

**Report on the Audit of Official Controls on Feed of  
Non-Animal Origin (FNAO) and Feed  
Establishments, Including Primary Producers**

South Gloucestershire Council  
4-5 October 2011



## Foreword

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

This programme of focused audits in England and Wales has been specifically developed to address two of the priorities identified in the Food Standard Agency's Strategy for 2010-2015 in meeting the outcomes that feed meets the legislative requirements for animal consumption and is safe to enter the human food chain and that regulation is effective, risk-based and proportionate. The strategic priority is to ensure risk-based, targeted checks at inland feed establishments and effective local authority monitoring throughout the feed chain. The audits will also be an opportunity for the Agency to establish the level of controls being implemented by Local Authorities (LAs) following the FVO Mission to the United Kingdom on animal feed controls which took place from 16-26 June 2009. The report entitled 'The Implementation of Measures Concerning Official Controls on Feed Legislation' is available from the Europa website at:

[http://ec.europa.eu/food/fvo/rep\\_details\\_en.cfm?rep\\_id=2335](http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2335).

The programme examined local authority (LA) systems and procedures for control of feed at inland authorities, in 10 geographically representative LAs in England and 2 in Wales. The audits were confined to feed not of animal origin (FNAO). A similar audit programme in Scotland is being scheduled later in 2011.

Agency audits assess local authorities' conformance against the Feed and Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Official Feed and Food Controls by Local Authorities (amended April 2010) and is available on the Agency's website at: [www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring).

It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their feed enforcement services reflecting local needs and priorities.

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

schemes are implemented by the Agency's offices in all devolved countries comprising the UK.

For assistance, a glossary of technical terms used within the audit report can be found at Annexe C.

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## **1. Introduction**

- 1.1 This report records the results of an audit of South Gloucestershire Council's with regard to feed law enforcement, under relevant headings of the Food Standards Agency Feed and Food Law Enforcement Standard. The audit focused on the Service's arrangements for inland controls of feed of non-animal origin. The audit was undertaken as part of the Agency's focused audit programme of feed controls in England and Wales. This report has been made publicly available on the Agency's website at: [www.food.gov.uk/enforcement/auditandmonitoring/auditreports](http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports)  
Hard copies are available from the Food Standards Agency's Local Authority Audit and Liaison Division at Aviation House, 125 Kingsway, London WC2B 6NH, Tel: 020 7276 8428

### ***Reason for the Audit***

- 1.2 The power to set standards, monitor and audit local authority feed and food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of South Gloucestershire Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme. Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these audits is to verify whether official controls relating to feed and food law are effectively implemented. To fulfil this requirement, the Food Standards Agency, as the central competent authority for feed and food law in the UK has established external audit arrangements. In developing these, the Agency has taken account of the European Commission guidance on how such audits should be conducted.<sup>1</sup>
- 1.3 South Gloucestershire Council was included in the Food Standards Agency's programme of audits of local authority feed law enforcement services to be representative of a geographical mix of 12 feed law enforcement LAs across England and Wales.

### ***Scope of the Audit***

- 1.4 The audit examined South Gloucestershire Council systems and procedures for the control of feed not of animal origin (FNAO).
- 1.5 The audit scope included the assessment of local arrangements for service planning, delivery and review, provision and adequacy of

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<sup>1</sup> Commission Decision 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 (2006/677/EC)

officer training, authorisations, implementation and effectiveness of feed control activities, including inspection, sampling and enforcement. Maintenance and management of appropriate records in relation to feed and internal service monitoring arrangements were also covered.

- 1.6 The on-site element of the audit took place at Trading Standards and Licensing, 244 Station Road, Yate, South Gloucestershire, on 4-5 October 2011. The audit included a reality check to assess the effectiveness of official controls implemented by the Service and more specifically, the checks carried out by the Service's officers to verify compliance with feed law requirements.
- 1.7 The information gained during this programme will be incorporated into a summary report on the feed inspection and control activities audit programme.

### ***Background***

- 1.8 South Gloucestershire Council is a Unitary Authority and covers an area of 497 square kilometres with a population of around 105,974 households and is one of the fastest growing economic areas in Europe.
- 1.9 The boundaries of the Council stretch from the River Severn in the west to the Cotswolds in the east; its southern boundary skirts Bristol, abuts the River Avon and extends almost to Bath, while to the north it extends beyond Falfield on the A38. South Gloucestershire is diverse, with well established manufacturing industries and newer commercial and industrial developments. The area includes a variety of rural and urban communities.
- 1.10 Feed law enforcement was carried out by officers of the Animal Health Team, within the Trading Standards section of the Community Services Department.

## 2. Executive Summary

- 2.1 The Authority had recently carried out substantial operational and staffing restructures and at the time of the audit was currently undergoing a management review process. A review of feed law enforcement activities was also underway, all of which had impacted significantly on service provision.
- 2.2 A comprehensive Feed and Food Controls Service Plan for 2011/12 had been developed, which generally contained service delivery information in line with the Service Planning Guidance in the Framework Agreement. However, future plans could usefully highlight in more detail the financial and staff resources required to deliver the feed law enforcement service, against the resources available to the Authority, based upon the full range of demands placed upon it. The Plan had been approved by a Senior Manager.
- 2.3 The Authority had recently developed comprehensive policies and procedures for its feed law enforcement activities in accordance with the Standard in the Framework Agreement and the Feed Law Enforcement Code of Practice (FLECP). All documents examined for the audit were up to date and contained reference to appropriate legislation and centrally issued guidance.
- 2.4 Officers were authorised generically and the list of legislation in the schedule of authorisations was comprehensive and up to date. The Lead Officer for feed was appropriately authorised, qualified and experienced. The Authority also needed to have regard to the FLECP for existing officers to obtain 'level one qualification' by 1<sup>st</sup> January 2012.
- 2.5 Officer training needs were identified as part of an annual Personal Development and Performance Review process. Although recent feed training had been provided, the Authority had not always been able to ensure that officers had received the required minimum of 10 hours Continuing Professional Development (CPD) in accordance with the FLECP. Officers would benefit from further additional training, for example in the assessment of feed safety management systems.
- 2.6 The Authority had an electronic database for the recording of feed law enforcement activities, which was capable of providing information necessary for official returns. The feed business registration database was being reviewed. There remained a need to update registration returns from Feed Business Operators (FeBOs) as the Authority could not confirm with certainty the number of feed premises which needed to be registered, or the registration activity codes of those premises which had been registered.
- 2.7 The Service identified and allocated the feed establishments for their inspection programme on an annual basis. Auditors discussed the requirement to undertake relevant interventions within 28 days of the

- due date in accordance with the FLECP, prioritising higher risk premises.
- 2.8 Audit file checks on a number of feed establishments confirmed that there was not always sufficient detail of inspection findings, in particular the officers' assessments of feed safety management systems based on HACCP principles. Auditors recommended that the Authority adapt their inspection aides-memoire to provide appropriate prompts to enable officers to record more comprehensive findings.
- 2.9 The Authority had developed a documented policy and procedure for feed sampling. A programme for 2011/12 had been developed in liaison with SWERCOTS, their regional liaison group, having regard to the National Enforcement Priorities. The Authority was also part of a SWERCOTS sampling grant bid to the Agency for 2011/12. No sampling was undertaken during 2010/2011 as the Authority renegotiated improved service level agreements with their providers. Files examined showed that sampling had been undertaken by a trained authorised officer and results were easily retrievable. These samples had received satisfactory test results so no follow up actions had been necessary.
- 2.10 The Service had developed a generic enforcement policy with additional formal enforcement procedures for guidance to staff in accordance with the Standard in the Framework Agreement. Auditors were advised that no formal enforcement action had been deemed necessary in the past two years.
- 2.11 The Service had developed a feed complaints procedure. Audit record checks for a recent referral from another local authority confirmed that appropriate investigations had been undertaken with relevant advice provided to the referring Authority and the business. Records were easily retrievable, detailed and up to date.
- 2.12 There was evidence of quantitative and qualitative internal monitoring being carried out in the form of an established structure of annual, six monthly and monthly staff development and performance reviews. The Authority should implement their proposed internal monitoring procedures to also cover the full range of feed law enforcement activities.
- 2.13 A visit to a high risk feed manufacturer that routinely produced animal feeds as part of its operations was carried out as part of the audit. The purpose of the visit was to assess the effectiveness of the officer's evaluation of the compliance of the feed business with legislative requirements. The officer was familiar with the operations taking place at the business, although further detailed investigation of business processes was suggested for future inspections, particularly in relation to the necessary HACCP and hygiene assessment, and for these findings to be recorded.



### 3. Audit Findings

#### 3.1 Organisation and Management

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

- 3.1.1 Auditors were advised that South Gloucestershire Council Trading Standards and Licensing had recently experienced substantial operational restructures and was currently part way through a management review of the Service. These factors had impacted significantly on their service provision.
- 3.1.2 The Service had developed a comprehensive Feed and Food Controls Service Plan for 2011/12. The Plan covered the key elements of feed law enforcement activities and included service delivery commitments specifically relating to feed. Auditors discussed the benefit of future plans highlighting in more detail the financial and staff resources required to deliver the feed law enforcement service, against the resources available to the Authority, based upon the full range of demands placed upon it.
- 3.1.3 The Service Plan identified a total of 489 feeding stuffs establishments in the County and the following risk category breakdown:

<b>Risk category</b>	<b>Number</b>
A ( High)	2
B (Medium)	39
C(Low)	175
Unrated (farms)	273
<b>Total</b>	<b>489</b>

- 3.1.4 The Plan included a feedingstuffs inspection programme for 2011/12 based on 100% high risk category A premises, 50% of medium risk category B premises and 20% of low risk category C premises being inspected, and confirmed that all establishments that were due for inspection in 2010/11 had been inspected. The Authority was reviewing their unrated establishments and auditors were advised that there were none requiring formal approval.
- 3.1.5 The Service Plan had been approved by the Head of Environmental Services. The Community Services Department, within the Environmental Services Division, was required to monitor and report on the performance of all its services. A briefing paper was produced quarterly to inform the Executive Member of the performance and to highlight any exceptions in performance for that quarter. Performance was also scrutinised at the end of quarters 2 and 4 by the Departmental Performance Management Board to monitor progress against the Service Plan and identify any outstanding issues.

3.1.6 The Food Standards Agency produces annual guidance on National Enforcement Priorities (NEPs) to assist feed authorities in better targeting of their official control activities on animal feed. The Agency expects these priorities to be taken into consideration and used to inform both inspection and sampling programmes undertaken at feed businesses. The Authority advised that consideration had been given to the NEPs by way of the following service measures:

- A self assessment review was being undertaken of the feed service involving the identification of all feed business operators (FeBOs) in their area to include them in the register of feed establishments; the allocation of appropriate risk ratings and inclusion in future inspection programmes.
- Three sampling programmes during 2011/12 targeting areas of concern identified from regional and local intelligence led methods and the NEPs.
- The Authority stated in their intervention procedures to make intervention visits without prior warning as a 'general rule'.

#### *Documented Policies and Procedures*

3.1.7 Since April 2011, as part of their feed service review, the Authority had undertaken a self assessment gap analysis of their documented policies and procedures. Newly developed documented policies and procedures were to be included within a Quality Manual, and had been scrutinised by the Trading Standards Quality Manager before final agreement by the Trading Standards and Licensing Manager. The Authority was awaiting the findings of the Agency audit before implementation of the new Manual.

3.1.8 The policies and procedures forming the new Quality Manual were comprehensive and contained up to date references and were found broadly to be in compliance with the Feed Law Enforcement Code of Practice (FLECP) and the Standard in the Framework Agreement.

3.1.9 Documents were available to all officers on an electronic shared drive with 'read only' access.

#### *Authorised Officers*

3.1.10 The Authority had developed a document for the 'Authorisation of Authorised Staff'. The Head of Safe, Strong Communities had delegated powers to appoint and authorise officers in line with the Authority's scheme of delegation. Auditors were advised that individual officers' qualifications and experience were considered for authorisation in consultation with the Trading Standards and Licensing Manager.

- 3.1.11 The Lead Officer for feed was appropriately authorised, qualified and experienced and his contact details had been provided to the Agency. Animal Health Officers carrying out feed law enforcement were authorised to 'level one' in accordance with the FLECP. However, the Authority should give consideration to the provision in the FLECP for existing officers to obtain level one qualifications by 1 January 2012. This does not apply to newly authorised officers.
- 3.1.12 The list of legislation in the schedule of authorisations was comprehensive and up to date.
- 3.1.13 Officer training needs were identified and discussed as part of an annual 'Personal Development and Personal Review' plan. A programme was produced annually to match training priorities as part of the budget planning process. Training needs were reviewed bi-annually to reassess and tailor them to organisational goals.
- 3.1.14 Officers had benefitted from training in certain specific areas such as feed safety management systems based on HACCP principles provided by officers from the Department's Food Team, and had also attended a recent update feed training day provided by an officer from another authority. Auditors determined from file checks and ongoing discussion that officers would benefit from further additional training in HACCP.
- 3.1.15 The Service acknowledged that it had not always been possible for all officers to achieve the required 10 hours of continuing professional development in feed in compliance with the FLECP.

***Recommendation***

3.1.16 The Authority should:

Ensure all officers authorised to carry out feed law enforcement activities receive relevant on-going training, particularly in feed safety management systems based on HACCP principles, and complete the necessary 10 hours continuing professional development training in accordance with the Feed Law Enforcement Code of Practice.  
[The Standard – 5.4]

- 3.1.17 Officers' qualification and training records were held electronically, generally up to date and easily retrievable.
- 3.1.18 The audit process routinely includes a separate discussion interview with an officer who regularly carried out feed law enforcement activities to determine if they are able to demonstrate an appropriate

level of competency and knowledge of the Service's procedures. Due to unforeseen circumstances there were no officers available to interview at the time of the audit.

*Facilities and Equipment*

- 3.1.19 The Authority had an electronic database for the recording of feed law enforcement activities which was capable of providing information necessary for official returns to the Agency. A return had been provided to the Agency for 2010/11.
- 3.1.20 A 'Feed Business Establishment Records' procedure had been developed by the Authority for guidance on maintaining an up to date database of registered and approved establishments in its area. Auditors were advised that database completeness and accuracy was monitored by a systems administrator.
- 3.1.21 Audit database checks based on a random selection of agricultural premises in a commercial directory showed they were all present on the database, and were, where necessary, included in the inspection programme.
- 3.1.22 It was acknowledged that the database needed to be 'tidied up', including the inputting of large number of feed registration forms returned following a recent trawl of FeBOs, which would clarify and confirm the total number of feed establishments requiring registration.

***Recommendation***

3.1.23 The Authority should:

Implement the documented procedure to ensure that the feed premises database is complete and up to date and that accurate information of feed law activity is reported in official returns to the Agency. [The Standard – 11.2]

- 3.1.24 The Service confirmed that there were no representatives in the area covering third country establishments which had made applications in the United Kingdom in accordance with the requirements of Directive 98/51/EC.
- 3.1.25 The Authority advised that it had access to suitable equipment for the sampling of feeding stuffs.

### *Liaison with Other Organisations*

- 3.1.26 The Authority had liaison arrangements on animal feed matters with central government and local enforcement bodies across the region. In particular, the Service participated actively in the SWERCOTS Health and Food Group (A Trading Standards Partnership between 15 Local Authorities in South West England). The Authority had recognised that feed issues were not being given the same priority for discussion as food issues at these meetings and were instrumental in pursuing the formation of a new animal feed sub-group which was being established at the time of the audit.
- 3.1.27 Auditors were advised that historically the Service had contacted the Inspections and Investigations Team (IIT, formerly the Animal Medicines Inspectorate) with intelligence relating to a medicated feeding stuffs complaint. However no establishments had been approved in the area so there was no liaison with the IIT in relation to establishments where there were joint enforcement responsibilities, in line with the national Memorandum of Understanding agreed between the Local Government Regulation and the Veterinary Medicines Directorate.

## **3.2 Feed Control Activities**

### *Feed Establishments Interventions and Inspections*

- 3.2.1 The Service had developed comprehensive procedures for 'Feeding Stuffs Interventions' and also for 'Feed Business Registration and Approval' of feed premises.
- 3.2.2 The Authority had recently sent out registration forms to 324 agricultural holdings on their database. 159 had been returned by FeBOs but the Authority still needed to input these onto the database. The Authority advised that they would check the registration forms to undertake a desktop risk rating exercise and integrate the businesses in their inspection programme. Registration codes from the FeBO returns were accepted by the Authority. However if officers noted any anomalies in the self declared codes these issues were discussed with the FeBO.
- 3.2.3 As part of their procedures, the Food Team were to inform the Animal Health Team of food businesses which needed to be registered as FeBOs if they were placing surplus food onto the feed market.
- 3.2.4 It was not always possible to determine from file checks that feed interventions were being carried out at the correct frequency determined by the FLECP. A database check confirmed that there had been slippage in the inspection programme. In practice, inspections were allocated on an annual programme contrary to the requirement in the FLECP for inspections to be carried out within 28 days of the date due. Auditors discussed the priority needed to implement intervention frequencies in a risk based approach, in accordance with the FLECP and the NEPs.
- 3.2.5 The recorded details of inspection findings was insufficient, in particular on the size and nature of the feed establishment operations carried out, the officer's assessment of compliance with feed hygiene requirements, and the feed safety management system. None of the inspections carried out had required follow-up actions, records were easily retrievable and where applicable, sample results and communications with the FeBOs were retained on file.
- 3.2.6 Auditors recommended that the Authority should further develop their inspection aides-memoire to ensure they provided sufficient prompts for officers undertaking inspections. This would allow officers to clearly document that feed premises had been inspected in accordance with the requirements of the FLECP. The adoption or adaptation of the new FSA template aides-memoire was discussed as a means of prompting adequate records of inspections. Copies of these templates were sent to the Authority following the audit.
- 3.2.7 During their on-farm visits, Animal Health Officers carrying out low risk feed inspections were also acting as 'eyes and ears' surveillance for

the Authority to report back to the lead officer for any higher level enforcement necessary. However, it was not clear in all cases that this had occurred.

***Recommendations***

3.2.8 The Authority should:

- (i) Ensure that feeding stuffs premises inspections are carried out at a frequency specified by the Feed Law Enforcement Code of Practice, giving priority to higher risk feed establishments. [The Standard - 7.1]
- (ii) Carry out interventions/inspections and approve or register feed establishments in accordance with relevant legislation, the Feed Law Enforcement Code of Practice and centrally issued guidance. A comprehensive list of all registered feed establishments in the area should be maintained, including an appropriate activity code(s) for each business. [The Standard - 7.2 and 16.1]
- (iii) Ensure that inspections of feed establishments adequately assess the compliance of establishments and systems to legally prescribed standards having particular regard to feed safety management systems. [The Standard - 7.3]

3.2.9 There was no evidence of internal monitoring on the inspection files examined. The Authority advised that a new internal monitoring process was being introduced to carry out and record internal monitoring checks.

*Verification Visit*

3.2.10 A verification visit was carried out at a high risk feed manufacturer that routinely produced animal feed as part of its operations. The purpose of the visit was to assess the effectiveness of the officer's evaluation of the compliance of the feed business with legislative requirements.

3.2.11 It was clear the officer was familiar with the business and the processes and understood the key operations at the establishment. It was however, evident that the previous visit had concentrated mainly on compositional and labelling issues and auditors discussed the need for future inspections to include feed safety management systems and for these assessments to be recorded.

### *Feed Inspection and Sampling*

- 3.2.12 The Authority had developed a documented procedure for feed sampling which included sampling policy issues. The Authority advised that no sampling had been undertaken during 2010/11 pending the renegotiating of contracts and a higher service level agreement with the service providers. Prior to this, the Authority advised that they had been experiencing problems with delays in obtaining feed sample results.
- 3.2.13 The Authority was part of a SWERCOTS sampling grant bid to the Agency 2011/12, and a risk based feed sampling programme was due to commence in October 2011 which had regard to the NEPs. The Authority advised Auditors that they also looked at their own local intelligence led priorities for further sampling as well as any other SWERCOTS priorities, in liaison with the Agricultural Analyst.
- 3.2.14 Records of informal feed samples were examined. They had been taken by a suitably qualified and experienced officer and results were retained on the file. The results were satisfactory, therefore follow up actions had been necessary. Sampling records had all been produced in accordance with centrally issued guidance.
- 3.2.15 The Authority were recording food sample results on the UKFSS database as a trial and advised that they were also likely to implement the use of the database for feed sample results.
- 3.2.16 The Agricultural Analyst appointed by the Service was designated an Official Control Laboratory for animal feed analysis and was appropriately accredited.

### *Enforcement*

- 3.2.17 The Authority had developed an approved, documented, generic 'Community Services Department Enforcement Policy' and a specific 'Feed Business General Enforcement' procedure. These documents were supplemented by formal enforcement procedures for guidance to staff in accordance with the Standard in the Framework Agreement.
- 3.2.18 Pre audit information supplied by the Authority indicated that no formal enforcement actions had been carried out in relation to feed issues in the two years preceding the audit. The Service advised that were there a need to undertake formal action for feed law enforcement, they would ask officers from the Food Team with more enforcement experience to peer review individual cases.

### *Feed Complaints, Primary Authority Scheme and Home Authority Principle*

- 3.2.19 The Service had developed a documented procedure for 'Feeding Stuffs Complaints' including feed complaints policy issues. The



procedure also included guidance for officers on contacting Primary Authorities or Home Authorities in case of a complaint originating from outside the area. The Authority's Service Plan stated that complaints about feeding stuffs were rare and only one complaint or referral from another Authority had been received in the last two years.

3.2.20 A record check of this referral indicated that an appropriate investigation had been undertaken with relevant advice given to the business and effective liaison and communication with the other Local Authority. Records were easily retrievable, detailed and up to date.

3.2.21 The Service Plan also stated that the Service supported the Home Authority Principle and had already taken up the role of a Primary Authority for a non feed business. There were no feed businesses currently within the Primary Authority Scheme.

#### *Feed Safety Incidents*

3.2.22 The Authority had developed a concise 'Feed Incidents, Hazards and Alerts' procedure. Auditors were advised that there had been no feed incidents affecting the Authority's area in the last two years.

3.2.23 The email address for the Trading Standards Service was set up to receive feed safety incident notifications from the Agency. Any emergencies could be referred by the Agency at all times to the duty officer on the animal health emergency contact number.

#### *Advice to Business*

3.2.24 The Service Plan stated that the Authority recognised that although it had a regulatory role in respect of feeding stuffs businesses, there was also a need to provide a reactive and proactive business advice service.

3.2.25 The Service produced an annual agriculture newsletter for the farming community highlighting areas of best practice. The August 2011 issue included advice about registering feed establishments.

3.2.26 The Authority was signed up to the TS Broadcast website for the provision of advice leaflets for businesses. The Authority had also contributed to the ERWIN ('Everything Regulation, Whenever its Needed') website. This is predominantly for Trading Standards legislation and provides simplified and prioritised information for businesses, but did not yet contain information about feeding stuffs within the scope of this audit.

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

#### *Internal Monitoring*

- 3.3.1 Documented internal monitoring procedures had been included within the 'Feeding Stuffs Interventions' and 'Feeding Stuffs Compliant' procedures and covered the scope, types and frequency of monitoring. A quality checklist had been developed to record the internal monitoring checks carried out. The Authority should implement their internal monitoring procedures developed in accordance with the Framework Agreement and also include sampling and database monitoring checks.

#### **Recommendation**

- 3.3.2 The Authority should:

Finalise and fully implement the internal monitoring procedures to ensure all enforcement activities of the feed law enforcement service are adequately and proportionately monitored in accordance with Article 8 of Regulation (EC) No. 882/2004 (Official Feed and Food Controls), the relevant Codes of Practice and centrally issued guidance. Records of monitoring checks should be maintained. [The Standard - 19.1]

- 3.3.3 There was evidence of internal quantitative and qualitative internal monitoring being carried out, including:

- Annual performance development and performance reviews (PDPR).
- Six monthly performance reviews monitoring performance against key performance indicators.
- The Authority acknowledged that this year monthly team meetings had focussed on the departmental service review programme and budgetary matters, minutes of service specific items such as feeding stuffs had not been kept.

#### *Records*

- 3.3.4 The Authority had introduced a 'smarter working system' including the use of 3G and wireless encrypted software systems to enable officers to work remotely. Documents and records of feed law enforcement activities were being scanned and saved electronically. More recent documents were easily retrievable.
- 3.3.5 The lack of sufficiently detailed records of inspections meant that Auditors could not confirm the adequacy of the officer assessments

and determination of the business' compliance with relevant feed legislation as required by the Feed Law Enforcement Code of Practice.

***Recommendation***

3.3.6 The Authority should:

Ensure that all observations and/or data obtained in the course of an inspection are noted in sufficient detail to provide an adequate record of the officer's assessment and determination of the business' compliance with relevant feed legislation in accordance with the Feed Law Enforcement Code of Practice. [The Standard – 16.1]

*Third Party or Peer Review*

3.3.7 The Authority had not participated in any inter authority audit, third party or peer review process relating to the feed service in the last two years. However, SWERCOTS had commenced an inter-authority audit programme for feedingstuffs over three years which included South Gloucestershire Council.

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Local Authority Audit and Liaison Division

## ANNEXE A

### Action Plan for South Gloucestershire Council

Audit date: 4-5 October 2011

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.1.16 Ensure all officers authorised to carry out feed law enforcement activities receive relevant on-going training, particularly in feed safety management systems based on HACCP principles, and complete the necessary 10 hours continuing professional development training in accordance with the Feed Law Enforcement Code of Practice. [The Standard – 5.4]	Ongoing with immediate effect.	All Feeding Stuffs Officers will be required to undertake a minimum of 10 hours continuing professional development training a year in accordance with the Feed Law Enforcement Code of Practice.	Officers have been reminded of this requirement and this is now a standing item on their monthly 1-1 meetings, in their annual reviews (PDPR) and will feature in the training requirements for the Trading Standards & Licensing team on an ongoing basis. The level of training received by individual officers will thus be checked annually to ensure the defined standard is met.
3.1.23 Implement the documented procedure to ensure that the feed premises database is complete and up to date and that accurate information of feed law activity is reported in official returns to the Agency. [The Standard – 11.2]	Done / 31/03/12	The documented procedure has been implemented and staff trained on it. The database will be reviewed by an officer to ensure that it is fully up to date and in accordance with the Feed Law Enforcement Code of Practice and centrally issued guidance.	The procedure has been fully implemented, staff have been trained on it and an officer has been tasked with reviewing records to ensure they and the official returns are accurate.
3.2.8(i) Ensure that feeding stuffs premises inspections are carried out at a frequency specified by the Feed Law Enforcement Code of Practice, giving priority to higher risk feed establishments. [The Standard - 7.1]	31/12/12	The inspection frequencies will be reviewed and inspections undertaken by a qualified officer to ensure that risk profiles are correct and that next visit dates are appropriate.	Officers have been trained on this aspect and the relevant procedure. A qualified officer has been tasked with undertaking the visits using the new inspection form and to ensure that the appropriate frequencies are followed.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.2.8(ii) Carry out interventions/inspections and approve or register feed establishments in accordance with relevant legislation, the Feed Law Enforcement Code of Practice and centrally issued guidance. A comprehensive list of all registered feed establishments in the area should be maintained, including an appropriate activity code(s) for each business. [The Standard - 7.2 and 16.1]	31/03/12 Ongoing	The documented procedure has been implemented and staff trained on it. The database will be reviewed by an officer to ensure that it is fully up to date and in accordance with the Feed Law Enforcement Code of Practice and centrally issued guidance. The inspection frequencies will be reviewed and inspections undertaken by a qualified officer to ensure that risk profiles are correct and that next visit dates are appropriate. Please also see the response to 3.1.16 above.	The procedures have been fully implemented, staff have been trained on in them and an officer has been tasked with reviewing records to ensure they and the official returns are accurate. Officers have received training on all the procedures and guidance. A qualified officer has been tasked with undertaking the visits using the new inspection form. Please also see the response to 3.1.16 above.
3.2.8(iii) Ensure that inspections of feed establishments adequately assess the compliance of establishments and systems to legally prescribed standards having particular regard to feed safety management systems. [The Standard - 7.3]	31/03/12	All procedures to be fully implemented including new in depth audit/aide-memoire forms. All staff to be trained on procedures and forms and to receive training on, on farm inspection techniques.	Procedures and forms are implemented and staff trained.
3.3.2 Finalise and fully implement the internal monitoring procedures to ensure all enforcement activities of the feed law enforcement service are adequately and proportionately monitored in accordance with Article 8 of Regulation (EC) No. 882/2004 (Official Feed and Food Controls), the relevant Codes of Practice and centrally issued guidance. Records of monitoring checks should be maintained. [The Standard - 19.1]	01/12/11	Procedure to be fully adopted and implemented.	Procedure fully adopted and implemented.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.3.6 Ensure that all observations and/or data obtained in the course of an inspection are noted in sufficient detail to provide an adequate record of the officer's assessment and determination of the business' compliance with relevant feed legislation in accordance with the Feed Law Enforcement Code of Practice. [The Standard – 16.1]</p>	<p>01/12/11</p>	<p>All procedures to be fully implemented including new in depth audit/aide-memoire forms. All staff to be trained on procedures and forms and to receive training on, on farm inspection techniques. Procedure to be fully adopted and implemented. Staff to be trained to ensure all records recorded on premises file and kept up to date.</p>	<p>Procedures and forms fully adopted and implemented with staff having been trained on them.</p>

## **Audit Approach/Methodology**

The audit was conducted using a variety of approaches and methodologies as follows:

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

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

- Feed and Food Controls Service Plan 2011/2012 and evidence of approval
- Trading Standards and Licensing Service Statement 2011-12
- Document Control procedure 16/04/2008
- Authorisation of Authorised Staff 15/09/2011
- Feed Business Establishment Records procedure 29/06/2011
- Feeding Stuffs Complaints procedure 29/06/2011
- Feeding Stuffs Interventions 19/09/2011
- Feed Business Registration and Approval 29/06/2011
- Sampling procedure 15/09/2011 and scopes for sampling programme 2011/12
- Feed Incidents, Hazards and Alerts procedure 16/09/2011
- Community Services Department Enforcement Policy April 2010 and evidence of approval of revised policy
- Enforcement procedures for Feed Business General Enforcement, Reporting of Offences, Feeding Stuffs Detention and Seizure, Hygiene Improvement Notices
- Examples of minutes from the SWERCOTS Health and Food Group meetings
- Examples of minutes from Trading Standards Team meetings
- Examples of agendas for Trading Standards and Licensing Team meetings

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

- Authorisation, qualification and training files
- Feed premises inspection records
- Feed inspection and sampling records
- Feed complaint and referral records

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

- Audit Liaison Officers- Trading Standards and Licensing Manager and Senior Trading Standards Enforcement Officer

(4) *On-site verification check:*

A visit to a large manufacturer co- producing feed was carried out as part of the audit. The purpose of the visit was to assess the effectiveness of the officer's evaluation of the compliance of the business with legislative requirements.



## Glossary

Agricultural Analyst	A person, holding the prescribed qualifications, who is formally appointed by a local authority to analyse feed samples.
Airways bills	Commercial documents providing a general description of cargo items.
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	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 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.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
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.
Defra	The Department for Environment, Food and Rural Affairs. The Government Department designated as the central competent authority for products of animal origin in England.
District Council	A local authority of a smaller geographic area and situated within a County Council whose responsibilities include food hygiene enforcement.
ERTS	Enhanced remote transit shed. An HM Customs and Excise designated warehouse where goods are held in temporary storage pending Customs clearance and release for free circulation.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.

FNAO	Feed not of animal origin. Products that do not fall under the requirements of the veterinary control regime.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
Food Examiner	A person holding the prescribed qualifications who undertakes microbiological analysis on behalf of the local authority.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Formal samples	Samples taken in accordance with the requirements of the Feed 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> <ul style="list-style-type: none"> <li>• Service Planning Guidance</li> <li>• Food and Feed Law Enforcement Standard</li> <li>• Monitoring Scheme</li> <li>• Audit Scheme</li> </ul> <p>The <b>Standard</b> and the <b>Service Planning Guidance</b> set out the Agency's expectations on the planning and delivery of food and feed law enforcement.</p> <p>The <b>Monitoring Scheme</b> requires local authorities to submit annual returns to the Food Standards Agency on their food law enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the <b>Audit Scheme</b> the Food Standards Agency will be conducting audits of the food and feed law enforcement services of local authorities against the criteria set out in the Standard.</p>
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.
Member forum	A local authority forum at which Council Members discuss and make decisions on food and feed law enforcement services.
Metropolitan Authority	A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.
POAO	Products of animal origin. Animal derived products that fall under the requirements of the veterinary control regime.
Port Health Authority (PHA)	An authority specifically constituted for port health functions including imported food control.
Primary Authority	An authority that has formed a partnership with a business.
Public Analyst	An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food samples.
RASFF	Rapid alert system for food and feed. The European Union system for alerting port enforcement authorities of food and feed hazards.
Regulators' Compliance Code	Statutory Code to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on businesses.
Risk rating	A system that rates feed premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected annually.
Service Plan	A document produced by a local authority setting out their plans on providing and delivering a food or feed service to the local community.
Trading Standards	The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feed legislation.
Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feed legislation.
Unitary Authority	A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feed enforcement.