



Biedrība "Lauksaimnieku organizāciju sadarbības padome"
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Rīgā

Uz 20.09.11 Nr. 199
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Zemkopības ministrijas
valsts sekretārei D.Lucauai

Pārtikas un veterinārā dienesta
ģenerāldirektoram Mārim Balodim

Par lauku tūrisma mītņu reģistrēšanu PVD

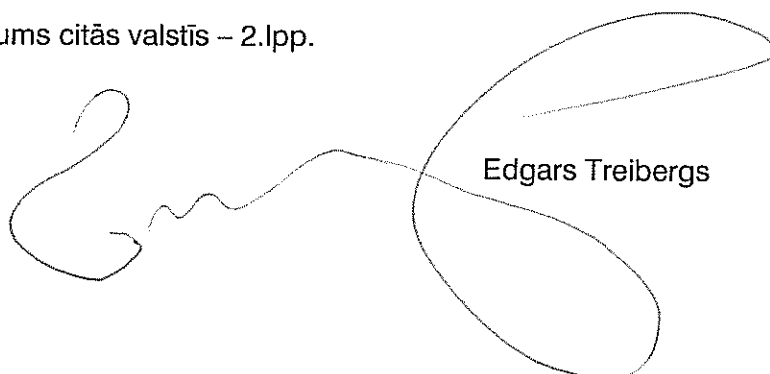
Pamatojoties uz Lauksaimnieku organizāciju sadarbības padomes (LOSP) dalīborganizācijas, Latvijas Lauku tūrisma asociācijas, vēstuli par lauku tūrisma mītņu reģistrēšanu PVD un tajā paskaidroto problēmu, LOSP lūdz PVD sniegt skaidrojumu šajā jautājumā un cerot uz konstruktīvu situācijas atrisinājumu, nepieciešamības gadījumā rīkot darba grupu.

Šī vēstule ir nosūtīta arī elektroniski uz e-pastu: Pārtikas un veterinārajam dienestam pvd@pvd.gov.lv

Pielikumā:

1. Latvijas Lauku tūrisma asociācijas vēstule Par lauku tūrisma mītņu reģistrēšanu PVD – 1.lpp.
2. Eiropas lauku tūrisma federācijas "Eurogites" e-pasts par PVD reģistrācijas prasībām Eiropas valstīs – 1.lpp.
3. Sertifikāta prasību skaidrojums citās valstīs – 2.lpp.

LOSP valdes priekšsēdētājs



Edgars Treiberis

**LAUKU CEĻOTĀJS**

Zemkopības ministrijai;
LOSP;
Ekonomikas ministrijas Tūrisma nodaļai;
TAVA

20.09.2011

Par lauku tūrisma mītņu reģistrēšanu PVD

Asociācija 2011.gada pavasarī izstrādāja "Labas Higiēnas prakses Vadlīnijas ēdiena gatavošanai lauku tūrisma mītnēs", kuras izplatīja saviem biedriem un citiem lauku māju saimniekiem, kas sniedz ēdināšanas pakalpojumus. Nesenajā Asociācijas sapulcē saimnieki informēja, ka PVD reģionālās institūcijas pieprasa reģistrēt PVD arī Brīvdienu mājas, kas ēdināšanas pakalpojumus nepiedāvā, bet šajā mītnē atrodas virtuve – t.i. vieta, kur viesi paši sev pagatavo ēdienu. Izstrādājot vadlīnijas, Asociācija nepieļāva interpretāciju, ka Vadlīniju punkts 2.1. tiks attiecināts arī uz šādām Brīvdienu mājām, bet paredzēja to mītnēm, kur tiek apkalpotas svinības lielam viesu skaitam (piem. 50 un vairāk viesu) un kas tiek izīrētas uz atsevišķām dienām. Brīvdienu māju saimnieks bieži izīrē uz mēnesi un vairāk, bez iespējām kontrolēt, kas notiek virtuves telpā un vai tiek nodrošinātas Vadlīnijās pieprasītās higiēnas normas. Tāpat Brīvdienu mājas ne vienmēr pilnā mērā ir nodrošināts aprīkojums virtuvei – tur var būt tikai plītiņa, bet var nebūt ledusskapis vai otrādi. Mūsaprāt, to nosaka kvalitātes prasības un piešķirtais novērtējums, nevis Pārtikas aprites likums.

Asociācija ir apkopojusi Eiropas lauku tūrisma prasības Higiēnas normas visās citās Eiropas valstīs – prasības reģistrācijai PVD pašapkalpošanās mītnēs (nekādām) nav nekur citur, kā Latvijā. Tāpat par absurdu uzskatāms fakts, kad pirms dažiem gadiem Ekonomikas ministrija atcēla prasību pēc tūrisma mītņu datu bāzes, uzskatot to par lieku birokrātiju, bet tagad veidojas situācija, ka PVD faktiski uzturēs šādu datu bāzi ar iemeslu kontrolēt virtuvju kvalitāti visās tūristu mītnēs, kas nav tās uzdevums un ko nevar pieskaitīt Pārtikas apritei.

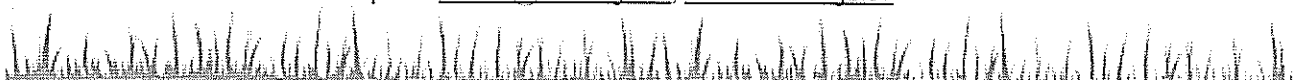
Asociācija uzskata, ka PVD būtu jāreģistrējas tikai ēdināšanas pakalpojumu sniedzējiem – t.i. tiem, kas piedāvā savā mītnē ēdināšanu vai tās mītnes, kas piedāvā plašu svinību apkalpošanu, sporta spēles utml., kur apkalpo vairāk kā 50 viesu vienlaicīgi. Visos citos gadījumos virtuves atbilstību kontrolē būvniecības normas, kvalitātes prasības vai standarti. Tam nav jābūt PVD pārbaūžu mērķim, jo nesatur nekādu loģiski pamatojamu veselības risku pārtikas apritei viesu mītnē, vismaz ne tādu, ko saimnieks spētu kontrolēt. Ja vien mērķis, protams, nav kontrolēt kontrolēšanas pēc.

Sarunās ar PVD pārstāvi šai vadlīniju punkta interpretācijai risinājums netika panākts. Tāpēc, ja nepieciešami Pārtikas aprites likuma grozījumi (uz ko pastāvēja PVD) vai tikai šo vadlīniju precizējumi, esam gatavi piedalīties darba grupā, kas mainītu šo absurdo situāciju.

Ar cieņu,

Asnāte Ziemele

LLTA „Lauku ceļotājs” prezidente, valdes priekšsēdētāja
(29285756, 67617600)



Eiropas lauku tūrisma federācijas "Eurogites" e-pasts par PVD reģistrācijas prasībām Eiropas valstīs

further to the below matter, I did a quick research and overview on existing regulation for holiday homes and small-scale (Bed&Breakfast) country accommodation regarding kitchen and food.

1) for general comparison on regulations, see the attached chart which was just updated two weeks ago. It reflects the situation in the four most important and relevant rural tourism countries in Europe that amongst them, sum more than 75% of the total capacity and should therefore be considered as a reference.

2) for serviced accommodation (ie. private household offering breakfast and optional meals) that are not run under commercial figures (ie. hotel, restaurant), not a single country establishes any technical or sanitary requirement. The only requirement that can be observed in many countries, is a basic (15-20 hour) training on handling food and food safety.

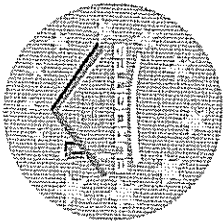
3) for self catering accommodation (ie. only rental without any service such as food), the requirements are those of technical safety as in any private home or residential building; this is automatically covered when a building (or outbuilding) is legally constructed. Even in the commercially run apartment business, where regulated as such, there is **NO** additional requirement for food and hygiene in kitchen areas.

In summary, it seems very strange - and would in fact be a unique situation in Europe - that the Latvian Health Authorities require compliance with food and hygiene rules for serviced accommodation or restaurant kitchens in self-catering accommodation. Such rules are designed - and make sense - in the case that food is manipulated by a service provider before being offered to the public (guest). However we cannot find any logic in requesting this in situations where the food is handled directly by the client for his own consumption as is the case in self-catering.

I hope this short report is helpful in your situation. Due to this very strange and surprising attitude from your national Food and Health Authorities, pls keep us informed about any progress in this case.

Kind regards

Klaus Ehrlich
General Secretary EuroGites



Regulation of small-size rural accommodation in reference countries: Austria, Germany, France, United Kingdom

	Germany	Austria	France	UK
Reference organisations	Bundesverband Landurlaub http://www.bauernhofurlaub-deutschland.de/	Bundesverband Urlaub am Bauernhof http://www.urlaubambauernhof.at Bed&Breakfast Austria http://www.bedandbreakfastaustria.at	Gites de France http://www.gites-de-france.com/ Clévacances http://www.clevacances.com/EN/	FarmStay UK http://www.farmstay.co.uk/ Cottage rental – example: http://www.cottagenet.co.uk
Total number of accommodation (market size)	Agrotourism: 25.000 Rural Tourism in general – more than 120.000 (mostly s/c holiday homes)	Agrotourism: 15.500 Rural Tourism in general: 30-40.000 B&B + unknown number of s/c holiday homes or units	Gites de France: 55.000 Clévacances: 31.000 + free market (without estimate)	FarmStayUK: 1200 B&B – no figures Cottage rental in general: >60000 (commercial agencies + direct rentals)
Tourism legislation that applies to small-size rural tourism accom.	General legislation on tourism applies (= no specific regulation for rural tourism) Rooms/B&B: not subject to tourism regulations up to 3 bedrooms; above these, rules for hotels/pensions S/C home or unit: rental of private property, but recognized as part of the tourism activity	General legislation on tourism applies (= no specific regulation for rural tourism) Rooms/B&B: 10 beds are exempt from business rules; then rules for pensions /hotels S/C home or unit: rental of private property, recognized part of tourism accommodation activity	General legislation on tourism applies (= no specific legal regulation for rural tourism) B&B/Chambres des Hôtes: Regulation 2007-1173 establishes capacity limits (up to five rooms with max. 15 beds) and minimum services S/C home or unit: "Meublé de tourisme" or "Gîtes Ruraux"	General legislation on tourism applies (= no specific legal regulation for rural tourism) B&B – free activity, not subject to specific tourism legislation S/C home or unit – rental of private property When offered for tourism purpose, both are subject to fire and sanitary requirements
Capacity limits for the activity to be considered as non-business	3 bedrooms in B&B/private rooms (may vary between Länder) Several units in S/C holiday rentals (no official limit, but usually between 3-4 per owner).	Up to 10 guest beds, considered by law as "complementary household activity". No employed staff (only owner and members of household) S/C holiday homes: up to 4-5 units Both are accumulative.	Chambre de Hôtes: no business up to 16100 € annual turnover, then optional self-employed professional S/C holiday homes (Gîtes etc.): income from rental must be less than 50% of total annual income	B&B: up to 4 rooms S/C holiday homes: several units
Services that may be offered	Rooms/B&B: breakfast, meals (only to guests) S/C holiday homes: none	Rooms/B&B: breakfast and meals (except Salzburg: only breakfast) "as served within the family" (no menu!) S/C holiday homes: none	Chambre de Hôtes: breakfast is obligatory ("sleep only" is not permitted), meals at home of owner S/C holiday homes: none	B&B: breakfast, dinner S/C holiday homes: none
Recognized as part of tourism activity	yes	yes	yes	yes
Formal requirements to start operating (registration etc)	Registration at the local "Gewerbeamt" (business registration office) even if below above limits	Inform about the activity to the local tourism entity (DMO) for purpose of tourist tax; no business registration etc required	Register the activity with the municipality, which is obliged to publish a list of all accommodation. Registration to local Chamber of Commerce only if above limits	B&B: communication to the town hall, must comply with regulations regarding fire, food, etc. S/C rental: none

	Germany	Austria	France	UK
Permit needed to open	No	No	No, except for owners of CdH offering meals. Subject to general public regulations (safety, F&B, ...)	See previous
Urbanistic regulations or permits	Up to above "limits", residential use without need of specific permits or licences even in non-urban territory	Up to above "limits", residential use without need of specific permits or licences even in non-urban territory	Up to above "limits", residential use without need of specific permits or licences even in non-urban territory	Up to above "limits", residential use without need of specific permits or licences even in non-urban territory
Tax treatment of income (up to "limits")	Personal income (B&B), or property income (S/C). Additionally, trade tax must be paid if annual profit exceeds 24.500 €	50% (B&B) / 30% (SC) of total revenue is automatically accepted as deductible cost; rest is considered as personal income or property income. Considered as commercial/business income if above "limits" are exceeded	Income from administration of property, or personal income. 71% of total revenue deducted as cost without specific justification ("micro-BIC" regime)	B&B: personal income, with optional franchise of 5500 EUR (= this amount is not declared as income, but also no costs can be deducted). S/C: property income, with additional deductions if declared as holiday rental
VAT	VAT for accommodation (B&B, S/C) is 7%, additional services and meals 19%. Franchise for annual turnover up to 17500 € (optional)	B&B: no up to 10 beds (household activity) Holiday appartements, standard VAT for private rentals (10%), but optional VAT franchise for turnover <€30.000	CdH: No VAT if turnover is below 76300 € p.y. Exempt in case of S/C - Gites	No, due to franchise for turnover up to 75000 EUR p.y. (voluntary VAT is possible)
Social Security	no	Rooms/B&B: 4-5% on revenue for farmers (<i>mean value</i>); non-farmers exempt for profit <4500 € p.a. No for holiday rentals (regarded as "income from renting property")	For CdH: none up to 16.000 € turnover; above 12,2% of turnover (self-employed scheme) No for registered holiday rentals	Voluntary
Other taxes and equivalent	Tourism tax where established	Tourism Tax (usually around 1 EUR/person/overnight) to the local Council or Tourist Board	Tourism Tax where established	no
Classification and quality control	DTV (private national classification systems for private rooms and holiday homes); additional private quality labels of DLG and of the Federal Association of Farm Holidays and Rural Tourism	Agrotourism association (rooms and holiday homes); proprietary system of classification by flowers Private rooms/B&B: proprietary system by "Edelweiss" or other symbol (according to province) Other holiday homes: none	CdH and S/C: proprietary system of Gites de France (ears) Official classification for holiday homes (voluntary, extra fee) - Gites de France has delegated competence to assign this official classification together with "ears".	Voluntary participation in the general classification systems of English, Scottish, or Welsh Tourist Boards. New "Entry" level scheme being introduced from 2011 to help identify active B&B and Self-catering properties to local authorities
Included in public tourism promotion	Yes, at regional and local level. National websites obtain federal support.	Yes, in all local and regional websites access via national level; examples: Agrotourism, holiday homes	Yes, obligatory	Must be included on all state aid funded websites; otherwise buy in to local and regional (private) publicity opportunities
Other support		Web platform for private rooms supported by national Ministry of Economy	Generate local value by holiday rental of secondary residences (not necessarily rural tourism)	Tax benefits for properties that are used for tourism rental

Sources: Report EuroGites "Is Rural Tourism considered a Business Activity?" – updated 1-9-2010
Own research