



## Food Standards Agency in Northern Ireland

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### **Report on the Audit of Food Law Enforcement Controls of Imported Food at Armagh City and District Council**

## Foreword

Audits of local authorities' food law enforcement services are part of the Food Standards Agency's (FSA) arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food, and feeding stuffs is largely the responsibility of local authorities. These local authority (LA) regulatory functions are principally delivered through their Environmental Health Services.

The attached audit report examines the Local Authority's Food Law Enforcement Service. The audit scope includes the assessment of local arrangements in place for service planning, delivery and review, provision and adequacy of officer training on imports and authorisations, and implementation and effectiveness of imported food control activities, (including inspection, sampling, and enforcement). Maintenance and management of appropriate records in relation to imports activity at ports and food businesses that handle imported food in inland local authorities and internal service monitoring arrangements will also be examined.

This programme of focused audits has been specifically developed to address one of the main priorities identified in the Food Standard Agency's Strategy for 2010-2015 in meeting the outcomes that imported food is safe to eat and that regulation is effective, risk-based, and proportionate. The strategic priority is to ensure risk-based, targeted checks at ports and local authority monitoring of imports throughout the food chain.

FSA audits assess local authorities' conformance against the Food Law Enforcement Standard ('The Standard'), which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement. The Framework Agreement and the audit protocols are available on the Agency's website at:

[www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring)

The main aim of the audit scheme is to improve and maintain consumer protection and confidence by ensuring that local authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and information to inform Agency policy on food safety.

The report contains some statistical data on food law enforcement activities undertaken by the authority. The FSA's website contains enforcement activity data for all UK local authorities and can be found at: [www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring)

The report also contains an action plan, prepared by the Authority, to address the audit findings.

A glossary of technical terms used within the audit report can be found at Annexe C.

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## 1.0 INTRODUCTION

### 1.1 Reason for the Audit

1.1.1 The primary purpose of FSA audits of Enforcement Authorities is to provide assurance that local delivery of official controls for feed and food is compliant with EU and UK legal requirements and official guidance. The detailed guidelines for the conduct of audits of competent authorities are set out in an EC Decision of September 2006<sup>1</sup>.

1.1.2 In Northern Ireland, the power to set standards, monitor and audit Enforcement Authorities' food law enforcement services was conferred on the FSA by The Food Standards Act 1999<sup>2</sup> and The Official Feed and Food Controls (Northern Ireland) Regulations 2009<sup>3</sup>. The audit will be undertaken under section 12 of the Act and regulation 7 of the Regulations.

1.1.3 The Framework Agreement on Local Authority (LA) Food Law Enforcement<sup>4</sup> sets out the arrangements through which the FSA audits LA enforcement activities to help ensure that LAs are providing an effective service to protect public health.

1.1.4 The overarching aims of the audit scheme are to:

- Help to protect public health by promoting effective local enforcement of food law
- Maintain and improve consumer confidence
- Assist in the identification and dissemination of good practice to aid consistency
- Provide information to aid the formulation of FSA policy
- Promote conformance with the '*Food Law Enforcement – Standard*' and any relevant central guidance or Codes of Practice
- Provide a means to identify underperformance in LA food law enforcement
- Promote self regulation and peer review
- Identify continuous improvement

1.1.5 Armagh City and District Council (Armagh C & DC) was included in the FSA's programme of audits of local authority food law enforcement services; because it was an inland authority with an importer.

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<sup>1</sup> [Commission Decision \(2006/677/EC\) of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation \(EC\) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules](#)

<sup>2</sup> [Food Standards Act 1999 c.28](#)

<sup>3</sup> [SR 2009/427 - The Official Feed and Food Controls Regulations \(Northern Ireland\) 2009](#)

<sup>4</sup> [Chapter 5 of the Framework Agreement on Local Authority Food Law Enforcement: 'Audit Scheme'](#)

## 1.2 Scope and objectives of the audit

- 1.2.1 The audit examined Armagh C & DC's arrangements for imported food controls in respect of imported food *not* of animal origin (FNAO).
- 1.2.2 The audit scope included the assessment of local arrangements for service planning, delivery and review, provision and adequacy of officer training on imports and authorisations, implementation and effectiveness of imported food control activities, including inspection, sampling, and enforcement. Maintenance and management of appropriate records in relation to imports activity at the port and internal service monitoring arrangements were also covered.
- 1.2.3 The on-site element of the audit took place at the Council's office in The Palace Demesne, Armagh, BT60 4EL on 30 and 31 August 2012. The audit included a reality check to assess the effectiveness of official controls implemented by the Council at an importer in the Council's area and, more specifically, the checks carried out by the Council's officers to verify compliance with imported food law requirements.

## 1.3 Background

- 1.3.1 Armagh C & DC area covers some 260 square miles and has a resident population of 54, 263 (2001 census). The Council comprises of the City of Armagh and the local towns of Keady, Markethill, Tandragee, and Richhill in addition to 14 villages and 22 hamlets.
- 1.3.2 The Council area boasts many successful local businesses, a strong agricultural sector, and a good tourism industry. However the business and agricultural sectors have been impacted by the market downturn. As with most Council areas in Northern Ireland there has been an increase in migration during the last decade, particularly in European Union workers mainly Lithuanian, Polish, and Portuguese.
- 1.3.3 The profile of Armagh C & DC's food businesses, as shown in the 2012/2013 Service Plan was as follows:

LAEMS Category	Number
Primary Producers	9
Manufacturer and Packers	47
Importers/Exporters	1
Distributors/Transporters	27
Retailers	145
Restaurants and Caterers	436
<b>Total Number of Food Establishments</b>	<b>665</b>

- 1.3.4 Following local government reorganisation in Northern Ireland in 1973 a statutory grouping system was set up to support district councils. This system consisted of four regional groups covering the 25 smaller district councils in Northern Ireland. Belfast City Council due to its size was not included in the statutory grouping system.
- 1.3.5 Armagh C & DC was a constituent council of Southern Group Environmental Health Committee (SGEHC). SGEHC provided co-ordination, monitoring, and support to its constituent councils, Armagh City and District Council, Banbridge District Council, Craigavon Borough Council, Dungannon and South Tyrone Borough Council and Newry and Mourne District Council.

## **2.0 EXECUTIVE SUMMARY**

- 2.1** Armagh C & DC had developed a Service Plan for Food Law Enforcement for 2012/13, approved by relevant members in August 2012. The Plan detailed the scope of the service and included reference to its imported food responsibilities. The plan had been drawn up in line with Service Planning Guidance in the Framework Agreement.
- 2.2** Armagh C & DC had identified food hygiene inspections which were not completed as planned in 2011/12. The Council discussed the reasons in its 2012/13 Food Service Plan and had also given specific details on how it was planning to carry out these outstanding food hygiene inspections in 2012/13.
- 2.3** The Council ensured officers were appropriately authorised to carry out enforcement activities. However some references were made to revoked legislation. File checks showed officers had more than the required 10 hours continuing professional development training and appropriate imported food training.
- 2.4** The Council had appropriate facilities and equipment which were available for the inspection and sampling of imported food.
- 2.5** In general imported food controls including interventions such as inspections and sampling were carried out appropriately.
- 2.6** Armagh C & DC had developed and implemented policies and procedures covering all areas within the scope of the audit as part of the Council's quality management system. The procedures provided instructions and guidance regarding the inspection and sampling of imported foods. Records maintained in relation to imported food were detailed and easily retrievable.
- 2.7** The Council had implemented effective internal monitoring of its imported food activities and the auditors noted significant evidence of both quantitative and qualitative monitoring.

### **3.0 AUDIT FINDINGS**

#### **3.1 Organisation and Management**

##### *Strategic Framework, Policy and Service Planning*

- 3.1.1 The Council had developed a documented Service Plan for Food Law Enforcement 2012/13. The service plan made specific reference to the arrangements regarding imported food. The service plan for food law enforcement 2012/2013 had been approved by the Council on 28 August 2012.
- 3.1.2 The Plan followed the service planning guidance in the Framework Agreement and contained information on the scope of the service. One of the aims and objectives of the food service was to ensure 'that imported food is safe to eat'. The scope specifically mentioned imported food under the following functions:
- Aims and objectives
  - Scope of the food service
  - enforcement activities
  - influencing factors for 2012-13
  - proposed training courses
- 3.1.3 The Plan set out the financial allocation for the delivery of the Council's food service. The financial allocation included the cost of samples, training, and the provision of legal services.
- 3.1.4 The service plan indicated a total staffing allocation of 2.15 Full Time Equivalent (FTE) authorised officers for food safety work (including management and strategic functions). Additional resource was available through a Service Level Agreement with Southern Group Environmental Health Committee (SGEHC). The Service Level Agreement was based on a financial split between the five constituent councils. Armagh C & DC received 17 working days from a SGEHC Senior Environmental Health Officer (SEHO) and 8 days from the SGEHC Principal EHO for food control work annually.
- 3.1.5 Armagh C & DC had carried out a review against performance of its Service Plan. This included the identification of any variances in service delivery and consequent areas for improvement in the following year.

##### *Documented Policies and Procedures*

- 3.1.6 The Council had developed and implemented a comprehensive range of relevant policies and procedures as part of a documented quality management system. Controlled reference copies of the documents were available to relevant staff.



*Authorised Officers*

- 3.1.7 The Council's Scheme of Delegation had been revised in September 2007. The Scheme of Delegation authorises the Chief Executive and Director of Environmental Health to discharge its functions relating to the authorisation of staff in, or acting on behalf of the Environmental Health Department.
- 3.1.8 Armagh C & DC had developed and implemented a documented policy and procedure for the authorisation of enforcement officers with respect to food safety.
- 3.1.9 The policy and procedure set out the means by which officers were authorised based on their qualifications, experience, and competency. Audit checks on officers carrying out imported food control confirmed that authorisations had been conferred generally under the European Communities Act 1972, and specifically under the Regulations relating to food made under that Act. However the Council's list of legislation used to specifically authorise officers contained references to revoked legislation.

Recommendation

- (i) The Council should review the list of legislation contained in Appendix 5 A of their Authorisation Policy and Procedures for Environmental Health Department Staff to ensure the list contains references to relevant legislation. The Council should also review its policies and procedures to ensure references to legislation are up to date.

The Authority shall set up, maintain and implement a documented procedure for the authorisation of officers based on their competence and in accordance with the relevant Codes of Practice and any centrally issued guidance.

[The Standard – 5.1]

- 3.1.10 Officer training and development opportunities were identified initially through the SGEHC Food officers sub group bi-monthly meetings and disseminated back to Armagh C & DC officers by the Senior EHO.
- 3.1.11 Audit checks confirmed that officer qualification and training records were comprehensive and well maintained. In all cases examined, officers had received the required 10 hours training to maintain their professional competency and had received training on imported food controls. The record keeping arrangements in relation to officer qualifications and training were accurate, complete, and readily retrievable.

3.1.12 The Council had an out of hours on call service for the investigation of food and water borne infectious disease emergencies. The service was co-ordinated by SGEHC and was provided by the five constituent councils.

*Facilities and Equipment*

3.1.13 Armagh C & DC had in place a computer software system capable of providing accurate food law enforcement monitoring data to the Agency. The auditors confirmed this through an examination of the database.

3.1.14 The Council had a documented policy for monitoring its food service. This policy included monitoring the accuracy of the database and keeping the database up to date.

3.1.15 The Council had identified the facilities and equipment necessary to permit the activities associated with food law enforcement at importers to be carried out.

3.1.16 A documented procedure had been developed for the calibration of relevant equipment and checks on records indicated that the procedure had been fully implemented.

*Liaison with other organisations*

3.1.17 Armagh C & DC had effective liaison arrangements with other councils through the SGEHC Food Officers Sub Group (FOGS) and effective liaison arrangements with central government, other enforcement bodies, professional organisations and other external stakeholders. This was achieved in part through the Council's participation as a constituent council in SGEHC.

**3.2 Imported Food Control Activities**

*Food Establishments Interventions and Inspections and Sampling*

3.2.1 The Council's Food Service Plan for 2012/13 provided the following details of the Council's planned food hygiene inspections/interventions.

<b>Risk Category</b>	<b>Frequency of Intervention</b>	<b>Number of Premises</b>	<b>Task Time (Hrs)</b>	<b>Total Hours</b>
A	6 months	2 (2 visits per year)	7	28
B	12 months	32	6	193
C	18 months	154	4	616
D	2 years	48	3	144
E	3 years	19	2	38

Non Risk Rated		0	2	0
<b>Total</b>		<b>255</b>		<b>1005</b>

3.2.2 The Council had highlighted in their 2012/13 Food Service Plan that ‘*The estimated time spent on planned Food Hygiene Inspections has been increased by one hour for category A, B and C risk premises and new premises and 0.5 hours for category D risk premises. This is a result of the additional time taken during inspections and on follow-up inspection reports, to communicate the requirements of the Food Standards Agency’s E Coli guidance.*’

3.2.3 The Council had food hygiene inspections which were not completed as planned in 2011/12. The Council discussed the reasons in its 2012/13 Food Service Plan under 6.3 – Deviation from the Service Plan 2011/12. The reasons given were:

- Due to the additional time spent during completed food hygiene inspections, communicating the requirements of the Food Standards Agency’s E. Coli Guidance.
- Additional low risk premises which had also to be inspected rather than using alternative enforcement strategies. This was necessary as a result of the Food Hygiene Rating Scheme which has necessitated actual visits to low risk premises in order to calculate an accurate and fair rating.

3.2.4 The Council’s 2012/13 Food Service Plan also gave specific details on how it was planning to carryout outstanding food hygiene inspections from 2011/12.

Risk Category	Frequency of Intervention	Number of Premises	Task Time (Hrs)	Total Hours
A	6 months	1	7	7
B	12 months	1	6	6
C	18 months	23	4	92
D	2 years	6	3	18
E	3 years	37	2.5 (inspection)	92.5
		15	2 (AES)	30
Non Risk Rated		0	2	0
<b>Total</b>		<b>83</b>		<b>245.5</b>

- 3.2.5 The Council had implemented a documented procedure for carrying out food hygiene / food standards inspections, partial inspections and audits.
- 3.2.6 At the time of audit Armagh C & DC had responsibility for one food importer. Food establishment inspections at the importer were recorded on detailed inspection checklists which provided adequate information on the areas examined during each inspection. The auditors did note the risk rating following an inspection in 2010 had led to a change in the intervention rating. However, the reason for this change had not been documented, as required by point 4.1.5.1.5, of the Food Law Code of Practice (Northern Ireland) (CoP).

Recommendation

- (ii) The Council should ensure when the intervention rating is revised that the reasons for revising the rating are recorded on the establishment file.

The Authority shall carry out interventions/inspections (as required by the relevant Code of Practice) at all food hygiene, food standards and feedingstuffs establishments in their area, at a frequency which is not less than that determined under the intervention rating schemes set out in the relevant legislation, Codes of Practice or other centrally issued guidance.

[The Standard – 7.1]

- 3.2.7 The auditors also examined the file records for a food importer that had ceased trading in June 2012. The delivery of official controls at this establishment was complicated by the fact that the FBO had storage facilities located in another council's area. We did note that Armagh C & DC had arrangements in place with SGEHC to co-ordinate visits / inspections with the FBO.
- 3.2.8 The Council had carried out a sampling intervention one month after the establishment had opened in January 2010 and had also gave the FBO written information and advice on imported food requirements. However no further interventions had been carried out and the establishment had not received an assessment under the intervention rating schemes as described in the CoP.

Recommendation

- (iii) The Council should review the arrangements in place to co-ordinate visits / inspections to FBOs with Southern Group Environmental Health Committee to ensure food establishments are assessed in a timely manner including given a risk rating.

The Authority shall assess the compliance of establishments and systems in their area to the legally prescribed standards.

[The Standard – 7.3]

3.2.9 There were no Enhanced Remote Transit Sheds (ERTS) located within Armagh C & DC's area.

*Food Sampling*

3.2.10 Armagh C & DC had adopted the Northern Ireland Food Liaison Group (NIFLG) policies for microbiological and chemical sampling. The Council also had documented procedures for microbiological and chemical sampling. The auditors did note that sampling of imported food was not specifically mentioned in the sampling policies.

Recommendation

- (iv) The Council should review its sampling policies to ensure sampling of imported food is considered. This is recommended in Annex 12, point 13 of the Practice Guidance.

The Authority shall set up, maintain and implement a documented sampling policy and programme that shall accord with any centrally issued or relevant guidance, and relevant Codes of Practice and shall include reference to its approach to any relevant national sampling programme centrally co-ordinated by the Food Standards Agency.

[The Standard – 12.4]

3.2.11 The official laboratories appointed by the Council for food sampling activities were properly accredited in accordance with relevant centrally issued guidance.

3.2.12 The Council had developed a Food Sampling Programme for 2011/2012. The programme was specific with regard to the nature of the products to be sampled. The programme included sampling at the Council's food importer.

3.2.13 The records of four samples were examined. All samples had been taken by authorised officers. It was noted that all four results had highlighted labelling irregularities and in all cases the importer was informed of the unsatisfactory result. However the auditors did not see evidence of effective follow-up action been taken as necessary for all four samples.

Recommendation

- (v) The Council should review its procedure for follow-up on sampling results, particularly those involving labelling irregularities. The review should include how sample results are reviewed as part of the preparation for interventions at establishments.

The Authority shall take appropriate action in accordance with its enforcement policy where sample results are not considered to be satisfactory.

[The Standard – 12.7]

*Enforcement*

- 3.2.14 The Council Environmental Health Department had an Enforcement Policy which was based on guidance contained in Codes of Practice and other guidance notes. Its stated aim was to ensure that enforcement action was focused on situations where the public was put at risk due to negligence or where the law was intentionally being infringed.
- 3.2.15 Armagh C & DC had developed two specific procedures for dealing with Illegal Imports. The first procedure was used to ensure authorised officers took appropriate action to deal with suspect food not of animal origin under EC Regulation 882/2004 and the Official Feed and Food Control (NI) Regulations 2009.
- 3.2.16 The second procedure covered the illegal importation of products of animal origin. To ensure that authorised Environmental Health Officers take appropriate action in dealing with:
- Non-conforming Third Country POAO which were imported correctly via a Border Inspection Post in another Member State under the Products of Animal Origin (Import and Export) Regulations (NI) 1998 (as amended)
  - Third Country Imports posing a risk to animal or public health and third country illegal imports of products of animal origin under the Products of Animal Origin (Third Country Imports) Regulations (NI) 2007.
- 3.2.17 However both the Products of Animal Origin (Import and Export) Regulations (NI) 1998 (as amended) and the Products of Animal Origin (Third Country Imports) Regulations (NI) 2007 had been revoked and replaced by the Trade in Animals and Related Products Regulations (NI) 2011. This was also noted during a review of officers' authorisations and resulting recommendation.
- 3.2.18 The Council had developed documented procedures relating to enforcement actions, including the voluntary surrender, detention, and

seizure of food. The Authority had not been required to carry out enforcement activity which specifically related to imported food controls in the last two years.

*Food Complaints, Primary Authority Scheme, and Home Authority Principle*

- 3.2.19 Armagh C & DC had developed a procedure for food complaints. The procedure included the process for handling complaints relating to importers.
- 3.2.20 Auditors were advised that no complaints or referrals relating to imported food had been received by the Council in the last two years.
- 3.2.21 The Council's Service Plan confirmed support for the Home Authority Principle. The Service had not entered into formal Home Authority partnerships with its imported food business.

*Food Safety Incidents*

- 3.2.22 The Council had developed a procedure for initiating and responding to food alerts. The procedures described the process to be followed for dealing with a food safety incident and responding to RASFFs (Rapid Alert System for Food and Feed).
- 3.2.23 Armagh C & DC had not had any serious localised or wider imported food safety issues in the last two years that required notification to the Agency.

*Advice to Business*

- 3.2.24 The Council had given advice to both its current importer and the importer which recently ceased trading. This included advice on the importation of raw ingredients, sampling, and HACCP.

*Verification Visit to a Food Establishment*

- 3.2.25 During the audit a verification visit was carried out at a local food business with the authorised officer who had carried out a previous food hygiene inspection at the establishment. The purpose of the visit was to determine the effectiveness of the Council's assessment and application of imported food controls in relation to third country imports.
- 3.2.26 During the visit, the officer demonstrated a good understanding of the controls required for imported food and conducted a detailed review of the establishment including the types of products, activities carried out, storage areas, production areas, receipt, and dispatch.

*Records*

- 3.2.27 Records of imported food including inspection, sampling and formal enforcement action, were maintained by Armagh C & DC.
- 3.2.28 These records provided detailed evidence about the activities undertaken. Records requested by auditors for particular aspects of the service were easily retrievable by officers and were provided in a timely manner.

### **3.3 Internal Monitoring and Third Party or Peer Review**

#### *Internal Monitoring*

- 3.3.1 The Council had developed and implemented a documented policy for the internal monitoring of the food safety systems within the Environmental Health Department. The policy detailed the qualitative and quantitative areas which the Environmental Health Manager and the Senior/Lead Food Officer were responsible for monitoring.
- 3.3.2 The auditors noted evidence of internal monitoring carried out on records contained in the establishment files examined during the audit. The Senior Environmental Health Officer had retained detailed records of a range internal monitoring activities carried out during the year.

#### *Third Party or Peer Review*

- 3.3.3 The Armagh C & DC had not been subject to external audit within the last two years.

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**Annexe A – Action Plan**

Audit Date: 30-31 August 2012

RECOMMENDATION	PLANNED IMPROVEMENTS	DUE DATE
<p>(i) The Council should review the list of legislation contained in Appendix 5 A of their Authorisation Policy and Procedures for Environmental Health Department Staff to ensure the list contains references to relevant legislation. The Council should also review its policies and procedures to ensure references to legislation are up to date.</p> <p>The Authority shall set up, maintain and implement a documented procedure for the authorisation of officers based on their competence and in accordance with the relevant Codes of Practice and any centrally issued guidance.</p> <p>[The Standard – 5.1]</p>	<p>Maintaining authorisations and policies and procedures up to date with new and amended legislation is always on-going. The authorisations were updated on 31<sup>st</sup> August 2012 and subsequently signed by authorising officers. Future updates will be made as soon as possible.</p> <p>The procedure for the Importation of Products of Animal Origin from Third Countries has been removed from the ISO system, pending the Food Standards Agency in NI review of their Imported Food Resource Pack. Once this document has been updated a new procedure will be developed.</p>	<p>Completed</p>
<p>(ii) The Council should ensure when the intervention rating is revised that the reasons for revising the rating are recorded on the establishment file.</p> <p>The Authority shall carry out interventions/inspections (as required by the relevant Code of Practice) at all food hygiene, food standards and feedingstuffs establishments in their area, at a frequency which is not less than that</p>	<p>This matter refers to an inspection carried out in 2010. Since the launch of the Food Hygiene Rating Scheme in June 2011, full justification for scoring is documented by Officers. This is verified through our internal monitoring arrangements. Therefore no action is necessary however all audit findings were raised and discussed at team meeting and FOGS meeting.</p>	<p>Completed</p>

RECOMMENDATION	PLANNED IMPROVEMENTS	DUE DATE
<p>determined under the intervention rating schemes set out in the relevant legislation, Codes of Practice or other centrally issued guidance.</p> <p>[The Standard – 7.1]</p>		
<p>(iii) The Council should review the arrangements in place to co-ordinate visits / inspections with the FBO with Southern Group Environmental Health Committee to ensure food establishments are assessed in a timely manner including given a risk rating.</p> <p>The Authority shall assess the compliance of establishments and systems in their area to the legally prescribed standards.</p> <p>[The Standard – 7.3]</p>	<p>The business address within ACDC area was an office address and no food was stored at that address. When the business was registered with ACDC, the Environmental Health Department, notified the Council where the food store was located. The delay in carrying out a full inspection of the head office was due to prioritisation of planned inspection programme and also some difficulty in gaining access to the premise. Samples were procured and advice was given soon after the premise was registered.</p> <p>The inspection programme is reviewed monthly and premises allocated to specific Officers for inspection.</p> <p>This along with all audit findings were raised and discussed at team meeting and FOGS meeting.</p>	<p>Completed</p>
<p>(iv) The Council should review its sampling policies to ensure sampling of imported food is considered. This is recommended in Annex 12, point 13 of the Practice Guidance.</p> <p>The Authority shall set up, maintain and implement a documented sampling policy and programme that shall accord with any centrally issued or relevant guidance, and relevant Codes of Practice</p>	<p>The Council had adopted the NIFLG sampling policy. This policy is under review by NIFLG and will include reference to imported food sampling. ACDC will adopt this policy once complete.</p>	<p>End December 2012</p>

RECOMMENDATION	PLANNED IMPROVEMENTS	DUE DATE
<p>and shall include reference to its approach to any relevant national sampling programme centrally co-ordinated by the Food Standards Agency.</p> <p>[The Standard – 12.4]</p>		
<p>(v) The Council should review its procedure for follow-up on sampling results, particularly those involving labelling irregularities. The review should include how sample results are reviewed as part of the preparation for interventions at establishments.</p> <p>The Authority shall take appropriate action in accordance with its enforcement policy where sample results are not considered to be satisfactory.</p> <p>[The Standard – 12.7]</p>	<p>Follow-up actions taken in relation to food sample results are in accordance with the Council's Enforcement Policy. All sample results are considered by an Environmental Health Officer on receipt from the laboratory. The action taken is dependent on the severity of the irregularities identified. The new Food Information Regulations will provide Officers with additional powers to enforce labelling matters. In the meantime this matter has been raised at both our Departmental team meeting and FOGS meeting. Officers will review sample results prior to inspections and discuss any outstanding matters with FBOs. Notes of discussions will be documented on premise files.</p>	<p>Completed</p>

## **Annexe B - Audit Approach / Methodology**

### *(1) Examination of LA policies and procedures.*

The following LA policies, procedures, and linked documents were examined before and during the audit:

- Food Service Delivery Plan 2012-2013
- Executive Committee Minutes August 2012
- Armagh C & DC Environmental Health Department's Enforcement Policy
- Authorisation Procedure including scheme of delegation
- Procedures for food complaints and investigations
- Food sampling chemical and microbiological policies and procedures
- food sampling registers for 2011 and 2012
- Procedures for initiating and responding to food alerts
- Internal monitoring policy
- Recent Food Team meeting minutes

### *(2) File reviews – the following LA file records were reviewed during the audit:*

- Authorisations
- Qualifications and training files
- Food hygiene and standards inspection records
- Sampling records
- Internal monitoring records

### *(3) Interviews – the following officers were interviewed:*

- Audit Liaison Officer – Senior EHO
- SGEHC EHO responsible for the delivery of Official controls at the importer

Opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.

### *(4) On-site verification check:*

A verification visit was made with the Council's officers to an Importer within Armagh C & DC's area. The purpose of the visit was to verify that appropriate risk based, proportionate checks are carried out.

## Annexe C - Glossary

Audit	Audit means a systematic and independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives.
Authorised Officer	A suitably qualified officer who is authorised by the Local Authority to act on its behalf in, for example, the enforcement of legislation.
Border Inspection Post	Point of entry into the UK from non-EU countries for products of animal origin.
CEDs	Common Entry Documents which must accompany certain food products to designated points of entry or import.
Codes of Practice (CoP)	Government Codes of Practice issued under Section 40 of the Food Safety (NI) Order 1991 as guidance to local authorities on the enforcement of food legislation.
Consignment	A unit of cargo that can consist of one or a number of different products.
DPE	Designated point of entry. A port that has been designated for the entry of certain high risk feed and food products subject to enhanced checks.
DPI	Designated point of import. A port that has been designated for the entry of certain products subject to safeguard controls due to aflatoxin contamination.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
ERTS	Enhanced remote transit shed. An HM Revenue and Customs designated warehouse where goods are held in temporary storage pending Customs clearance and release for free circulation.

FNAO	Food not of animal origin. Non animal food products that fall under the requirements of imported food control regime.
Food Business Operator (FBO)	This refers to the natural or legal persons responsible for ensuring that the requirements of food law are met within the food business under their control.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food Law Code of Practice (Northern Ireland) April 2012	Article 39 of the Food Safety (NI) Order 1991 (the Order), Regulation 22 of the Food Hygiene Regulations (NI) 2006 and Regulation 6 of the Official Feed and Food Controls Regulations (NI) 2009, which empower the Department of Health Social Services and Public Safety to issue codes of practice concerning the execution and enforcement of that legislation by district councils. This code is issued as guidance to Local Authorities on the enforcement of food legislation. It relates to Northern Ireland only.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Food Standards Agency (FSA)	<p>The Food Standards Agency is an independent Government department set up by an Act of Parliament in 2000 to protect the public's health and consumer interests in relation to food.</p> <p>Everything we do reflects our vision of Safe Food and Healthy Eating for all.</p>
Formal samples	Samples taken in accordance with the requirements of the Food Law Code of Practice in accordance with the relevant sampling regulations and submitted to an accredited laboratory on the official list.
Framework Agreement	<p>The Framework Agreement consists of:</p> <p>Chapter One Service Planning Guidance</p> <p>Chapter Two The Standard</p> <p>Chapter Three Monitoring of Local Authorities</p>

#### Chapter Four Audit Scheme for Local Authorities

The Standard sets out the Agency's expectations on the planning and delivery of food law enforcement.

The Monitoring Scheme requires Local Authorities to submit an annual return to the Agency on their food enforcement activities i.e. numbers of inspections, samples, and prosecutions. Under the Audit Scheme the Food Standards Agency will be conducting audits of the food law enforcement services of Local Authorities against the criteria set out in The Standard.

Full Time Equivalent (FTE)	A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food enforcement.
Home Authority	An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.
Informal samples	Samples that have not been taken in accordance with the appropriate sampling regulation (e.g. samples for screening purposes) and/or not sent to an accredited laboratory
LAEMS	Local Authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.
Local Authority (LA)	an organization that is officially responsible for all the public services and facilities in a particular area
Member forum	A local authority forum at which Council Members discuss and make decisions on food and feed law enforcement services.
Northern Ireland Food Liaison Group (NIFLG)	NIFLG is a sub-group of the Chief Officers Group (CEHOG), acts on behalf of 26 district councils in Northern Ireland as a co-ordinating body for the

	<p>Food Control function, and consists of food specialist officers from each of the four Group areas in Northern Ireland, Belfast City Council, a district council representative, and a representative from the Food Standards Agency in Northern Ireland.</p>
POAO	<p>Products of animal origin. Animal derived products that fall under the requirements of the veterinary control regime.</p>
Practice Guidance	<p>Guidance issued by the Food Standards Agency to assist district councils with the discharge of their statutory duty to enforce the Food Safety (NI) Order 1991, Regulations made under it, and food law made under the European Communities Act 1972.</p>
Pre-visit Questionnaire (PVQ)	<p>Used by FSA auditors to request information prior to an audit visit, to maximise the effectiveness of the time spent with a local authority.</p>
Primary Authority	<p>An authority that has formed a partnership with a business.</p>
Public Analyst	<p>An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food samples.</p>
RASFF	<p>Rapid alert system for food and feed. The European Union system for alerting port enforcement authorities of food and feed hazards.</p>
Risk rating	<p>A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.</p>
Service Plan	<p>A document produced by a Local Authority setting out their plans on providing and delivering a food service to the local community.</p>
Third Country	<p>Countries outside the European Union.</p>