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Republic of Moldova: Initial findings

ECE study on regulatory and procedural barriers to trade in the Republic of Albania: Recommendations

Summary

An upper-middle income country, which stands among the most successful transition experiences from centralised economic management, Albania is in the process of implementing an all-encompassing reform effort to foster national competitiveness and achieve greater integration into global value chains.

Driving these reforms is the imperative for fulfilling the requirements of the European Union (EU) Acquis Communautaire, which gained new life in 2014 when Albania obtained the candidate status for EU membership. Trade has been at the centre of reforms to support the consolidation of new growth poles that would allow for achieving greater specialization in dynamic products with high value-added. These reforms accord priority to removing regulatory and procedural trade barriers, which, by inflating transaction costs, have been undermining competitiveness in domestic and global markets.

It is against this background that ECE study on Regulatory and Procedural Barriers to Trade was undertaken. The Government was facing increased development challenges, which were as far reaching as the ambitious reform targets it committed to attain. These targets touched upon all aspects of daily economic activities, so that they spanned over several years. Their achievement was complicated by the difficult environment that Albania was labouring under, whereby demand and investment were dampened by the sluggish growth in the Eurozone and beyond to set the limits to trickle-down effect of reforms and strain the public purse.

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The study is a contribution to Albania's trade development efforts. It provides action-oriented recommendations, which draw on extensive primary information collected during face-to-face interviews using UNECE evaluation methodology and consultations with public and private stakeholders. It takes into account the written comments of national stakeholders, submitted to the UNECE in May 2016.

This document provides the recommendations emerging from the study. The recommendations are geared to complement Albania's development strategies, including: the National Plan for European Integration for the period 2014-2016; the Inter-sectoral Strategy for Agriculture and Rural Development in Albania for the period 2014-2020; and, Business and Investment Development Strategy for the period 2014-2020. The recommendations will also be integrated into the United Nations Delivering as One initiative in Albania, to support technical assistance activities by UN agencies and development partners.

I. Outstanding needs and recommendations for improving transparency

<i>Outstanding needs</i>	<i>Recommendations</i>
Up-to-date information on trade-related rules and administrative procedures and their implication	<p>State agencies' institutional websites should be kept up to-date and improved to offer detailed information in more than one language (at least in Albanian and English) on applied regulations and associated administrative procedures, including fees and forms. Customs should also consider establishing a new e-Customs portal, dedicated for the publication of up-to-date information on regulatory and procedural clearance measures.</p> <p>State agencies should also publish brief explanatory brochures (both in electronic format and hard copies) on the steps that traders should follow to ensure due diligence in fulfilling the legislative requirements. These brochures should be developed in close cooperation with business networks and associations, in order to ensure responsiveness to the enterprises' needs and the broadest possible dissemination of information.</p> <p>The National Agency for the Information Society, in its capacity as the responsible State body in this area, need to consolidate all information on trade-related regulations and procedures in a one-stop-shop information centre as part of the e-Albania portal. The emphasis should be on ensuring a clear, easy to grasp classification of information, with links to the explanatory brochures published by the State agencies and their institutional websites. The centre should also provide information on the support services provided by transport operators, customs brokers, banks and associations.</p> <p>Establish standing working procedures with the media to ensure prompt dissemination of information on new regulations and procedures.</p> <p>Establish a national enquiry point for trade.</p> <p>Establish a focal point to solicit the private sector's views on new/revised laws before their entry into force based on clearly defined guidelines and procedures. This focal point could be the national enquiry or a market support institution that is willing to invest in assuming such a role.</p>
Support services to enable the business community to fulfil EU regulatory requirements	<p>Establish, as part of the national enquiry point, a help desk, which is dedicated to addressing the business community's concerns over EU regulatory requirements and associated reforms in relation to phytosanitary and veterinary measures; customs procedures; and, safety and quality requirements.</p> <p>Establish, as part of the e-Albania Portal, a comprehensive information centre about EU regulatory and procedural requirements; planned reforms; consequential changes to administrative procedures the timing of these changes; the areas in which no change will be required.</p> <p>Prepare issue-focused information notes and explanatory brochures to familiarize traders with the basic tenants and concepts underpinning EU regulations (e.g., the concept of trade facilitation under the new customs code and the implications of the EU New Legislative Framework, which as shown in the next chapter introduce important obligations for enterprises) and associated procedures. The notes and explanatory brochures should be published on the State agencies' websites and the one-stop-information centre. This requires intensive consultations among State agencies within the context of a public-private sector participatory approach.</p>
Establish a trade training	<p>Establish a permanent trade training facility within existing market support institutions (ideally the chambers of commerce and business networks, as these</p>

<i>Outstanding needs</i>	<i>Recommendations</i>
facility	<p>have extensive membership) equipped with experts and trainers:</p> <p>Create a core team of experts through training of trainers programmes</p> <p>Prepare advanced issue specific training materials (e.g., NLF, trade facilitation, quality standards and safety requirements), adjusted to the national context.</p> <p>Prepare brief, easy to grasp issue specific brochures</p> <p>Link the training facility with regional and international institutions providing similar services</p> <p>Cooperate with specialized international training centres.</p>
Establish the National Trade Facilitation Council/Committee equipped with a permanent secretariat	<p>Establish detailed terms of reference for the Council/Committee, including cooperation mechanisms with existing bodies (e.g., IC and NEC) and interagency coordination mechanisms¹ to avoid duplication. In so doing, the Government may consider drawing on the experiences of other countries and seeking the support and advise of specialized agencies.</p> <p>Successful experiences suggest that the private sector's support could be best ensured if the committee/council has an executive board that brings together representatives of public and private sector stakeholders, including traders. The Board would be responsible for overall strategic guidance, mobilizing resources and supervising the secretariat.</p> <p>Successful experiences show that while State support is important, sustainability could be best achieved if the council/committee has its own revenue sources. As such, it is important to decide on the type of services that the council/committee could provide during the design phase. ² Experience also suggests that sustainability could be best achieved if the council/committee is hosted within an existing institution with well-established revenue sources.</p> <p>Equip the facility with a benchmarking and monitoring tool to assess progress in removing regulatory and procedural barriers to trade (the trader database consolidated as part of this study provides a useful starting point).</p>

II. Outstanding needs and recommendations for rationalizing and standardizing information requirements

<i>Outstanding needs</i>	<i>Recommendations</i>
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¹ In 2015, inter-organizational cooperation was ensured through a standing Institutional Working Group (TWG) that was established in 2010 pursuant to Prime Minister's Order No. 133 of 28.6.2010. Initially designed to support the first Trade Policy Review process in WTO, the IWG was transformed into a permanent working group for coordinating trade policy across line ministries. As highlighted by the Ministry of European Integration, the TWG's work was undermined by a too broad a scope, so that it cannot respond to the pressing concerns of trade policy coordination. It also does not feature representatives from the private sector, thus, missing a key counterpart for consultation and coordination. Source: Ministry of European Integration of the Republic of Albania to the EU-Albania Stabilization and Association Committee, dated 11 March 2015.

² See, UNCTAD (2006) Trade Facilitation Handbook, Part I, National Facilitation Bodies: Lessons and Experiences.

<i>Outstanding needs</i>	<i>Recommendations</i>
Address instances of repetitive submission of similar or identical information	<p>Reduce the documentary requirements for inbound consignments shipped by road:</p> <p>Limit the number of documents that should be accompanied by notarized translation.</p> <p>For technical documents, such as laboratory test results, establish guidelines as to the essential information that needs to be translated into Albanian.</p> <p>Traders transporting truckloads containing the same product should be waved from the repetitive submission requirement.</p> <p>As a rule, EUR1 certificates should be recognized as a CoO as per established practices and rules. Departure from this rule should be kept to the minimum.</p>
Address the lack of clarity over documentary requirements	<p>Publish a complete list documentary requirements for products subject to mandatory regulations, along with detailed instructions and associated prices, and alert traders, through the media, and via customs alerts on changes to this list.</p>
Help traders comply with labelling requirements	<p>Establish a national help desk for helping importers fulfil regulatory requirements, including bargaining with international suppliers to provide labels in Albanian (where possible) and providing translation services. This is an area that can be handled by the national trade facilitation committee/council.</p>
Establish a strategic framework for ensuring greater use of electronic documents	<p>The strategic framework should be based on:</p> <p>A technical paper detailing the institutional requirements, including information, communication and technology systems, for reconciling the definition and formats of data elements associated with fulfilling all import, export, and transit-related regulatory procedures in a manner that would ensure the elimination of redundant data and duplication in exchanging and recording information. The technical paper could be prepared using the UN Data Harmonization and Modelling Guide for Single Window Environment.³</p> <p>Undertake a comprehensive cost-benefit analysis, including a proper comparison with other options, and a regulatory impact assessment, before any further work is done</p> <p>Create a core team of SW experts within the Customs authority and relevant State institutions</p> <p>Establish testing and confirmation bodies to support the implementation of the electronic signatures.</p>
Create a proper system for regulating customs brokers	<p>A proper system for testing, training, licensing, accrediting, and monitoring customs brokers should be put in place, preferably in line with the ‘best practices model for licensing customs brokers’ promulgated by the International Federation of Customs Brokers Associations (IFCBA). This system should involve:</p> <p>The licensing of applicant brokers by the GDC (subject to (i) their initially meeting a range of eligibility criteria, and (ii) their subsequently passing an examination).⁴</p> <p><u>Training for applicant brokers, by the brokers association (if re-established), to</u></p>

³ The guide was developed by the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) in collaboration with UNECE and the United Nations Network of Experts for Paperless Trade in Asia and the Pacific (UNNExT). The guide is available at: http://unnex.unescap.org/tools/data_harmonization.asp

⁴ Based on current legislation, licensing of customs brokers is provided following the successful completion of the training course and required test (carried out by the Directorate General of Customs). The training is provided by Customs in close collaboration with the National Association of Albanian Brokers.

<i>Outstanding needs</i>	<i>Recommendations</i>
Improve the overall institutional set-up for regulating trade in pharmaceutical products	<p>prepare them for that examination).</p> <p>Joint preparation of the exam by the GDC and the brokers association, but its administration solely by the customs authority.</p> <p>Continuous professional/ technical training for brokers, once licensed; and</p> <p>Further improvement of the industry standards of professional practice by the brokers association by adopting new methods for training, licencing and monitoring; and, establishing periodical assessments (through tests) of custom brokers.</p> <p>The Drug Pricing Commission may need technical assistance to build capacity to use reference pricing mechanisms.</p> <p>The laws should ensure that Customs and the NCDC have the capacities in place and clear mandates to collaborate and perform these duties: Albanian Customs and the NCDC should be assisted to conduct systemic inspection, whereby stated CIF price is cross-checked against accompanying documents during the customs clearance process, including company contracts and bank transfer documents, to prevent document falsification. Inspections by NADMD and Customs officials should also use reference pricing from other markets to verify manufacturers' stated costs.</p> <p>Improve reference pricing mechanisms for similar drugs by increasing the number of countries against which systematic comparisons are made.</p> <p>Consider the adoption of a single consolidated margin for at least main imports instead of the applied mark-up scheme. Given the limited competition in the Albanian market, there is an incentive for traders to keep the CIF high and to extract the highest margin permitted. Several sources interviewed for this study stated that there would be more price competition if importers, distributors, and retailers were left to negotiate how to divide the permitted mark-ups. Several importers also cited their inability to adjust prices midyear, in view of currency exchange fluctuations.</p> <p>Ensure due implementation of existing legislation. Law No. 10008 of 27 October 2008 states that "registration of the drugs already registered with the European Medicine Evaluation Agency (EMA), with the US Food and Drug Administration (FDA), in Australia, Canada and Switzerland, as well as the drugs registered in compliance with the communitarian procedures in the European Union, shall be automatically registered within 30 working days, upon verification of the authenticity of the submitted documents."</p> <p>Improve coordination between the different bodies within the MoH, so as to ensure seamless issuance of import permits and product registration.</p> <p>Introduce amendments to address instances of contradictions in existing laws. Ministry of Health Order No. 682 of 12 December 2008 "On Drug Import", upholds importation procedures provided under Law No. 9323 "On drugs and pharmaceutical service" of 25 November 2004. These procedures should be revised to accommodate for the allowing automatic marketing authorisation by means of acceptance of the respective certificate without further scientific or technical evaluation. As an immediate step, the a joint Working Group could be established between the Ministry of Health and Customs.</p>

III. Outstanding needs and recommendations in the area of border control

<i>Outstanding needs</i>	<i>Recommendations</i>
Improve weighing practices at BCPs and inland terminals	<ul style="list-style-type: none"> • Equip BCPs and inland terminals with modern weighing instruments • Establish detailed guidelines on weighing and measurement practices, which draw on international best practices and train inspectors on the use of these guidelines • Introduce the International Vehicle Weight Certificate (Annex 8 of UNECE International Convention on the Harmonization of Frontier Controls of Goods). • Equip BCP with weight and dimensions control stations, equipped with camera systems, digital panel/screen showing measured weight and registration plate of vehicle-visible for driver. Where stations is not feasible (e.g., for lack of space), consider establishing mobile weight and dimension stations, equipped with weighing platforms. Customs has to allocate specific financial resources for this purpose.
Reconsider working hours at main BCPs and inland terminals	<ul style="list-style-type: none"> • Consider amending the Customs internal regulations so as to allow for extending the working hours at main BCPs and inland terminals. • Introduce scheduling systems that allow for multiple shifts, whereby break times are sequenced according to well defined periods to ensure the continuity of customs services.
Abolish unnecessary fees	<ul style="list-style-type: none"> • The contract with a private company that permits every single consignment entering or leaving Albania to be charged for notional scanning should be urgently reviewed and revised. The charges made are a hidden tax on importers and exporters, which is not based on law and, should be therefore, discontinued.⁵ • The amount of excise tax on packaging should be revised, as it unnecessarily increases the tax burden on both traders and consumers.
Abolish unnecessary physical control measures	<ul style="list-style-type: none"> • Consider amending existing laws, with a view to repeal articles that provide the ground for carrying out unnecessary physical inspection. • Abolish current practices which contradict with the countries commitments under the GATT agreement on transit; the International Convention on Harmonization of Frontier Controls of Goods; and the TIR Convention (e.g., physical control for calculating the amount of excise duty on packaging; unnecessary drawing of several samples; unnecessary testing of inbound cargo accompanied by internationally recognized test results and other certificates)

⁵ Scanning fees were reduced pursuant to Law No 74/2015 of 9.07.2015 “On approval of agreements between the Ministry of Finance, as the contracting authority, and companies “S2 Albania” l.t.d and “Rapiscan Systems” INC “On the settlement by negotiation of disagreements” and “On amendment of the concession agreement”.

In addition, the law stipulates that traders should be charged more than once for scanning their consignments.

*Outstanding needs**Recommendations***Address shortfalls in customs valuation processes**

- Introduce the necessary legislation to allow importers to conduct a second, independent tests for phytosanitary and non-animal food products in cases of dispute
- Ensure strict application of the WTO Valuation Agreement. This requires that, in every case, the customs value of imported goods be calculated using Method 1 (the transaction value method) first, with the other methods being applied in sequence only if a value cannot be determined under the first method.
- Ensure strict application of legal provisions concerning the response time to tax appeals.
- Accord priority to improving the existing system to allow for the provision of advance rulings (including binding rulings) in relation to tariff classification, origin of goods, and valuation.
- Publish up-to-date information in changes in HS codes.

Consolidate risk based control management systems and techniques

- Assistance should be provided to GDC in developing the AEO scheme, which concentrates on customs simplifications for reliable traders. The emphasis should be placed complementing risk management. Measures should be rapidly put in place to select and approve AEOs properly, thus giving real assurance that their cargo can be subjected to minimal intervention at the frontier and inland, with subsequent post-clearance controls (see below) to ensure compliance, and re-appraise risk. Simplified procedures such as reduced documentary requirements, pre-arrival/ departure declarations, release of cargo before payment, deferred payment and accounting should be progressively introduced as GDC confidence in its risk-based judgments increases.
- In parallel, and with an eye to creating synergy with the AEO scheme, the GDC post-clearance control/ audit function should be developed to allow for undertaking systems-based trader audits. Such audits should allow for considered examination of commercial processes and systems underpinning the duty declared at importation. They should also allow GDC to use the findings to review previous risk-based judgments, and if necessary adjust the parameters in the risk management system.
- The idea of utilizing the (pre-configured) ASYCUDA World 'Blue Lane' in the ICIS, in order to route certain import consignments initially for a post-clearance audit (PCA) "desk audit" and then, if considered necessary, for a follow up visit to the trader's premises, should be dropped. Its focus is clearly on transactions, and as such undermines the trader-centric, systems-based approach to control that PCAs are meant to establish.
- Establish procedures and manuals for guiding audit visits, as these are essential for AEOs and PCC function. The focus should be on ensuring that the audits elicit the information needed to decide on the level of risk represented by business operations, and the level and type of customs control that should be applied. This approach is more efficient and effective than the current one, whereby at the point of deciding on the criteria by which consignments should be routed through the 'Blue Lane', there is insufficient information to rely upon – and a very real possibility arises that the system captures consignments that should be allowed to be routed through the green channel, and, even worse, elements of customs declarations – valuation, for instance – that the GDC is traditionally suspicious

*Outstanding needs**Recommendations*

<i>Outstanding needs</i>	<i>Recommendations</i>
	<p>about.</p> <ul style="list-style-type: none"> • A thorough review of the risk parameters and profiles in the ICIS should be undertaken, with a view to establishing a prompt, meaningful and lasting overall increase in the percentage of cargo assigned to the green channel, and a decrease in that assigned to the yellow and red channels. The review should be conducted with the principles of trade facilitation in mind, as well as the national effort to improve the business climate. Remote and spurious risks should be left out, and high risks should be justified with concrete historical data. Local risk profiles should be developed for individual customs control points to reflect the specific control environment at each, and the results of their practical application should be progressively used to update and adjust the central risk management system. • The implementation of new procedures, such as pre-arrival processing, requires knowledge of the options and the conditions related to the new procedure. This requires training courses for Customs staff and if possible the trading community as well, including carriers and clearing agents • Consolidate “NFA net” database, including through refining the classification of food producers and risk criteria, and train inspectors on its use. • Provide training to the NFA staff on risk assessment
Improve inter/intra-agency coordination at the operational level	<ul style="list-style-type: none"> • Set out procedures for ensuring prompt communication of vital information (such as permission to release the tariff code) between the Customs headquarters and regional offices. • Establish detailed guidelines and procedures for managing inbound and outbound traffic. The imperative for improving border facilities aside, the assignment of cargo to border and inland terminals should be based on a detailed analysis of traffic flow with a view to optimize the use of available facilities. • Complement the IBM strategy with a manual detailing the procedures and sequence associated with pre-border, at the border and post border control. • Consider linking the IT systems of border control agencies to support prompt information sharing. Alternatively consider consolidating a common database that could be accessed by all the agencies. • Improve coordination and regular information exchange between border control agencies and (behind the border) regulatory bodies. This could be addressed within the context of ongoing efforts to develop the market surveillance function (Chapter 4). • Provide intensive training for decision makers as well middle and lower management staff on the different aspects of trade facilitation, and its implications for their everyday work.
Reduce the financial burden of traders	<ul style="list-style-type: none"> • Accord priority to providing interest rates on delayed VAT refunds as established by law • Consider revising recent legislation, which extends the VAT reimbursement period from 30 to 60 days • This could be achieved by introducing preferential treatment for taxpayers with a sound compliance history, such as automatic refunding. As a first step, the tax authorities, in collaboration with Customs could establish a monitoring system, with clear indicators

<i>Outstanding needs</i>	<i>Recommendations</i>
	and risk-profiles of VAT-registered companies <ul style="list-style-type: none"> • Accord priority to reforming the customs guarantee system, as established by the new Customs Code.

IV. Outstanding needs and recommendations in the areas of transport and logistics

<i>Outstanding needs</i>	<i>Recommendations</i>
Abolish unnecessary fees	<ul style="list-style-type: none"> • The arrangement by which truck drivers are charged for parking their vehicles at BCPs whilst awaiting routine checking of their paperwork and customs clearance should be abolished.
Improve overall road safety	<ul style="list-style-type: none"> • Consider joining the UNECE Agreement concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be fitted and / or be used on Wheeled Vehicles. The agreement provides the basis for the harmonisation vehicle technical safety and emissions standards, including for heavy vehicles. • Roads serving national traffic could benefit from more emphasis on road rehabilitation and improvement in safety characteristics. • Establish congestion mitigation strategies, which feature a special emphasis on using intelligent IT systems.
Equip Durrës and Vlorë ports with modern facilities and basic infrastructure	<ul style="list-style-type: none"> • Consolidating the basic infrastructure of the Port of Durrës through expanding the container terminal yard, increasing storage facilities, in addition to modernizing the berths and administrative buildings. Development priorities for the Port of Vlorë include the expansion of the parking area and storage facilities.⁶ These measures have been well documented and remain pertinent. • Assist port authorities in developing port traffic management strategies and plans. • The Government needs to allocate more resources for the purpose of addressing the above-mentioned capacity needs.
Improve facilities at BCPs and inland terminals	<ul style="list-style-type: none"> • The reconstruction or refurbishment of BCPs should feature special focus on basic infrastructure for clearing perishable goods, including (i) adequate facilities for physical inspection of cargo; and (ii) refrigeration points for perishable cargo; and (iii) quarantine facilities at or close to BCPs. In addition, proper office accommodation (rather than portcabins) should also be provided for NFA officials.
Improve the bargaining position of Albanian shippers	<ul style="list-style-type: none"> • Consider establishing a national shippers council to assume the function of negotiating favourable rates with international transport operators.

⁶ World Bank (2014) Regional Transport Study (REBIS update) Maritime and inland port capacity estimation for the countries of Croatia, Bosnia and Herzegovina, Serbia, Montenegro and Albania.

V. Outstanding needs and recommendations for facilitating transit trade

<i>Outstanding needs</i>	<i>Recommendations</i>
Harmonizing customs control procedures between Albania and Kosovo	<ul style="list-style-type: none"> • Accord priority to supporting the implementation of trade facilitation and other provisions under the Framework Agreement for Cooperation in the Promotion and Facilitation of Trade between the two countries
Rehabilitate existing rail lines	<ul style="list-style-type: none"> • Existing traffic levels remain insufficient to justify anything other than rehabilitation of existing lines or limited and localised improvements below AGTC standards.

VI. Outstanding needs and recommendations in the area of technical regulation

<i>Outstanding needs</i>	<i>Recommendations</i>
Build a core team of experts in the field of technical regulations in relevant line Ministries and State agencies.	<ul style="list-style-type: none"> • Train staff in agencies responsible for drafting technical regulations on legal, administrative and technical issues. Special emphasis should be accorded to familiarizing staff on EU Directives. • Prepare a reference RIA methodology for capturing the implications of the harmonization process for the different industrial sectors, and train staff on its use.
Ensure proper implementation of existing and draft technical regulations	<ul style="list-style-type: none"> • Review existing draft technical regulations (Box. 4.2) • Establish the required corresponding administrative procedures for guiding the implementation of harmonized technical regulations
Improve existing coordination and oversight mechanisms	<ul style="list-style-type: none"> • Establish an electronic national database of existing technical regulations with explanatory brochures on their implications for the enterprise sector. • Strengthen national WTO TBT and SPS Notification Authorities and Enquiry Points with expertise skills to handle enquiries and notifications to the WTO • Address instances of unclear demarcation of responsibilities between line Ministries
Ensure broad participation of business community	<ul style="list-style-type: none"> • Organize awareness raising activities to familiarize the concepts and basic tenets of technical regulations, including the use of harmonized standards in technical regulations • Establish procedures for discussing draft technical regulations with the private sector. These discussions should also feature a special focus on the implication of the draft regulations for the enterprise sector and the economy as a whole. In addition to MEDTTE, Chambers of Commerce and Industry and the Trade facilitation Council/Committee should be used a platform for soliciting the private sector's feedback. • Establish mechanisms to enable enterprises to report the challenges they face in fulfilling the new legislative requirements.

VII. Outstanding needs and recommendations in the area of standardization

<i>Outstanding needs</i>	<i>Recommendations</i>
Strengthen DPS standard-setting function	<ul style="list-style-type: none"> • Translate the adopted ENs into Albanian • Establish a training facility within DPS on the different aspects of standard-setting activities, the use of harmonized standards in technical regulations and their implications for Albania. This facility should be also charged with the task of preparing detailed notes for informing the work of the technical committees. • Assist DPS in completing the requirements for becoming a full member in ISO, IEC, CEN and CENLEC. In this context, DPS should be provided with the required resources (both financial and human resources) to participate in the activities of regional and international standardization bodies.

VIII. Outstanding needs and recommendations in the area of accreditation

<i>Outstanding needs</i>	<i>Recommendations</i>
Allocate the required financial and human resources to support DPA's participation in European and international activities and processes	<p>DPA should be enabled to ensure regular participation in the below activities:</p> <p><i>EA</i></p> <ul style="list-style-type: none"> • Laboratory Committee • Inspection Committee • Certification Committee • Harmonization Committee • Multilateral Council • Communication and Publication Committee • General Assemblies <p><i>ILAC</i></p> <ul style="list-style-type: none"> • Arrangement Committee • Accreditation Committee • Laboratory Committee • Inspection Committee • General Assemblies <p><i>IAF</i></p> <ul style="list-style-type: none"> • Technical Committee • MLA Committee • General Assemblies
Strengthen DPA with the required expertise skills	<ul style="list-style-type: none"> • Equip DPA with the required capacities to provide accreditation services in the area of verification based on EN/ISO 14065. • Consolidate the institutional capacities of DPA with technical experience in all EA , ILAC MLA areas. The starting point would be to provide advanced training for staff, including coaching, on the implementation of ISO standards

<i>Outstanding needs</i>	<i>Recommendations</i>
	<p>(SSH ISO/IEC 17065, 17020, 17021, 17024, 17025, 15189 and SSH EN 45011)</p> <ul style="list-style-type: none"> • Provide advanced training to staff on the use of EA, ILAC and IAF reference document materials (guides). • Enter into twinning projects with EA-MLA member accreditation bodies for gaining first-hand experience, especially the development of accreditation schemes

IX. Outstanding needs and recommendations for developing the Albanian CABs

<i>Outstanding needs</i>	<i>Recommendations</i>
General	<ul style="list-style-type: none"> • Establish a single centralized inventory of CABs. • Assist testing laboratories implement ISO 17025. • Establish testing laboratories for heavy metals, including in air and water
Consolidate FSVI laboratories with the required expertise skills and equipment	<ul style="list-style-type: none"> • Training on the implementation of EU Regulation No. 2073/2005 “regards microbiological criteria for sprouts and the sampling rules for poultry carcasses and fresh poultry meat” (and subsequent amendments as established under EU Regulation 209/2013) • Training on the implementation of the below ISO standards: <ul style="list-style-type: none"> – ISO 7932:2004 “Microbiology of food and animal feeding stuffs” – ISO/TS 13136:2012 “Microbiology of food and animal feed” – ISO 11290-2:1998 “Microbiology of food and animal feed - Real-time polymerase chain reaction (PCR)-based method for the detection of food-borne pathogens -- Horizontal method for the detection of Shiga toxin-producing Escherichia coli (STEC) and the determination of O157, O111, O26, O103 and O145 serogroups” – ISO 10272-1:2006 “Microbiology of food and animal feeding stuffs -- Horizontal method for detection and enumeration of Campylobacter spp. -- Part 1: Detection method” • As the Government proceeds to address capacity needs in the area of food testing listed in table 4.5, priority should also be given to address the following capacity needs: <ul style="list-style-type: none"> - Serology testing laboratories: training on the diagnosis of Brucellosis with RB strain, enzyme-linked immunosorbent assay (ELISA) and serum tube agglutination test (SAT); equipment: digital thermometer, water bath, ELISA reader and plate shakers. - Testing for salmonellosis in poultry: training of staff; accreditation of the methods used; equipment (Bio Safety Cabinet, centrifuge, incubator). - Animal Viral Disease testing: training on new methods of diagnosis of Animal Viral Disease and equipment (e.g., inverted microscope and centrifuge with cooling). - Avian Influenza and Newcastle Disease testing: advanced training is needed for staff. - Cell Culture testing: training on Cytology and equipment (magnetic stirrer, refrigerate and water bath). - Histopathology testing: training and equipment (Cryostat and a digital microscope with camera). - Bovine Spongiform Encephalopathy (BSE) testing: training for the diagnosis of Bovine Spongiform Encephalopathy disease.

<i>Outstanding needs</i>	<i>Recommendations</i>
	<ul style="list-style-type: none"> - Food borne parasites testing: training and equipment for the detection of Anisakis in fish and aquaculture products as well as for detection of the Trichinelosis in pigs. - Training on fish disease diagnosis and equipment for the Ciguatoxin testing, including: automatic Kjeldahl, centrifuge, safety box, ultra-turax, SPE-Baker Manifolder and Micropipettes and consumables. - Training on the Flotation methods used for different parasites detection. Basic equipment is also needed. - Training on the mycology diagnosis; validate and accredit testing methods used; and equipment, including: Bio Safety Cabinet, weight, binocular microscope, centrifuge, incubator, MC master slides, Berman apparatus, magnetic stirrer, different bakers (2L, 3L). <ul style="list-style-type: none"> • Fulfil requirements for membership in International Seed Testing Association(ISTA), which will enable national laboratories to issue ISTA International Seed Analysis Certificate

X. Outstanding needs and recommendations for market surveillance

<i>Outstanding needs</i>	<i>Recommendations</i>
Approve the necessary legislative amendments	<ul style="list-style-type: none"> • Amend existing legislation on inspection to ensure clear demarcation of responsibilities in relation to industrial products. The law “On trade and market surveillance for non-food products” assigns MEDTTE as the responsible agency for the bulk of non-food products placed on the market, including gas and fuels for consumer use; the control of which is assigned to MEI.
Establish an enforcement policy document for guiding the work of the newly established inspectorate	<ul style="list-style-type: none"> • The document should spell out the principles inspectors should apply when determining what enforcement action to take in response to breaches of health and safety legislation. Such principles should emphasize abandoning direct market interference measures in favour of controlling competition infringements, general product safety, and information given to the consumers; move beyond the prevailing singular focus on the inspection function to addressing the all-important guidance function that enterprises need to ensure adherence to mandatory safety requirements; ensure that enforcement action is be proportional to the health and safety risks and the seriousness of the breach.
Establish internal procedures for guiding the Inspectorate’s work	<p>Such procedures should provide guidelines for, among others:</p> <ul style="list-style-type: none"> • Following up on complaints or reports on issues relating to risks arising in connection with products that are the subject of a technical regulation • Monitoring accidents and harm to health which are suspected to have been caused by those products • Verifying that corrective actions have been taken • Ensuring the consistency surveillance activities and avoid duplication of sanctions in cases where there is more than one regulator involved. • Ensuring 100 percent recall of products that are found to pose risks to consumer safety, animal health and the environment • Maintaining registers of enforced health and safety enforcement notices
Establish procedures for supporting the Inspectorate’s collaboration with other	<p>Such procedures should spell out the scope of interagency cooperation, and provide guidelines for enforcement. Key areas include, among others:</p> <ul style="list-style-type: none"> • Application of risk assessment procedures. • Sharing of checklists and instructions.

<i>Outstanding needs</i>	<i>Recommendations</i>
agencies	<ul style="list-style-type: none"> • Selection of products that fall into the domain of several agencies and organization of joint actions in testing and analysing these products • Selection of testing laboratories • Sampling of products and the procedures for sharing and discussing the results and findings • Exchange of information on unsafe products (product identification data) found on the markets. • Exchange the information on the measures taken and follow up actions • Application of joint actions for products imported from third countries
Consolidate the inspection capacity of NFA , DPM and line ministries	<ul style="list-style-type: none"> • Establish a management manual to help inspectors make decisions in line with enforcement policy. • Expand the pool of trained onsite and post market inspectors in NFA, DPM and line ministries. The inspectors should be trained on risk analysis, law enforcement, risk communication and consumer awareness as well as on the implementation of the manual • Assist the NFA in designing the criteria and methodologies necessary for informing its Scientific Committee's decisions on risk assessment and market surveillance
Create the required systems for supporting the market surveillance function	<ul style="list-style-type: none"> • Establish a national database of non-food products to support market surveillance • Create mechanisms to allow for sharing information generated from AKUnet among all market surveillance agencies.⁷ • Establish traceability systems for priority products. Product selection should be based on a cost-benefit analysis of the required institutional arrangements, hardware and software requirements, costs of operation and roles of the public and private sectors.
Assist enterprises in complying with EU requirements	<ul style="list-style-type: none"> • Assist manufacturing enterprises in adopting internationally recognized standards, starting with ISO 9001:2000 and ISO 14001:2004. • Increase the SMEs access to external sources of finance (e.g., credit guarantee systems, structured finance for farmers and food producers, etc.) • Help food producers introduce safety management systems based on HACCP and GMP principles. • Establish collection points for agricultural produce in key regions, including Elbasan, Vlore and Fier.

XI. Outstanding needs and recommendations for developing the metrology system

<i>Outstanding needs</i>	<i>Recommendations</i>
Harmonize national legislation with EU requirements	<ul style="list-style-type: none"> • Ensure full harmonization with EU legislation, including Directive 2009/34/EC - Framework Directive on measuring instruments and metrological control methods
Improve the control function for pre-packaged goods	<ul style="list-style-type: none"> • DPM should be provided with equipment and training to conduct quality control of locally produced pre-packaged goods.
Strengthen existing	<ul style="list-style-type: none"> • The laboratories should be equipped with the required equipment and

⁷ Thus far, the information is only circulated among MARDWR departments and laboratories.

<i>Outstanding needs</i>	<i>Recommendations</i>
laboratories with the necessary requirements to obtain international recognition	<p>expertise skills (See Annex 2, Table A2.8)</p> <ul style="list-style-type: none"> • Assess the feasibility of establishing laboratories in the fields of time and frequency, torque, hardness, acoustics, ultrasound, ionizing radiation, photometry and radiometry • Implemented quality management system according to international requirements (ISO/IEC 17025) for all the calibration laboratories in all fields covered by DPM • Provide the required funding and assistance for: <ul style="list-style-type: none"> – Development and maintenance of the measurement standards. – Training of staff on general metrology issues and laboratory. – Participation in inter-laboratory comparisons – Participation in the activities of regional bodies – Ensuring appropriate environmental and climate conditions for measurement standards (e.g. UPS, fuel for generator and AVR system), – Introduction of modern management information systems – Development and Implementation of calibration / verification procedures

XII. Outstanding needs and recommendations for developing the metrology system

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Harmonize national legislation with EU requirements	<ul style="list-style-type: none"> • Ensure full harmonization with EU legislation, including Directive 2009/34/EC - Framework Directive on measuring instruments and metrological control methods
Improve the control function for pre-packaged goods	<ul style="list-style-type: none"> • DPM should be provided with equipment and training to conduct quality control of locally produced pre-packaged goods.
Strengthen existing laboratories with the necessary requirements to obtain international recognition	<ul style="list-style-type: none"> • The laboratories should be equipped with the required equipment and expertise skills (See Annex 2, Table A2.8) • Assess the feasibility of establishing laboratories in the fields of time and frequency, torque, hardness, acoustics, ultrasound, ionizing radiation, photometry and radiometry • Implemented quality management system according to international requirements (ISO/IEC 17025) for all the calibration laboratories in all fields covered by DPM • Provide the required funding and assistance for: <ul style="list-style-type: none"> – Development and maintenance of the measurement standards. – Training of staff on general metrology issues and laboratory. – Participation in inter-laboratory comparisons – Participation in the activities of regional bodies – Ensuring appropriate environmental and climate conditions for measurement standards (e.g. UPS, fuel for generator and AVR system), – Introduction of modern management information systems – Development and Implementation of calibration / verification procedures