

**Report on the Audit of Port Health Authority and Local
Authority Food Law Enforcement Controls of Imported
Food Not of Animal Origin and Arrangements
in Respect of Imported Feed**

Uttlesford District Council
11-12 January 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. 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 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.

The attached audit report examines the Local Authority's Feed and 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 and where applicable feed 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 (LAs) 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.

The audits examined Port Health Authority (PHA) and Local Authority (LA) systems and procedures for control of imported food and where relevant imported feed, at ports of entry (sea and air) and at inland authorities, in 15 geographically representative PHAs and LAs in England. The audits of PHAs were confined to food not of animal origin (FNAO), where relevant imported feed. However the audits of inland authorities covered products of animal origin (POAO) and FNAO. As part of the programme, other LAs with ports are also being contacted to establish whether liaison with ports and appropriate checks on imports are being undertaken.

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

It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food 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 and food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety, standards and 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.

CONTENTS

	Page
1.0 Introduction	5
<i>Reason for the Audit</i>	5
<i>Scope of the Audit</i>	6
<i>Background</i>	6
2.0 Executive Summary	8
3.0 Audit Findings	10
3.1 <i>Organisation and Management</i>	10
- <i>Strategic Framework, Policy and Service Planning</i>	10
- <i>Documented Policies and Procedures</i>	11
- <i>Authorised Officers</i>	12
- <i>Facilities and Equipment Including Verification Visit</i>	13
- <i>Liaison with Other Organisations</i>	13
3.2 <i>Imported Food Control Activities</i>	15
- <i>Food Inspection and Sampling</i>	15
- <i>Food Complaints, Primary Authority Scheme and Home Authority Principle</i>	17
- <i>Food Safety Incidents</i>	17
- <i>Advice to Business</i>	17
3.3 <i>Enforcement</i>	18
3.4 <i>Internal Monitoring and Third Party or Peer Review</i>	19
- <i>Internal Monitoring</i>	19
- <i>Third Party or Peer Review</i>	19
Annexe A - Action Plan for Uttlesford District Council	20
Annexe B – Audit Approach/Methodology	21
Annexe C – Glossary	23

1. Introduction

1.1 This report records the results of an audit of Uttlesford District Council with regard to food law enforcement, under relevant headings of the Food Standards Agency Feed and Food Law Enforcement Standard. The audit focused on the Authority's arrangements for imported food controls with discussion on the Authority's arrangements in respect of imported feed. The audit was undertaken as part of the Agency's focused audit programme on imported food and, where appropriate, feed controls. The report has been made publicly available on the Agency's website at:

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 Uttlesford District 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.¹

1.3 Uttlesford District Council was included in the Food Standards Agency's programme of audits of food and feed law enforcement services, because the airport is a designated point of entry for certain high risk food products. In addition the Authority was selected to be representative of a geographical mix of 15 PHAs and LAs across England.

¹ 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)

Scope of the Audit

- 1.4 The audit examined Uttlesford District Council's arrangements at Stansted Airport for imported food controls in respect of imported food *not* of animal origin (FNAO). Products of animal origin (POAO) are subject to veterinary control checks and separate auditing regimes. The Authority did not have enforcement responsibilities for non POAO imported feed, which was undertaken by Essex County Council, although there were liaison arrangements in place and these were discussed during the audit.
- 1.5 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 food import activity and internal service monitoring arrangements were also covered.
- 1.6 The on-site element of the audit took place at the Authority's offices at the Council Offices, London Road, Saffron Walden, Essex on 11-12 January 2011. The audit included a reality check to assess the effectiveness of official controls implemented by the Authority at Stansted Airport and more specifically, the checks carried out by the Authority's officers to verify compliance with imported food law requirements.
- 1.7 The audit also afforded the opportunity for discussion with officers involved in imported food law enforcement with the aim of exploring key issues and gaining opinions to inform Agency policy. A set of structured questions was used as the basis for discussions which sought views and information on areas related to imported food controls such as:
- Service planning and the strategic framework of controls;
 - Training and support;
 - Criteria used to determine the level of checks;
 - Issues affecting the imported food control programme;
 - Sampling, surveillance and enforcement approaches.
- 1.8 The information gained during interviews will be incorporated into a summary report on the imported food and feed inspection and control activities audit programme.

Background

- 1.9 Uttlesford District Council is situated in the North West of Essex and has borders with the districts of Braintree, Chelmsford, East Hertfordshire, Epping Forest, North Hertfordshire and South Cambridgeshire. It is predominately an agricultural area covering 63,752 hectares. The population is approximately 69,000 living in four

main towns in the District and some 100 villages and hamlets. The main towns are Saffron Walden, Great Dunmow, Stansted Mountfitchet and Thaxted. The District contains Stansted Airport, which is the fastest growing airport in Europe currently handling over 25 million passengers per year. An increasing amount of cargo freight, including food, is imported through the airport.

- 1.10 The Food Service Team forms part of the Commercial Team within Environmental Services and is directly managed by the Head of Environmental Health (HoEH). The HoEH is also the nominated Lead Officer for Food Safety. Environmental Health Officers and Technical Officers undertake the planned inspection programme of food premises within the District as well as imported food duties. They also provide advice and training to consumers/businesses and carry out enforcement and sampling activities. A Technical Officer and the HoEH provided the substantive cover at the airport for imported food.
- 1.11 Stansted Airport was designated as a Border Inspection Post (BIP) for certain imported POAO and was also designated as a point of entry (DPE) for certain high risk food and feed of non animal origin.
- 1.12 The Authority operated from their offices between 8.30am and 5pm daily although they had on-call arrangements, particularly for imported foods should the need arise. This out of hours rota operated every day with the exception of Christmas Day. The BIP also operated during normal office hours but an out of hours service was also provided by arrangement.

2. Executive Summary

- 2.1. The Authority had developed a comprehensive Food Safety Service Plan for 2010/2011 which was in line with the Service Planning Guidance in the Framework Agreement. The plan made numerous appropriate references to the Authority's imported food control arrangements. Auditors noted the demands placed upon the statutory service by the monitoring and investigation of imported foods which required manual checking of manifests and effective liaison with agents and importers.
- 2.2. The Authority had recently reviewed their operational procedure relevant to the scope of the audit and in line with recent legislative changes. The Service recognised that there was a continuing need to update their procedures and this was planned as a future rolling programme.
- 2.3. A documented procedure for the authorisation of officers had been developed and implemented. Officers had been authorised for current relevant imported food legislation in accordance with the Food Law Code of Practice (FLCoP), although some of the legal references required review. Of the files examined, each officer had completed the minimum 10 hours of food related training based on Continuing Professional Development. The record keeping arrangements in relation to officer qualifications and training were accurate, complete and readily retrievable.
- 2.4. It was apparent from audit record checks that imported food control was considered by the Authority to be an integral part of the food service. There were effective systems and arrangements in place in relation to the control of imported food, including those identified as potentially of a higher risk. The Authority had in place a robust system for the identification of incoming consignments through liaison with agents and importers and some detailed checking of manifests. Imported food controls, including documentary checks and physical checks, were risk based and targeted utilising previous knowledge and experience.
- 2.5. It was evident that appropriate action was taken in relation to high risk imported foods where food safety issues had been identified. Follow-up letters had been issued to importers who had attempted to import high risk foods without the appropriate checks being undertaken.
- 2.6. There were extensive liaison arrangements in place with central government, other enforcement bodies, professional organisations and other external stakeholders, including airport managers and importing agents. The local authority also undertook liaison with other airport authorities in order to maintain a consistent approach and for the exchange of information and good practice.

- 2.7 The Authority had developed a documented internal monitoring procedure which included imported food activities. There was some qualitative monitoring in place against the monitoring procedure. The analysis of imported food data and the reporting of this information to the Food Standards Agency were identified as needing further improvement.
- 2.8 A reality check visit to the airport was undertaken during the audit. The enforcement officer interviewed was able to demonstrate an appropriate level of knowledge of imported food controls and internal procedures, and auditors were satisfied with the arrangements and facilities in place for general imported food checks and those for high risk food not of animal origin. It was evident from the reality check visit that the liaison arrangements developed by the officers were fundamental to the control of high risk imported foods and auditors recognised that it was essential to maintain this resource.

3. Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

3.1.1 The Environmental Health Division had recently undergone a restructuring exercise which had resulted in the creation of a Divisional Head of Housing and Environment to whom the Head of Environmental Health (EH) reported. The Head of EH duties included management of the EH section, acting as Lead Officer for food/health and safety and for imported food controls.

3.1.2 The Authority had a Food Safety Service Plan for 2010/2011 which had received approval from the Senior Management Board and had also been taken to Committee for confirmation. The Plan was in accordance with the requirements of the Service Planning Guidance in the Framework Agreement.

3.1.3 The Authority had four priorities for 2010-2015:

Finance - Effectively managing our finances and operating a decreasing budget so as to achieve a Use of Resources score of 3 by 2012.

Partnerships – Working to deliver effective and co-ordinated services with partners and others at reduced cost while helping those in hardship.

People - Consulting and engaging fairly with staff and customers and helping those in hardship.

Environment - Protecting and enhancing the environment and keeping communities together.'

These were supported by a number of key objectives of relevance to the plan:

- *'Continually improving financial management and delivering value for money services*
- *Working in partnership to improve the prosperity, safety, health and well-being of our communities, particularly to meet the needs of people affected by the current recession*
- *Encouraging community participation through effective consultation and engagement*
- *Developing and maintaining a motivated and high performing workforce*
- *Improving environmental management and enforcement against environmental crime.'*

3.1.4 The Food Safety Service Plan contained references to imported food and stated that one of the primary objectives of the Authority was to:

- 'Provide an inspection service for High Risk Imported Food arriving via Stansted Airport, and operate the Border Inspection Post in accordance with UK and Community requirements'.

3.1.5 The Food Safety Service Plan also set out the scope of the requirements of the Service in relation to imported food:

- 'Ensure that all products of animal origin (POAO) arriving from third countries are subject to veterinary checks as necessary. Staff and operate the Border Inspection Post at Stansted Airport accordingly.
- Ensure that food not of animal origin (FNAO) arriving from third countries for sale for human consumption is inspected on a risk assessment basis. Provide an out of hours service for those foods subject to clearance at Stansted Airport.
- Undertake a food sampling programme that takes account of current food problems and imported food. Participate in national and regional coordinated sampling programmes.'

3.1.6 Information supplied prior to the audit indicated that imported food controls at the airport were primarily the responsibility of two officers:

Officer Designation	FTE* Food
Head of Environmental Health	0.30
Environmental Health Technical Officer	0.70
Environmental Health Officers	As needed

*Full Time Equivalent

Documented Policies and Procedures

3.1.7 The Authority had developed a range of relevant policies and procedures. Reference copies of these documents were held as hard copies within the offices, and electronically on a shared drive. The imported food procedure had already been reviewed to incorporate legislation which came into force on 1 January 2011. Auditors were advised of the intention to undertake reviews of the remaining procedures on a rolling basis in line with stipulated dates and the service improvement highlighted in the Service Plan. These reviews would be undertaken by all officers.

Authorised Officers

- 3.1.8 The Authority had developed documented procedures which detailed the process for delegating the authorisation of officers to the Head of Environmental Health and also for the authorisation of officers.
- 3.1.9 Officers were authorised under overarching legislation with a schedule added to their authorisations which gave details of specific areas under which officers were authorised individually.
- 3.1.10 Audit checks showed that although officers carrying out imported food controls were generally authorised in line with their qualifications, training and experience, the schedule to the authorisations required review to ensure that all key legislative references were current in relation to imported food enforcement.

Recommendation

3.1.11 The Authority should:

Review the schedule of officer authorisations and update as necessary to ensure it includes all current relevant imported food legislation. [The Standard – 5.1]

- 3.1.12 The Authority had appointed a lead officer with responsibilities for food enforcement including imported food. It was clear from the audit checks that the officer's training and experience was sufficient to undertake this role.
- 3.1.13 The Authority provided coverage of the airport operation through a rota predominantly involving two officers, the Head of Environmental Health and the Environmental Technical Officer. These officers also provided this contact out of stipulated hours. Other qualified and competent officers were capable of providing the service in the absence of these officers.
- 3.1.14 The Authority undertook an annual review of officer training needs and any shortfalls were identified through this scheme. A mechanism for providing feedback on any relevant training courses attended by officers was also built into the officer training programme. There was evidence that specialist training on imported foods had been cascaded internally to other officers. The Authority also made use of training opportunities provided by Association of Port Health Authorities (APHA) and the Agency.
- 3.1.15 Comprehensive and easily retrievable records of officers' training were being maintained which confirmed that officers were achieving the minimum 10 hours food related training required by the Food Law

Code of Practice. The Authority did not rely solely on attendance at formal training courses. The Environmental Health Technical Officer had made visits to other authorities with similar airports, to share experiences and good practice in the consistency of the application of official controls. Other officers within the Authority were also updated on current issues by using 'dummy' forms in training exercises and by utilising specific examples of imported food controls as training initiatives.

Good Practice – Officer Information

Effective arrangements were in place to ensure that all relevant officers were kept informed of the latest information on imported food controls, in particular in house training by way of the use of 'dummy' certificates and highlighting any previous problematic imports that had come through the airport, as training initiatives.

Facilities and Equipment Including Verification Visit

- 3.1.16 During the audit, a verification visit was carried out at the airport's imported food inspection facilities. The purpose of the visit was to assess the effectiveness of the Authority's assessment and application of imported food controls with food law requirements and to also assess whether the requirements for designated point of entry (DPE) status had been met. Auditors were satisfied that appropriate facilities and equipment were available to meet the requirements as a DPE and to permit all activities associated with the imported food control service. Officers accompanying the auditor were able to demonstrate a detailed and thorough knowledge of specific sampling regimes, the facilities and equipment available and the practical working arrangements in place with other agents at the airport.

Liaison with Other Organisations

- 3.1.17 The auditors were advised that the Authority had an arrangement with the Trading Standards service in respect of imported feed control. Any imported feed or feed products that were notified to the Authority would be raised with the County Council for action. Historically, the Authority had arranged meetings between the airport agents and the County Council Trading Standards Officers. The audit highlighted the need to further strengthen these links to ensure that any imported feed would be notified to the County Council.
- 3.1.18 The Authority had extensive liaison arrangements in place with airport operators and importing agents, central government, other enforcement bodies, professional organisations and other external stakeholders in relation to imported food. The Authority actively

participated in and supported the APHA. The Authority also liaised regularly with other individual airport health authorities in order to aid consistency in their enforcement arrangements.

- 3.1.19 There were regular monthly meetings with the airport operators, cargo agents and importers. Defra and HMRC also attended these meetings. The pro-active liaison between the officers and the importing agents was notable and supported the notification of imported foods and the exchange of information between all stakeholders at the airport.

3.2 Imported Food Control Activities

Food Inspection and Sampling

- 3.2.1 The Authority's annual monitoring return to the Agency for 2008/2009 provided consolidated statistics on imported food control activity. This indicated the following FNAO activity:

Year	FNAO (third country) Consignments:				
	Entering	Checked			Rejected
Documentary		Identity	Physical		
2008/2009	500	50	50	50	0

During the audit, the current return for 2009/2010 was discussed as it indicated a lower level of consignments had been checked which was not reflective of the work being undertaken. The Authority agreed to review their statistics with a view to verifying the accuracy of the previous year's return.

Recommendation

3.2.2 The Authority should:

Review their monitoring returns to the Food Standards Agency to ensure that the returns fully reflect their work on imported food enforcement. [The Standard – 6.4]

- 3.2.3 Information provided by the Authority indicated that high risk FNAO imported from certain third countries specified in Regulation (EC) No. 669/2009 had been subject to control at the airport, these included chilli and chilli products and some sweet peppers.
- 3.2.4 The Authority had systems and arrangements in place, together with documented procedures detailing the arrangements for checks on general food consignments entering the airport. The documented procedure had been updated to include legislation EC No. 1099/2010 which came into force on 1 January 2011.
- 3.2.5 The Authority recorded relevant details and actions in respect of high risk food products within their database. Record checks on samples taken showed that these were easily retrievable from the database.
- 3.2.6 The Authority had strong working links at the airport with cargo handlers who were regularly updated as to the import of food. This was evidenced by the demonstration of global daily consignments logged on an electronic database and used by one of the cargo handlers, to which the officers had agreed access. The Authorised

Officers had responsibility for checking other paper-based manifests to identify any potential food products entering the airport.

- 3.2.7 Where there was any uncertainty about the nature of a product, further information was sought from the importing agents requesting additional details such as commercial invoices. A decision was then made, based on the type of product, local intelligence and experience on whether further documentary checks were required and if the consignment required identity or physical checks. In such cases an informal 'hold' could be placed on the consignment using notices attached by the officers of the Authority.
- 3.2.8 The Authority carried out random physical checks on products in addition to any required statutory checks. The Authority ensured that all relevant officers were kept fully aware of current restrictions on food products and emerging issues.
- 3.2.9 The Authority had introduced a facility whereby common entry documents (CEDs) could be submitted electronically which increased the efficiency of the checking process. If checks showed that the product could be cleared the CED could then be faxed to the agent with the appropriate stamp and references to further increase the efficiency of the process.
- 3.2.10 Audit checks confirmed that there were effective systems in place in relation to the control of imported food, including those for high risk products. Documentary, identity and physical checks, including random checks undertaken, were risk based and targeted, in accordance with regulations, official guidance and previous knowledge and experience.
- 3.2.11 There were no Enhanced Remote Transit Sheds (ERTS) within the Authority's boundaries, although some products that came through the airport has historically been sent to an ERTS in neighbouring districts.
- 3.2.12 The Authority had a sampling policy which covered all food sampling work undertaken and specific procedures relating to the import of food. The procedure for sampling high risk products gave comprehensive details of actions to be taken and the laboratories that the Authority used in relation to sampling activity.
- 3.2.13 The Service levied a charge for all imported food checks where there was provision in legislation. The charges were based on officer time and analytical fees and therefore differed depending on the type of product subject to checks. It was noted that, potentially, these charges did not cover the cost of any out of hours working.

- 3.2.14 The official laboratories appointed by the Authority for food sampling activities were properly accredited in accordance with relevant centrally issued guidelines.
- 3.2.15 A range of sampling records were examined in relation to both general and high risk foods. All samples had been taken by authorised officers and effective follow-up action had been taken as necessary following receipt of the result to ensure that the food was not released, in accordance with the regulations.

Food Complaints, Primary Authority Scheme and Home Authority Principle

- 3.2.16 A policy on the investigation of complaints about food was included within the Food Safety Service Plan and the Authority was committed to investigating all food complaints received. Documented information from the Authority advised that there had been no complaints relating to imported food in the six months preceding the audit.
- 3.2.17 The Food Safety Service Plan set out the Authority's policy on Home and Primary Authority arrangements. There were no plans in place to invite such partnerships at the time of the audit.

Food Safety Incidents

- 3.2.18 A documented procedure on the receipt of Rapid Alert System for Food and Feed (RASFF) had been developed, but the procedure needed further expansion to include reference to the generation of a RASFF alert.
- 3.2.19 Officers were also aware of food alerts that had been issued by the Agency. Checks were routinely made to ascertain if products subject to an alert had originated through the airport.

Advice to Business

- 3.2.20 The Authority made use of monthly meetings that were arranged with all stakeholders, including the airport operator, cargo handlers and other Government agencies to provide advice on imported food issues. The Authority used these meetings to update all parties, submit guidance on high risk products and other administrative changes e.g. on procedural changes within the Authority and to improve effective working relationships.

3.3 Enforcement

- 3.3.1 The Authority had produced and revised their Enforcement Policy in 2008. The policy set out the general aims of regulatory activity carried out by the Department including airport health work. The policy was available on the Authority's website.
- 3.3.2 There were, in addition, some documented procedures including prosecution and simple cautions. The Authority had also produced a procedure on the detention, seizure and voluntary surrender of food.
- 3.3.3 Checks confirmed that appropriate action had been taken to deal with unsatisfactory import of foods in accordance with the Department's enforcement policy. This included liaison with the importer and other interested parties. A documented procedure on the destruction of food had not been developed, it was clear in cases where high risk FNAO was destroyed following rejection, that there was adequate documentation to confirm satisfactory disposal of the products.
- 3.3.4 Some importers had attempted to bring in high risk FNAO through the airport, with the supposition that they had not been aware of the restrictions in place. The Authority had undertaken the appropriate checks on these products and had followed this up with a letter to the importers advising them of the appropriate restrictions and prior notification systems currently in place.

3.4 Internal Monitoring and Third Party or Peer Review

Internal Monitoring

- 3.4.1 The Authority had developed a procedure to monitor the quality of food hygiene inspections, visits and actions which included imported food. There were no specific procedures available on either quantitative or qualitative monitoring of the imported food service, but in practice the small team of officers who undertook imported food enforcement activities were in regular contact with each other and the lead officer.
- 3.4.2 There was evidence of quantitative monitoring activities, in particular reporting against checks on FNAO for the Agency return.
- 3.4.3 Whilst the monitoring arrangements for a relatively small team working closely together need to be proportionate and risk based, it is important to ensure that monitoring covers the full range of activities at all officer levels, and that this is recorded together with any corrective actions. This would also assist in the process of compiling returns to the Agency and their accuracy.

Third Party or Peer Review

- 3.4.4 The Service was routinely subject to internal audit activity but this had not related to imported food controls.

Auditors: Alan Noonan
Jane Tait
Ann Reason

Food Standards Agency

Local Authority Audit and Liaison Division

ANNEXE A

Action Plan for Uttlesford District Council

Audit date: 11-12 January 2011

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.1.11 Review the schedule of officer authorisations and update as necessary to ensure it includes all current relevant imported food legislation. [The Standard – 5.1]	31/03/11	Re-issue authorisations to include reference to POAO regs, Import/Export Regs etc.	
3.2.2 Review their monitoring returns to the Food Standards Agency to ensure that the returns fully reflect their work on imported food enforcement. [The Standard – 6.4]	31/03/11	Review data collection to ensure all areas of imported food control work is captured and reported.	

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:

- Food Safety Service Plan for 2009/2010
- Procedure for Delegating the Authorisation of Officers to the Head of Environmental Health.
- Procedure for the Authorisation of Officers
- Work procedure 2 on the investigation of food complaints
- Commercial documentation for the Transfer of Products for Destruction
- Cleaning schedule for the Border Inspection Post
- High risk imported food and animal products call down rota
- Procedures for Foods Not of Animal Origin
- Sampling Policy v2 July 2010
- Work Procedure for Sampling and Analysis of Foodstuffs
- Work Procedure on Food Alerts v5 2010
- Work Procedure – Legal Proceedings and Simple Cautions
- Environmental Health Enforcement Policy
- Work Procedure – detention, seizure and voluntary surrender of food
- Notice used for holding imported foods prior to clearing
- Team meetings 22/07/10; 23/09/10;19/10/2010
- Work Procedure – Monitoring of the quality of food hygiene inspections, visits and actions
- LAEMS imported food returns for 2008/2009 and 2009/2010.

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

- Authorisation and training files
- Manifest and consignment records
- Minutes of a meeting held at the airport with relevant authorities and agents
- Food inspection and sampling records
- Formal enforcement letters.

(3) Interviews – the following officers were interviewed:

- Audit Liaison Officer – Head of Environmental Health
- Technical Officer undertaking airport health work

- Environmental Health Officer

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 Authority's officers to the facilities at Stanstead Airport. The purpose of the visit was to verify that appropriate risk based, proportionate checks are carried out on consignments of imported food and feed at the airport and that requirements for DPE status are met.

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.
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.
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.

Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
FNAO	Food not of animal origin. Non animal food products that fall under the requirements of imported food control regime.
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 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> <ul style="list-style-type: none"> • Service Planning Guidance • Food and Feed Law Enforcement Standard • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food and feed law enforcement.</p> <p>The Monitoring Scheme 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 Audit Scheme 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 Equivalents (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.
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.
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.
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.
Primary Authority	An authority that has formed a partnership with a business.
Port Health Authority	An authority specifically constituted for port health functions including imported food control.
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.
Risk rating	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.
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.
Third Country	Countries outside the European Union.
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.