



## **Protocol for management of underperformance in comparative testing and/or lack of collaboration of National Reference Laboratories (NRLs) with Community reference laboratories (CRLs) activities**

According to article 32 of Regulation (EC) 882/2004<sup>1</sup>, Community reference laboratories (CRLs) shall be responsible for coordinating application by the NRLs of analytical methods, in particular by organising comparative testing and by ensuring an appropriate follow-up of such comparative testing.

Article 33 of the Regulation establishes that NRLs shall collaborate with the CRLs in their area of competence.

The NRLs are a key tool for the proper implementation of official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, therefore their performance is of outmost importance.

Appropriate actions must be taken if the results of comparative tests reveal underperformance or if NRLs fail to collaborate properly with the corresponding designated CRL.

The following two-step protocol is suggested in case of

- (a) underperformance (i.e. failure in proficiency test)
- (b) lack of collaboration by the NRLs with the CRL

### **Phase 1**

- (a) Underperformance (i.e. failure in proficiency test)
  - CRL should contact the NRL and provide assistance trying to identify the origin of the bad result. On the spot visits and training could be foreseen if necessary.
  - Repetition of the comparative test if feasible (e.g. within 3 months) and close assessment of the results by the CRL

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<sup>1</sup> OJ L 165, 30.4.2004, p. 1, corrected by OJ L 191, 28.5.2004, p. 1. Regulation as last amended by Commission Regulation (EC) No 776/2006 (OJ L 136, 24.5.2006, p. 3)

Confidentiality should be kept during this phase in order to ensure good co-operation from the NRL. The results of the proficiency test and the codes of the laboratories are included in the report transmitted to the Commission. Apart from that there is no need to further involvement of the Commission until the results of the following comparative test are available and re-assessed.

(b) Lack of collaboration by the NRLs with the CRL:

- CRL should contact the NRL if lack of collaboration with CRL activities. CRL should ask the NRL for the reasons of no participation to a proficiency test or a workshop. The justification provided by the NRL should be included in the report submitted to the Commission

## **Phase 2**

(c) Underperformance (i.e. fail in proficiency test)

- If the results of the following comparative test still reveal underperformance of the NRL or the collaboration of the NRL is not adequate, the Commission shall be informed officially by the CRL including a report of the main findings and corrective actions to improve the situation.
- The Commission shall inform the competent authority and require that appropriate actions are taken.

(d) Continuous lack of collaboration by the NRLs with the CRL:

- In case of repetitiveness of the lack of response of the NRL, the Commission shall be informed officially by the CRL and the Commission shall inform the competent authority and require that appropriate actions are taken.