plan, Austria sources raw pork materials from the Netherlands, which is a country that has an eligible meat inspection system, and therefore has its own residue testing program that has been determined equivalent by FSIS. The Netherlands also falls under the same common Regulation (EU) 2017/625 and Commission Delegated Regulation (EU) 2019/2090, which require the development and implementation of a national residue plan. The FSIS auditors verified that BMSGPK annually reviews the
Netherlands’ annual EU audit reports. Additionally, if a positive residue is detected in a supplying member state, such as the Netherlands, they are required to inform affected member states under the RASFF system. The FSIS auditors reviewed the most recent EU audit report, as well as the most recent accreditation certificate for the laboratory conducting residue analysis, and found no concerns.

There have not been any POE violations related to this component since the prior FSIS audit in 2018. The FSIS auditors’ analysis and remote verification indicated that BMSGPK continues to meet the core requirements for this component.

IX. COMPONENT SIX: GOVERNMENT MICROBIOLOGICAL TESTING PROGRAMS

The sixth equivalence component the FSIS auditors reviewed was Government Microbiological Testing Programs. The food safety inspection system is to implement certain sampling and testing programs to ensure that processed pork products prepared for export to the United States are safe and wholesome.

BMSGPK enforces a microbiological sampling program for *Salmonella* and *Lm* consistent with Regulation (EC) No 2073/2005. Austria’s national regulations outlined in the LMSVG also require that establishments eligible to export food to countries outside the EU meet the requirements of the importing country. This legislation requires establishments certified to export to the United States to implement measures against *Lm* and *Salmonella* in RTE products consistent with 9 CFR Part 430 and ensures zero tolerance for *Lm* and *Salmonella* in products intended for export to the United States.

The FSIS auditors verified that BMSGPK has a verification testing program in place to meet FSIS’ equivalence criteria for RTE products. BMSGPK conducts official verification testing for *Lm* and *Salmonella* in RTE products and *Lm* on product contact surfaces and non-product contact surfaces (environmental) in accordance with the Work Instructions for the Dispatch of PLE-RTE Products to the USA (July 20, 2016). Frontline Veterinarians sample each production lot exported to the United States for *Lm* and *Salmonella*, and lots are placed on hold while products are tested. Frontline Veterinarians do not sign export certificates for product exported to the United States until negative results are received. Additionally, Firstline Veterinarians sample food contact surfaces on a quarterly basis along with their supervisory reviews. If a product contact surface tests positive for *Lm*, affected product is not eligible for export to the United States. The FSIS auditors confirmed through review of inspection records that establishments are meeting the requirements in the National Decree No. 10, which requires establishments to implement *Lm* control measures consistent with the requirements in 9 CFR Part 430.

The Firstline Veterinarians, the Official District Veterinarians, and as well as the Frontline Veterinarians send samples for analysis to LAVES, which uses FSIS Microbiological Laboratory Guide (MLG) methods for *Lm* and *Salmonella* analyses. It was verified that the current analytical test portions for both *Lm* and *Salmonella* meet the export requirements of a minimum of 25 g (*Lm*) and 325 g (*Salmonella*) analytical test portions using MLG 8.12 for testing *Lm* in RTE products and MLG 4.11 for testing *Salmonella* in RTE products.
The FSIS auditors’ analysis and remote verification indicated that BMSGPK continues to meet the core requirements for this component. There have not been any POE violations related to this component since the prior FSIS audit in 2018.

X. CONCLUSIONS AND NEXT STEPS

An exit meeting was held with BMSGPK on November 5, 2021, by video conference. The FSIS auditors concluded that Austria’s pork products inspection system is organized to provide ultimate control, supervision, and enforcement of regulatory requirements. BMSGPK has required that establishments certified as eligible to export pork products to the United States implement Sanitation SOPs and a HACCP system designed to ensure the safety of their exported products. In addition, BMSGPK has implemented a microbiological testing program to verify its food safety inspection system. An analysis of each component did not identify any findings that represented an immediate threat to public health.
Appendix: Foreign Country Response to the Draft Final Audit Report
USDA-FSIS
Ms. Michelle Catlin, PhD
1400 Independence Avenue, SW.
Washington, D.C.
20250

Our Ref: 2022-0.210.664

USDA-FSIS - Draft Final Report of a Remote Audit Conducted in Austria in 2021

Dear Ms Catlin, PhD,

Referring to your letter dated Jan 14, 2022, the Austrian Federal Ministry of Social Affairs, Health, Care and Consumer Protection thanks you for the submission of the Draft Final Report of a remote ongoing verification audit of Austria’s meat inspection system governing processed pork products from September 27, 2021 through November 5, 2021.

As per your request, we would like provide the following comments regarding the information in the audit report:

- **Page 1, Section I, Introduction**

  “The audit began with an entrance meeting held via videoconference on September 27, 2021, with representatives from the Central Competent Authority (CCA) — Federal Ministry of Social Affairs, Health, Care and Consumer Protection — Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (BMSGPK). Representatives from BMSGPK participated throughout the audit.”
Proposed change:

“The audit began with an entrance meeting held via videoconference on September 27, 2021, with representatives from the Central Competent Authority (CCA) — Federal Ministry of Social Affairs, Health, Care and Consumer Protection — Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (BMSGPK) as well as representatives from the Provinces of Upper Austria and Tyrol. Representatives from BMSGPK and the Provinces of Upper Austria and Tyrol participated throughout the audit.”

• **Page 1, Section II, Audit Objective, Scope, and Methodology:**

  General Remark: In Austria, no cases of African swine fever were detected so far. Please specify why APHIS recognizes Austria as affected with AFS.

• **Page 2, Section II, Audit Objective, Scope, and Methodology; Table:**

  Column “Locations”, Line “Provincial Offices”: should also include “Tyrol Provincial Veterinary Services, Innsbruck”


  Proposed change:

  “Bad Leonfelden” instead of “Leonfelden”

• **Page 4, Section IV. Component One: Government Oversight:**

  Remark on Paragraph 3: BMSGPK consists of seven sections [not departments], of which Section III, led by the Central Veterinary Officer, consists of Group A and Group B. Group B of Section III consists of 7 departments and is responsible for consumer health and veterinary services.

  “The Department III/B/12, Hygiene in Meat Production, Animal By-Products and Export Certification, **led by the Central Veterinary Officer**, governs…”
Proposed change:

“Led by the Central Veterinary Officer” should be moved to the prior sentence (see suggestion above).

The last sentence of paragraph 3 should say „Lebensmittelsicherheits- und Verbraucherschutzgesetz“ instead of „Lebensmittelsicherheitsund Verbraucherschutzgesetz“.

Paragraph 4: “The three establishments certified to export to the United States fall under the jurisdiction of the Linz and Tyrol provincial offices”

Proposed change:

“The three establishments certified to export to the United States fall under the jurisdiction of the Upper Austria and Tyrol provincial offices”

General remark: please note that it is not necessarily a prerequisite for a Firstline Veterinary Officer to be located at Provincial Veterinary Services level. In Tyrol for example, the Firstline Veterinary Officers are Provincial Veterinary Officers as well as District Veterinary Officers.

- **Page 5, Section IV. Component One: Government Oversight:**

  General remark about Paragraph 3: In the case of direct exports to the USA, the pre-shipment reviews as well as the export certification are done by the responsible district veterinary officer.

  If the product is shipped to another EU member state for further processing prior to export to the US (e.g. in the case of Salami being shipped to Germany, sliced and put on pizza prior to export to the US), the certification can also be conducted by Frontline Veterinarians.

  Pre-shipment procedures (e.g. document review, sampling for Salmonella and Listeria monocytogenes, ...) stay the same for both cases.

- **Page 6, Section IV. Component One: Government Oversight:**

  Paragraph 1, Sentence 2: should say “third country” requirements instead of “importing country” requirements.
Paragraph 2, Sentence 1: should say “diploma in veterinary medicine” instead of “doctorate of veterinary medicine”.

Paragraph 3, Sentence 3: please clarify which database you are referring to.

- **Page 7, Section IV. Component One: Government Oversight:**

  Paragraph 2, Sentence 3: “The FSIS auditors reviewed a positive result and verified that corrective actions were taken and verified by BMSGPK.”

  Proposed change:

  “The FSIS auditors reviewed a positive result and verified that corrective actions were taken **by the establishment** and verified **by the Frontline and Firstline Veterinarians.**”

- **Page 7, Section V. Component Two: Government Statutory Authority and Food Safety and Other Consumer Protection Regulations:**

  Paragraph 5, Sentence 1: “The FSIS auditors verified that Firstline Veterinarians from the provincial offices conduct supervisory reviews four times per year at establishments that are eligible to export to the United States.”

  The following information should be included:

  “**One of these audits is conducted together with a representative from the BMSGPK (CCA Headquarters).**”

  Paragraph 7, Sentence 1: “Labeling requirements are verified by the Frontline Veterinarians on a once per shift basis and additionally for each shipment of product destined for export to the United States in accordance with National Decree No. 10.”

  Proposed change:

  “**If applicable, labeling requirements are verified upon initial approval for export of the product by the Firstline Veterinarians and the CCA Headquarters. Additionally, these requirements are verified by the Official District Veterinarian respectively the Frontline Veterinarians** for each shipment of product destined for export to the United States in accordance with National Decree No. 10.”
• Page 9, VI. Component Three: Government Sanitation, Paragraph 4:

Please clarify the term „official establishment“.

• Page 11, Section IX. Component Six: Government Microbiological Testing Programs:

Paragraph 5: “Frontline Veterinarians do not sign export certificates until negative results are received”

Proposed change:

“Frontline Veterinarians respectively in the case of direct exports to the USA
Official District Veterinarians do not sign export certificates until negative results are received”

Paragraph 6: “Both the Austrian government and establishments certified to export to the United States send samples for analysis to LAVES, which uses FSIS Microbiological Laboratory Guide (MLG) methods for Lm and Salmonella analyses.”

Proposed change:

“The Firstline Veterinarians, the Official District Veterinarians as well as the Frontline Veterinarians send samples for analysis to LAVES, which uses FSIS Microbiological Laboratory Guide (MLG) methods for Lm and Salmonella analyses.”

We kindly ask you to include the proposed changes in the final version of the audit report.

Should you have any further questions, please do not hesitate to contact us.

The Federal Ministry of Social Affairs, Health, Care and Consumer Protection takes the opportunity to thank you for the fruitful cooperation so far and we look forward to the future collaboration with the United States of America.
25. March 2022

On behalf of the Federal Minister:
i.V. Dr. Martin Luttenfeldner

Enclosure: Austria FY22 Draft Final Audit Report 011422 FINAL

Elektronisch gefertigt
(signed electronically)