

**Order of the Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests No. 1597-20 of 27 Chaoual 1441 (19 June 2020) on the recognition of laboratories authorized to carry out self-monitoring analyses.**

(OG No 6996 of 17 June 2021, page 958)

**THE MINISTER OF AGRICULTURE, MARITIME FISHERIES, RURAL DEVELOPMENT AND WATER AND FORESTS,**

In view of Law No. 28-07 relating to the health safety of food products, promulgated by Dahir No. 1-10-08 of 26 Safar 1431 (February 11, 2010), particularly its article 9;

Having regard to Decree No. 2-10-473 of 7 Chaoual 1432 (6 September 2011) issued for the application of certain provisions of Law No. 28-07 relating to the health safety of food products, particularly its articles 41 and 42,

**Orders:**

**Article 1.** - Pursuant to the provisions of Article 42 of Decree No. 2-10-473, this Order the conditions and procedures for the recognition of laboratories whether internal to the company or contracted by it, responsible for carrying out analyses required under the self-monitoring systems set up by establishments and companies operating in the food sector and the animal feed sector.

**Article 2.** - For the purposes of this Order, the following terms shall have the following meanings:

1. Self-monitoring: any examination, verification, sampling, or other control activity carried out by operators of establishments and companies in the food sector and the animal feed sector, or under their responsibility, in accordance with the provisions of Article 9 of Law No. 28-07.
2. Self-monitoring analysis: any analysis carried out on a sample taken as part of a self-monitoring activity.

**Article 3.** - Official laboratories and private laboratories approved by the National Office for Food Safety, as referred to in Article 70 of Decree No. 2-10-473, shall be deemed to be recognized for the purpose of carrying out self-monitoring analyses.

**Article 4.** - The recognition of laboratories provided for in Article 42 of Decree No. 2-10-473, for the purpose of carrying out self-monitoring analyses, shall be granted to such laboratories if they:

- have competent personnel, as well as the material, technical, and organizational resources necessary to carry out the analyses entrusted to them;
- hold accreditation in accordance with the NM ISO/IEC 17025 standard entitled “General requirements for the competence of testing and calibration laboratories”, as approved by Order of the Minister of Industry, Trade and Economic Upgrading No. 406-06 of 28 Moharram 1427 (27 February 2006), or any standard replacing it, or have formally initiated the process of obtaining such accreditation.
- meet, where applicable, the specific standards established by the National Office for Food Safety (ONSSA), that applied to the types of analyses to be carried out;
- demonstrate the implementation of biosecurity and biosafety measures in accordance with the legislation and regulations in force;
- participate in inter-laboratory comparison in the relevant analytical fields.

**Article 5.** - The application for recognition shall be accompanied by a file consisting of specifications drawn up in accordance with the model set out in the Appendix to this Order, together with the documents referred to in said specifications.

The application, the model of which is included in the specifications, duly signed by the applicant, and the accompanying file shall be submitted, against acknowledgment of receipt, to the headquarters of ONSSA, in paper format and in seven (7) digital copies.

Where a laboratory operates one or more branches for the conduct of its activities, each branch shall be subject to separate recognition in accordance with the provisions of this Order.

Where one or more analyses cannot be carried out by the laboratory applying for recognition, such analyses may be subcontracted, under an agreement or contract, to a laboratory as referred to in Article 3 above or to a private laboratory holding the corresponding recognition issued in accordance with the provisions of this Order; or to a foreign laboratory accredited or recognized in its country of origin, where the analyses concerned cannot be carried out in Morocco.

The subcontracted laboratory or laboratories to which the analyses are to be entrusted shall be indicated in the specifications accompanying the application.

**Article 6.** - The competent department of the National Office for Food Safety (ONSSA) shall have a period of one (1) month from the date indicated on the acknowledgment of receipt to verify the completeness of the file accompanying the application.

Where, during this verification, it appears that the file is incomplete or contains non-compliant documents, the said department shall notify the applicant, by any means providing proof of receipt, specifying the missing or non-compliant documents.

The applicant shall have a period of one (1) month from the date of receipt of the said notification to submit the requested documents. Upon expiry of this period, if the applicant fails to submit the requested documents, or where the documents submitted remain non-compliant, the application shall be rejected. A reasoned rejection decision shall be notified to the applicant within fifteen (15) days following the date of receipt of the last requested document that has been found to be non-compliant.

**Article 7.** - If the file accompanying the application is complete and compliant, it shall be examined by a committee whose composition shall be determined by the Director General of the National Office for Food Safety (ONSSA), or by a person delegated by him for that purpose, within a maximum period of sixty (60) days from the date of submission of the complete and compliant file.

Such examination shall consist of a review of the file documents to verify that the applicant meets the requirements set out in Article 4 above. The examination process may include an on-site inspection of the premises, facilities, and equipment intended to be used for carrying out the analyses.

If, during the review, it appears that one or more of the requirements are not met, the applicant shall be invited, by the competent department of ONSSA, to remedy such deficiencies within a period of sixty (60) days from the date of notification thereof.

Upon expiry of this period, if the applicant fails to comply with the said requirements, the application shall be rejected. A reasoned rejection decision shall be notified to the applicant within thirty (30) days following the end of the said period.

**Article 8.** - Recognition shall be granted for one or more specific analyses.

Where, at the time recognition is granted, the laboratory does not hold accreditation in accordance with the said NM ISO/IEC 17025 standard, a period of twenty-four (24) months from the date of issuance of the recognition shall be granted for submission of such accreditation to the National Office for Food Safety (ONSSA), against acknowledgment of receipt.

If the accreditation is not submitted within the said period, the recognition shall be withdrawn. This period may be extended by an additional twelve (12) months in cases of duly justified force majeure.

**Article 9.** - Recognition shall be valid for a period of five (5) years from the date of its issuance. It may be renewed for equivalent periods, at the request of its beneficiary, under the same conditions as those governing its initial grant.

Recognition shall be personal and may not be assigned or transferred for any reason whatsoever.

**Article 10.** - The application for renewal of recognition shall be submitted, on pain of rejection, at least one (1) year prior to the expiry date of the validity period of the relevant recognition.

The renewal application shall be processed in accordance with the same procedures and within the same time limits as those applicable to the granting of the initial recognition.

**Article 11.** - During its period of validity, recognition may be revised in the following cases:

- at the request of the beneficiary, where it seeks to modify the scope, type, or method of analysis covered by the recognition;
- at the initiative of the National Office for Food Safety (ONSSA), if it has been established that the beneficiary is no longer able to perform one or more analyses in accordance with the required conditions.

Any revision must be accompanied by an amendment to the specifications mentioning the areas and types of analyses modified, deleted or added, as well as the personnel, materials, equipment and protocols used.

**Article 12.** - Every recognized laboratory shall be subject to regular documentary reviews and, where necessary, on-site inspections carried out by the competent services of the National Office for Food Safety (ONSSA). Such reviews and inspections shall be intended to verify that the laboratory continues to comply with the conditions under which recognition was granted.

Any on-site inspection shall give rise to the preparation of a report drawn up by the inspecting officer(s), specifying the non-conformities and/or deficiencies identified, as well as the time limit within which the beneficiary shall be required to remedy them.

**Article 13.** - If, during the reviews and inspections provided for in Article 12 above, one or more non-conformities and/or deficiencies are identified, the beneficiary shall be notified thereof, by any means providing proof of receipt, and formally required to remedy such non-conformities and/or deficiencies within the time limit specified in the notice.

If the non-conformities and/or deficiencies are not remedied within the prescribed time limit, recognition shall be suspended.

The decision to suspend recognition shall specify the non-conformities and/or deficiencies identified, include recommendations for achieving compliance, and set the time limit within which the beneficiary shall remedy them. Such time limit shall be no less than one (1) month and no more than six (6) months.

Upon expiry of this period, if the non-conformities and/or deficiencies have not been remedied, recognition shall be withdrawn. Otherwise, the suspension shall be lifted.

The decision to withdraw recognition shall be duly reasoned and shall be notified without delay to the person concerned by any means providing proof of receipt.

**Article 14.** - Recognition shall be withdrawn immediately, without prior suspension, if it is established that the non-conformities and/or deficiencies identified call into question the reliability of the analysis results and may pose a risk to human or animal life or health, or to plants or the environment.

The decision to withdraw recognition shall be duly reasoned and shall be notified without delay to the person concerned by any means providing proof of receipt.

**Article 15.** - Any beneficiary whose recognition has been withdrawn may submit a new application for recognition, in accordance with the conditions laid down in this Order.

**Article 16.** - Any beneficiary of recognition shall, throughout the period of validity of the recognition, be required to:

- inform the National Office for Food Safety (ONSSA), without delay, of any incidents and non-conformities identified;
- transmit to the ONSSA laboratories designated for that purpose the strains isolated in the context of food or water microbiology, together with the requested information relating to such strains and their origins;
- inform ONSSA, without delay, of any change relating to responsible personnel or the organization of services, as well as any change in methods, procedures, reference documents, or guides to good practice.

The beneficiary shall submit to ONSSA, no later than the fifth (5<sup>th</sup>) day of each month, an activity report for the preceding month, in accordance with the model provided by ONSSA, in both paper and electronic formats.

This report shall include information relating to:

- overall laboratory activities, including the number of samples received, the number of analyses carried out by theme, the results obtained, and the non-conformities identified;
- activities by theme, including the context and origin of the analyses, and the analyses carried out by product, pathogen, and method;
- activities relating to the analyses covered by the recognition granted, including inter-laboratory comparison, the use or updating of new methods, the status of accreditation and surveillance audits, training activities undertaken, participation in scientific activities, feedback on the quality of samples received, and any complaints received;
- information on other analysis capabilities of interest that the laboratory carries out or can carry out outside the scope of the recognition granted by ONSSA.

**Article 17.** - This Order shall be published in the Official Gazette.

**Rabat, 27 Chaoual 1441 (19 June 2020).**

**Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests, Aziz AKHANNOUCH**

## Appendix

**to the Order of the Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests No. 1597-20 of 27 Chaoual 1441 (June 19, 2020) on the recognition of laboratories authorized to carry out self-monitoring analyses.**

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**Model specifications to accompany the laboratory recognition application.**  
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### Chapter 1 - General Provisions

**Article 1:** The purpose of these specifications is to establish the requirements that must be observed by <sup>1</sup>....., designated to carry out self-monitoring analyses in the areas: ....., according to the scope of recognition granted to it.

**Article 2:** The applicant undertakes to:

- The applicant undertakes to:
- comply with the applicable laws and regulations;
- comply with the provisions of the recognition granted to it and with the clauses of these specifications throughout the period of validity of said recognition;
- comply with obligations of confidentiality, impartiality, and absence of conflicts of interest;
- ensure that the competence of the employed staff is maintained;
- use only premises, installations, equipment, and materials that are authorized, approved, or certified, as applicable, in accordance with the regulations in force;
- comply with professional rules and good practice guides or reference documents in force applicable to the self-monitoring analyses to be carried out;
- inform, without delay, the competent services of the ONSSA of any change in its administrative or management bodies, in the allocation of responsibilities related to the activities referred to in Article 1 above, and/or in the skills and capacities of the laboratory to carry out the analyses covered by its recognition;
- notify, without delay, the competent services of the ONSSA of any modification affecting the recognitions, accreditations, or other authorizations it holds under any other applicable legislation or regulation relating to the laboratory's activities;
- inform, without delay, the competent services of the ONSSA of any analyses entrusted to subcontracted laboratories;
- inform the ONSSA, without delay, of any non-compliance identified during the analyses carried out within the framework of self-monitoring;
- send to the ONSSA the strains isolated in the context of food or water microbiology, together with the requested information relating to these strains and their origins;
- transmit to the ONSSA the annual forecast schedules of audits and inter-laboratory tests;
- transmit to the ONSSA the audit reports and reports of inter-laboratory tests carried out, accompanied by the corresponding summary tables;
- implement preventive or corrective action plans to address deviations from the reference benchmarks used;
- inform the ONSSA of any change in the use of standards and reference materials employed by the laboratory;
- allow, for control purposes, agents designated by the ONSSA access to the premises and installations, and provide them with any document or information relating to the laboratory's activities;

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<sup>1</sup> indicate the applicant's brief identification details.

- transmit to the ONSSA a monthly report on its activities;
- provide any information requested by the competent ONSSA services in relation to the analyses carried out;
- send to the ONSSA the reports of subcontracted laboratories and the analyses entrusted to them, specifying the methods and reference systems followed, as well as the procedures and protocols used;
- prepare an annual report on its activities and submit it to the ONSSA no later than January 31 of the year following the year covered by said report.

**Article 3:** These specifications may be amended by means of addenda whenever one of the elements based on which recognition was granted is modified.

### **Chapter 2 – Human Resources**

**Article 4:** The laboratory must have enough qualified and experienced personnel, taking into account the scope of the recognition granted. The information to be provided is specified in Section III of the annex to these specifications.

**Article 5:** Copies of proof of identity, as well as documents attesting to the qualifications, skills, and functions of the responsible personnel, shall be attached to these specifications. These documents must be presented upon request to authorized ONSSA agents during the inspections they conduct.

### **Chapter 3 – Material Resources**

**Article 6:** The laboratory must possess, either as owner or under a right-of-use agreement, the infrastructure, materials, and equipment necessary to carry out self-monitoring analyses in accordance with the scope of the recognition granted. The information to be provided is specified in Section IV of the annex to these specifications.

Where required by the applicable regulations, the premises, infrastructure, materials, and equipment used to carry out self-monitoring analyses must, as appropriate, hold valid authorization, recognition, accreditation, or approval.

**Done at ....., on .....**

**(Signature and stamp)**

## Annex to the specifications

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### I - Recognition application form

#### 1. Applicant identification

Name or Company Name Address	
For legal entities under private law: - number and location of the commercial register: - patent number: - CNSS affiliation number: - others :	
Tel: Fax: Email: WEBSITE:	

Person in charge of the file: (Identity and capacity (CIN or equivalent, residence card) Tel: Email:	
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#### 2. Information relating to the request for recognition:

Nature of the request	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Initial	Revision	Renewal
Area of activity concerned by the request			
Type of analyses covered by the request			

Done at .....on .....  
Signature and stamp

## II- List of documents to be provided <sup>1</sup>:

1. Copies of the statutes and the minutes of the most recent general meeting;
2. The hierarchical organizational chart of the laboratory;
3. A copy of the accreditation certificate to NM ISO/IEC 17025 and its scope, or any document demonstrating the applicant's commitment to the process of obtaining said accreditation;
4. A declaration whereby the applicant undertakes to comply with, and to ensure that its staff comply with, the requirements of confidentiality, impartiality, and independence of the laboratory, accompanied, where appropriate, by an analysis of potential risks of conflicts of interest;
5. The layout plan of the premises, indicating personnel and sample circulation routes;
6. The list of quality documents and a copy of the latest version of the quality manual;
7. The list of technical procedures and the corresponding records;
8. The list of persons authorized to validate results, indicating their titles and qualifications;
9. The list of laboratory personnel involved in the analyses covered by the application, together with their qualifications;
10. The list of laboratory staff indicating their identity, the nature of the diploma held, where applicable, the position occupied, and the CNSS registration reference, where applicable;
11. The list of materials and equipment used to carry out the analyses;
12. The summary table of calibrations carried out, drawn up in accordance with the model below, together with the corresponding calibration reports.

### Summary table of calibrations carried out.

List of Equipment and Material	Status of Equipment and Materials (Specify if Calibrated or not)	Calibration Date	Calibration Frequency	Calibration Body  (Specify its accreditation status for calibration testing accredited)	Report Reference
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

13. The scope of recognition, specifying the links and relevant information for each analysis requested, drawn up in accordance with the following model:

### Model for the scope of recognition

Domain and analysis matrix	Settings	Adopted standards	Reference of the operating mode used	Accreditation status parameters (accredited or not)	Inter-laboratory tests realized (yes or no)
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

14. The procedure applied for each analysis;

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<sup>1</sup> The documents include, depending on the nature of the activities, manuals or graphic representations, organization charts, standards, guides or summaries of the main methods and procedures used.

15. The summary table of inter-laboratory tests, their results and operational actions taken, drawn up according to the model below, together with the corresponding inter-laboratory tests reports;

**Table of inter-laboratory tests, their results and operational actions.**

<b>Settings of the scope</b>	<b>Date of inter-laboratory tests</b>	<b>Trial Organizer</b> (Specify if accredited to carry out the tests or not)	<b>Report reference</b>	<b>Results</b> (Specify if Satisfying Or not)	<b>Follow-up actions</b>
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

16. The accreditation audit report and surveillance audit reports, if applicable;  
 17. The summary table of non-conformities identified, where applicable, during audits and the actions taken to remedy them, drawn up according to the following model:

**Model of the summary table of identified non-conformities**

<b>Dates of audits carried out</b>	<b>Audited domains and analysis parameters</b>	<b>Number and themes of non-conformities detected</b>			<b>Audit report reference</b>	<b>Reference to the action plan for corrective/preventive or improvement measures to be attached to the file</b>	<b>Expected date of the next audit</b>
		Critical	Major	Remarks			
.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....

18. The risk analysis table;  
 19. The list and copy of contracts or agreements concluded with the subcontracting laboratory(ies) to which certain analyses may be entrusted, indicating their accreditation or recognition references;  
 20. The list of persons other than laboratory staff who may be entrusted with specific, one-off supervisory or advisory assignments.

**III- Description relating to the staff employed:**

Indicate, in the table below, the department(s) responsible for self-monitoring analyses in the areas referred to in Article 1 of these specifications, specifying the main functions and qualifications of the persons responsible for carrying out these analyses.

<b>Name of the Service(s) concerned</b>	<b>Identity and function of the responsible person</b>		<b>Qualifications/ Skills</b> of the signatories of the results
	<b>Identify</b>	<b>Function</b>	
.....	.....	.....	.....
.....	.....	.....	.....

#### IV- Identification and description of premises, installations, equipment and materials:

Indicate, identify and describe, in the table below, the premises, installations, equipment, and materials that the applicant undertakes to use for the performance of the analysis activities, whether owned or not by the latter.

<b>Identify :</b> .....	
<b>Number of premises, installations, equipment, materials:</b> ..... (indicate the number in figures by category)	
<b>Information</b> (In each section, separate the categories and provide sufficient space to indicate all the information requested)	<b>Supporting documents and documents</b>
<b>Premises, installation, equipment, material, Address</b> ..... authorization or accreditation number (indicate the regulation of reference) .....	Copy of rental agreements, if applicable.
<b>Brief description of the premises, installation, equipment, material or laboratory</b> ..... .....	Copy of the corresponding documents - The plan of the premises with the staff and sample circuits. - List of equipment.