



Dr. Bernard Hegarty
Director of Service Contracts
Food Safety Authority of Ireland

29 April 2016

Re: Review of Food Safety Official Control system in Ireland.

Dear Bernard,

The SFPA welcomes the opportunity to provide feedback on this review. At the outset we wish to commend the vision of FSAI in appraising food controls from such a holistic perspective. Implementation of these recommendations should add significant value to the overall coherency of our shared efforts in official control of food safety.

Whilst certainly not a salient point, we have a particular concern at what we regard as a factual inaccuracy which recurs in the document around the role of SFPA and putative institutional conflict of interest. See in particular Section 4.4.4.2 of the ICF Consulting report, and 3.1.2 of the Scientific Committee report. The SFPA was established by statute as the independent regulatory body responsible for the implementation of sea fisheries and seafood legislation. Our primary role is to verify and if necessary enforce compliance of operators, without we believe the overt conflicts referred to on Recommendation 10. We do acknowledge that such implementation should support the compliant operators, and one of our compliance approaches is to promote compliance through maximising benefits that arise e.g. market access.

SFPA is fundamentally supportive of the overriding sentiment of Recommendations 1, 2 & 3, ultimately informing implementation of Recommendation 12. Indices of effectiveness and risk-based resource deployment are remarkably elusive goals in food safety official controls and SFPA believe that senior interagency forum chaired by FSAI might be a useful kick-off point for implementing these recommendations. Early work might involve the identification of short term deliverables and long term goals in implementing these recommendations.

Data collection referenced in recommendation 4, is an area that the SFPA has been actively working with FSAI for several years. Indeed we made an active decision to forego our own database development in order to align with FSAI strategy, and are supportive on a central role for FSAI. In this context however it seems that in attempting to add different agencies to a single data collection store, FSAI currently has parallel independent data bases in play albeit with the intention of migrating into one. Creating and maintaining such systems requires the provision of services such as



technical support and database development and we are not convinced that the resourcing to date has been commensurate with the level of ambition needed to deliver this work. Implementation of this recommendation will require a fundamental reconsideration of the overall model. The hosting of agency data by FSAI should be mindful of the data extraction needs of the agency particularly in the context of monitoring performance against parameters foreseen in Recommendations 1 2 and 3. We would encourage active dialogue with DAFM IMT in their current redevelopment of Ireland's Fisheries Information System (IFIS).

Recommendation 10 seems to us to offer an opportunity to better address the opportunity to put national rules in place to facilitate flexibility for example with respect to various provisions e.g. 'marginal, localised, and restricted' exemptions, or HACCP flexibility. A level playing field of predictable proportionate expectations is paramount, and SFPA sees FSAI with a key role in ensuring the balance of flexibility (Recommendation 10) with consistency (Recommendation 6) across agencies.

Recommendation 13, whilst ostensibly framed around competencies of agency staff, recalls the notable absence of designated specialist within FSAI scientific staff in the area of seafood safety. Whilst we frequently benefit from the significant competence that does exist, the FSAI's role in the area of molluscan shellfish is more interventionist than many other areas, and seafood safety controls frequently involve risk-based decisions around general rather than specific legal obligations, and we believe the implementation of our service contract might benefit from an FSAI Chief Specialist of direct relevance.

Whilst recommendation 5 does not seem to directly pertain to SFPA, the deployment of SFPA resources to statutory functions other than food safety is a significant driver of the resource we have available within an FSAI remit. Therefore implementation of this recommendation will require FSAI to have an eye outside of its direct remit.

In conclusion SFPA welcomes this proactive assessment of food safety controls. We look forward to playing our part in implementing the recommendations.

Micheál O'Mahony,
Authority Member