

**Memorandum of Understanding**

**between the**

**Food Safety Authority of Ireland (FSAI)**

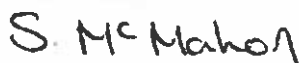
**and**

**Loughs Agency**

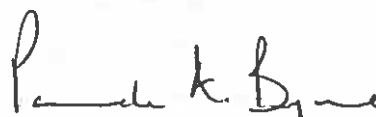
The objective of this Memorandum of Understanding (MoU) is to set in place the arrangements for Loughs Agency's involvement in the Irish Shellfish Monitoring Programme and in particular in relation to shellfish sampling in Lough Foyle and Carlingford Lough.

Signed:

Signed:



Mrs. Sharon McMahon  
Chief Executive Officer – Interim  
Loughs Agency



Dr. Pamela Byrne  
Chief Executive,  
FSAI

Date: 18.08.2022

Date:

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**THE FOOD SAFETY AUTHORITY OF IRELAND ("the Authority")**  
**AND**  
**LOUGHS AGENCY ("the Agency")**

**1.0 Introduction**

The Authority and the Agency agree to co-operate on activities as detailed in this Memorandum of Understanding (MoU). The MoU provides the basis for the involvement by the Agency in shellfish and phytoplankton sampling under the Irish Shellfish Monitoring Programme.

The Authority and the Agency welcome opportunities for collaboration and will explore opportunities for further collaboration on monitoring and sample collection. When collaboration opportunities arise, the Authority and the Agency work together to ensure that the best use is made of public resources and to avoid duplication of tasks and responsibilities to ensure the statutory responsibilities of both organisations, and relevant Official Agencies of the Authority, are fulfilled.

**2.0 Roles**

- 2.1 The Food Safety Authority of Ireland was established under the Food Safety of Ireland Authority of Ireland Act, 1998 as an independent food regulatory authority. The Authority is the national agency responsible for ensuring that foods produced and marketed in Ireland are safe to eat. A key remit of the Authority is the enforcement of food safety legislation. The Authority carries out this enforcement function through "service contracts" with official agencies, including the Sea Fisheries Protection Authority (SFPA). A service contract is also in place with the Marine Institute (MI) which provides the FSAI with scientific advice and which is the national reference laboratory for biotoxins, shellfish microbiology and shellfish virology.
- 2.2 Loughs Agency is an agency of the Foyle, Carlingford and Irish Lights Commission (FCILC), established under the 1998 Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland. The Agency's aim is to provide sustainable social, economic and environmental benefits through the effective

conservation, management, promotion and development of the fisheries and marine resources of the Foyle and Carlingford areas. Loughs Agency operate the sampling programmes for shellfish safety in production areas under the jurisdiction of the Northern Irish Competent Authorities in Lough Foyle and Carlingford Lough.

- 2.3 The Sea-Fisheries Protection Authority (SFPA) is an Official Agency of the FSAI operating under a service contract to regulate and enforce Seafood Safety Legislation in the Republic of Ireland. The SFPA implements, manages and monitors the National Microbiological Sampling Program. The SFPA supervises a number of assigned production areas in the waters of both Lough Foyle and Carlingford Lough that come under the jurisdiction of Competent Authorities in the Republic of Ireland.

### **3.0 Responsibilities**

- 3.1 The Agency agrees to operate the sampling programmes for shellfish safety in production areas in Lough Foyle and Carlingford Lough under the jurisdiction of the Northern Irish Competent Authorities.

With effect from the 31st of December 2021 the Agency ceased Shellfish Monitoring of Biotoxin, Microbiological and Phytoplankton sampling elsewhere in Lough Foyle and Carlingford Lough.

The Shellfish Monitoring is now undertaken by the SFPA in the waters of both Lough Foyle and Carlingford Lough that fall under the jurisdiction of Competent Authorities in the Republic of Ireland. This is administered through the SFPA's Greencastle and Howth Port Offices.

- 3.2 The Agency is now solely responsible for the sampling programme for shellfish safety in production areas in Lough Foyle and Carlingford Lough under the jurisdiction of the Northern Irish Competent Authorities.
- 3.3 The Authority undertakes to keep the Agency up to date on any changes to documented procedures relevant to the Agency under this MoU.
- 3.4 The Agency agrees to participate in the Molluscan Shellfish Safety Committee and any relevant sub-committees, as needed.
- 3.5 The Authority and the Agency agree to co-operate in the operation of training programmes as needed.
- 3.6 The Agency agrees to participate, and provide additional samples, as required in the investigation and follow-up to incidents, food complaints, food fraud investigations and food alerts by the Authority and other Official Agencies.

3.7 The Agency agrees to participate as required in the preparation for and conduct of DG Santé Missions to Ireland and any follow-up corrective actions associated with reports issued.

**4.0 Communication**

4.1 The Agency and Authority agree to share and exchange relevant information. The Agency also agrees to co-operate with the Authority, the SFPA and the MI in the preparation of any relevant reports or other documentation.

4.2 The Agency and Authority agree to share any intelligence or information that becomes available relating to fraudulent or deceptive activities the result of which may pose a threat to consumer health or interests.

4.3 The Authority, the Agency, the SFPA and the MI have each nominated two liaison contacts and their contact details are detailed in Annex 1. When changes occur to the liaison contacts list, the updated Annex will be circulated by the Authority to the Agency, the SFPA and the MI.

**5.0 Duration and Review**

5.1 This MoU shall be in force for a period from the commencement date to the 31st of December 2025. The MoU may be subject to review, modification or amendment by either party, and may be extended by agreement.

5.2 There will be an annual review of the operation of the MoU which will be initiated by the Authority after the end of each calendar year. A review meeting will be held in Q1 of each year to consider the operation of the service in the previous year, plan for the forthcoming year and any changes required to the MoU.