



Údarás Sábhálteachta Bia NA hÉIREANN  
Food Safety AUTHORITY OF IRELAND

2023

# FSAI Audit Charter

Audits performed by the Food Safety Authority of Ireland  
in accordance with requirements of the Food Safety  
Authority of Ireland Act 1998 and Regulation (EU)  
2017/625



## **FSAI Audit Charter**

*Published by:*

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## 1. Background

The Food Safety Authority of Ireland (FSAI) is the competent authority with overall responsibility for the enforcement of food legislation in Ireland. Enforcement of food legislation is managed through arrangements contained in service contracts between the FSAI and the relevant competent authorities (official agencies) responsible for specific sectors or activities. e.g. Department of Agriculture Food and the Marine (DAFM), Health Service Executive (HSE), Sea Fisheries Protection Authority (SFPA), the Marine Institute (MI), National Standards Authority of Ireland (NSAI) and the Local Authorities (LA)

Schedule 5 of these service contracts details the means by which the Authority proposes to audit the official agencies as required by Section 48(9) of the FSAI Act 1998. FSAI audits determine compliance by the official agencies with the terms and requirements of their contract. They also determine how official control legislation is implemented and how such controls determine compliance by food business operators with food law.

## 2. Legal Basis

The statutory basis in Irish legislation requiring the Authority to carry out audits of its official agencies is contained in Section 48(9) of the Food Safety Authority of Ireland Act 1998 as amended by the British Irish Agreement Act 1999 which states that:

*“The Authority shall take such measures as it considers appropriate to determine whether an official agency is adequately carrying out its functions under a service contract.”*

These requirements are further enforced by the provisions of Section 17 of the Food Safety Authority of Ireland Act 1998 which require the Authority to:

*“keep under review the efficacy of food inspection services”*

Section 47 of the FSAI Act states that:

*“the Authority may carry out or arrange to have carried out such additional inspections as it considers necessary for the discharge of its functions under this Act”*

Regulation (EU) 2017/625 lays down requirements on the performance of official controls by competent authorities. Article 6(1) of this Regulation specifies that:

*“The Competent Authorities shall carry out internal audits or have audits carried out on themselves and shall take appropriate measures in the light of the results of those audits”.*



## 3. Mission, objectives & role of the FSAI audit function

### 3.1 Mission

“To effectively evaluate the performance of official controls, confirm that all aspects of the food safety control network adequately safeguard and protect consumers’ health/interests, and that food business operators comply with food law”

### 3.2 Objectives

The objectives of the FSAI audit function are:

1. To verify compliance with official control/food legislation, service contracts and relevant sections of the Multi Annual National Control Plan (MANCP)
2. To assess the coordination, effectiveness and consistency of the enforcement of food legislation and to comment on its appropriateness and suitability.

These objectives compliment the vision of the FSAI Strategy (2019-2023) which is “*Safe and trustworthy food for everyone*”.

### 3.3 Role

FSAI audits of official controls verify compliance by official agencies with relevant legislation, implementation of MANCP and adherence to Service Contract requirements. Where relevant they will also verify in food business operations that the necessary supervisory arrangements are being implemented by official agencies.

FSAI audits also verify the effectiveness and appropriateness of official controls by testing agencies against their own systems. They also evaluate whether the documented procedures and planned arrangements put in place by official agencies are being followed, whether they are effective and are suitable to achieve the objectives of Regulation (EU) 2017/625.

FSAI audits conducted under the requirements of Schedule 5 of the Service Contract are external audits of its official agencies as required by Section 48(9) of the FSAI Act. These audits also assess whether agencies are achieving the objective of Regulation (EU) 2017/625 regarding official controls carried out by them to verify compliance with food law.

Through an ongoing programme of internal audits FSAI evaluates conformance with its own Business Management System (BMS) processes and procedures, which are based on the requirements of ISO 9001:2015. External assessment of the BMS is carried out by the FSAI’s registrar, the National Standards Authority of Ireland.



### 3.4 Internal audits conducted by official agencies

Official agencies in their role as competent authorities must independently assess through internal audit whether their official control activities are meeting the objectives of Regulation (EU) 2017/625 as specified in Article 6(1).

FSAI audits do not replace the requirement for official agencies to implement their own internal audit systems. The Authority liaises with official agencies on their internal audit planning and programming. The outcome of these discussions is taken into account when developing FSAI audit programmes to ensure the efficacy of the overall system and that there are no overlaps.

An overview of the interrelationships between the different types of audits is contained in Appendix.

## 4. Implementation of the audit function

Implementation of the audit function is carried out using guidance developed by the European Commission Internal Audit Network, the principles of ISO 9001:2015/ISO 19011:2018 and the mandatory requirements specified in the FSAI Act and Regulation (EU) 2017/625.

Audit programmes are developed on a risk basis, conducted using documented procedures and are subject to external evaluation by the FSAI's Independent Scrutiny Committee. To provide the maximum transparency, approved audit reports and their related corrective action plans are published on the FSAI website.

## 5. The audit process

### 5.1 Audit planning

The FSAI applies a risk approach to audit planning and defining the audit priorities for the Authority in line with its primary responsibilities. The approach applied is illustrated in Appendix II.

The FSAI applies a systematic approach in relation to the planning, conduct, follow-up and management of audits, which are supported by documented procedures incorporated into the Authority's BMS.

The FSAI's development and implementation of audit programmes takes into account all areas of the MANCP within its remit. It also covers the performance of official controls as defined in Regulation (EU) 2017/625 and also those requirements specified in the Service Contracts with official agencies. The programme also includes audits which assess compliance by food business



operators with statutory requirements, relevant to their activities as set out in food law. These audits also consider whether the necessary supervisory arrangements are present, appropriate and are effective.

FSAI audit programmes are developed and published on a six-monthly basis. They are monitored/reviewed and any opportunities for improvement are incorporated into future planning. Publication on a six-monthly basis allows the Authority to react to emerging risks and schedule audits of official controls in such areas if the need arises.

## **5.2 Audit activities**

The FSAI Audit and Investigations Functional area is responsible for carrying out the audits detailed in the programmes circulated to official agencies. These audits are performed against FSAI documented protocols and procedures.

## **5.3 Monitoring, corrective action and follow-up activities**

The FSAI Enforcement Policy functional area is responsible for the day-to-day monitoring of the performance of official controls carried out by official agencies, in accordance with the planned arrangements as set out in their service contracts.

The Enforcement Policy functional area of the FSAI is responsible for following-up to ensure appropriate corrective action is implemented on audit findings.



## 6. Types of audits

### 6.1 Audit of official controls

These audits examine the effectiveness and appropriateness of all aspects of official controls as implemented by official agencies in relation to food law, service contracts and MANCP requirements.

### 6.2 Targeted or focused audits

These audits primarily examine whether specific types of food business operators comply with the food legislation that applies to their activities. They also assess whether official controls are effective.

### 6.3 SANTE F close-out audits

These audits verify the implementation of corrective actions taken to address the recommendations and findings from SANTE F audits. They also verify their closure and their current state of compliance.

### 6.4 Other audits/fact finding studies

The FSAI may carry out, from time to time, any other audit it considers appropriate to verify that all components of the food control network, planned arrangements and/or official controls are adequately safeguarding and protecting consumers' health and interests. The Authority may also carry out fact-finding studies to determine the level of implementation of new legislation or to assess the preparedness of official agencies and the food industry for impending legislation. The reports on these fact-finding studies may or may not be published.

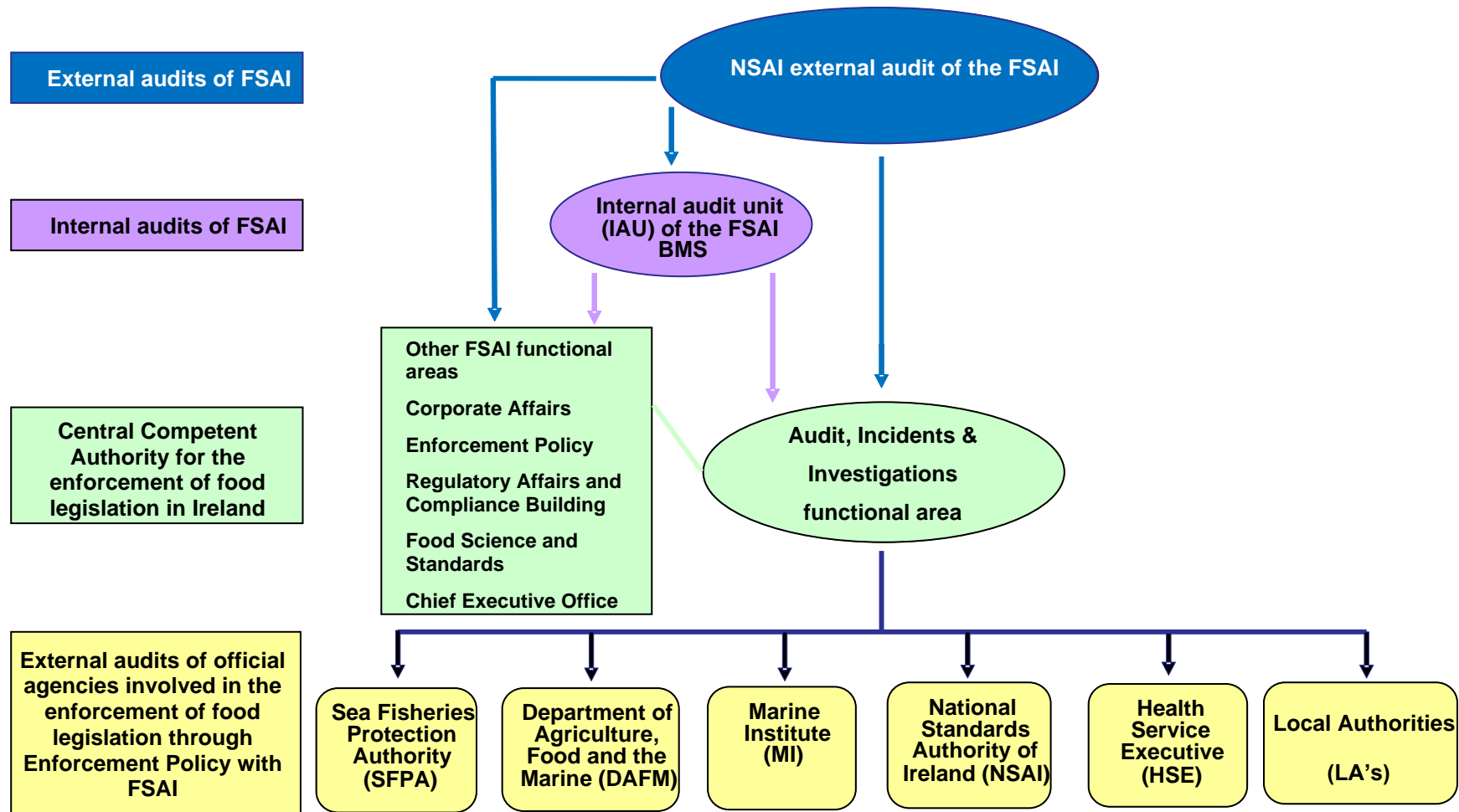
## 7. Business management system

The FSAI has a BMS registered to ISO 9001 since 2001. The Authority views the BMS as the tool which builds and integrates the requirements of the FSAI Act, Regulation (EU) 2017/625 and other official control legislation into its management systems.

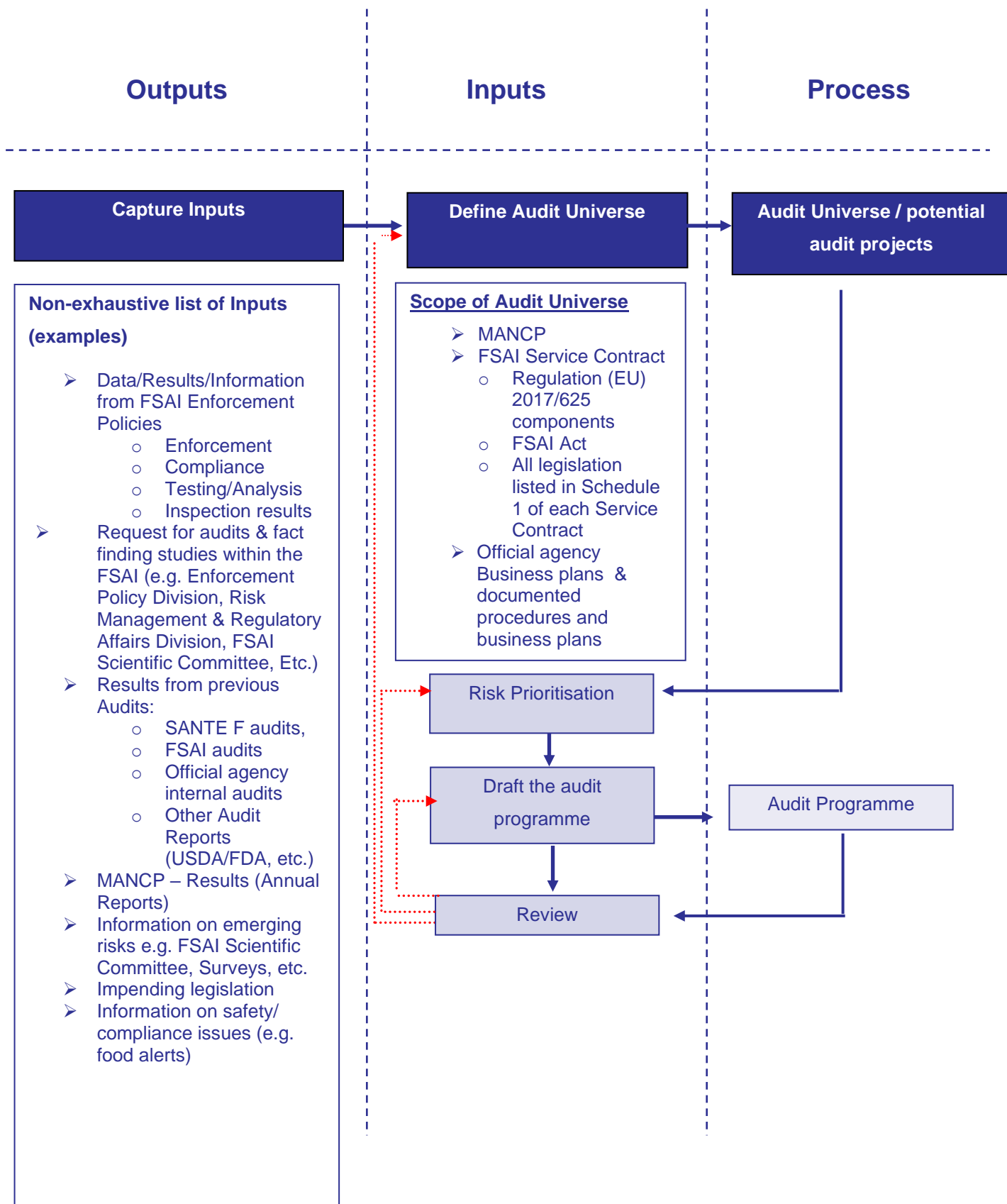
The FSAI applies the continuous improvement approach defined in ISO 9000 series of standards in the conduct and fulfilment of its audit requirements and as described in Appendix III.



## Appendix I - Internal/external audits of competent authorities conducted in accordance with Regulation (EU) 2017/625



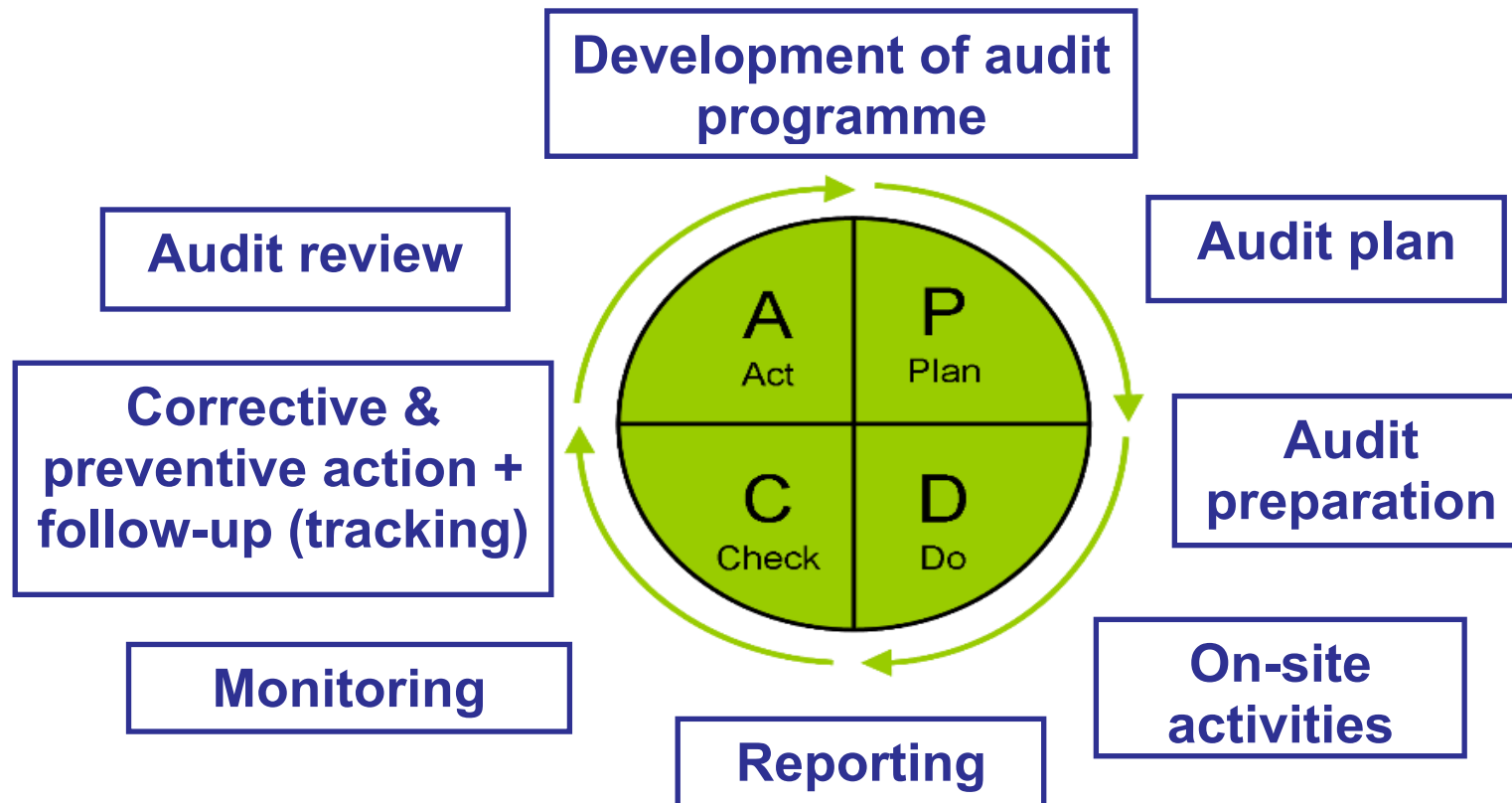
## Appendix II - Audit planning process





## Appendix III - Application of the continuous improvement cycle to FSAI audits

### FSAI audit process



### Process of continuous improvement



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