



# Evaluation of the Official Food Control Inspection System in Ireland

Final report to the Food Safety Authority of Ireland

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# Evaluation of the Official Food Control Inspection System in Ireland

Final report to the Food Safety Authority of Ireland

A report submitted by [ICF Consulting Services](#)

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## Document Control

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## Executive summary

### ES1.1 Introduction

The core objective of the Food Safety Authority of Ireland (FSAI) is to enhance consumer protection in the area of food safety. The FSAI commissioned this study as part of a wider evaluation of the performance of the official control system in Ireland, which includes recommending improvements and providing performance measures. It will inform the deliberations of the Official Food Control Review Steering Group that was formed as an *ad hoc* sub-committee of the FSAI's Scientific Committee.

### ES1.2 Public health and consumer protection

The FSAI's mission is 'to protect consumers' health and consumers' interests by ensuring that food consumed, distributed, marketed or produced in the State meets the highest standards of food safety and hygiene' (FSAI, 2014a). A study by The Conference Board of Canada (2014) compared food safety performance indicators for 17 Organisation for Economic Co-operation and Development (OECD) countries. It found that Ireland has one of the highest performing food safety systems amongst this group – tied first in the scoring system with Canada.

Research data on consumer perspectives on the safety of Irish food are scarce but consumer research published by the FSAI in 2013 suggests a high level of confidence in food safety. Seventy-two per cent of consumers surveyed stated that they were confident in Irish food safety controls and regulations (FSAI, 2013a).<sup>1</sup> The most frequent food borne diseases in Ireland over the past five years were: campylobacteriosis; verotoxin producing *Escherichia coli* (VTEC); salmonellosis; and noroviral infection.<sup>2</sup> EU data suggest the incidence (measured in terms of confirmed cases per 100,000 population) of salmonellosis in Ireland was significantly lower than the EU average (EFSA and ECDC, 2014). The incidence of campylobacteriosis was slightly below the EU average whereas VTEC incidence was higher. The Conference Board of Canada's study (2014) gave Ireland an overall 'superior' rating in its ranking on incidences of major food-borne pathogens.

### ES1.3 Ireland's agri-food industry

Ireland's agri-food production sector is the country's largest industry. In 2013, it employed 175,000 people (DAFM, 2014) and had an annual value of over €21 billion (CSO, 2014). In 2013, the value of Irish food and drink exports reached almost €10 billion (Bord Bia, 2014a). The food and drink sector has been identified as having an important role in strengthening Ireland's economy (DAFM, 2012). Production for the domestic market is also significant: 71 per cent of the raw materials used by the Irish agri-food sector are domestically sourced. There are also 350 artisan and speciality food producers in Ireland, employing about 3,000 people with an estimated output of about €475 million (Taste Council, 2010).

### ES1.4 Food safety governance in Ireland

Official controls are the inspections and other control activities prescribed under EU law on food and feed, plant health, animal health and animal welfare. The FSAI is an independent food regulatory authority and the central competent authority with overall responsibility for official controls. Administration of controls within the scope of this study is shared among FSAI and four agencies: Department of Agriculture, Food and the Marine - Veterinary Inspectors and Agriculture Inspectors (DAFM); Health Service Executive, Environmental Health Service (HSE); local authorities (LAs); and the Sea Fisheries Protection Authority (SFPA). Food legislation is enforced on behalf of the FSAI by these four agencies through service contract arrangements.

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<sup>1</sup> 13 per cent replied that they were not confident and 15 per cent were not sure; the total sample was 989 meat eaters.

<sup>2</sup> Data from Ireland's Computerised Infectious Disease Reporting (CIDR, 2014).

## ES1.5 Approach and method

This study had two phases. Phase I included an evidence review and consultation, and selection of performance measures. Phase II involved an assessment of the current system in Ireland and other countries, including a survey of inspection staff.

For the evidence review, EU and Irish legislation and service contracts were compared and existing information on the effectiveness of the Irish system was reviewed. The evidence review output was a map of the official controls system that indicated the main strengths and weaknesses in the current system and identified priority issues to address in subsequent tasks. Engagement with the agencies and industry included face-to-face and telephone interviews with representatives from each of the agencies within the study scope and with industry representatives. The interviews covered the strengths and weaknesses of the current official controls system, how the performance of official food controls could be better monitored and evaluated, and how official controls could be improved in the future.

Identification of performance measures involved the development of a framework for selecting performance measures and identifying an initial set of measures to evaluate the effectiveness of the official controls system for further exploration in the later phases of the work.

Finally, an evaluation of the official controls system in Ireland was undertaken, drawing on the information obtained through the first part of the study including the consultation (interviews and survey) with the official agencies, and information on other official control systems. The study team produced an assessment of the current official controls system, recommendations on potential options to improve the system where weaknesses were found and refinements to the set of performance indicators that could be used in the future.

## ES1.6 The effectiveness of the official control system

The effectiveness of the current official controls system was evaluated and the findings presented in line with the five priority topics identified during the evidence review, with reference to the related requirements set out in EU and Irish law. The five priority topics are: control activity implementation and verification, enforcement, reporting and transparency, roles and responsibilities, and staff resources and expertise.

### ES1.6.1 Control activity implementation

The available evidence suggests that inspections are effective overall. They are particularly effective in core food safety areas such as hygiene, traceability, HACCP procedures, microbiological contamination, and labelling. Inspectors are less confident about their ability to deliver effective controls in non-core areas (e.g. supplements, additives, food contact materials).

Industry is concerned about the consistency of control activities in some areas. A lack of consistent and standardised data across agencies creates significant challenges for the FSAI in assessing control activity outputs and whether the system is operating as it should be.

Control targets are not being met by every agency in every reporting period. This is attributed largely to human resource constraints (declining staff numbers and moratoriums on replacement hiring) coupled with organisational structures that mean staff cannot be easily redeployed across regions to help meet localised capacity shortages. Another factor is the dual role of inspectors performing non-food safety work.

Several agencies have not yet constructed the internal audit systems required by Regulation (EC) No 882/2004. FSAI is considered to be performing its audit function well. No significant issues have emerged thus far in relation to the scrutiny and transparency of audits.

### ES1.6.2 Enforcement

The evidence is that agencies have sufficient powers to take enforcement actions in cases of FBO non-compliance, and sanctions available which are effective, proportionate and dissuasive. The transparency and consistency of use of these powers could be improved in some areas. In cases

where the official agencies rely on legislation for enforcement actions that are not publicly reported, there is a need to consider how to align this use with the objectives of the Irish food inspection system.

### **ES1.6.3 Reporting and transparency**

Ireland meets its EU reporting obligations, but the compilation of comprehensive and consistent reports on official control activity is a major challenge at present. Modes of data collection (e.g. paper vs. electronic, reporting instruments used by inspectors) differ within and across agencies. SFPA and LAs use two different, and incompatible, OAPI systems for direct sharing of data with FSAI. DAFM and HSE use entirely different systems. FSAI also faces IT system management issues and resource constraints. There is no single approach to assigning an identity code to FBOs, and whilst a single national FBO register exists at FSAI, it remains largely unpopulated due to poor quality data received and resource constraints.

In some agencies there are also cultural barriers to sharing data with the FSAI. Some parts of the official control system offer the potential to create a single, cross-agency 'information environment' in which data move freely. Other parts are working to a model of periodic submission of reports of pre-agreed content, isolated information systems and restrictions on FSAI access to detailed data.

### **ES1.6.4 Roles and responsibilities**

There is generally good cooperation amongst the agencies. An example is the way in which they have worked together to remove inspection duplication in the system and their joint efforts to manage food crises. But the existing arrangements create challenges for effective governance of the system. The FSAI has been effective in building a more integrated food safety control system but without control of funds, full information or management control, greater bargaining power or credible sanctions in the event of non-performance by the agencies, it is not in a strong position to exercise in full the functions given to it in law.

### **ES1.6.5 Staff resources and expertise**

The evidence gathered suggests that the official control system benefits from having many dedicated staff who take pride in their work and wish to see the system perform and improve.

Staffing assumptions are incorporated into service contracts but the resources actually deployed may vary from those figures. Agencies have functions beyond the application of food controls, so events in other parts of their business can result in staff being reallocated at short notice to other duties.

The consultations show how resource constraints have stretched capacity in many areas and required adjustments in working practices. The consultations and data show that agencies face common challenges – of budgetary constraints and limits on replacement recruitment – but also distinct issues (e.g. a highly experienced but ageing workforce in parts of DAFM, a need to cope with high levels of maternity leave in HSE, difficulties in providing continuity of service with a small but widely distributed workforce in LAs and SFPA).

## **ES1.7 Recommendations on system organisation and delivery of controls**

Recommendations have been made on how to improve the system, with a focus on its organisation and delivery of controls.

### **ES1.7.1 Control activity effectiveness**

The following steps would improve inspection effectiveness:

- Training: staff members need further training in new and non-core areas. The FSAI and agencies have worked to develop online training in some of the areas, but staff members have indicated that these are not yet a complete substitute for in-person training. In particular, staff need assistance in understanding how to translate the general requirements set out in legislation into practical steps to undertake during inspections. This suggests online training needs to be complemented by some face-to-face workshops addressing practical issues.

- Specialisation: given resource constraints and the relatively small number of businesses requiring specialist oversight, inspectors could be designated to focus on these types of inspections and bear primary responsibility for conducting inspections of these operators.
- Standardisation: agencies, working with industry, could develop a set of standard approaches to inspection for control areas where consistency issues have been reported. Inspectors could be trained in the standard approaches through an agency-organised course for all inspectors or by shadowing a nominated inspector who has been trained in the standard approach.

### **ES1.7.2 Standardised approach to risk rating establishments**

Current practice in risk-rating of FBOs makes it difficult to track changes in the stock of risk in the system and to assess the overall effectiveness of control activities. The FSAI together with partner agencies should review the approach to risk categorisation with a view to adopting a method that takes the FBO's risk management practice into account and facilitates monitoring of risk in the system.

### **ES1.7.3 Complexity of documented procedures and burden of control activities for small businesses**

For inspectors undertaking controls with smaller establishments, the documented procedures are considered by many staff members to be too complex, and control activities too onerous and disproportionate with the scale of some businesses. The FSAI should work with DAFM and DoH to launch a process to review Ireland's use of the 'flexibility' clause in the EU Hygiene Package (2004) and EU derogations on traditional food production, which are currently not being utilised. These provisions are specifically geared to assist small businesses and those working in traditional food production areas meet their food safety obligations and so there is interest amongst FBOs and inspectors alike in implementing them in order to reduce the burden on both sides for undertaking control activities in these premises.

### **ES1.7.4 Audit systems**

All agencies should have internal audit systems in place to comply with EU Regulation but only DAFM has established an internal audit system in line with Regulation (EC) 882/2004. All agencies should establish internal audit systems consistent with the Regulation. Actions to effect those changes should be built into the service contracts and monitored. DAFM's internal audit system can be used as a model for developing internal audit systems for the other agencies, although its direct applicability may be more limited in the case of the fragmented local authorities. Using an existing approach within the system as a model will reduce the time and resource required to do so in the other agencies because key challenges will have already been addressed and overcome by DAFM and lessons learnt can be more readily applied. A performance management system that aligns objectives and KPIs between the FSAI and official agencies may help to reduce the audit burden on official agencies.

### **ES1.7.5 Enforcement**

The evidence is that agencies have sufficient powers to take enforcement actions in cases of FBO non-compliance, and sanctions available which are effective, proportionate and dissuasive. But the transparency and consistency of use of these powers could be improved in some areas. And in areas where new issues are emerging (e.g. food fraud), new enforcement powers are required and relatively untested. The FSAI should agree with agencies protocols for consistent recording of low level actions and require a narrative that explains changes in activity. Training should be provided to facilitate greater consistency in the inspector's approach. Performance review can help to assess annual progress.

### **ES1.7.6 Reporting**

Ireland meets its EU reporting obligations, but the generation of comprehensive and consistent reports on official control activity is a major challenge due to the lack of suitably detailed data. The FSAI has the mandate to obtain such information but does not have the power to effectively enforce that mandate when this information is not provided. FSAI should be provided with resources to put in place a cross-agency, time-bound information management investment plan that will deliver the

infrastructure required to support the operational model and performance indicators that are chosen and the gathering of intelligence on risk in the system. Implementation should then be monitored closely and progress published. The government should direct the agencies, including the FSAI, to invest in the staff and other resources required to design and implement that plan, and to cooperate in the ongoing development and deployment of national data standards.

#### **ES1.7.7 Transparency**

Ireland does not use public release of data from inspections of consumer-facing FBOs as a mechanism for encouraging compliance. Experience of food hygiene rating schemes elsewhere should be reviewed and options for and implications of adopting such a scheme in Ireland re-examined.

#### **ES1.7.8 Institutional conflicts of interest**

Overall, conflicts of interest for individual inspectors appear to be well-managed where the potential for conflict arises. But there are institutional conflicts that create challenges for the effective functioning of the official controls system. DAFM has a dual role in supporting and promoting Irish food and regulating food producers. LAs have responsibility for regulating low throughput abattoirs and meat processing plants as well as supporting local businesses. SFPA are also tasked with supporting the commercial fishing sector while protecting and conserving fisheries and regulating food safety in the sector. HSE provides care services and inspects the food preparation premises. Separating sponsorship and inspection functions would entail reallocation of responsibilities and a reconfiguration of existing institutional arrangements. Change could have benefits but would not be cost-free.

#### **ES1.7.9 Governance arrangements**

The FSAI Act created a set of institutional arrangements for administration of food control inspections that are particular to Ireland. As this evaluation has shown, much has been achieved and the system has much to commend it. Although the service contract arrangements generally work well, this evaluation has identified a series of issues in the system, some of which are caused or complicated by the division of inspection responsibilities across multiple agencies.

The Official Food Control Review Steering Group is well placed to consider whether, on the basis of the evidence received, including this evaluation, the current institutional arrangements should be refreshed as Ireland works toward applying international best practice. Relevant aspects include:

- **Organisation:** the strategic role of the FSAI, including the powers provided to the FSAI to specify outputs and outcomes of official agency service contracts, and to require official agencies to supply data relating to services governed by those service contracts;
- **Funding:** Aligning control of funding with the assignment of official control activities from the FSAI to the agencies could be effective in addressing some of the issues identified in this study although it cannot resolve the larger issue of funding constraints across the system;
- **Sanctions:** The FSAI could be provided with additional powers of enforcement and/or sanction as a 'last resort' where there is a failure by an official agency to comply with one or more terms of a service contract (such as, but not limited to, the sharing of data with the FSAI). This could be done, for example, through amendment of the FSAI Act, to establish an effective, proportionate approach that does not require recourse to Article 48(12) of the Act.

#### **ES1.7.10 Staffing and resources**

The consultations show how resource constraints have stretched capacity in many areas and required adjustments in working practices. Data on capacity actually deployed each year on controls should be tracked and reported regionally by each agency (ideally on the basis of full-time equivalent roles engaged in control activity). Variance from the commitments made in the service contract should be explained.

Under current arrangements workforce planning and HR issues are a matter for individual agencies. FSAI, working with other agencies, could produce a biennial report on food control inspection system

workforce planning and skills and use this as a mechanism to ensure that there are adequate plans in place for maintaining skills and capacity over the medium term.

### ES1.8 Performance measurement

Time series data on a robust set of performance measures covering the specific objectives of the official food control inspection system could be used to hold agencies to account, assist in the allocation of resources, and encourage the uptake of practice and procedures that deliver progress towards the chosen objectives. This progress would include dealing with the issues identified above.

The performance indicators chosen should measure what needs to be managed to move the official food control inspection system towards the stated objectives, which are to:

- achieve compliance with food legislation and standards;
- ensure the co-ordinated and consistent enforcement of food legislation;
- ensure delivery of an effective and efficient food safety control system; and
- contribute to EU harmonisation of food safety rules.

The measures adopted need to be robust, that is: relevant, easily understood, reliable, available, reproducible and efficient. Ideally indicators would work at different levels in the programme so that they could be applied to the performance of a specific agency, sector, region or type of business as well as aggregated to the level of the official controls system as a whole. This is important to ensure aggregated measures for the overall system do not mask significant variations at a lower level. The overall package of measures needs to be balanced within and across objectives, using complementary measures to provide a coherent picture in a context where individual measures can provide an incomplete picture of the performance of a system.

The primary users of the performance measures will be the FSAI and the agencies, but the information will be of interest to a wider group of stakeholders. The concerns of those other parties should be taken into account when selecting measures and potential sources of data. Surveys of FBOs, consumers and agency staff can provide a more comprehensive picture of performance than is provided by inspection data alone.

The recommended primary performance measures are listed in the table below. Some would require further development of procedures and/or information systems to be operationalised, while others could be deployed more rapidly.

**Table ES -1 Performance measures**

| Objective  | Indicator                      | Definition  |
|--|--------------------------------|---|
| Achieve compliance with food legislation and standards                 | FBO compliance                 | % FBOs inspected that are free of non-compliances   |
|  | Inspection plan delivery       | % FBOs inspected at the frequency required by the agency's risk-based inspection plan agreed with FSAI  |
|  | Compliance programme delivery  | % specific agency compliance-related actions detailed in the work programme that have been completed  |
|  | Documented procedures          | % inspections covered by documented procedures  |
| Ensure the co-ordinated and consistent enforcement of food legislation | Consistency of controls        | % FBOs rating consistency as 'good' or better on a Likert scale (targeted at FBOs with multiple operations or representative bodies)  |
|  | Consistency programme delivery | Composite indicator built up from the list of specific coordination actions agreed in the annual work programme of the service contract, with the % of measures that have been completed being measured |

| Objective  | Indicator                        | Definition   |
|--|----------------------------------|--|
| Ensure delivery of an effective and efficient food safety control system | Share of high risk FBOs          | % registered FBOs that fall into the 'high risk' category (based on use of risk categorisation that takes account of FBO product, process and practice)  |
|  | Confidence in the system         | Confidence in controls as measured in annual consumer, FBO and inspection staff surveys  |
|  | Capacity deployed                | Percentage of the inspection effort (on FTE basis) that was specified in the service contract that was actually deployed on official control activities  |
|  | Data delivery                    | Proportion of requested inspection data made available to FSAI.  |
|  | Effectiveness programme delivery | Composite indicator built up from the list of specific effectiveness-related actions agreed in the annual work programme of the service contract, with the % of measures that have been completed being measured |

There are some measures that it would be helpful to record to describe the state of the system but which would not be good performance measures. These tend to measure something that is important but which could create unhelpful incentives if used as a performance measure, or are metrics for which the link back to control system procedures is very complex and/or not well understood. An example of the former is the number of legal actions, which if used as a performance indicator could encourage over or under use of the courts (depending on how the indicator is specified). An example of the latter is the total incidence of food-borne illness.

The measures themselves are only one component of an effective performance management system. Key steps to be taken in building the system include:

- re-establishing a common understanding among the FSAI and all of the official agencies of the objectives and ambition, the process, how data will be used and issues such as timing and disclosure;
- agreeing a plan for delivery of the data required, including the plan for changing the indicator set over time in a context where further development of information systems and procedures is needed before some of the preferred measures can be tracked; and
- determining what is achievable on the priority measures and setting targets.

## ES1.9 Conclusions

There is much in Ireland's official food control inspection system that is working well. Dedicated staff members are applying coherent procedures to inspect food business operators. There is effective enforcement, oversight and audit. At the same time it is clear that, as with any such system, there is scope for improvement. This evaluation has identified two categories of issue to be addressed: (i) operational and (ii) structural and strategic.

Operational issues can, to a large extent, be addressed through improvement to the information infrastructure, staff skills and working procedures. Fixing these operational problems is within the control of the agencies and the FSAI, even allowing for resource constraints. Some issues would benefit from collaborative effort on a cross-agency basis, while others can be tackled by individual agencies alone. A system improvement plan setting out the priorities and each agency's role in delivering the change needed would help to provide a structure for this transformation. Actions from the plan could then be codified in individual agency service agreements.

Structural and strategic issues stem from the current design of the system and from the high level challenges it faces. The key issues identified are performance management and the organisation of the system, in particular the role of the FSAI.

It is difficult to assess performance and the pace of improvement under current arrangements. A new performance management system in which a balanced set of leading and support indicators are

tracked at an agency level and for the system overall would increase the visibility of performance, enhance accountability and should encourage progress towards the objectives.

There are competing visions for the role that the FSAI should play in the system:

- 'Auditor': the FSAI works at arm's length from other agencies, audits them and packages information supplied from the constituent parts of the system for use by national stakeholders and the European Commission.
- 'Information integrator': the FSAI is the hub of a fully integrated information system that spans all agencies and a centre of risk intelligence. It has the capacity to interrogate those data to identify specific and systemic risks and flag issues for investigation by inspectors in partner agencies.
- 'Primary agency' – inspection duties are transferred to the FSAI from one or more of the official agencies.

A more detailed analysis of the benefits, costs and wider implications of the primary agency model would be needed, together with a mapping of potential transition pathways, before a decision on such change could be made with confidence. Progressing the 'information integrator' model, enhanced by actions on financial flows and sanctions, could deliver some of the functional benefits of a primary agency model without the organisational disruption that institutional changes would entail.

# 1 Introduction

This is the final report for an evaluation of the official control inspection system in Ireland. The study was commissioned by the Food Safety Authority of Ireland (FSAI) and delivered by ICF International.<sup>3</sup> This report:

- explains the approach and method used to undertake the research;
- presents the findings from the desk research and consultations and evaluates the current system's performance; and
- provides conclusions, recommendations and identifies performance measures that FSAI could use in future to monitor and continue to evaluate the system's effectiveness.

The report is structured as follows:

- Section 2 provides the background and context to the study;
- Section 3 provides a description of the approach and method;
- Section 4 provides the study findings and evaluates official control performance;
- Section 5 provides recommendations on system organisation and delivery of controls;
- Section 6 provides performance measures for the official controls system; and
- Section 7 provides overall study conclusions.

Annexes include supplementary information as follows:

- Annex 1: Information on the basis for identifying performance measures for the official control system.
- Annex 2: An indication of the data and information required to implement each of the recommended performance measures.
- Annex 4: An overview of the scope of official controls for each official agency.
- Annex 5: Details of the mapping exercise of the official control system to identify priority areas for evaluation.
- Annex 6: Information about the risk-based approach taken by the agencies to prioritise control activities.
- Annex 7: Provides details of two case studies: on dioxin contamination of pork meat and horsemeat fraud.
- Annex 8: Includes the analysis of the staff survey results.
- Annex 9: Lists the references used.

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<sup>3</sup> The contractor's name changed from GHK Consulting Ltd to ICF Consulting Services Ltd. during the life of this contract. The firm trades under the brand name 'ICF International'.

## 2 Background and context

### 2.1 Study rationale and scope

The FSAI's mission is 'to protect consumers' health and consumers' interests by ensuring that food consumed, distributed, marketed or produced in the State meets the highest standards of food safety and hygiene' (FSAI, 2014a). The FSAI commissioned this study as part of a wider evaluation of the performance of the official control system in Ireland, which includes recommending improvements and providing performance measures. It will inform the deliberations of the Official Food Control Review Steering Group that was formed as an *ad hoc* sub-committee of the FSAI's Scientific Committee.

The study is concerned with the implementation and management of official food controls only. Official controls related to food sample analysis, feed and on farm activities are out of scope.<sup>4</sup>

### 2.2 Public health and consumer protection

The work of the FSAI and its partner agencies, together with the efforts of businesses in the food chain, helps to secure the safety of food produced and sold in Ireland for the benefit of those who consume it in Ireland and beyond.

A study by The Conference Board of Canada (2014) compared food safety performance indicators for 17 OECD countries.<sup>5</sup> It found that Ireland has one of the highest performing food safety systems amongst this group – tied first in the scoring system with Canada. Research data on consumer perspectives on the safety of Irish food are scarce but consumer research published by the FSAI in 2013 suggests a high level of confidence in food safety. Seventy-two per cent of consumers surveyed stated that they were confident in Irish food safety controls and regulations (FSAI, 2013a).<sup>6</sup>

Over the period 2008 – 2013, the most frequent food borne diseases (i.e. diseases with more than 100 notified cases each year) in Ireland were: campylobacteriosis, verotoxin producing *Escherichia coli* (VTEC), salmonellosis, and noroviral infection.<sup>7</sup> The trends in notifications between 2008 and 2013 are shown in Figure 2.1.

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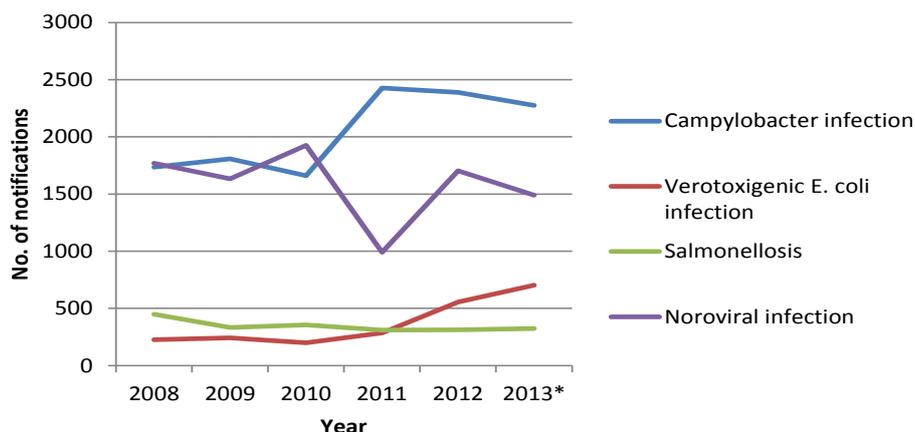
<sup>4</sup> Where the term 'official controls' is used in this report, it refers to activities within the scope of the study, unless otherwise specified.

<sup>5</sup> These were: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Japan, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom, and the United States.

<sup>6</sup> 13 per cent replied that they were not confident and 15 per cent were not sure; the total sample was 989 meat eating consumers.

<sup>7</sup> Data from Ireland's Computerised Infectious Disease Reporting (CIDR, 2014).

**Figure 2.1 Foodborne disease trends in Ireland – number of infectious disease notifications, 2008-2013**



Source: CIDR, 2014 [\*Provisional]

Data published by the European Food Safety Authority (EFSA) and the European Centre for Disease Prevention and Control (ECDC) suggest that the incidence (measured in terms of confirmed cases per 100,000 population) of salmonellosis in Ireland was significantly lower than the EU average (EFSA and ECDC, 2014). The incidence of campylobacteriosis was slightly below the EU average whereas VTEC incidence was higher (Table 2.1).

**Table 2.1 Incidence of foodborne diseases in Ireland and the EU**

| Disease            | Ireland | EU    |
|--------------------|---------|-------|
| Salmonellosis      | 6.7     | 22.2  |
| Campylobacteriosis | 52.17   | 55.49 |
| VTEC               | 8.99    | 1.15  |

Source: EFSA and ECDC, 2014 [confirmed cases/100,000 population (2012)]

The Conference Board of Canada study (2014) scored Ireland as having superior performance amongst the 17 comparator countries in its low incidence levels for *Salmonella*, *Yersinia*, and *Listeria monocytogenes*, and an average score for *Campylobacter*. Ireland ranked ‘poor’, however, on incidence levels for *E. coli*. Overall, Ireland was rated as having superior performance in its ranking on incidences of major food-borne pathogens.

In 2013, the FSAI handled 449 food incidents (an increase of 11 per cent compared to 2012), including chemical and microbiological hazards, other hazards and food fraud. About half of these were categorised as ‘full food incidents’ and a third as ‘minor food incidents’, all of which were investigated by FSAI. The majority of the remaining incidents were ‘cross-country’ incidents for which the Irish impacts were managed by the FSAI. A small number of food fraud incidents were also investigated: these represent a new category that the FSAI addressed in 2013.

In addition to its role in oversight of food controls and responding to incidents, the FSAI also supports consumers through the FSAI Advice Line, a telephone and online service. The Advice Line received 13,269 requests by email and telephone in 2013. About one fifth of these requests were consumer complaints on various issues, including complaints on food unfit to eat, complaints on suspected food poisoning and complaints on hygiene standards. Complaints were followed up and investigated by enforcement officers.

## 2.3 Ireland's agri-food industry

Ireland's agri-food production sector is the country's largest industry. In 2013, it employed 175,000 people (DAFM, 2014) and had an annual value<sup>8</sup> of over €21 billion (CSO, 2014). In 2013, the value of Irish food and drink exports reached almost €10 billion, with exports destined for more than 175 countries (Bord Bia, 2014a). The food and drink sector has been identified as having an important role in strengthening Ireland's economy. The Department of Agriculture, Food and the Marine (DAFM) envisions exports reaching €12 billion by 2020 - a 42 per cent increase on the 2007-2009 average (DAFM, 2012). The high standards of food safety and animal welfare that protect public health and the consumer interest are also essential to the successful marketing of food products overseas.

Production for the domestic market is also significant: 71 per cent of the raw materials used by the Irish agri-food sector are domestically sourced. There are also 350 artisan and speciality food producers in Ireland, employing approximately 3,000 people. The estimated output of these producers is about €475 million. Approximately 10 per cent of this output is exported, and the remaining €427.5 million is sold locally. Artisan and specialty food sales account for three per cent of the total local food market (Taste Council, 2010).

## 2.4 Food safety governance in Ireland

Official controls are the inspections and other control activities prescribed under EU law on food and feed, plant health, animal health and animal welfare. A suite of regulations has been designed to implement the EU's General Food Law (Regulation 178/2002/EC) to ensure food safety across the EU Member States (MS). Each Member State translates EU regulation into national legislation. Ireland implements EU official controls through the FSAI Act 1998 and a range of secondary food legislation.

The FSAI is an independent food regulatory authority and the central competent authority with overall responsibility for official controls. Administration and implementation of controls within the scope of this study is shared amongst FSAI and four agencies:

- Department of Agriculture, Food and the Marine - Veterinary Inspectors and Agriculture Inspectors;<sup>9</sup>
- Health Service Executive, Environmental Health Service (HSE);
- Local authorities (LAs);<sup>10</sup> and
- Sea Fisheries Protection Authority (SFPA).

Food legislation is enforced on behalf of the FSAI by these four agencies through service contracts. Service contracts establish the food controls objectives, tasks and relevant legislation that fall under the responsibility of each agency. They define the rules for audit and monitoring of competent authorities and the frequencies and standards of controls to be carried out.

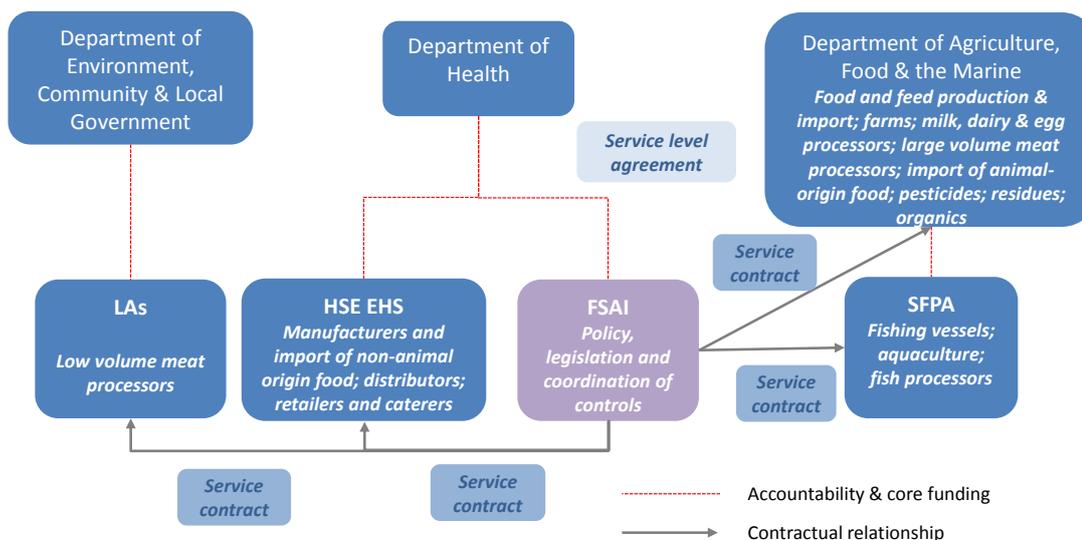
Each agency is responsible for the enforcement of the legislation listed in its service contract. Their activity is often limited to specific types of businesses (such as small or large companies) and/or specific stages of the food chain. Figure 2.2 illustrates the roles and responsibilities of each agency. Additional information is provided in Annex 3.

<sup>8</sup> Annual value of food and drink products sold by Irish manufacturers, as reported by the Central Statistics Office Ireland (CSO, 2014).

<sup>9</sup> Not all the official controls administered by DAFM are in scope.

<sup>10</sup> Although each of the 28 LAs is a separate agency, in this report they are considered as a single entity.

**Figure 2.2 Roles and responsibilities of organisations in the official controls system**



Source: ICF International

In 2013, more than 47,000 food businesses were inspected by the official agencies working under FSAI service contracts. About 92 per cent of registered food businesses were inspected by the Health Service Executive; five per cent by the Sea-Fisheries Protection Authority; two per cent by the Department of Agriculture, Food and the Marine and one per cent by local authorities (FSAI, 2014a).

### 2.4.2 FSAI

The principal function of the FSAI, as established by the FSAI Act, is to ensure the enforcement of food legislation in Ireland. The FSAI's parent department is the Department of Health (DoH). Activities undertaken by the FSAI to ensure effective enforcement of food safety legislation include:

- negotiation and management of service contracts with official agencies;
- audits of official controls performed by agencies;
- cooperation with EU authorities and international organisations on food safety issues;
- cooperation with food business operators;
- provision of guidance and training to agencies;
- actions to raise consumer awareness about food safety enforcement issues;
- data collection and monitoring; and
- direct enforcement action taken by FSAI.

FSAI communicates with and provides information to interested parties on all aspects of food safety and hygiene.

### 2.4.3 DAFM

DAFM has responsibility for implementing official controls in the following areas:<sup>11</sup>

<sup>11</sup> The legislation enforced by DAFM covers general food law, official controls, food hygiene, import controls, labelling, presentation and advertising of foodstuffs, additives and flavourings, contaminants, residues of veterinary medicines, pesticide residues, microbiological criteria, specified risk material, zoonoses, food contact materials, infant formula, genetically modified foods, organic foods and foods with protected designation of origin, protected geographical indication and traditional specialities guaranteed.

- primary production of food, excluding fish;
- slaughter, cutting, preparation and processing of foods of animal origin excluding fish, up to but not including retail level;
- import of food of animal origin and certain foods of non-animal origin control and pesticide residues controls on imported foods of plant origin;
- controls on foods certified as having protected geographical indication (PGI), protected designation of origin (PDO) and/or traditional specialities guaranteed (TSG);
- pesticide residues;
- organic food and horticulture products; and
- plant health.

These obligations require DAFM's milk, egg and meat divisions to regulate activities in more than 700 establishments. DAFM also has responsibilities in areas that are beyond the scope of this study and their Service Contract with FSAI (e.g. in relation to on-farm inspections). DAFM are in the process of developing a national electronic system for recording food controls data.

#### 2.4.4 HSE

The HSE provides a range of food safety/food control services in accordance with its service contract with the FSAI. The Environmental Health Service (EHS) of the HSE carries out official controls including inspections of food businesses and food sampling. The HSE's obligations include official controls of:

- production, processing and distribution of foodstuffs of non-animal origin;
- production and processing of certain categories of foods of animal origin;
- food imports of non-animal origin; and
- all retail sector and food service establishments, including catering.<sup>12</sup>

HSE's responsibilities for applying controls in food service and food retail mean that it has to oversee more than 43,000 establishments - many more than the other agencies combined. In 2013, the HSE launched a national food premises database for the recording of food controls data. The database replaced the multiple local systems with a single national system.

#### 2.4.5 Local authorities

Local authority veterinary inspectors perform official controls, supported in some cases by contract veterinary staff. Local authorities are responsible for official controls in:

- low-throughput slaughterhouses;
- food businesses engaged in the slaughter of low volumes of poultry;
- establishments producing small quantities of fresh meat, minced meat, meat preparations or meat products;
- cold stores/distribution centres; and
- meat transport vehicles at or associated with inspected establishments.

<sup>12</sup> The legislation enforced by the HSE covers general food law, official controls, food hygiene, import controls, labelling, presentation and advertising of foodstuffs, additives and flavourings, contaminants, microbiological criteria, specified risk material, zoonoses, food contact materials, foods for particular nutritional uses (including infant formula), food supplements, bottled water, nutrition and health claims, genetically modified foods, novel foods and foodstuffs treated with ionising radiation.

Local authorities are also responsible for official controls in wholesaling butcher shops subject to Regulation No (EC) 853/2004.<sup>13</sup> Around 450 establishments fall under local authority jurisdiction. The slaughterhouses and meat processors are smaller than the businesses regulated by DAFM and tend to be focused on the domestic, rather than the export market. The allocation of a specific establishment to a local authority or another agency is determined either by legislation or by guidance developed by the FSAI's cross-agency working group. LAs use the national Official Agency Premises and Inspections database (OAPI) for recording food controls data.

#### 2.4.6 SFPA

The SFPA is responsible for protecting Ireland's sea fisheries and conducts official controls across the fish and shellfish supply chain, including:

- vessels,
- shellfish production areas,
- establishments handling and processing fish and shellfish, and
- establishments involved in the distribution of fish and shellfish.

SFPA enforces legislation related to general food law, official controls, food hygiene, import control, labelling, presentation and advertising of foodstuffs, additives and flavourings, contaminants, residues of animal remedies, microbiological criteria, marine biotoxins, zoonoses and food contact materials. The SFPA oversees more than 2,000 fishing vessels, Ireland's shellfish production areas and a few hundred land-based establishments that process fish and shellfish and ice production facilities. SFPA are in the process of implementing a version of OAPI for recording food controls data.

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<sup>13</sup> The legislation enforced by the local authorities covers general food law, official controls, food hygiene, labelling, presentation and advertising of foodstuffs, additives and flavourings, contaminants, residues of veterinary medicines, microbiological criteria, specified risk material, zoonoses, food contact materials, slaughter of animals and animal remedies.

### 3 Approach and method

This section provides a task-by-task description of the work undertaken for this study. It discusses the limitations and potential sources of bias in the analysis, and the steps taken to overcome these issues.

This study had two phases:

- Phase I: evidence review and consultation, and selection of performance measures; and
- Phase II: assessment of the current system, including a survey of inspection staff and international comparisons.

#### 3.1 Phase I: evidence review, consultation and selection of performance measures

##### 3.1.1 Evidence review

The study team conducted an evidence review of the following data sources:

- The FSAI Act 1998 and the service contracts between the FSAI and the agencies: the Act and contracts were compared to the requirements of Regulation (EC) No 882/2004 and (EC) No 854/2004.
- FSAI Audit reports and Food and Veterinary Office<sup>14</sup> (FVO) reports: these reports were used to determine whether the requirements of Regulation (EC) No 882/2004 and (EC) No 854/2004 were being met in practice.
- Section 48(8) reports: these annual reports by official agencies are required under the FSAI Act to provide the FSAI with information on the implementation of the service contracts. They provide summarised information on the performance of official controls by official agencies.
- Official agency work plans: the plans, and the other documents listed above, were used to construct intervention logics for the official agencies and to identify potential performance management indicators.

The EU Regulations describe how controls should be implemented and the steps competent authorities should take to ensure that controls are implemented effectively. The requirements of the Regulations are complemented by the FSAI Act. The Act describes the responsibilities of the FSAI related to maintaining food safety, and permits the FSAI to delegate responsibility for implementing controls to official agencies. The service contracts describe official agencies' responsibilities with respect to implementing contracted controls. This includes the tasks that should be undertaken by the official agencies and information they should provide to the FSAI.

The evidence review output was a map of the official controls system that indicated the main strengths and weaknesses in the current system and identified priority issues to address in subsequent tasks. Gaps in the data and information were identified, as were areas of inconsistency and uncertainty to be clarified in subsequent tasks. A detailed description of the mapping process and results is provided in Annex 4.

The mapping exercise identified five priority issues to address in subsequent tasks:

- Control activity implementation: how effectively the agencies prioritise and verify control implementation.

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<sup>14</sup> The FVO is a European Union institution tasked with supporting the implementation of EU food law through, *inter alia*, checking on compliance with EU legislation and contributing to the development of European Community policy in the food safety, animal health and welfare and plant health sectors.

- **Enforcement:** the extent to which the FSAI has sufficient powers and agencies have access to effective, proportionate and dissuasive enforcement measures to address issues related to non-compliance.
- **Reporting and transparency:** the effectiveness of data collection and reporting systems to demonstrate control activity implementation in accordance with service contracts and agency standard operating procedures (SOPs), and the extent to which there is effective information sharing amongst agencies, between the agencies and FSAI, and between the FSAI / official agencies and industry as well as the general public.
- **Roles and responsibilities:** the effectiveness of intra- and inter-agency cooperation, collaboration, and coordination and the extent to which agency representatives are free from conflicts of interest in undertaking control activities.
- **Staff resources and expertise:** the extent to which there is effective resource distribution across control activities and the extent to which staff have sufficient expertise and experience to effectively carry out the control activities for which they are responsible.

The map of the official control system was based on a review of the requirements set out in Regulation EC (No) 882/2004, the FSAI Act 1998 and the service contracts between the FSAI and its official agencies.

The official control systems in the Netherlands and Denmark were also examined in detail, as well as best practice in a selection of other EU and third countries. Two case studies were conducted on two Irish food crises: dioxin contamination in pork meat and horsemeat fraud. A detailed list of the literature reviewed for this task is provided in Annex 9.

### 3.1.2 Engagement with the agencies and industry

Face-to-face and telephone interviews were conducted with representatives from each of the agencies within study scope and with industry representatives. The interviews covered the strengths and weaknesses of the current official controls system, how the performance of official food controls could be better monitored and evaluated, and how official controls could be improved in the future. The interviews focused on the priority topics and informed an initial assessment of the effectiveness of the Irish official controls system and the identification of potential performance management measures. The majority of interviews were undertaken at FSAI premises in Dublin. An interview with DoH representatives was conducted at their Dublin offices. Interviews with a small number of industry representatives who were unavailable for the in-person interviews were contacted by telephone.

### 3.1.3 Identify and select performance measures

The next phase of the study involved the development of a framework for selecting performance measures and identifying an initial set of measures to evaluate the effectiveness of the official controls system for further exploration in the later phases of the work.

There are six issues to be considered in the definition of a suite of policy or programme performance measures:<sup>15</sup>

- **Clarity of purpose:** Defining purpose in this context means defining who will use the information, how and why. The measures selected should satisfy users' needs and answer their questions.
- **Focus:** The core focus of the proposed performance measures is to help ensure food is safe and to protect consumers' interests through making progress towards the strategic objectives set by Ireland for its official food controls system.

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<sup>15</sup> This chapter uses a well-tested framework developed by the UK Audit Commission and set out in *Aiming to Improve: the principles of performance management*. Audit Commission, 2000.

- **Robust measures:** There are many sources of guidance in the literature on definition and selection of performance measures. These typically advise the selection of specific measures that are: relevant, easily understood, reliable, available, reproducible, and efficient.
- **Balance:** The suite of measures adopted should provide a balanced account of the programme's performance, with respect to the various objectives and also the interests of the different users.
- **Alignment:** The measures should be aligned with objective-setting and performance review processes of the organisation.<sup>16</sup> Strategic measures of performance should be aligned with day-to-day operational measures used by managers.
- **Regular review and refinement:** It is helpful to have a performance measurement system that learns and adjusts to changing needs. The suite of measures should be subject to periodic review.

These are each addressed in greater detail in Annex 1.

Potential performance measures were identified by reference to the main system objectives, which are to:

- achieve and demonstrate compliance with food legislation and standards;
- ensure the co-ordinated and consistent enforcement of food legislation;
- ensure delivery of an effective and efficient food safety control system; and
- contribute to EU harmonisation of food safety rules.

The measures are aligned with the five priority issues identified in the mapping exercise.

### 3.2 Phase II: assessment of the current system

The second part of the study involved evaluating the current system of official food controls in Ireland, drawing on the information obtained through the first part of the study including the consultation (interviews and survey) with the official agencies, and information on other official control systems. The evaluation established how well the system is operating and identified potential options to improve it. The official controls systems in Denmark and the Netherlands were also analysed to assess their approaches to performance management.

The evaluation in phase two of the study included an online survey of official agency staff. The primary objectives of the survey were to gather information to facilitate the evaluation and gather suggestions about how the system can be improved. The survey was targeted at officials involved in the administration of the official controls system, particularly to capture views from frontline staff.

Agency staff members were sent the online survey: 1,113 survey requests were sent and a total of 187 staff members completed the survey across the four agencies (Table 3.1).

**Table 3.1 OC staff survey responses by agency**

| Agency       | No. of respondents | % of total* |
|--------------|--------------------|-------------|
| DAFM         | 51                 | 27%         |
| HSE          | 92                 | 49%         |
| LAs          | 32                 | 17%         |
| SFPA         | 12                 | 7%          |
| <b>TOTAL</b> | <b>187</b>         | <b>17%</b>  |

<sup>16</sup> Audit Commission. Aiming to improve: principles of performance measurement.

Source: Online staff survey [*\*per Agency and in total*]

The survey<sup>17</sup> was followed by 10 interviews with frontline staff members who had indicated via the online survey that they were willing to participate in an interview. The interviews focused on particular issues raised in the individual's survey response to elicit additional information on the context to the response and to allow a fuller discussion on some of the issues raised.

**Table 3.2 Interviews conducted with frontline staff by agency**

| Agency   | Number of interviews |
|--|----------------------|
| Department of Agriculture, Food and the Marine - Veterinary Inspectors and Agriculture Inspectors (DAFM) | 3                    |
| Health Service Executive, Environmental Health Service (HSE)   | 3                    |
| Local authorities (LAs)  | 3                    |
| Sea Fisheries Protection Authority (SFPA)  | 1                    |
| <b>TOTAL</b>   | <b>10</b>            |

Source: ICF International

All of the information collected in phase one and phase two was brought together to produce an assessment of the current official controls system, develop recommendations on potential options to improve the system where weaknesses were found and refine the set of performance indicators that could be used in the future.

<sup>17</sup> Survey responses were anonymous where the respondent did not choose to provide contact details for follow-up.

## 4 The effectiveness of the official control system

This section provides an evaluation of the effectiveness of the current official controls system. The findings are presented in line with the five priority topics identified during the evidence review, with reference to the related requirements set out in EU and Irish law:

- control activity implementation and verification,
- enforcement,
- reporting and transparency,
- roles and responsibilities, and
- staff resources and expertise.

The results reported in this section are based on desk research, stakeholder consultations (interviews with agency and industry representatives) and an agency staff survey.

### 4.1 Control activity implementation and verification

Control activity implementation and verification are the primary functions of an official controls system. Box 1 summarises the main requirements related to control implementation and verification; the related legislative requirements are referenced in Annex 5.

#### Box 1 Requirements for effective control activity implementation and verification

Official controls should be carried out regularly, on a risk basis and with appropriate frequency. They should take into account identified risks, as well as anything that might influence food safety, animal health or welfare, FBO's past record, the reliability of operators' own checks, and information that might indicate non-compliance. Documented procedures should be available to staff undertaking control activities.

The official agencies should carry out internal audits or may have external audits carried out, and should take appropriate measures in the light of their results to ensure that they are achieving their objectives. Audits should be subject to independent scrutiny and carried out in a transparent manner. Procedures should be in place to verify the effectiveness of official controls that have been carried out.

#### 4.1.1 Summary

The available evidence suggests that inspections are effective overall, and particularly in core food safety areas such as hygiene, traceability, HACCP procedures, microbiological contamination, and labelling. Inspectors are less confident about their ability to deliver effective controls in non-core areas.

Industry is concerned about the consistency of control activities in some areas. A lack of consistent and standardised data across agencies creates challenges for the FSAI in assessing control activity outputs and whether the system is operating as it should be.

Control targets are not being met by every agency in every reporting period. This is attributed largely to human resource constraints (declining staff numbers and moratoriums on replacement hiring) coupled with organisational structures that mean staff cannot be easily redeployed across regions to help meet localised capacity shortages. This is in a context where agencies have functions beyond food safety; staff may be directed to service priorities in these other areas at the expense of food inspections.

Several agencies have not yet constructed the internal audit systems required by Regulation (EC) No 882/2004. FSAI is considered to be performing its audit function well. No significant issues have emerged thus far in relation to the scrutiny and transparency of audits.

Improving coordination with audits undertaken by some of the agencies and FVO would reduce problems created by overly frequent audits.

#### 4.1.2 Conduct of controls

A risk-based approach should ensure that the burden of official controls is lower for FBOs that pose less risk to food safety, and that more activity is undertaken to monitor and enforce food safety risks for those FBOs that pose a greater risk to food safety. Key elements of the risk-based approach required by European regulation are in place but aspects of the approach taken to risk categorisation in some areas make it more difficult to verify that inspection activity is meeting requirements, and to determine the aggregate ‘stock of risk’ in the system and the progress being made to reduce it.

HSE and LAs assign a risk category to establishments based on the type of food product and processes employed, intended use of the product, probability of adverse health impacts and likely severity of the impacts should there be a failure in hazard control procedures. The business’s compliance history and risk management tools do not influence its risk category. The risk category is therefore only likely to change if there is a significant change to an establishment’s products and processes. The risk categorisation procedures followed by DAFM and SFPA include a review of an FBO’s history and risk management tools. Information about agency-specific approaches to risk prioritisation is provided in Annex 6.

**Table 4.1 Risk categorisation**

| Agency | Status of approach to risk categorisation  | Status <sup>18</sup>  |
|--------|--|---|
| DAFM   | The risk categorisation procedures include a review of an FBO’s history and risk management tools.   |    |
| SFPA   | The risk categorisation procedures include a review of an FBO’s history and risk management tools.   |  |
| HSE    | Risk rating involves assigning a category based on the type of food product and the processes employed, intended use of the product, the probability of adverse health impacts and likely severity of the impacts should there be a failure in hazard control procedures.<br><br>The business’s compliance history and risk management tools do not influence its risk category. |  |
| LAs    | Risk rating involves assigning a category based on the type of food product and the processes employed, intended use of the product, the probability of adverse health impacts and likely severity of the impacts should there be a failure in hazard control procedures.<br><br>The business’s compliance history and risk management tools do not influence its risk category. |  |

HSE and LA inspectors assign a risk category to each establishment; inspection frequency is then determined on a case-by-case basis. For example, the HSE may review the establishment’s hazard analysis and critical control points (HACCP) system and previous compliance history as part of the process of determining inspection frequency. The supplementary assessment provides an opportunity for the official agencies to ensure that prioritisation reflects the particular circumstances of the establishment with respect to food safety risks.

<sup>18</sup> The Red, Amber, Green (RAG) Status is defined as follows: Red means that the issue requires remedial action to achieve objectives; Amber means that a problem has been identified but action is being taken to resolve it, or a potential problem has been identified and no action may be taken, but the issue is being monitored; Green means that no issues have been identified and the objectives are on target to be met or are being met.

Local authorities and DAFM (dairy inspections) have standard operating procedures in place to determine inspection frequency (SOP D25 and SOP 24 respectively).<sup>19</sup> The basis for determining control frequency by SFPA is specified in the service contract. Each agency undertakes a review process to assess inspection requirements on an annual basis, to set targets and then at other intervals to assess system requirements and upcoming issues. For example, the SFPA assesses inspection frequencies on a quarterly basis to highlight issues, such as the proportion of the control target achieved and steps required to achieve the targets or focus on priorities.

#### 4.1.3 Documented procedures

Each agency follows documented procedures to determine control frequency and basis. Just over half of all staff survey respondents (54 per cent) believed that the documented procedures they use to carry out their work are fit for purpose. The responses ranged from 63 per cent amongst DAFM staff respondents to 42 per cent amongst SFPA respondents (see annex section A8.10).

Overall, the survey results and interviews with staff members indicate that DAFM staff members have access to documented procedures that are fit for purpose, although each division has developed its own set of procedures.

During audits of the official agencies the FSAI has identified some gaps in the existing procedures for determining the control regime.

Audits have uncovered some examples of controls not being undertaken in accordance with the documented procedures. An FSAI audit of HSE activity related to FBOs serving high-risk groups found that FSAI Guidance Note 1 is not implemented in full, with implications for inspections of lower risk FBOs. An FSAI audit of SFPA activities and corrective action plan (2013e) found that inspections were not occurring on a risk basis. The audit found that in some cases, a full and detailed audit / inspection of FBO establishments, including those categorised as high risk, had not always been carried out as per the appropriate frequency (e.g. on an annual basis for high risk establishments).

Consultation with staff members found that the agencies could do more to make their documented procedures less complicated. For example, in follow-up interviews with local authority staff, one staff member noted that the documented procedures to be applied are identical for inspecting a low-throughput slaughtering plant as for a high-volume plant, and suggested that this level of assessment is disproportionate to the sophistication and complexity of the operation being inspected. Another interviewee noted that although some changes have been made to SOPs, auditing HACCP remains over-complicated and could be reduced for premises that are not high-risk. A consultee from HSE also mentioned that HACCP SOPs are complicated and not well-integrated in terms of the generic requirements and specific requirements in Guidance Notes; flexibility for small businesses needed to be better specified and standardised so that it may be applied consistently by inspectors.

Overall, the local authorities are concerned that they have insufficiently standardised procedures in place for applying a flexible approach to control activities for small enterprises. This issue has also been raised by HSE staff. This finding was mirrored by consultations with industry representatives: the artisan and restaurant industries would like to see Ireland implement the 'flexibility' clause in the EU Hygiene Package (2004) and EU derogations on traditional food production.

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<sup>19</sup> The SOP for DAFM meat inspections was not available to the study team for appraisal.

**Table 4.2 Documented procedures**

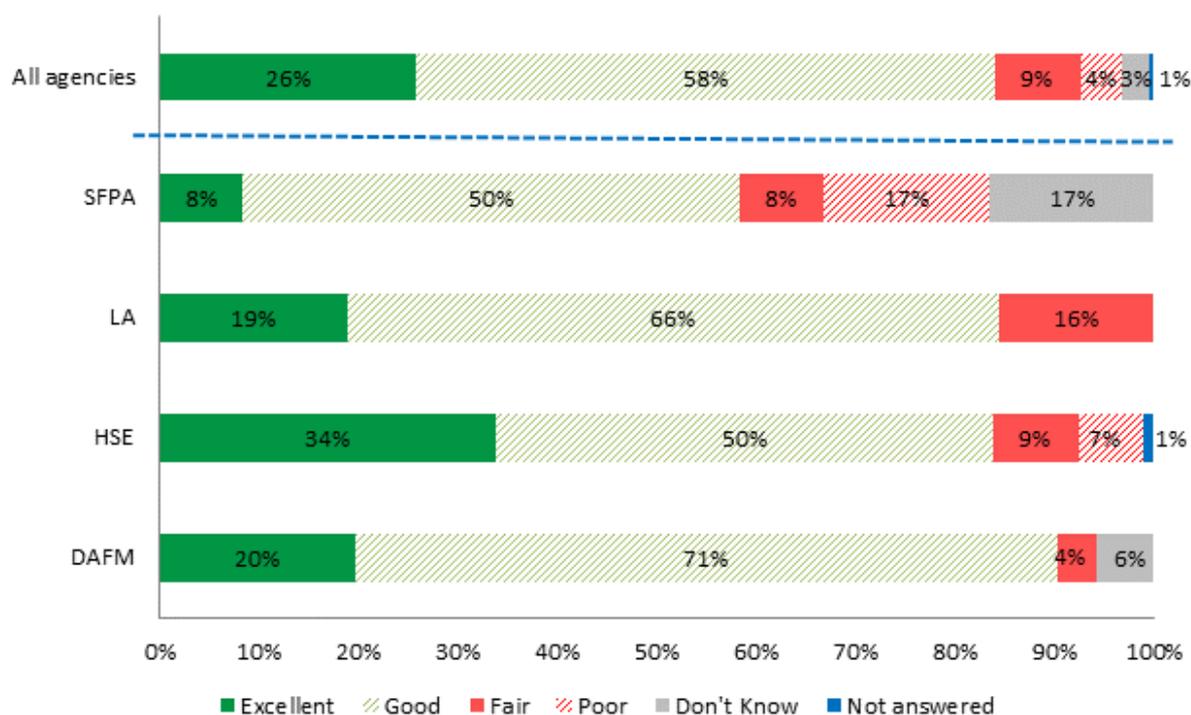
| Agency | Documented procedures available and controls undertaken in line with these  | Status |
|--------|---|--------|
| DAFM   | Staff members have access to documented procedures that are fit for purpose, although each division has developed its own set of procedures. Audit reports have identified instances where documented procedures were not being used. Consultation with staff members found that the agencies could do more to make their documented procedures less complicated. | ●      |
| LAs    | Some staff are concerned that they have insufficiently standardised procedures in place for applying a flexible approach to control activities for small enterprises.   | ●      |
| HSE    | Audit reports have identified instances where documented procedures were not being used. Some staff are concerned that they have insufficiently standardised procedures in place for applying a flexible approach to control activities for small enterprises.  | ●      |
| SFPA   | In some cases, a full and detailed audit / inspection of FBO establishments, including those categorised as high risk, had not always been carried out as per the appropriate frequency.  | ●      |

#### 4.1.4 Quality of control activity

The effectiveness of control activity can be assessed in part through the self-perceptions of those undertaking controls as well as the views of those being inspected.

Overall, the majority of staff members surveyed believed that the food business inspection system works well in their agency / for local authorities (Figure 4.1; see also annex section A8.2.1). More HSE staff surveyed rated the quality of inspections in their local area as 'excellent' (34 per cent) relative to other agencies.

**Figure 4.1 How well do you think the food business inspection system works in your local area/local authority? (N=187)**



Source: ICF International

When asked to rate their confidence in their own inspections, staff members were more confident in their ability to properly discharge their responsibilities for the main categories of control (see annex section A8.9). Staff across the agencies generally rated inspection quality as 'good' or 'excellent' in core food safety areas such as hygiene, traceability, HACCP procedures, microbiological contamination, and labelling (see annex section A8.2.2). Staff also rated water inspections as mostly 'good' or 'excellent'. This result was to be expected as these are well-established areas of control activity.

Inspectors were less confident about control activities in others areas:

- Product specific labelling: 50 per cent rated the inspection quality as 'good', and around 20 per cent rated it as 'fair'.
- Food contact materials: About 40 per cent rated the inspection quality as 'good', and about 30 per cent rated it as 'fair'.
- Contaminants: About 40 per cent rated the inspection quality as 'good', 30 per cent as 'fair' and 10 per cent as 'poor'.
- Additives: About 40 per cent rated the inspection quality as 'good', 30 per cent rated quality as 'fair' and 10 per cent rated it as 'poor'.
- Food fraud: About 35 per cent rated the inspection quality as 'good' and 20 per cent rated it as 'fair'.
- Flavourings: About 30 per cent rated the inspection quality as 'good', 25 per cent rated quality as 'fair' and 15 per cent rated it as 'poor'.

Follow-up interviews with survey respondents indicate that for control activities related to additives, flavourings, food contact materials and fraud, these areas are given a lower priority by the official agencies and understanding of the legislation is not as strong as in hygiene, for example. Some staff members noted that email updates on new legislation alone are insufficient as they look to understand the implications of legislative changes for the conduct of inspections and that the legislation can be difficult to interpret without training or guidance. As resources become more constrained within the agencies, there is less time available to staff to learn about changes on their own, and these areas of control activity can therefore be under- or inconsistently applied.

Amongst survey respondents across all agencies, training needs were highlighted in a number of control areas. More than half of the staff surveyed felt that they required more training in relation to additives; contaminants and materials and articles intended to come in contact with foodstuffs; 62 per cent on food fraud; and more than 40 per cent on labelling standards legislation. Some staff members emphasised the need for inspector specialisation to address this issue. Given the range of control areas mentioned by staff where they could benefit from more skills and training, specialisation could provide a way of boosting expertise without the significant investment that would be required to provide comprehensive training for staff members across all of the control areas identified.

Industry representatives overall reported that control activities are effective. Nonetheless, representatives from the retail, food manufacturing and processing, restaurant and catering, and artisan industry are concerned about the consistency of inspections, particularly by EHOs and to a lesser degree, by SFPAs. Food retailers noted inconsistencies between inspectors across regions, where similar activities by retailers were inspected differently. Industry representatives also mentioned inconsistencies with respect to the information provided to FBOs on how to meet particular inspection requirements.

Issues with inspection quality were also discussed with reference to the experience and expertise of inspectors, with industry representatives in most sectors (with the exception of the meat industry) indicating that in some control areas (e.g. labelling) and for some production techniques, inspectors are underqualified. There is therefore some correspondence between areas industries report as prone to inconsistency problems and areas in which the inspection staff are less confident. These issues are discussed in more detail in Section 4.5.

#### 4.1.5 Audit

The FSAI verifies that the system of official controls is working effectively through regular audits, conducted in accordance with the requirements under Regulation (EC) No 882/2004. The following types of audits are used by the FSAI (2012a):

- Targeted audits: audits that examine the effectiveness and appropriateness of official controls and/or FBOs' compliance with respect to a specific aspect of food law.<sup>20</sup>
- Official control audits: audits that examine the effectiveness and appropriateness of official controls implemented by official agencies in relation to food law, service contracts, and the requirements of the Multi Annual National Control Plan.
- FVO close-out audits: audits that examine and update the corrective actions taken to address findings from FVO missions.

Official agency service contracts require that agencies have their own internal audit systems in place. DAFM has made the most progress in developing internal audit procedures and is cited by other agencies as having the model approach in this area. The other official agencies within the scope of this study do not have an internal audit system (HSE and SFPA) or their system is under development (LAs).

**Table 4.3 Internal audit**

| Agency | Internal audit status   | Status  |
|--------|---|---|
| DAFM   | Well-developed dedicated internal audit system, with clear separation between auditor and inspector activities and roles. Considered a model for other agencies.                      |    |
| LAs    | Internal audit system in place, but requires further development; less effective at present due to large number of LAs; regionalisation should enable a more effective audit process. |  |
| SFPA   | No internal audit system, but a tender process has been initiated to employ consultants to undertake the audit.   |  |
| HSE    | No internal audit, but system is being developed to identify issues at national and regional levels.  |  |

Some agencies cited 'audit fatigue', and suggested that over-frequent audits draw considerable resources away from regular control activities. DAFM representatives indicated during interviews that they had 19 audits in 2013. DAFM have been discussing with the FSAI how over-frequent audits might be avoided. DAFM has also aligned its reporting structure and content with that of the FVO. Local authorities also indicated that audits are overly-burdensome and the frequency of audits disproportionate with the risks involved.

## 4.2 Enforcement

This review considers enforcement matters in relation to the extent to which the FSAI has sufficient powers and agencies have access to effective, proportionate and dissuasive enforcement measures to address issues related to non-compliance. Box 2 summarises the main requirements related to enforcement of official controls; the related legislative requirements are referenced in Annex 5.

<sup>20</sup> Targeted audits implement the FSAI audit obligations described in the Act related to determining whether an official agency is adequately carrying out inspections under a service contract.

## Box 2 Requirements for effective enforcement of official controls

The agencies should have the legal powers to carry out official controls and must ensure that business operators undergo controls and assist staff undertaking the controls so that they can accomplish their tasks. The agencies should have procedures in place to ensure that corrective action is taken when needed and documentation on the procedures adopted is updated.

Staff undertaking official controls must take action to ensure that the operator remedies the situation when non-compliances are identified. FBO approval should be withdrawn if they do not comply with the relevant food law requirements. Sanctions provided for must be effective, proportionate and dissuasive.

### 4.2.1 Summary

The evidence is that agencies have sufficient powers to take enforcement actions in cases of FBO non-compliance, and sanctions available which are effective, proportionate and dissuasive except in the case of food fraud. The transparency and consistency of use of these powers could be improved in some areas. And in cases where the official agencies rely on their own legislation for enforcement, there is a need to consider how to align this use with the objectives of the Irish food inspection system. Issues related to enforcement are summarised in Table 4.4.

**Table 4.4 Enforcement**

| Agency | Enforcement powers status   | Status  |
|--------|---|---|
| LAs    | Staff members are confident that powers are sufficiently used and that enforcement works well. Audits have shown that some non-compliances are not being acted upon.  |  |
| HSE    | Staff members are confident that powers are sufficiently used and that enforcement works well. Industry is concerned about inconsistent enforcement actions in some cases.  |  |
| SFPA   | Staff members are less confident that powers are sufficiently used  |  |
| DAFM   | DAFM Staff members responding to the survey are less confident than in other agencies that powers are sufficiently used. Some inspectors believe that obtaining approval for action against FBOs is more difficult than is consistent with the proper enforcement of the food safety legislation. |  |

### 4.2.2 Available enforcement tools

The FSAI Act is available to all agencies to address issues of non-compliance, but it is not required (or used) by some agencies. The FSAI does not have sufficient powers to require a more standardised approach across agencies. In most cases, agencies use other legislation instead of or in addition to the FSAI Act. SOPs adopted by the agencies specify how non-compliances should be addressed and inspectors often have considerable freedom to decide how to respond to non-compliances. Table 4.5 lists the legislation used by the agencies to address non-compliances.

Consultations suggest that the FSAI and agencies regard the tools provided to them in law to deal with FBO non-compliances as effective, proportionate and dissuasive. The staff survey overwhelmingly shows that across agencies, those undertaking official controls believe that they have sufficient powers to take the necessary legal action in cases of FBO non-compliance (93 per cent agreed that they have sufficient enforcement powers available) (see annex section A8.3).

**Table 4.5 Main enforcement mechanisms used by the official agencies**

| Agency | Legislation used                              |
|--------|---|
| DAFM   | SI 432/2009                                   |
| HSE    | SI 117/2010 + FSAI Act                        |
| SFPA   | SI 432/2009 + FSAI Act                        |
| LAs    | FSAI Act (primary) + SI432/2009 <sup>21</sup> |

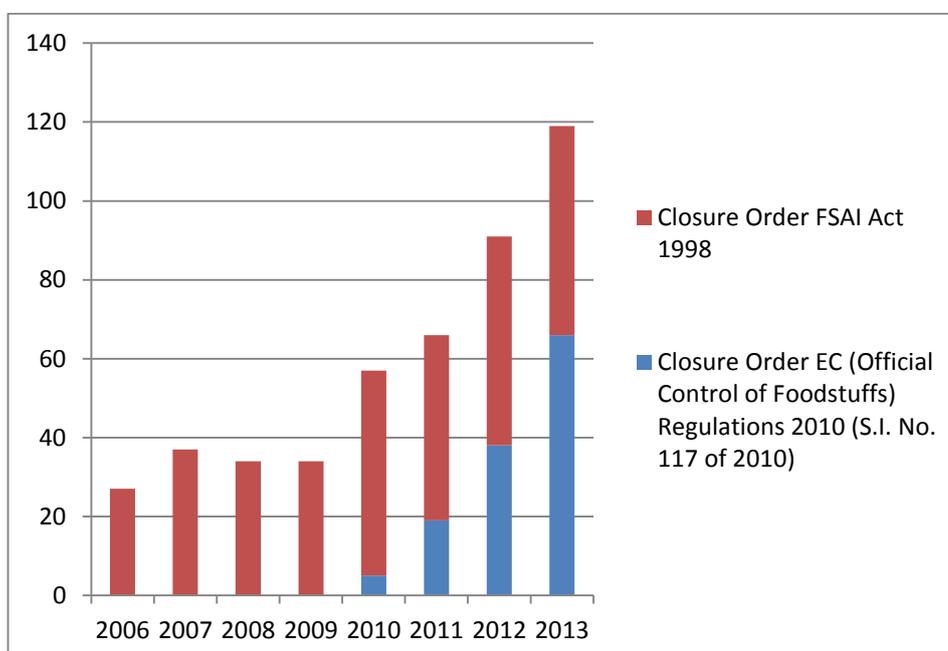
### 4.2.3 Corrective actions

Data on actions taken from more serious non-compliances are available, but information about provision of verbal advice and letters that are not formal notices is not available although it has been requested from official agencies. In general, the legislation is not prescriptive but instead sets out broad parameters for enforcement. This means that further guidance is needed if enforcement procedures are to be standardised and consistent data generated on which to base an indicator that measures the numbers of actions.

The FSAI publishes data on closure orders, prohibition orders and improvement orders served under the FSAI Act, and successful prosecutions. Improvement notice data (the lowest level of legal action) are not published on the FSAI website.

A closure order is issued if there is or there is likely to be a grave and immediate danger to public health at/or in the food premises, in the opinion of the authorised officer, or where there has been repeated non-compliance with legislative requirements, with no corrective action taken by the FBO. Closure orders are also issued under SI 117/2010, which do not require a grave and immediate danger to public health. The largest share of closure orders are issued by the HSE against food service and food retail establishments. There is a trend towards increasing use of closure orders over time, which may be a result of the introduction of SI 117/2010 (Figure 4.2).

**Figure 4.2 Use of closure orders has increased over time**



Source: FSAI website, 2014.

<sup>21</sup> The FSAI Act provides for enforcement notices but LAs have made little use of that power and rely mostly on verbal advice and letters.

As inspection records move from paper-based systems to electronic systems, and the electronic systems become more sophisticated, it should become easier for agencies to scrutinise inspection activity. This will include looking for systematic variance in treatment of non-compliances across their inspection force, since simply reporting on the number of enforcement orders issued over time does not provide insight into whether, for example, increased numbers represent strengthened food safety controls or an indication of problems in the systems. Effective use of electronic systems in official agencies should facilitate FSAI's ability to analyse the data across Ireland and at different food chain stages, especially those inspected by more than one agency. Gaining access to those data will also need to be addressed.

Agencies rarely withdraw approval from FBOs. Interviews with agency representatives indicate that FBO approval is withdrawn if they do not comply with the regulations. Cases of withdrawal appear to be very scarce. Infrequent use of this power does not indicate that the system is not working as intended; if less severe enforcement measures for dealing with non-compliances are effective, the sanction of withdrawing approval from FBOs ought not to be needed.

At the lowest level of corrective action, that is, verbal or written notices from inspectors to FBOs, inspectors can exercise discretion in determining whether or not the action should be required. Providing scope for use of such discretion is helpful but it does mean that agencies need to have procedures in place to ensure consistency, especially for higher level corrective actions. For example, within the SFPA, enforcement decisions are made by port officers. The SFPA central office provides templates to the ports to guide enforcement but the ultimate decision is made by the port officer. Decisions are made on a case-by-case basis, with the inspector relying on his/her knowledge of the business and local knowledge about issues that may arise. Decisions about whether to escalate an issue depend on the cooperation of the FBO and their compliance history as well as the particular issue(s) identified. Verbal warnings are subjective and SFPA representatives indicated that the decisions are made by the local officer because they have the best knowledge of the premises and operator, etc. As a result, there is the potential for conflict of interest to develop, and so a different inspector may also be asked to assess the situation in order to provide a different perspective on the issue(s).

#### **4.2.4 Enforcement consistency and completeness**

DAFM representatives indicated during interviews that consistency of enforcement is supported by providing regular training of supervising officers (1-2 times per year). Detailed documented procedures and record keeping requirements also assist officers in maintaining a consistent approach. Regional officers meet quarterly to discuss any consistency issues arising and their internal audit procedures assess consistency across the DAFM control activities. Supervisory checks by line managers are also used to ensure consistency.

In local authorities enforcement decisions begin with the inspector and are then escalated to his or her line manager if necessary. If a legal notice needs to be issued, a director has to approve and sign it at the recommendation of the county veterinary officer. Closures in some local authorities require approval and signature by the county manager and the process involves significant consultation and legal advice. At least the veterinary officer and the director of services will be involved in making the decision on any action that goes beyond a verbal warning. The inspector decides whether to communicate lower level non-compliances verbally, to note them on the inspection report or write a letter. These actions are all recorded on OAPI; a comment box is provided in the inspection sheet to record the information.

HSE uses 'shadow inspections' whereby senior staff accompany junior staff to ensure consistency of enforcement, although FSAI audit reports indicate that arrangements for verification and review of official controls were different in the environmental health offices audited, and therefore not all regions use this approach consistently (FSAI, 2014c). Quarterly

reviews are also used to assess progress, including an assessment of progress against performance indicators and some qualitative measures. An HSE consistency enforcement group has also been formed working with FSAI; HSE are currently looking to assign a lead officer at national level to provide a single point of contact for multiple retailers. A Supervisory Arrangements cross-agency working group has also been formed to address these issues across the official controls system.

Considerable flexibility is available to inspectors in determining whether and when to take an enforcement action. This has been cited by industry as a significant issue, particularly with regard to enforcement actions pursued by HSE and to a lesser degree for those implemented by DAFM, local authorities, and SFPA. Variation was also noted with respect to *when* an inspection letter was received detailing issues to address and *whether* a letter was received at all. Variation was also mentioned in regards to whether a verbal 'report' was delivered versus a written report.

In rare cases, establishments may operate for a time without the required approval. During a follow-up interview, an SFPA staff member explained that because seafood is highly marketable there are a number of small seafood businesses operating without approval. This is typically addressed through an inspector's local knowledge (e.g. where products begin appearing in local markets and are identified by inspectors). For example, SFPA indicated during interviews that there are cases in which the HSE has observed that an FBO has begun to market its products through retailers and contacted the SFPA to indicate that an operator had changed its activities. The SFPA then requested that the operator apply for approval, rather than relying on the operator to initiate the approval process as would ordinarily occur. Representatives from a fish processing company consulted for this study also highlighted the issue of unregulated operators. This suggests that FSAI and the agencies could be doing more to identify companies that are not registered.

#### 4.2.5 Use of enforcement powers

HSE and LA staff members are more confident that powers are sufficiently used than are their counterparts at DAFM and SFPA. Amongst respondents to the staff survey by agency, HSE and LA staff members believe that the powers available to them for enforcement in the event of FBO non-compliance are sufficiently used. DAFM and SFPA staff member views are mixed on this issue: about a half said 'yes', while about a third said 'no'.

The evidence gathered for this review suggests some inspectors believe that obtaining approval for action against FBOs is more difficult than is consistent with the proper enforcement of the food safety legislation. The challenges faced by DAFM and its staff in reconciling its role as both sponsor and regulator of the industry are discussed in more detail in section 4.4.

FSAI audits conducted of the official agencies have not reported any issues with the available enforcement mechanisms and the audit reports show that in general, enforcement measures are implemented effectively and appropriate actions taken. Nevertheless, some sector-specific implementation concerns have been raised. For example, an audit of horticultural businesses found that there were significant time lags of up to a year between DAFM horticulture inspectors' issuance of enforcement notices and follow up inspections. And there were no standard operating procedures for some aspects of enforcement such as the issuance and lifting of legal notices (FSAI, 2014d). This was also found more broadly across sectors, with audits identifying a general lack of documented procedures for undertaking enforcement action (FSAI, 2013f). Other specific issues have also been identified in particular regions and sectors, for example:

- HSE, South Region (audit of official controls on food business operators catering for high risk groups): up to 40 per cent of the businesses audited in this region were not registered. Although FBOs had been informed of their legal obligation to register with the HSE, the procedures in place for following up with food businesses to ensure registration were not effective (FSAI, 2013e).

- DAFM, South Region (cheese processors): inspection and enforcement activities fell significantly short of planned targets and inspection frequency was also not in line with agreed procedures and risk rating of establishments. In some establishments, inspection of food safety management systems based on HACCP had not taken place in over three years (FSAI, 2014f).
- SFPA, biotoxin and microbiological monitoring of live bivalve molluscs: in many cases, FBOs' own checks were approved by SFPA without specifying the evidence on which the verification was based (FSAI, 2013g).

Overall, survey respondents believed that enforcement works well in their agency (see annex section A8.5). Almost 80 per cent of all respondents agree that enforcement is 'good' or 'excellent' in their agency. HSE and LA respondents were more positive about enforcement than staff in other agencies: more than 90 per cent of HSE staff surveyed rated enforcement as 'good' or 'excellent' and over 80 per cent of LA staff surveyed rated enforcement similarly. While around 60 per cent of DAFM respondents indicated that enforcement is 'good' in their agency, only about 10 per cent rated it 'excellent', and about 20 per cent rated it 'fair'. A quarter of SFPA respondents rated enforcement as 'good' in their agency, about a fifth rated it as 'excellent' and a quarter as 'poor'.

### 4.3 Reporting and transparency

Reporting on control-related activities and transparency of these activities are critical features of an effective official controls system. Data collection and reporting systems must demonstrate control activity implementation in accordance with service contracts and agency standard operating procedures (SOPs). System effectiveness also depends on the extent to which there is information sharing amongst agencies, between the agencies and FSAI, and between the FSAI / official agencies and industry as well as the general public. Box 3 summarises the main requirements related to control reporting and transparency; the related legislative requirements are referenced in Annex 5.

#### Box 3 Requirements for effective control activity reporting and transparency

The agencies should maintain an up-to-date register of FBOs that are subject to inspection and draw up reports on the official controls that it has carried out. The reports should include a description of the purpose of the official controls, control methods applied, results of the official controls and, where appropriate, action that the business operator concerned is to take. The staff member undertaking control activities should provide the business operator concerned with a copy of the report on official controls, at least in case of non-compliance.

The agencies must carry out their inspection activities with a high degree of transparency, and relevant information must be made available to the public as soon as possible. This includes information on the control activities undertaken and their effectiveness. Where there are reasonable grounds to suspect that a food may present a risk for human or animal health, then, depending on the nature, seriousness and extent of that risk, public authorities should take appropriate steps to inform the general public of the nature of the risk to health.

#### 4.3.1 Summary

Ireland meets its EU reporting obligations, but the generation of comprehensive and consistent reports on official control activity is a major challenge at present. Modes of data collection (e.g. paper vs. electronic, reporting instruments used by inspectors) differ within and across agencies. SFPA and LAs use two different, and incompatible, OAPI systems for direct sharing of data with FSAI. DAFM and HSE use entirely different systems. FSAI also faces IT system management issues and resource constraints. There is no single approach to assigning an identity code to FBOs, and whilst a single FBO register database exists, it remains largely unpopulated due to poor quality data received and resource constraints.

In some agencies there are also cultural barriers to the sharing data with the FSAI. Some parts of the official control system offer the potential to create a single cross-agency 'information environment' in which data move freely. Other parts are working to a model of periodic submission of reports of pre-agreed content, isolated information systems and restrictions on FSAI access to detailed data.

### 4.3.2 Reporting

Each official agency maintains a separate register of FBOs. FSAI audits have not identified systematic issues related to maintenance of registers, except in the case of the HSE and DAFM Horticulture. FBOs demonstrate compliance with requirements through regular inspections, enforcement issue-related (additional) controls and audits.

Agencies advise FBOs where non-compliances have been identified, but are not always consistent in their timing and approach. Systematic data collection and reporting issues make it difficult to assess whether compliance is being effectively demonstrated. The official agencies provide summarised annual reports to the FSAI on the control activities undertaken but these are not sufficient for the overall effectiveness of the official controls system to be fully established. In the case of local authorities, the detailed information available in the Official Agency Premises and Inspections (OAPI) database since 2011 has allowed much more effective monitoring of effectiveness.

A summary of the main issues identified with respect to reporting are highlighted in Table 4.6.

**Table 4.6 Reporting**

| Agency | Reporting status  | Status  |
|--------|---|---|
| LAs    | OAPI database used to facilitate direct reporting to FSAI, but may not be operating as well as it is intended. FSAI receives most of the data it needs to report on OC effectiveness but it does not receive information on the nature of non-compliances identified. |  |
| SFPA   | OAPI database has been developed to facilitate direct reporting to FSAI, but FSAI does not receive all of the data required to report on OC effectiveness.  |  |
| DAFM   | Maintains its own data reporting system and information still largely transmitted 'on paper' rather than electronically. FSAI receives some of the data it needs but FSAI indicate DAFM can be uncooperative.   |  |
| HSE    | HSE maintains its own IT system for reporting; there are cultural barriers to reporting of data to FSAI. The number of food business establishments supervised by HSE had not been accurately determined.   |  |

#### 4.3.2.2 FBO registers

A register of FBOs is held by each agency for those businesses that require approval for making or handling food of animal origin under Regulation (EC) No 853/2004 and No 854/2004. The FSAI has developed database systems to collate information from official agencies about the implementation of controls, including a Central Registry, available through OAPI. But only LA and HSE Approved or Authorised establishments are listed there. DAFM Approved and HSE Registered establishments are not included in the OAPI registry due to resource constraints, which means that it is difficult to assess the numbers of registered businesses across the system as a whole.

FSAI official control audits have identified significant issues related to updating of registers for the HSE and DAFM Horticulture and some minor issues with the LAs and SFPA. An internal FSAI review of the HSE in 2013 concluded that the number of food business establishments supervised by HSE had not been accurately determined. For instance, there was a difference of approximately 8,000 FBOs between the number of establishments reported by HSE in its 2011 Section 48(8) report and the list of establishments submitted to

FSAI in September 2012. The list of establishments submitted by HSE has improved but still contained errors.

#### **4.3.2.3 Reporting on official control implementation**

The FSAI is responsible for ensuring that official controls are implemented effectively. Official agencies are responsible for the implementation of controls, and provide information to the FSAI to enable it to monitor the implementation and outcome of official controls. Each year the FSAI:

- Submits a report to the European Commission on control activities performed under Regulation (EC) No 882/2004 in the Multi-Annual National Control Plan (MANCP); and
- Publishes an annual report including a summary of controls conducted by the agencies.<sup>22</sup>

The report to the Commission covers the regulatory requirements and it is built using information provided to the Authority by the agencies that implement the controls. As such, the content is determined by the sophistication of the agencies' systems and what they choose to provide to the FSAI. FSAI indicated that the information supplied for the MANCP annual report is frequently late, in an incorrect format and is not comparable across agencies.

Summarised annual reports provided to FSAI under Section 48(8) were implemented in the first stages of FSAI's remit when neither agencies nor FSAI had any form of systematic data capture processes. They were intended to provide some information in the short term whilst detailed datasets were developed and agreed to capture sufficiently granular data to allow effectiveness monitoring. Aggregated data in this format are insufficient to allow effectiveness monitoring because they can mask variations within the data at lower levels of granularity. An example is when overall inspection targets have been met nationally, but this is due to one region not meeting targets whilst another exceeded them. The ability to analyse granular data is also important to determine the character of identified anomalies or trends in order to determine the most appropriate corrective actions.

Comparison of the information provided to the FSAI in these reports and the service contracts and work plans of each official agency suggests that the Section 48(8) reports do not provide the FSAI with sufficient information to monitor and verify control implementation and outcomes without recourse to supplementary data or audit. The reports omit information about a significant proportion of controls under the responsibility of each agency. For example, the HSE is responsible for a range of non-hygiene controls, including controls related to labelling, food additives and food contact materials. The HSE's Section 48(8) report does not include information relating to non-hygiene controls and HSE has not provided this information in detailed datasets requested by FSAI.

#### **4.3.2.4 Access to data collection and transmission tools**

The survey of staff undertaking official controls indicates that there is variation amongst the agencies in whether or not sufficient access to data collection and transmission tools is available to facilitate accurate and timely reporting (see annex section A8.4). A majority of local authority and DAFM staff did not think that current data collection and transmission tools were sufficient to facilitate accurate and timely reporting. SFPA staff members were equally split between those who were discontent with existing tools and those who were content. More than two-thirds of HSE staff responding were content with existing tools. The survey results did not provide insight into the exact nature of the problems experienced but FSAI's system support for OAPI has resulted in FSAI having a clear understanding of where users perceive difficulties. This information should be used in determining how to allocate system development resources effectively to improve this process in a nationally consistent way.

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<sup>22</sup> For example, FSAI (2012) Annual Report.

#### **4.3.2.5 Development of a single information environment**

Investments have been made in strengthening information capture but there is further to go before a single information environment can be said to exist for the Irish official control system.

An OAPI database was launched in February 2011. It is currently used by LAs to record data about establishments, inspections, sampling and ante- and post-mortem examinations. The database is not capable of immediate and automated updating of establishment approvals on the FSAI website in the language-independent format defined by the EU Commission. It can be and is used to analyse trends in business activities and compliance with food legislation. LAs cannot yet also use the database to generate data relating to establishments under their supervision, in line with survey results which indicate that more than half of respondents do not believe they have appropriate IT tools available to collect inspection information (see annex section A8.4). These requirements have been identified, documented and prioritised by FSAI but FSAI IT resources have not yet been made available to address them.

The SFPA is transitioning to a version of OAPI in 2014, but the system is not integrated or compatible with that used by the LAs. Neither DAFM nor HSE provide data to the OAPI system. HSE has its own IT system for collecting and reporting on official control activities. The data are not directly accessible to, nor shared (in their raw state) with, the FSAI. This practice appears to be consistent with an organisational culture distinct to HSE: 50 per cent of HSE survey respondents indicated that they did not think HSE should share detailed information with the FSAI. This compares with DAFM and the LAs, where about a quarter of survey respondents from each agency indicated that they believe their agency should not share detailed information with the FSAI. SFPA respondents were more uncertain on this point: half think that the agency should provide detailed information to FSAI, about 20 per cent do not and about a third do not know (see annex section A8.4).

DAFM representatives suggested during interviews that there is scope to combine the reporting requirements for the FSAI report and the multi-annual control plan; they are issued a month apart and better coordination could reduce the reporting burden on agencies. FSAI have found that DAFM report their section of MANCP in a different format to the other agencies and that DAFM data is typically provided later than the established reporting timeframe. Provision of detailed raw data, like that currently received from LAs via OAPI, would result in a significant reduction in the annual reporting requirement and provide FSAI with comparable data for official agencies in order to create the annual MANCP.

#### **4.3.2.6 Information provided to FBOs regarding non-compliances**

Agencies advise FBOs where non-compliances have been identified, but the extent to which they are provided with an inspection report is variable. Official control audit reports suggest that agencies generally provide information to FBOs in cases of non-compliances. Some consultees referred to use of letters based on common templates but the regularity with which the inspection report is supplied to the non-compliant FBO has been raised as an issue by industry representatives who indicate that letters are irregularly timed and sometimes not received at all. Audits have identified significant differences both within agencies and across agencies with regard to the provision of inspection reports in cases of non-compliance.

### **4.3.3 Transparency**

FSAI is able to put core system activity indicators into the public domain. But more sophisticated analysis of activity and efficacy is hindered by challenges of access to and comparability of data from different official agencies.

#### **4.3.3.1 Availability of control activity information**

The FSAI publishes general information about control activity in its annual report, which also includes general information about the controls implemented by the official agencies.

General information about official control activity is also available through other FSAI publications, the DAFM website on request and through freedom of information requests (FSAI, 2012a). FSAI uses an extranet service, SafetyNet, to share information with the official agencies.

Each official agency that has signed a service contract is required by the Act to provide the FSAI with data and respond to FSAI requests for more frequent reports on the implementation of the contract. FSAI and the agencies agreed an interim measure to submit annual reports while data provision agreements were in progress, but the interim measure has become the default approach and this has ultimately hampered progress in obtaining more detailed reports. This in turn has impacts on the system's transparency and the opportunities for analysis of risk and system effectiveness.

The FSAI also receives information in an aggregated form, which reduces the transparency of the official control system. For example, HSE and DAFM report the average number of establishments and inspections per inspector but do not report the number of times each establishment is inspected. Without the latter it is not possible to determine whether the majority of establishments are inspected at the same frequency, whether inspection frequency varies significantly between establishments or the time period since last inspection. Official agencies' annual work plans suggest that additional information about the performance of official controls may be available and could be used to improve the transparency of the official control system.

The OAPI databases include details of registered and approved establishments where LAs and SFPAs conduct controls. The HSE and DAFM do not use OAPI, nor do they provide sufficiently detailed data to FSAI. OAPI could help to improve system transparency, where it is in use. But more than half of LA survey respondents indicated that they do not have appropriate IT tools available to collect inspection information (see annex section A8.4).

#### **4.3.3.2 Provision of information to stakeholders**

The FSAI engages with food chain stakeholders in order to improve the enforcement of food safety legislation through better dialogue and risk communication. For example, the FSAI regularly organises stakeholder platforms with food business operators. The FSAI meets at least three times per year with representatives of different food sectors in order to cooperate on aspects such as:

- reducing the burden on small businesses;
- supporting the development of food quality assurance schemes; and
- developing guidance notes to assist food businesses with the implementation of food safety legislation.

Interviews with industry representatives suggest that these consultations are considered to be effective at ensuring open communication between regulators and industry and providing concrete conclusions on issues raised.

#### **4.3.3.3 Information disclosure to the public domain**

The FSAI and agencies have procedures to decide when information should be put in the public domain based on risk and a determination of public interest. No major issues emerged in consultations or analysis with regard to disclosure where there was an evident risk to public health.

In consultation, agencies were content with the existing levels of disclosure and reluctant to see information about non-compliances published at an earlier stage of the enforcement process, citing risk of consumer confusion, disproportionate damage to businesses and the risk of significant impacts on exports. Survey results found that:

- The majority of respondents across the agencies agreed that the 'naming and shaming' policy on the FSAI website of those businesses that are subject to legal action such as Closure Orders is effective (see annex section A8.6, Figure A8.37). This policy involves

the FSAI issuing monthly press releases, Twitter feeds and Facebook updates regarding enforcement activity. Nevertheless amongst those who think it is ineffective, several made comments indicating that the method of online publicity is ineffective largely because it does not reach the public and other, more effective methods using new social media approaches and/or local or regional announcements would be more effective.

- The majority of respondents across the agencies believed that information available on the FSAI website should be expanded to include all legal notices regarding cessation of trading activities (see annex section A8.6, Figure A8.38). LA respondents were most reluctant to see this happen: 50 per cent thought all legal notices regarding cessation should be published online while around 40 per cent did not.
- Half of all respondents across the agencies believe that information on legal notices (e.g. improvement notices, compliance notices) should also be made available on the FSAI website (see annex section A8.6, Figure A8.39). Positive views on this issue were strongest amongst HSE and SFPA respondents. By contrast a majority of LA staff said this information should not be posted online.
- A large majority of survey respondents did not believe the information published in these instances should be expanded from a summary to the full inspection report (see annex section A8.6, Figure A8.41).

The effect of current practice is that enforcement actions taken against FBOs regulated by DAFM under the SI432/2009, which tend to serve export markets, are escalated to a higher level before they are placed in the public domain (i.e. where the FBOs are taken to court). Actions taken under the FSAI Act appear in the public domain at an earlier stage of the enforcement process because of the FSAI policy to publicise enforcement orders taken under the Act and, to a much lesser extent, the requirement for the District Court to issue an Improvement Order.

#### 4.4 Roles and responsibilities

An effective official controls system must be well-coordinated, with cooperation between and within agencies and with the FSAI. Box 4 summarises the main requirements related to roles and responsibilities; the related legislative requirements are referenced in Annex 5.

##### **Box 4 Requirements for effective management of roles and responsibilities**

Appropriate procedures should be available for cooperation between agencies and efficient coordination should be ensured between the different units in charge of official controls. Contingency plans should be in place for crisis management. Agency representatives should be free from any conflict of interest.

##### 4.4.1 Summary

There is generally good cooperation amongst the agencies, for example, working together to remove inspection duplication in the system and joining efforts to manage food crises. But the existing arrangements create challenges for effective governance of the system. Institutional conflicts of interest occur that are inconsistent with international best practice.

##### 4.4.2 Cooperation and coordination

While there is generally good cooperation amongst the agencies, the existing arrangements create challenges for effective governance of the official controls system. The FSAI has been effective in building a more integrated food safety control system but without control of funds, full information, management control, the power to set terms of service, or credible sanctions in the event of non-performance by the agencies, it is not in a strong position to exercise in

full the functions required of it in law. The move to regionalisation of local authority veterinary services should facilitate improved and more efficient service delivery by LAs.

#### **4.4.2.1 Governance arrangements**

The defining feature of the framework that links the FSAI to the official agencies is that it is constructed from a set of contractual relationships rather than by management control. The FSAI is independent in the exercise of its functions (subject to the Act, Article 10). But it discharges its obligations through service contracts with a government department, with other public agencies and with local authorities. This arrangement creates a set of institutional dynamics that are particular to Ireland. The FSAI does not have full control of funds, full information or management control, therefore the FSAI is not in a strong position when negotiating the terms of service contracts. It is a credit to the FSAI and the other agencies that the system works as well as it does. At the same time, the overall effectiveness of the system is influenced by the strengths and weaknesses of the service contract approach and is difficult to measure.

The FSAI is required to specify in the service contracts the objectives and targets for food inspections it wishes the official agency to meet with regard to the resources available to the official agency. The FSAI is in the somewhat difficult position of having to negotiate the specification of inspection activities without having any direct influence over the funds used to pay for that work and the staff that perform it, or (in any practical sense) recourse to an alternative service provider should the agency be unwilling to comply with the FSAI's requests. An exception to the funding point is the inspections performed by the local authorities, which are directly funded by the FSAI.

Section 48 (12) of the Act has provisions that give the FSAI the authority to put in place necessary 'arrangements' if an official agency fails to discharge its contracted obligations. Paragraphs 48(12) and (13) specify the mechanism by which the FSAI can turn to sanctions under the service contract system. This statutory mechanism requires that FSAI, having identified a significant breach of a service contract, consults with the relevant minister/department and then puts an alternative arrangement in place for official controls. FSAI may also report breaches to the Minister for Health who must inform the Oireachtas.

The credibility and practical utility of these measures is doubtful since:

- FSAI does not have sufficient resources or structures to replace the existing activities of the official agencies. The Authority would also find it difficult to 'put in place such arrangements as it considers necessary for the performance of the subject matter of the service contract in question' that would be acceptable, agreeable and implemented by the agency concerned. As a result the legislative mechanism provided is weak.
- There are no practical tools provided by these provisions to compel an agency to comply with the terms of its service contract.
- Reporting unsatisfactory performance by an agency of its service contract to the Minister for Health and to the Oireachtas would be a major escalation of a dispute between the FSAI and the agency which would elevate the profile of the issue without certainty that the matter would be addressed.

There are additional complications arising from the limitations to budgets and staffing in the agencies so that if FSAI required additional control activities, the agencies would not be able to increase the workload without additional resources. The formal sanction mechanism has not been exercised by the FSAI to date.

#### **4.4.2.2 Addressing duplications in official control activities**

The FSAI and official agencies are generally well coordinated and there has been good progress in removing inspection duplication from the system. There is in general a clear demarcation of roles for the respective agencies. The FSAI has identified parts of the official control system where inspectors from more than one agency were visiting a given FBO. FSAI established an inter-agency group to reduce the number of FBOs inspected by more

than one official agency. The group developed guidance for inspectors about which legislation applies to particular types of FBOs, and which official agency should enforce the legislation. The agencies have agreed which agencies should inspect particular FBO types.

Industry representatives from across sectors indicated during interviews that the FSAI and agencies have effectively reduced or removed duplication, although some duplication in inspection activity remains and there are cases of uncertainty or contestation between agencies over their responsibility for certain businesses. This latter issue may occur, for example, when an establishment grows larger in terms of production volume and may fall under the remit of DAFM rather than the LAs.

#### **4.4.2.3 Cooperation amongst the agencies**

In cases where agencies disagree on an issue, FSAI acts as the initial point of contact, and brings representatives from each agency together to discuss and resolve the issue. Where mutual agreement cannot be reached, FSAI can provide independent review to determine how the issue should be handled in the future. No major issues were identified by the agencies regarding cooperation amongst agencies.

The staff survey asked respondents to indicate whether or not they interact with inspectors/officials from other food control agencies, and almost 80 per cent said that they do. Of these, around 75 per cent also rated the interaction as 'good' or 'excellent'. HSE and SFPA staff members were more likely to rate their interactions with other staff members as 'excellent' than DAFM or LA staff. LA staff were more likely than staff in other agencies to rate their interactions as 'fair' or 'poor' (see annex section A8.8).

#### **4.4.2.4 FSAI coordination with agencies, industry and consumers**

Consultees were generally content with how the FSAI performs its coordination role within the system. Amongst survey respondents across all of the agencies, a majority believed that the FSAI has contributed 'some' or 'a lot' to developing an integrated food control service (see annex section A8.14, Figure A8.82). Most respondents were very positive about the FSAI's contribution overall to raising the profile of food safety in Ireland: two thirds believed that FSAI contributed 'a lot' and about 30 per cent believed FSAI has contributed 'some' to this effort.

The FSAI works effectively as a central node for information flows between agencies working on food controls. Interviews suggest that agencies tend to work through the FSAI to communicate with other agencies or rely on long-term relationships between staff members in the different agencies to facilitate collaboration and communication. Some see that as a weakness – agencies' ability to communicate and coordinate activities directly amongst themselves is not strong and relies on personal connections, rather than institutional linkages. An integrated inter-agency directory is available through SafetyNet, but it could be better utilised.

The FSAI has developed particular ways of working with each official agency. It generally engages with a designated coordinating unit in each agency (e.g. in DAFM, SFPA) but in some instances there is a history of engagement with agency staff at local or regional level, especially when dealing with time-critical issues. Consultations suggest that as the internal management structures of agencies develop (e.g. LA regionalisation, HSE restructuring) they will be keen for the FSAI to engage at a higher level in the organisation, and the agency's own management then handle the issues.

The FSAI has also established structures for engagement with industry and consumer groups that help to identify and resolve issues as they arise. Some operators use a direct line to the FSAI rather than following the escalation procedures established by the official agencies, suggesting that communication or trust in those agency systems could be improved.

#### 4.4.3 Crisis management

Crisis management plans are in place amongst all of the agencies. The Irish response to food crises has been effective in the two cases studied.

LAs indicated that there could be greater internal and external inter-agency coordination, for example, with respect to outbreak investigations. SFPA indicated its crisis management approach is coordinated with FSAI so that FSAI can provide information to SFPA central management and then central management can disseminate that information to the ports. That same approach works in reverse so that information collected at ports is aggregated centrally within SFPA and then sent back to FSAI. SFPA identify FSAI as the authority responsible for coordinating the national response, providing a single point of communication in a crisis situation.

Reaction time in a crisis situation was generally regarded as being good by the agencies interviewed.

Most survey respondents were positive about their agency's ability to respond to food incidents: almost all HSE respondents, almost 90 per cent of LA respondents, almost 85 per cent of DAFM respondents, and 85 per cent of SFPA respondents rated their agency's response as 'good' or 'excellent' (see annex section A8.2.3, Figure A8.23). The majority of survey respondents were also positive about the FSAI's role in enhancing the food business inspection system in the agencies through its approach to responding to food incidents: about 75 per cent believe that FSAI contributes 'some' or 'a lot' in this regard (see annex section A8.14, Figure A8.90).

The FSAI updates guidance documents to reflect developments of food safety legislation at EU level. For example, the FSAI and the HSE drafted a protocol aimed at improving the official agencies' response to large scale foodborne outbreaks, such as the 2011 *Escherichia coli* outbreak. The protocol was tested in 2012 through an exercise based on a fictitious national outbreak of a foodborne disease. The FSAI / HSE protocol was deemed an effective tool by 70 per cent of the respondents to a survey targeted at the participants to the exercise (106 responses out of around 200 participants). Following the exercise the protocol was updated based on participants' feedback.

Two case studies undertaken of Irish food crises – dioxin contamination in pork products in 2009 and horsemeat contamination in beef products in 2013 – show that overall the Irish authorities are well-equipped to handle food safety and food fraud-related emergencies. The main findings are highlighted below, including system strengths and areas for improvement. Details of the case studies are provided in Annex 7.

## Case Study 1 Dioxin contamination of pork meat

In 2008, dioxin contamination of pork meat led to an international recall of Irish pork products. A total of 48 farms in Ireland (pig and beef) were identified as having received potentially contaminated feed, representing around a tenth of the national herd (Hyde, 2008). The affected pig farms supplied eight of the country's 10 main abattoirs, which accounted for 98 per cent of the national throughput for pork. Given the degree of commingling of contaminated pork with uncontaminated products, the FSAI ordered a full recall of pork and pork products manufactured from pigs slaughtered in Ireland between September and December 2008.

There was wide acknowledgement that the crisis had on the whole been handled effectively by the Irish authorities:

- Given the toxicity of the substances in question, it was important that authorities responded quickly. Irish authorities made swift decisions based on risk assessment and implemented measures commensurate with the risks involved and the information available at the time. The risk assessment was also greatly assisted by wider data gathering strategies and trends analysis undertaken by the Irish authorities. Over the past decade, the FSAI had developed comprehensive databases on food consumption patterns in Ireland through research funding from DAFM which allowed it to rapidly determine the level of pork consumption and estimate the likely exposure levels based on mathematical modelling (Inter-Agency Review Group, 2009). The decision by the Irish authorities to order a total recall of pork products was widely commended by the EC.
- Contamination was detected through routine sampling under the National Residues Monitoring Programme rather than external intelligence, suggesting that established sampling mechanisms were functioning effectively.
- Public communication was clear and timely given uncertainty about the extent of contamination. This was reflected in the relatively quick resumption of export markets and restoration of consumer confidence.
- Authorities provided detailed information about actual risks and the measures being taken to reduce the threat to public health. The FSAI issued a clear statement of risk assessment to the public. The agency's helpline was readily accessible and effectively handled the large volume of queries from consumers, businesses and media (Tlustos, 2009).

Nevertheless subsequent reviews of the crisis response highlighted some shortcomings of the food control system (Inter-Agency Review Group, 2009 and Joint Committee on Agriculture, Fisheries and Food, 2009). Some of these relate to feed inspections, which are outside the scope of this review. Findings relevant to the current study include:

- Whilst the FSAI has primary responsibility for food safety it does not have the legal authority to police the feed chain, which was under the responsibility of DAFM. The Inter-Agency Review recommended extending the FSAI's remit to include the feed chain to ensure oversight by a single agency (*Ibid.*).

The Joint Committee on Agriculture, Fisheries and Food (2009) suggested in its report on the pork crisis that effective surveillance of the supply chain was impaired by this division of responsibility between food and animal feed. By extension it also deemed the wider system in Ireland, comprising multiple agencies responsible for food safety each operating under service level agreements with the FSAI, to be unsatisfactory given need for holistic oversight.

- There is some scope for improvement in the use and application of intelligence. The Inter-Agency Review (2009) identified that there had been long standing concerns within the international scientific and regulatory communities around the dioxin contamination risks associated with use of oil fired direct flame burners in animal feed manufacturing.

Although not reported, both the Belgian and French authorities had noticed increasing levels of PCBs and dioxins in preceding months, raising some questions over why this had not also been picked up earlier by surveillance activities in Ireland (FSAI, 2009).

## Case Study 2 Horsemeat contamination in beef products

In 2012 the FSAI discovered the presence of horse DNA in beef samples which raised concerns over the quality and transparency of the supply chain for meat products and led to investigations which revealed significant contamination of meat supply chains across Europe. The scale of contamination was extensive – over a third of beef burger products sampled tested positive for horse DNA and 85 per cent testing positive for pig DNA. Samples were traced to beef burgers made at two processing plants in Ireland and one in the UK (FSAI, 2013b).

No formal review into the handling of the horsemeat scandal has been undertaken in Ireland. Nonetheless, as the first EU Member State to investigate and publically report the presence of horsemeat in beef, the Irish investigation and crisis response demonstrated a number of strengths:

- The surveillance activities which uncovered the horsemeat contamination were part of the FSAI's annual programme of additional surveys targeted at verifying labelling and contents claims across a range of foodstuffs.
- In response to the horsemeat scandal and growing public concern about food safety, Irish authorities recognised many of concerns highlighted, and have taken steps to improve the effectiveness of the controls system.

One example of this is the Food Fraud Task Force recently established by the FSAI, which aims to facilitate communications, coordination, networking and intelligence sharing at national and international level on food fraud related issues. The Task Force is composed of representatives from a number of enforcement agencies including: An Garda Síochána, Customs and Excise Service/Revenue Commissioners, DAFM, FSA Northern Ireland, HSE, Irish Medicines Board, the local authorities and SFPA (FSAI, 2014b).

There are a number of areas for improvement in official controls systems in EU Member States as highlighted by the Elliot Review (UK Government, 2013). Of particular relevance to Ireland, there is a need for tougher enforcement for food crime. SI No 432/2009 sets fines of up to €250,000 for conviction or indictment, but no companies have to date been prosecuted by the Irish authorities for their involvement in the contamination.

### 4.4.4 Conflicts of interest

Agencies have mechanisms in place to manage personal conflicts of interest of their staff. The current organisational structures require agency staff to reconcile food safety objectives with other institutional priorities; the potential for institutional conflict of interest adds systemic risk which then needs to be managed.

#### 4.4.4.1 Individual conflicts of interest

Overall, 60 per cent of staff surveyed did not believe there to be conflicts of interest for inspectors/officials in their agency (see annex section A8.7, Table A8.43). Amongst the approximately one-third who did believe there to be conflicts of interest, most of these believed that the conflict is managed appropriately.

Section 41 of the FSAI Act (1998) includes a requirement for FSAI and official agency staff to declare potential conflicts of interest. The Act defines a conflict as an interest in an FBO, ownership of land use for production of food for sale, or receipt of gifts / benefits from any organisation connected with an FBO or agricultural land use for food production. The MANCP 2012 – 2016 states that staff holding designated positions are required to complete conflict of interest forms each year so that conflicts can be managed appropriately. In consultation, agencies claimed that they have internal procedures to manage the risk of conflicts of interest amongst staff.

There is a particular potential conflict inherent in the role of temporary veterinary inspectors who also work in private practice, for example, where an animal that is treated by a vet is later to be inspected by that vet as a temporary inspector at the slaughterhouse. Amongst local authorities, more than half acknowledge this as a potential conflict of interest, but most of these respondents indicated that the conflict is managed appropriately (see annex section A8.7, Figure A8.46). In these cases, the temporary vet is expected to 'self-regulate' and ask

the permanent vet to inspect an animal at the slaughterhouse that was treated by the temporary vet in private practice. This has not been audited or monitored by the FSAI.

#### 4.4.4.2 Institutional conflicts of interest

It was apparent in the same consultations that the wider remits of the agencies are reflected in their strategic approach to the application of official controls and this can occasionally create challenges for staff as they seek to promote food safety and satisfy other institutional objectives. No evidence was presented that public health has been compromised by the current arrangements, but it was apparent that when authorities are tasked with acting as both sponsor and regulator of a sector there is the potential for tensions between these different goals, and that these can create challenges for inspectors.

With such arrangements robust systems are needed to ensure that the wider public interest is safeguarded. The issue is not personal financial gain of inspectors but rather that some additional latitude might be provided to FBOs in the interest of agencies' non-food safety strategic objectives and that such decisions could - in aggregate - increase the risk in the system. The issues are discussed below and summarised in Table 4.7.

**Table 4.7 When institutions have multiple, potentially competing, functions their staff might find themselves having to reconcile food safety with other objectives**

| Agency | Institutional conflict of interest status   | Status  |
|--------|---|---|
| HSE    | Potential conflict between their role as a provider of care services and their role in inspecting such food preparation premises.   |    |
| SFPA   | Tasked with supporting 'a sustainable and profitable commercial fishing sector, while protecting and conserving fisheries resources for long-term exploitation' <sup>23</sup> at the same time as regulating the safety of the food production by the sector. Some technical support and guidance is provided, but the 'mentoring' relationship is provided by BIM. |  |
| LAs    | LAs have responsibility for regulating low throughput abattoirs and meat processing plants as well as supporting local businesses.  |  |
| DAFM   | DAFM has a responsibility to promote and develop agriculture, food and rural development in Ireland with its responsibility to promote at the same time as being tasked with enhancing food safety through the implementation of official controls.   |  |

DAFM has a dual role in (i) supporting and promoting Irish food and (ii) regulating food producers, including those that generate the very significant exports described in Chapter 2. Agency representatives acknowledged in consultation that this can be difficult.

The department's formal position is that food safety 'always takes precedence' but the staff survey suggests that the reality is more complex (see annex section A8.7, Figure A8.48). More than 60 per cent of DAFM survey respondents indicated that a potential conflict of interest exists for agencies that also have an industry promotion role, and 35 per cent of these indicate that this conflict is not well managed. Some anecdotes of specific cases where staff perceived food safety to have been given secondary importance in decisions on enforcement were reported.

SFPA representatives observed during interview that there is a challenge for staff in getting the right balance between being a regulator and a 'mentor' of individual businesses in the seafood sector. Amongst survey respondents from SFPA, more than half perceive there to be a conflict of interest for official agencies having an industry promotion role; about a third believe this conflict is managed appropriately and a third do not (see annex section A8.7, Figure A8.48). SFPA inspectors can find themselves being asked by new FBOs to help

<sup>23</sup> SFPA website, URL: <http://sfpa.oghamtech.ie/AboutUs/AboutSFPA.aspx> , accessed 19 February 2014.

understand legislative requirements and complete administrative documents. In more isolated areas, SFPA staff can find themselves being asked for technical support, especially for small operations. Bord Iascaigh Mhara (BIM) is responsible for fisheries development and support. SFPA would like to see FBOs turning to BIM for 'mentoring' and assistance and for SFPA staff to be focused on regulation.

Local authorities see themselves as having an important role in supporting small firms in their areas, including artisan food businesses. LA inspectors have some freedom under EU law to be more flexible in their approach to securing compliance than is the case elsewhere in the official controls system for larger businesses. Consultations suggest LAs regard this freedom as important in the context of their economic development role, although there is a difference of view amongst the agencies on whether such flexibility is consistent with maintaining the highest levels of food safety and in providing a 'level playing field' for businesses regulated by different agencies. Amongst survey respondents from local authorities, more than half indicated that there is a potential conflict of interest arising where agencies also have an industry promotion role, but most of these believe the conflict is managed appropriately (see annex section A8.7, Figure A8.48). As noted elsewhere in this chapter, work is being undertaken to develop guidance that will help to define more clearly the parameters within which inspectors can exercise discretion.

LA inspectors can also find themselves being looked to as sources of advice and guidance on the legislation and compliance. Local Enterprise Offices are available to provide support, but an FBO often turns first to their local veterinary inspector.

The HSE has no industry sponsorship or support function and of all the implementing agencies it appears to be the least exposed to these issues. It is, however, both operator and inspector of food preparation premises in care homes and hospitals. Amongst survey respondents from this agency, about 20 per cent indicated that there is a potential conflict of interest for agencies inspecting establishments owned by their own agency; half of these respondents believe the conflict is managed appropriately (see annex section A8.7, Figure A8.47).

The FSAI, FVO and internal agency audit regimes (where present) mitigate the risks created by such arrangements by providing independent inspection of procedures and practice. In time, as the limitations of the current information systems are overcome, the greater system-wide transparency provided by a better integrated, near real-time information environment could offer additional protection.

Agencies also design their inspection rosters and procedures so as to reduce the risk of the kind of informal regulatory capture that can happen when inspectors develop a close working relationship with the businesses they are inspecting. Over three quarters of staff across the agencies surveyed believed that the business inspection system in their agencies were either excellent or good at promoting compliance within industry. Overall, around 60 per cent of staff also believed that the documented procedures used to carry out their work were fit for purpose. For example, agency representatives from HSE, DAFM and SFPA indicated that in some cases two inspectors visit a premises together. LAs ensure that any enforcement action taken also involves both the inspector and their line manager/FSAI.

Another approach is to change inspectors for a premises from time to time to provide a 'fresh pair of eyes' on an establishment's activities. Referral of non-compliances and the associated enforcement decisions to mid-level management are also examples of the measures employed (though the latter is no protection against non-compliances not being recorded). Nevertheless, the staff survey undertaken for this study showed that more than 60 per cent of respondents have supervised the same establishments for five or more years (29 per cent each have supervised the same establishments for 5-10 years and for 10-25 years; four per cent have supervised the same establishments for more than 25 years). Such a high level and sustained familiarity with FBOs can reduce the effectiveness of such measures.

## 4.5 Staff resources and expertise

An effective official controls system must have appropriate alignment of staff resources and expertise with the activities required. Box 5 summarises the main requirements related to staff resources and expertise; the related legislative requirements are referenced in Annex 5.

### Box 5 Requirements for effective alignment of staff resources and expertise

Competent authorities must have a sufficient number of suitably qualified and experienced staff. Staff performing official controls should receive, for their area of competence, appropriate training covering the areas listed in Annex II of Regulation (EC) No 882/2004, such as control techniques and procedures and food law. Staff performing official controls should be up to date in their area of competence and receive regular additional training as necessary. Adequate financial resources must be available to provide the necessary staff and other resources for official controls.

#### 4.5.1 Summary

The evidence gathered suggests that the official control system benefits from having many dedicated staff who take pride in their work and wish to see the system perform and improve.

Staffing assumptions are incorporated into service contracts but the resources actually deployed may vary from those figures. Agencies have functions beyond the application of food controls, so events in other parts of their business can result in staff being reallocated at short notice to other duties. Agencies are also constrained in their ability to adjust allocation of staff across regions.

Agencies have modified their training strategies in the context of public spending cuts. Staff members believe there are areas where more training is required to build confidence in their ability to perform the required inspections. Industry also believes there are areas where agency staff members require further training. Staff members also identified the need for greater specialisation in some areas through the staff survey.

#### 4.5.2 Staff resources

Staffing levels and expertise are a concern for managers across the official controls system as they look ahead, with individual agencies facing their own particular challenges. Survey results indicate that, with the exception of LAs, a large majority of inspectors believe their agencies are under-staffed (see annex section A8.3, Figure A8.29). LA respondents were more likely to believe that the number of staff is 'just right' although interviews with staff members suggest that there is variance amongst LAs in this regard, with more stretch in higher volume regions.

Resources are managed within agency structures rather than across the official controls system as a whole. Agencies can find it difficult to channel resources and staff to issues or geographic regions that demonstrate the highest risks or greatest levels of underperformance. Despite nationalisation of the HSE-EHS, for example, inspectors cannot be moved to regions where inspectors are most needed.

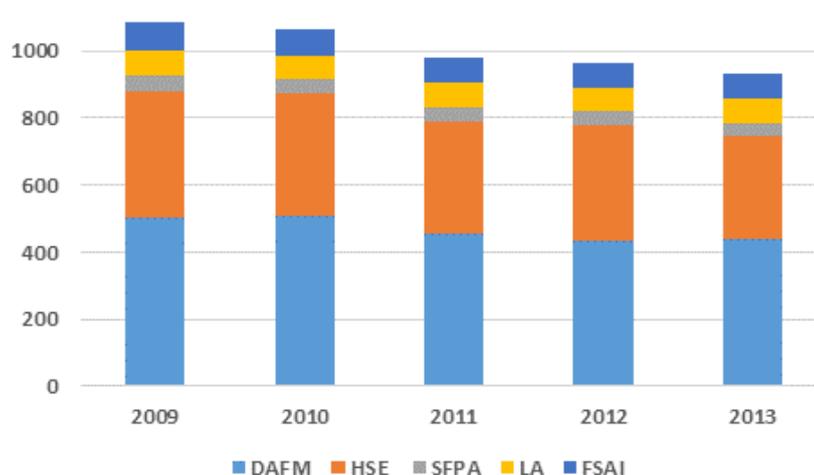
The challenges that agencies face in reconciling workload to staff resources was discussed at some length during the consultations. Staffing data for the FSAI and official agencies show that the overall FTE staff complement for official food controls declined by 15 per cent over the 2009-2013 period (Table 4.8 and Figure 4.3). Consultations with the agencies reinforce these figures and point to challenging times ahead in reconciling workload to the available supply of staff and expertise.

**Table 4.8 Staff resources, (WTE, 2009 – 2013)**

|              | 2009        | 2010        | 2011       | 2012       | 2013       |
|--------------|-------------|-------------|------------|------------|------------|
| DAFM         | 501         | 511         | 454        | 433        | 438        |
| HSE          | 379         | 361         | 333        | 344        | 307        |
| SFPA         | 46          | 43          | 45         | 42         | 41         |
| LA           | 75          | 72          | 72         | 71*        | 73*        |
| FSAI         | 84          | 75          | 74         | 72         | 71         |
| <b>Total</b> | <b>1085</b> | <b>1062</b> | <b>978</b> | <b>962</b> | <b>930</b> |

*FSAI Annual Report (2013)*

*\*This does not include figures for the Cork County Veterinary Laboratory*

**Figure 4.3 Overall staffing trends (WTE, 2009 – 2013)**

*Source: FSAI Annual Report (2013d)*

Under current arrangements the matching of staff resources to the distribution of demand for food control work is being handled within individual institutions at national, regional and local level, rather than in an integrated manner across the system as a whole. The FSAI is limited in what it can do to address resourcing issues. EU law requires that there are sufficient resources to carry out control activities. Staffing inputs are addressed by service contracts but the FSAI does not have the power to direct resources to fill staffing gaps, except for local authorities, within agencies or reallocate resources between agencies.

In consultations most agencies noted that they faced challenges in carrying out official controls according to the agreed plan alongside their other responsibilities. Sometimes these challenges are structural and predictable. An example of this is the SFPA where the scheduling of inspections needs to fit with the seasonal cycle of fisheries control work that local inspectors need to perform at each port. During interviews, SFPA official indicated that inspectors' responsibilities are split approximately 50:50 between conservation activities and food safety controls. This broadly aligns with what staff members indicated in the survey results. There are six ports and Clonakilty, each with their own seasons and timings for different activities. More resources are required during some times of the year to deal with conservation duties (e.g. when the pelagic fisheries are active), such that greater effort is allocated to food safety at other times.

Staffing challenges arise when inspectors are deployed onto other duties in response to unforeseen events not directly related to food controls: for example, a serious market control or animal health situation, or to handling a food safety or other food-related problem (such as products found to contain horsemeat or problems with shellfish contamination). If there is

insufficient capacity to handle emergencies alongside regular duties then the inspection schedule will tend to be sacrificed to meet more pressing calls on staff time (with the exception of those meat sector controls where continuous presence of inspectors is required by law).

The food controls system has not been immune to the effects of the measures put in place to manage public sector expenditure. A general freeze on new appointments running over several years means that some agencies see challenges in the years ahead arising from having a 'missing generation' of graduate recruits. Expertise has been leaving the agencies as experienced staff have retired but not been replaced. Looking ahead to 2015 and beyond, consultees expected greater rather than less pressure on staff resources. There are also some issues particular to the size and structure of staffing in each agency. For instance:

- HSE representatives noted in consultation that the gender balance and age structure of its staff meant that its operational planning had to accommodate comparatively high levels of maternity leave. There are also concerns amongst HSE staff members that those on maternity leave are not being replaced such that some inspectors are bearing a disproportionate burden of inspection activities.

HSE has conducted a twelve month consultation on this issue and a detailed study of relative staffing levels across the organisation taking into account hygiene/non-hygiene controls and non-food safety controls, and the population in each region. HSE is now negotiating with the unions and others to redistribute resources across the regions.

- DAFM has an older workforce, with many staff nearing retirement age and concerns in some control areas about maintaining adequate capacity.

Officials reported that replacing retired officers is time-consuming and that capacity gaps emerge while new hires are being found. The audit unit recently shared staff resources in the area of veterinary public health to assist with handling of an unexpected event even though the audit function would ideally be kept separate from inspection activities. An inspector is required to supervise every slaughter plant but DAFM is currently short of staff in this area and is contracting with retired staff to fill capacity gaps – something not regarded as a sustainable long term situation. Some areas of DAFM are understaffed as reported in an FSAI audit on horticulture and one on dairy.

- SFPA has a relatively small but widely dispersed team.

SFPA has inspectors distributed in small groups in ports around the country; reallocation of resources to deal with peaks in local demand is not straightforward. The long shift patterns of fisheries control work also mean that staff capacity can be rapidly absorbed.

- Local authorities face difficulties in maintaining continuity and consistency of service given the small size of their veterinary teams and the fragmented nature of the service.

Interviews with FSAI staff members have identified several challenges associated with delivering a national service for official controls through multiple small independent local authorities. These include difficulty in maintaining the consistency of service delivery; a lack of critical mass in each local authority area, particularly those with only one County Veterinary Officer (CVO); and limited availability of regional cover when CVOs are absent (for example, when ill or on maternity leave). Local authorities also have low levels of flexibility in terms of matching resource demands to staffing levels. This includes, for example, difficulties associated with redeploying LA veterinary officers from areas with relatively few premises to areas with a higher number of premises. LAs also face difficulties replacing retired LA veterinary officers due to the current recruitment moratorium in the public sector.

Regionalisation and greater sharing of veterinary expertise amongst local authorities should offer some relief from these pressures.

In the strategic context of needing 'to do more with less', use of intelligent, risk-based planning of inspections is even more important than would otherwise be the case. The investments that agencies are making in more sophisticated information systems ought to

lead to more sophisticated risk analysis within agencies and across the system as a whole and so enable them to target the available inspection resources as effectively as possible.

### 4.5.3 Training

Staff members believe they require training in those areas where they had rated the overall quality of inspections in their agency the lowest (see section 4.1.4 and annex section A8.9):

- Where staff rated the quality of inspections high, including for hygiene, traceability, HACCP procedures, microbiological contamination, water, and labelling, they also rated their competency as 'good' or 'excellent'.
- Where staff rated the quality of inspections less highly, they were also more likely to indicate that they require training in these areas, as described in Table 4.9.

**Table 4.9 Training needs**

| Official controls          | Overall reported need   |
|----------------------------|---|
| Additives                  | Just over half of all respondents indicated that they require training in this area.  |
| Flavourings                | About 60 per cent of all respondents indicated that they require training in this area.   |
| Contaminants               | Half of all respondents indicated they require training in this area.   |
| Food fraud                 | About 60 per cent of all respondents indicated that they require training in this area.   |
| Product specific labelling | About 55 per cent of HSE staff report that they require training in this area. Half of SFPA staff report this need. DAFM and LAs believe their competency in this area is mostly 'good' or 'excellent'.   |
| Food contact materials     | About 65 per cent of SFPA staff and 60 per cent of HSE staff report that they require training in this area. While training in this area is also needed by respondents from DAFM and the LAs, there are more staff in these agencies who believe that their competency in this area is 'good' or 'excellent'. |

Source: Online staff survey

Across these official control areas, the greatest reported need was typically cited by SFPA staff, and to a lesser degree, HSE staff. One survey respondent from SFPA indicated in an open response that training is a significant need within the agency:

*'Most of my colleagues and I require comprehensive training in...food safety...Food safety inspection targets are never met and to do so we would require many more trained staff. ...Food safety is consistently the weakest, least understood and lowest priority function of my organisation. My organisation is so understaffed that I am perpetually occupied with other tasks and do not have time to significantly improve my food safety skills during worktime.'*

Another survey respondent from the HSE indicated that specialisation is warranted in areas such as product or consumer-specific labelling, nutrition labelling, health claims labelling and other areas such as food supplements and dietary foods for special medical purposes. This respondent noted that specialist units could be organised within agencies and that limited specialisation has been considered by the HSE but has not been implemented.

Table 4.10 summarises the approach to training adopted by each agency. Agencies have had to modify their training strategies in the context of public spending cuts (e.g. targeting training more closely to needs, cutting back on travel, more use of online training). Some consultees indicated in interviews that online training was a poor replacement for in-person training, and that where it is not a requirement, online training is not generally taken advantage of due to the perceived lesser quality and lack of time/resources to dedicate to it.

FSAI audits of DAFM and SFPA did not review training in detail. FSAI audits of local authorities suggest that training of LA staff is adequate. A 2012 FSAI audit of HSE activity related to inspections of imported FNAO found that there was no national training plan. The need for training was subsequently referred to the national environmental health committee

for inclusion in the national training plan which has now been established. An FSAI audit of HSE activity related to high risk groups also identified issues related to training of control staff.

**Table 4.10 Provision of training**

| Agency | Summary   |
|--------|---|
| DAFM   | Training records are kept within DAFM to review training needs. BTSF programme utilised for ongoing training needs. Internal training is provided. DAFM focuses on areas where staff indicate training is required or where internal audit indicate issues arising, for example, auditing food safety management systems is a recognised weakness within DAFM. For dairy inspectors, the budget for training has been reduced, but representatives indicated that as a result the training provided has become more targeted and 'better value' due to training needs analysis and assessment of the best way to spend the limited budget. DAFM also has a training unit for veterinarians to satisfy regulatory training requirements. |
| HSE    | Continuing professional development (CPD) group has been organised and run by the four regional chiefs, which assesses training needs from the level of frontline staff up through management. CPD organises training workshops and monitors the outcomes to guide the next year's training implementation; travelling restrictions have limited what they could do in previous years. HSE has worked with FSAI on e-learning and storing training materials; BTSF training is also used to address specific issues. A local level protocol is in place to assessment training needs and competencies which is targeted to an individual's function. Audit of this system feeds into the training as well.                              |
| SFPA   | Staff members generally have science backgrounds with extensive training during their degree programmes. The EU BTSF programme is utilised for ongoing training needs. BIM provide training on fish handling and quality. FSAI also runs annual training programmes through on-site visits to ports to assess training needs and deliver training on requisite topics. Training tends to be conducted during 'slack' periods, for example, in August when fishing activity slows down. SFPA cite ongoing mentoring and training 'on the ground' as well.  |
| LAs    | Ongoing training needs are often met by FSAI and DAFM. The small size of the sector helps to ensure that there is 'cross-fertilisation' of expertise amongst inspectors; FSAI has funded some post-graduate certifications such as in veterinary public health.   |

Amongst industry groups and individual business operators consulted for this study, most indicated that training could be improved for EHO and SFPA staff undertaking controls. This finding was consistent across large and small operators, who noted that EHOs would be better equipped to conduct inspections consistently and competently if they had specialist training for the size of business they inspect (large vs. small businesses) and with regard to the particular processes used by the business operators, particularly for those operators using 'traditional' or specialised methods such as *sous vide*, cheese making, curing, and fermentation.

This finding was mirrored in the staff survey and follow-up interviews. One EHO noted that very specialist food premises are being inspected by the least qualified staff. Some EHO and SFPA staff members indicated that dedicated teams and individuals would improve the quality of inspections in some specialist production techniques.

## 5 Recommendations on system organisation and delivery of controls

Chapter 4 identified the strengths and weaknesses of the official food control inspection system. This section recommends system improvements, with a focus on its organisation and the delivery of controls.

Resolving the operational issues identified here is, to a large degree, within the control of the agencies and the FSAI, even allowing for resource constraints. Some issues would benefit from collaborative effort on a cross-agency basis, while others can be tackled by individual agencies alone. A System Improvement Plan setting out the priorities and each agency's role in delivering the change needed would help to provide a structure for this transformation.

### 5.1 Control activity effectiveness

#### 5.1.1 Issue summary

The consistency of inspections was raised as a point of concern by FBOs and by inspectors. There are particular issues arising for FBOs that use food production techniques which are less well understood by inspectors (e.g. artisan industry producers and specialist restaurateurs and caterers), particularly for inspections conducted by HSE staff members.

Inspectors are also less confident in their ability to conduct control activities outside of the core areas: control activities related to product specific labelling, food contact materials, contaminant, additives, food fraud and flavourings could be improved. Staff identified a lack of knowledge in these areas as a concern and identified training needs across most agencies in these areas. Food retailers in particular also mentioned that inspections in some of these areas can vary by inspector, so that the same approach taken by a retailer in several jurisdictions is judged differently by location.

#### International case study examples: local authority and cross-agency collaboration

The UK Better Regulation Delivery Office has introduced a 'Primary Authority Scheme' to simplify and improve the effectiveness of local regulation, including food safety regulation (Better Regulation Delivery Office, 2013). The scheme, currently being piloted by the Food Standards Agency in England with multi-site retailers, enables businesses to form a statutory partnership with a single local authority. The partnership local authority is responsible for inspecting a single premises and then providing advice for other local authorities to take into account when conducting inspections or dealing with non-compliance at other sites. The purpose of the scheme is to address inconsistency between local authorities and improve risk-based targeting of regulatory resources. In Ireland, a work plan was agreed with the HSE in 2014 that takes a similar approach.

Local authority collaboration is also increasingly common in New Zealand. Groups of councils sometimes form informal regional clusters (OneNews, 2009). Clusters provide an effective way of pooling resources and cross-working. Regular meetings are held to ensure good communication, standardise inspection and audit practices, and train council staff.

More informally, standardisation can also be facilitated through improved dialogue and information sharing between officials in different agencies. In Denmark, for example, the use of 'Experience Groups', provides a cross-agency forum bringing together officials at central and local levels to share experiences and best practice.

## 5.1.2 Recommendations

The following steps would improve inspection effectiveness.

### 5.1.2.1 Training

Inspectors require further training in the inspection of specialist techniques used by the artisan industry. This could be accomplished through including a module on traditional techniques (e.g. cheese making, curing, and smoking) to the coursework required for inspector certification and/or providing training courses through the agencies on specialist techniques.

Staff members need further training in new and non-core areas. The FSAI and agencies have worked to develop online training in some of the areas, but staff members have indicated that these are not yet a complete substitute for in-person training. In particular, staff need assistance in understanding how to translate the general requirements set out in legislation into practical steps to undertake during inspections. This suggests that the training needs to complement online training with some face-to-face workshops addressing practical issues.

### 5.1.2.2 Specialisation

Given resource constraints and the relatively small number of businesses requiring specialist oversight, inspectors could be designated to focus on these types of inspections and bear primary responsibility for conducting inspections of these operators. Inspectors could also be trained to undertake inspections according to the size of the premises being inspected.

### 5.1.2.3 Standardisation

Agencies, working with industry, could develop a set of standard approaches to inspection for types of control where consistency issues have been reported. Inspectors could be trained in the standard approaches through an agency-organised course for all inspectors or by shadowing a nominated inspector who has been trained in the standard approach. As highlighted above in the UK, New Zealand and Danish examples, standardisation can also be facilitated by formal and informal platforms for inter-agency/authority collaborations which enable exchange of best practice.

## 5.2 Standardised approach to risk rating establishments

### 5.2.1 Issue summary

All of the official agencies employ a risk-based approach to rating establishments for inspections in accordance with EU Regulation but the approach used by HSE and LAs differs from that used by the other agencies. Current practice in risk-rating of FBOs makes it difficult to track changes in the stock of risk in the system and to assess the overall effectiveness of control activities.

The HSE and LAs base risk categorisation on the FBO's product and process, but not its risk management practice (e.g. the risk control systems it has in place and its compliance history). Inspection frequencies for FBOs under the remit of HSE and LAs can be adjusted on a case-by-case basis, meaning that inspection frequencies are risk-based but the frequency of inspection within risk categories are not consistent. FBOs within the same 'risk category' may be subject to different inspection frequencies.

## International case study examples: risk categorisation

There are models elsewhere of risk categorisation for the same type of FBOs that accounts for risk management practice in setting the risk category. For example, local authorities in England categorise FBOs such as restaurants and catering establishments in terms of their potential risks to food safety, following guidance issued by the UK Food Standards Agency (FSA). The categorisation is based on an assessment of the factors that influence food safety (e.g. type of food produced and processes employed) and the effectiveness of the systems and procedures in place to manage food safety risks. Each establishment is assigned a risk category, and each risk category is associated with a specific inspection frequency. Inspections are less frequent if an establishment is considered to pose a low risk, irrespective of the type of food produced or processes used. There is no supplementary analysis and no deviation from the standard inspection frequency. The use of standard inspection frequencies for each risk category enables the FSA to set targets and assess the proportion of establishments which have been inspected to the standard frequency. The FSA has commissioned a review of its guidance to take stock and where necessary update the factors used and their weighting. A similar approach is taken in the Netherlands, Denmark and New Zealand.

### 5.2.2 Recommendation

The FSAI together with partner agencies should review the approach to risk categorisation with a view to adopting a method that takes the FBO's risk management practice into account for risk categorisation and facilitates the monitoring of the stock of risk in the system.

## 5.3 Complexity of documented procedures and burden of control activities for small businesses

### 5.3.1 Issue summary

For inspectors undertaking controls with smaller establishments, the documented procedures are considered by many staff members to be too complex, and control activities too onerous and disproportionate with the scale of some business, that is, the systems in place and the activities being undertaken.

### 5.3.2 Recommendation

The FSAI should work with DAFM and DoH to launch a process to review Ireland's use of the 'flexibility' clause in the EU Hygiene Package (2004) and EU derogations on traditional food production, which are currently not being utilised. As these provisions are specifically geared to assist small businesses and those working in traditional food production areas meet their food safety obligations, there is interest amongst FBOs and inspectors alike in implementing them in order to reduce the burden on both sides for undertaking control activities in these premises.

## 5.4 Audit systems

### 5.4.1 Issue summary

All agencies have audit systems in place to comply with EU Regulation but only DAFM has established an internal audit system in line with Regulation (EC) 882/2004. The DAFM system is considered to be effective, and is cited as a model for the other agencies.

DAFM and LAs in particular cited 'audit fatigue' as a result of multiple and often overlapping audits in terms of both timing and coverage.

## International case study examples: international standards for audit systems and KPI monitoring

There may be benefits to establishing internal audit systems based on internationally recognised standards. In New Zealand the CA requires that Recognised Agencies<sup>24</sup> (similar to official agencies) are accredited to ISO 17020 (general criteria for the operation of inspection bodies) and have quality assurance plans in place. ISO 17020 provides the Recognised Agencies with a framework to conduct its own internal audits and provides an agreed standard between the Recognised Agencies and the CA.

The Danish system includes a well-developed performance management / auditing function provided by a dedicated internal unit of the CA. The unit audits official agencies on the controls and KPIs specified in 'results contracts' between the agencies and the CA. Monitoring the KPIs provides agencies and the CA with up to date information about controls that require corrective action. Agencies which fail to meet agreed targets may be required to provide monthly updates about the performance and corrective actions underway (DG SANCO, 2014). Routine system monitoring, secondary supervision and horizontal supervision has also been applied in the Netherlands. Official agency control activities are the subject of internal reporting to CA management as well as external reporting to the responsible ministry. Specific KPIs on cost control and resource management also provide an initial base from which to assess efficiency of controls and identify duplication of efforts.

### 5.4.2 Recommendation

All agencies should establish internal audit systems consistent with Regulation (EC) 882/2004. Actions to effect change should be built into the service contracts and monitored. DAFM's internal audit system can be used as a model for developing internal audit systems for the other agencies, although its direct applicability may be more limited in the case of the fragmented LAs. Using an existing approach within the system as a model will reduce the time and resource required to do so in other agencies because challenges will have already been addressed and overcome by DAFM and lessons learnt more readily applied.

A performance management system that aligns objectives and KPIs between the FSAI and the official agencies may help to reduce the audit burden on official agencies. Examples from Denmark and the Netherlands demonstrate how this has been successfully applied elsewhere. There are clear feedback mechanisms in the Danish and Dutch systems, enabling the results of audit and performance management processes to inform subsequent auditing programmes, target-setting and to influence corrective actions. The feedback mechanisms are supported by standardised data collection, reporting and use of relevant performance indicators. Centralised mechanisms such as food safety databases that are in use or being developed in these countries can also help collate all of the information available on inspections, sanctions and performance of CAs, making it easier to identify and address inspection and audit duplication across the system.

## 5.5 Enforcement actions undertaken

### 5.5.1 Issue summary

The numbers of enforcement actions undertaken for more serious non-compliances are available, but it is difficult to assess these data to understand what the information means about changes in enforcements taken over time (e.g. are changes due to more or less focused control activity, a decrease or increase in risks to food safety in the system, or something else?).

FBOs noted that there is considerable flexibility in the approach taken by inspectors to enforcement. This includes the type of enforcement action taken (e.g. written or verbal and

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<sup>24</sup> Third party certifiers known as Recognized Agencies act as recognized agents for the government and perform routine verification (inspection) functions for the food safety program.

the scale of the enforcement action in more serious cases), the recommendations to redress non-compliances (i.e. interpretation of the requirements by inspectors) and the timing of notification about non-compliances. Moreover, verbal and written low-level actions are not recorded or only inconsistently so and therefore these activities cannot be measured.

### International case study examples: enforcement training

Efforts to ensure enforcement consistency in New Zealand include a requirement for individual 'auditors or verifiers' (similar to official agency inspectors) to pass performance based assessments and to have educational qualifications relevant to the product categories / industries they will be responsible for. Auditors are assessed annually, and are also shadow audited on a regular basis. On-going training programmes are provided and individuals are required to achieve a certain number of training 'points' to maintain competency. There is also an annual week-long national training conference with sessions repeated so that all individuals are able to attend.

#### 5.5.2 Recommendation

The FSAI should agree with agencies protocols for consistent recording of low level actions and establish a requirement to provide a narrative that explains changes in enforcement activity. Training should be provided to facilitate greater consistency in the inspector's approach. Performance review can help to assess progress on an annual basis.

## 5.6 Data sharing and information systems integration

### 5.6.1 Issue summary

The allocation of controls across agencies and across several information systems does not facilitate integrated, system-wide analysis of risk or effective controls. It is not possible to provide integrated risk assessment and risk management in a context where information is partitioned and abstracts exchanged via periodic reports. FSAI's strategy of pooling data on shared information platforms while retaining individual institution's roles, accountabilities and lines of management control could help create a more intelligent and effective system.

Challenges in data sharing limit the transparency of the system to inspection from within and from outside. It also constrains the FSAI's capacity to provide risk intelligence services for the system as a whole. Prospects for improvement are constrained by scarcity of resources, FSAI-agency governance arrangements and the lack of an overall plan or performance management framework that might confirm the model and drive improvement.

The official control system's 'information infrastructure'<sup>25</sup> is not yet fit for purpose. Investments are being made in various parts of the system, but the planned coordination and integration remain unfulfilled. Other parts of this report make recommendations on performance management and on organisational roles and structures. The decisions made on those other issues will have implications for the information infrastructure.

### 5.6.2 Recommendation

The FSAI requires greater negotiating power if it is to be able to fulfil the mandate provided in the FSAI Act to address agency non-compliances. It also needs greater resources to put in place a cross-agency, time-bound information management investment plan that will deliver the infrastructure required to support the operational model and performance indicators that are chosen. Implementation of the plan should be monitored closely and progress published. Agencies, including the FSAI, will need to invest in the staff and other resources that are required to maintain them. The data system chosen should provide a centralised repository of food safety data built to national data standards to ensure it can be

<sup>25</sup> The types of data collected and how they are classified/categorised, the inter-operability of systems, specification and scope of databases, access, etc.

readily interrogated to provide comparable information across agencies and at the required level of detail.

### **International case study examples: IT systems for monitoring and evaluation**

Belgium and Denmark have established central, integrated databases that are used for planning, verification, recording and reporting of official controls. For example, to support the management of documents the Danish CA makes use of an electronic case work system VAKS (with knowledge sharing, administration, control and case management capabilities). All control activities must be registered in this system. The system connects all processes in an electronic network and is used by decentralised units and the central unit so that all employees can access all registered cases of non-compliance.

The Dutch CA has signalled its intention to establish an IT system to facilitate more comprehensive monitoring and evaluation of official controls, including enforcement activity. The systems in Belgium and Denmark, and the planned system in the Netherlands, are comprehensive and detailed, reflecting the overall objectives of the system, the KPIs for agencies and data about individual FBO performance.

## **5.7 Public release of data to encourage compliance**

### **5.7.1 Issue summary**

Ireland does not use public release of data from inspections of consumer-facing FBOs as a mechanism for encouraging compliance. Such food hygiene rating schemes (sometimes referred to as 'scores on the doors') based on such data have been deployed in Denmark, USA, Canada, New Zealand, Singapore and the UK, amongst others.

ICF was advised that the government had received legal advice that data collected during inspections are confidential and may not be used to publish scores on public food hygiene ratings. This means that one of the tools used by food safety authorities to encourage compliance elsewhere in Europe, and in third countries, may not be available in Ireland unless legislative changes are introduced.

### **5.7.2 Recommendation**

Experience of food hygiene rating schemes elsewhere should be reviewed and options for and implications of adopting such a scheme in Ireland examined (including any legislative amendments required). The impact assessment should consider the impacts on regulatory burdens on FBOs, impacts on agency staff time and resources, and consumer research. Voluntary rating schemes offer an option that is generally less costly to establish. Evidence from the UK (notably Wales), further indicates strong consumer support for ratings schemes (Consumer Focus Wales, 2012). As in the case of Wales, voluntary schemes can also provide a bridge to mandatory measures in the longer term.

## **5.8 Institutional conflicts of interest**

Overall, conflicts of interest for individual inspectors appear to be well-managed where the potential for conflict arises. But there are institutional conflicts that create greater challenges for the effective functioning of the official controls system.

### **5.8.1 Issue summary**

Currently, the agencies enforcing food law are both sponsors and inspectors of the businesses they inspect. This is not consistent with accepted international best practice. It creates an additional source of risk in the system that needs to be managed. Reconciling those two objectives – support to a nationally important business sector and safeguarding food safety - can be difficult for systems and staff when choices about whether and how to

investigate problems and enforce violations arise. When agencies are small in scale, as with the SFPA, the bundling of two sets of responsibilities in one institution means that both cannot always be carried out effectively at the same time with given human resources.

### 5.8.2 Recommendation

Separating sponsorship and inspection functions would entail reallocation of responsibilities and a reconfiguration of existing institutional arrangements. Change could have benefits but would not be cost-free and may result in other issues such as duplication of inspections.

## 5.9 Governance arrangements

### 5.9.1 Issue summary

The FSAI Act created a set of institutional arrangements for administration of food control inspections that are particular to Ireland. As this evaluation has shown, much has been achieved and the system has much to commend it.

Although the service contract arrangements generally work well, this evaluation has identified a series of issues in the system, some of which are caused or complicated by the division of inspection responsibilities across multiple agencies. The FSAI's power to effect change is, in many cases, heavily constrained. It acts as a commissioner of inspection services but does not control the financing of those inspections nor does it have credible sanctions in cases of a material breach in service contract obligations.

Consultations involved much discussion on how the challenges seen in the system today could be addressed, and the place of the FSAI in effecting that change. The study team heard many different opinions and no clear consensus. There are competing views on the roles the FSAI should have in the system and the powers it should be given to effect improvement. The study team has distilled down the many views into three alternative strategic roles for the FSAI, based on the themes emerging from the research and consultations. These are:

- 'Auditor': the FSAI works at arm's length from other agencies, audits them and packages information supplied from the constituent parts of the system for use by national stakeholders and the European Commission.
- 'Information integrator': the FSAI is the hub of a fully integrated information system across all agencies and a centre of risk intelligence. It has the capacity to interrogate available data to identify specific and systemic risks and flag issues for investigation by inspectors in other agencies. Agencies retain their existing inspection functions but there is better ring-fencing of food control staffing and a much more robust performance management system.
- 'Primary agency': inspection duties are transferred to the FSAI from one or more official agencies. The FSAI becomes an inspection delivery agency rather than an auditor, analytical and advisory body.

The FSAI is currently asked to be more than auditor but although it has the mandate, it does not have the capacity or systems to work as an information integrator. A more detailed analysis of the benefits, costs and wider implications of the primary agency model would be needed together with information on potential transition pathways before a change to that model could be made with confidence.

### 5.9.2 Recommendations

The Official Food Control Review Steering Group is well placed to consider whether, on the basis of the evidence received, including this evaluation, the current institutional arrangements should be refreshed as Ireland works toward applying international best practice. Relevant aspects include:

- Organisation: confirmation of the strategic role of the FSAI, including the powers provided to the FSAI to specify outputs and outcomes of official agency service contracts, and to require official agencies to supply data relating to services governed by those service contracts;
- Funding: Aligning control of funding with the assignment of official control activities from the FSAI to the agencies could be effective in addressing some of the issues identified in this study although it cannot resolve the larger issue of funding constraints across the system.
- Sanctions: In the absence of a change of this nature, which would require a wholesale change to the way the system operates, the FSAI Act could also be amended to include more new and more credible sanctions, such as to:
  - Require an official agency that becomes aware of a breach of its service contract obligations, to notify FSAI of the breach, to take remedial action and to advise the FSAI of the remedial action planned and the timescale for its implementation.
  - Permit the FSAI to issue directions to an official agency to improve its food control activities in specified ways; similar powers exist for other agencies, such as the Environmental Protection Agency (Office of the Attorney General, 1992).
  - Create sanctions, such as fines, for an official agency in the event of a failure of an agency to comply with one or more terms of a service contract (such as, but not limited to, the supply of data to the FSAI), that is, an effective, proportionate approach that does not require recourse to Article 48(12) of the Act.

## 5.10 Staffing and resources

### 5.10.1 Issue summary

The consultations show how resource constraints have stretched capacity in many areas and required adjustments in working practices. The consultations and data show that agencies face common challenges including budgetary constraints and limits on replacement recruitment but also distinct issues (e.g. a highly experienced but ageing workforce in parts of DAFM, a need to cope with high levels of maternity leave in HSE, difficulties in providing continuity of service with a small but widely distributed workforce in LAs and SFPAs).

### 5.10.2 Recommendations

Data on capacity actually deployed each year on controls should be tracked and reported regionally more frequently. Variance from the commitments made in the service contract should be explained. And, under current arrangements workforce planning and HR issues are a matter for individual agencies. FSAI, working with other agencies, could produce a biennial report on food control inspection system workforce planning and skills and use this as a mechanism to ensure that there are adequate plans in place for maintaining skills and capacity over the medium term.

## 5.11 Performance management system

### 5.11.1 Issue summary

It is clear from the consultations and desk research that the official controls system introduced under the FSAI Act would be strengthened by introducing a performance management system. Based around the service contract and regular reporting of the selected measures, this would create greater transparency on the effectiveness of the arrangements for delivery of official controls and the performance of individual agencies.

The data currently used to track system performance are generated almost entirely from within the control system itself. Information is not systematically collected from FBOs,

agency staff and consumers. As this study has shown, much can be learnt from structured consultations with these other stakeholders.

### **International case study example: Performance management systems**

The Danish official control system includes performance contracts between the CA and official agencies that include targets and KPIs based on overall system objectives. Clear links between top-level objectives and well-aligned targets and indicators for delivery bodies enable the CA to evaluate whether and to what extent the system objectives are delivered. In the Dutch system an impact assessment procedure is used to evaluate the success and efficiency of its enforcement methods and instruments. This involves assessing the performance of the CA against the agreed operational and enforcement goals in each domain. Monitoring indicators relate directly to the strategic operational and enforcement objectives.

Service contracts between the FSAI and official agencies include general objectives and targets that do not clearly relate to the objectives for the system as described in the FSAI's Statement of Strategy (FSAI 2011b). Improving alignment between agency targets and objectives with overall system objectives would help to establish an effective performance management system.

#### **5.11.2 Recommendation**

The Irish official controls system would benefit from the development of a performance management system. Chapter 6 turns to this issue.

## 6 Performance measures

### 6.1 Introduction

The annual work programmes prepared under the service contracts specify actions and outputs in detail. Large amounts of data are collected and processed by the FSAI and agencies. The annual reports on Ireland's national control plan report inputs, activity and outputs in great detail. Yet, despite the multiplicity of numbers, it is difficult for those within the official control system, for FBOs and the public to determine whether the system is, in aggregate, effective and performance is improving over time.

Decision-makers would benefit from having access to time series data on a robust set of performance measures covering the specific objectives of the official controls system. These could be used to hold agencies to account, assist in the allocation of resources, and encourage the uptake of practice and procedures that deliver progress towards the chosen objectives. This progress would include dealing with the issues that have been identified in this evaluation, as set out in chapters 4 and 5.

The terms of reference for this study ask the contractor to, *“propose, develop and recommend .... appropriate and efficacious measures which should be used to evaluate the official control inspection system in Ireland. These measures should reflect the principles of public health/food safety, public sector reform and better regulation so as to focus the ‘appropriate measures of efficacy’.”* *“Robust ... performance measures which should be incorporated into service contracts”* are requested. This section responds to that instruction.

### 6.2 Approach

In defining performance measures for a programme,<sup>26</sup> it is helpful to create a programme theory. This describes the mechanism(s) by which inputs (such as equipment and staff time) are connected to outcomes (and achievement of the strategic objectives) via activities and outputs – that is, a model of how the programme works. Examples are shown for the system as a whole and for individual agencies in Annex 1. The programme theory may evolve over time as more is learnt about how the programme works and what is more, or less, effective. It could be set out in narrative, rather than diagrammatic form and be included in the monitoring reports.

There is a link between the system configuration and objectives and the appropriate set of future indicators. A model in which the agencies are autonomous and the FSAI acts as system auditor requires a different set of indicators to a model in which the FSAI is tasked with being the ‘information integrator’ and centre of risk intelligence for the system, or a model in which inspection functions are reallocated to the FSAI to address issues such as institutional conflict of interest. The proposals here have been developed for application within the current legislative and operational framework.

The performance indicators chosen should measure what needs to be managed to move the official food control inspection system towards the stated objectives, which are to:

- achieve compliance with food legislation and standards;
- ensure the co-ordinated and consistent enforcement of food legislation;
- ensure delivery of an effective and efficient food safety control system; and
- contribute to EU harmonisation of food safety rules.

Framed in this way, the issues identified in chapter 4 get resolved as part of a process of continuous improvement that is working towards these objectives. Closing gaps in FBO coverage, completing internal audit arrangements, etc. are means to an end – the end being

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<sup>26</sup> For the purpose of the discussion that follows Ireland's official controls system can be considered to be a ‘programme’

a compliant, consistent, effective and efficient food safety control system. The necessary actions get incorporated in the agency service contracts and their completion contributes directly or indirectly to an improved score on the relevant measure.

The measures adopted need to be robust, that is, relevant, easily understood, reliable, available, reproducible and efficient. Ideally indicators would work at different levels in the programme so that they could be applied to the performance of a specific agency and aggregated to the level of the official controls system as a whole.

The overall package of measures needs to be balanced within and across objectives, using complementary measures to provide a coherent overall picture in a context where individual measures can provide an incomplete picture of the performance of a system. For example, an indicator that shows the number of inspections conducted against service contract plans will provide information about how well agencies are meeting their inspection targets but not contribute to understanding inspection quality or enforcement effectiveness.

A focus on outcomes, rather than specific inputs or activities is helpful in avoiding the creation of incentives for organisations to chase indicators. Where good outcome and impact indicators capturing the ultimate effect of the programme are not available (because the cause/effect relationships are uncertain and/or because the relevant data are not readily available) measures of output can be used. Where the objectives are themselves referenced to intermediate outcomes or outputs (e.g. compliance with the law, rather than the elimination of the problem that the law was intended to address) then setting performance measures is somewhat easier.

The package of performance measures should not be an annual 'to do' list – the key measures should, as far as possible, continue from year to year so that progress over time can be tracked. Specific actions and activities can be aggregated or expressed in an alternative form to make viable performance measures. For example, the percentage of the coordination actions agreed between FSAI and agency in the annual work programme that are delivered is a more viable measure than just counting actions – it is referenced back to the work programme which is assumed to contain actions that both sides have determined have value. Similarly, establishing a training course on inspection for labelling legislation to improve inspector confidence/competence and consistency of controls is an action that should be built into the work programme, with the higher level indicator calculated based on the fraction of the agreed work programme that is delivered.

In the system operated in Denmark, achievement of outputs (such as completing a project on a priority issue) is given a percentage score. The scores of components aggregate to 100 per cent for a given strategic objective. This is a more sophisticated alternative to counting the percentage of such outputs that have been achieved. This model can be extended such that an agency's overall performance across all objectives can be reduced to a single score – a figure that captures the achievement across all activities and measures.

The primary users of the performance measures will be the FSAI and the agencies, but it is also expected that the information will be of interest to a wider group of stakeholders in the official controls system. The concerns of those other parties should be taken into account when selecting measures and balancing the suite of measures.<sup>27</sup> Indeed, the performance management system should not be restricted to use of administrative data generated within the system but should instead incorporate information gathered from those other stakeholders. This can be done through annual surveys of:

- inspection staff (looking at confidence in the inspection process, skills and working practices, as in the survey conducted for this evaluation);
- FBOs (collecting feedback on the confidence in inspections, consistency, proportionality, burdens); and

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<sup>27</sup> A schedule of potential uses and users is provided in Table A1.1.

- consumers (tracking confidence in the food sold in Ireland, in the food available from local food service and food retail outlets, potentially also collecting data on incidence of food-related illness).

Annual stakeholder surveys, coupled with regular agency reporting and audit should provide a balanced account of the efficacy of inspections. This will help to counteract the potential for focus ‘only on the numbers’, by incorporating more qualitative, and holistic, assessments of performance. This approach also means that not all the indicators will necessarily be reported on via the agency service contract reporting mechanism. The ‘dashboard’ of system performance indicators will be populated by information provided by agencies, by FSAI internal data and from survey evidence.

There are some measures that it would be helpful to record to describe the state of the system but which would not be good performance measures. Sometimes this is because they measure something that is important but which could create unhelpful incentives if used as a performance measure. An example is ‘number of enforcement actions’ – it would not be helpful to rate inspectors based on the number of times they prosecute FBOs; the public interest is in eradicating the causes of the non-conformances that trigger enforcement actions. Another example is the FTE staff applied to inspections – it is helpful to track capacity but the appropriate level of staff capacity cannot be determined independent of the workload. Others are unhelpful because the link between control system activities and the metric of interest is complex and/or not well understood – for example, self-reported incidence of food illness or trade in food products.

### 6.3 Feedback on potential indicators from inspection staff

The survey of inspection staff carried out for this project has captured views on a bundle of potential indicators. Details of all responses are provided in Annex 8 and a summary is provided here. Figure 6.1 shows the views of inspection staff on the various indicators proposed in the survey based on responses from all agencies. Differences in staff numbers mean that DAFM and HSE staff are more heavily represented in these results than staff at LAs and SFPA.

Table 6.1 shows responses based on whether or not there was a simple majority in favour of the measure from respondents, thus showing the distribution of support for measures by agency. There is consistency of views across agencies for some measures but not others. For many of the measures there was no clear majority from SFPA respondents – results were a single vote either way (out of a sample of 12 staff).

‘Control consistency’ and ‘improvement in inspection outcomes’ score highest. The former is an outcome indicator that could be measured indirectly using surveys from FBOs and inspectors and from audit evidence. ‘Improvement in inspection outcomes’ would need to be interpreted, for example, as the change in the stock of risk within the system (see commentary in section 6.4).

The result in Figure 6.1 and Table 6.1 for ‘reduction in number of high risk businesses’ (which was supported by a majority of DAFM respondents but rejected by others) might be explained by the differences in approaches to risk categorisation across agencies as discussed in section 4. HSE, for example, places FBOs in the ‘high risk’ category based on product and process but not risk management practice, so for that agency the number of ‘high risk’ businesses on the register is not a very robust measure of actual system risk.

There was strong support for ‘number of inspections’. The study team would argue that while it is an interesting activity indicator, the percentage of planned inspections is a better performance measure as it is referenced back to a prior determination of what level of inspection activity is appropriate. The study team agrees with the rejection of the suggested enforcement indicators since, as framed, they have the potential to create perverse incentives for inspectors to issue notices.

**Figure 6.1 Summary of inspection staff's support for potential performance measures identified in the staff survey**



Source: Online staff survey

Note: Responses to question “What might appropriate performance indicators be for food business inspection services in Ireland? [indicator option]”. Chart shows aggregated results (yes/no/don't know) for each measure for all agencies. There is variation in results by agency. Larger agencies contributed a larger share of staff numbers so are more heavily represented in the results shown above. N=187

**Table 6.1 Comparison of agency staff reactions to possible indicators**

|  | DAFM | HSE | LA   | SFPA | Comment  |
|--|------|-----|------|------|--|
| Number of inspections                      | Y    | Y   | Y    | Y    |  |
| Percentage of planned inspections achieved | Y    | Y   | Y    | Y    |  |
| Consistent controls                        | Y    | Y   | Y    | Y    |  |
| Improvement in inspection outcomes         | Y    | Y   | Y    | Y    | SFPA views balanced  |
| Documented procedures                      | Y    | Y   | Y    | N    | Stronger majority at DAFM compared to HSE, SFPA views balanced   |
| Ratio of staff to inspections              | Y    | Y   | N    | N    | HSE larger majority in favour than at DAFM, SFPA views balanced  |
| Number of unplanned inspections            | Y    | N   | Tied | N    | SFPA views balanced  |
| Reduced number of high risk businesses     | Y    | N   | N    | N    | Use of different risk categorisation approaches across agencies likely to mean that results are not comparable |
| Number of outbreaks                        | Y    | N   | N    | N    | Strong majority against at HSE   |
| Ratio of enforcements to inspections       | Tied | N   | N    | N    | DAFM tied, large majority against elsewhere  |
| Number of enforcements issued              | N    | N   | N    | N    | DAFM small majority, others a large majority   |
| Cost per inspection                        | N    | N   | N    | N    | Strong majority against at HSE   |

Note: Colour coding and Yes/No indicates simple majority for/against use of indicator based on response to question “What might appropriate performance indicators be for food business inspection services in Ireland? [indicator option]”. N=187.

## 6.4 Recommended measures

The section presents the primary measures recommended by reference to each principal objective. Noting the current issues with existing information systems but that improvements are expected over time, the study team has identified performance measures that could be used today and others that could be adopted in the future when the relevant data become available.

### 6.4.1 Achieve compliance with food legislation and standards

The two sub-objectives considered under this primary objective are:

- FBO compliance with the law, as determined through the inspections carried out by the agencies; and
- FSAI and agencies' own compliance with the law (as per the discussion in chapter 4).

The recommended performance measure for the former is 'FBO compliance', expressed as the percentage of FBOs inspected that are free of non-compliances (i.e. referenced to FBOs, not the simple percentage of clean inspections). The risk that this indicator could create incentives not to record non-compliances can be controlled by definition and application of procedures, and by audit. It could be developed further to focus on material non-compliances defined under the various agencies' control schemes, or track major and minor non-compliances.

The recommended performance measures for agency compliance are:

- Inspection plan delivery, defined as the percentage of FBOs inspected at the frequency required by the agency's risk-based inspection plan. The percentage of FBOs that received their scheduled number of inspections should be provided by each agency from their internal management information systems. The indicator is deliberately expressed in terms of the share of FBOs receiving the planned number of inspections, not just the ratio of delivered to planned inspections. This could be generated for DAFM and SFPA using existing data. It will require some changes in reporting practice by HSE. Similar indicators are also used in the Danish system, which measure the planned controls and prioritised control visits that have actually been completed.
- Compliance programme delivery, defined as the percentage of specific agency compliance-related actions detailed in the work programme that have been completed. This could be put in place for each agency based on activities agreed in the work plan. Examples of actions to be put in the compliance programme are: close-out of actions identified by FSAI / FVO / internal audits such as filling gaps in documented procedures and update of procedures, delivery of training to inspectors on targeted issues and, for some agencies, establishment of an internal audit function as required by EU law.

An indicator on documented procedures, expressed as the percentage of inspections covered by documented procedures could also be used until such time as the work in the compliance programme (to ensure documented procedures are in place for all inspections) is complete.

Other available supporting measures in this category are:

- Inspection reports, expressed as the percentage of inspections in which the FBO was issued with an inspection report (a practice that goes beyond strict compliance if no non-compliances were found); and
- Audit results, expressed as the average number of corrective actions identified per FSAI audit of the agency.

Completion of the agreed internal audit programme could either be used as a separate indicator or (more simply) incorporated into the compliance programme schedule.

More details on the indicators in this category are provided in Figure A1.4.

#### 6.4.2 Ensure the co-ordinated and consistent enforcement of food legislation

The recommended measures for ensuring co-ordinated and consistent enforcement of food legislation are:

- **Consistency of controls:** This measure should be based on the proposed annual survey of FBOs. It could be determined as the percentage of FBOs rating consistency as 'good' or better on a Likert scale. The survey should be designed so as to provide a random, representative and large enough achieved sample of FBOs. Decisions would be required on the sampling strategy, for example, whether to focus on multi-site FBOs and/or groups of similar businesses.
- **Consistency programme delivery:** This is a composite measure covering coordination measures identified in the service contract that were successfully completed. The measure should be built up from the schedule of coordination actions agreed in the work programme for each agency. It could be expressed as the percentage of agreed actions completed within the given timescale. An example of potential consistency and coordination action identified in section 4.4 is for provision of training to inspectors on less familiar areas of legislation and greater specialisation in some control areas.

More details on the indicators in this category are provided in Figure A1.5.

#### 6.4.3 Ensure delivery of an effective and efficient food safety control system

Indicators for this objective are considered in Figure A1.6. The recommended performance measures for ensuring delivery of an effective and efficient food safety control system are:

- **Share of high risk FBOs:** An effective inspection system should reduce the stock of risk in the food chain over time, after adjustment for the number of FBOs. This indicator would track the share of approved / registered FBOs that fall into the 'high risk' category. It requires an approach to risk categorisation that takes into account product, process and risk management practice. The risk categorisation process needs to recognise when FBOs are improving their food safety risk management practice and improving their compliance record, and reflect those changes in the category assigned. Reductions in aggregate risk generated by market and regulator pressure should generate changes in the indicator. The risk of this indicator being manipulated (through FBO risk category being down-graded) would need to be controlled by procedures on risk categorisation and audit. If the agency databases were able to record a grading of food risk management practice for each FBO then the indicator could be focused on this alone – i.e. the controllable element of total risk for any given product/process combination.
- **Confidence in the system as measured by annual consumer, FBO and inspection staff surveys commissioned or conducted by FSAI:** Targets for this indicator would not appear in service contracts but it would signal where there are issues to be explored and addressed.
- **Capacity deployed as measured by the percentage of planned inspection effort (staff resources) deployed.** Agencies provide statement of the proposed inspection effort (typically measured as FTE staff) for food controls. When resources are directed elsewhere, food controls can suffer. This indicator will make the resources deployed explicit. It would be necessary to agree with agencies how this indicator could be reported without imposing large new administrative burdens, based on the information.
- **Data delivery as measured by proportion of required inspection data available to FSAI.** This indicator is included to support the FSAI's role in collecting and analysing system data. The data to be supplied, including the format and frequency, should be specified in each agency's service contract.
- **Effectiveness of programme delivery:** This would be a composite indicator for effectiveness-related outputs agreed in annual work programmes. Components could include, for instance, the number of completed training modules on controls per FTE inspector as compared to the training plan.

The list above suggests that confidence in the food official control 'system' could be used as a core indicator. Regular surveys of consumers, FBOs and staff could also ask questions about awareness of the agencies and their functions, and respondents' confidence in the FSAI and in specific agencies.<sup>28</sup> 'Confidence in the FSAI' could be used as a performance indicator specific to the FSAI.

In due course indicators that track the speed of close-out of non-compliances could be incorporated, aiming to reduce the period from identification of a problem to the FBO being recognised as compliant. This would provide another perspective on the effectiveness in reducing the amount of risk in the system.

There are also efficiency indicators that could meet user needs but insufficient financial data were available to the evaluation to explore the potential of current information systems to support them. Appropriate indicators are likely to vary according to whether continuous presence of inspectors is required or not. Indicators could relate to cost-recovery as well as costs incurred, e.g. the share of incremental costs recovered from non-compliant FBOs (per agency and in aggregate).

Data on food safety-related health indicators collected by FSAI should be better analysed and reported: they are an important indicator of food hygiene and public health for the food system as a whole. But it is recommended that they are not used as core performance measures for the food official controls system until such time as the relationship between control activity and these indicators is better understood. Reductions in incidences of certain food-borne illnesses are used as a performance indicator in Denmark, though it is not clear whether any evidence specifically linking food control activities to food outbreaks was established during the design and selection of these indicators.

Examples of such measures include:

- incidence of food borne illness as recorded in health statistics;
- frequency of food-borne illness as reported in the proposed consumer survey;
- number of food safety related complaints registered with public authorities; and
- number of days since last imposition of an export restriction on Irish food.

Other potential indicators in this category flow from decisions taken on the issues described in sections 4 and section 5. For example, the decisions taken on improving transparency by publishing more information about lower level non-compliances could warrant use of indicators to track (and publicise) agency performance against those commitments.

More details on the indicators in this category are provided in Figure A1.6.

#### 6.4.4 Summary of proposed primary measures

The main measures proposed are summarised in Table 6.2. These are relevant to all agencies. Some agencies cannot currently report on all the measures and transitional arrangements would be needed. A commentary on this issue is provided in Annex 1; information on the availability of the proposed indicators and data required by the FSAI and official agencies to implement these is provided in Annex 2.

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<sup>28</sup> As an example, the UK Food Standards Agency's Public Attitudes Tracker survey asks the question, "How much do you trust or distrust the Food Standards Agency to do its job? That is, trust it to make sure the food sold in shops and restaurants is safe, and to provide advice on food safety in the home." *Question 6a, Public Attitudes Tracker, Wave 8, May 2014. UK Food Standards Agency.*

**Table 6.2 Primary performance measures**

| Objective  | Indicator                        | Type | Definition   |
|--|----------------------------------|------|--|
| Achieve compliance with food legislation and standards                   | FBO compliance                   | O    | % FBOs inspected that are free of non-compliances  |
|  | Inspection plan delivery         | A    | % FBOs inspected at the frequency required by the agency's risk-based inspection plan agreed with FSAI   |
|  | Compliance programme delivery    | O/I  | % specific agency compliance-related actions detailed in the work programme that have been completed   |
|  | Documented procedures            | I    | % inspections covered by documented procedures   |
| Ensure the co-ordinated and consistent enforcement of food legislation   | Consistency of controls          | T    | % FBOs rating consistency as 'good' or better on a Likert scale (targeted at FBOs with multiple operations or representative bodies)   |
|  | Consistency programme delivery   | I    | Composite indicator built up from the list of specific coordination actions agreed in the annual work programme of the service contract, with the % of measures that have been completed being measured          |
| Ensure delivery of an effective and efficient food safety control system | Share of high risk FBOs          | O    | % registered/approved FBOs that fall into the 'high risk' category, based on use of risk categorisation that takes account of FBO product, process and practice  |
|  | Confidence in the system         | P    | Confidence in controls as measured in annual consumer, FBO and inspection staff surveys  |
|  | Capacity deployed                | I    | Percentage of the inspection effort (on FTE basis) that was specified in the service contract that was actually deployed on official control activities  |
|  | Data delivery                    | A    | Proportion of requested inspection data made available to FSAI.  |
|  | Effectiveness programme delivery | O    | Composite indicator built up from the list of specific effectiveness-related actions agreed in the annual work programme of the service contract, with the % of measures that have been completed being measured |

Key to indicator types: I – Input, A – Activity, O – Output, T – Outcome, P – Impact

## 6.5 From performance measures to performance management system

A list of measures is unlikely, in itself, to effect change; the data collected need to be scrutinised and used to inform decisions to have an impact. A performance management system would typically:

- have a distinct objective of its own, for example, to facilitate continuous improvement towards the programme objectives;
- include targets for some or all measures;
- incorporate procedures for scrutiny and publication of measures; and
- involve procedures for implementation of corrective actions and/or sanctions.

Key steps to be taken in building the system include:

- establishing a common understanding amongst the participants of the objectives and ambition, the process, how data will be used and issues such as disclosure;

- agreeing a plan for delivery of the data required, including the plan for changing the indicator set over time in a context where further development of information systems and procedures is needed before some of the preferred measures can be tracked; and
- determining what is achievable on the priority measures and setting targets.

As noted in chapter 4, one of features of the current organisational arrangements is that the FSAI has access to fewer sanctions for non-performance than is typical of a commissioning body that enters into a contract. In that context it is worth considering how to maximise the incentives on agencies to improve performance, for example, through publication of regular updates in formats that will encourage coverage by the trade and general press. The core indicators may be integrated into the FSAI strategic plan.

The frequency with which reporting of the measures will be required is a further consideration. In the Danish system updates are provided monthly. Annual reporting is unlikely to be frequent enough to drive change (or inform renewal of annual work programmes). Indicator timing should be considered to ensure that timely data were available to inform the annual work programme and periodic service contract negotiation. Development work will be required on information and reporting systems.

## 7 Conclusions

There is much in Ireland's official food control inspection system that is working well. Dedicated staff members are applying coherent procedures to inspect food business operators. There is effective enforcement, oversight and audit. At the same time it is clear that, as with any such system, there is scope for improvement. This evaluation has identified two categories of issue to be addressed: (i) operational and (ii) structural and strategic.

Many of the operational issues are addressable through improvement to the information infrastructure, staff skills and working procedures. For example, electronic information systems are incompatible and incomplete. There are gaps in inspectors' knowledge that impact on their ability to apply some categories of control to the standard expected.

Fixing these operational problems is within the control of the agencies and the FSAI, even allowing for resource constraints. Some issues would benefit from collaborative effort on a cross-agency basis, while others can be tackled by individual agencies alone. A system improvement plan setting out the priorities and each agency's role in delivering the change needed would help to provide a structure for this transformation. Actions from the plan could then be codified in individual agency service agreements.

Structural and strategic issues stem from the current design of the system and from the high level challenges it faces. The key issues identified are performance management and the organisation of the system, in particular the role of the FSAI.

It is difficult to assess performance and the pace of improvement under current arrangements. A new performance management system in which a balanced set of leading and support indicators are tracked at an agency level and for the system overall would increase the visibility of performance, enhance accountability and should encourage progress towards the objectives. This system should collect inputs from FBOs, staff and consumers as well as from the administration of controls. Indicator reporting requirements can be incorporated in the service contracts that FSAI agrees with individual agencies. Improvements to information management systems and some adjustments to working practices would be needed. A new performance management system could be built relatively quickly with the right approach, support and investment.

Consideration could also be given to the structural issues identified. Although the service contract model has worked reasonably well within its own terms, the FSAI lacks the influence over agency resources (in most cases) and access to credible sanctions in the event of consistent poor performance. As such, its power to effect change is constrained. An enhanced performance management system is unlikely to resolve all the issues, not least because FSAI is not in a particularly strong position when negotiating service contracts.

There are competing visions for the role that the FSAI should play in the food control inspection system. The study team has described these as:

- 'Auditor': the FSAI works at arm's length from other agencies, audits them and packages information supplied from the constituent parts of the system for use by national stakeholders and the European Commission.
- 'Information integrator': the FSAI is the hub of a fully integrated information system that spans all agencies and a centre of risk intelligence. It has the capacity to interrogate those data to identify specific and systemic risks and flag issues, including suspected food fraud, for investigation by inspectors in partner agencies.
- 'Primary agency': inspection duties are transferred to the FSAI from one or more other agencies.

At present the FSAI is being asked to be more than auditor and although it does have the mandate, it does not have consistent official agency co-operation, or the capacity or systems to be fully effective as an information integrator. With better access to information held within the system, use of data from beyond the controls system, appropriate technologies and

analytical capacity, the FSAI would be well placed to be an 'intelligence hub' for the system as a whole.

At a time when there is an ever-greater premium on insight and intelligence on food risk, the current arrangements mean that Ireland is less well-equipped than it could be to make full use of the data held by agencies and information accessible from other sources to locate risk in the food system, efficiently allocate scarce resources to control that risk and to deal with issues of concern, such as food fraud and threats to public health in the food chain.

A more detailed analysis of the benefits, costs and wider implications of the primary agency model would be needed together with a mapping of potential transition pathways before a decision on such change could be made with confidence. The evaluation evidence suggests, however, that the 'information integrator' model, enhanced by actions on financial flows and sanctions, could deliver some of the functional benefits of a primary agency model without the organisational disruption that institutional changes would entail.



# ANNEXES

## Annex 1 Identifying performance measures

### A1.1.1 Purpose

Defining purpose in this context means defining who will use the information, how and why. The measures selected should satisfy users' needs and answer their questions. Potential uses of performance measures include:

- To define expectations of what the system will deliver;
- To demonstrate progress towards the FSAI's strategic objectives and the overall effectiveness of the system;
- To track performance of the agencies, including identification of areas where performance can be improved;
- To inform negotiations on service contracts and annual work programmes;
- To inform allocation of investments in risk analysis, capacity building, research funding and systems;
- To obtain visibility of the efficiency, equity and effectiveness of the system;
- To obtain information on the extent to which food produced and available in Ireland complies with the law;
- To hold government, FSAI, agencies to account; and
- To facilitate benchmarking of performance, progress, efficiency against other Member States.

The primary users of the performance measures will be the FSAI and the agencies, but it is also expected that the information will be of interest to a wider group of stakeholders in the official controls system. The interests of those other parties should be taken into account when selecting measures and balancing the suite of measures. These include FSAI, agencies, FBOs, the public, politicians and commentators, EU officials, other MS, and third countries. Table A1.1 provides a preliminary statement of users and potential uses for discussion, prepared under an assumption that the measures and associated data will be placed in the public domain.

**Table A1.1 Performance measure users and uses**

| Potential use of the measures:  | User: | FSAI | Agencies | FBOs | Public | Politicians & commentators | EU & Other MS |
|---|-------|------|----------|------|--------|----------------------------|---------------|
| To define expectations of what the system will deliver  |       | ✓    |          |      |        |                            |               |
| To demonstrate progress towards the FSAI's strategic objectives and the overall effectiveness of the system |       | ✓    |          |      |        |                            |               |
| To track performance of the agencies, including identification of areas where performance can be improved   |       | ✓    | ✓        | ✓    |        | ✓                          |               |
| inform negotiations on service contracts and annual work programmes   |       | ✓    | ✓        |      |        |                            |               |
| To inform allocation of investments in risk analysis, capacity building, research funding and systems       |       | ✓    | ✓        |      |        |                            |               |
| To obtain visibility of the efficiency, equity and effectiveness of the system                              |       | ✓    |          | ✓    | ✓      | ✓                          | ✓             |

| Potential use of the measures:  | User: | FSAI | Agencies | FBOs | Public | Politicians & commentators | EU & Other MS |
|---|-------|------|----------|------|--------|----------------------------|---------------|
| To obtain information on the extent to which food produced and available in Ireland complies with the law |       | ✓    |          |      | ✓      | ✓                          | ✓             |
| To hold government, FSAI, agencies to account   |       |      |          |      |        | ✓                          | ✓             |
| To facilitate benchmarking of performance, progress, efficiency against other Member States               |       | ✓    |          | ✓    |        |                            | ✓             |

\*Consultations suggest FBOs have particular interest in the efficiency (costs), clarity and consistency of controls.

\*\*Further research is needed on public expectations of the system and public information needs.

### A1.1.2 Focus

The core focus of the proposed performance measures is to help ensure food is safe and to protect consumers' interests through making progress towards the strategic objectives set by Ireland for its food official controls system<sup>29</sup>, i.e. to:

- Achieve compliance with food legislation and standards;
- Ensure the co-ordinated and consistent enforcement of food legislation;
- Ensure delivery of an effective and efficient food safety control system;

The measures will be complemented by information used by managers on a day to day basis.

## A1.2 Intervention logics

Intervention logics have been prepared for the food official controls system as a whole (Figure A1.1) and for the FSAI and the official agencies. The agency-specific intervention logics have been prepared based on information obtained in the evidence review. The FSAI and the official agencies are working towards the aims, objectives and impacts described in the overall intervention logic. The detailed intervention logics are used to identify potential performance measures for each official agency.

The detailed intervention logic for the FSAI is shown in Figure A1.2. FSAI activities include coordinating the implementation of controls by official agencies, verifying the implementation of controls, producing guidance and providing training, and disseminating information about the implementation and results of controls. A single intervention logic has been prepared to describe the activities, outputs and outcomes of DAFM, HSE EHS, LAs and SFPA (Figure A1.3). Although the activities undertaken by each official agency are significantly different, the *type* of activities undertaken is similar. For example, each of the official agencies approve and register FBOs, assign them a risk category, and implement controls on a risk-basis. However each agency follows a different procedure, for FBOs in different sectors, which present different food safety risks.

<sup>29</sup> From *The National Control Plan for Ireland* for the period from 1st January 2012 to 31st December 2016.



Figure A1.1 Official control system intervention logic

**Aim:** Ensure food is safe and to protect consumers' interests.

**Objectives:**

Achieve compliance with food legislation and standards; Ensure the co-ordinated and consistent enforcement of food legislation; Ensure delivery of an effective and efficient food safety control system

| Inputs   | Activities  | Outputs   | Outcomes   | Impacts   |
|--|---|---|--|---|
| Funding from DoH<br>Funding from DAFM<br>Official control fees | <b>Prioritisation and verification of controls</b>  |   |  | <b>Public health</b>  |
|  | Implementation of controls<br>Prioritisation of controls on risk basis<br>Review of the efficacy of the control system<br>Verification of official agency control activity and FBO compliance                                       | Number of evaluations of the efficacy of control system<br>Data about implementation of controls by official agencies | Food businesses comply with food legislation and standards<br>Food meets safety and quality standards<br>Control system is effective and efficient<br>Burden of controls lowest on low-risk FBOs | Reduced risk to public health<br>Reduced burden on health care system   |
|  |   | <b>Reporting</b>  | Transparent implementation of controls   | <b>Economy</b><br>FBO losses avoided<br>Avoided loss in economic output<br>FBO income sustained<br>FBO productivity sustained |
|  | Information about FBO compliance and implementation of controls collected by official agencies and submitted to FSAI<br>Publication of information about FBOs and implementation of controls<br>Submission of reports to Commission | Reports and other sources of information about the implementation and results of controls                             |  | <b>Trade</b><br>Value of trading potential maintained / improved<br>Reputation of Irish food products maintained / improved   |
|  |   | <b>Enforcement</b>  | FBOs incentivised to comply with food safety legislation   | Increase in consumption of Irish food products  |
| Enforcement of controls  |   | Number and type of enforcement measures applied   |  |   |
|  |   | <b>Transparency</b>   | Transparent official control system<br>Trusted official control system   |   |
|  | Publication of information about prioritisation procedures, implementation of controls and results of controls  | Number of prioritisation procedures published<br>Number of control implementation procedures published                |  |   |



|  |  |  |
|--|--|--|
| Reports and other sources of information about the implementation and results of controls  |  |  |
| <b>Conflicts of interest</b>   |  |  |
| Identify and address potential conflicts of interest   | Number of potential conflicts of interests addressed   | Official control system free from conflicts of interest  |
| <b>Cooperation and collaboration</b>   |  |  |
| Cooperation and collaboration between official agencies to coordinate official controls<br>Cooperation and collaboration between official agencies to ensure allocation of resources aligned with food chain risks | Coordinated controls<br>Cooperation between agencies implementing controls<br>Alignment of resources with food chain risks       | Minimal overlap between the responsibilities and actions of agencies implementing controls<br>Resources allocated in accordance with risks to food safety in food chain  |
| <b>Staff resources and expertise</b>   |  |  |
| Identification of expertise needs and demands with respect to implementation of controls<br>Training of official agency staff with respect to implementation of controls   | Evidence of what expertise is required for effective implementation of controls<br>Delivery of training to official agency staff | Competent inspectors that have the expertise necessary for effective implementation of controls  |
| <b>Other</b>   |  |  |
| Business driven development and use of IT systems to support implementation of controls  | Business driven development of IT systems that support implementation of controls  | Simplified sharing of data between official agencies, and between official agencies and FSAI<br>Improved analysis of official control data by FSAI and official agencies |



Figure A1.2 Official control system intervention logic: FSAI

| Inputs  | Activities  | Outputs  | Outcomes  | Impacts   |
|---|---|--|---|---|
| <b>Aim:</b> Ensure food is safe and protect consumers' interests.   |   |  |   |   |
| <b>Objectives:</b> Achieve compliance with food legislation and standards; ensure the co-ordinated and consistent enforcement of food legislation; ensure delivery of an effective and efficient food safety control system |   |  |   |   |
| Funding from DoH  | <b>Prioritisation and verification of controls</b>  |  | Official agencies compliant with service contracts and legislation<br>FBOs compliant with legislation<br>Food chain risks incorporated into official controls conducted by official agencies<br>Consistent and co-ordinated implementation of controls by official agencies<br>Service contracts reflect requirements of all relevant legislation | <b>Public health</b>  |
|   | Evaluate performance of official agencies with respect to service contracts and legislation<br>Evaluate performance of control system<br>Verify FBO compliance with legislation<br>Identify and assess food chain risks<br>Advise official agencies on risk-based enforcement<br>Audit official agencies to ensure controls implemented in accordance with documented procedures<br>Audit official agencies to ensure controls prioritised in accordance with documented procedures | Evaluations conducted of official agencies with respect to service contracts and legislation<br>Verifications of FBO compliance with legislation<br>Food chain risks identified and assessed<br>Audits of official agencies to verify that controls implemented in accordance with documented procedures<br>Audits of official agencies to verify that controls prioritised in accordance with documented procedures |   | Reduced risk to public health<br><br>Reduced burden on health care system |
|   | <b>Reporting</b>  |  |   | <b>Economy</b>  |
|   | Collate and disseminate information about FBOs and implementation of controls<br>Submit annual reports to Commission<br>Publish FSAI report   | Publication of information about FBOs and implementation of controls   |   | Transparent implementation of controls                                    |
| <b>Enforcement</b>  |   | Consistent enforcement of controls<br>Effective enforcement of controls<br>Transparent enforcement of controls   | <b>Trade</b>  |   |
| Collate and disseminate information about the enforcement of controls<br>Improve the consistency of enforcement of controls by official agencies<br>Assess coordination, effectiveness and consistency of enforcement       | Publication of information about enforcement of controls<br>Number of assessments of coordination, effectiveness and consistency of enforcement   |  | Value of trading potential maintained / improved<br><br>Reputation of Irish food products maintained / improved   |   |
| <b>Transparency</b>   |   | Transparent prioritisation of controls   |   |   |
| Disseminate information about how controls are prioritised and performed by official agencies   | Publication of information about how controls are prioritised and performed by official agencies  |  |   |   |



|  |  |   |  |
|--|--|---|--|
| Disseminate information about requirements of controls   | Publication of information about the requirements of controls  | Transparent performance of controls<br>Transparent control requirements   | Increase in consumption of Irish food products |
| <b>Conflicts of interest</b>   |  |   |  |
| Identify and address potential FSAI conflicts of interest<br>Work with official agencies to identify and address potential conflicts of interest   | FSAI conflicts of interest identified and addressed<br>Official agency conflicts of interest identified and addressed  | FSAI free from conflicts of interest  |  |
| <b>Cooperation and collaboration</b>   |  |   |  |
| FSAI and agencies coordinate controls<br>FSAI and agencies communicate about implementation of controls<br>FSAI and industry communicate about implementation of controls  | Number of meetings between FSAI and agencies about coordination of controls<br>Number of meetings between FSAI and agencies about implementation of controls<br>Number of meetings between FSAI and industry about implementation of controls<br>Number of advice / guidance documents published | Controls coordinated between agencies<br>Minimal overlap between the responsibilities and actions of agencies implementing controls<br>FSAI and agencies communicate about implementation of controls<br>FSAI and industry communicate about implementation of controls |  |
| <b>Staff resources and expertise</b>   |  |   |  |
| Provide scientific and technical support to agencies and government<br>Identification of official agency training needs<br>Provision of training to official agency<br>Identification of FSAI training needs<br>Provision of training to FSAI staff<br>Advise official agencies on incident management | Scientific and technical support provided to agencies and government<br>Number of official agency staff that receive appropriate training<br>Number of FSAI staff that receive appropriate training<br>Publication of advice and guidance about incident management by official agencies         | Agencies and government have sufficient scientific and technical support<br>Agency staff have expertise necessary to implement controls<br>FSAI staff have expertise necessary to implement controls<br>Official agencies manage incidents effectively and coherently   |  |
| <b>Other</b>   |  |   |  |
| Develop and maintain IT systems to support implementation of controls  | Electronic database containing information about implementation and results of controls  | Simplified transmission of data between official agencies, and between official agencies and FSAI<br>Improved analysis of official control data by FSAI and official agencies   |  |

**Figure A1.3 Official control system intervention logic: official agencies**

**Aim:** Ensure food is safe and to protect consumers' interests.

**Objectives:** Achieve compliance with food legislation and standards; ensure the co-ordinated and consistent enforcement of food legislation; ensure delivery of an effective and efficient food safety control system.

| Inputs  | Activities  | Outputs  | Outcomes  | Impacts                                 |
|---|---|--|---|---|
| Funding from DoH<br>Funding from DAFM<br>Official control fees      | <b>Prioritisation and verification of controls</b>                            |  |   | <b>Public health</b>                    |
|   | Approval/Registration of FBOs   | FBOs approved/registered                                 | FBOs approved/registered and allocated to a risk category | Reduced risk to public health           |
|   | Risk assessment of FBOs   | FBOs risk assessed                                       | Controls implemented on a risk basis                      | Reduced burden on health care system    |
|   | Implementation of controls on risk basis                                      | Controls implemented                                     | Risk prioritisation procedures reflect emerging risks     |   |
|   | Emerging risks incorporated into risk prioritisation procedures               |  |   | <b>Economy</b>                          |
|   | <b>Reporting</b>  |  |   | FBO losses avoided                      |
|   | Collection of data about implementation and outcome of controls               | Data about the implementation and outcome of controls    | Transparent implementation of controls                    | Reduction in marketable outputs avoided |
|   | Submission of data about control implementation to FSAI                       |  | Transparent enforcement of controls                       | FBO income sustained                    |
|   | Submission of enforcement data to FSAI  |  |   | FBO productivity sustained              |
|   | <b>Enforcement</b>  |  |   |   |
| Enforcement of controls   | Enforcement measures applied  | FBOs incentivised to comply with food safety legislation | Value of trading potential maintained / improved          |   |
| Collection of data about the enforcement of controls                |   | Consistent enforcement of controls                       | Reputation of Irish food products maintained / improved   |   |
| <b>Transparency</b>   |   |  |   |   |
| Prioritisation of controls in accordance with documented procedures | Controls prioritised and implemented in accordance with documented procedures | Transparent prioritisation of controls                   |   |   |
| Implementation of controls in accordance with documented procedures | Documented procedures for all controls, hygiene and non-hygiene               | Transparent implementation of controls                   |   |   |
|   |   | Consistent implementation of controls                    |   |   |



All controls, hygiene and non-hygiene, specified in service contracts  
 All controls, hygiene and non-hygiene, have documented procedures

Service contracts that include all controls, hygiene and non-hygiene

Increase in consumption of Irish food products

**Conflicts of interest**

Identify and address potential conflicts of interest

Conflicts of interest identified and addressed

Agency free from conflicts of interest

**Cooperation and collaboration**

Coordination of control implementation with official agencies

Meetings between agencies to coordinate controls

Minimal overlap between the responsibilities and actions of agencies implementing controls

Communication with official agencies about control implementation

Meetings between agencies and industry to discuss implementation of controls

Communication with industry about control implementation

**Staff resources and expertise**

Identification of agency training needs  
 Provision of training to agency staff

Agency staff receive appropriate training

Agency staff have expertise necessary to implement controls

**Other**

Use of IT systems to record and provide data about the implementation of controls

Electronic database containing information about implementation and results of controls

Simplified transmission of data between official agencies, and between official agencies and FSAI

Improved analysis of official control data by FSAI and official agencies

### A1.2.2 Robust measures

There are many sources of guidance in the literature on definition and selection of performance measures. These typically advise the selection of specific measures that are:

- Relevant: the measure should be pertinent to the agreed focus (the programme objectives);
- Easily understood: the measure should be clear and accessible without deep expert knowledge, and it should be obvious whether a change in the measure is positive or negative with respect to the programme's objectives.
- Reliable: a measure that can be manipulated by actors in the programme to give a 'favourable' outcome is unreliable.
- Available: the data required for the measure should be available; if they are not already collected they should be accessible at reasonable cost. A measure that is perfect in theory but impossible to calculate in practice is not useful.
- Reproducible: performance measures will be tracked over time and so need to be based on information that will be updated with a frequency that is sufficient for their purpose.
- Efficient: measures that are simple and affordable to construct are more helpful than measures that are very complex and expensive.

It is helpful to have indicators that can work at different levels in the programme. In the current context it might, for instance, be useful to the FSAI if an indicator could be applied to the performance of a specific agency and aggregated to the level of the official controls system as a whole.

The intervention logics and chapter 4 analysis suggest a large number of indicators that are useful for recording FSAI and agency actions and the status of the system but which are not suitable as system performance measures, often because they are not reliable (if adopted as performance measures they would be vulnerable to gaming). For instance using the number of meetings held between agency and FSAI as a performance measure for the coordination objective might incentivise agencies to schedule large numbers of additional meetings of doubtful utility.

Sometimes, however, activity indicators can be aggregated or expressed in an alternative form to make viable performance measures. In the above example, using the percentage of coordination actions (including meetings) agreed between FSAI and agency in the annual work programme is more viable a potential performance measure – it is referenced back to the work programme which is assumed to contain actions that both sides have determined have value.

In the Danish system achievement of discrete objectives or outputs (such as to finalise a project about cooperation with stakeholders and partners to ensure technological development of future livestock facilities) is given a percentage score. The scores of components aggregate to 100% for a given strategic objective. This is a more sophisticated alternative to counting the percentage of such outputs that have been achieved.

This model can be extended such that an agency's overall performance across all objectives can be reduced to a single score – a figure that captures the achievement across all activities and measures. To operationalise such a system there is a need for a process that decides on (and periodically reviews):

- The weighting to be given to each strategic objective (it is helpful if this is stable so that figures are comparable from period to period);
- The weighting to be given to individual parameters (which may vary from year to year as items enter and leave the work programme);
- The rules for calculating the score for each individual parameter, e.g.:
  - the pass/fail criterion, by reference to a predetermined target;

- the scaling of the score based on performance within a range.

Such systems cannot be built overnight. There needs to be a common understanding among the participants of the objectives and ambition, the appropriate data need to be available, and an appreciation of what is achievable (setting stretching but achievable targets is not always straightforward).

Potential measures have not, at this stage, been excluded on the basis of their incremental cost. By way of example, measures that draw on evidence from surveys of FBOs or consumers may require additional spending.

### **A1.2.3 Balance**

The suite of measures adopted should provide a balanced account of the programme's performance, with respect to the various objectives and also the interests of the different users.

The distribution of the selected measures across the model built for the programme is influenced by what emerges from the application of the screening criteria provided in this section to the long list of potential measures. As a general case it is desirable to have indicators that relate closely to objectives, which tend to be stated in terms of the desired outcomes or impacts of the programme (e.g. avoiding illness associated with unsafe food). A focus on outcomes, rather than specific inputs or activities is helpful in avoiding creating incentives for organisations to chase indicators. Where good outcome and impact indicators capturing the ultimate effect of the programme are not available (because the cause/effect relationships are uncertain and/or because the relevant data are not readily available) the analyst is forced to turn to measures of output. Where the programme objectives are themselves referenced to intermediate outcomes or outputs (e.g. to compliance with the law, rather than to the elimination of the problem that the law was intended to address) then the analyst's life is somewhat easier.

The objectives given in the National Control Plan map, in the framework used here, onto 'outcomes' (such as compliance with food law) rather than 'impacts' (such as improved public health, or greater economic growth).

The set of performance measures should not be too large. There are many more measures available than it is helpful to track. Some measures may be judged to be more important than others. 'Dashboards' of key performance measures can be constructed to provide an easily accessible representation of progress.

The set of performance measures adopted should be efficient: it is better if measures do not duplicate information captured by other measures and are uncorrelated with one another. Ideally the suite would be mutually exclusive (i.e. with no overlap among measures) and collectively exhaustive (such that the measures collectively cover all the programme objectives in full).

### **A1.2.4 Alignment**

The measures should be aligned with objective-setting and performance review processes of the organisation.<sup>30</sup> Strategic measures of performance should be aligned with day-to-day operational measures used by managers. Employees should accept and understand the measures adopted and how they are used.

In this instance the proposal is that the measures are built into the service contracts agreed between the FSAI and the official agencies. It is assumed that, once the measurement system is operational, data would need to be available on a frequency sufficient to inform a process of annual review of performance against work programmes. This is likely to mean that progress should be assessed within the year, not just at the end of the year (to avoid the next year's work programme having to be prepared before current year's performance results are available). It might be appropriate to measure

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<sup>30</sup> Audit Commission. Aiming to improve: principles of performance measurement.



some indicators more often (e.g. supply of inspection data) and others less often (e.g. every 6 months or annually for indicators populated by an FBO survey, or those relating to audit activity).

The second phase of this study provides an opportunity to engage with agency employees about the proposed performance measures. In due course, once the FSAI has adopted a suite of measures, communication actions would be needed to explain the measures and their use to FSAI and agency employees. Communication is also likely to be needed for other stakeholders if the measures are to be explained and understood.

#### **A1.2.5 Regular review and refinement**

It is helpful to have a performance measurement system that learns and adjusts to changing needs. The suite of measures should be subject to periodic review. Adjustment may be warranted due to factors such as:

- Improved understanding of the programme theory;
- Shifts in strategic priorities or delivery models;
- Changes in cost or availability of information;
- Experience gained in application of the measures.

The service contracts are renegotiated every three years. This would be an appropriate cycle on which to review the performance measures.



Figure A1.4 Achieve compliance with food legislation and standards: potential performance measures

| Assessment:                                       | Potential indicator   | Relevant | Comprehensible | Reliable | Available |         |     |      | Reproducible | Efficient | Notes  |
|---|---|----------|----------------|----------|-----------|---------|-----|------|--------------|-----------|--|
|   |   |          |                |          | DAFM      | HSE EHS | LAs | SFPA |              |           |  |
| <b>FBO compliance with the law</b>                |   |          |                |          |           |         |     |      |              |           |  |
| Outcome   | N/A   |          |                |          |           |         |     |      |              |           |  |
| Output  | FBO Compliance  |          |                |          |           |         |     |      |              |           |  |
|   | % FBOs inspected that are free of non-compliances           | ✓        | ✓              | (✓)      | ✓         | ✓       | ✓   | ✓    | ✓            | ✓         | Reliability: (i) There is a theoretical risk that use of this indicator could create incentives on inspectors not to record non-compliances. This risk is controlled by definition and application of procedures, and by internal and external audit; (ii) This specification of the measure does not distinguish between major and minor non-compliances which may be seen as a disadvantage. The measure might be developed further to focus on material non-compliances defined under the various agencies' control schemes, or track major and minor non-compliances |
|   | % FBOs audited by FSAI that were compliant with legislation | ✓        | ✓              | (✓)      | ✓         | ✓       | ✓   | ✓    | (✓)          | ✓         | The FSAI undertakes 'targeted or focused audits' which examine the effectiveness and appropriateness of official controls and/or food business operators' compliance with respect to a specific aspect of food law. However this activity is unlikely to be extensive / representative enough for this to be a reliable headline performance measure.  |
| Activity  | N/A   |          |                |          |           |         |     |      |              |           |  |
| Input   | N/A   |          |                |          |           |         |     |      |              |           |  |
| <b>FSAI and agencies' compliance with the law</b> |   |          |                |          |           |         |     |      |              |           |  |



| Assessment:  | Potential indicator   | Relevant | Comprehensible | Reliable | Available |         |      |     | Reproducible | Efficient | Notes   |
|--|---|----------|----------------|----------|-----------|---------|------|-----|--------------|-----------|---|
|  |   |          |                |          | DAFM      | HSE EHS | LAs  | SFA |              |           |   |
| <b>Outcome</b><br>[though could be considered mix of inputs / output measures] | Compliance programme delivery   | ✓        | ✓              | ✓        | [✓]       | ✓       | ✓    | ✓   | ✓            | ✓         | Availability: Could be determined as % of agency compliance measures that have been completed or reached target levels, or build from % assigned to each measure (as per Denmark example). Square brackets indicate that work would be required to build the composite measure.   |
| <b>Output</b>  | Number of agency corrective actions identified per FSAI audit   | ✓        | ✓              | ✓        | ✓         | ✓       | ✓    | ✓   | (✓)          | ✓         | Reproducible: The number of FSAI audits of official agencies may vary year on year, potentially affecting how reproducible the indicator is. Reproducibility could be improved by maintaining a consistent number of annual audits for each agency.   |
|  | % inspections in which the FBO was issued with an inspection report   | ✓        | ✓              | ✓        | ?✓        | ?✓      | ?✓   | ?✓  | ✓            | ✓         | Availability: If this measure is taken forward, further research would be required in next phase to determine whether agencies have the capability to report on this measure.<br><br>Relevance: The EU regulation requires a report to be issued to the FBO at least in cases of non-compliance – supplying reports in all instances is going beyond strict compliance. |
| <b>Activity</b>  | % registered FBOs which have been allocated risk categories on the basis of product, processes and FBO practice | ✓        | ✓              | ✓        | ✓         | ?(✓)    | ?(✓) | ✓   | ✓            | ✓         | Availability: 'Risk category' is defined by HSE EHSE and LAs based of product and process. Having an additional set of risk categories which recognise FBO practice would   |



| Assessment:   | Potential indicator  | Relevant | Comprehensible | Reliable | Available |         |     |     | Reproducible | Efficient | Notes  |
|---------------|--|----------|----------------|----------|-----------|---------|-----|-----|--------------|-----------|--|
|               |  |          |                |          | DAFM      | HSE EHS | LAs | SFA |              |           |  |
|               |  |          |                |          |           |         |     |     |              |           | <p>increase the transparency of the system and facilitate useful performance measures and system metrics.</p> <p>Information provided to the consultants suggests that there are significant inconsistencies in data held by HSE EHS on the number of registered FBOs.</p>   |
|               | Inspection plan delivery<br>% FBOs inspected at frequency required by risk-based inspection plan | ✓        | ✓              | ✓        | ?✓        | ?✓      | ?✓  | ✓   | ✓            | ✓         | <p>Reliability: There is a theoretical risk that agencies could be incentivised to allocate inspection frequencies below optimal frequency to reduce the burden of inspection on their organisations. This risk is controlled by FSAI audit of FBOs and clarity on the basis for allocating inspection frequency.</p> <p>Availability: Current understanding is that the inspection prioritisation procedures employed by HSE EHS and LAs do not include standardised inspection frequencies for FBOs of a given practice-inclusive risk rating. Their ability to report on this measure with existing information systems would require further research.</p> |
|               | % control implementation and outcome data information published                                  | ✓        | ✓              | ✓        | [✓        | ✓       | ✓   | ✓]  | ✓            | ✓         | <p>Relevance: Reg. (EC) 882/2004 requires the OC system to be transparent. This indicator would help the FSAI to demonstrate the transparency of the system. Square brackets indicate that further work is required to determine what data agency information systems are capable of supplying to FSAI.</p>  |
| <b>Inputs</b> | N/A  |          |                |          |           |         |     |     |              |           |  |



Figure A1.5 Co-ordinated and consistent enforcement of food legislation

| Assessment:    | Potential indicator                        | Relevant | Comprehensible | Reliable | Available |         |     |      | Reproducible | Efficient | Notes  |
|----------------|--|----------|----------------|----------|-----------|---------|-----|------|--------------|-----------|--|
|                |  |          |                |          | DAFM      | HSE EHS | LAS | SFPA |              |           |  |
| <b>Outcome</b> | Consistency of controls                    |          |                |          |           |         |     |      |              |           | Availability: square brackets indicate that data are not currently available as relevant surveys are not commissioned.   |
|                | FBO rating of the consistency of controls  | ✓        | ✓              | (✓)      | [✓        | ✓       | ✓   | ✓]   | (✓)          | (✓)       | Reliability/reproducibility: There is a theoretical risk that the indicator could vary year-on-year due to factors unrelated to the official controls system. This risk is controllable to a degree by ensuring a large survey sample size though industry perception might still be influenced by events beyond the system.   |
|                | Share of court actions that are successful |          |                |          |           |         |     |      |              |           | The brackets for the efficiency assessment recognise that there would be an additional cost to collecting these data (as part of a general survey of FBO views on the controls system).  |
| <b>Output</b>  | Consistency programme delivery             | ✓        | (✓)            | ✓        | (✓)       | (✓)     | (✓) | (✓)  | ✓            | ✓         | Availability: Work would be required to build the composite measure. Measure could be determined as % of agency compliance measures that have been completed or reached target levels, or build from % assigned to each measure (as per Denmark example).<br><br>Reliability: If the coordination measures built into the service contracts / annual work programmes do not in fact deliver better coordination outcomes this measure is not a reliable guide to the actual operation of the system. This risk is controllable by careful identification and elaboration of coordination measures by FSAI and official agencies. |



| Assessment:     | Potential indicator   | Relevant | Comprehensible | Reliable | Available |         |     |      | Reproducible | Efficient | Notes   |
|-----------------|---|----------|----------------|----------|-----------|---------|-----|------|--------------|-----------|---|
|                 |   |          |                |          | DAFM      | HSE EHS | LAs | SFPA |              |           |   |
|                 | % internal audit programme agreed with FSAI that was completed      | ✓        | ✓              | ✓        | ✓         | ✓       | ✓   | ✓    | (✓)          | ✓         | Reproducibility: There is a theoretical risk that unexpected events could reduce the number of internal audits completed.   |
| <b>Activity</b> | Number of FBOs subject to double inspection (by different agencies) | ✓        | ✓              | (✓)      | ✓         | ✓       | ✓   | ✓    | ✓            | ✓         | Reliability: There is a theoretical risk that incompatibility between official agency databases could reduce the reliability of information about inspections of specific FBOs. This risk is controlled by using standard codes to identify FBOs. |
| <b>Input</b>    | N/A   |          |                |          |           |         |     |      |              |           |   |



**Figure A1.6 Effective and efficient food safety control system**

| Assessment:    | Potential indicator   | Relevant | Comprehensible | Reliable | Available |         |     |      | Reproducible | Efficient | Notes   |
|----------------|---|----------|----------------|----------|-----------|---------|-----|------|--------------|-----------|---|
|                |   |          |                |          | DAFM      | HSE EHS | LAs | SFPA |              |           |   |
| <b>Impact</b>  | Confidence<br><br>As measured by consumer, FBO and staff survey | ✓        | ✓              | (✓)      | [✓        | ✓       | ✓   | ✓]   | (✓)          | (✓)       | Reliability/reproducibility: There is a theoretical risk that the indicator could vary year-on-year due to factors unrelated to the official controls system. This risk is controllable to a degree by ensuring a large survey sample size though industry / public perception might still be influenced by events beyond the system. Square brackets indicate the data are not currently collected as relevant surveys are not commissioned. Efficiency is bracketed as there would be an incremental cost (with survey costs shared among other indicators and information gathered). |
| <b>Outcome</b> | Share of high risk FBOs   | ✓        | (✓)            | ✓        | [✓        | ✓       | ✓   | ✓]   | ✓            | ✓         | Comprehensibility: The indicator would use risk categorisation (incorporating FBO food risk management practice), adjusted for number of registered FBOs under the control of each agency.<br><br>Availability: If the agency databases were able to record a grading of food risk management practice for each FBO, then the indicator could be focused on this alone – i.e. the controllable element of total risk for any given product/process combination  |



| Assessment: | Potential indicator   | Relevant | Comprehensible | Reliable | Available |         |     |      | Reproducible | Efficient | Notes  |
|-------------|---|----------|----------------|----------|-----------|---------|-----|------|--------------|-----------|--|
|             |   |          |                |          | DAFM      | HSE EHS | LAs | SFPA |              |           |  |
|             | Change in level of food borne illness                               | ✓        | ✓              | ✗        | (✓)       | (✓)     | (✓) | (✓)  | ✓            | ✓         | <p>Reliability: Levels of food borne disease can vary due to factors beyond the control of the official control system, for example how consumers handle food in the home.</p> <p>Availability: The official agencies implement controls across the food chain. In the majority of cases it would be difficult to link incidences of food borne disease to the failure of specific controls.</p>             |
|             | Number of food safety complaints registered by the public           | ✓        | ✓              | (✓)      | (✓)       | ✓       | (✓) | (✓)  | ✓            | ✓         | <p>Reliability: There is a theoretical risk that this indicator could vary due to factors beyond the remit of the official control system.</p> <p>Availability: This indicator relies on reporting by the public, who may have relatively limited exposure to FBOs under the remit of DAFM, LAs and SFPA. Information to inform the indicator may only be available for FBOs under the remit of HSE EHS.</p> |
|             | Number of export restrictions on Irish food relating to food safety | (✓)      | ✓              | ✓        | ✓         | (✓)     | (✓) | ✓    | ✓            | ✓         | <p>Relevance / availability: This indicator is less relevant to the HSE EHS and LA as both organisations typically implement controls on FBOs focused on the domestic sector.</p>  |
|             | % of FBOs that agree inspectors have sufficient experience          | ✓        | ✓              | (✓)      | ✓         | ✓       | ✓   | ✓    | (✓)          | ✓         | <p>Reliability/reproducibility: There is a theoretical risk that the indicator could vary year-on-year due to factors unrelated to the official controls system. This risk is controllable to a degree by ensuring a large survey sample size though</p>   |



| Assessment: | Potential indicator  | Relevant | Comprehensible | Reliable | Available |         |     |      | Reproducible | Efficient | Notes   |
|-------------|--|----------|----------------|----------|-----------|---------|-----|------|--------------|-----------|---|
|             |  |          |                |          | DAFM      | HSE EHS | LAs | SFPA |              |           |   |
|             |  |          |                |          |           |         |     |      |              |           | industry perception might still be influenced by events beyond the system.  |
| Output      | % agreed inspection data supplied to FSAI  | ✓        | ✓              | ✓        | ✓         | ✓       | ✓   | ✓    | ✓            | ✓         |   |
|             | %FBOs that received their scheduled number of inspections  | ✓        | ✓              | ✓        | (✓)       | (✓)     | (✓) | ✓    | ✓            | ✓         | Availability: 'Risk category' is defined on based of product and process. Having an additional set of risk categories which recognise FBO practice would increase the transparency of the system and facilitate useful performance measures and system metrics. Further research would be required to determine availability with current agency information systems. |
| Activity    | Data delivery  |          |                |          |           |         |     |      |              |           |   |
|             | % of outputs required in annual work programme for which data have been provided to the agreed frequency and quality | ✓        | ✓              | ✓        | ✓         | ✓       | ✓   | ✓    | ✓            | ✓         |   |
|             | % of incremental costs recovered from non-compliant FBOs   | ✓        | ✓              | ✓        | ?✓        | ?✓      | ?✓  | ?✓   | ✓            | ✓         | Further research would be required to determine availability with current agency information systems.   |
|             | Number of staff training days on controls per FTE inspector  | ✓        | ✓              | ✓        | ?✓        | ?✓      | ?✓  | ?✓   | ✓            | ✓         | Further research would be required to determine availability with current agency information systems.   |



| Assessment:  | Potential indicator   | Relevant | Comprehensible | Reliable | Available |         |     |      | Reproducible | Efficient | Notes   |
|--------------|---|----------|----------------|----------|-----------|---------|-----|------|--------------|-----------|---|
|              |   |          |                |          | DAFM      | HSE EHS | LAs | SFPA |              |           |   |
|              | Number of controls not included in agency training plans  | ✓        | ✓              | ✓        | ✓         | ✓       | ✓   | ✓    | ✓            | ✓         |   |
| <b>Input</b> | Capacity deployed   |          |                |          |           |         |     |      |              |           |   |
|              | % of planned inspection effort (staff resources) detailed in annual work programme for controls that was actually dedicated to controls | ✓        | ✓              | (✓)      | ?✓        | ?✓      | ?✓  | ?✓   | ✓            | ✓         | Reliable: Inspectors typically have responsibilities in addition to implementation of food safety controls. There is a theoretical risk that time recorded by official agencies will not accurately relate to official controls implemented as part of annual work programmes. This risk is controlled by the implementation of procedures to record time dedicated to relevant controls. Further research is required to determine whether agency time recording systems would support this measure. |

## Annex 2 Performance measure availability and data required

**Table A2.1 Performance measure availability by agency and supplementary detail**

| Indicator                      | Availability |     |     |      | Notes  |
|--------------------------------|--------------|-----|-----|------|--|
|                                | DAFM         | HSE | LAs | SFPA |  |
| FBO compliance                 | ✓            | (✓) | ✓   | ✓    | Would require some modifications to the way HSE report activity to FSAI. Risk of incentives not to record non-compliances controlled by procedures and audit. Could be developed further to focus on material non-compliances defined under the various agencies' control schemes, or track major and minor non-compliances. |
| Inspection plan delivery       | ✓            | (✓) | ✓   | ✓    | Would require some modifications to the way HSE report activity to FSAI.   |
| Compliance programme delivery  | ✓            | ✓   | ✓   | ✓    | Compliance programme would include items such as (i) completion of internal audit arrangements (ii) gap analysis on FBO registries.  |
| Documented procedures          | ✓            | ✓   | ✓   | ✓    | Expected to be feasible. Indicator can be dropped once procedural gaps are closed.   |
| Consistency of controls        |              |     | N/A |      | Requires commissioning of new FBO survey.  |
| Consistency programme delivery | ✓            | ✓   | ✓   | ✓    | Consistency programme would include actions such as targeted training.   |
| Share of high risk FBOs        | ✓            | ✗   | ✗   | ✗    | Requires change to procedures for risk categorisation by HSE, LAs.   |
| Enforcement                    | ✓            | ✓   | ✓   | ✓    | Expected to be feasible.   |
| Confidence in the system       |              |     | N/A |      | Requires commissioning of new FBO, consumer, and staff surveys.  |
| Capacity deployed              | ?            | ?   | ?   | ?    | Consultations would be required to see how close HR reporting systems could get to providing FTE deployed data.  |
| Data delivery                  | ✓            | ✓   | ✓   | ✓    | FSAI will be able to measure receipt of the data requested.  |



| Indicator                        | Availability |     |     |      | Notes   |
|----------------------------------|--------------|-----|-----|------|---|
|                                  | DAFM         | HSE | LAs | SFPA |   |
| Effectiveness programme delivery | ✓            | ✓   | ✓   | ✓    | Effectiveness programme delivery could include measures such as IT system development, transparency, ring-fencing of staff resources, review of LA procedures to accommodate low-throughput FBOs. |

**Table A2.2 Data required to implement performance indicators\***

| Objective  | Indicator                     | Measure   | Source and Data required by FSAI                   | Data / reporting capability required by FSAI and agency   |
|--|-------------------------------|---|--|---|
| Achieve compliance with food legislation & standards | FBO compliance                | %FBOs that are free of non-compliances  | Agency inspection records                          | (i) count of the number of FBOs inspected in the reporting period (ii) count of the number of FBOs against which non-compliances were recorded in the reporting period  |
|  | Inspection plan delivery      | %FBOs inspected at the frequency required by the agency's inspection plan   | Agency inspection records                          | (i) count of the number of inspections for each FBO within the reporting period (ii) record of the planned number of inspections for each FBO within the reporting period.                                    |
|  | Compliance programme delivery | Details of the completion status of each of the agreed actions codified in the agency annual work programme agreed under the service contract | Agency management information                      | (i) records of the specific actions agreed with the FSAI in the annual work programme for the reporting period and (ii) information on whether they have been completed, with a short commentary on each item |
|  | Documented procedures         | % inspections covered by documented procedures  | Agency inspection records & management information | (i) number of inspections of each type completed in the reporting period (ii) availability of documented procedures for each category of inspection as of the mid-point of the reporting period               |



|  |                                |  |   |  |
|--|--------------------------------|--|---|--|
|  | Inspection reports             | % inspections in which the FBO was issued with an inspection report  | Agency inspection records   | (i) number of inspections completed in the reporting period (ii) number of inspection reports issued to FBOs in the reporting period   |
|  | Audit results                  | average number of corrective actions per FSAI audit  | FSAI records  | (i) number of FSAI audits of specific agency within the reporting period (ii) number of corrective actions identified for each audit within the reporting period.  |
| Coordinated and consistent enforcement of food legislation               | Consistency of controls        | %respondents rating consistency of controls as 'good' or better  | Representative survey of FBOs registered by each Agency starting with multi-site FBOs | If question is to be directed at multi-site FBOs there is a need for each register to enable identification of multi-site FBOs and a lead contact for each FBO.  |
|  | Consistency programme delivery | Details of the completion status of each of the agreed actions in the consistency programme codified in the agency annual work programme agreed under the service contract | Agency management information   | (i) records of the specific actions agreed with the FSAI in the annual work programme for the reporting period and (ii) information on whether they have been completed, with a short commentary on each item  |
| Ensure delivery of an effective and efficient food safety control system | Share of high risk FBOs        | % approved / registered FBOs that fall into the 'high risk' category, based on use of risk categorisation that takes account of FBO product, process and practice          | Agency inspection records / FBO register  | (i) FBOs that are classified as 'high' risk (ii) total number of FBOs on the register.<br><br>NB ideally, the Official Agencies should be able to record the classification of FBO risk management practice (e.g. high/medium/low). The indicator could focus on this aspect only (i.e. the controllable aspect of risk, for any given product/process). |
|  | Confidence in the system       | Responses to survey question about stakeholder confidence in the arrangements in place in Ireland that ensure food is safe   | Consumer / FBO / Staff surveys  | Analysis of survey results   |



| (e.g. % answering 'high' or better on Likert scale) |  |                               |  |
|---|--|-------------------------------|--|
| Capacity deployed                                   | % planned inspection effort (staff resources) deployed   | Agency management information | (i) number of FTE of inspection staff effort specified for the reporting period in the agency annual work programme as agreed under the service contract (ii) number of staff (on FTE basis) deployed on activities in scope within the reporting period |
| Data delivery                                       | % required inspection data available to FSAI.  | FSAI records                  | (i) schedule of data requirements agreed by FSAI with agencies (ii) records of data submissions to FSAI  |
| Effectiveness programme delivery                    | Details of the completion status of each of the agreed actions in the consistency programme codified in the agency annual work programme agreed under the service contract | Agency management information | (i) Records of the specific actions agreed with the FSAI in the annual work programme for the reporting period and (ii) information on whether they have been completed, with a short commentary on each item  |

\* Data used to generate indicators need to be reportable at diverse levels including sectoral, business type and regional data.

## Annex 3 Scope of official controls for each official agency

This study is concerned with the implementation and management of official food controls only. It excludes official controls related to feed or on farm control activities. The set of official controls for which each official agency is responsible are detailed below.

### A3.1 DAFM

The service contract between the FSAI and DAFM states that DAFM will 'carry out official controls on food products of animal origin and non-animal origin during slaughtering, manufacturing, processing, import, distribution and wholesale (and at retail level for compliance with marketing standards) to ensure compliance by food business operators with the Food Legislation and other legislation as agreed.'

This involves official controls (verification, inspection, audit, sampling and analysis, monitoring and surveillance) for meat and meat products, milk and milk products, eggs and egg products, honey, organic foods, residues, food of non-animal origin and zoonoses.

As part of its responsibilities, DAFM is responsible for:

- Determining compliance with food legislation through:
  - Inspection, approval, licensing and/or registration of premises and equipment, including premises or equipment used in connection with the manufacture, processing, disposal, transport and storage of food;
  - Inspection, sampling and analysis of food, including food ingredients; and
  - Inspection and analysis of food labelling.
- The provision of food safety and food hygiene information to producers, manufacturers and distributors.

DAFM is responsible for the provision of official food control inspection services in the following areas:

- meat and meat products;
- milk and milk products;
- egg and egg products;
- import controls of food of animal origin;
- organic food and horticulture and plant health products; and
- honey.

DAFM is also responsible for the provision of laboratory services (National Reference Laboratories), the National Pesticide Residue Monitoring Programme, and the National Residue Monitoring Programme.

### A3.2 HSE

The service contract between the FSAI and the HSE specifies that the HSE is responsible for the following:

- The inspection, registration and / or approval of establishments and equipment, including establishments or equipment used in connection with the retail, catering, manufacture, processing, disposal, transport and storage of food.
- The inspection and sampling of food including food ingredients.
- The assessment of water after the point of compliance referred to in Article 6 of Directive 98/83/EC.
- The inspection and examination of food labelling.

- Official control microbiological and chemical sampling.
- Food safety laboratory services.

### A3.3 Local Authority Veterinary Inspectors / City and County Managers

The service contracts between the FSAI and local authorities state that local authorities are responsible for the following:

- The determination of compliance with food legislation by means of:
  - The inspection, approval, licensing and/or registration of premises and equipment, including premises or equipment used in connection with the manufacture, processing, disposal, transport and storage of food.
  - The inspection, sampling and analysis of food, including food ingredients.
  - The inspection and analysis of food labelling.
- The provision of food safety and food hygiene education to producers, manufacturers, distributors, retailers and caterers.

This includes conducting official controls on food products of animal origin during slaughtering, manufacturing, processing, import, distribution and wholesale to ensure compliance by food business operators with the food legislation and other legislation as agreed.

Local authorities are responsible for maintaining dedicated contact points for the receipt of food alerts and exchange of information relating to food borne outbreaks and incidents. Local authorities must also co-operate in the investigation of incidents.

Local authorities are also responsible for official controls related to illegal slaughter, sampling under the National Residue Control Programme, and other sampling as required by food legislation.

### A3.4 SFPA

The service contract between the FSAI and the SFPA specifies that the SFPA is responsible for:

- The inspection, approval, and registration of establishments and equipment, including premises or equipment used in connection with the manufacture, processing, disposal, transport and storage of food;
- The inspection, sampling and analysis of food, including food ingredients;
- Ensuring veterinary checks are carried out on such imports and consignments as required by the relevant legislation;
- Labelling checks;
- The verification of compliance with potable water requirements;
- The provision of food safety and food hygiene information to producers, manufacturers and distributors;
- The management and supervision, in accordance with agreed protocols or Codes of Practice:
  - molluscan production and relaying areas, including compliance with the codes of practice on monitoring of marine biotoxins in bivalve molluscs ,and, microbiological monitoring of bivalve mollusc production areas
  - the inspection of finfish aquaculture installations
  - purification plants and dispatch centres
  - fishing vessels
  - auction centres and wholesale markets
  - processing establishments
  - ice plants
  - storage
  - transport
  - third country imports and border inspection posts

## Annex 4 Mapping of the official control system

This annex describes the steps undertaken to map the Irish official control system against the requirements of Regulation (EC) No 882/2004.

The purpose of the mapping exercise was to clarify the various regulatory requirements of Regulation (EC) No 882/2004 and by doing so identify the requirements that are likely to be important to the assessment of the efficacy/effectiveness and efficiency of the Irish official control system.

Figure A4.1 provides a diagrammatic summary of the stages involved in the mapping task, which are explained step-by-step in the sections that follow.

### A4.1 Process of mapping the official control system

The official control system was mapped in five stages, each of which is described in detail below.

#### *Classify requirements of Regulation (EC) No 882/2004*

The first stage of the mapping task was to review Regulation (EC) No 882/2004 (hereinafter referred to as 'the Regulation') and classify its various requirements, which are set out in the articles of the Regulation, into strategic, tactical and operational 'system-levels':

- **Strategic:** The scope and objectives of the system.
- **Tactical:** The relationships between the various organisations involved in the official control system.
- **Operational:** The rules governing the operating practices of the official control system.

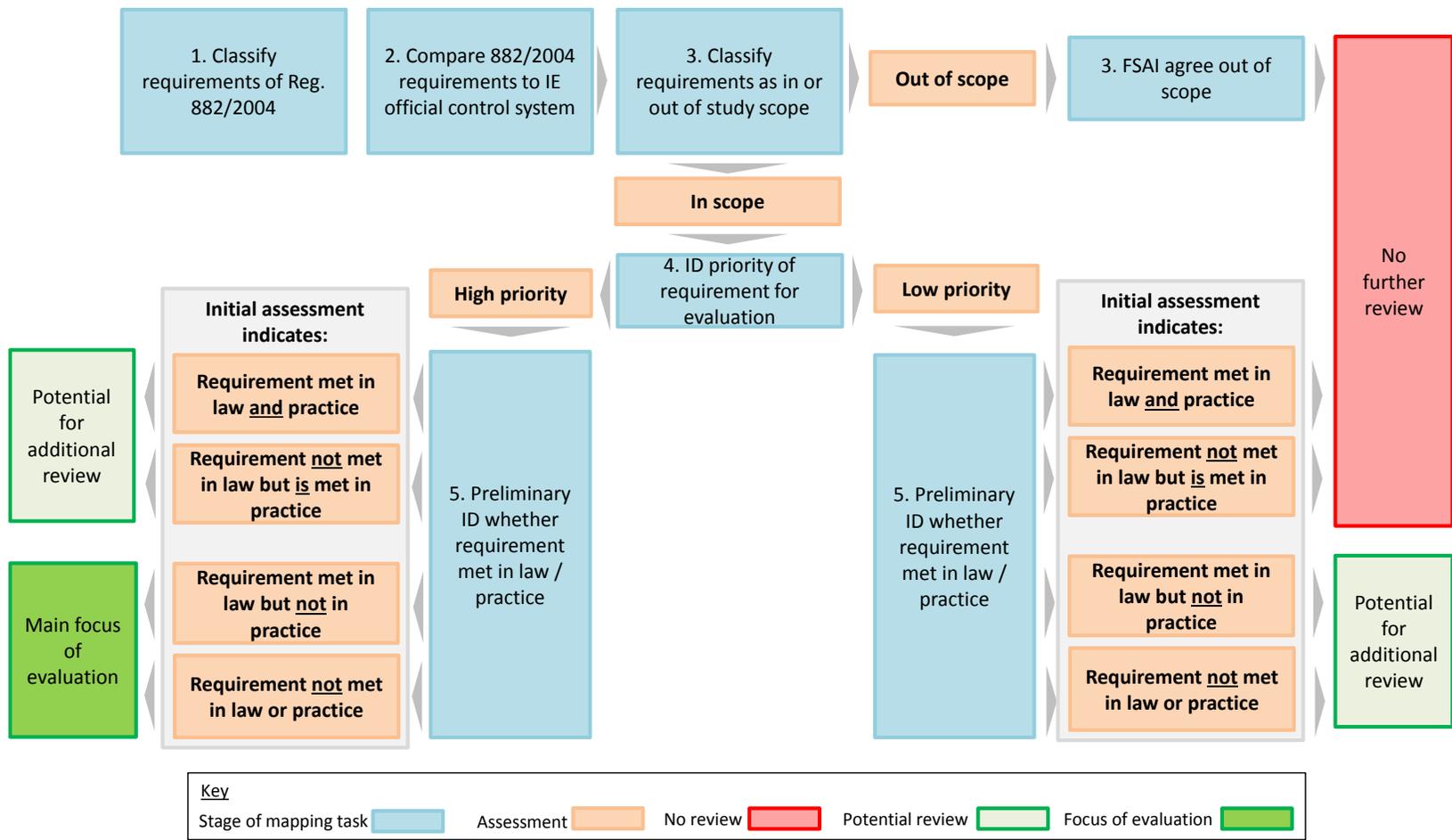
Tactical and operational system-levels were divided into sub-categories as per Table A4.1.

**Table A4.1 Tactical and operational system-levels are broken down into several sub-categories**

| System level                      | Description   |
|-----------------------------------|---|
| Requirements and responsibilities | Requirements and responsibilities of the FSAI and its official agencies with respect to performing official controls.   |
| Performance management            | Information and processes that provide information on the performance and effectiveness of the official controls system.  |
| Legal powers                      | Legal powers designated to the FSAI and its official agencies.  |
| People and skills                 | Capabilities and capacity of staff performing official controls.  |
| Contingency                       | Plans and processes to deal with unexpected food safety incidents.  |
| Financing                         | Information and processes related to the financing of official controls.  |
| Enforcement                       | Information and processes related to enforcing official controls.   |
| Imports                           | Requirements and responsibilities of the FSAI and its official agencies with respect to performing official controls on products imported from third countries. |



Figure A4.1 Summary diagram of the steps undertaken during the mapping task



### ***Compare requirements of Regulation (EC) No 882/2004 to requirements of Irish official control system***

The second stage of the mapping task was to compare the provisions of the FSAI Act 1998 and official agency service contracts with the requirements of the Regulation.

The FSAI Act and service contracts were reviewed to determine which sections of the Act meet specific requirements of the Regulation. Relevant sections of the Act or service contract are included in the row that corresponds with requirements of the Regulation. Coloured shading was used to categorise the information extracted from the Act and the service contracts. The categories and colours are described in Table A4.2.

**Table A4.2 Categories assigned to provisions of FSAI Act and service contracts related to requirements of the Regulation**

| Categories   | Colour applied |
|--|----------------|
| Requirement not covered by FSAI Act or service contracts   |                |
| Not a requirement for competent authorities: no need for FSAI Act / service contract to address requirement. |                |
| Requirement partially covered by FSAI Act and/or service contracts   |                |
| Requirement covered entirely by FSAI Act / service contracts   |                |

### ***Classify requirements as in or out of study scope***

The third stage of the mapping task involved specifying whether the requirements of the Regulation are in or out of scope of the evaluation.

Requirements were considered to be out of scope if they related to feed or surveillance sampling. Regulation (EC) No 882/2004 requirements that are out of scope will be excluded from the evaluation.

### ***Identify priority of requirement for evaluation***

The fourth stage of the mapping task was to assess whether requirements of the Regulation and the related provisions in the FSAI Act and service contracts are likely to be of high or low priority during the evaluation.

The purpose of this step was to identify the requirements that are most likely to influence effectiveness and efficiency of the Irish official control system.

Many of the requirements included in the Regulation are unlikely to have a significant impact on the effectiveness or efficiency of the official control system, or may be more comprehensively addressed by another requirement. For example, Article 4 of the Regulation requires that Member States designate the competent authorities responsible for official controls. This is a straightforward requirement that is met by the designation of the FSAI as the central competent authority in the FSAI Act. It is unlikely that this requirement of the Regulation has significant influence on the effectiveness of the official control system in Ireland. In contrast, other requirements of the Regulation are likely to have an important role in the effectiveness of the Irish official control system. For example, Article 6 of the Regulation requires CAs to ensure that staff members performing official controls receive appropriate training. Having these training needs met will be important to the efficacy/effectiveness of the system and was therefore a high priority for the evaluation.

### ***Preliminary identification of whether the requirement is met in law or practice***

The fifth stage of the mapping task involved assessing whether the requirements of the Regulation are met in law and practice:

- **Law:** the requirements of the Regulation are met by specific provisions of the FSAI Act and / or the service contracts.

- **Practice:** the requirements of the Regulation are met by the activities of the FSAI and its official agencies.

The assessment of whether a requirement of the Regulation is met in practice used the information provided to ICF GHK by the FSAI and also information available on the FSAI website, such as the audits of official agencies conducted by the FSAI. The assessment of whether a requirement of the Regulation is met in law involved reviewing the FSAI Act and service contracts. The output of the assessment (which is included in Table A4.4) is a shortlist of requirements that were the main focus of the evaluation.

Table A4.3 describes the decision process of whether a requirement was excluded from the evaluation, potentially included for additional review, or scheduled to be the main focus of the evaluation.

**Table A4.3 Initial assessment of whether a requirement of the Regulation is included in the evaluation**

| Priority of requirement   | Evidence suggests that requirement is met in: |          | Implications for evaluation  |
|---------------------------|---|----------|--|
|                           | Law   | Practice |  |
| Low priority requirement  | ✓   | ✓        | <u>No further review</u>   |
|                           | x   | ✓        | The requirement was carried forward for further evaluation.                            |
|                           | ✓   | x        | <u>Potential for additional review</u>   |
|                           | x   | x        | The requirement could be included to some degree in the next stages of the evaluation. |
| High priority requirement | ✓   | ✓        | <u>Potential for additional review</u>   |
|                           | x   | ✓        | The requirement could be included to some degree in the next stages of the evaluation. |
|                           | ✓   | x        | <u>Main focus of evaluation</u>  |
|                           | x   | x        | The requirement formed the focus of the stakeholder consultation and further research. |

## A4.2 Initial output of the mapping task

The list of high priority topics for the evaluation identified through the process described above is provided in Table A4.4.



**Table A4.4 Priority review topics and evidence**

| 882 requirement   | Art | Law     | Practice | Note  |
|---|-----|---------|----------|---|
| CAs shall ensure the effectiveness, appropriateness, impartiality, quality and consistency of official controls on live animals, [feed] and food at all stages of production, processing and distribution, [and on the use of feed] | 4   | Partial | Partial  | [To be answered by evaluation of requirements below]  |
| CAs should ensure that they have the legal powers to carry out official controls and that business operators are obliged to undergo controls and assist CAs' staff  | 4   | Yes     | Partial  | Legal powers relating to FBOs appear to be sufficient.<br><br>Section 48 (12) includes provisions that give the FSAI the authority to take necessary 'arrangements' if an official agency fails to discharge its contracted obligations, however it is not clear what is done in practice.  |
| CAs shall have procedures in place to verify the effectiveness of official controls that they carry out   | 8   | No      | Partial  | Procedures to verify effectiveness not identified at this stage.<br><br>Initial research indicates that the information provided to the FSAI by the official agencies may be insufficient to determine effectiveness. The data provided does not relate to the full range of 882/2004 requirements, for example, it does not enable the FSAI to determine if inspections are being conducted on a risk-basis.<br><br>The official control system data provided to ICF GHK is very high level and does not facilitate analysis of effectiveness. A review of official agency work plans suggests that data collected by the official agencies may help assess effectiveness. |
| Appropriate procedures should be available for the cooperation of the CAs in and between the MS   | 4   | Yes     | Partial  | The service contracts include details of meetings and networks that the official agencies and FSAI will participate in. But information identified at this stage does not indicate whether such procedures are appropriate or sufficient.   |
| Efficient coordination should be ensured between the different units in charge of official controls within CAs  | 4   | No      | Partial  | While coordination procedures between official agencies and the FSAI are described in the service contracts, it is not clear whether the coordination is efficient.<br><br>Information about what coordination is happening between official agencies has not been identified at this stage.  |



| 882 requirement  | Art | Law | Practice | Note  |
|--|-----|-----|----------|---|
| When a MS confers the competence to carry out OCs on an authority...in particular those at regional or local level, efficient and effective coordination shall be ensured between all the CAs involved   | 5   | Yes | Partial  | Delegated tasks with respect to inspection activity are generally well described. Description of responsibilities with respect to (SMART) objectives, targets, and associated data reporting are not comprehensively described.<br><br>Investigate potential occurrence of multiple FBO inspections   |
| There should be an accurate description of delegated tasks   | 5   | Yes | Partial  | The delegated tasks with respect to inspection activity are generally well described but tasks related to data reporting, are less well defined.  |
| CAs should possess adequate facilities and equipment to carry out their duties properly  | 4   | No  | No       | Initial research suggests that the facilities and equipment necessary to conduct some official controls may be lacking. For example, an FSAI audit of the HSE found that the facilities for official controls at Dublin Airport are not at the required standard for a DPE (with respect to inspections of imported FNAO).  |
| Member States should designate the CAs responsible for official controls   | 4   | Yes | Yes      | The service contracts include a requirement for the official agencies to cooperate with additional inspections and activities as necessary. The audits conducted by the FSAI are evidence that official agencies and FSAI are conducting additional inspections.  |
| Control bodies must have a sufficient number of suitably qualified and experienced staff   | 4   | Yes | No       | The 'sufficient' number of staff is not defined. Trends in staffing levels at official agencies suggest that staffing levels may be insufficient. Evidence of the qualifications and expertise of staff has not been identified, but the increase in the number of retirements suggests that expertise may be leaving the official control system.<br><br>Retirement of inspectors raised during inception meeting, and also an issue across the public sector. |
| CAs should ensure that staff performing official controls receive, for their area of competence, appropriate training covering the areas listed in Annex II of the Regulation, such as control techniques and procedures and food [and feed] law | 6   | Yes | TBD      | No evidence identified related to training covering areas listed in Annex II of the Regulation.   |



| 882 requirement  | Art | Law     | Practice | Note  |
|--|-----|---------|----------|---|
| CAs should ensure that staff performing official controls keep up to date in their area of competence and receive regular additional training as necessary   | 6   | Yes     | No       | An FSAI audit of HSE activity related to inspections of imported FNAO found that there was no national training plan or regular information exchange for food safety import controls. An FSAI audit of HSE activity related to high risk groups also identified issues related to training of control staff.<br><br>FSAI audits of DAFM and SFPA did not review training in detail. FSAI audits of local authorities suggest that training of LA staff is adequate.   |
| CAs should ensure that staff performing official controls have aptitude for multidisciplinary cooperation  | 6   | No      | TBD      | No evidence on this point identified at this stage.   |
| Official controls should be carried out regularly, on a risk basis and with appropriate frequency so as to achieve the objectives of the Regulation  | 3   | Yes     | No       | FSAI audit of SFPA activities found that inspections were not occurring on a risk-basis. FSAI audit of HSE with respect to FNAO import controls found that there are no documented procedures in place to identify how consignments for routine official controls are selected (i.e. evidence that a risk-based approach is applied). FSAI audit of HSE activity related to FBOs serving high-risk groups found that FSAI Guidance Note 1 is not implemented in full (with implications for inspections of lower risk FBOs).<br><br>Data reported by official agencies to FSAI does not enable FSAI to determine whether a risk-based approach to inspections is implemented in practice. Inspection results are not reported by risk-rating category for FBOs. |
| Official controls should take into account:<br>– identified risks<br>– the use of [feed] or food or any process, material, substance, activity or operation that may influence [feed] or food safety, animal health or animal welfare<br>– [feed] or food business operators' past record<br>– the reliability of any own checks<br>– any information that might indicate non-compliance | 3   | Partial | Partial  | FSAI Guidance Note 1 describes the information which should be taken into account to determine control frequency and basis. The FSAI audit of HSE activity with respect to FBOs serving high-risk population groups found that the guidance note was not being followed in full.<br><br>No evidence regarding how DAFM and LAs determine control frequency and basis has been identified at this stage. The basis for control frequency by SFPA is specified in the service contract.   |
| The CA shall draw up reports on the official controls that it has carried out.   | 9   | Yes     | Partial  | FSAI publish annual reports about control activity but the most recent report published is for 2010.  |



| 882 requirement   | Art | Law | Practice | Note  |
|---|-----|-----|----------|---|
|   |     |     |          | Reports prepared by official agencies about official controls carried out not identified at this stage.   |
| These reports shall include a description of the purpose of the official controls, the control methods applied, the results of the official controls and, where appropriate, action that the business operator concerned is to take | 9   | Yes | Partial  | The FSAI annual reports include a description of the purpose of the official controls, the control methods applied, and the results of the official controls.<br><br>Reports which are provided to FBOs have not been identified at this stage.   |
| The CA shall provide the business operator concerned with a copy of the report on official controls, at least in case of non-compliance   | 9   | Yes | TBD      | No evidence that this happens in practice; initial indication is that it may not happen all the time.   |
| CAs shall carry out internal audits or may have external audits carried out, and shall take appropriate measures in the light of their results, to ensure that they are achieving the objectives of the Regulation.                 | 4   | Yes | TBD      | Internal audits of FSAI and official agencies not identified at this stage. External audits of the official agencies are undertaken by the FSAI. No external audits of the FSAI identified.   |
| These audits shall be subject to independent scrutiny and shall be carried out in a transparent manner.   | 4   | Yes | TBD      | Internal audits of FSAI and official agencies not identified at this stage. External audits of the official agencies are undertaken by the FSAI. No external audits of the FSAI identified.   |
| The sanctions provided for must be effective, proportionate and dissuasive.   | 55  | No  | TBD      | Evidence identified to date is insufficient to determine whether sanctions are effective, proportionate and dissuasive.   |
| CAs shall have procedures in place to ensure that corrective action is taken when needed and that the documentation on the procedures adopted is updated as appropriate   | 8   | No  | No       | Procedures to verify effectiveness not identified at this stage.<br><br>Initial research indicates that the information provided to the FSAI by the official agencies may be insufficient to determine effectiveness. The data provided does not relate to the full range of 882/2004 requirements, for example, it does not enable the FSAI to determine if inspections are being conducted on a risk-basis.<br><br>The official control system data provided to ICF GHK is very high level and does not facilitate analysis of effectiveness. A review of official agency work plans suggests that data collected by the official agencies may help assess effectiveness. |



| 882 requirement   | Art | Law     | Practice | Note   |
|---|-----|---------|----------|--|
| CAs shall carry out official controls in accordance with documented procedures.                                 | 8   | Yes     | Yes      | FSAI indicated that official controls carried out in accordance with document procedures.  |
| CAs must maintain an up to date register of approved FBOs   | 31  | Yes     | Partial  | Register may not cover all FBOs  |
| Registered and approved FBOs must demonstrate that they comply with relevant requirements of food law.          | 31  | Yes     | Yes      | Official agencies inspect FBOs. During inspections FBOs must demonstrate compliance with official controls.  |
| FBOs approval will be withdrawn if they do not comply with relevant requirements of food law                    | 31  | Yes     | TBD      | Assumed that approval is withdrawn but no evidence identified.   |
| When the CA identifies non-compliance, it shall take action to ensure that the operator remedies the situation. | 54  | Partial | TBD      | Not clear if DAFM is using enforcement mechanisms available under FSAI Act.  |
| MS shall draw up operational contingency plans for crisis management.   | 13  | Yes     | TBD      | Contingency plans not seen but assumed to be happening in practice.  |
| Staff should be free from any conflict of interest  | 4   | No      | Partial  | Potential issue with conflict of DAFM staff. However conflicts relating to specific staff have not been identified.  |
| CAs should ensure the confidentiality of information covered by professional secrecy                            | 7   | Partial | TBD      | No evidence to suggest that there are issues related to the disclosure of confidential information.  |
| CAs shall ensure that they carry out their activities with a high level of transparency                         | 7   | Yes     | No       | <p>The level of information shared by official agencies with FSAI does not provide a high level of transparency about the performance of official controls. For example, number of inspectors is reported nationally, number of inspections per inspector is reported regionally, and number of FBOs is reported by business type.</p> <p>DAFM's use of alternative enforcement measures outside the FSAI Act, which are not made public, suggests that there may be issues related to transparency in some areas of the official controls system.</p> |



| 882 requirement   | Art | Law     | Practice | Note   |
|---|-----|---------|----------|--|
|   |     |         |          | Official agencies' annual work plans suggests that additional information about the performance of official controls may be available and could be used to improve the transparency of the official control system.  |
| Relevant information shall be made available to the public as soon as possible  | 7   | Partial | No       | Information made available to the public appears to be very limited. It is likely that more information could be made available.<br><br>Annual work plans include additional information that could potentially be shared.<br><br>Unclear whether information is made available 'as soon as possible'.   |
| Information on the control activities of CAs and on their effectiveness should be made available to the public  | 7   | Partial | No       | Information made available to the public appears to be very limited. It is likely that more information could be made available.   |
| Where there are reasonable grounds to suspect that a food [or feed] may present a risk for human or animal health, then, depending on the nature, seriousness and extent of that risk, public authorities shall take appropriate steps to inform the general public of the nature of the risk to health   | 7   | Partial | TBD      |  |
| MS shall ensure that adequate financial resources are available to provide the necessary staff and other resources for official controls by whatever means considered appropriate, including through general taxation or by establishing fees or charges.   | 26  | Partial | Partial  | Definition of 'adequate' financial resources not identified. Section 21 of the Act only provides the FSAI with the legal power to levy charges and fees.<br><br>Evidence of how controls are funded, or what they cost, has not been identified at this stage. Pressure on public budgets suggests that financial resources for controls are likely to be constrained. |
| When the detection of non-compliance leads to official controls that exceed the CA's normal control activities, the CA shall charge the operators responsible for the non-compliance, or may charge the operator owning or keeping the goods at the time when the additional official controls are carried out, for the expenses arising from the additional official controls. | 28  | No      | TBD      | Not clear what fees are levied.  |

## Annex 5 Priority issues for evaluation with reference to legislative requirements

### A5.1 Control activity implementation and verification

#### A5.1.1 Control activity implementation

Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency. It also specifies what official controls should take into account and indicates that competent authorities (CAs) should undertake official controls in accordance with documented procedures. The specific requirements of the Regulation are set out in Table A5.1.

**Table A5.1 Control activity implementation requirements under EU legislation**

| 882 Requirement   | Article |
|---|---------|
| Official controls should be carried out regularly, on a risk basis and with appropriate frequency so as to achieve the objectives of the Regulation   | 3       |
| Official controls should take into account: <ul style="list-style-type: none"> <li>– identified risks</li> <li>– the use of [feed or] food or any process, material, substance, activity or operation that may influence [feed or] food safety, animal health or animal welfare</li> <li>– [feed or] food business operators' past record</li> <li>– the reliability of any own checks</li> <li>– any information that might indicate non-compliance</li> </ul> | 3       |
| There should be an accurate description of delegated tasks  | 5       |
| CAs shall carry out official controls in accordance with documented procedures.   | 8       |

#### A5.1.2 Control activity verification

Official controls activities under Regulation (EC) No 882/2004 should be checked by internal or external audits and these audits should be subject to independent scrutiny. Competent authorities should have procedures in place to verify the effectiveness of the controls and ensure that audits achieve their objectives. The specific requirements of the Regulation are set out in Table A5.2.

**Table A5.2 Control activity verification requirements under EU legislation**

| 882 Requirement   | Art |
|---|-----|
| CAs shall carry out internal audits or may have external audits carried out, and shall take appropriate measures in the light of their results, to ensure that they are achieving the objectives of the Regulation. | 4   |
| These audits shall be subject to independent scrutiny and shall be carried out in a transparent manner.   | 4   |
| CAs shall have procedures in place to verify the effectiveness of official controls that they carry out.  | 8   |

### A5.2 Enforcement

Competent authorities are required under Regulation (EC) 882/2004 to ensure that they have the legal powers to carry out official controls and that business operators are required to undergo controls. Sufficient enforcement mechanisms must be in place to ensure that corrective action is taken in situations of non-compliance, that there is a charge to the FBO to undertake the corrective actions, and that sanctions provided must be effective, proportionate and dissuasive. The specific requirements of the Regulation are set out in Table A5.3.

**Table A5.3 Enforcement requirements under EU legislation**

| 882 Requirement   | Article |
|---|---------|
| CAs should ensure that they have the legal powers to carry out official controls and that business operators are obliged to undergo controls and assist CAs' staff in the accomplishment of their tasks.  | 4       |
| CAs shall have procedures in place to ensure that corrective action is taken when needed and that the documentation on the procedures adopted is updated as appropriate.  | 8       |
| When the detection of non-compliance leads to official controls that exceed the CA's normal control activities, the CA shall charge the operators responsible for the non-compliance, or may charge the operator owning or keeping the goods at the time when the additional official controls are carried out, for the expenses arising from the additional official controls. | 28      |
| FBOs approval will be withdrawn if they do not comply with relevant requirements of food law.   | 31      |
| When the CA identifies non-compliance, it shall take action to ensure that the operator remedies the situation.   | 54      |
| The sanctions provided for must be effective, proportionate and dissuasive.   | 55      |

## A5.3 Reporting and transparency

### A5.3.1 Reporting

Regulation (EC) No 882/2004 requires competent authorities to maintain an up to date register of approved FBOs; those FBOs must demonstrate compliance with relevant food law requirements. Competent authorities must also report on the control activities undertaken. Each FBO should be provided with a copy of the control activity report relating to that business. The specific requirements of the Regulation are set out in Table A5.4.

**Table A5.4 Reporting requirements under EU legislation**

| 882 Requirement  | Article |
|--|---------|
| The CA shall draw up reports on the official controls that it has carried out.   | 9       |
| These reports shall include a description of the purpose of the official controls, the control methods applied, the results of the official controls and, where appropriate, action that the business operator concerned is to take. | 9       |
| The CA shall provide the business operator concerned with a copy of the report on official controls, at least in case of non-compliance.   | 9       |
| CAs must maintain an up to date register of approved FBOs.   | 31      |
| Registered and approved FBOs must demonstrate that they comply with relevant requirements of food law.   | 31      |

### A5.3.2 Transparency

Regulation (EC) No 882/2004 sets out requirements related to system transparency, including the processes used by inspectors to carry out control activities and the provision of information to the public as detailed in Table A5.5.

**Table A5.5 Transparency requirements under EU legislation**

| 882 Requirement  | Art |
|--|-----|
| CAs shall ensure that they carry out their activities with a high level of transparency.   | 7   |
| Relevant information shall be made available to the public as soon as possible.  | 7   |
| Information on the control activities of CAs and on their effectiveness should be made available to the public.  | 7   |
| Where there are reasonable grounds to suspect that a food [or feed] may present a risk for human or animal health, then, depending on the nature, seriousness and extent of that risk, public authorities shall take appropriate steps to inform the general public of the nature of the risk to health. | 7   |

#### A5.4 Roles and responsibilities

Regulation (EC) No 882/2004 lays down certain requirements with regard to the designation of competent authorities and the cooperation of authorities within, as well as between Member States. Member States should also have contingency plans in place for crisis management.

Staff and control bodies performing official control activities should be free from any conflict of interest.<sup>31</sup> It is silent on how Member States should manage potential institutional conflicts of interest that may arise within competent authorities (e.g. by virtue of them having other duties and powers alongside their obligations under Regulation (EC) No. 882/2004).the specific requirements of the Regulation are set out in Table A5.6.

**Table A5.6 FBO crisis management / contingency planning requirements under EU legislation**

| 882 Requirement   | Article |
|---|---------|
| Member States should designate the CAs responsible for official controls.   | 4       |
| Appropriate procedures should be available for the cooperation of the CAs in and between the MS.  | 4       |
| Efficient coordination should be ensured between the different units in charge of official controls within CAs.   | 4       |
| Staff should be free from any conflict of interest  | 4       |
| When a MS confers the competence to carry out OCs on an authority...in particular those at regional or local level, efficient and effective coordination shall be ensured between all the CAs involved. | 5       |
| MS shall draw up operational contingency plans for crisis management.   | 13      |

#### A5.5 Staff resources and expertise

Regulation (EC) No 882/2004 requires the control bodies to have a sufficient number of qualified staff to undertake control activities. This includes provision of training to control staff. The specific requirements of the Regulation are set out in Table A5.7.

<sup>31</sup> A control body is an independent third party to which the competent authority has delegated certain control tasks.

**Table A5.7 Staff resources and expertise requirements under EU legislation**

| <b>882 Requirement</b>  | <b>Art</b> |
|---|------------|
| Competent authorities must have a sufficient number of suitably qualified and experienced staff.  | 4          |
| CAs should ensure that staff performing official controls receive, for their area of competence, appropriate training covering the areas listed in Annex II of the Regulation, such as control techniques and procedures and food [and feed] law.         | 6          |
| CAs should ensure that staff performing official controls keep up to date in their area of competence and receive regular additional training as necessary.   | 6          |
| CAs should ensure that staff performing official controls have aptitude for multidisciplinary cooperation.  | 6          |
| MS shall ensure that adequate financial resources are available to provide the necessary staff and other resources for official controls by whatever means considered appropriate, including through general taxation or by establishing fees or charges. | 26         |

## Annex 6 Control activity prioritisation

This annex describes the procedures followed by each official agency to assign FBO establishments a risk category and inspection frequency.

### A6.1 DAFM

The procedures employed by DAFM to prioritise dairy controls are described in SOP 24 (Rev. 3)<sup>32, 33</sup>. The SOP is intended for DAFM inspectors conducting planned inspections of establishments which collect, handle or process raw milk, dairy products and composite products. The procedures relate to inspections of infrastructure and equipment, and audits of risk management systems. Inspections are unannounced while audits are scheduled with the FBO.

DAFM assess FBO establishments on an annual basis to determine its risk category and inspection frequency. The assessment is based on a number of parameters:

- Type of product.
- Type of process.
- Throughput / handling of product.
- Level of compliance with previous official controls.
- Reliability of FBO's own controls.

Each parameter includes a number of sub-parameters, each of which is designated as low, medium or high risk. Each sub-parameter is weighted, and an establishment's risk category is determined based on the sum of the risk level assigned to each sub-parameter.

**Table A6.1 DAFM dairy risk categories and inspection frequencies**

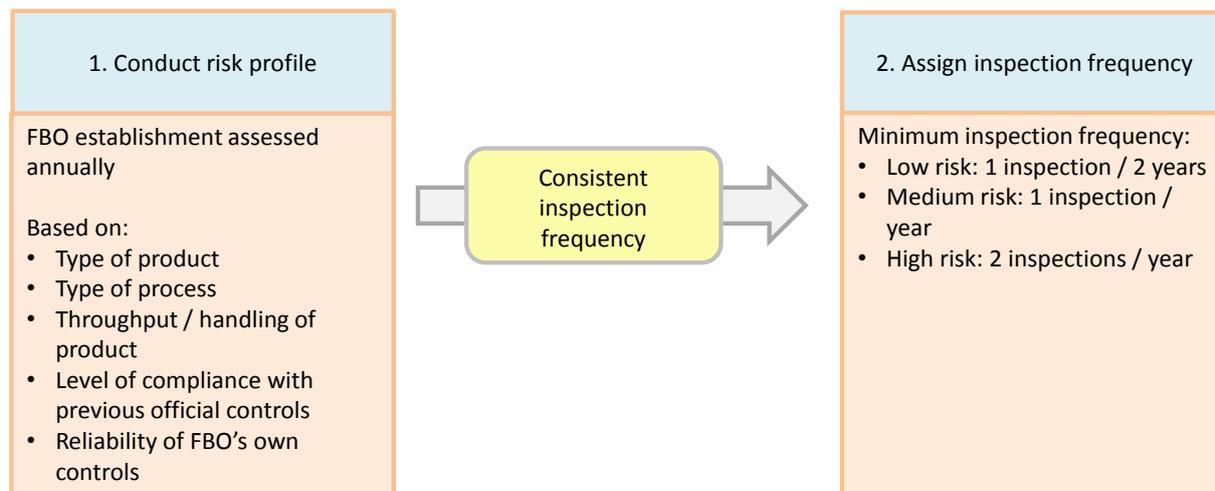
| Risk category | Score   | Minimum inspection frequency           |
|---------------|---------|--|
| Low           | <50     | 1 planned control per 2 calendar years |
| Medium        | ≥50 ≤70 | 1 planned control per calendar year    |
| High          | >70     | 2 planned controls per calendar year   |

Source: DAFM, 2011

<sup>32</sup> DAFM, 2011. SOP 24 Revision 3.

<sup>33</sup> Similar procedures exist within other DAFM divisions to assign establishments a risk category.

**Figure A6.1** Prioritisation of planned dairy inspections by DAFM



Source: ICF

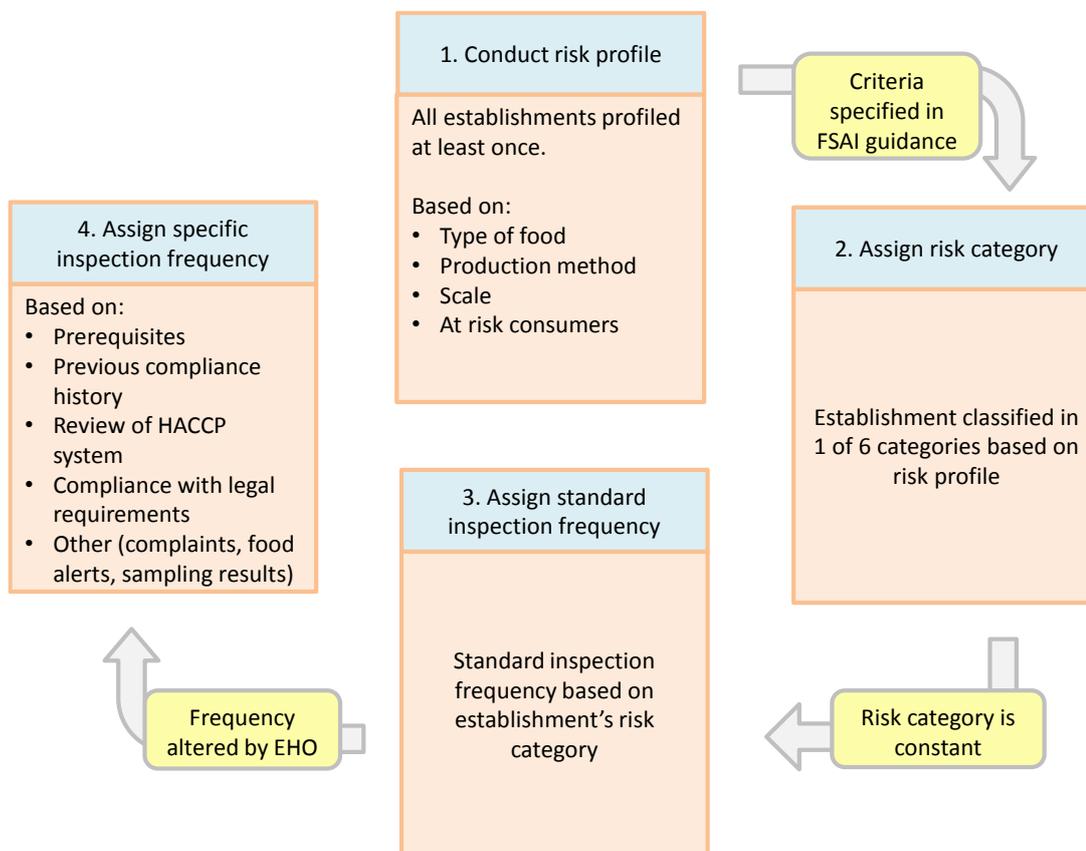
## A6.2 HSE

The approach to risk-based controls undertaken by the HSE is described in FSAI Guidance Note 1 (FSAI, 2011). The guidance is intended for environmental health officers (EHOs) of the HSE conducting inspections of FBOs to verify compliance with relevant food law. The guidance sets out the process HSE inspectors should follow when determining an FBO's appropriate risk category, and determining the appropriate inspection frequency for each risk-categorised FBO.

The process undertaken by the HSE to categorise establishments in terms of food safety risk is based on the type of food handled, processed or manufactured at the establishment. An establishment's risk category changes only if the type of food handled, processed or manufactured changes. The risk management controls and procedures implemented by a FBO change the frequency at which an establishment is inspected rather than the risk assigned category.

The four steps followed by EHOs to prioritise inspections are described below and summarised in Figure A6.2. The process described informs the prioritisation of planned inspections only. Reactive inspections of FBOs where non-compliances are identified, or are likely to pose a risk to public health, are prioritised over scheduled inspections and are not included in the description below.

**Figure A6.2** Prioritisation of planned inspections by the HSE



Source: ICF

### A6.2.2 Prioritisation of planned inspections by HSE

#### Conduct a risk profile

FBOs are required to notify the HSE of each establishment under their control, and the HSE maintains a register of these establishments. The register of establishments is used to organise the official control inspection programme undertaken by the HSE.

A risk profile is conducted once for each establishment, unless the nature and extent of the food business changes. Whether the nature and extent of the food business has changed is assessed during each inspection.

The risk profile is based on the following:

- Type of food handled / processed / manufactured.
- Method of handling / processing / manufacturing.
- Scale of the operation.
- At risk consumers.

#### Assign a risk category

During the risk profiling the EHO assesses the establishment against a set list of criteria included in Annex 1 of the FSAI guidance (FSAI, 2011), and assigns a number of points to each criterion. Those establishments with the most points are categorised as the posing the highest risk. The risk categories range from 1 to 6, in descending order of risk.

### Assign a standard inspection frequency

There is a standard inspection frequency for each of the 6 risk categories. Establishments in the highest risk category (category 1) should be inspected every six months, while those in the low risk category (category 6) are inspected as deemed appropriate by the responsible EHO.

### Assign an establishment-specific inspection frequency

During the risk assessment the EHO considers whether a deviation from the standard inspection frequency should be applied to an establishment. The decision about inspection frequency takes account of, for example, previous compliance history, the EHO's confidence in the establishment's food safety management system, and any information that might indicate non-compliance.

The frequency of planned inspections may be reduced to the minimum if the EHO determines the establishment is unlikely to pose a risk to human health. Inspection frequency may be increased if non-compliances posing a risk to public health are identified. Inspections may also be prioritised where there is possible risk to public health, for example, due to a food safety alert. Inspections for establishments where non-compliances have been identified, or establishments that are likely to pose a risk to public health, are prioritised over planned inspections.

Table A6.2 describes the standard and minimum inspection frequency for each risk profile<sup>34</sup>.

**Table A6.2** Frequency of planned inspections per risk category

| Risk profile range | Risk category | Standard Frequency of Inspection                          | Frequency | Minimum Frequency of Inspection   | Frequency |
|--------------------|---------------|---|-----------|---|-----------|
| ≥65                | 1             | 2 planned inspections                                     | 12 months | 2 planned inspections   | 12 months |
| ≥45 to <65         | 2             | 1 planned inspection<br>1 planned surveillance inspection | 12 months | 1 planned inspection  | 12 months |
| >30 to <45         | 3             | 1 planned inspection<br>1 planned surveillance inspection | 18 months | 1 planned inspection  | 18 months |
| >15 to ≥30         | 4             | 1 planned inspection                                      | 18 months | 1 planned inspection  | 24 months |
| 0 to ≤15           | 5             | 1 planned inspection                                      | 24 months | 1 planned inspection<br>[except where other targeted programme takes place] | 36 months |
| N/A                | 6             | Inspections scheduled as required*                        | N/A       | Inspections scheduled as required*  | N/A       |

*\*Initial inspection to verify details of notification and extent of activity, then inspected only as deemed necessary (notified changes to business, complains, food incidents / alerts, targeted inspection for the business type, etc.)*

Source: FSAI, 2011.

<sup>34</sup> Higher inspection frequencies are decided on a case by case basis.

### A6.3 Local authorities

Local authorities prioritise inspections<sup>35</sup> and audits<sup>36</sup> of meat establishments based on procedures described in Standard Operating Procedures (SOP) No. D25 Risk Assessment of Establishment (FSAI, 2012). All meat establishments supervised by the LA are inspected / audited at a frequency related to their assigned risk-category.

Each establishment supervised by LA veterinary inspectors must be risk assessed at least once. Establishments are assessed again annually, if there is a change at the establishment that is likely to affect the level of risk, or if the establishment is found to be associated with food safety risks. LAs determine the overall level of risk associated with an establishment by combining an assessment of the 'basic level of risk' with an assessment of 'other risk factors'. Establishments are categorised in one of four risk categories: low, medium, high or very high.

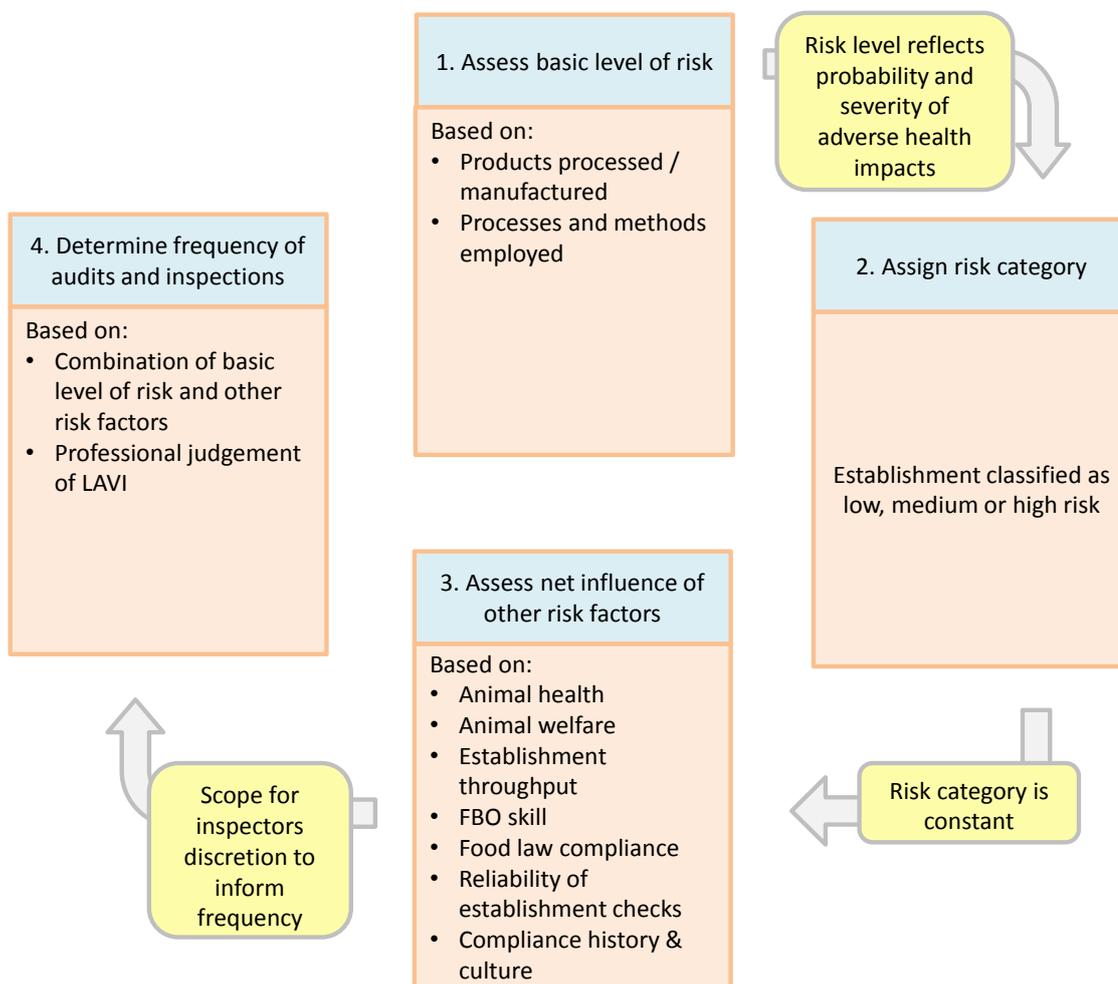
Figure A6.3 summarises the risk assessment procedure undertaken by LAVI. It is described in detail below.

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<sup>35</sup> An inspection is defined as 'an examination of any aspect of feed, food, animal health and animal welfare in order to verify that such aspect(s) comply with the legal requirements of feed and food law and animal health and animal welfare rules'.

<sup>36</sup> An audit is defined as 'a systematic and independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives'.

**Figure A6.3** Prioritisation of planned inspections by local authority veterinary inspectors



Source: ICF

### A6.3.2 Prioritisation of planned inspections by LAVI

#### Assess the basic level of risk

The type of processes undertaken in an establishment, and the nature and intended use of its products, inform the 'basic level of risk' associated with an establishment.

The level of basic risk assigned to an establishment depends on the products and processes that occur. The risks associated with the products and processes are determined by assessing the probability of adverse effects, and the potential severity of the health effects, that could occur in the event of a failure of hazard control processes.

There is scope for the LAVI to use their discretion when assessing the basic level of risk. They may designate a basic level of risk to a process irrespective of the risk associated with that process in the standard operating procedure (FSAI, 2012).

#### Assign the risk category

There are three categories of basic level risk: low, medium and high. If multiple processes with different levels of basic risk occur at an establishment then the higher basic level of risk is assigned.

Table A6.3 sets out the processes and products associated with each risk category.

**Table A6.3 Products and processes associated with each risk category**

| Risk category  | Processes   | Products   |
|--|---|--|
| <b>Low risk</b><br>Low probability x negligible severity   | <ul style="list-style-type: none"> <li>■ Cold Storage</li> <li>■ Re-packaging</li> </ul>  | No products specified in SOP   |
| <b>Medium risk</b><br>Medium probability x moderate severity   | <ul style="list-style-type: none"> <li>■ Slaughtering</li> <li>■ Cutting</li> <li>■ Curing</li> <li>■ Boning</li> <li>■ Cold smoking</li> <li>■ Vacuum packing</li> <li>■ Production of meat preparations</li> <li>■ Re- wrapping</li> <li>■ Transport</li> </ul> | <ul style="list-style-type: none"> <li>■ Carcase meat</li> <li>■ Cut meat</li> <li>■ Meat products</li> <li>■ Preparations not intended for as ready to eat</li> </ul> |
| <b>High risk</b><br>High probability x moderate severity,<br>high probability x significant severity | <ul style="list-style-type: none"> <li>■ Production of minced meat</li> <li>■ Production of ready to eat meats.</li> <li>■ Working on ready to eat meats, e.g. slicing.</li> </ul>  | <ul style="list-style-type: none"> <li>■ Minced meat</li> <li>■ Minced meat products</li> <li>■ Ready to eat meats</li> </ul>  |

Source: FSAI, 2012

#### Assess the net influence of other risk factors

The risk assessment procedure applied by LAVIs also considers other risk factors associated with an establishment's products and procedures. The risks associated with the other factors are combined with the basic level of risk to give an overall risk category. The other risk factors include animal health, animal welfare, the throughput of the establishment, and FBO skill, training, compliance with food law and the reliability of the establishments own checks (Table A6.4). Each factor is assessed to determine whether it has a positive, neutral or negative impact on the establishment's basic level of risk.

**Table A6.4 Other risk factors considered by LAs when assessing an establishment's risk**

| Risk factor                      | Effect on basic level of risk  |  |  |
|----------------------------------|--|--|--|
|                                  | Positive   | Neutral  | Negative   |
| Animal health                    | Low risk to animal health, or low risk to public health from animal health | Slight risk to animal health, or slight risk to public health from animal health | Significant risk to animal health, or significant risk to public health from animal health |
| Animal welfare                   | Excellent or very good standard of animal welfare                          | Satisfactory standard of animal welfare  | Not satisfactory standard of animal welfare  |
| Throughput of the establishment* | Low  | Medium   | High   |

\*Low, medium and high are defined separately for a range of processes. The assessment of the risk associated with throughput also takes into account the speed of the process. A high speed throughput relative to the number of staff engaged, and / or, excessively long working hours, are regarded as negative influences on the basic level of risk.

Source: FSAI, 2012

In addition to the factors described in Table A6.4, the FBO's record of complying with food law is also assessed. This assessment covers the HACCP or food safety management system in place, the microbiological plan (where required) and historical enforcement actions made in relation to the

establishment. The assessment also considers the compliance culture at the establishment, for example whether the FBO is proactive in initiating improvements to food safety.

The overall level of risk associated with an establishment is determined by applying the net influence of the other risk factors, to the basic level of risk. Table A6.5 sets out how the two are combined.

**Table A6.5 Overall risk is based on basic level of risk combined with the net influence of other factors**

| Basic level of risk | Overall level of risk          |         |           |
|---------------------|--------------------------------|---------|-----------|
|                     | Net influence of other factors |         |           |
|                     | Positive                       | Neutral | Negative  |
| Low                 | Low                            | Low     | Medium    |
| Medium              | Low                            | Medium  | High      |
| High                | Medium*                        | High    | Very high |

*\*Does not apply to establishments working on RTE meat. Such establishments are classified as overall high risk*

Source: FSAI, 2012

#### **Determine the frequency and intensity of audits and inspections**

The frequency of audits and inspections for each risk category, as recommended in the SOP D25 (FSAI, 2012), is set out in Table A6.6). Inspections and audits may also be carried out at different frequencies based on the professional judgement of the LAVI.

**Table A6.6 Frequency of official controls, by risk category**

| Overall risk category | Audit                 | Inspection                |
|-----------------------|-----------------------|---------------------------|
| Low                   | 1 / 12 months         | 1 / 3 months to 1 / month |
| Medium                | 1 / 12 months         | 1 / 2 months to 2 / month |
| High                  | 1 / 6 months          | 1 / month to 4 / month    |
| Very High             | At discretion of LAVI | At discretion of LAVI     |

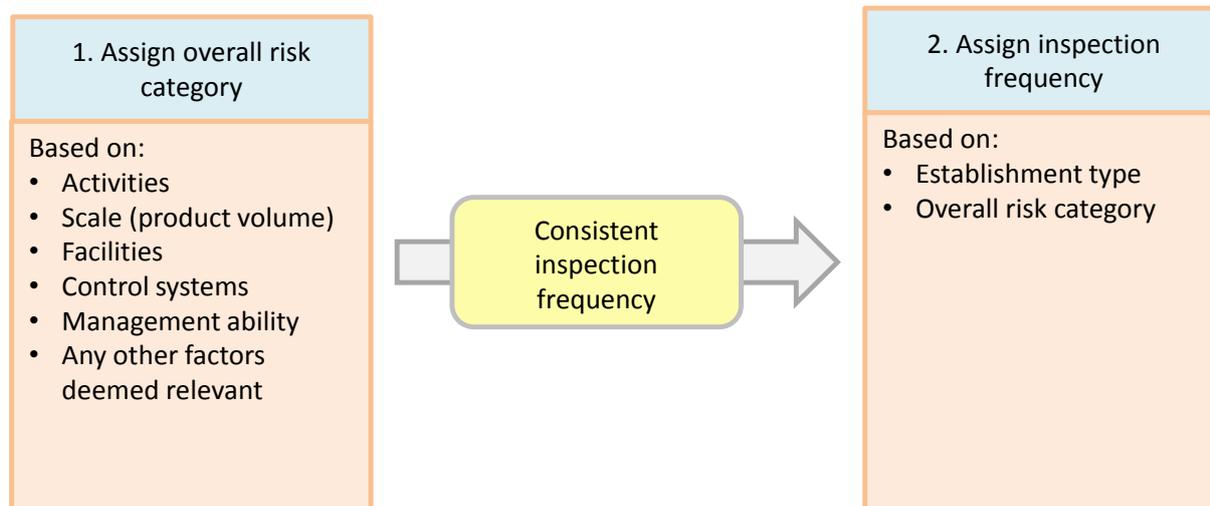
Source: FSAI, 2012

#### **A6.4 SFPA**

The SFPA prioritise inspections based on the procedures described in the 'Code of Practice for the Risk Assessment of Approved Establishments' (SFPA, 2010).

The procedures involve the SFPA categorising approved establishments (or establishments requiring approval) according to risk into an 'overall establishment risk category'. Establishments are then assigned an inspection frequency which takes account of the overall establishment risk category and the type of food production and product output associated with the establishment.

The prioritisation procedure employed by the SFPA is distinct from the procedures applied by HSE and LAs. The SFPA procedure involves assigning an overall risk category, and then basing the inspection frequency on the risk category and establishment type. The frequency of inspections is fixed depending on the overall risk category. This compares to the procedures applied by the other official agencies which involve assigning a risk category, and then determining the appropriate inspection frequency based on a supplementary risk analysis.

**Figure A6.4** Prioritisation of planned inspections by the SFPA

Source: ICF

#### A6.4.2 Prioritisation of planned inspections by the SFPA

There are two stages to the procedure followed by the SFPA to prioritise planned inspections, both are described below.

##### *Assign an overall risk category*

The SFPA consider six factors to determine an establishment's overall risk category. The factors are scored individually, with a higher weight attached to the first factor (activities). Overall risk is determined by adding the scores for each factor. The six factors are:

##### 1. Activities

Activities taking place at an establishment are classified as posing a low, medium or high risk to food safety. Establishments are scored as 1, 2 or 7 if they any of the corresponding low, medium or high risk activities take place.

##### 2. Scale (establishment product volume)

The scale of production is calculated based on the number of employees in the context of the establishment type, and the volume of production from the establishment (tonnes per day). Large scale establishments are considered to be higher risk than small scale establishments.

##### 3. Facilities

The structure, layout and condition of an establishment's facilities are considered with respect to their impact on food safety. The level of risk posed by the facilities is decided based on the skills and expertise of the inspector.

##### 4. Control systems

The SFPA consider the effectiveness of the control systems, for example, HACCP, in place to identify and manage risks associated with the activities carried out in the establishment. Control systems are assessed to determine the extent to which they are reliably implemented, documented and reviewed as necessary.

##### 5. Management ability

Inspectors consider the attitude and ability of an establishment's management to respond to food safety legislative requirements, and to respond to enforcement actions which may have been taken by official agencies. An establishment's management are expected to demonstrate a proactive approach to food safety, and to have a proven track record in compliance with relevant food safety legislation.

## 6. Other factors

In addition to the factors listed above, the inspector may consider any other factors deemed relevant to food safety.

### *Assign an inspection frequency*

Inspection frequencies depend on a combination of establishment type and overall establishment risk category. Establishments are classified into two types, those producing ready-to-eat (RTE) products and those producing non-RTE products. Establishments producing RTE products are considered to represent a higher risk to food safety.

**Table A6.7 Minimum inspection frequencies per annum**

| Establishment type  | Inspection frequency per annum*     |        |      |
|---|-------------------------------------|--------|------|
|   | Overall establishment risk category |        |      |
|   | Low                                 | Medium | High |
| Non-RTE food product establishment<br>(e.g. heading, gutting & filleting, of pelagic fish / white fish; live crustacean holding; breaded fish products) | 1                                   | 2      | 3    |
| RTE food product establishment<br>(e.g. smoked RTE fish products, cooked RTE finfish, cooked RTE shellfish, RTE live shellfish)                         | N/A                                 | 3      | 4    |

*\*Includes scheduled inspections. Any non-scheduled inspections are treated as additional to, and separate from, the frequency of scheduled inspections set out in the table.*

*Source: SFFPA, 2010*

## Annex 7 Case studies – dioxin contamination of pork meat and horsemeat fraud

### A7.1 Dioxin contamination of pork meat

In 2008, dioxin contamination of pork meat led to an international recall of Irish pork products. Elevated levels of polychlorinated biphenyls (PCBs) were first detected in a pork fat sample taken as part of the routine sampling of animal products under the National Residues Monitoring Programme. PCB residues were also found in animal feed used on the farm to which the sample was traced. The feed was in turn linked to a food recycling plant and was identified as having been contaminated by defective fuels used during the process of flame drying the recycled feed. A total of 48 farms in Ireland and seven in Northern Ireland (10 pig farms and 38 beef farms) were identified as having received similar feed from the feed plant, representing around a tenth of the national herd (Hyde, 2008). The affected pig farms supplied eight of the country's 10 main abattoirs, which accounted for 98 per cent of the national throughput for pork.

Given the degree of commingling of contaminated pork with uncontaminated products, the FSAI ordered a full recall of pork and pork products manufactured from pigs slaughtered in Ireland between September and December 2008. This period was chosen on the basis of available scientific data on when the feed contamination incident was likely to have started. Irish pork exports were also banned in the 23 countries which it supplied.

#### Effectiveness of the response

Despite its potential severity, there was wide acknowledgement that the crisis had on the whole been handled effectively by the Irish authorities. There are a number of reasons for this:

- Given the toxicity of the substances in question, it was important that authorities responded quickly. Irish authorities made swift decisions based on risk assessment and implemented measures commensurate with the risks involved and the information available at the time.

The risk assessment was also greatly assisted by wider data gathering strategies and trends analysis undertaken by the Irish authorities. Over the past decade, the FSAI had developed comprehensive databases on food consumption patterns in Ireland through research funding from DAFM which allowed it to rapidly determine the level of pork consumption and estimate the likely exposure levels based on mathematical modelling (Inter-Agency Review Group, 2009). The decision by the Irish authorities to order a total recall of pork products was widely commended by the EC.

Once contamination had been identified by official surveillance programmes it was managed as well, or better, than similar incidents that have occurred elsewhere (*Ibid.*). By contrast, during a similar crisis in Belgium which also involved the contamination of feedstock with PCBs, no recall of products was ordered by the national authorities. The European Commission intervened, introducing safeguards which included a global recall of certain European products of animal origin. Belgian authorities had acted only after the incident was revealed by the media – four months from when the case was first reported by health inspectors. Mishandling of the incident significantly affected the credibility of the government and was considered to be a factor in its collapse (Kennedy et al., 2009).

- Contamination was detected through routine sampling under the National Residues Monitoring Programme rather than external intelligence, suggesting that established sampling mechanisms were functioning effectively.
- Public communication was clear and timely, reflecting both real and perceived risks given uncertainty about the extent of contamination. This was reflected in the relatively quick resumption of export markets and restoration of consumer confidence.

Authorities provided detailed information about actual risks and the measures being taken to reduce the threat to public health. The FSAI issued a clear statement of risk assessment to the public. The agency's helpline was readily accessible and effectively handled the large volume of queries from consumers, businesses and media (Tlustos, 2009).

Nevertheless subsequent reviews of the crisis response also highlighted some shortcomings of the food control system (Inter-Agency Review Group, 2009 and Joint Committee on Agriculture, Fisheries and Food, 2009):

- Inspection regimes adopted by local authorities to monitor feed plants did not reflect the specific risks associated with these operations nor ensure adequate control measures were being implemented by these businesses.

As part of its own review and risk assessment practice, DAFM has since amended its animal feed inspection programme to assign a higher risk category to the drying of feed and grain and increased controls on premises recycling food for use as animal feed (Hyde, 2008). The Inter-Agency Review Group on the incident also echoed in its broader recommendations the need to develop risk categorisation along the food chain to ensure that inspection frequency and intensity is appropriate and proportionate to the risks, as well as sufficiently flexible to adapt to emerging risks in the industry (Inter-Agency Review Group, 2009).

The plant at the centre of the contamination event had not been inspected by DAFM since first being issued a permit to operate in 2006 by Carlow County Council. Although it is not clear whether the failings of the inspection regime represented an isolated incident or were part of a more widespread problem, the Inter-Agency Review nevertheless suggested the need to review and strengthen coordination between the official authorities involved in registration/licensing and inspection of premises (*Ibid.*).

- Whilst the FSAI has primary responsibility for food safety it does not have the legal authority to police the feed chain, which was under the responsibility of DAFM. The Inter-Agency Review recommended extending the FSAI's remit to include the feed chain to ensure oversight by a single agency (*Ibid.*).

The Joint Committee on Agriculture, Fisheries and Food (2009) suggested in its report on the pork crisis that effective surveillance of the supply chain was impaired by this division of responsibility between food and animal feed. By extension it also deemed the wider system in Ireland, comprising multiple agencies responsible for food safety each operating under service level agreements with the FSAI, to be unsatisfactory given need for holistic oversight.

- There is some scope for improvement in the use and application of intelligence.

The Inter-Agency Review (2009) identified that there had been long standing concerns within the international scientific and regulatory communities around the dioxin contamination risks associated with use of oil fired direct flame burners in animal feed manufacturing.

Although not reported, both the Belgian and French authorities had noticed increasing levels of PCBs and dioxins in preceding months, raising some questions over why this had not also been picked up earlier by surveillance activities in Ireland and why intelligence on feed manufacturing risks had not been translated into monitoring efforts (FSAI, 2009).

- Despite meeting EU legislation, there is scope to improve the traceability regime for pork post-slaughter.

Although the contamination rate was only 10 per cent, a full recall had to be initiated due to the limited traceability in the system. An effective traceability regime would have facilitated a forensic recall of contaminated product only, as was done for beef. Recommendations from the reviews highlight the need to develop regimes that can ensure full traceability of batches at slaughter. More sophisticated tracking systems already exist in some countries such as Denmark, where the traceability system allows meat purchased by customers to be traced back to specific processes at individual plant level and to a specific time and day (Matthews, 2009).

## A7.2 Horsemeat in beef products

In 2012, the FSAI discovered the presence of horse DNA in beef samples which raised concerns over the quality and transparency of meat products and led to investigations which revealed significant contamination of meat supply chains across Europe.

The scale of contamination was extensive – over a third of beef burger products sampled tested positive for horse DNA and 85 per cent testing positive for pig DNA. Samples were traced to beef burgers made in Ireland and in the UK by manufacturers who supplied major supermarkets in both countries. Traces of horse DNA were also detected in imported ingredients from The Netherlands and Spain as well as later from Poland, which was found to be a major source of the mislabelled meat.

Although no mandatory measures were enforced, following confirmation of the results the FSAI informed both DAFM and FSA UK, and advised the five retailers involved of their findings. On the basis of this advice, all of the suppliers concerned took the immediate and independent decision to withdraw contaminated products from the market.

### Effectiveness of the response

No formal review into the handling of the horsemeat scandal has been undertaken in Ireland. Nonetheless, as the first EU Member State to investigate and publically report the presence of horsemeat in beef, the Irish investigation and crisis response demonstrated a number of key strengths:

- The surveillance activities which uncovered the horsemeat contamination were part of the FSAI's annual program of additional surveys targeted at verifying labelling and contents claims across a range of foodstuffs.

FSAI sampling surveys employed DNA testing methods, which are widely used in criminal and paternity investigations though rare in food quality/safety investigations conducted by EU Member State authorities. The FSAI has used these more sophisticated DNA-based analytical techniques since 2005 (FSAI, 2013). In past years, the program has also exposed contamination issues in other products such as fish.

- In response to the horsemeat scandal and growing public concern about food safety, Irish authorities appear to have recognised many of concerns highlighted, and have taken positive strides towards improving the effectiveness of the controls system.

One example of this is the Food Fraud Task Force recently established by the FSAI, which aims to facilitate communications, coordination, networking and intelligence sharing at national and international level on food fraud related issues. The Task Force comprises representatives from a number of enforcement agencies including: An Garda Síochána, Customs and Excise Service/Revenue Commissioners, DAFM, FSA Northern Ireland, HSE, Irish Medicines Board, the local authorities and SFPA (FSAI, 2014).

Nevertheless some of the interim findings and recommendations from the Elliott Review into the Integrity and Assurance of Food Supply Networks (HM Government, 2013), commissioned by the UK government after the horsemeat scandal, are also likely to bear some relevance to Ireland:

- It is difficult to gauge the scale and nature of criminal activity in the food supply chain due to limited intelligence and the complexity of supply chains.

The Elliott Review highlights the need for better data collection and well-structured surveys to be conducted to fill this knowledge gap. This includes broader trend analysis of the market forces influencing criminal activity such as differential pricing across commodities with the potential for adulteration, as well as the possible creation of a national food economic intelligence hub.

Irish businesses implicated in the scandal were part of international supply chains involving a network of brokers, traders, subcontractors, cold store operators and processors. Although Irish authorities were able to identify the key players involved, it remains difficult to determine whether

criminal activity was restricted to the food sector or was part of wider organised networks operating across different economic sectors.

As the Elliott Review suggests, the international dimension of these challenges will in future require greater collaboration between national competent agencies and their overseas counterparts.

- Surveillance and monitoring activities are at present inadequate to tackle fraud – there is a need to introduce new measures to check, test and investigate any suspicious activity.

Surveillance will need to be underpinned by risk ratings that better reflect the complexity of supply chains, and those sub-sectors which are more vulnerable to fraud.

Additional training on critical control points for detecting food fraud or dishonest labelling in the foodstuffs considered to be medium and high risk would also be greatly beneficial for inspectors, auditors and buyers.

Traders and brokers are currently subject to little scrutiny under the official controls system or assurance of private standards, with much of the regulatory focus placed on processors and producers. At present there are no requirements on traders and brokers to show they can trace back products to where they were produced. Auditing is also less frequent than in other parts of the supply chain (Glotz, 2014). New standards for brokers and traders will allow food retailers greater visibility of their entire supply chain and not just production facilities.

- There is a need for stronger requirements on businesses, particularly large retailers to monitor/verify and increase the transparency of their supply chains

Product recalls during the horsemeat scandal were undertaken by retailers on a voluntary basis, motivated largely by reputational risks and the media attention surrounding the crisis. This does not guarantee that companies will behave similarly in future scenarios. Given the economic leverage of large retailers, there is scope to implement measures to increase the accountability of these companies for the transparency of their supply chains.

- There is a need for tougher enforcement and sanctions for food crime where appropriate.

The Elliott Review stresses a zero tolerance policy to discourage 'casual dishonesty' in the industry with regards to food crime and engender a positive cultural shift.

SI 432/2009 sets fines of up to €250,000 for conviction or indictment, but no companies have to date been prosecuted by the Irish authorities for their involvement in the crisis.

## Annex 8 Staff survey results

This annex includes analysis of data collected from surveys conducted by the FSAI with staff from other official food control agencies in Ireland – DAFM, HSE, local authorities and SFPA. A total of 147 staff members were surveyed.

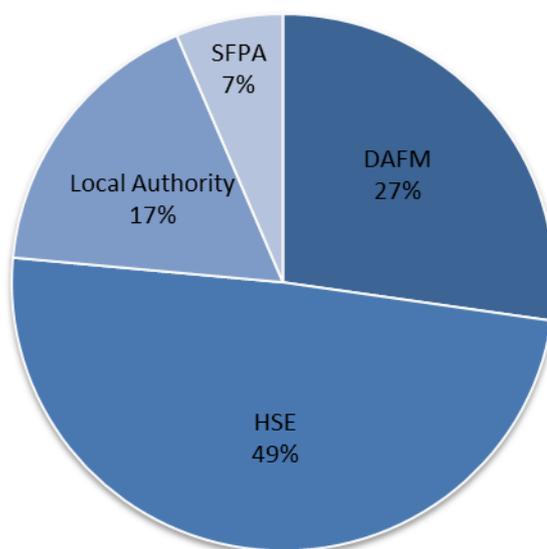
### A8.1 Survey sample profile

A set of profiling questions were asked as part of the survey conducted with staff members from the food control agencies. These included the agency they work for; their length of service within that agency; degree of involvement in food business inspections and the length of time supervising the same establishments.

**Table A8.1** Of which agency are you an employee?

|                 | Number of respondents | % of respondents |
|-----------------|-----------------------|------------------|
| DAFM            | 51                    | 27%              |
| HSE             | 92                    | 49%              |
| Local authority | 32                    | 17%              |
| SFPA            | 12                    | 7%               |
| <b>Total</b>    | <b>187</b>            |                  |

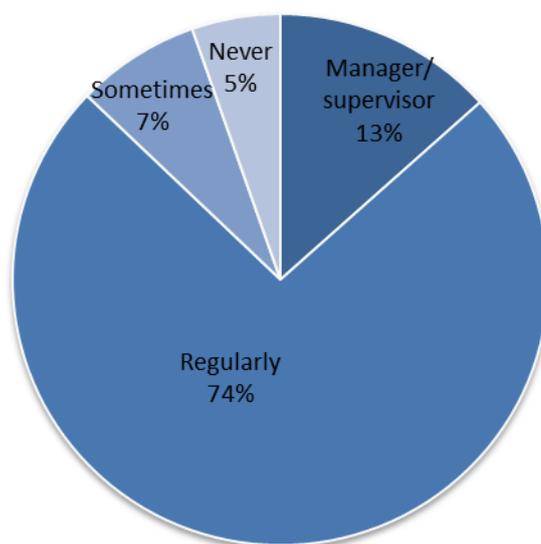
**Figure A8.1** Official control agencies in which interviewees were employed (N=187)



**Table A8.2** In your role, do you carry out food business inspections?

|                         | Number of respondents | % of respondents |
|-------------------------|-----------------------|------------------|
| As a manager/supervisor | 25                    | 13%              |
| Regularly               | 138                   | 74%              |
| Sometimes               | 14                    | 7%               |
| Never                   | 10                    | 5%               |
| <b>Total</b>            | <b>187</b>            |                  |

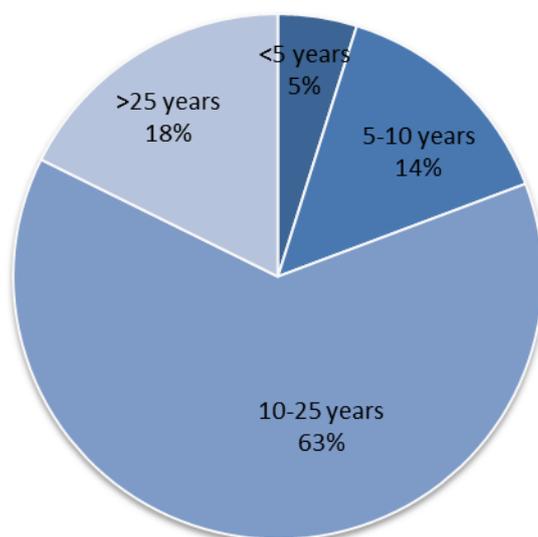
**Figure A8.2** Degree of involvement of interviewees in food business inspections? (N=187)



**Table A8.3 For how long have you worked in your agency?**

|              | Number of respondents | % of respondents |
|--------------|-----------------------|------------------|
| <5 years     | 9                     | 5%               |
| 5-10 years   | 27                    | 14%              |
| 10-25 years  | 118                   | 63%              |
| >25 years    | 33                    | 18%              |
| <b>Total</b> | <b>187</b>            |                  |

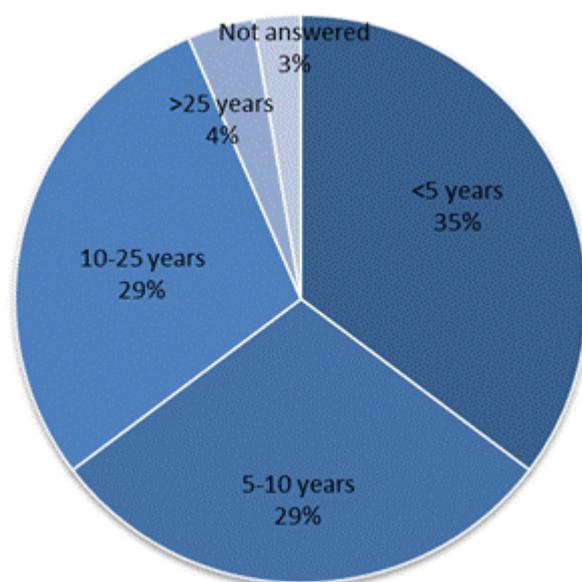
**Figure A8.3 Length of service in agency (N=187)**



**Table A8.4 For how long have you worked for your agency supervising the same establishments?**

|              | Number of respondents | % of respondents |
|--------------|-----------------------|------------------|
| <5 years     | 66                    | 35%              |
| 5-10 years   | 55                    | 29%              |
| 10-25 years  | 54                    | 29%              |
| >25 years    | 7                     | 4%               |
| Not answered | 5                     | 3%               |
| <b>Total</b> | <b>187</b>            |                  |

**Figure A8.4 Length of time within agency, supervising the same establishments (N=187)**



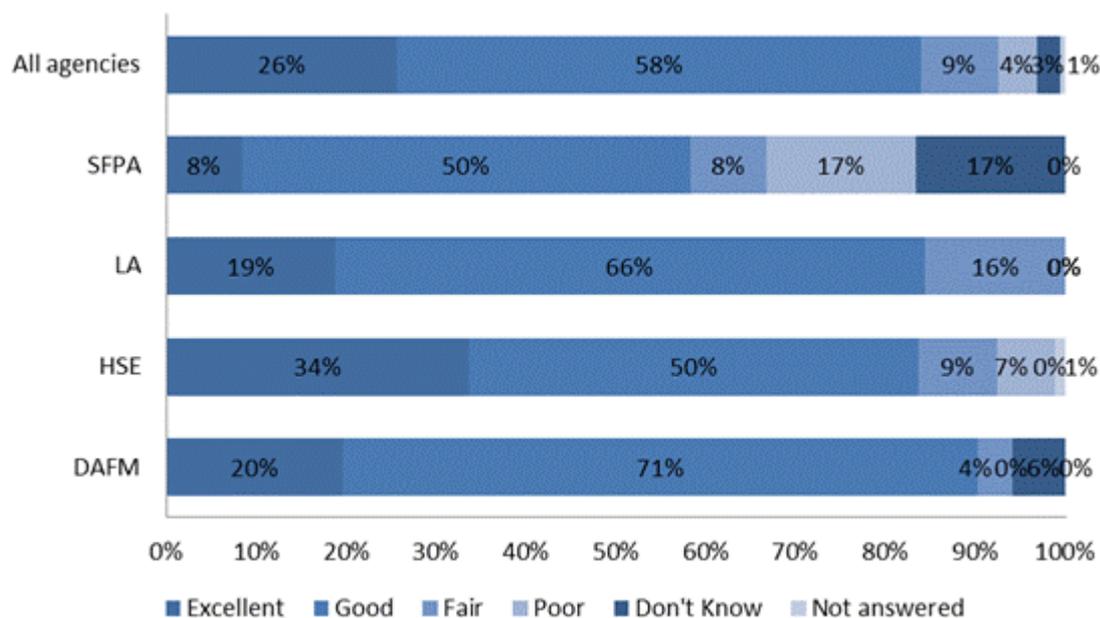
## A8.2 Inspections

### A8.2.1 Inspections – general

**Table A8.5** How well do you think the food business inspection system works in your local area?

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Excellent    | 10<br>(20%) | 31<br>(34%) | 6<br>(19%)  | 1<br>(8%)  | 48<br>(26%)  |
| Good         | 36<br>(71%) | 46<br>(50%) | 21<br>(66%) | 6<br>(55%) | 109<br>(58%) |
| Fair         | 2<br>(4%)   | 8<br>(9%)   | 5<br>(16%)  | 1<br>(8%)  | 16<br>(9%)   |
| Poor         | 0<br>(0%)   | 6<br>(7%)   | 0<br>(0%)   | 2<br>(17%) | 8<br>(4%)    |
| Don't know   | 3<br>(6%)   | 0<br>(0%)   | 0<br>(0%)   | 2<br>(17%) | 5<br>(3%)    |
| Not answered | 0<br>(0%)   | 1<br>(1%)   | 0<br>(0%)   | 0<br>(0%)  | 1<br>(1%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

**Figure A8.5** How well do you think the food business inspection system works in your local area? (N=187)

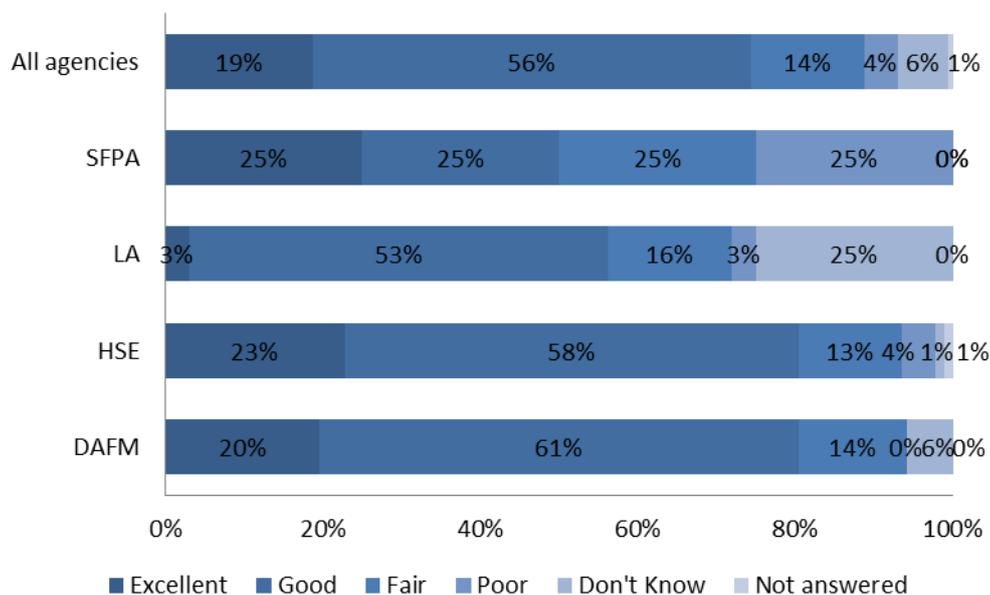


**Table A8.6** How well do you think the food business inspection system works in your agency?

[Note: in the case of local authorities, agency equates to all local authorities collectively]

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Excellent    | 10<br>(20%) | 21<br>(23%) | 1<br>(3%)   | 3<br>(25%) | 35<br>(19%)  |
| Good         | 31<br>(61%) | 53<br>(58%) | 17<br>(53%) | 3<br>(25%) | 104<br>(56%) |
| Fair         | 7<br>(14%)  | 12<br>(13%) | 5<br>(16%)  | 3<br>(25%) | 27<br>(14%)  |
| Poor         | 0<br>(0%)   | 4<br>(4%)   | 1<br>(3%)   | 3<br>(25%) | 8<br>(4%)    |
| Don't know   | 3<br>(6%)   | 1<br>(1%)   | 8<br>(25%)  | 0<br>(0%)  | 12<br>(6%)   |
| Not answered | 0<br>(0%)   | 1<br>(1%)   | 0<br>(0%)   | 0<br>(0%)  | 1<br>(1%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

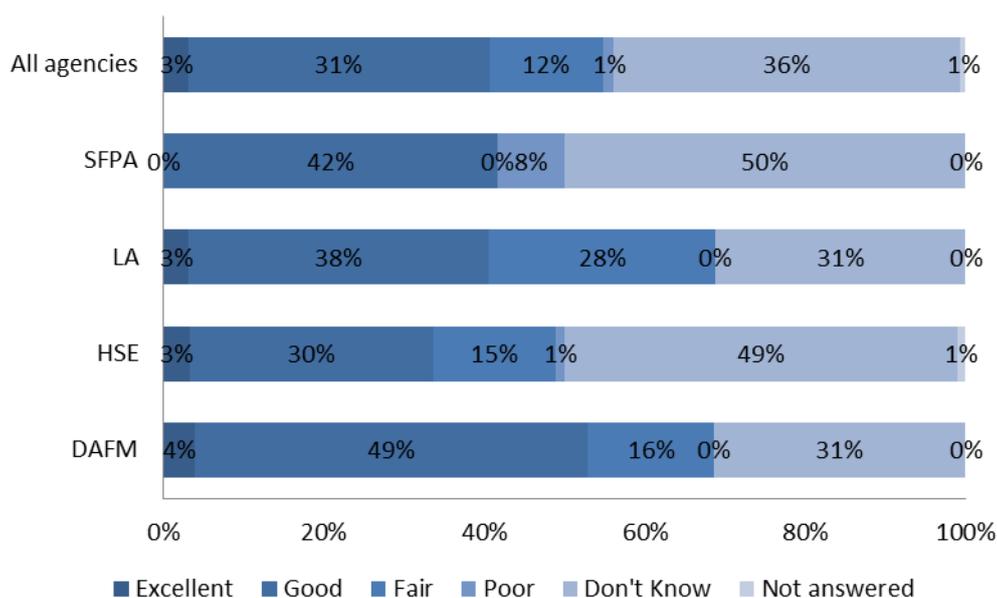
**Figure A8.6** How well do you think the food business inspection system works in your agency? (N=187)



**Table A8.7** How well do you think the food business inspection system works in all agencies?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 2<br>(4%)   | 3<br>(3%)   | 1<br>(3%)   | 0<br>(0%)  | 5<br>(3%)   |
| Good         | 25<br>(49%) | 28<br>(30%) | 12<br>(38%) | 5<br>(42%) | 58<br>(31%) |
| Fair         | 8<br>(16%)  | 14<br>(15%) | 9<br>(28%)  | 0<br>(0%)  | 22<br>(12%) |
| Poor         | 0<br>(0%)   | 1<br>(1%)   | 0<br>(0%)   | 1<br>(8%)  | 2<br>(1%)   |
| Don't know   | 16<br>(31%) | 45<br>(49%) | 10<br>(31%) | 6<br>(50%) | 67<br>(36%) |
| Not answered | 0<br>(0%)   | 1<br>(1%)   | 0<br>(0%)   | 0<br>(0%)  | 1<br>(1%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.7** How well do you think the food business inspection system works *in all agencies?* (N=187)

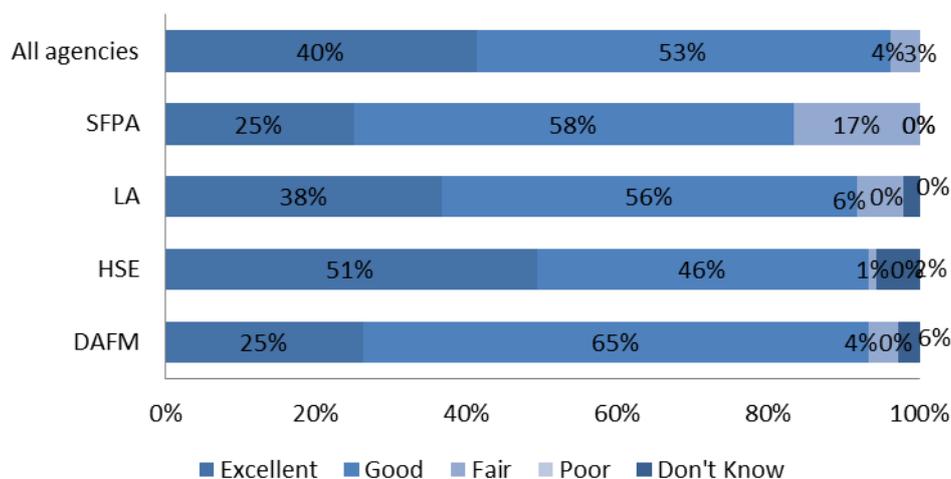


### A8.2.2 Inspections – quality

**Table A8.8** How would you rate the quality of food business inspections in your agency in the following areas? Hygiene

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Excellent    | 13<br>(25%) | 47<br>(51%) | 12<br>(38%) | 3<br>(25%) | 75<br>(40%)  |
| Good         | 33<br>(65%) | 42<br>(46%) | 18<br>(56%) | 7<br>(58%) | 100<br>(53%) |
| Fair         | 2<br>(4%)   | 1<br>(1%)   | 2<br>(6%)   | 2<br>(17%) | 7<br>(4%)    |
| Poor         | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)  | 0<br>(0%)    |
| Don't know   | 3<br>(6%)   | 2<br>(2%)   | 0<br>(0%)   | 0<br>(0%)  | 5<br>(3%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

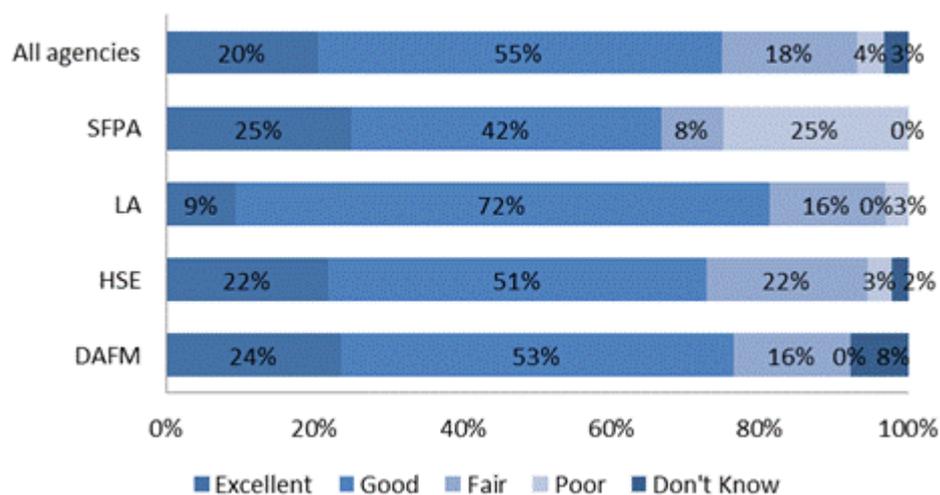
**Figure A8.8** How would you rate the quality of food business inspections in your agency in the following areas? Hygiene (N=187)



**Table A8.9** How would you rate the quality of food business inspections in your agency in the following areas? HACCP based procedures

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Excellent    | 12<br>(24%) | 20<br>(22%) | 3<br>(9%)   | 3<br>(25%) | 38<br>(20%)  |
| Good         | 27<br>(53%) | 47<br>(51%) | 23<br>(72%) | 5<br>(42%) | 102<br>(55%) |
| Fair         | 8<br>(16%)  | 20<br>(22%) | 5<br>(16%)  | 1<br>(8%)  | 34<br>(18%)  |
| Poor         | 0<br>(0%)   | 3<br>(3%)   | 1<br>(3%)   | 3<br>(25%) | 7<br>(4%)    |
| Don't know   | 4<br>(8%)   | 2<br>(2%)   | 0<br>(0%)   | 0<br>(0%)  | 6<br>(3%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

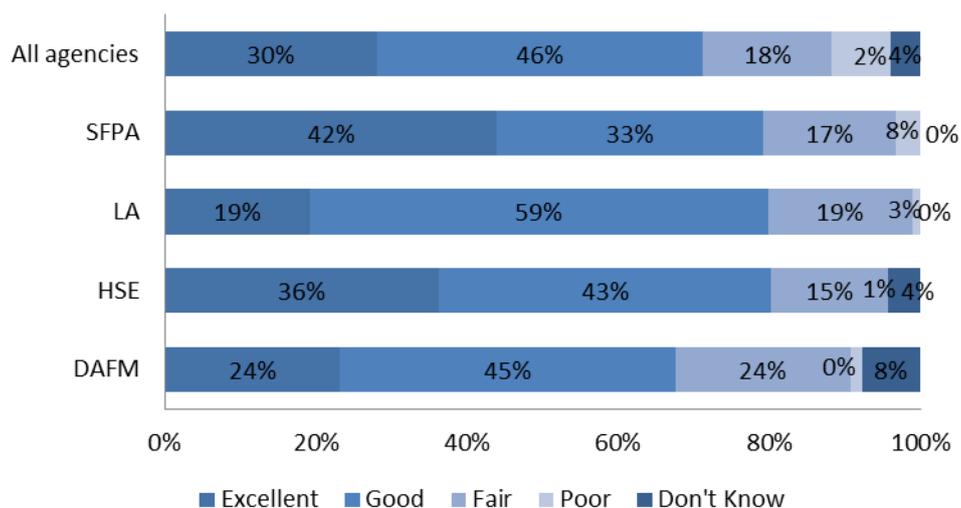
**Figure A8.9** How would you rate the quality of food business inspections in your agency in the following areas? HACCP based procedures (N=187)



**Table A8.10** How would you rate the quality of food business inspections in your agency in the following areas? Microbiological contamination

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 12<br>(24%) | 33<br>(36%) | 6<br>(19%)  | 5<br>(42%) | 56<br>(30%) |
| Good         | 23<br>(45%) | 40<br>(43%) | 19<br>(59%) | 4<br>(33%) | 86<br>(46%) |
| Fair         | 12<br>(24%) | 14<br>(15%) | 6<br>(19%)  | 2<br>(17%) | 34<br>(18%) |
| Poor         | 0<br>(0%)   | 1<br>(1%)   | 1<br>(3%)   | 1<br>(8%)  | 3<br>(2%)   |
| Don't know   | 4<br>(8%)   | 4<br>(4%)   | 0<br>(0%)   | 0<br>(0%)  | 8<br>(4%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

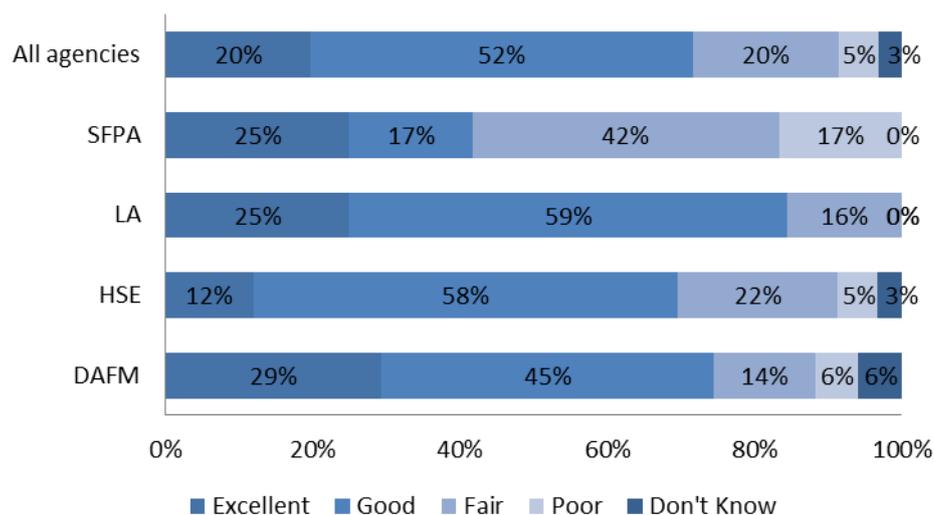
**Figure A8.10** How would you rate the quality of food business inspections in your agency in the following areas? Microbiological contamination (N=187)



**Table A8.11** How would you rate the quality of food business inspections in your agency in the following areas? Labelling

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 12<br>(29%) | 11<br>(12%) | 8<br>(25%)  | 3<br>(25%) | 37<br>(20%) |
| Good         | 23<br>(45%) | 53<br>(58%) | 19<br>(59%) | 2<br>(17%) | 97<br>(52%) |
| Fair         | 7<br>(14%)  | 20<br>(22%) | 5<br>(16%)  | 5<br>(42%) | 37<br>(20%) |
| Poor         | 3<br>(6%)   | 5<br>(5%)   | 0<br>(0%)   | 2<br>(17%) | 10<br>(5%)  |
| Don't know   | 3<br>(6%)   | 3<br>(3%)   | 0<br>(0%)   | 0<br>(0%)  | 6<br>(3%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

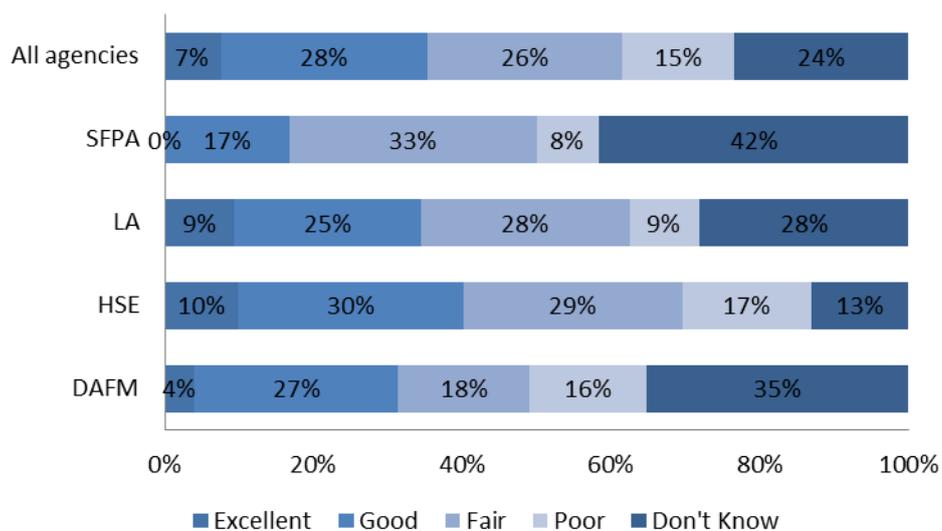
**Figure A8.11** How would you rate the quality of food business inspections in your agency in the following areas? Labelling (N=187)



**Table A8.12** How would you rate the quality of food business inspections in your agency in the following areas? Flavourings

|              | DAFM        | HSE         | LA         | SFPA       | Total       |
|--------------|-------------|-------------|------------|------------|-------------|
| Excellent    | 2<br>(4%)   | 9<br>(10%)  | 3<br>(9%)  | 0<br>(0%)  | 14<br>(7%)  |
| Good         | 14<br>(27%) | 28<br>(30%) | 8<br>(25%) | 2<br>(17%) | 52<br>(28%) |
| Fair         | 9<br>(18%)  | 27<br>(29%) | 9<br>(28%) | 4<br>(33%) | 49<br>(26%) |
| Poor         | 8<br>(16%)  | 16<br>(17%) | 3<br>(9%)  | 1<br>(8%)  | 28<br>(15%) |
| Don't know   | 18<br>(35%) | 12<br>(13%) | 9<br>(28%) | 5<br>(42%) | 44<br>(24%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>  | <b>12</b>  | <b>187</b>  |

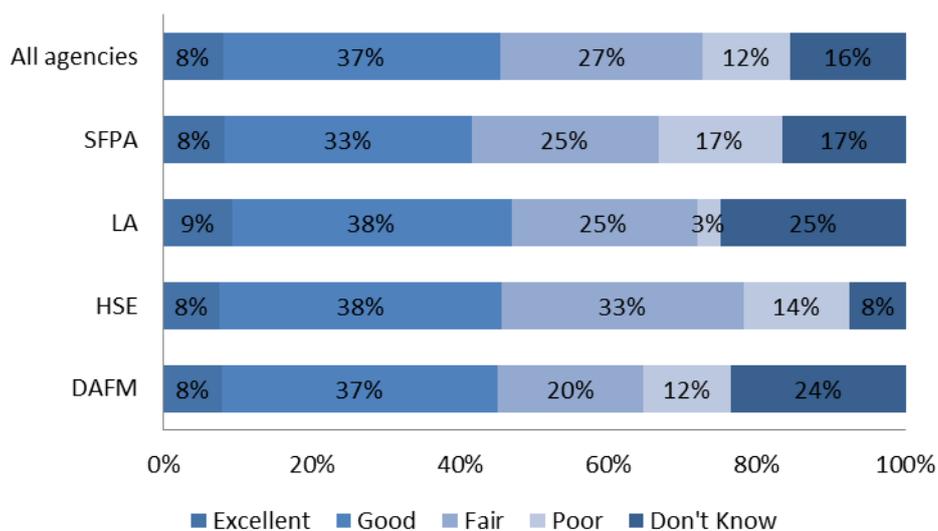
**Figure A8.12** How would you rate the quality of food business inspections in your agency in the following areas? Flavourings(N=187)



**Table A8.13** How would you rate the quality of food business inspections in your agency in the following areas? *Additives*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 4<br>(8%)   | 7<br>(8%)   | 3<br>(9%)   | 1<br>(8%)  | 15<br>(8%)  |
| Good         | 19<br>(37%) | 35<br>(38%) | 12<br>(38%) | (33%)      | 70<br>(37%) |
| Fair         | 10<br>(20%) | 30<br>(33%) | 8<br>(25%)  | 3<br>(25%) | 51<br>(27%) |
| Poor         | 6<br>(12%)  | 13<br>(14%) | 1<br>(3%)   | 2<br>(17%) | 22<br>(12%) |
| Don't know   | 12<br>(24%) | 7<br>(8%)   | 8<br>(25%)  | 2<br>(17%) | 29<br>(16%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

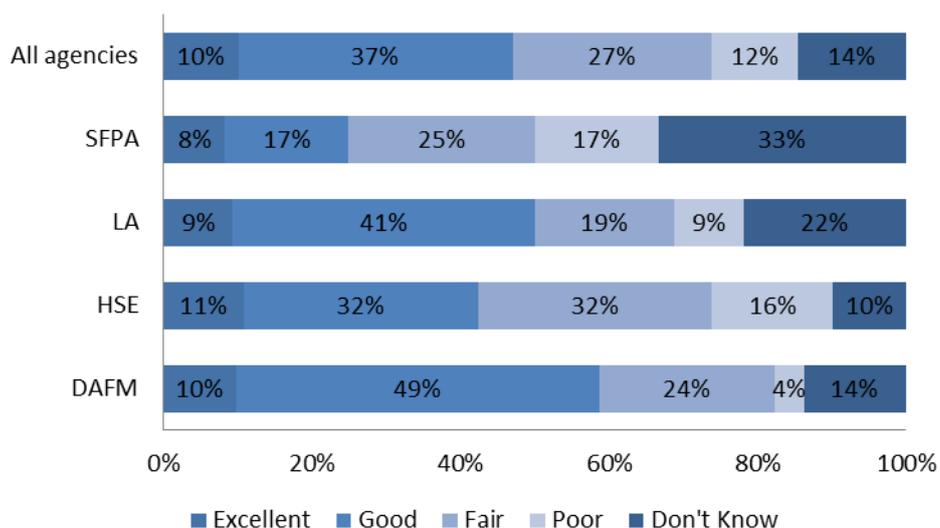
**Figure A8.13** How would you rate the quality of food business inspections in your agency in the following areas? *Additives* (N=187)



**Table A8.14** How would you rate the quality of food business inspections in your agency in the following areas? *Contaminants*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 5<br>(10%)  | 10<br>(11%) | 3<br>(9%)   | 1<br>(8%)  | 19<br>(10%) |
| Good         | 25<br>(49%) | 29<br>(32%) | 13<br>(41%) | 2<br>(17%) | 69<br>(37%) |
| Fair         | 12<br>(24%) | 29<br>(32%) | 6<br>(19%)  | 3<br>(25%) | 50<br>(27%) |
| Poor         | 2<br>(4%)   | 15<br>(16%) | 3<br>(9%)   | 2<br>(17%) | 22<br>(12%) |
| Don't know   | 7<br>(14%)  | 9<br>(10%)  | 7<br>(22%)  | 4<br>(33%) | 27<br>(14%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

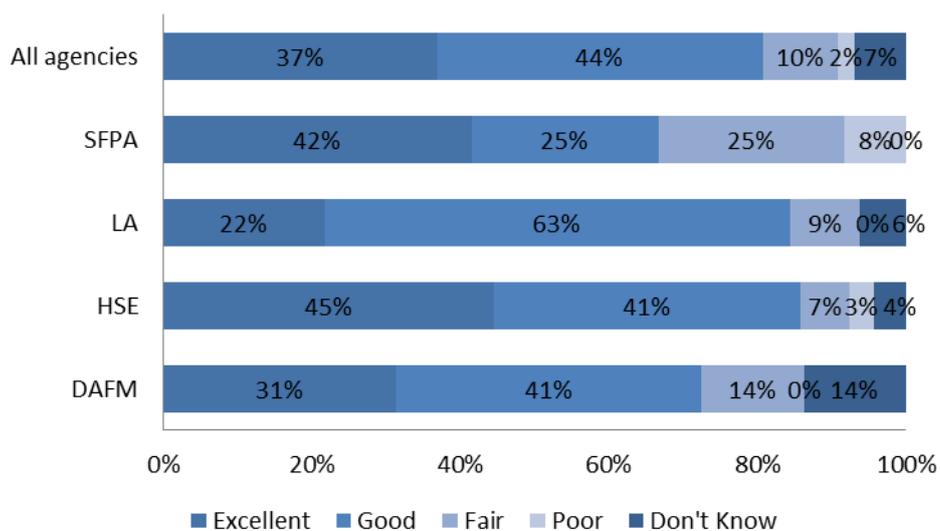
**Figure A8.14** How would you rate the quality of food business inspections in your agency in the following areas? *Contaminants* (N=187)



**Table A8.15** How would you rate the quality of food business inspections in your agency in the following areas? Water

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 16<br>(31%) | 41<br>(45%) | 7<br>(22%)  | 5<br>(42%) | 69<br>(37%) |
| Good         | 21<br>(41%) | 38<br>(41%) | 20<br>(63%) | 3<br>(25%) | 82<br>(44%) |
| Fair         | 7<br>(14%)  | 6<br>(7%)   | 3<br>(9%)   | 3<br>(25%) | 19<br>(10%) |
| Poor         | 0<br>(0%)   | 3<br>(3%)   | 0<br>(0%)   | 1<br>(8%)  | 4<br>(2%)   |
| Don't know   | 7 (14%)     | 4<br>(4%)   | 2<br>(6%)   | 0<br>(0%)  | 13<br>(7%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

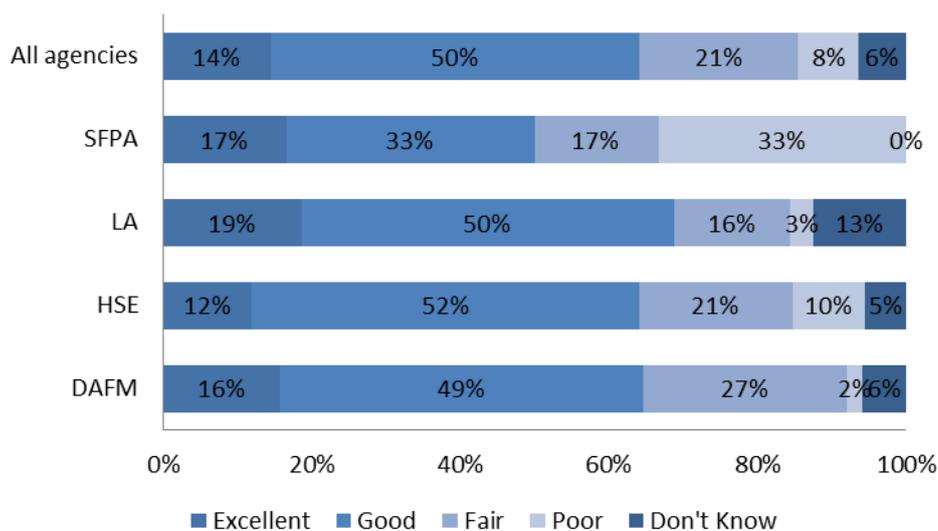
**Figure A8.15** How would you rate the quality of food business inspections in your agency in the following areas? Water (N=187)



**Table A8.16** How would you rate the quality of food business inspections in your agency in the following areas? *Product specific labelling*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 8<br>(16%)  | 11<br>(12%) | 6<br>(19%)  | 2<br>(17%) | 27<br>(14%) |
| Good         | 25<br>(49%) | 48<br>(52%) | 16<br>(50%) | 4<br>(33%) | 93<br>(50%) |
| Fair         | 14<br>(27%) | 19<br>(21%) | 5<br>(16%)  | 2<br>(17%) | 40<br>(21%) |
| Poor         | 1<br>(2%)   | 9<br>(10%)  | 1<br>(3%)   | 4<br>(33%) | 15<br>(8%)  |
| Don't know   | 3<br>(6%)   | 5<br>(5%)   | 4<br>(13%)  | 0<br>(0%)  | 12<br>(6%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

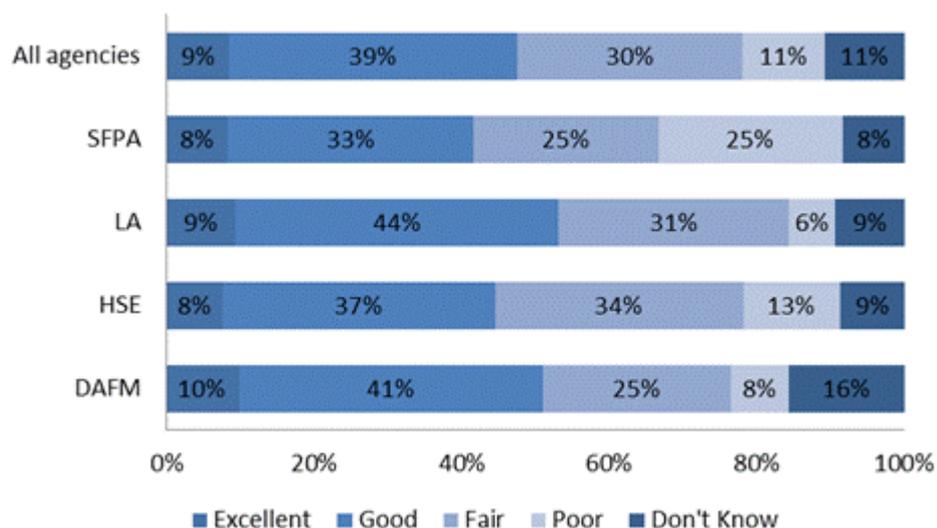
**Figure A8.16** How would you rate the quality of food business inspections in your agency in the following areas? *Product specific labelling (N=187)*



**Table A8.17** How would you rate the quality of food business inspections in your agency in the following areas? *Materials and articles intended to come into contact with foodstuffs*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 5<br>(10%)  | 7<br>(8%)   | 3<br>(9%)   | 1<br>(8%)  | 16<br>(9%)  |
| Good         | 21<br>(41%) | 34<br>(37%) | 14<br>(44%) | 4<br>(33%) | 73<br>(39%) |
| Fair         | 13<br>(25%) | 31<br>(34%) | 10<br>(31%) | 3<br>(25%) | 57<br>(30%) |
| Poor         | 4<br>(8%)   | 12<br>(13%) | 2<br>(6%)   | 3<br>(25%) | 21<br>(11%) |
| Don't know   | 8<br>(16%)  | 8<br>(9%)   | 3<br>(9%)   | 1<br>(8%)  | 20<br>(11%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

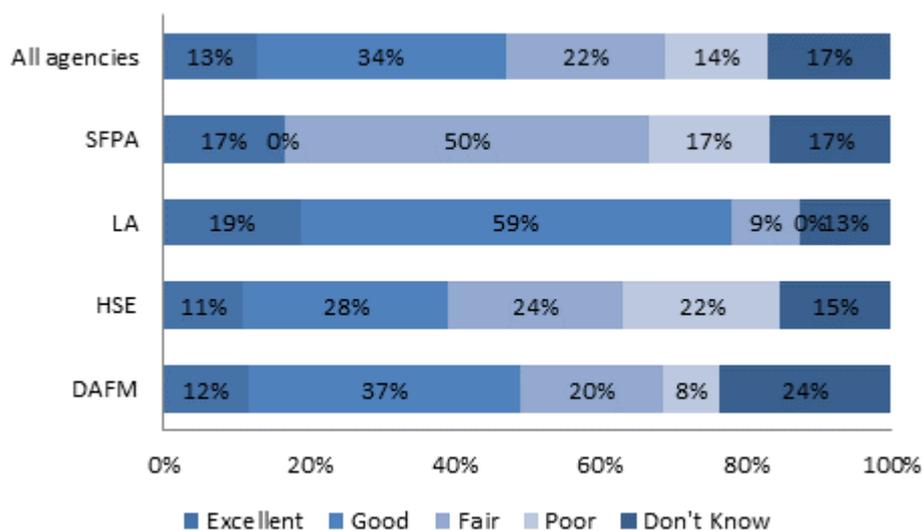
**Figure A8.17** How would you rate the quality of food business inspections in your agency in the following areas? *Materials and articles intended to come into contact with foodstuffs* (N=187)



**Table A8.18** How would you rate the quality of food business inspections in your agency in the following areas? Food fraud

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 6<br>(12%)  | 10<br>(11%) | 6<br>(19%)  | 2<br>(17%) | 24<br>(13%) |
| Good         | 19<br>(37%) | 26<br>(28%) | 19<br>(59%) | 0<br>(0%)  | 64<br>(34%) |
| Fair         | 10<br>(20%) | 22<br>(24%) | 3<br>(9%)   | 6<br>(50%) | 41<br>(22%) |
| Poor         | 4<br>(8%)   | 20<br>(22%) | 0<br>(0%)   | 2<br>(17%) | 26<br>(14%) |
| Don't know   | 12<br>(24%) | 14<br>(15%) | 4<br>(13%)  | 2<br>(17%) | 32<br>(17%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

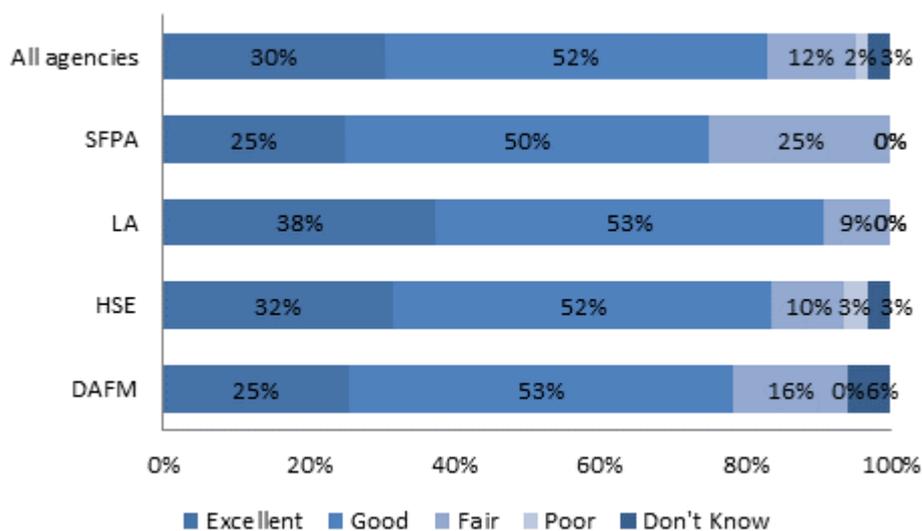
**Figure A8.18** How would you rate the quality of food business inspections in your agency in the following areas? Food fraud (N=187)



**Table A8.19** How would you rate the quality of food business inspections in your agency in the following areas? Traceability

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 13<br>(25%) | 29<br>(32%) | 12<br>(38%) | 3<br>(25%) | 57<br>(30%) |
| Good         | 27<br>(53%) | 48<br>(52%) | 17<br>(53%) | 6<br>(50%) | 98<br>(52%) |
| Fair         | 8<br>(16%)  | 9<br>(10%)  | 3<br>(9%)   | 3<br>(25%) | 23<br>(12%) |
| Poor         | 0<br>(0%)   | 3<br>(3%)   | 0<br>(0%)   | 0<br>(0%)  | 3<br>(2%)   |
| Don't know   | 3<br>(6%)   | 3<br>(3%)   | 0<br>(0%)   | 0<br>(0%)  | 6<br>(3%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.19** How would you rate the quality of food business inspections in your agency in the following areas? Traceability (N=187)

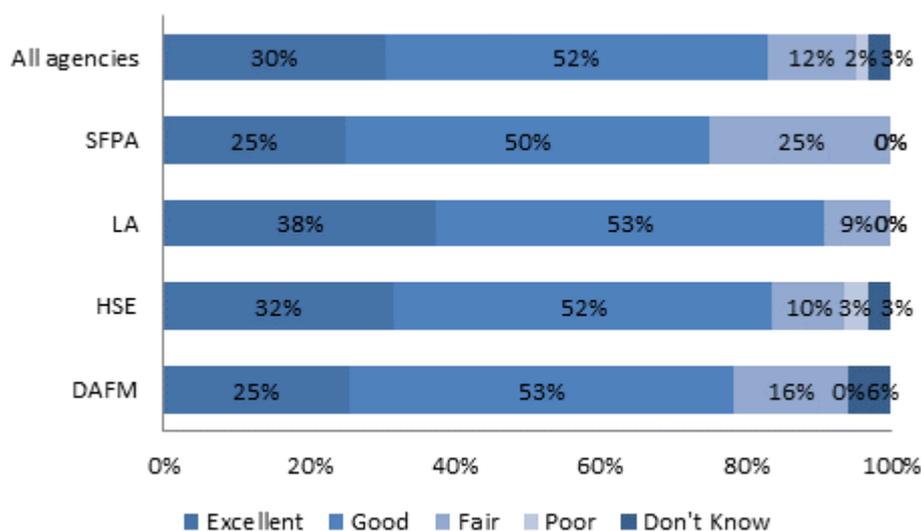


### A8.2.3 Inspections – other aspects

**Table A8.20** How would you rate the following aspects of the food business inspection system in your agency? Risk rating establishments

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 7<br>(14%)  | 36<br>(39%) | 10<br>(31%) | 3<br>(25%) | 56<br>(30%) |
| Good         | 25<br>(49%) | 41<br>(45%) | 16<br>(50%) | 3<br>(25%) | 85<br>(45%) |
| Fair         | 13<br>(25%) | 8<br>(9%)   | 4<br>(13%)  | 4<br>(33%) | 29<br>(16%) |
| Poor         | 2<br>(4%)   | 5<br>(5%)   | 0<br>(0%)   | 2<br>(17%) | 9<br>(5%)   |
| Don't know   | 4<br>(8%)   | 2<br>(2%)   | 2<br>(6%)   | 0<br>(0%)  | 8<br>(4%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

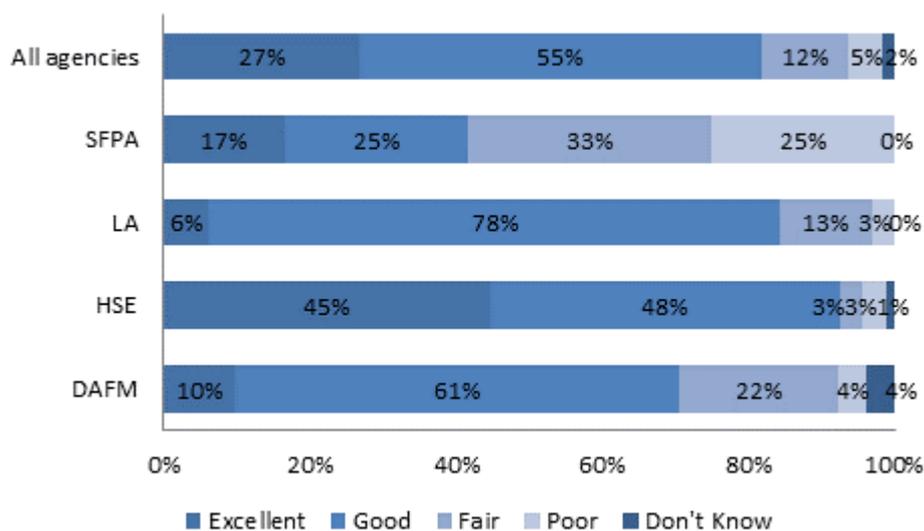
**Figure A8.20** How would you rate the following aspects of the food business inspection system in your agency? Risk rating establishments (N=187)



**Table A8.21** How would you rate the following aspects of the food business inspection system in your agency? Enforcement

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Excellent    | 5<br>(10%)  | 41<br>(45%) | 2<br>(6%)   | 2<br>(17%) | 50<br>(27%)  |
| Good         | 31<br>(61%) | 44<br>(48%) | 25<br>(78%) | 3<br>(25%) | 103<br>(55%) |
| Fair         | 11<br>(22%) | 3<br>(3%)   | 4<br>(13%)  | 4<br>(33%) | 22<br>(12%)  |
| Poor         | 2<br>(4%)   | 3<br>(3%)   | 1<br>(3%)   | 3<br>(25%) | 9<br>(5%)    |
| Don't know   | 2<br>(4%)   | 1<br>(1%)   | 0<br>(0%)   | 0<br>(0%)  | 3<br>(2%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

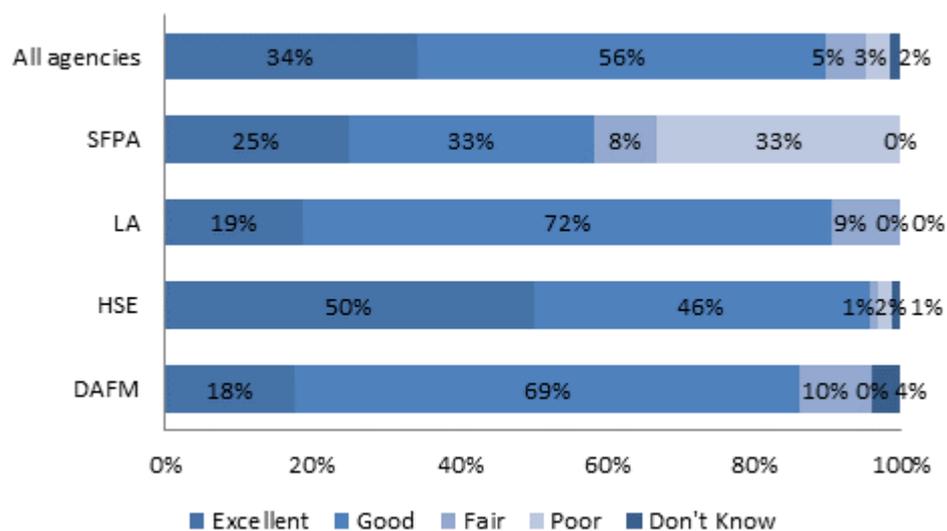
**Figure A8.21** How would you rate the following aspects of the food business inspection system in your agency? Enforcement (N=187)



**Table A8.22** How would you rate the following aspects of the food business inspection system in your agency? Identification of non-compliances

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Excellent    | 9<br>(18%)  | 46<br>(50%) | 6<br>(19%)  | 3<br>(25%) | 64<br>(34%)  |
| Good         | 35<br>(69%) | 42<br>(46%) | 23<br>(72%) | 4<br>(33%) | 104<br>(56%) |
| Fair         | 5<br>(10%)  | 1<br>(1%)   | 3<br>(9%)   | 1<br>(8%)  | 10<br>(5%)   |
| Poor         | 0<br>(0%)   | 2<br>(2%)   | 0<br>(0%)   | 4<br>(33%) | 6<br>(3%)    |
| Don't know   | 2<br>(4%)   | 1<br>(1%)   | 0<br>(0%)   | 0<br>(0%)  | 3<br>(2%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

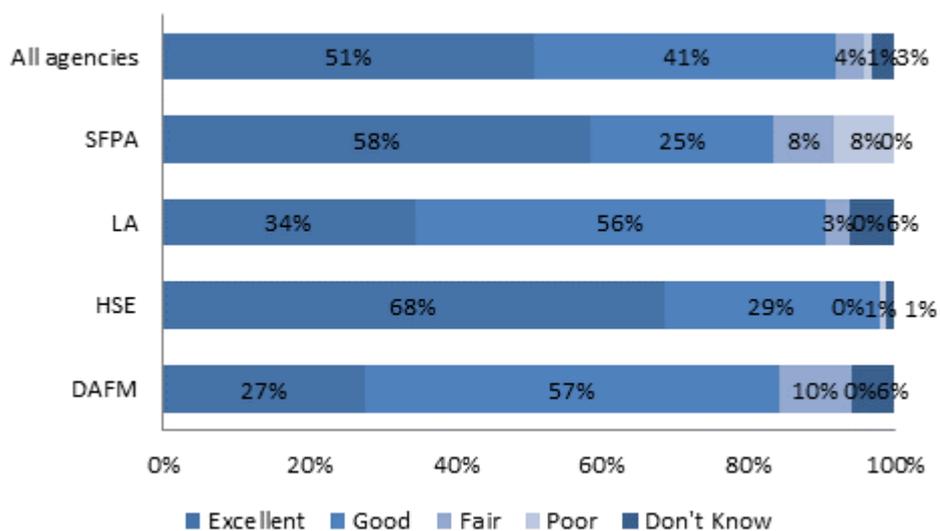
**Figure A8.22** How would you rate the following aspects of the food business inspection system in your agency? Identification of non-compliances (N=187)



**Table A8.23** How would you rate the following aspects of the food business inspection system in your agency? Responding to food incidents

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 14<br>(27%) | 63<br>(68%) | 11<br>(34%) | 7<br>(58%) | 95<br>(51%) |
| Good         | 29<br>(57%) | 27<br>(29%) | 18<br>(56%) | 3<br>(25%) | 77<br>(41%) |
| Fair         | 5<br>(10%)  | 0<br>(0%)   | 1<br>(3%)   | 1<br>(8%)  | 7<br>(4%)   |
| Poor         | 0<br>(0%)   | 1<br>(1%)   | 0<br>(0%)   | 1<br>(8%)  | 2<br>(1%)   |
| Don't know   | 3<br>(6%)   | 0<br>(0%)   | 2<br>(6%)   | 0<br>(0%)  | 6<br>(3%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

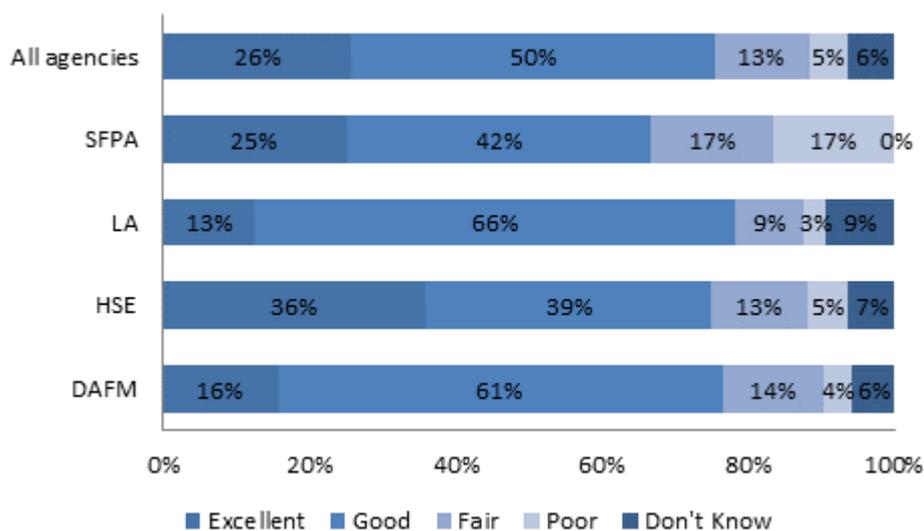
**Figure A8.23** How would you rate the following aspects of the food business inspection system in your agency? Responding to food incidents (N=187)



**Table A8.24** How would you rate the following aspects of the food business inspection system in your agency? Promotion of compliance with industry

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 8<br>(16%)  | 33<br>(36%) | 4<br>(13%)  | 3<br>(25%) | 48<br>(26%) |
| Good         | 31<br>(61%) | 36<br>(39%) | 21<br>(66%) | 5<br>(42%) | 93<br>(50%) |
| Fair         | 7<br>(14%)  | 12<br>(13%) | 3<br>(9%)   | 2<br>(17%) | 24<br>(13%) |
| Poor         | 2<br>(4%)   | 5<br>(5%)   | 1<br>(3%)   | 2<br>(17%) | 10<br>(5%)  |
| Don't know   | 3<br>(6%)   | 6<br>(7%)   | 3<br>(9%)   | 0<br>(0%)  | 12<br>(6%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.24** How would you rate the following aspects of the food business inspection system in your agency? Promotion of compliance with industry (N=187)

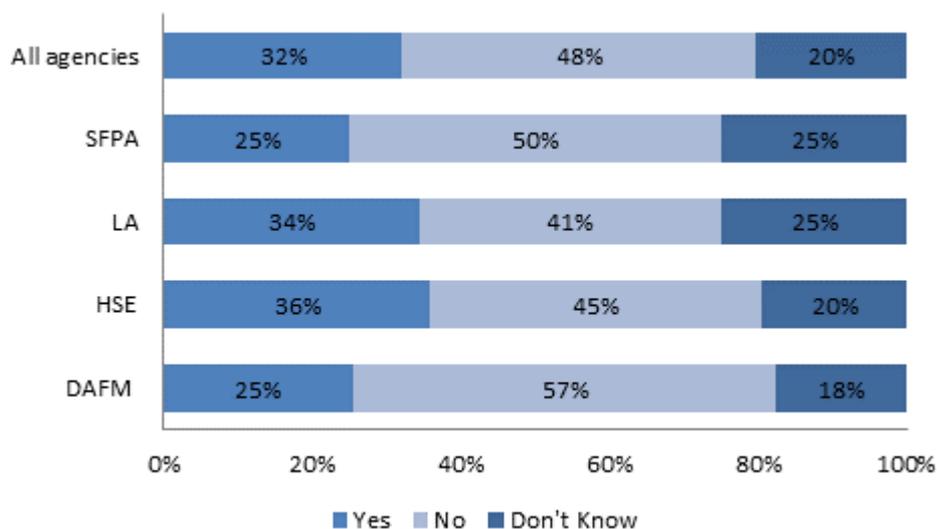


### A8.3 Prioritisation and allocation of official controls and resources

**Table A8.25** Do you think the number of inspectors involved in food inspections in Ireland is appropriately aligned to risk across the food chain?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 13<br>(25%) | 33<br>(36%) | 11<br>(34%) | 3<br>(25%) | 60<br>(32%) |
| No           | 29<br>(57%) | 41<br>(45%) | 13<br>(41%) | 6<br>(50%) | 89<br>(48%) |
| Don't know   | 9<br>(18%)  | 18<br>(20%) | 8<br>(25%)  | 3<br>(25%) | 38<br>(20%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

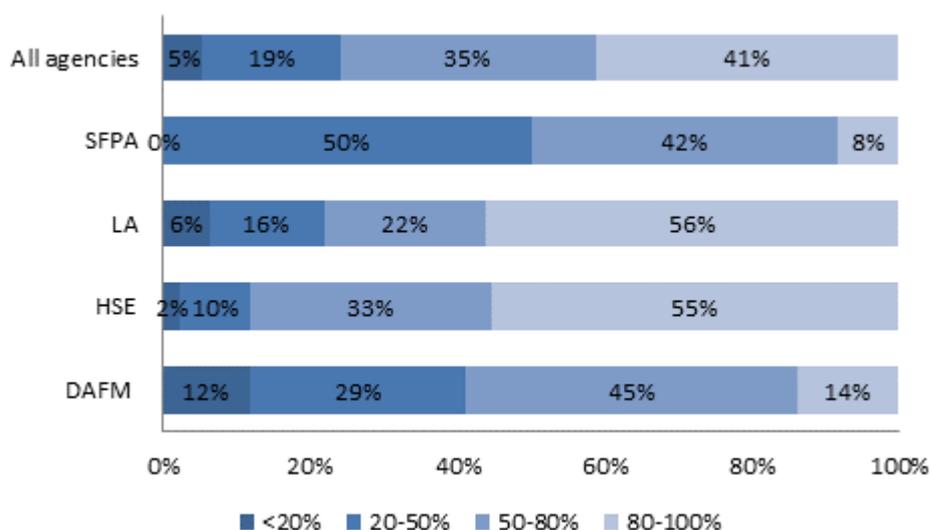
**Figure A8.25** Do you think the number of inspectors involved in food inspections in Ireland is appropriately aligned to risk across the food chain? (N=187)



**Table A8.26** What proportion of your time is spent on food safety work compared with non-food safety work?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| <20          | 6<br>(12%)  | 2<br>(2%)   | 2<br>(6%)   | 0<br>(0%)  | 10<br>(5%)  |
| 20-50        | 15<br>(29%) | 9<br>(10%)  | 5<br>(16%)  | 6<br>(50%) | 35<br>(19%) |
| 50-80        | 23<br>(45%) | 30<br>(33%) | 7<br>(22%)  | 5<br>(42%) | 65<br>(35%) |
| 80-100       | 7<br>(14%)  | 51<br>(55%) | 18<br>(56%) | 1<br>(8%)  | 77<br>(41%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

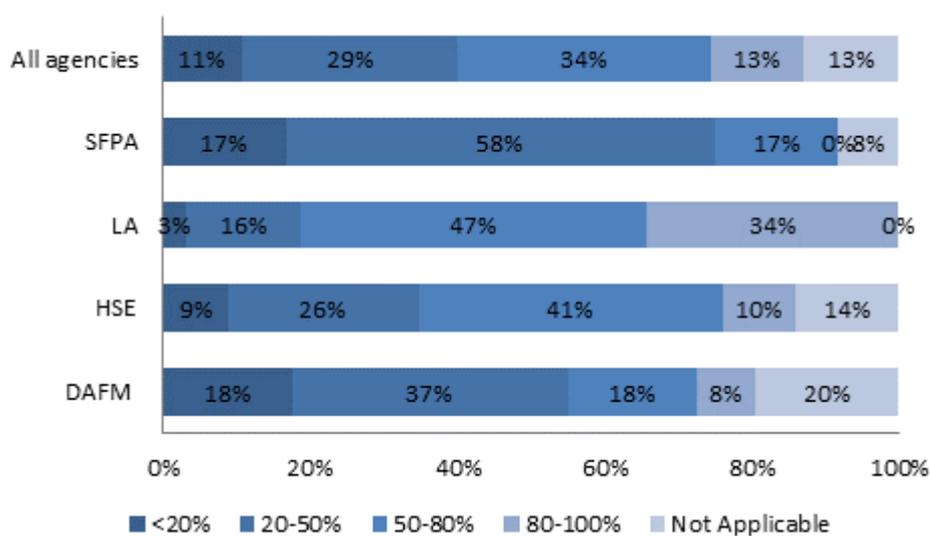
**Figure A8.26** What proportion of your time is spent on food safety work compared with non-food safety work? (N=187)



**Table A8.27 What proportion of your time is spent on inspections?**

|                | DAFM        | HSE         | LA          | SFPA       | Total       |
|----------------|-------------|-------------|-------------|------------|-------------|
| <20            | 9<br>(18%)  | 8<br>(9%)   | 1<br>(3%)   | 2<br>(17%) | 20<br>(11%) |
| 20-50          | 19<br>(37%) | 24<br>(26%) | 5<br>(16%)  | 7<br>(58%) | 55<br>(29%) |
| 50-80          | 9<br>(18%)  | 38<br>(41%) | 15<br>(47%) | 2<br>(17%) | 64<br>(34%) |
| 80-100         | 4<br>(8%)   | 9<br>(10%)  | 11<br>(34%) | 0<br>(0%)  | 24<br>(13%) |
| Not Applicable | 10<br>(20%) | 13<br>(14%) | 0<br>(0%)   | 1<br>(8%)  | 24<br>(13%) |
| <b>Total</b>   | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

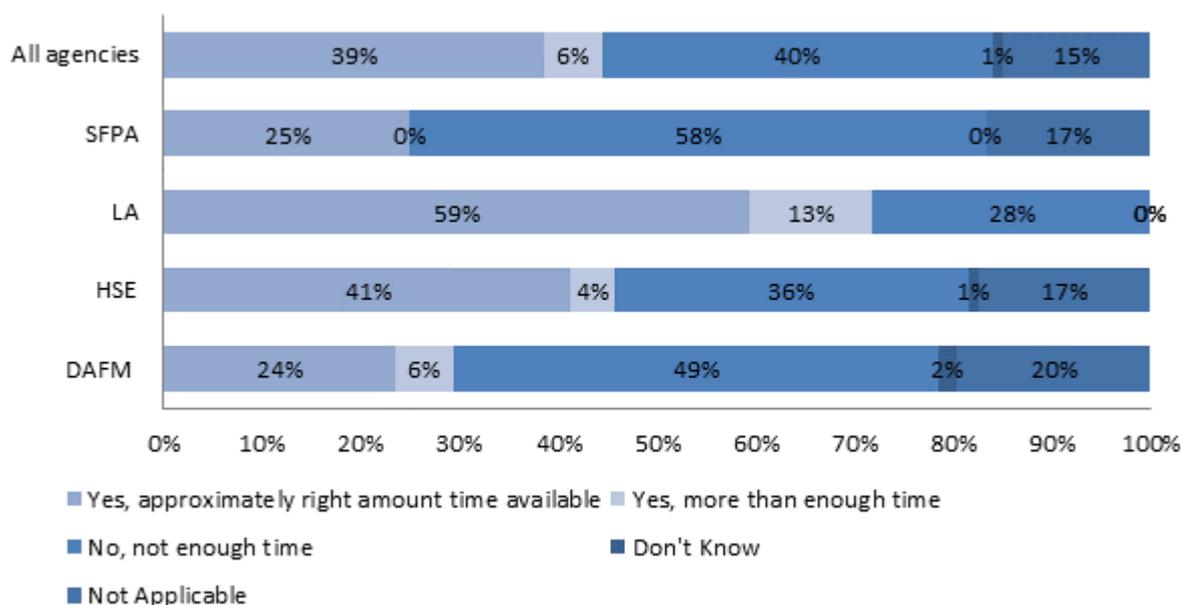
**Figure A8.27 What proportion of your time is spent on inspections? (N=187)**



**Table A8.28 Do you have enough time to carry out food business inspections for which you are responsible?**

|  | DAFM      | HSE       | LA        | SFPA      | Total      |
|--|-----------|-----------|-----------|-----------|------------|
| Yes, approximately right amount time available | 12 (24%)  | 38 (41%)  | 19 (59%)  | 3 (25%)   | 72 (39%)   |
| Yes, more than enough time                     | 3 (6%)    | 4 (4%)    | 4 (13%)   | 0 (0%)    | 11 (6%)    |
| No, not enough time                            | 25 (49%)  | 33 (36%)  | 9 (28%)   | 7 (58%)   | 74 (40%)   |
| Don't Know                                     | 1 (2%)    | 1 (1%)    | 0 (0%)    | 0 (0%)    | 2 (1%)     |
| Not Applicable                                 | 10 (20%)  | 16 (17%)  | 0 (0%)    | 2 (17%)   | 28 (15%)   |
| <b>Total</b>                                   | <b>51</b> | <b>92</b> | <b>32</b> | <b>12</b> | <b>187</b> |

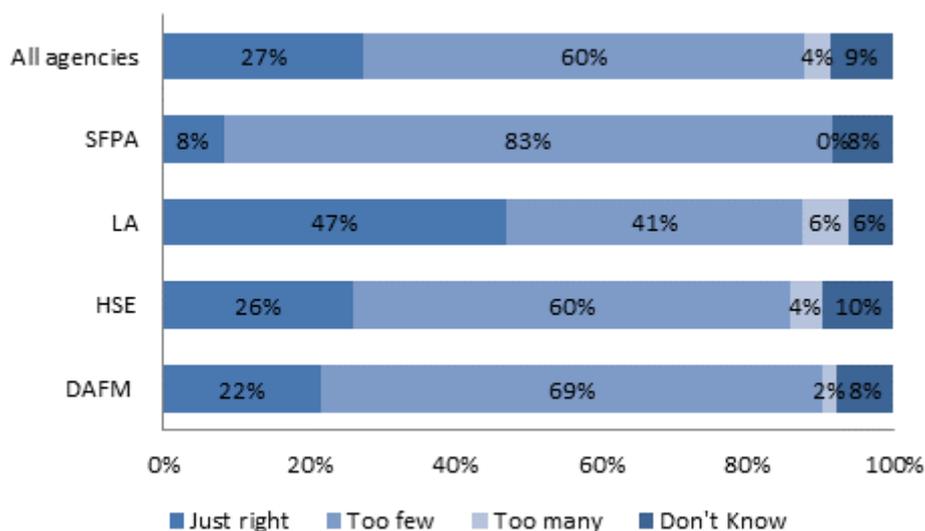
**Figure A8.28 Do you have enough time to carry out food business inspections for which you are responsible? (N=187)**



**Table A8.29** Number of staff in your agency?

|   | DAFM        | HSE         | LA          | SFPA        | Total        |
|---|-------------|-------------|-------------|-------------|--------------|
| Just right (no. staff is well matched with volume of work required) | 11<br>(22%) | 24<br>(26%) | 15<br>(47%) | 1<br>(8%)   | 51<br>(27%)  |
| Too few (too few staff for volume of work required)                 | 35<br>(69%) | 55<br>(60%) | 13<br>(41%) | 10<br>(83%) | 113<br>(60%) |
| Too many (too many staff for volume of work required)               | 1<br>(2%)   | 4<br>(4%)   | 2<br>(6%)   | 0<br>(0%)   | 7<br>(4%)    |
| Don't Know  | 4<br>(8%)   | 9<br>(10%)  | 2<br>(6%)   | 1<br>(8%)   | 16<br>(9%)   |
| <b>Total</b>  | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

**Figure A8.29** Number of staff (N=187)

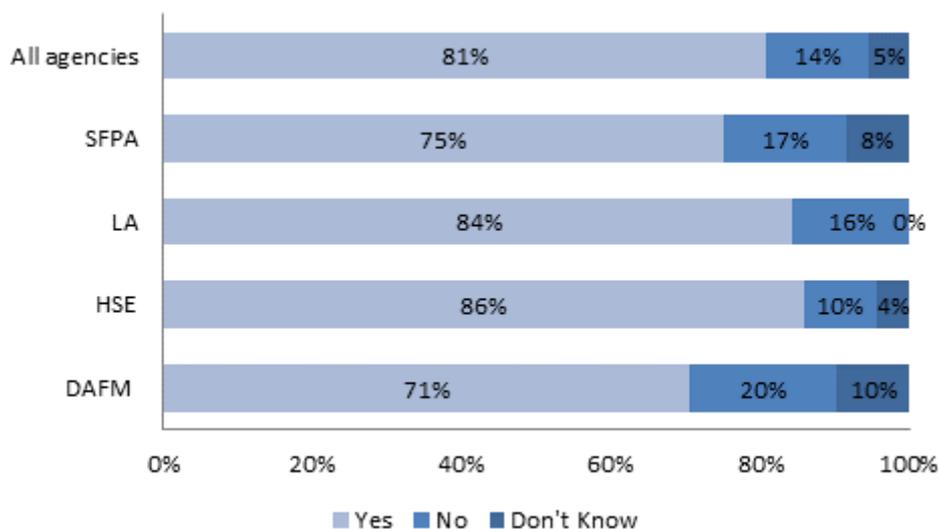


## A8.4 Reporting

**Table A8.30** Thinking about information collected from your food business inspections – is the correct information captured?

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 36<br>(71%) | 79<br>(86%) | 27<br>(84%) | 9<br>(75%) | 151<br>(81%) |
| No           | 10<br>(20%) | 9<br>(10%)  | 5<br>(16%)  | 2<br>(17%) | 26<br>(14%)  |
| Don't know   | 5<br>(10%)  | 4<br>(4%)   | 0<br>(0%)   | 1<br>(8%)  | 10<br>(5%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

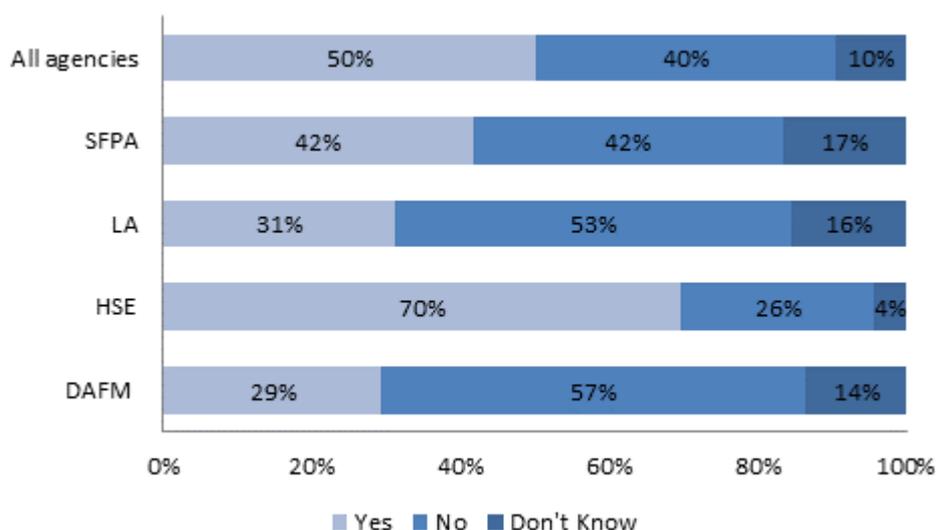
**Figure A8.30** Thinking about information collected from your food business inspections – is the correct information captured? (N=187)



**Table A8.31 Thinking about information collected from your food business inspections – are the appropriate IT tools available?**

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 15<br>(29%) | 64<br>(70%) | 10<br>(31%) | 5<br>(42%) | 94<br>(50%) |
| No           | 29<br>(57%) | 24<br>(26%) | 17<br>(53%) | 5<br>(42%) | 75<br>(40%) |
| Don't know   | 7<br>(14%)  | 4<br>(4%)   | 5<br>(16%)  | 2<br>(17%) | 18<br>(10%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

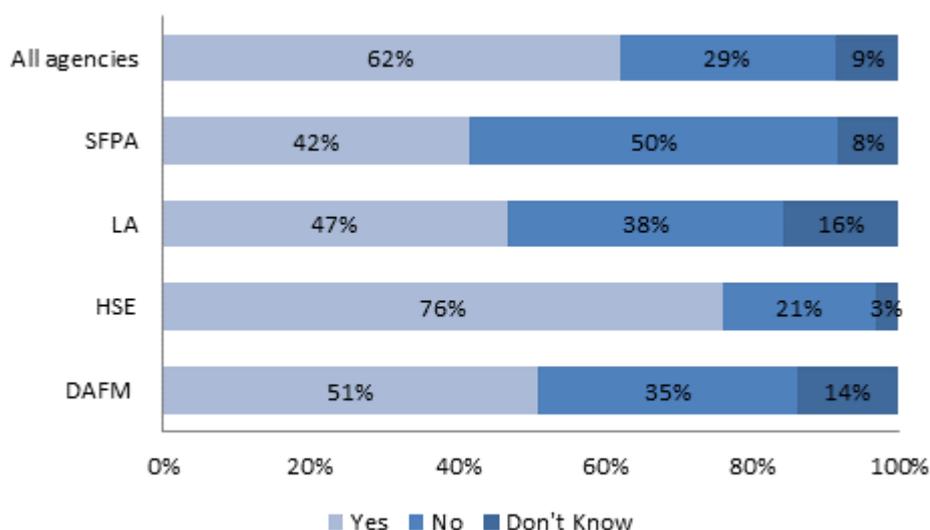
**Figure A8.31 Thinking about information collected from your food business inspections – are the appropriate IT tools available? (N=187)**



**Table A8.32 Thinking about information collected from your food business inspections – have you had sufficient information on how to use the IT tools available?**

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 26<br>(51%) | 70<br>(76%) | 15<br>(47%) | 5<br>(42%) | 116<br>(62%) |
| No           | 18<br>(35%) | 19<br>(21%) | 12<br>(38%) | 6<br>(50%) | 55<br>(29%)  |
| Don't know   | 7<br>(14%)  | 3<br>(3%)   | 5<br>(16%)  | 1<br>(8%)  | 16<br>(9%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

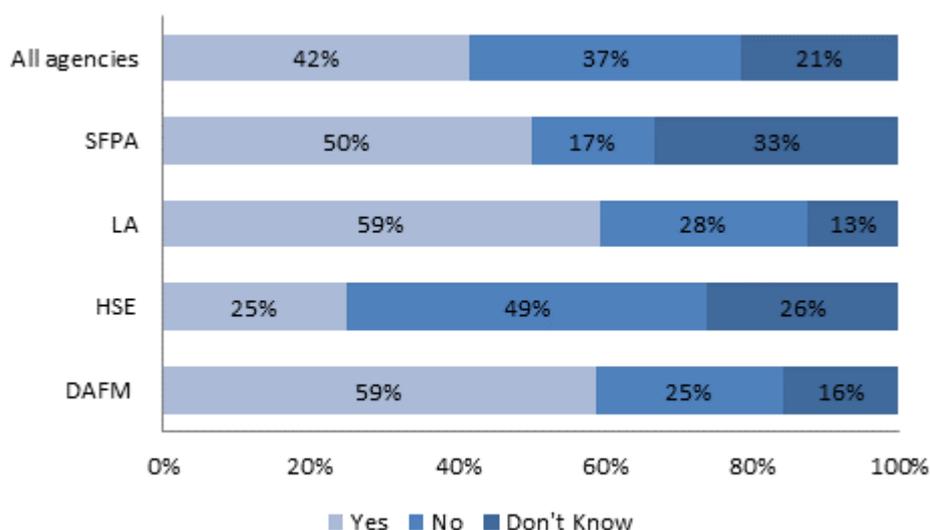
**Figure A8.32 Thinking about information collected from your food business inspections – have you had sufficient information on how to use the IT tools available? (N=187)**



**Table A8.33 Thinking about information collected from your food business inspections – do you think your agency should share detailed information with the FSAI?**

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 30<br>(59%) | 23<br>(25%) | 19<br>(59%) | 6<br>(50%) | 78<br>(42%) |
| No           | 13<br>(25%) | 45<br>(49%) | 9<br>(28%)  | 2<br>(17%) | 69<br>(37%) |
| Don't know   | 8<br>(16%)  | 24<br>(26%) | 4<br>(13%)  | 4<br>(33%) | 40<br>(21%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.33 Thinking about information collected from your food business inspections – do you think your agency should share detailed information with the FSAI? (N=187)**

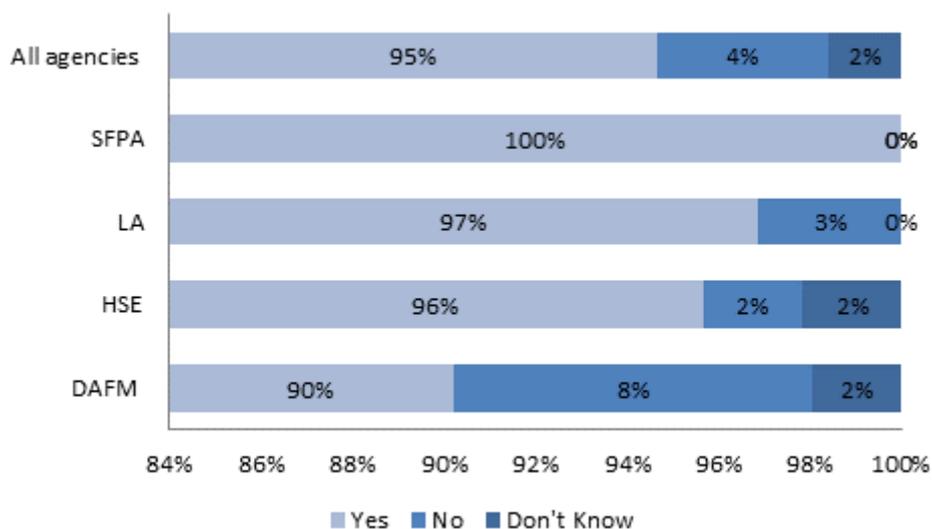


## A8.5 Enforcement

**Table A8.34** Thinking about enforcement in the event of FBO non-compliance – do you have sufficient powers to take the necessary legal action?

|              | DAFM        | HSE         | LA          | SFPA         | Total        |
|--------------|-------------|-------------|-------------|--------------|--------------|
| Yes          | 46<br>(90%) | 88<br>(96%) | 31<br>(97%) | 12<br>(100%) | 177<br>(95%) |
| No           | (8%)        | 2<br>(2%)   | 1<br>(3%)   | 0<br>(0%)    | 7<br>(4%)    |
| Don't know   | 1<br>(2%)   | 2<br>(2)    | 0<br>(0%)   | 0<br>(0%)    | 3<br>(2%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>    | <b>187</b>   |

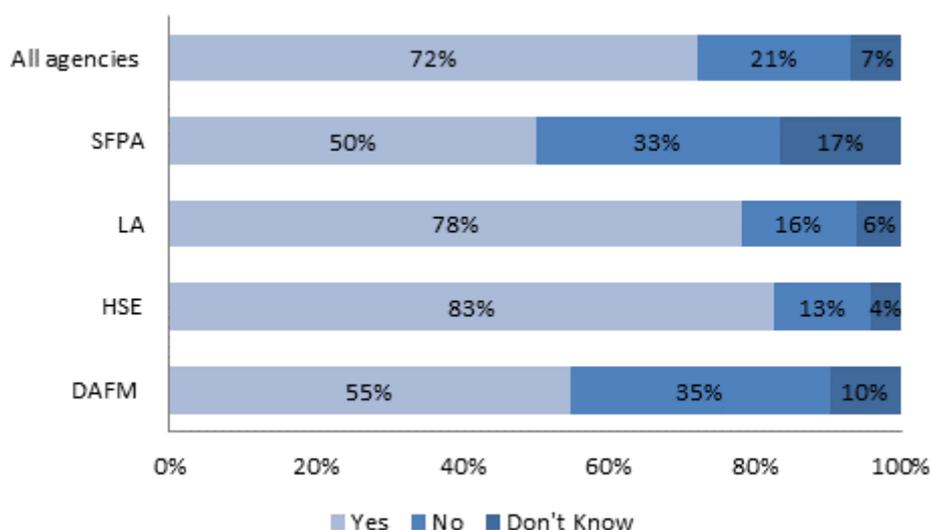
**Figure A8.34** Thinking about enforcement in the event of FBO non-compliance – do you have sufficient powers to take the necessary legal action? (N=187)



**Table A8.35 Thinking about enforcement in the event of FBO non-compliance – do you think the powers available to you are sufficiently used?**

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 28<br>(55%) | 76<br>(83%) | 25<br>(78%) | 6<br>(50%) | 135<br>(72%) |
| No           | 18<br>(35%) | 12<br>(13%) | 5<br>(16%)  | (33%)      | 39<br>(21%)  |
| Don't know   | 5<br>(10%)  | 4<br>(4%)   | 2<br>(6%)   | 2<br>(17%) | 13<br>(7%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

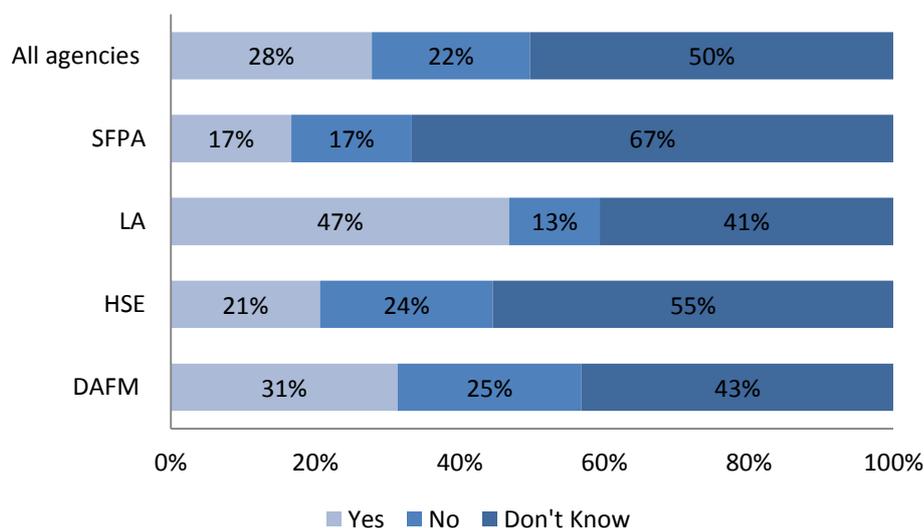
**Figure A8.35 Thinking about enforcement in the event of FBO non-compliance – do you think the powers available to you are sufficiently used? (N=187)**



**Table A8.36 Thinking about enforcement in the event of FBO non-compliance – do you think that similar types of non-compliance would be similarly enforced by other agencies?**

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 16<br>(31%) | 19<br>(21%) | 15<br>(47%) | 2<br>(17%) | 52<br>(28%) |
| No           | 13<br>(25%) | 22<br>(24%) | 4<br>(13%)  | 2<br>(17%) | 41<br>(22%) |
| Don't know   | 22<br>(43%) | 51<br>(55%) | 13<br>(41%) | 8<br>(67%) | 94<br>(50%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.36 Thinking about enforcement in the event of FBO non-compliance – do you think that similar types of non-compliance would be similarly enforced by other agencies? (N=187)**

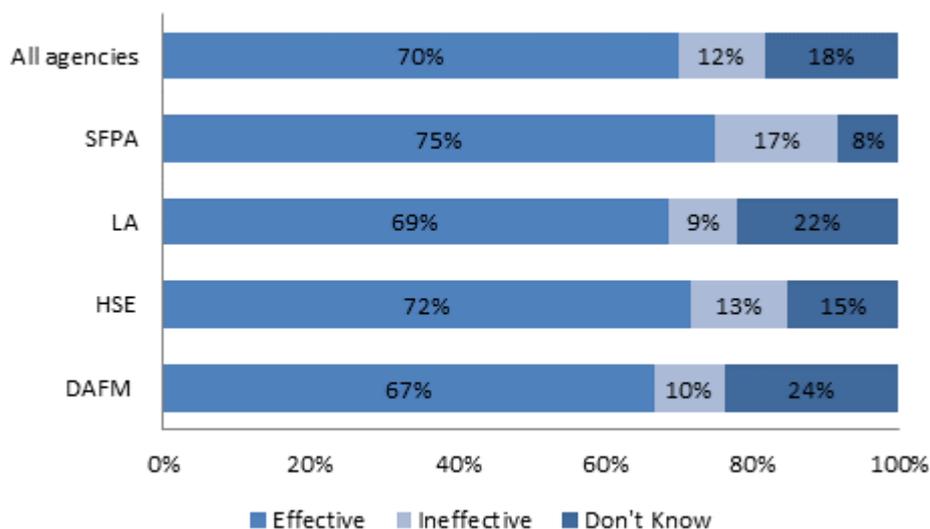


## A8.6 Transparency

**Table A8.37** What do you think of the ‘naming and shaming’ policy on the FSAI website of those businesses that are subject to legal action such as Closures Orders?

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Effective    | 34<br>(67%) | 6<br>(72%)  | 22<br>(69%) | 9<br>(75%) | 131<br>(70%) |
| Ineffective  | 5<br>(10%)  | 12<br>(13%) | 3<br>(9%)   | 2<br>(17%) | 22<br>(12%)  |
| Don't know   | 12<br>(24%) | 14<br>(15%) | 7<br>(22%)  | 1<br>(8%)  | 34<br>(18%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

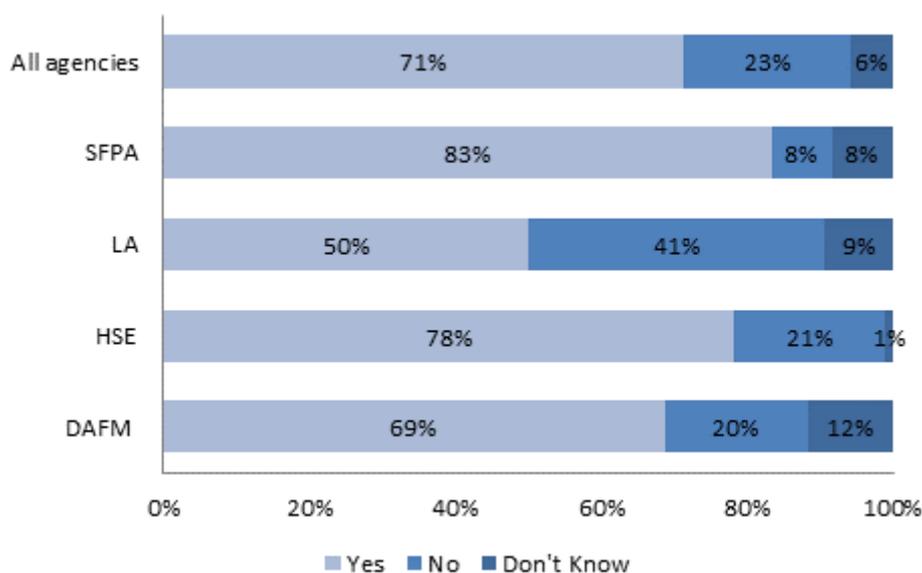
**Figure A8.37** What do you think of the ‘naming and shaming’ policy on the FSAI website of those businesses that are subject to legal action such as Closures Orders? (N=187)



**Table A8.38** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include all legal notices requiring the cessation of activities?

|              | DAFM        | HSE         | LA          | SFPA        | Total        |
|--------------|-------------|-------------|-------------|-------------|--------------|
| Yes          | 35<br>(69%) | 72<br>(78%) | 16<br>(50%) | 10<br>(83%) | 133<br>(71%) |
| No           | 10<br>(20%) | 19<br>(21%) | 13<br>(41%) | 1<br>(8%)   | 43<br>(23%)  |
| Don't know   | 6<br>(12%)  | 1<br>(1%)   | 3<br>(9%)   | 1<br>(8%)   | 11<br>(6%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

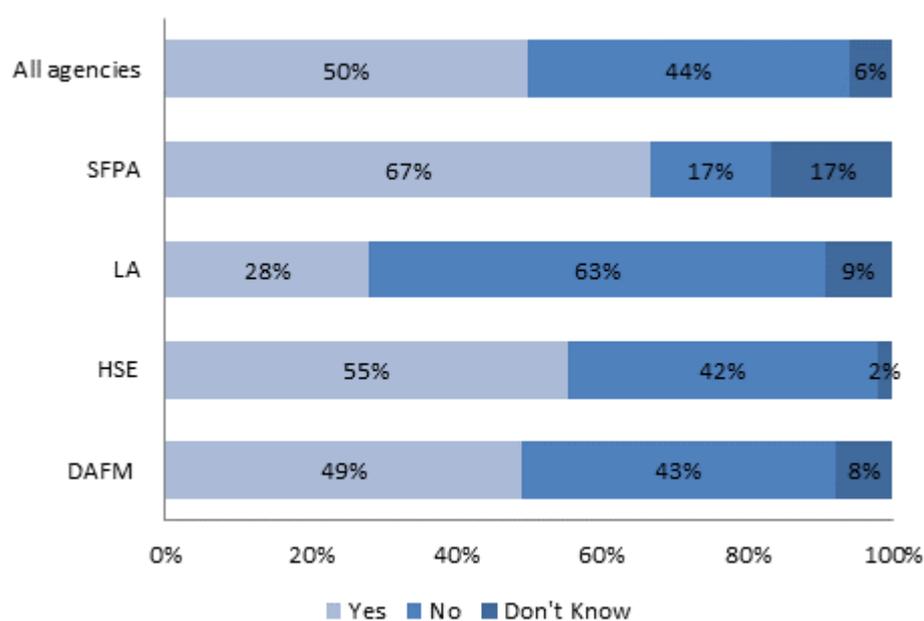
**Figure A8.38** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include all legal notices requiring the cessation of activities? (N=187)



**Table A8.39** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include legal notices e.g. improvement notices, compliance notices?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 25<br>(49%) | 51<br>(55%) | 9<br>(28%)  | 8<br>(67%) | 93<br>(50%) |
| No           | 22<br>(43%) | 39<br>(42%) | 20<br>(63%) | 2<br>(17%) | 83<br>(44%) |
| Don't know   | 4<br>(8%)   | 2<br>(2%)   | 3<br>(9%)   | 2<br>(17%) | 11<br>(6%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

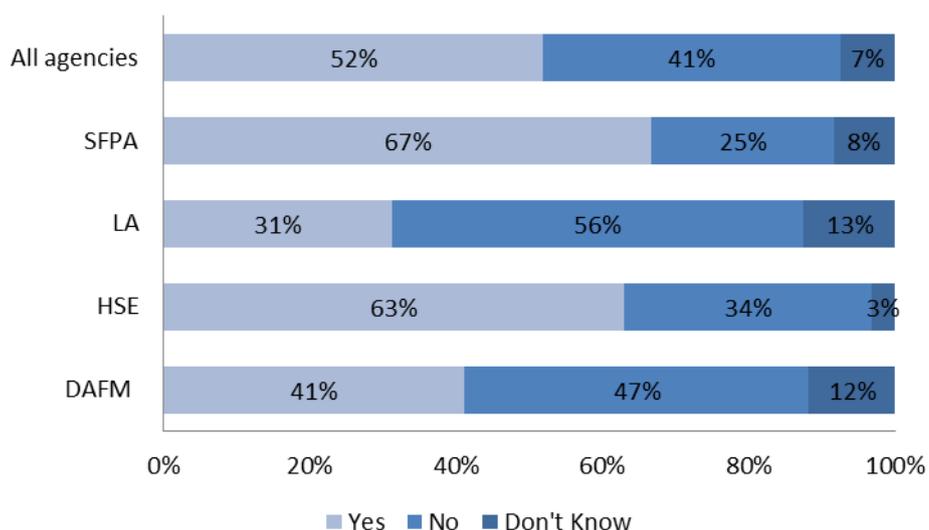
**Figure A8.39** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include legal notices e.g. improvement notices, compliance notices? (N=187)



**Table A8.40** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include full details of enforcement orders?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 21<br>(41%) | 58<br>(63%) | 10<br>(31%) | 8<br>(67%) | 97<br>(52%) |
| No           | 24<br>(47%) | 31<br>(34%) | 18<br>(56%) | 3<br>(25%) | 76<br>(41%) |
| Don't know   | 6<br>(12%)  | 3<br>(3%)   | 4<br>(13%)  | 1<br>(8%)  | 14<br>(7%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

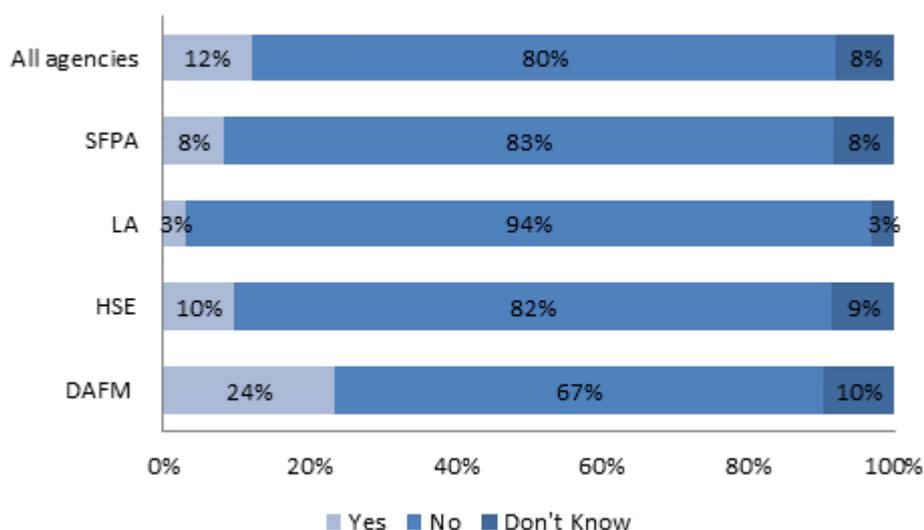
**Figure A8.40** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include full details of enforcement orders? (N=187)



**Table A8.41** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include full inspection reports?

|              | DAFM        | HSE         | LA          | SFPA        | Total        |
|--------------|-------------|-------------|-------------|-------------|--------------|
| Yes          | 12<br>(24%) | 9<br>(10%)  | 1<br>(3%)   | 1<br>(8%)   | 23<br>(12%)  |
| No           | 34<br>(67%) | 75<br>(82%) | 30<br>(94%) | 10<br>(83%) | 149<br>(80%) |
| Don't know   | 5<br>(10%)  | 8<br>(9%)   | 1<br>(3%)   | 1<br>(8%)   | 15<br>(8%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

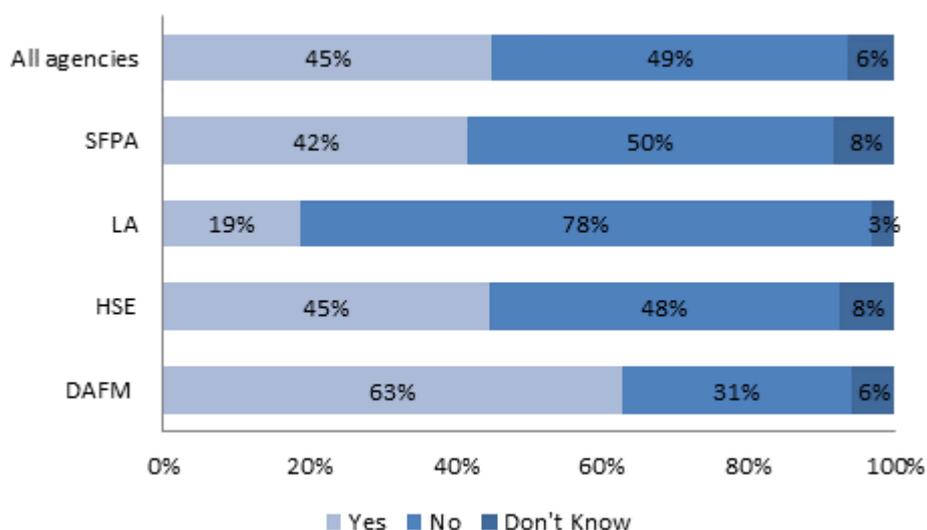
**Figure A8.41** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include full inspection reports? (N=187)



**Table A8.42** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include summary of Inspection reports?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 32<br>(63%) | 41<br>(45%) | 6<br>(19%)  | 5<br>(42%) | 84<br>(45%) |
| No           | 16<br>(31%) | 44<br>(48%) | 25<br>(78%) | 6<br>(50%) | 91<br>(49%) |
| Don't know   | 3<br>(6%)   | 7<br>(8%)   | 1<br>(3%)   | 1<br>(8%)  | 12<br>(6%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.42** At present summary information for some legal orders and prosecutions served on food businesses is available on the FSAI website. Do you think this should be extended to include summary of Inspection reports? (N=187)

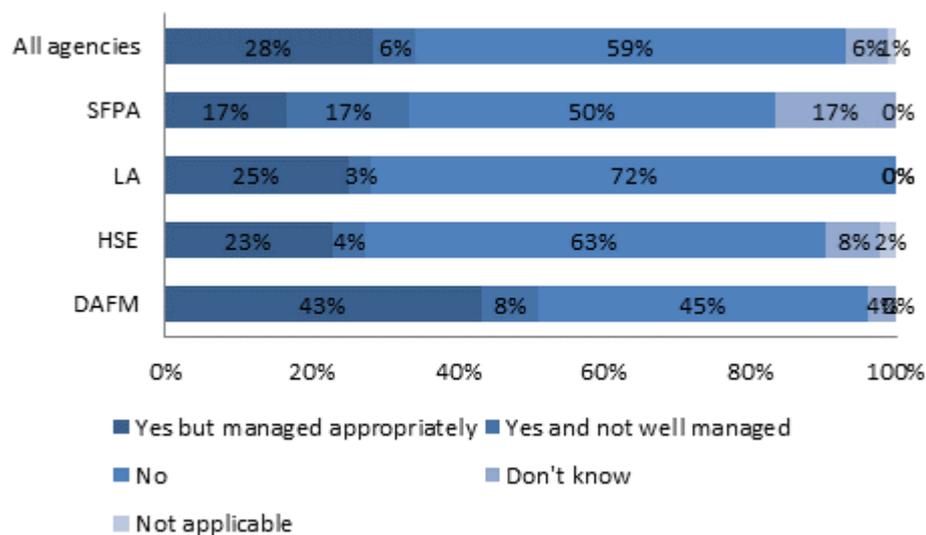


## A8.7 Conflict of interest

**Table A8.43** Do you perceive there to be conflicts of interest for inspectors/officials in your agency?

|                               | DAFM      | HSE       | LA        | SFPA      | Total      |
|-------------------------------|-----------|-----------|-----------|-----------|------------|
| Yes but managed appropriately | 22 (43%)  | 21 (23%)  | 8 (25%)   | 2 (17%)   | 53 (28%)   |
| Yes and not well managed      | 4 (8%)    | 4 (4%)    | 1 (3%)    | 2 (17%)   | 11 (6%)    |
| No                            | 23 (45%)  | 58 (63%)  | 23 (72%)  | 5 (50%)   | 110 (59%)  |
| Don't know                    | 2 (4%)    | 7 (8%)    | 0 (0%)    | 2 (17%)   | 11 (6%)    |
| Not applicable                | 0 (0%)    | 2 (2%)    | 0 (0%)    | 0 (0%)    | 2 (1%)     |
| <b>Total</b>                  | <b>51</b> | <b>92</b> | <b>32</b> | <b>12</b> | <b>187</b> |

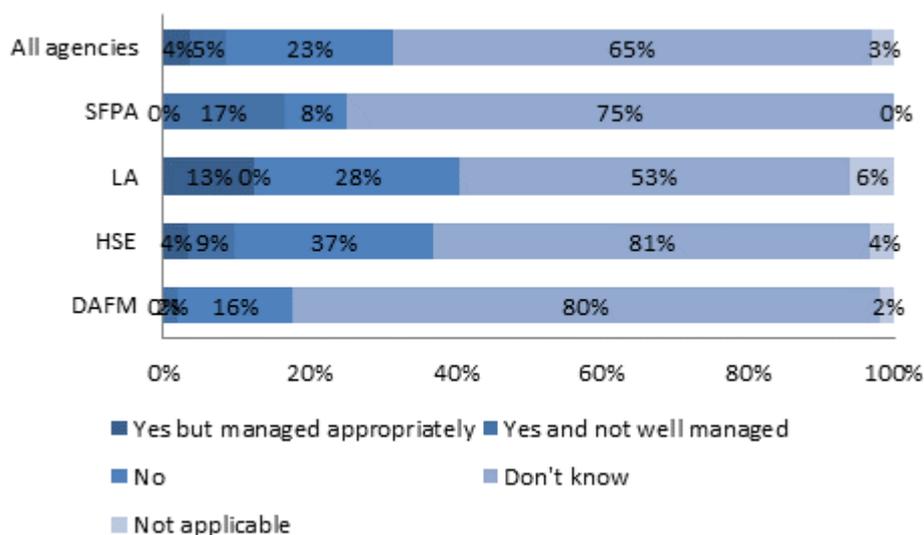
**Figure A8.43** Do you perceive there to be conflicts of interest for inspectors/officials in your agency? (N=187)



**Table A8.44 Do you perceive there to be conflicts of interest for other agencies?**

|                               | DAFM        | HSE         | LA          | SFPA       | Total        |
|-------------------------------|-------------|-------------|-------------|------------|--------------|
| Yes but managed appropriately | 0<br>(0%)   | 3<br>(4%)   | 4<br>(13%)  | 0<br>(0%)  | 7<br>(4%)    |
| Yes and not well managed      | 1<br>(2%)   | 6<br>(9%)   | 0<br>(0%)   | 2<br>(17%) | 9<br>(5%)    |
| No                            | 8<br>(16%)  | 25<br>(37%) | 9<br>(28%)  | 1<br>(8%)  | 43<br>(23%)  |
| Don't know                    | 41<br>(80%) | 55<br>(81%) | 17<br>(53%) | 9<br>(75%) | 122<br>(65%) |
| Not applicable                | 1<br>(2%)   | 3<br>(4%)   | 2<br>(6%)   | 0<br>(0%)  | 6<br>(3%)    |
| <b>Total</b>                  | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

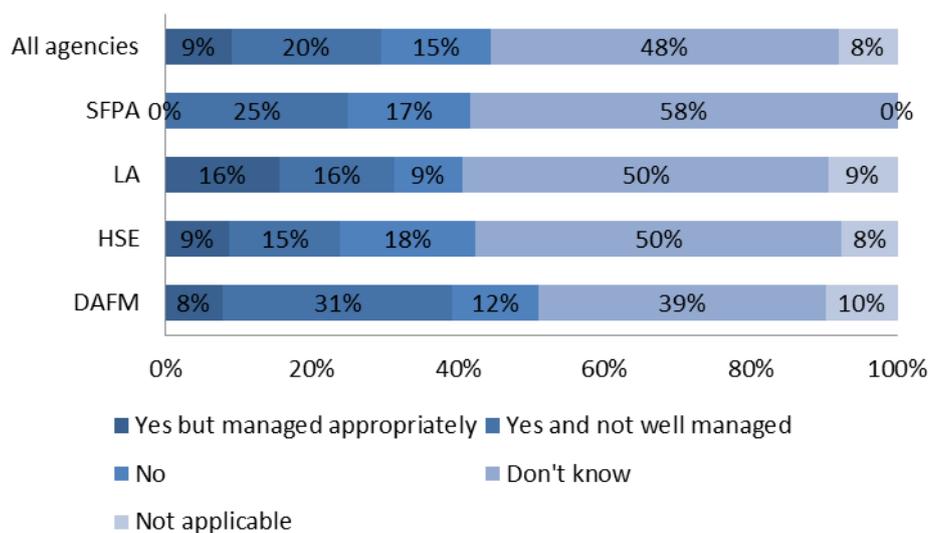
**Figure A8.44 Do you perceive there to be conflicts of interest for other agencies? (N=187)**



**Table A8.45 Do you perceive there to be conflicts of interest for food inspectors working as consultants to the food industry?**

|                               | DAFM        | HSE         | LA          | SFPA       | Total       |
|-------------------------------|-------------|-------------|-------------|------------|-------------|
| Yes but managed appropriately | 4<br>(8%)   | 8<br>(9%)   | 5<br>(16%)  | 0<br>(0%)  | 17<br>(9%)  |
| Yes and not well managed      | 16<br>(31%) | 14<br>(15%) | 5<br>(16%)  | 3<br>(25%) | 38<br>(20%) |
| No                            | 6<br>(12%)  | 17<br>(18%) | 3<br>(9%)   | 2<br>(17%) | 28<br>(15%) |
| Don't know                    | 20<br>(39%) | 46<br>(50%) | 16<br>(50%) | 7<br>(58%) | 89<br>(48%) |
| Not applicable                | 5<br>(10%)  | 7<br>(8%)   | 3<br>(9%)   | 0<br>(0%)  | 15<br>(8%)  |
| <b>Total</b>                  | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

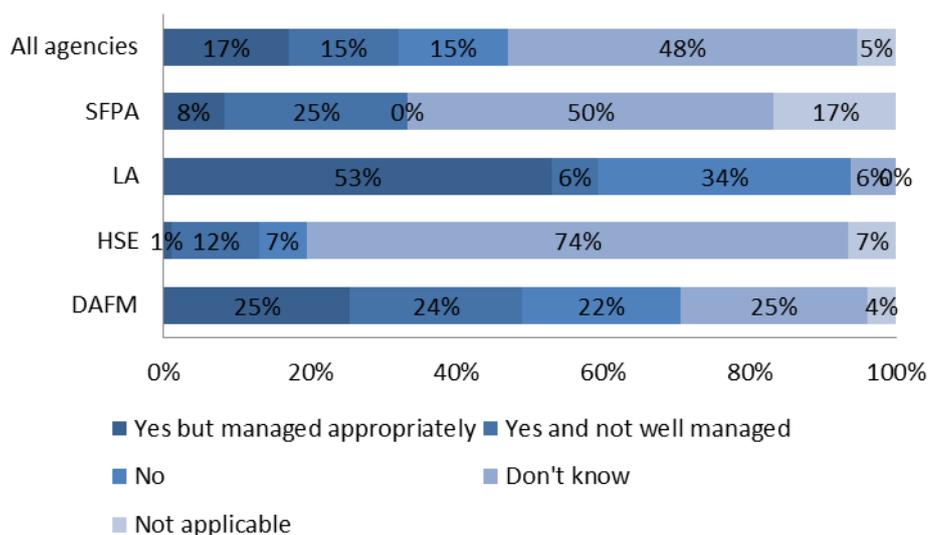
**Figure A8.45 Do you perceive there to be conflicts of interest for food inspectors working as consultants to the food industry? (N=187)**



**Table A8.46 Do you perceive there to be conflicts of interest for temporary veterinary inspectors working in private practice?**

|                               | DAFM        | HSE         | LA          | SFPA       | Total       |
|-------------------------------|-------------|-------------|-------------|------------|-------------|
| Yes but managed appropriately | 13<br>(25%) | 1<br>(1%)   | 17<br>(53%) | 1<br>(8%)  | 32<br>(17%) |
| Yes and not well managed      | 12<br>(24%) | 11<br>(12%) | 2<br>(6%)   | 3<br>(25%) | 28<br>(15%) |
| No                            | 11<br>(22%) | 6<br>(7%)   | 11<br>(34%) | 0<br>(0%)  | 28<br>(15%) |
| Don't know                    | 13<br>(25%) | 68<br>(74%) | 2<br>(6%)   | 6<br>(50%) | 89<br>(48%) |
| Not applicable                | 2<br>(4%)   | 6<br>(7%)   | 0<br>(0%)   | 2<br>(17%) | 10<br>(5%)  |
| <b>Total</b>                  | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

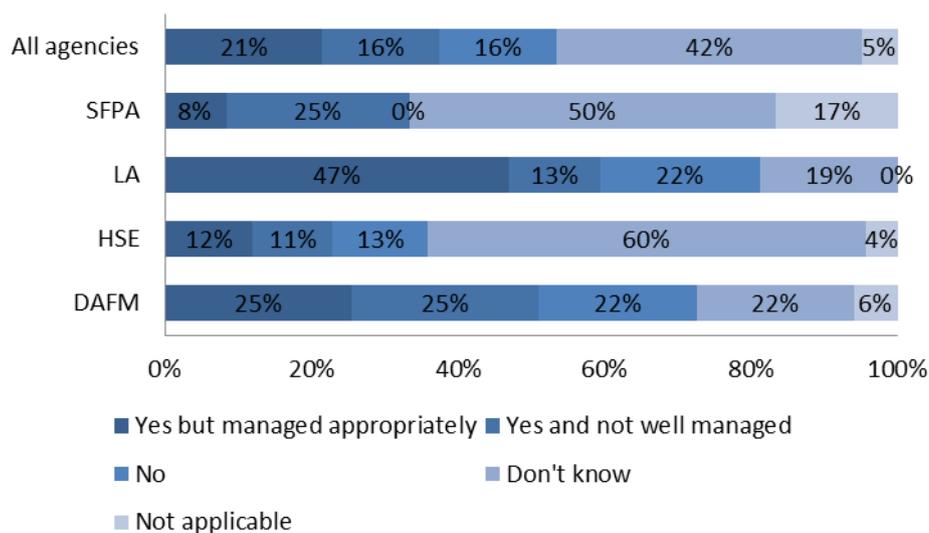
**Figure A8.46 Do you perceive there to be conflicts of interest for temporary veterinary inspectors working in private practice? (N=187)**



**Table A8.47 Do you perceive there to be conflicts of interest for agencies inspecting establishments owned by their own agency?**

|                               | DAFM        | HSE         | LA          | SFPA       | Total       |
|-------------------------------|-------------|-------------|-------------|------------|-------------|
| Yes but managed appropriately | 13<br>(25%) | 11<br>(12%) | 15<br>(47%) | 1<br>(8%)  | 40<br>(21%) |
| Yes and not well managed      | 13<br>(25%) | 10<br>(11%) | 4<br>(12%)  | 3<br>(25%) | 30<br>(16%) |
| No                            | 11<br>(22%) | 12<br>(13%) | 7<br>(22%)  | 0<br>(0%)  | 30<br>(16%) |
| Don't know                    | 11<br>(22%) | 55<br>(60%) | 6<br>(19%)  | 6<br>(50%) | 78<br>(42%) |
| Not applicable                | 3<br>(6%)   | 4<br>(4%)   | 0<br>(0%)   | 2<br>(17%) | 9<br>(5%)   |
| <b>Total</b>                  | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

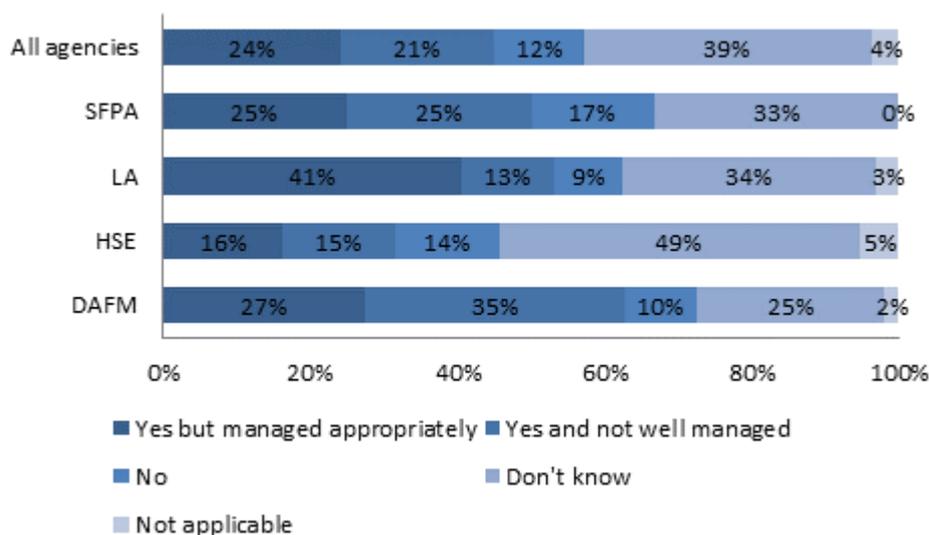
**Figure A8.47 Do you perceive there to be conflicts of interest for agencies inspecting establishments owned by their own agency? (N=187)**



**Table A8.48 Do you perceive there to be conflicts of interest for official agencies also having an industry promotion role?**

|                               | DAFM      | HSE       | LA        | SFPA      | Total      |
|-------------------------------|-----------|-----------|-----------|-----------|------------|
| Yes but managed appropriately | 14 (27%)  | 15 (16%)  | 13 (41%)  | 3 (25%)   | 45 (24%)   |
| Yes and not well managed      | 18 (35%)  | 14 (15%)  | 4 (13%)   | 3 (25%)   | 39 (21%)   |
| No                            | 5 (10%)   | 13 (14%)  | 3 (9%)    | 2 (17%)   | 23 (12%)   |
| Don't know                    | 13 (25%)  | 45 (49%)  | 11 (34%)  | 4 (33%)   | 73 (39%)   |
| Not applicable                | 1 (2%)    | 5 (5%)    | 1 (3%)    | 0 (0%)    | 7 (4%)     |
| <b>Total</b>                  | <b>51</b> | <b>92</b> | <b>32</b> | <b>12</b> | <b>187</b> |

**Figure A8.48 Do you perceive there to be conflicts of interest for official agencies also having an industry promotion role? (N=187)**

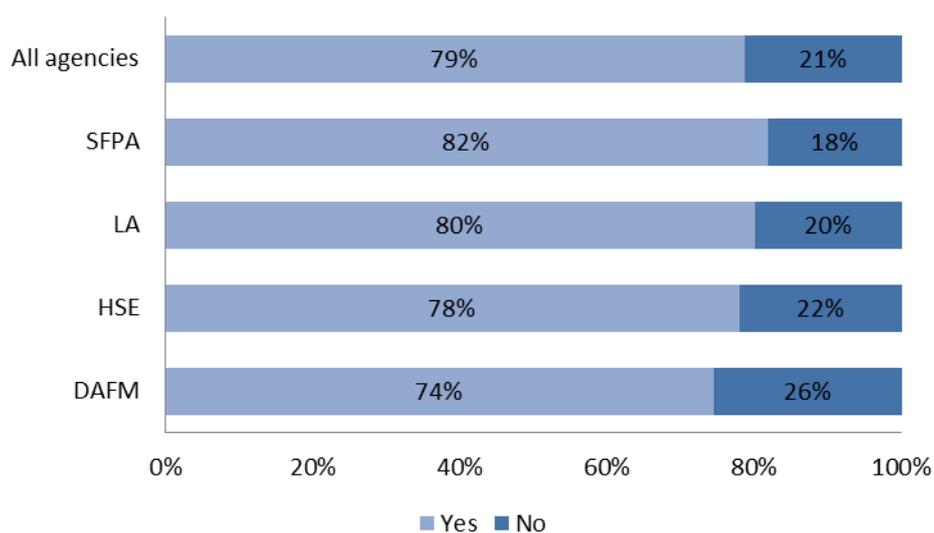


## A8.8 Co-operation and collaboration

**Table A8.49 Do you interact with inspectors/officials in other food control agencies?**

|              | DAFM        | HSE         | LA          | SFPA        | Total        |
|--------------|-------------|-------------|-------------|-------------|--------------|
| Yes          | 38<br>(74%) | 73<br>(78%) | 26<br>(80%) | 10<br>(82%) | 147<br>(79%) |
| No           | 13<br>(26%) | 19<br>(22%) | 6<br>(20%)  | 2<br>(18%)  | 40<br>(21%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

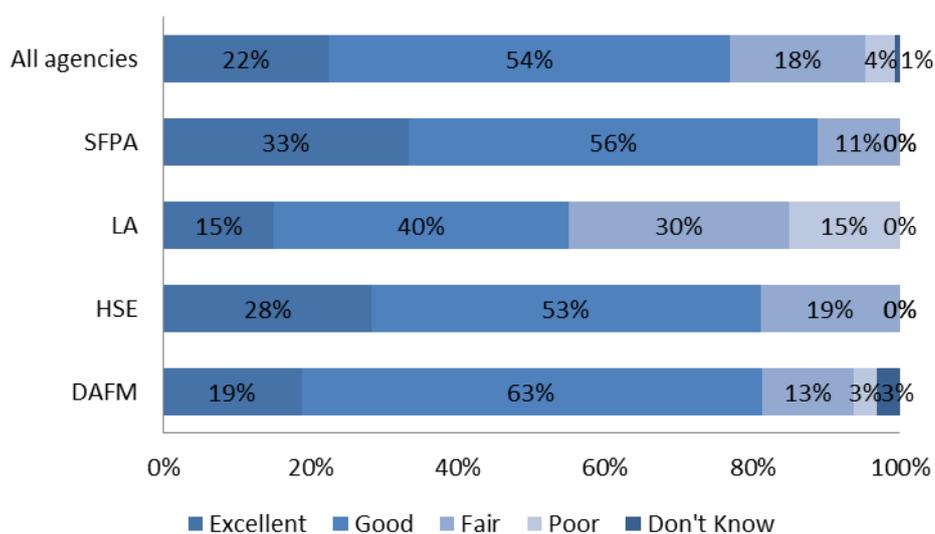
**Figure A8.49 Do you interact with inspectors/officials in other food control agencies? (N=187)**



**Table A8.50** If yes, how do you rate your interaction?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Excellent    | 6<br>(19%)  | 19<br>(28%) | 4<br>(15%)  | 4<br>(33%) | 33<br>(22%) |
| Good         | 26<br>(63%) | 39<br>(53%) | 10<br>(40%) | 5<br>(56%) | 80<br>(54%) |
| Fair         | 4<br>(13%)  | 14<br>(19%) | 8<br>(30%)  | 1<br>(11%) | 27<br>(18%) |
| Poor         | 1<br>(3%)   | 1<br>(0%)   | 4<br>(15%)  | 0<br>(0%)  | 6<br>(4%)   |
| Don't Know   | 1<br>(3%)   | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)  | 1<br>(1%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.50** If yes, how do you rate your interaction? (N=147)

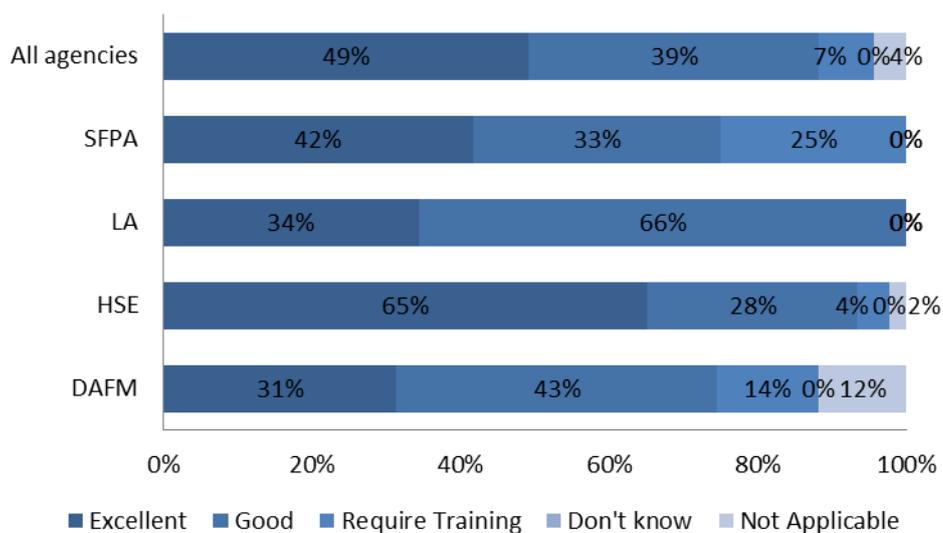


## A8.9 Staff resources and expertise

**Table A8.51** How do you rate your competency in the following areas: *hygiene*?

|                  | DAFM        | HSE         | LA          | SFPA       | Total       |
|------------------|-------------|-------------|-------------|------------|-------------|
| Excellent        | 16<br>(31%) | 60<br>(65%) | 11<br>(34%) | 5<br>(42%) | 92<br>(49%) |
| Good             | 22<br>(43%) | 26<br>(28%) | 21<br>(66%) | 4<br>(33%) | 73<br>(39%) |
| Require Training | 7<br>(14%)  | 4<br>(4%)   | 0<br>(0%)   | 3<br>(25%) | 14<br>(7%)  |
| Don't know       | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)  | 0<br>(0%)   |
| Not applicable   | 6<br>(12%)  | 2<br>(2%)   | 0<br>(0%)   | 0<br>(0%)  | 8<br>(4%)   |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

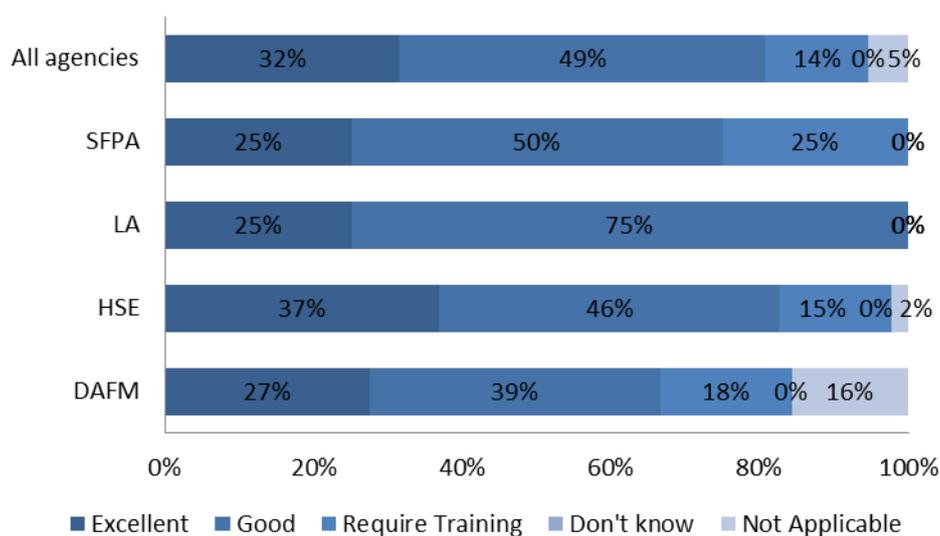
**Figure A8.51** How do you rate your competency in the following areas: *hygiene*? (N=187)



**Table A8.52** How do you rate your competency in the following areas: *HACCP based procedures?*

|                  | DAFM        | HSE         | LA          | SFPA       | Total       |
|------------------|-------------|-------------|-------------|------------|-------------|
| Excellent        | 14<br>(27%) | 34<br>(37%) | 8<br>(25%)  | 3<br>(25%) | 59<br>(32%) |
| Good             | 20<br>(39%) | 42<br>(46%) | 24<br>(75%) | 6<br>(50%) | 92<br>(49%) |
| Require Training | 9<br>(18%)  | 14<br>(15%) | 0<br>(0%)   | 3<br>(25%) | 26<br>(14%) |
| Don't know       | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)  | 0<br>(0%)   |
| Not applicable   | 8<br>(16%)  | 2<br>(2%)   | 0<br>(0%)   | 0<br>(0%)  | 10<br>(5%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

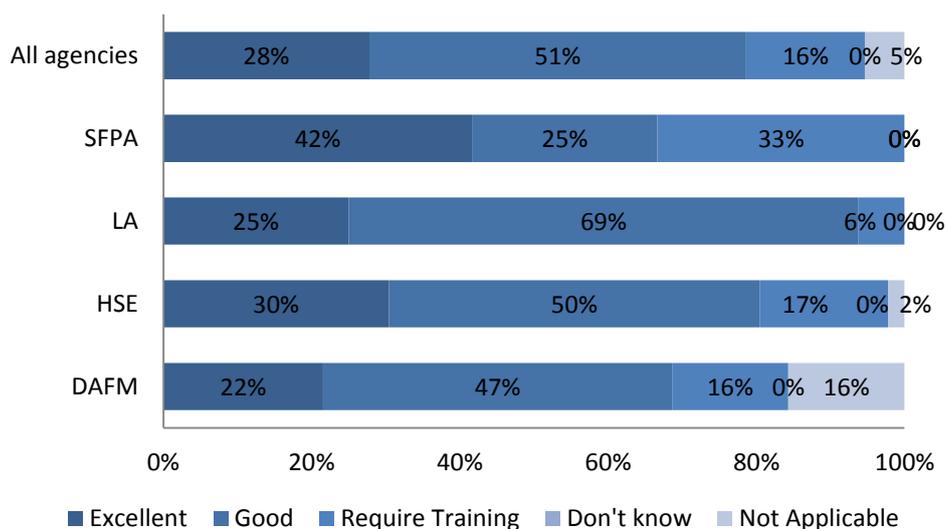
**Figure A8.52** How do you rate your competency in the following areas: *HACCP based procedures?* (N=187)



**Table A8.53** How do you rate your competency in the following areas: *microbiological contamination?*

|                  | DAFM        | HSE         | LA          | SFPA       | Total       |
|------------------|-------------|-------------|-------------|------------|-------------|
| Excellent        | 11<br>(22%) | 28<br>(30%) | 8<br>(25%)  | 5<br>(42%) | 52<br>(28%) |
| Good             | 24<br>(47%) | 46<br>(50%) | 22<br>(69%) | 3<br>(25%) | 95<br>(51%) |
| Require Training | 8<br>(16%)  | 16<br>(17%) | 2<br>(6%)   | 4<br>(33%) | 30<br>(16%) |
| Don't know       | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)  | 0<br>(0%)   |
| Not applicable   | 8<br>(16%)  | 2<br>(2%)   | 0<br>(0%)   | 0<br>(0%)  | 10<br>(5%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

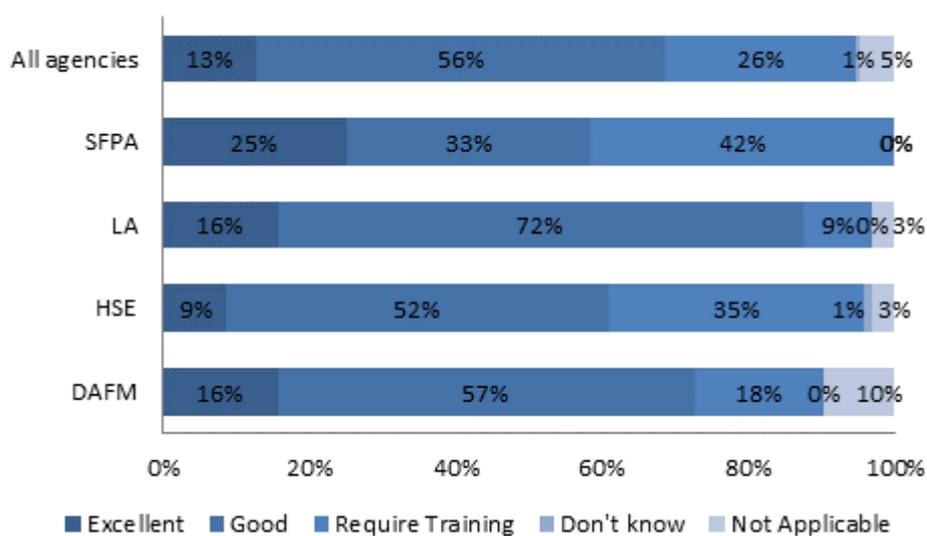
**Figure A8.53** How do you rate your competency in the following areas: *microbiological contamination?* (N=187)



**Table A8.54** How do you rate your competency in the following areas: *labelling?*

|                  | DAFM        | HSE         | LA          | SFPA       | Total        |
|------------------|-------------|-------------|-------------|------------|--------------|
| Excellent        | 8<br>(16%)  | 8<br>(9%)   | 5<br>(16%)  | 3<br>(25%) | 24<br>(13%)  |
| Good             | 29<br>(57%) | 48<br>(52%) | 23<br>(72%) | 4<br>(33%) | 104<br>(56%) |
| Require Training | 9<br>(18%)  | 32<br>(35%) | 3<br>(9%)   | 5<br>(42%) | 49<br>(26%)  |
| Don't know       | 0<br>(0%)   | 1<br>(1%)   | 0<br>(0%)   | 0<br>(0%)  | 1<br>(1%)    |
| Not applicable   | 5<br>(10%)  | 3<br>(3%)   | 1<br>(3%)   | 0<br>(0%)  | 9<br>(5%)    |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

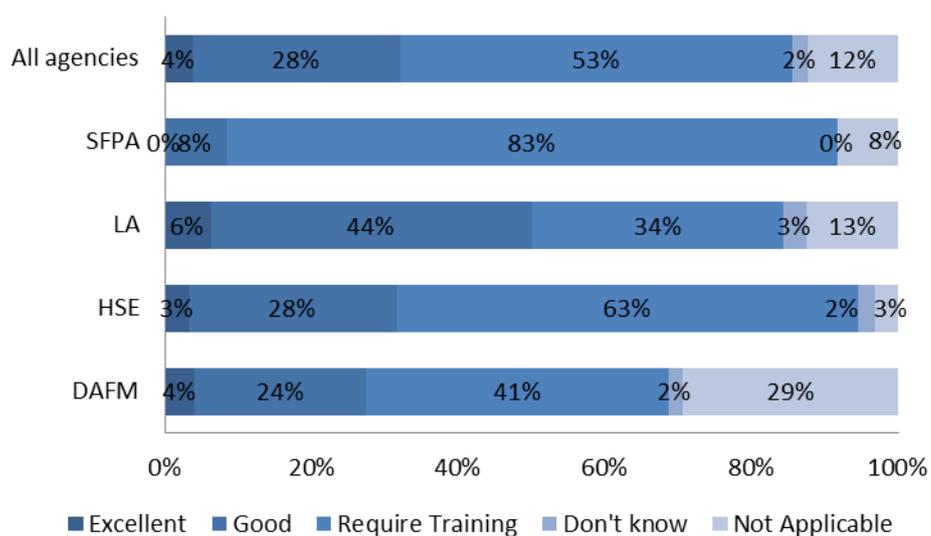
**Figure A8.54** How do you rate your competency in the following areas: *labelling?* (N=187)



**Table A8.55** How do you rate your competency in the following areas: *additives*?

|                  | DAFM        | HSE         | LA          | SFPA        | Total        |
|------------------|-------------|-------------|-------------|-------------|--------------|
| Excellent        | 2<br>(4%)   | 3<br>(3%)   | 2<br>(6%)   | 0<br>(0%)   | 7<br>(4%)    |
| Good             | 12<br>(24%) | 26<br>(28%) | 14<br>(44%) | 1<br>(8%)   | 53<br>(28%)  |
| Require Training | 21<br>(41%) | 58<br>(63%) | 11<br>(34%) | 10<br>(83%) | 100<br>(53%) |
| Don't know       | 1<br>(2%)   | 2<br>(2%)   | 1<br>(3%)   | 0<br>(0%)   | 4<br>(2%)    |
| Not applicable   | 15<br>(29%) | 3<br>(3%)   | 4<br>(13%)  | 1<br>(8%)   | 23<br>(12%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

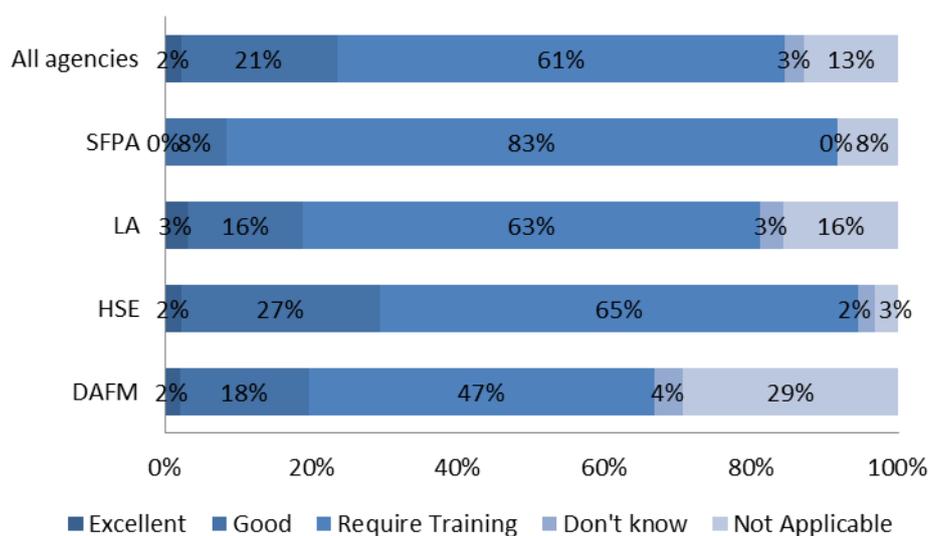
**Figure A8.55** How do you rate your competency in the following areas: *additives*? (N=187)



**Table A8.56** How do you rate your competency in the following areas: *flavourings*?

|                  | DAFM        | HSE         | LA          | SFPA        | Total        |
|------------------|-------------|-------------|-------------|-------------|--------------|
| Excellent        | 1<br>(2%)   | 2<br>(2%)   | 1<br>(3%)   | 0<br>(0%)   | 4<br>(2%)    |
| Good             | 9<br>(18%)  | 25<br>(27%) | 5<br>(16%)  | 1<br>(8%)   | 40<br>(21%)  |
| Require Training | 24<br>(47%) | 60<br>(65%) | 20<br>(63%) | 10<br>(83%) | 114<br>(61%) |
| Don't know       | 2<br>(4%)   | 2<br>(2%)   | 1<br>(3%)   | 0<br>(0%)   | 5<br>(3%)    |
| Not applicable   | 15<br>(29%) | 3<br>(3%)   | 5<br>(16%)  | 1<br>(8%)   | 24<br>(13%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

**Figure A8.56** How do you rate your competency in the following areas: *flavourings*? (N=187)



**Table A8.57** How do you rate your competency in the following areas: *contaminants*?

|                  | DAFM        | HSE         | LA          | SFPA        | Total       |
|------------------|-------------|-------------|-------------|-------------|-------------|
| Excellent        | 8<br>(16%)  | 6<br>(7%)   | 2<br>(6%)   | 2<br>(17%)  | 18<br>(10%) |
| Good             | 22<br>(43%) | 24<br>(26%) | 11<br>(34%) | 0<br>(0%)   | 57<br>(30%) |
| Require Training | 15<br>(29%) | 57<br>(62%) | 16<br>(50%) | 10<br>(83%) | 98<br>(52%) |
| Don't know       | 0<br>(0%)   | 2<br>(2%)   | 2<br>(6%)   | 0<br>(0%)   | 4<br>(2%)   |
| Not applicable   | 6<br>(12%)  | 3<br>(3%)   | 1<br>(3%)   | 0<br>(0%)   | 10<br>(5%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>  |

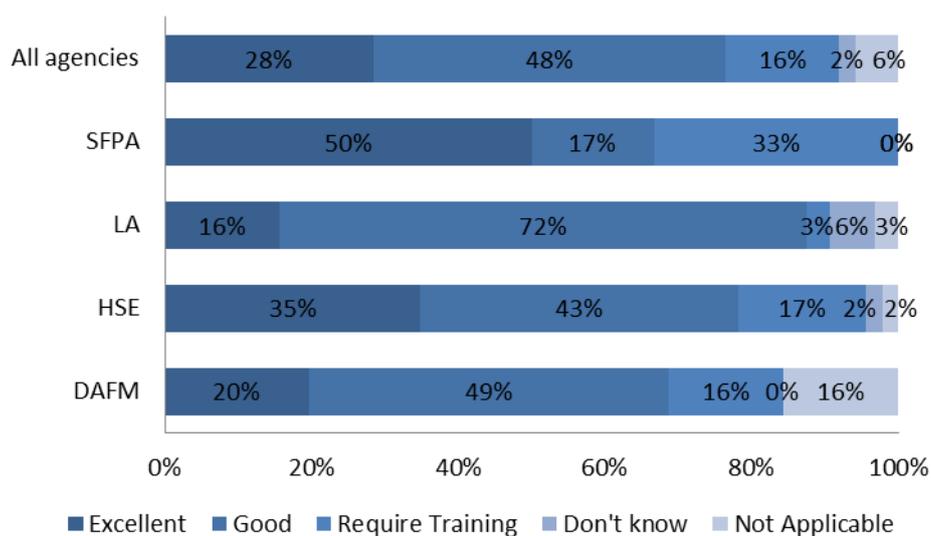
**Figure A8.57** How do you rate your competency in the following areas: *contaminants*? (N=187)



**Table A8.58** How do you rate your competency in the following areas: *water?*

|                  | DAFM        | HSE         | LA          | SFPA       | Total       |
|------------------|-------------|-------------|-------------|------------|-------------|
| Excellent        | 10<br>(20%) | 32<br>(35%) | 5<br>(16%)  | 6<br>(50%) | 53<br>(28%) |
| Good             | 25<br>(49%) | 40<br>(43%) | 23<br>(72%) | 2<br>(17%) | 90<br>(48%) |
| Require Training | 8<br>(16%)  | 16<br>(17%) | 1<br>(3%)   | 4<br>(33%) | 29<br>(16%) |
| Don't know       | 0<br>(0%)   | 2<br>(2%)   | 2<br>(6%)   | 0<br>(0%)  | 4<br>(2%)   |
| Not applicable   | 8<br>(16%)  | 2<br>(2%)   | 1<br>(3%)   | 0<br>(0%)  | 11<br>(6%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

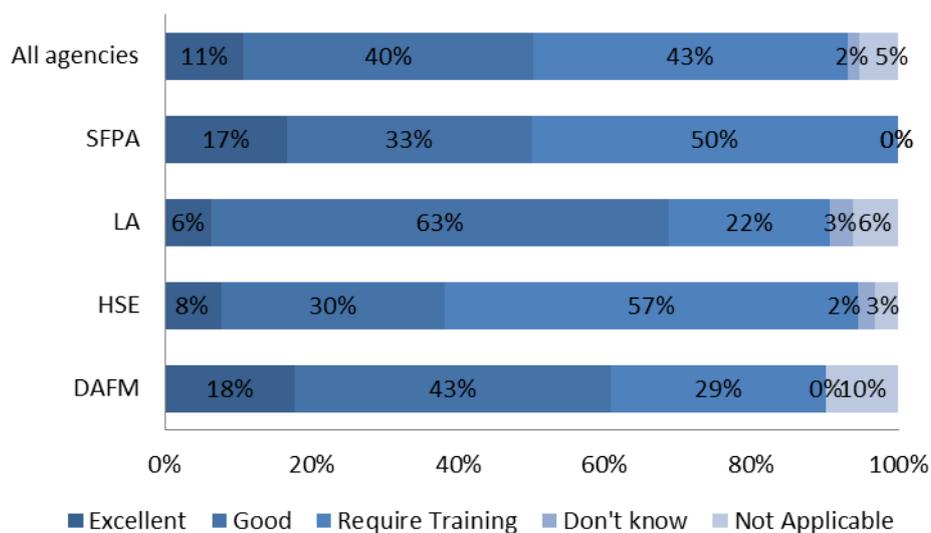
**Figure A8.58** How do you rate your competency in the following areas: *water?* (N=187)



**Table A8.59** How do you rate your competency in the following areas: *product specific labelling and standards legislation?*

|                  | DAFM        | HSE         | LA          | SFPA       | Total       |
|------------------|-------------|-------------|-------------|------------|-------------|
| Excellent        | 9<br>(18%)  | 7<br>(8%)   | 2<br>(6%)   | 2<br>(17%) | 20<br>(11%) |
| Good             | 22<br>(43%) | 22<br>(30%) | 20<br>(63%) | 4<br>(33%) | 74<br>(40%) |
| Require Training | 15<br>(29%) | 52<br>(57%) | 7<br>(22%)  | 6<br>(50%) | 80<br>(43%) |
| Don't know       | 0<br>(0%)   | 2<br>(2%)   | 1<br>(3%)   | 0<br>(0%)  | 3<br>(2%)   |
| Not applicable   | 5<br>(10%)  | 3<br>(3%)   | 2<br>(6%)   | 0<br>(0%)  | 10<br>(5%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

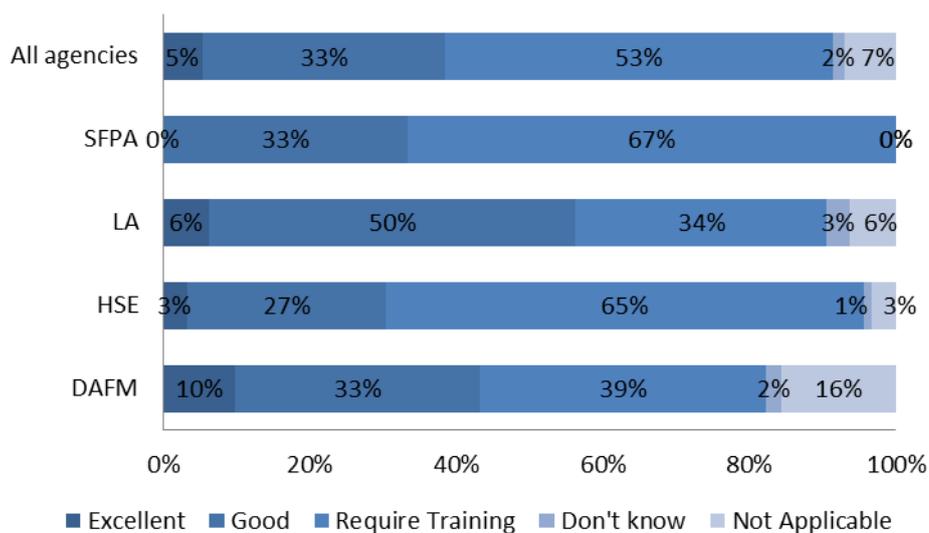
**Figure A8.59** How do you rate your competency in the following areas: *product specific labelling and standards legislation?* (N=187)



**Table A8.60** How do you rate your competency in the following areas: materials and articles intended to come into contact with foodstuffs?

|                  | DAFM        | HSE         | LA          | SFPA       | Total       |
|------------------|-------------|-------------|-------------|------------|-------------|
| Excellent        | 5<br>(10%)  | 3<br>(3%)   | 2<br>(6%)   | 0<br>(0%)  | 10<br>(5%)  |
| Good             | 17<br>(33%) | 25<br>(27%) | 16<br>(50%) | 4<br>(33%) | 62<br>(33%) |
| Require Training | 20<br>(39%) | 60<br>(65%) | 11<br>(34%) | 8<br>(67%) | 99<br>(53%) |
| Don't know       | 1<br>(2%)   | 1<br>(1%)   | 1<br>(3%)   | 0<br>(0%)  | 3<br>(2%)   |
| Not applicable   | 8<br>(16%)  | 3<br>(3%)   | 2<br>(6%)   | 0<br>(0%)  | 13<br>(7%)  |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

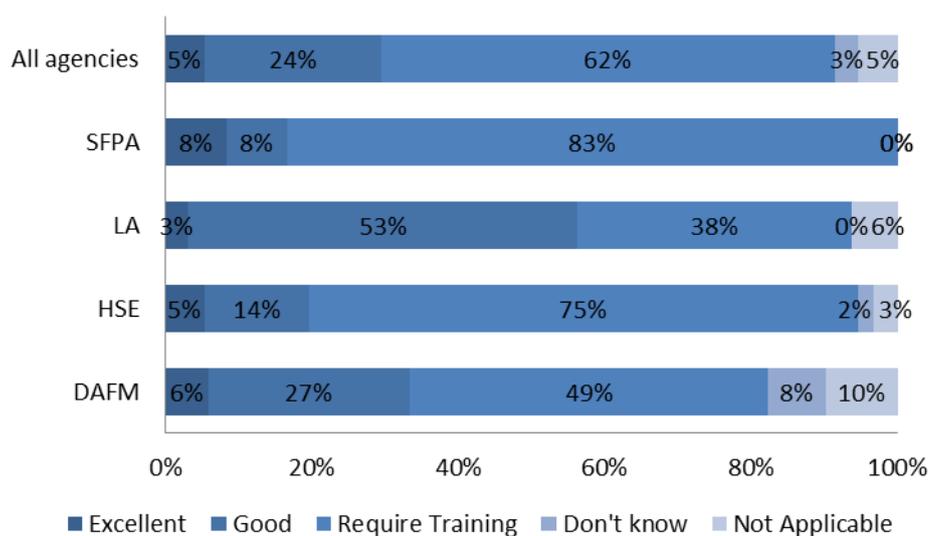
**Figure A8.60** How do you rate your competency in the following areas: materials and articles intended to come into contact with foodstuffs? (N=187)



**Table A8.61** How do you rate your competency in the following areas: *food fraud?*

|                  | DAFM        | HSE         | LA          | SFPA        | Total        |
|------------------|-------------|-------------|-------------|-------------|--------------|
| Excellent        | 3<br>(6%)   | 5<br>(5%)   | 1<br>(3%)   | 1<br>(8%)   | 10<br>(5%)   |
| Good             | 14<br>(27%) | 13<br>(14%) | 17<br>(53%) | 1<br>(8%)   | 45<br>(24%)  |
| Require Training | 25<br>(49%) | 69<br>(75%) | 12<br>(38%) | 10<br>(83%) | 116<br>(62%) |
| Don't know       | 4<br>(8%)   | 2<br>(2%)   | 0<br>(0%)   | 0<br>(0%)   | 6<br>(3%)    |
| Not Applicable   | 5<br>(10%)  | 3<br>(3%)   | 2<br>(6%)   | 0<br>(0%)   | 10<br>(5%)   |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

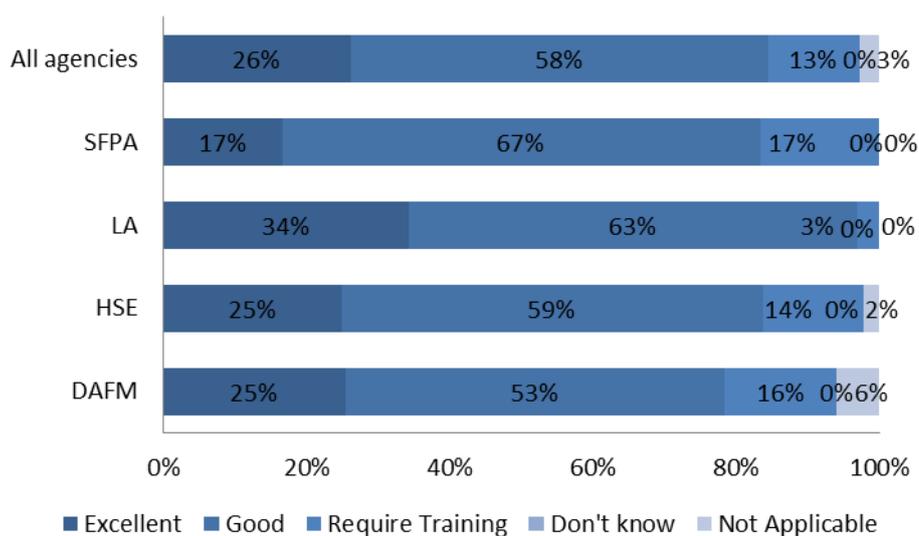
**Figure A8.61** How do you rate your competency in the following areas: *food fraud?* (N=187)



**Table A8.62** How do you rate your competency in the following areas: *traceability*?

|                  | DAFM        | HSE         | LA          | SFPA       | Total        |
|------------------|-------------|-------------|-------------|------------|--------------|
| Excellent        | 13<br>(25%) | 23<br>(25%) | 11<br>(34%) | 2<br>(17%) | 49<br>(26%)  |
| Good             | 27<br>(53%) | 54<br>(59%) | 20<br>(63%) | 8<br>(67%) | 108<br>(58%) |
| Require Training | 8<br>(16%)  | 13<br>(14%) | 1<br>(3%)   | 2<br>(17%) | 24<br>(13%)  |
| Don't know       | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)  | 0<br>(0%)    |
| Not Applicable   | 3<br>(6%)   | 2<br>(2%)   | 0<br>(0%)   | 0<br>(0%)  | 5<br>(3%)    |
| <b>Total</b>     | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

**Figure A8.62** How do you rate your competency in the following areas: *traceability*? (N=187)

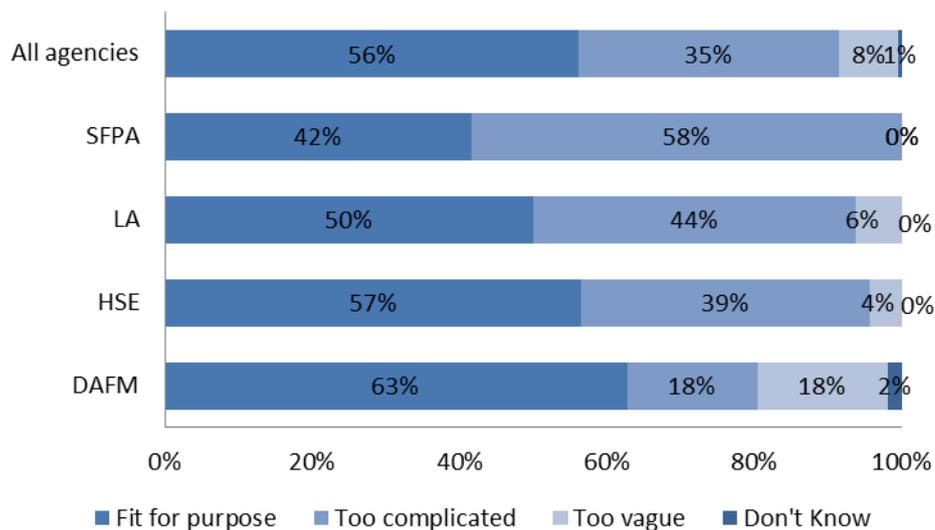


### A8.10 Documented procedures

**Table A8.63** What do you think of the documented procedures you use to carry out your work?

|                 | DAFM        | HSE         | LA          | SFPA       | Total        |
|-----------------|-------------|-------------|-------------|------------|--------------|
| Fit for purpose | 32<br>(63%) | 52<br>(57%) | 16<br>(50%) | 5<br>(42%) | 105<br>(56%) |
| Too complicated | 9 (18%)     | 36<br>(39%) | 14<br>(44%) | 7<br>(58%) | 66<br>(35%)  |
| Too vague       | 9<br>(18%)  | 4<br>(4%)   | 2<br>(6%)   | 0<br>(0%)  | 15<br>(8%)   |
| Don't know      | 1<br>(2%)   | 0<br>(0%)   | 0<br>(0%)   | 0<br>(0%)  | 1<br>(1%)    |
| <b>Total</b>    | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

**Figure A8.63** What do you think of the documented procedures you use to carry out your work? (N=187)

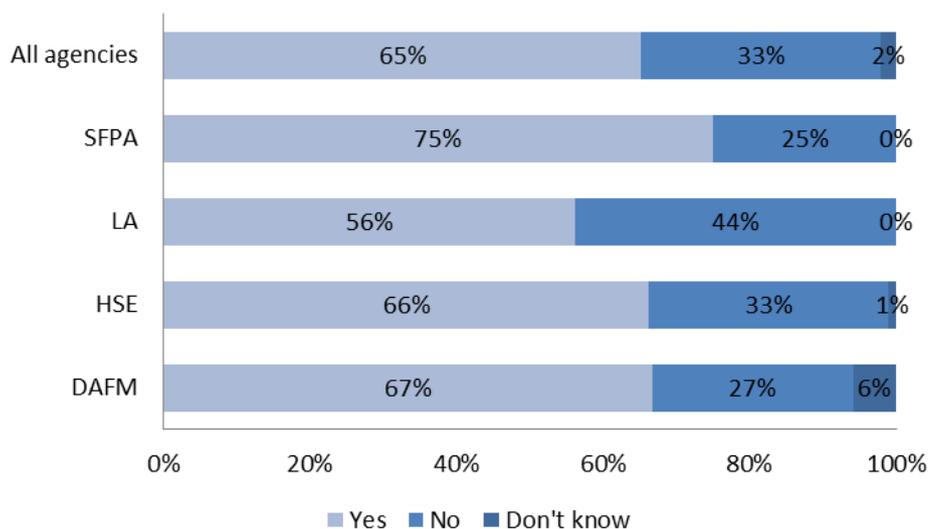


### A8.11 Performance indicators

**Table A8.64** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of inspections*

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 34<br>(67%) | 61<br>(66%) | 18<br>(56%) | 9<br>(75%) | 122<br>(65%) |
| No           | 14<br>(27%) | 30<br>(33%) | 14<br>(44%) | 3<br>(25%) | 61<br>(33%)  |
| Don't know   | 3<br>(6%)   | 1<br>(1%)   | 0<br>(0%)   | 0<br>(0%)  | 4<br>(2%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

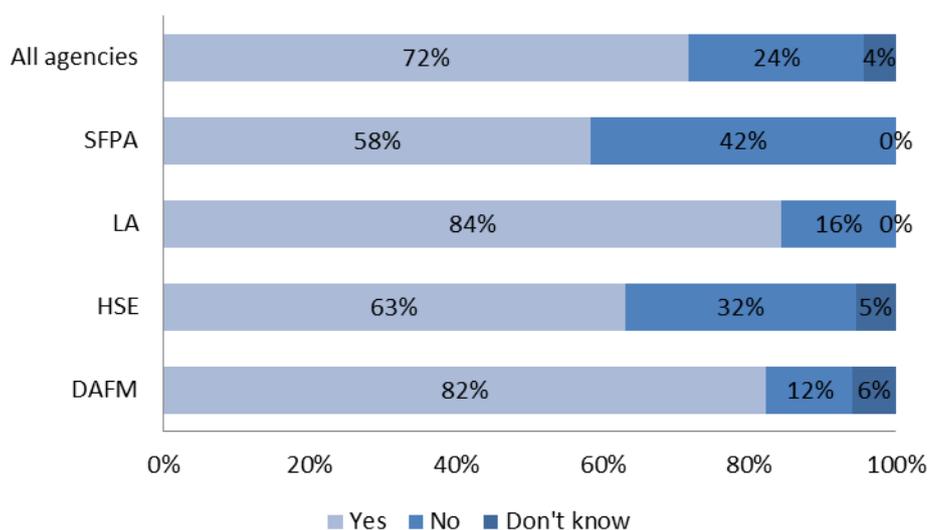
**Figure A8.64** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of inspections (N=187)*



**Table A8.65** What might appropriate performance indicators be for food business inspection services in Ireland? *Percentage of planned inspections achieved*

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 42<br>(82%) | 58<br>(63%) | 27<br>(84%) | 7<br>(58%) | 134<br>(72%) |
| No           | 6<br>(12%)  | 29<br>(32%) | 5<br>(16%)  | 5<br>(42%) | 45<br>(24%)  |
| Don't know   | 3<br>(6%)   | 5<br>(5%)   | 0<br>(0%)   | 0<br>(0%)  | 8<br>(4%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

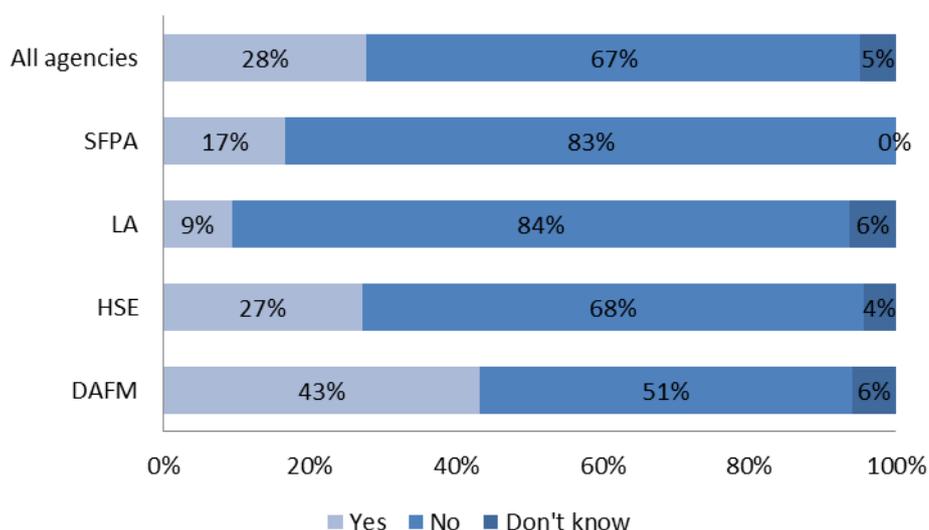
**Figure A8.65** What might appropriate performance indicators be for food business inspection services in Ireland? *Percentage of planned inspections achieved (N=187)*



**Table A8.66** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of enforcements issued*

|              | DAFM        | HSE         | LA          | SFPA        | Total        |
|--------------|-------------|-------------|-------------|-------------|--------------|
| Yes          | 22<br>(43%) | 25<br>(27%) | 3<br>(9%)   | 2<br>(17%)  | 52<br>(28%)  |
| No           | 26<br>(51%) | 63<br>(68%) | 27<br>(84%) | 10<br>(83%) | 126<br>(67%) |
| Don't know   | 3<br>(6%)   | 4<br>(4%)   | 2<br>(6%)   | 0<br>(0%)   | 9<br>(5%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

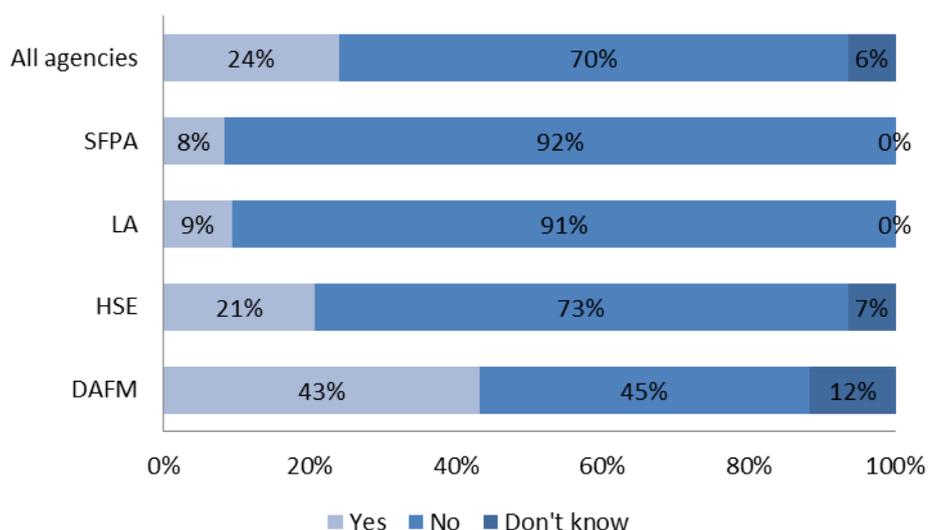
**Figure A8.66** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of enforcements issued (N=187)*



**Table A8.67** What might appropriate performance indicators be for food business inspection services in Ireland? *Ratio of enforcements to inspections*

|              | DAFM        | HSE         | LA          | SFPA        | Total        |
|--------------|-------------|-------------|-------------|-------------|--------------|
| Yes          | 22<br>(43%) | 19<br>(21%) | 3<br>(9%)   | 1<br>(8%)   | 45<br>(24%)  |
| No           | 23<br>(45%) | 67<br>(73%) | 29<br>(91%) | 11<br>(92%) | 130<br>(70%) |
| Don't know   | 6<br>(12%)  | 6<br>(7%)   | 0<br>(0%)   | 0<br>(0%)   | 12<br>(6%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

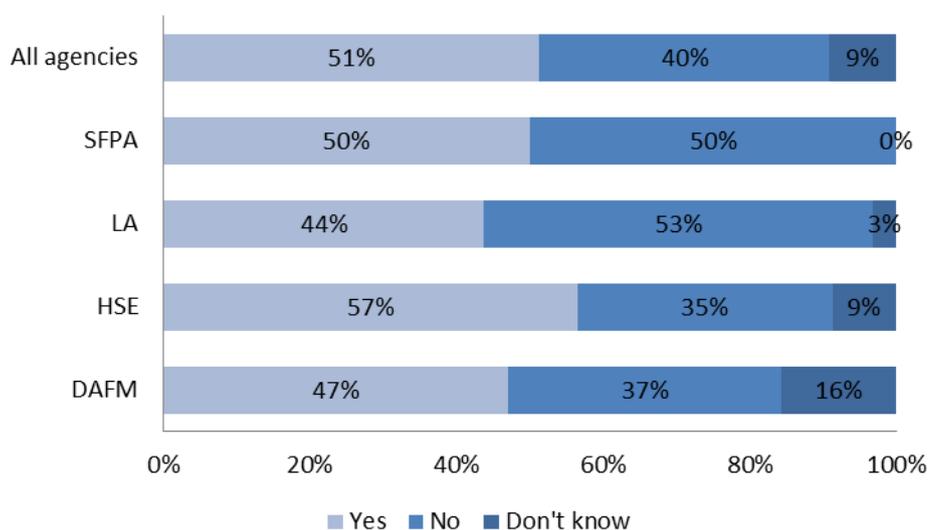
**Figure A8.67** What might appropriate performance indicators be for food business inspection services in Ireland? *Ratio of enforcements to inspections (N=187)*



**Table A8.68** What might appropriate performance indicators be for food business inspection services in Ireland? *Ratio of staff to inspections*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 24<br>(47%) | 52<br>(57%) | 14<br>(44%) | 6<br>(50%) | 96<br>(51%) |
| No           | 19<br>(37%) | 32<br>(35%) | 17<br>(53%) | 6<br>(50%) | 74<br>(40%) |
| Don't know   | 8<br>(16%)  | 8<br>(9%)   | 1<br>(3%)   | 0<br>(0%)  | 17<br>(9%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

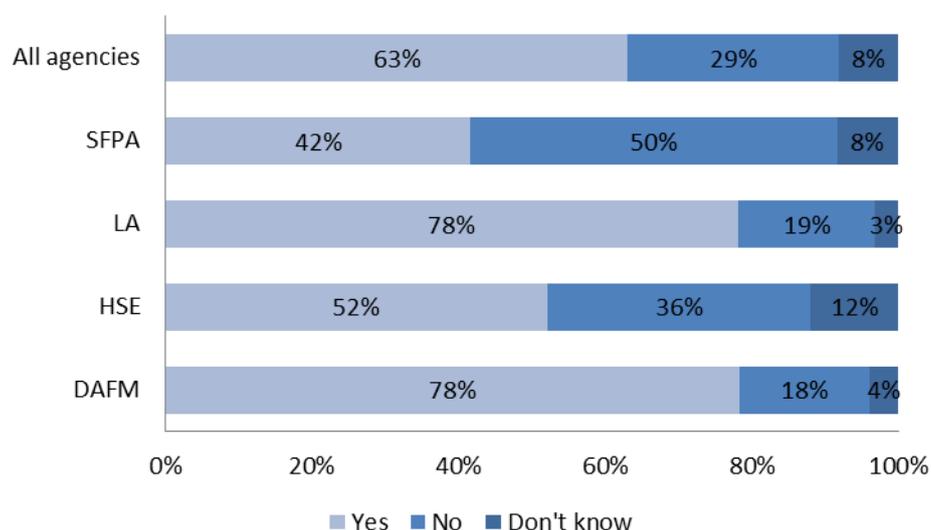
**Figure A8.68** What might appropriate performance indicators be for food business inspection services in Ireland? *Ratio of staff to inspections (N=187)*



**Table A8.69** What might appropriate performance indicators be for food business inspection services in Ireland? *Documented procedures in place*

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 40<br>(78%) | 48<br>(52%) | 25<br>(78%) | 5<br>(42%) | 118<br>(63%) |
| No           | 9<br>(18%)  | 33<br>(36%) | 6<br>(19%)  | 6<br>(50%) | 54<br>(29%)  |
| Don't know   | 2<br>(4%)   | 11<br>(12%) | 1<br>(3%)   | 1<br>(8%)  | 15<br>(%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

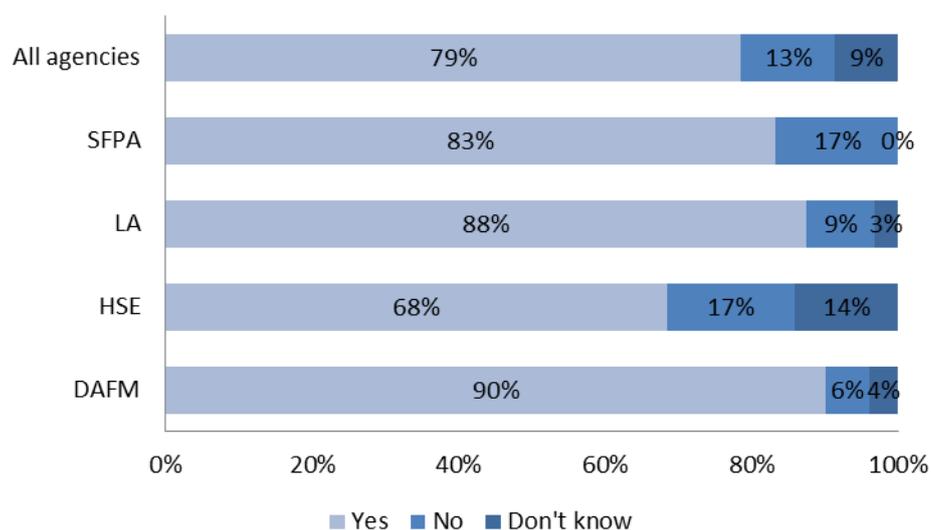
**Figure A8.69** What might appropriate performance indicators be for food business inspection services in Ireland? *Documented procedures in place (N=187)*



**Table A8.70** What might appropriate performance indicators be for food business inspection services in Ireland? *Consistent controls*

|              | DAFM        | HSE         | LA          | SFPA        | Total        |
|--------------|-------------|-------------|-------------|-------------|--------------|
| Yes          | 46<br>(90%) | 63<br>(68%) | 28<br>(88%) | 10<br>(83%) | 147<br>(79%) |
| No           | 3<br>(6%)   | 16<br>(17%) | 3<br>(9%)   | 2<br>(17%)  | 24<br>(13%)  |
| Don't know   | 2<br>(4%)   | 13<br>(14%) | 1<br>(3%)   | 0<br>(0%)   | 16<br>(9%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

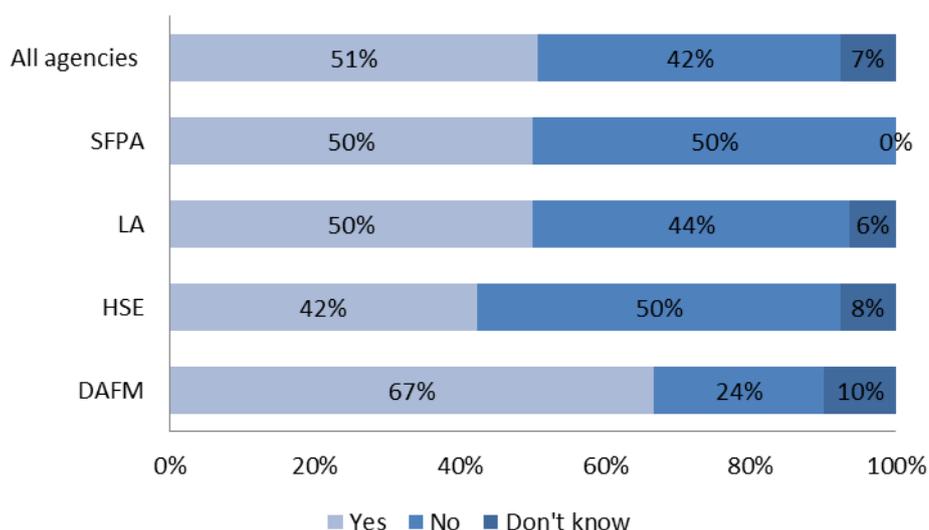
**Figure A8.70** What might appropriate performance indicators be for food business inspection services in Ireland? *Consistent controls (N=187)*



**Table A8.71** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of unplanned inspections*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 34<br>(67%) | 39<br>(42%) | 16<br>(50%) | 6<br>(50%) | 95<br>(51%) |
| No           | 12<br>(24%) | 46<br>(50%) | 14<br>(44%) | 6<br>(50%) | 78<br>(42%) |
| Don't know   | 5<br>(10%)  | 7<br>(8%)   | 2<br>(6%)   | 0<br>(0%)  | 14<br>(7%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

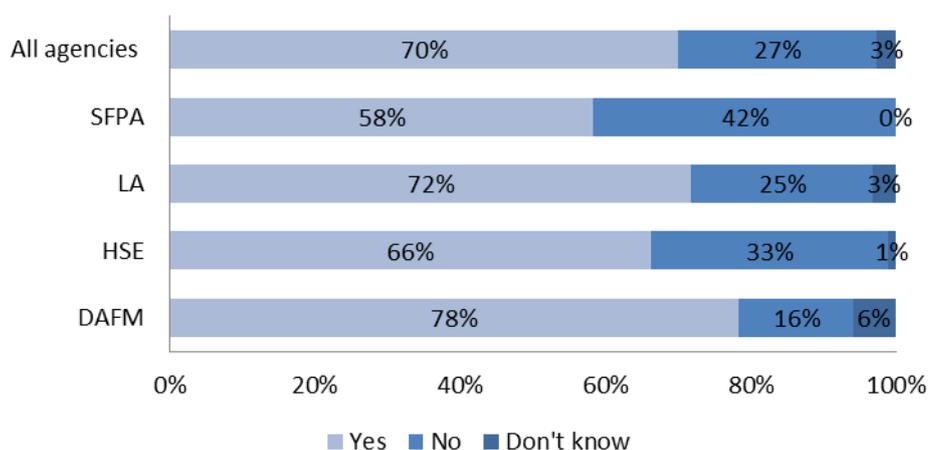
**Figure A8.71** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of unplanned inspections (N=187)*



**Table A8.72** What might appropriate performance indicators be for food business inspection services in Ireland? *Improvement in inspection outcomes*

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 40<br>(78%) | 61<br>(66%) | 23<br>(72%) | 7<br>(58%) | 131<br>(70%) |
| No           | 8<br>(16%)  | 30<br>(33%) | 8<br>(25%)  | 5<br>(42%) | 51<br>(27%)  |
| Don't know   | 3<br>(6%)   | 1<br>(1%)   | 1<br>(3%)   | 0<br>(0%)  | 5<br>(3%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

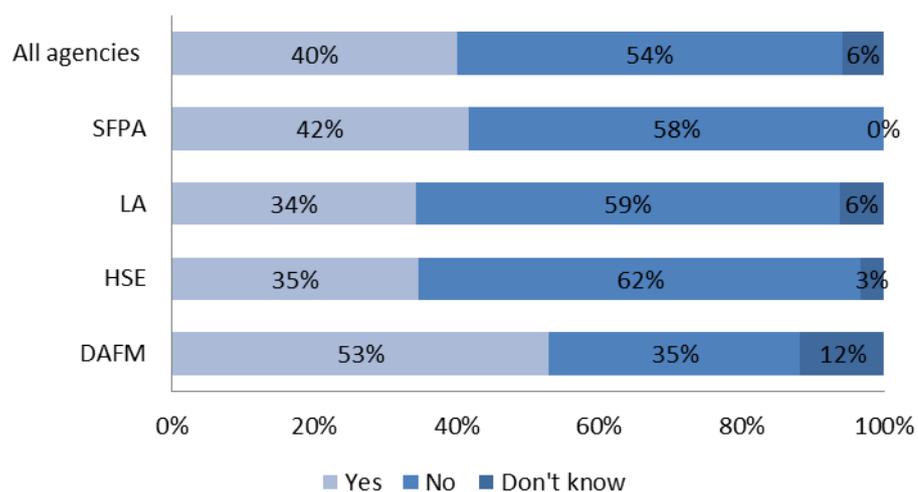
**Figure A8.72** What might appropriate performance indicators be for food business inspection services in Ireland? *Improvement in inspection outcomes (N=187)*



**Table A8.73** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of outbreaks*

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 27<br>(53%) | 32<br>(35%) | 11<br>(34%) | 5<br>(42%) | 75<br>(40%)  |
| No           | 18<br>(35%) | 57<br>(62%) | 19<br>(59%) | 7<br>(58%) | 101<br>(54%) |
| Don't know   | 6<br>(12%)  | 3<br>(3%)   | 2<br>(6%)   | 0<br>(0%)  | 11<br>(6%)   |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

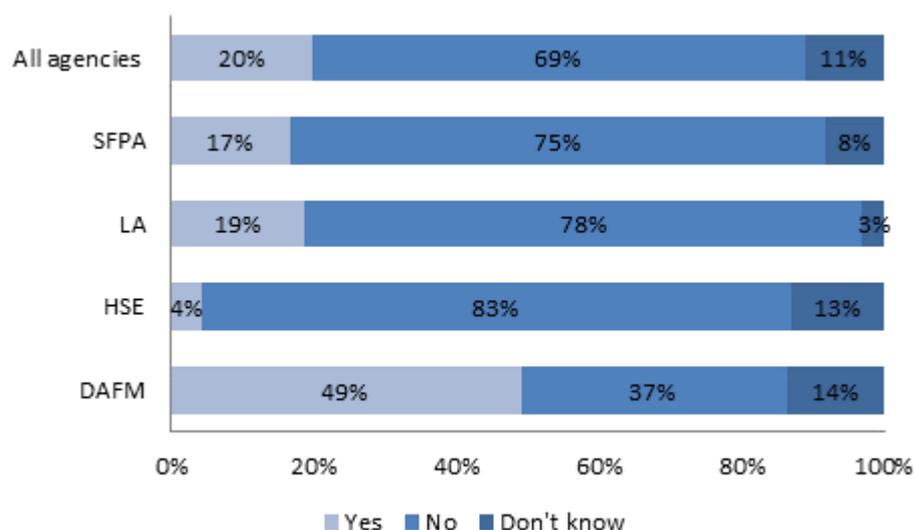
**Figure A8.73** What might appropriate performance indicators be for food business inspection services in Ireland? *Number of outbreaks (N=187)*



**Table A8.74** What might appropriate performance indicators be for food business inspection services in Ireland? *Reduced number of high risk businesses*

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 25<br>(49%) | 4<br>(4%)   | 6<br>(19%)  | 2<br>(17%) | 37<br>(20%)  |
| No           | 19<br>(37%) | 76<br>(83%) | 25<br>(78%) | 9<br>(75%) | 129<br>(69%) |
| Don't know   | 7<br>(14%)  | 12<br>(13%) | 1<br>(3%)   | 1<br>(8%)  | 21<br>(11%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

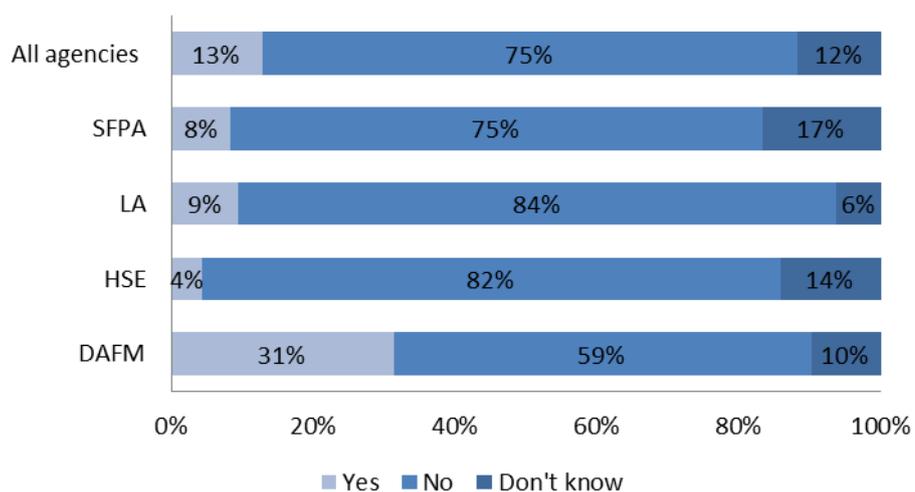
**Figure A8.74** What might appropriate performance indicators be for food business inspection services in Ireland? *Reduced number of high risk businesses (N=187)*



**Table A8.75** What might appropriate performance indicators be for food business inspection services in Ireland? *Cost per inspection*

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 16<br>(31%) | 4<br>(4%)   | 3<br>(9%)   | 1<br>(8%)  | 24<br>(13%)  |
| No           | 30<br>(59%) | 75<br>(82%) | 27<br>(84%) | 9<br>(75%) | 141<br>(75%) |
| Don't know   | 5<br>(10%)  | 13<br>(14%) | 2<br>(6%)   | 2<br>(17%) | 22<br>(12%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

**Figure A8.75** What might appropriate performance indicators be for food business inspection services in Ireland? *Cost per inspection (N=187)*

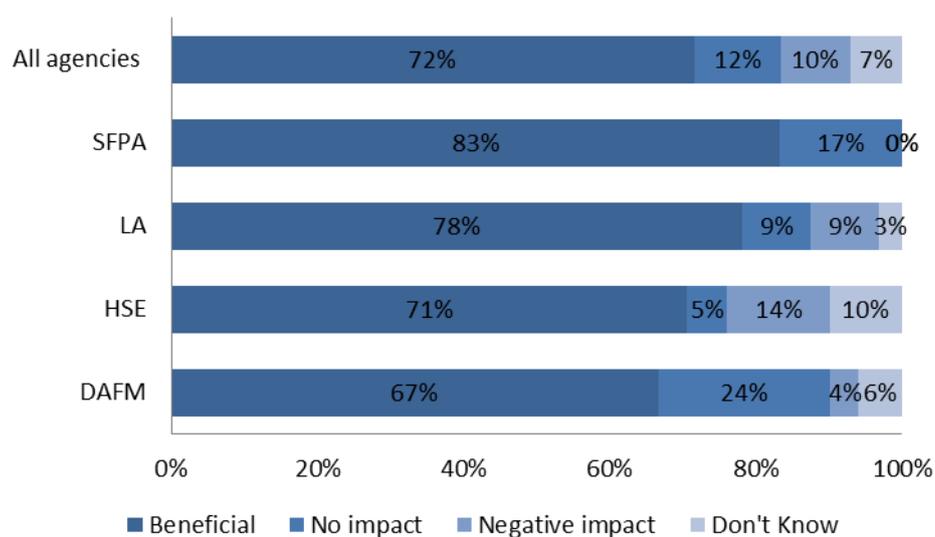


## A8.12 Impact on own work

**Table A8.76** How has the FSAI impacted on your work?

|                 | DAFM        | HSE         | LA          | SFPA        | Total        |
|-----------------|-------------|-------------|-------------|-------------|--------------|
| Beneficial      | 34<br>(67%) | 65<br>(71%) | 25<br>(78%) | 10<br>(83%) | 134<br>(72%) |
| No impact       | 12<br>(24%) | 5<br>(5%)   | 3<br>(9%)   | 2<br>(17%)  | 22<br>(12%)  |
| Negative impact | 2<br>(4%)   | 13<br>(14%) | 3<br>(9%)   | 0<br>(0%)   | 18<br>(10%)  |
| Don't know      | 3<br>(6%)   | 9<br>(10%)  | 1<br>(3%)   | 0<br>(0%)   | 13<br>(7%)   |
| <b>Total</b>    | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>   | <b>187</b>   |

**Figure A8.76** How has the FSAI impacted on your work? (N=187)

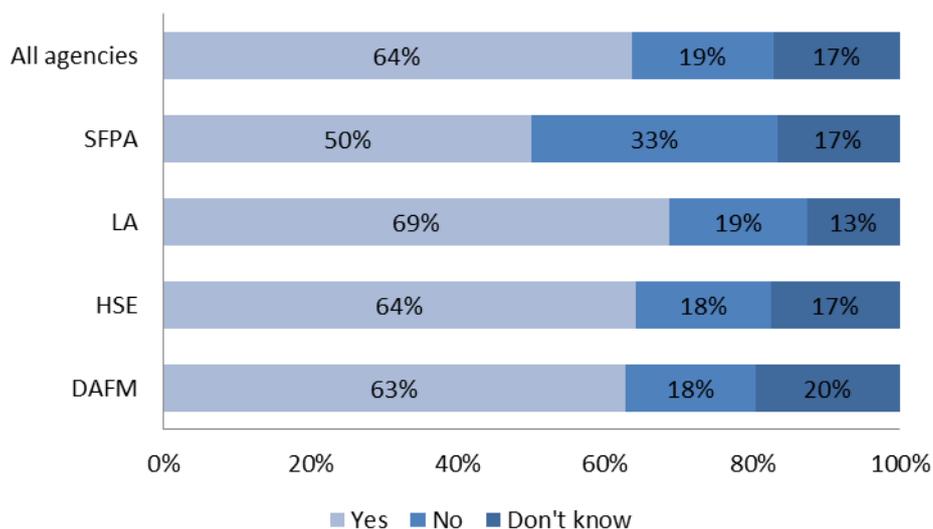


### A8.13 Organisation of official controls

**Table A8.77** Do you think that the service contract system is an effective way of organising official food controls?

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| Yes          | 32<br>(63%) | 59<br>(64%) | 22<br>(69%) | 6<br>(50%) | 119<br>(64%) |
| No           | 9<br>(18%)  | 17<br>(18%) | 6<br>(19%)  | 4<br>(33%) | 36<br>(19%)  |
| Don't know   | 10<br>(20%) | 16<br>(17%) | 4<br>(13%)  | 2<br>(17%) | 32<br>(17%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

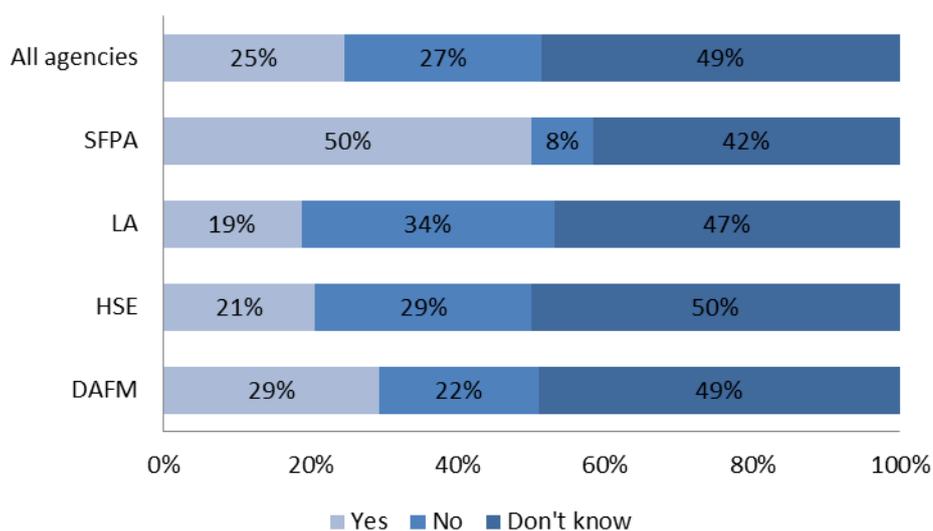
**Figure A8.77** Do you think that the service contract system is an effective way of organising official food controls? (N=187)



**Table A8.78 Do you think there is a more effective way of organising official food controls?**

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| Yes          | 15<br>(29%) | 19<br>(21%) | 6<br>(19%)  | 6<br>(50%) | 46<br>(25%) |
| No           | 11<br>(22%) | 27<br>(29%) | 11<br>(34%) | 1<br>(8%)  | 50<br>(27%) |
| Don't know   | 25<br>(49%) | 46<br>(50%) | 15<br>(47%) | 5<br>(42%) | 91<br>(49%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.78 Do you think there is a more effective way of organising official food controls? (N=187)**

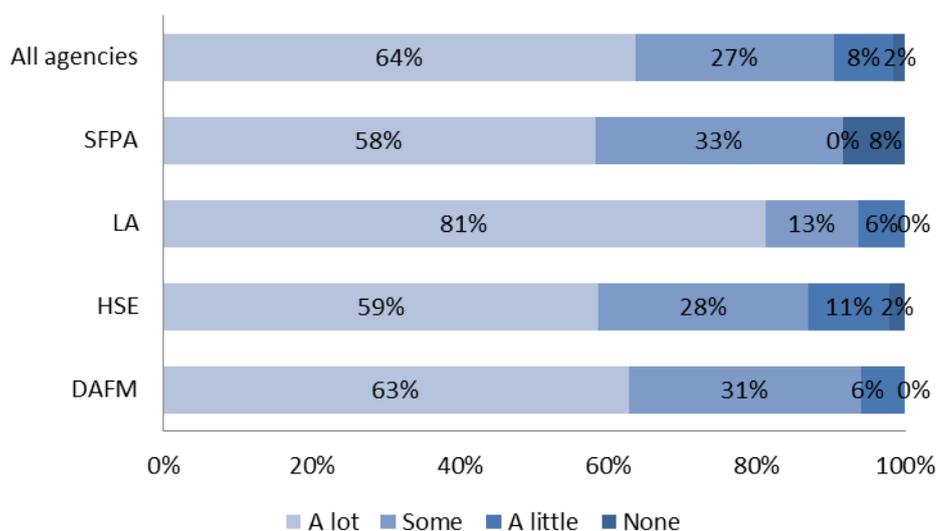


### A8.14 Effectiveness of FSAI

**Table A8.79** In your opinion, has the FSAI contributed to raising the profile of food safety in Ireland?

|              | DAFM        | HSE         | LA          | SFPA       | Total        |
|--------------|-------------|-------------|-------------|------------|--------------|
| A lot        | 32<br>(63%) | 54<br>(59%) | 26<br>(81%) | 7<br>(58%) | 119<br>(64%) |
| Some         | 16<br>(31%) | 26<br>(28%) | 4<br>(13%)  | 4<br>(33%) | 50<br>(27%)  |
| A little     | 3<br>(6%)   | 10<br>(11%) | 2<br>(6%)   | 0<br>(0%)  | 15<br>(8%)   |
| None         | 0<br>(0%)   | 2<br>(2%)   | 0<br>(0%)   | 1<br>(8%)  | 3<br>(2%)    |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>   |

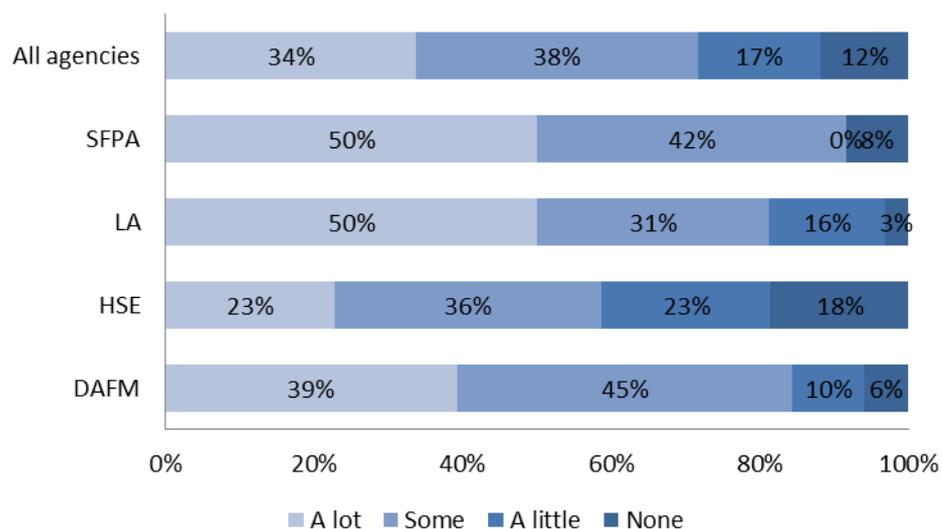
**Figure A8.79** In your opinion, has the FSAI contributed to raising the profile of food safety in Ireland? (N=187)



**Table A8.80** In your opinion, has the FSAI contributed to improving enforcement of food legislation?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 20<br>(39%) | 21<br>(23%) | 16<br>(50%) | 6<br>(50%) | 63<br>(34%) |
| Some         | 23<br>(45%) | 33<br>(36%) | 10<br>(31%) | 5<br>(42%) | 71<br>(38%) |
| A little     | 5<br>(10%)  | 21<br>(23%) | 5<br>(16%)  | 0<br>(0%)  | 31<br>(17%) |
| None         | 3<br>(6%)   | 17<br>(18%) | 1<br>(3%)   | 1<br>(8%)  | 22<br>(12%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

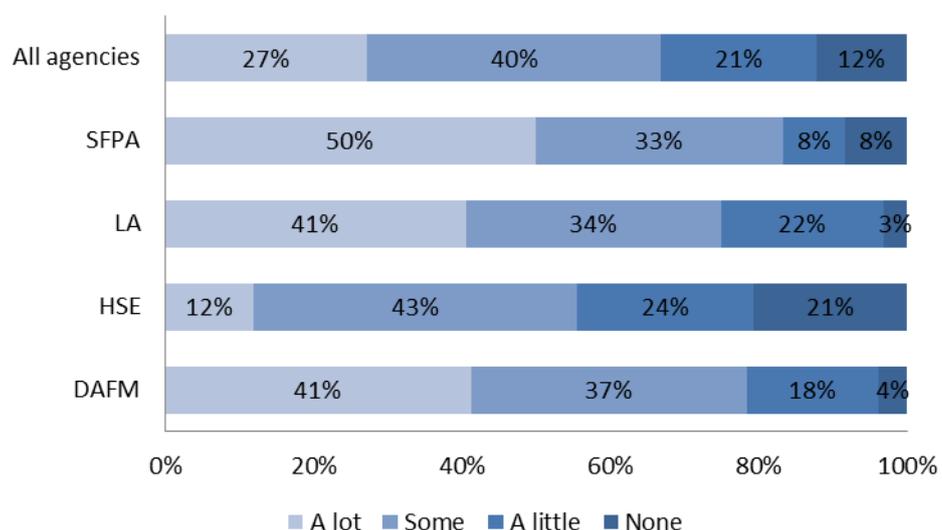
**Figure A8.80** In your opinion, has the FSAI contributed to *improving enforcement of food legislation?* (N=187)



**Table A8.81** In your opinion, has the FSAI contributed to raising standards in food businesses?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 21<br>(41%) | 11<br>(12%) | 13<br>(41%) | 6<br>(50%) | 51<br>(27%) |
| Some         | 19<br>(37%) | 40<br>(43%) | 11<br>(34%) | 4<br>(33%) | 74<br>(40%) |
| A little     | 9<br>(18%)  | 22<br>(24%) | 7<br>(22%)  | 1<br>(8%)  | 39<br>(21%) |
| None         | 2<br>(4%)   | 19<br>(21%) | 1<br>(3%)   | 1<br>(8%)  | 23<br>(12%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

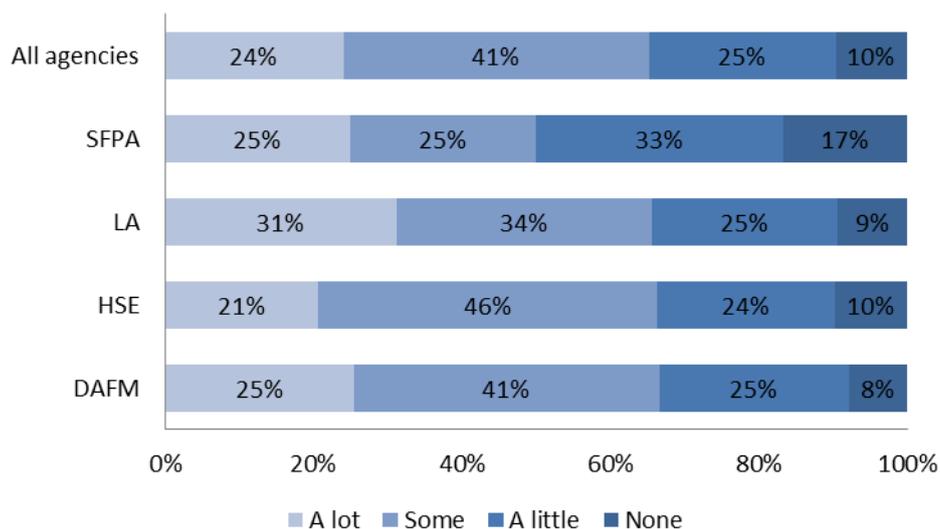
**Figure A8.81** In your opinion, has the FSAI contributed to raising standards in food businesses? (N=187)



**Table A8.82** In your opinion, has the FSAI contributed to *developing an integrated food control service*?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 13<br>(25%) | 19<br>(21%) | 10<br>(31%) | 3<br>(25%) | 45<br>(24%) |
| Some         | 21<br>(41%) | 42<br>(46%) | 11<br>(34%) | 3<br>(25%) | 77<br>(41%) |
| A little     | 13<br>(25%) | 22<br>(24%) | 8<br>(25%)  | 4<br>(33%) | 47<br>(25%) |
| None         | 4<br>(8%)   | 9<br>(10%)  | 3<br>(9%)   | 2<br>(17%) | 18<br>(10%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

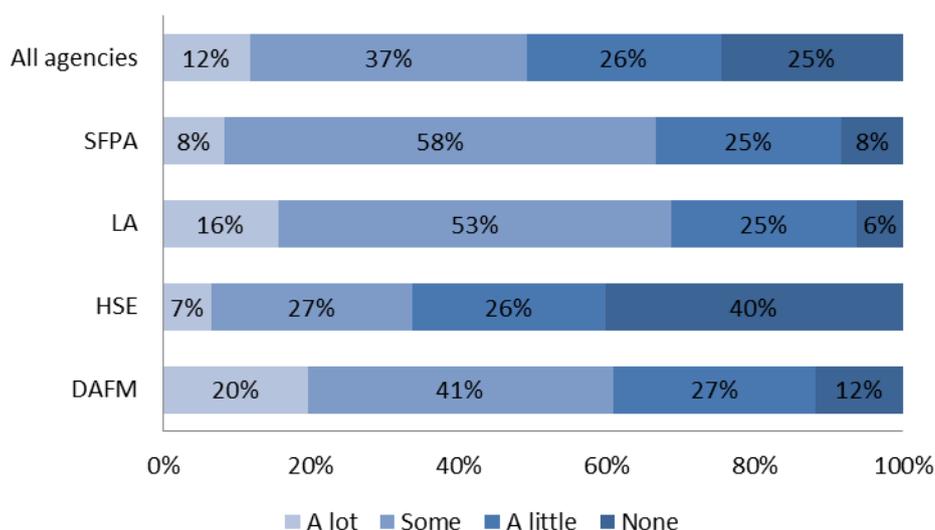
**Figure A8.82** In your opinion, has the FSAI contributed to *developing an integrated food control service*? (N=187)



**Table A8.83 To what extent does the following FSAI function enhance the food business inspection system in your agency: FSAI audit?**

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 10<br>(20%) | 6<br>(7%)   | 5<br>(16%)  | 1<br>(8%)  | 22<br>(12%) |
| Some         | 21<br>(41%) | 25<br>(27%) | 17<br>(53%) | 7<br>(58%) | 70<br>(37%) |
| A little     | 14<br>(27%) | 24<br>(26%) | 8<br>(25%)  | 3<br>(25%) | 49<br>(26%) |
| None         | 6<br>(12%)  | 37<br>(40%) | 2<br>(6%)   | 1<br>(8%)  | 46<br>(25%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

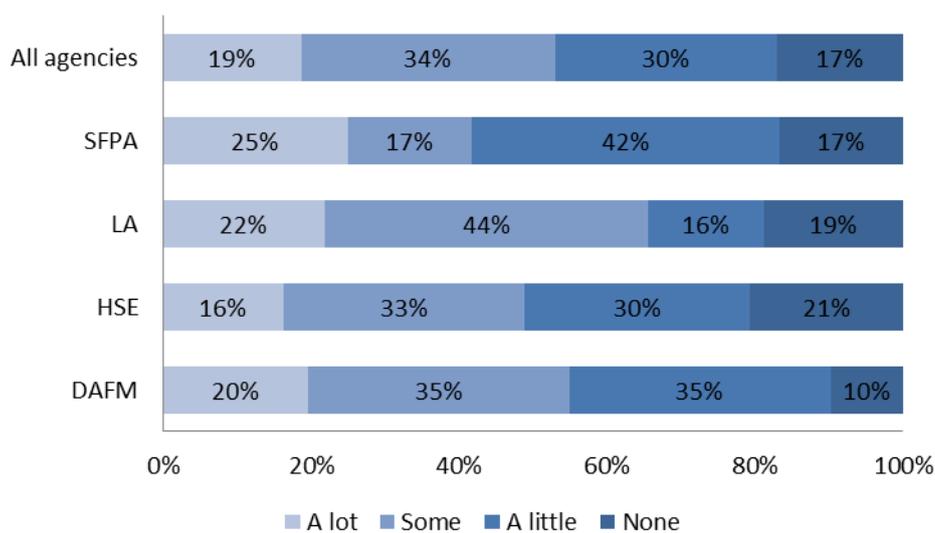
**Figure A8.83 To what extent does the FSAI audit enhance the food business inspection system in your agency? (N=187)**



**Table A8.84** To what extent does the following FSAI function enhance the food business inspection system in your agency: *service contracts*?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 10<br>(20%) | 15<br>(16%) | 7<br>(22%)  | 3<br>(25%) | 35<br>(19%) |
| Some         | 18<br>(35%) | 30<br>(33%) | 14<br>(44%) | 2<br>(17%) | 64<br>(34%) |
| A little     | 18<br>(35%) | 28<br>(30%) | 5<br>(16%)  | 5<br>(42%) | 56<br>(30%) |
| None         | 5<br>(10%)  | 19<br>(21%) | 6<br>(19%)  | 2<br>(17%) | 32<br>(17%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

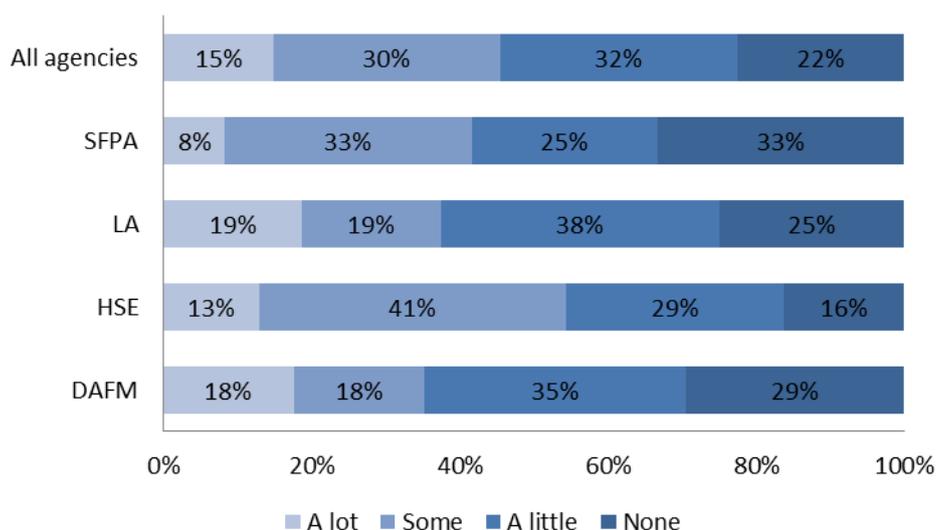
**Figure A8.84** To what extent do FSAI service contracts enhance the food business inspection system in your agency? (N=187)



**Table A8.85** To what extent does the following FSAI function enhance the food business inspection system in your agency: *advice line*?

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 9<br>(18%)  | 12<br>(13%) | 6<br>(19%)  | 1<br>(8%)  | 28<br>(15%) |
| Some         | 9<br>(18%)  | 38<br>(41%) | 6<br>(19%)  | 4<br>(33%) | 57<br>(30%) |
| A little     | 18<br>(35%) | 27<br>(29%) | 12<br>(38%) | 3<br>(25%) | 60<br>(32%) |
| None         | 15<br>(29%) | 15<br>(16%) | 8<br>(25%)  | 4<br>(33%) | 42<br>(22%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

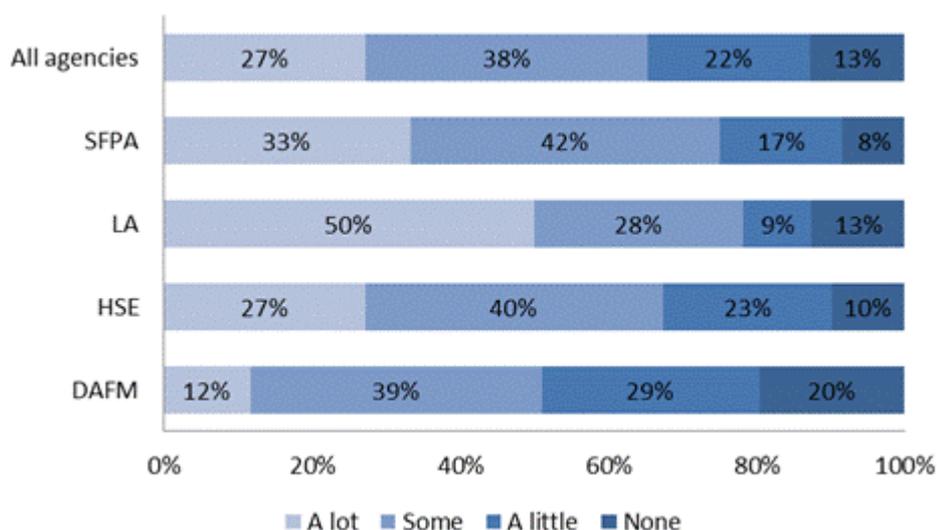
**Figure A8.85** To what extent does the *FSAI advice line* enhance the food business inspection system in your agency? (N=187)



**Table A8.86 To what extent does the following FSAI function enhance the food business inspection system in your agency: FSAI Training?**

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 6<br>(12%)  | 25<br>(27%) | 16<br>(50%) | 4<br>(33%) | 51<br>(27%) |
| Some         | 20<br>(39%) | 37<br>(40%) | 9<br>(28%)  | 5<br>(42%) | 71<br>(38%) |
| A little     | 15<br>(29%) | 21<br>(23%) | 3<br>(9%)   | 2<br>(17%) | 41<br>(22%) |
| None         | 10<br>(20%) | 9<br>(10%)  | 4<br>(13%)  | 1<br>(8%)  | 24<br>(13%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

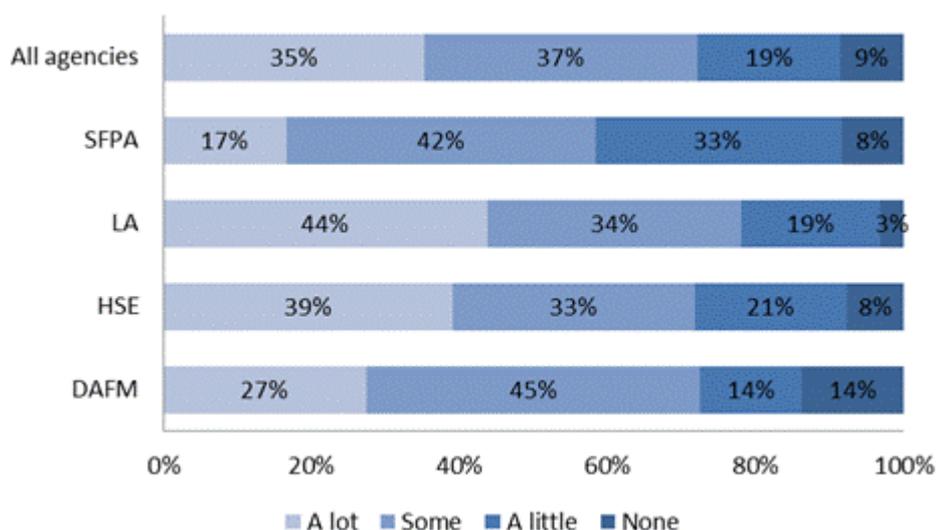
**Figure A8.86 To what extent does FSAI training enhance the food business inspection system in your agency? (N=187)**



**Table A8.87** To what extent does the following FSAI function enhance the food business inspection system in your agency: *provision of scientific/technical information?*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 14<br>(27%) | 36<br>(39%) | 14<br>(44%) | 2<br>(17%) | 66<br>(35%) |
| Some         | 23<br>(45%) | 30<br>(33%) | 11<br>(34%) | 5<br>(42%) | 69<br>(37%) |
| A little     | 7<br>(14%)  | 19<br>(21%) | 6<br>(19%)  | 4<br>(33%) | 36<br>(19%) |
| None         | 7<br>(14%)  | 7<br>(8%)   | 1<br>(3%)   | 1<br>(8%)  | 16<br>(9%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

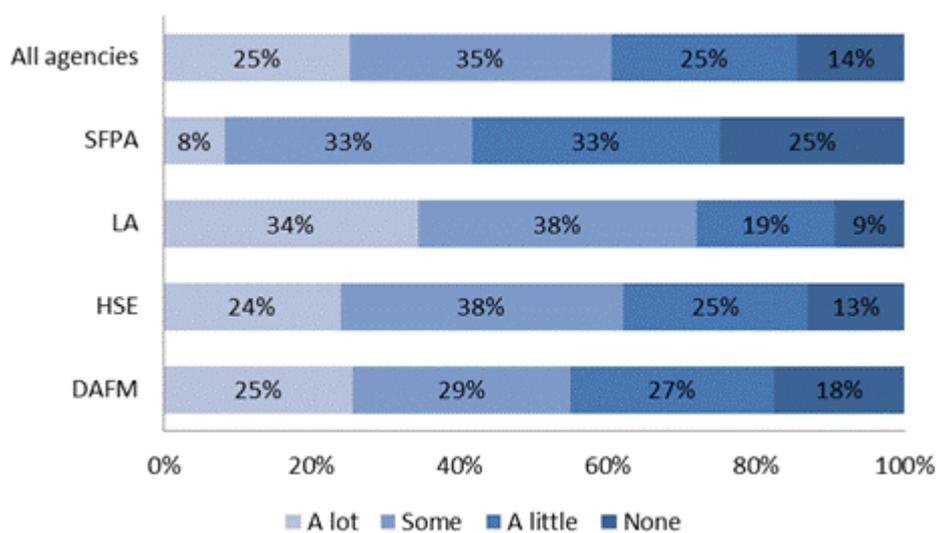
**Figure A8.87** To what extent does the FSAI's provision of scientific/technical information enhance the food business inspection system in your agency? (N=187)



**Table A8.88** To what extent does the following FSAI function enhance the food business inspection system in your agency: *interpretation of legislation?*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 13<br>(25%) | 22<br>(24%) | 11<br>(34%) | 1<br>(8%)  | 47<br>(25%) |
| Some         | 15<br>(29%) | 35<br>(38%) | 12<br>(38%) | 4<br>(33%) | 66<br>(35%) |
| A little     | 14<br>(27%) | 23<br>(25%) | 6<br>(19%)  | 4<br>(33%) | 47<br>(25%) |
| None         | 9<br>(18%)  | 12<br>(13%) | 3<br>(9%)   | 3<br>(25%) | 27<br>(14%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

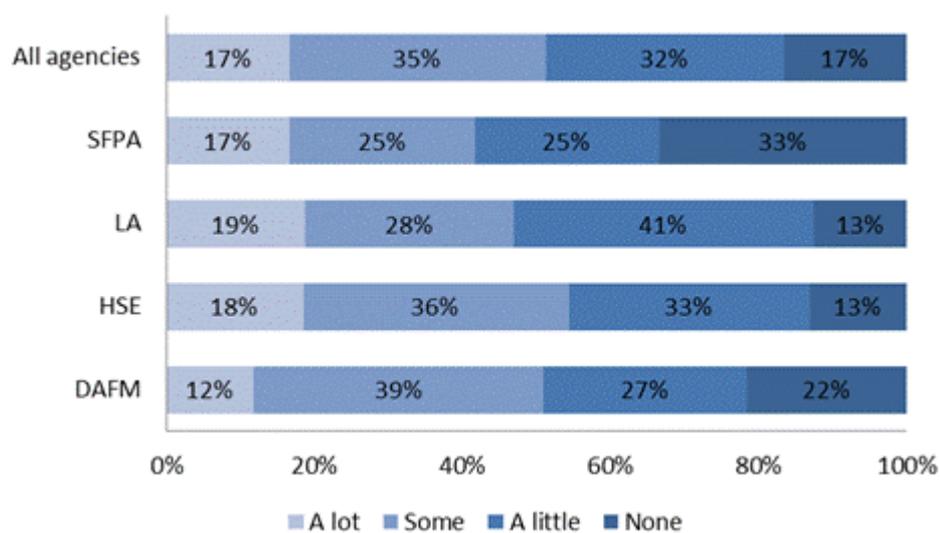
**Figure A8.88** To what extent does the FSAI's *interpretation of legislation* enhance the food business inspection system in your agency? (N=187)



**Table A8.89** To what extent does the following FSAI function enhance the food business inspection system in your agency: *national analysis of food control data?*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 6<br>(12%)  | 17<br>(18%) | 6<br>(19%)  | 2<br>(17%) | 31<br>(17%) |
| Some         | 20<br>(39%) | 33<br>(36%) | 9<br>(28%)  | 3<br>(25%) | 65<br>(35%) |
| A little     | 14<br>(27%) | 30<br>(33%) | 13<br>(41%) | 3<br>(25%) | 60<br>(32%) |
| None         | 11<br>(22%) | 12<br>(13%) | 4<br>(13%)  | 4<br>(33%) | 31<br>(17%) |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

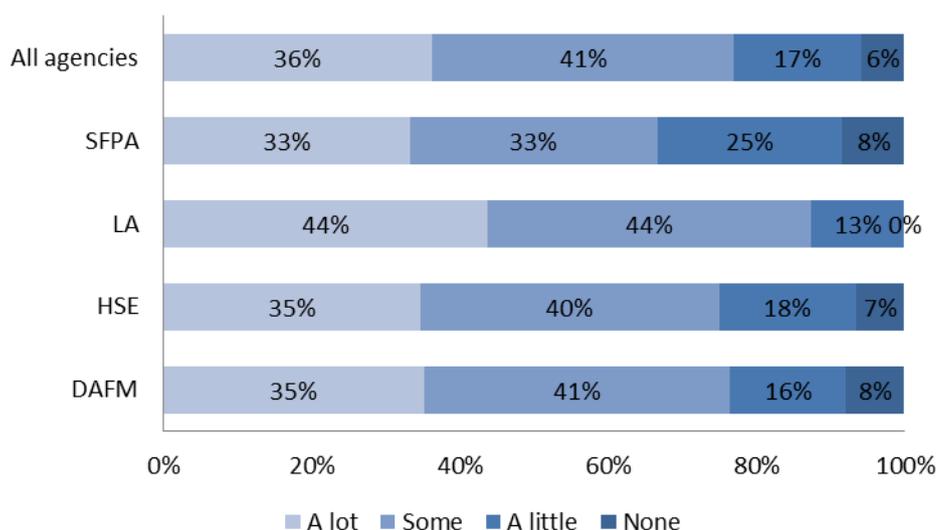
**Figure A8.89** To what extent does the FSAI's national analysis of food control data enhance the food business inspection system in your agency? (N=187)



**Table A8.90** To what extent does the following FSAI function enhance the food business inspection system in your agency: *responding to food incidents?*

|              | DAFM        | HSE         | LA          | SFPA       | Total       |
|--------------|-------------|-------------|-------------|------------|-------------|
| A lot        | 18<br>(35%) | 32<br>(35%) | 14<br>(44%) | 4<br>(33%) | 68<br>(36%) |
| Some         | 21<br>(41%) | 37<br>(40%) | 14<br>(44%) | 4<br>(33%) | 76<br>(41%) |
| A little     | 8<br>(16%)  | 17<br>(18%) | 4<br>(13%)  | 3<br>(25%) | 32<br>(17%) |
| None         | 4<br>(8%)   | 6<br>(7%)   | 0<br>(0%)   | 1<br>(8%)  | 11<br>(6%)  |
| <b>Total</b> | <b>51</b>   | <b>92</b>   | <b>32</b>   | <b>12</b>  | <b>187</b>  |

**Figure A8.90** To what extent does the FSAI's response to food incidents enhance the food business inspection system in your agency? (N=187)



## Annex 9 International case studies: Denmark and The Netherlands

### A9.1 Denmark

The sections below describe the Danish official control system. The case study is based on a review of the multi-annual control plans 2012-2016 (The Danish Veterinary and Food Administration and The Danish AgriFish Agency, 2012), annual report (The Danish Veterinary and Food Administration, 2013) and results contracts (The Danish Veterinary and Food Administration, 2012; The Danish AgriFish Agency, 2013).

#### A9.1.1 Competent authorities

The central competent authority in Denmark is the Ministry of Food, Agriculture and Fisheries (MFAF). The Ministry is responsible for policy and legislation and overall supervision and planning of food controls. The delivery of official controls is the responsibility of two agencies of MFAF:

- the Danish Veterinary and Food Administration (DVFA) (*Fødevarestyrelsen*), responsible for food and feed safety and animal health; and
- the Danish AgriFish Agency (DAFA) (*NaturErhvervstyrelsen*), responsible for the controls of fishing activities and plant health.

The MFAF signs separate annual performance contracts with the DVFA and the DAFA setting out the annual targets and performance indicators for each agency. Indicators are set both for centralised and decentralised control activities.

The division of competencies amongst the two agencies is detailed in the table below. There has been significant organisational change in the services in Denmark over the past years, including the transfer of responsibility for animal welfare and feed from DAFA to the DVFA in 2011.

**Table A9.1 Division of food control competences between the DVFA and the DAFA**

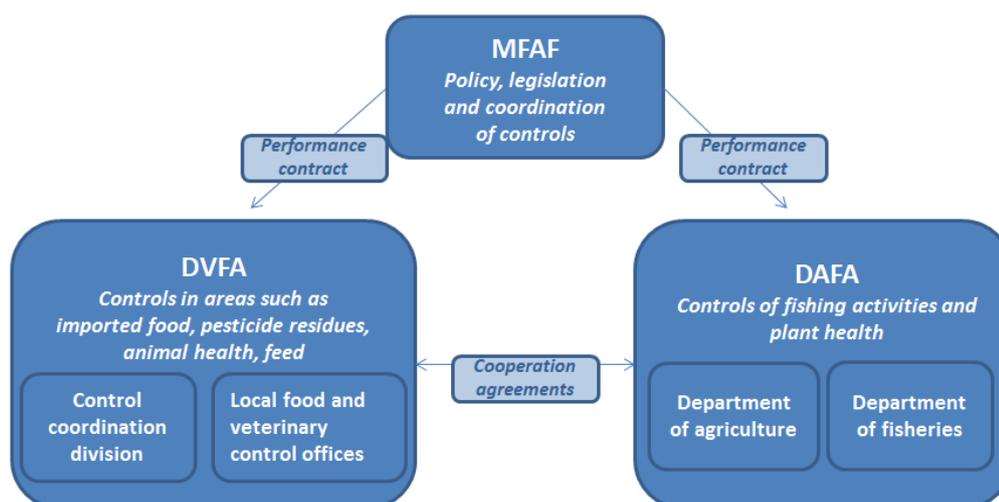
| DVFA   | DAFA  |
|--|---|
| <ul style="list-style-type: none"> <li>■ Animal health</li> <li>■ All food, incl. retail and catering</li> <li>■ Import controls of live animals and food</li> <li>■ Feed</li> <li>■ TSEs</li> <li>■ Animal by-products</li> <li>■ Veterinary medicines: residues</li> <li>■ Veterinary medicines: storage and use in farms</li> <li>■ Pesticide residues</li> <li>■ Animal welfare</li> </ul> | <ul style="list-style-type: none"> <li>■ Screening controls on farms on food and feed hygiene</li> <li>■ Hygiene controls of fish/LBM up to first point of sale</li> <li>■ Use of Pesticides (primary production)</li> <li>■ Plant health</li> <li>■ Organic farming</li> </ul> |

Source: DG SANCO, 2013b

Both DVFA and DAFA act as centralised-decentralised agencies: they have central units in charge of coordination tasks and decentralised units at regional and local level for the implementation of controls. At a local level, DVFA has nine Food Control Offices and three Veterinary Control Offices in charge of food controls. DAFA has local inspection offices and inspectorates within its two divisions in charge of official controls: the Division of Agriculture and the Division of Fisheries.

The control activities of DVFA and DAFA are coordinated through written agreements concerning delivery of inspection tasks within each other's field of responsibility and in situations with overlapping fields of responsibility at holding level, such as fish controls. There is one overall cooperation agreement, signed in 2012, and nine subsidiary agreements for the implementation of Regulation (EC) No 882/2004 (DG SANCO, 2013b).

Figure A9.1 Food control system in Denmark



Source: based on DG SANCO, 2013

### A9.1.2 Performance management frameworks

The National Control Plan is developed by DVFA and the Danish AgriFish Agency (in collaboration with the Danish Health and Medicines Authority, Tax, the Ministry of Justice and the Environmental Protection Agency). The plan is reviewed and renewed every 2-4 years to take account of changes, such as emerging food health risks.

The objectives of the official control system in DVFA are to monitor and ensure compliance with regulations, and:<sup>37</sup>

- maintain the veterinary stage and improve animal welfare;
- promote healthier eating habits;
- improve the already high level food safety;
- improve the framework to produce, sell and buy food; and
- optimise the use of resources and strengthen external dialogue.

The MFAF agree a control plan or 'results contract' with DVFA and DAFA. The results contracts reflect the priorities included in the risk-based multiannual audit programme of official controls. The contracts include specific targets which should be achieved by each organisation and are divided into topics / areas with yearly and monthly indicators.

The targets and indicators in the 2013 results contract between MFAF and DVFA and DAFA are included in Table A9.2. Each target is weighted in terms of its contribution to the overall performance assessment.

Delivery of official controls is monitored by the use of monthly key performance indicators that reflect the targets listed in Table A9.2, and is assessed at the end of each year by internal audit units. The internal audit units report directly to the board of directors.

The internal audit units conduct control visits to determine if food business operators have been audited correctly, conduct interviews with FBOs and inspectors, and review paperwork / documents related to completed inspections. The internal audit units also develop and implement procedures for auditing inspectors to monitor whether official controls are implemented in accordance with agreed protocols. DVFA and DAFA report the results of internal audits to MFAF.

<sup>37</sup> DVFA's Results Contract 2013, p.4 ff.

Coaching and supervision is arranged for inspectors if the internal audit unit suspects that targets are unlikely to be achieved. Inspectors receive regular training about protocols and procedures for conducting official controls. Training provided to inspectors is evaluated regularly and is adjusted to ensure that inspectors are fully up to date with regulatory requirements and established best practice.

Reporting, monitoring and standardisation is also facilitated more informally through 'Experience Groups': multi-party discussion forums bringing together officials at central and local levels.

**Table A9.2 Targets and indicators (2013), weighted in terms of contribution to the total assessment**

| Targets  | Indicators   |
|--|--|
| <b>Danish Veterinary and Food Administration (DVFA)</b>        |  |
| Maintain the veterinary stage and improve animal welfare (16%) | <ul style="list-style-type: none"> <li>■ Indicator 1: Implementation of the Veterinary Conciliation II<sup>38</sup> (10%).</li> <li>■ Indicator 2: Effective emergency response system (6%).</li> </ul>  |
| Promote healthier eating habits (6%)                           | <ul style="list-style-type: none"> <li>■ Indicator 1: Development of model to inspire children's institutions to work with healthy food joy.</li> <li>■ Indicator 2: In the first quarter of 2013 development of concept to create a healthier food culture in sports associations.</li> <li>■ Indicator 3: 'The Meal Partnership' to promote health equality.</li> <li>■ Indicator 4: Certification of 200 new eating places to provide consumers with direct access to healthy eating opportunities (25% should be working place canteens and 25% should be fast food).</li> <li>■ Indicator 5: DVFA should publish new dietary recommendation in the first quarter of 2013.</li> </ul>  |
| Improve the already high level food safety (24%)               | <ul style="list-style-type: none"> <li>■ Fewer people fall ill from food (8%) <ul style="list-style-type: none"> <li>■ Indicator 1: The number of registered human incidences following a salmonella infection must remain at the same level as in 2012 (4%).</li> <li>■ Indicator 2: The number of incidences caused by campylobacter must decrease by 7% (4%).</li> </ul> </li> <li>■ Higher degree of compliance with rules (8%) <ul style="list-style-type: none"> <li>■ Indicator 1: The share of non-compliant businesses (with remarks on at least 3 of the 4 last control reports) should remain at the same level as in 2012 (12%). The maximum is 1.5% (4%).</li> <li>■ Indicator 2: The share of food companies which had remarks on at least 2 of the latest 4 control reports and are thus at risk of becoming 'black sheep' should remain at the same level as in 2012 (6.0%). The maximum is 6.5% (4%).</li> </ul> </li> <li>■ Compliance with guidelines for control frequency (8%) <ul style="list-style-type: none"> <li>■ Indicator 1: DVFA has to conduct the planned controls (4%).</li> <li>■ Indicator 2: DVFA has to conduct the prioritised control visits (4%).</li> </ul> </li> </ul> |
| Improve the framework to produce, sell and buy food (24%)      |  |

<sup>38</sup> In 2012 the Danish government and parliament entered the conciliation which includes a greater focus on reducing the use of antibiotics in Danish agriculture, simplification of rules to avoid extra costs and support of better animal welfare.

| Targets   | Indicators   |
|---|--|
| <ul style="list-style-type: none"> <li>■ Meat control (10%)</li> </ul>                                  | <ul style="list-style-type: none"> <li>■ Indicator 1: Reduce butchers' unit costs.</li> <li>■ Indicator 2: 97% of quality controls must comply with the guidelines for quality controls.</li> </ul>  |
| Export certificates (shortening time of procedures) (5%)  | <i>[no indicators specified]</i>   |
| Initiatives to simplify veterinary health advice agreements (5%)  | <i>[no indicators specified]</i>   |
| Optimise the use of resources and strengthening external dialogue (8%)                                  | <i>[no indicators specified]</i>   |
| <ul style="list-style-type: none"> <li>■ Economic management (8%)</li> </ul>                            | <i>[no indicators specified]</i>   |
| <ul style="list-style-type: none"> <li>■ Implementation of the rationalisation strategy (8%)</li> </ul> | <i>[no indicators specified]</i>   |
| <ul style="list-style-type: none"> <li>■ Procedure for complaints (8%)</li> </ul>                       | <ul style="list-style-type: none"> <li>■ Indicator 1: A maximum of 6% of complaints about case proceedings, decision etc. can lead to further proceedings (4%).</li> <li>■ Indicator 2: DVFA must send incoming complaints to MFAF's unit for complaints within 4 weeks (4%).</li> </ul>   |
| <ul style="list-style-type: none"> <li>■ Customer service (6%)</li> </ul>                               | <ul style="list-style-type: none"> <li>■ Indicator 1: The number of users of the DVFA's website should increase by 10% from 2012 (2%).</li> <li>■ Indicator 2: The monthly waiting time for answering calls should be maximum 3 minutes (2%).</li> <li>■ Indicator 3: During 2013 the DVFA should develop a baseline analysis to identify customer segments (2%).</li> </ul> |

#### Danish AgriFish Agency (DAFA)

|                      |  |
|----------------------|--|
| Green transformation | <ul style="list-style-type: none"> <li>■ Sustainability in animal production (5%). DAFA has to finalise a project about cooperation with stakeholders and partners to ensure technological development of future livestock facilities.</li> <li>■ Bio-economy: to develop an overview of the potential of a bio-economy, DAFA has to seek dialogue with partners and stakeholders and carry out an analysis and develop a strategy with concrete actions for implementation.</li> <li>■ Sustainability as a parameter for competition: DAFA has to map possibilities and barriers in relation to use of sustainability certifications.</li> <li>■ New nitrogen regulation according to the Danish Nature and Agricultural Commission's recommendations (5%).<br/>In 2013 DAFA has to develop models for implementation of recommendations in relation to nitrogen regulation.</li> <li>■ Presentation of new management of coastal fishing (5%).<br/>On 31 May 2013 at the latest DAFA has to provide a presentation of guidelines to the ministry in relation to coastal fishing. This should lead to political actions.</li> </ul> |
|----------------------|--|

| Targets                      | Indicators   |
|------------------------------|--|
| External relations           | <ul style="list-style-type: none"> <li data-bbox="480 315 1375 712"> <p>■ Service minded authority culture (8%).</p> <p>DAFA has to develop customer guidelines and develop 3-5 KPIs to assess whether DAFA realise the targets for customer guidance in 2013.</p> </li> <li data-bbox="480 439 1375 712"> <p>■ Strategy for controls (9%).</p> <p>DAFA has to do the following: Phase 1 - map tasks in relation to controls; Phase 2 - develop an analysis on the basis of the mapping; Phase 3 - develop strategic action areas on the basis of the analysis; Phase 4 - develop a final strategy and action plan.</p> <p>In the middle of 2013 a strategy and an action plan with concrete initiatives should have been put in place. A note on future changes and possible consequences should be developed.</p> </li> <li data-bbox="480 719 1375 920"> <p>■ Denial of Danish decisions by the EU's support arrangements (10%).</p> <p>An important task to prevent denials is to bring down the number of audit recommendations (108 at the time of developing the results contract). Audit recommendations should be divided into a 'traffic light system' (red is the most critical). Develop a concrete action plan using cost-benefit analysis to reduce the risk of denials.</p> </li> <li data-bbox="480 927 1375 1211"> <p>■ Performance of online self-service (<i>tast selv service</i>) (7%).</p> <p>DAFA will work to ensure: performance, stability and better communication about the system.</p> <p>Objectives to ensure the above include: Compliance with the time frames for providing answers as they were communicated in September 2012; to improve the customer survey from 2012 (20% of the respondents must be satisfied or very satisfied with the self-service, and 35% of the farmers must be satisfied or very satisfied with the self-service during application)</p> </li> </ul> |
| Decision-making organisation | <ul style="list-style-type: none"> <li data-bbox="480 1223 1375 1458"> <p>■ Economic governance (10%)</p> <p>In the context of decreasing grants, development of methods and practices to ensure accurate prognoses, prioritised funding and internal/external economic reporting.</p> <p>Development of rationalisation strategy.</p> <p>Ensure that prognoses for grants are accurate.</p> </li> <li data-bbox="480 1464 1375 1671"> <p>■ Goal on ceiling on expenditures (9%)</p> <p>Due to the state's ceiling on expenditures with effect from 2013, there will be limited possibilities to transfer smaller amounts from grants into the following years; activities will have to be conducted in the year of finance. DAFA for example has to develop a plan to reduce the number of incoming applications on 15 September.</p> </li> </ul>   |
| Professional/technical goals | <ul style="list-style-type: none"> <li data-bbox="480 1682 1375 1906"> <p>■ Correct payment of financial support (10%)</p> <p>As a precondition for payment of EU subsidies, DAFA conducts controls of areas. The objective is that controls are carried out within the timely and economic framework to ensure that the EU subsidies are paid on time.</p> <p>DAFA has to develop a strategy to ensure a more efficient subsidy administration.</p> </li> <li data-bbox="480 1912 1375 1986"> <p>■ Application for commitment to the EU Local Development Programme (LDP) and the EU Fishery Fund (EFF) (6%)</p> </li> </ul>  |

| Targets | Indicators  |
|---------|---|
|         | <ul style="list-style-type: none"> <li>■ Specific objectives for the processing of applications have been set up. Tackling complaints (5%) <ul style="list-style-type: none"> <li>Indicator 1: Max. 4 % of the complaints can lead to further case work.</li> <li>Indicator 2: DAFA has to forward 80% of the complaints to the MFAF's complaint centre a maximum of 4 weeks after receiving the complaint. In certain cases the time limit is 8 weeks.</li> </ul> </li> <li>■ Administration of fees (5%) <ul style="list-style-type: none"> <li>DAFA has to ensure that the fees are in balance with the budget.</li> </ul> </li> <li>■ Risk based control and improved compliance with rules in commercial fishing (6%) <ul style="list-style-type: none"> <li>DAFA has to demonstrate an improved compliance with rules in commercial fishing (through guidance, dialogue, control, sanctions etc.).</li> </ul> </li> </ul> |

Electronic information management and reporting systems are used widely by the Danish central agencies. DVFA employees register control activities in the Captia central electronic database. Almost all control guidelines for DVFA are uploaded in a database called Legal Information (*retsinfo*). The Legal Information database is available to the public.<sup>39</sup>

To support the management of documents DAFA makes use of the electronic case work system VAKS (in Danish this stands for knowledge sharing (*vidensdeling*), administration (*administration*), control (*kontrol*), and case management (*sagsbehandling*)). All control activities must be registered in this system and in Captia. VAKS connects all processes in an electronic network and is used by decentralised units and the central unit in Copenhagen so that all employees can access all registered cases of non-compliance.<sup>40</sup>

DVFA and DAFA use the electronic database system LIMS for laboratory work.<sup>41</sup> The system is used to register test analyses undertaken by DAFA. LIMS is connected to VAKS to facilitate data transfer and access by employees in the official control system.

#### A9.1.3 Risk rating and inspection

DVFA has a risk-based control system across food and feed sectors. Inspection in most sectors is subject to standard, risk based frequencies. This is also supplemented with additional visits, risk based inspection campaigns and sampling.

Establishments are allocated to one of five risk groups upon which inspection and monitoring frequency is determined. Categorisation is based on risk factors including microbiological and chemical risks to food safety, and compliance history. Inspection frequencies for retailers vary from two inspections per year to 'as and when required'. For wholesalers frequencies vary from five per year to 'as and when required'. An earned recognition approach is also incorporated, reducing inspection frequency for establishments with a good track record. For example an 'elite' status is afforded for premises with an established track record of good compliance (e.g. receiving no sanctions in four consecutive years). Third party accreditation can also contribute to this status.

#### A9.1.4 Key performance indicators

DVFA also undertakes national inspection campaigns, focussing on specific areas of food safety identified as posing a risk. Target areas are decided in part by surveillance data gathered. Typically

<sup>39</sup> Multi-annual control plan 2012-2016 pp. 12, 86

<sup>40</sup> Multi-annual control plan p. 87

<sup>41</sup> Multi-annual control plan 2012-2016 p. 12

this takes the form of more in depth surveillance of high risk areas during normal inspection visits. Industry is informed of specific risk factors under additional scrutiny each year.

#### **A9.1.5 Reporting and transparency**

Control units report KPIs monthly to the management board of each scheme, with some of these also presented to the board of directors. Quarterly KPIs are reported to the Ministry and feed into regular reports on the execution of the performance contract. Sampling data such as those from BIPs is reported separately on a monthly basis and form part of National Co-ordinated Sampling Monitoring Projects. Annual activity and performance reports are also published.

FBO inspection results are made publically available in different ways. Reports must by law be displayed in retail premises for consumers to be able to read. Enterprises with websites are required to provide a link to the last four inspection reports on their website. The last four reports are also published online by the DVFA.

#### **A9.1.6 Staffing and resources**

The Danish control authorities employ around 3,000 full-time equivalent staff at national, regional and local levels. Around three quarters of these are involved in food, feed, animal health, animal welfare and plant health activities in MFAF.

In general, the recruitment process does not stipulate mandatory qualification requirements for staff. These are established by each Head of Office. Changes to the Animal Welfare Act, also permit all staff to perform animal welfare controls. This allows for example staff with professional knowledge but without directly relevant training the flexibility to respond to local needs. Some specialist inspection units also have multi-disciplinary expertise – Food Inspection Task Force and Veterinary Task Force. This includes those with industrial, legal experience and ex-police officers, whose expertise complements their work as food inspectors.

### **A9.2 The Netherlands**

The sections below describe the Dutch official controls system. The case study is based on a review of the Netherlands Food and Consumer Products Safety Authority (NVWA) Annual Plan 2012 (NVWA 2012a) and the NVWA Annual Report (NVWA 2012b).

#### **A9.2.1 Competent authorities**

The main ministries responsible for official controls are the Ministry of Economic Affairs (MEA) and the Ministry of Health, Welfare and Sports (VWS).

The key agency responsible for the implementation of controls is the Netherlands Food and Consumer Products Safety Authority (NVWA). NVWA is commissioned under the administrative responsibility of the MEA but functions as an executive delivery body for both MEA and VWS. Both MEA and VWS are responsible for the development of policy and legislation and for the overall coordination of controls; MEA has exclusive competences over areas such as animal health, animal welfare and plant health, whereas in most of the other food policy areas the competencies are shared between MEA and VWS. The drafting of food safety legislation can be made in consultation with NVWA.

NVMA was founded in January 2012 as a result of the merger between the Plant Protection Service (PD), the General Inspection Service (AID) and the Food and Consumer Product Authority (VMA). NVWA is divided into five divisions:

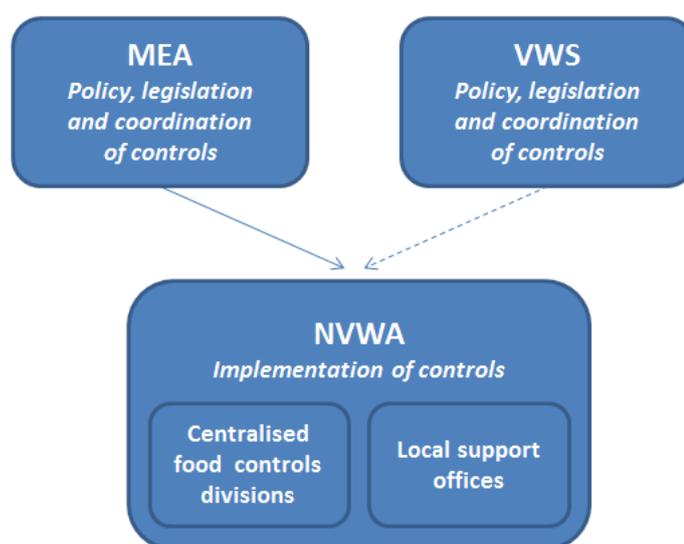
- veterinary and import,
- agriculture and nature,
- consumer and safety,
- contact with clients and services, and
- intelligence and investigation services.

NVWA has a centralised structure but there are a number of support offices at local level to provide office space and equipment for the implementation of controls.

Both VWS and MEA provide funding to NVWA for the performance of controls. MEA also provides funding to the organisations performing laboratory activities, such as the Institute of Food Safety and the Central Veterinary Institute.

Official controls are organised on the basis of annual inspection plans which establish the allocation of official controls and the number of samples and analyses at different stages of the food chain. The annual plans are drafted by NVWA in agreement with MEA; these plans are based on the budgetary resources allocated to MEA and NVWA. NVWA divisions propose project protocols to implement the national control plans. Activities carried out by NVWA are the subject of internal reporting to NVWA management and external reporting to MEA (DG SANCO, 2013a).

**Figure A9.2 Food control system in The Netherlands**



Based on: DG SANCO, 2013a

The NVWA is responsible for official controls in six ‘domains’ which are further divided into sub-domains (23 in total) that cover different fields of work. Some of these sub-domains are horizontal and not limited to a single domain. Table A9.3 presents the division of NVWA responsibilities.

**Table A9.3 Responsibilities of the NVWA with respect to the implementation of official controls**

| Domain               | Sub-domain   |
|----------------------|--|
| Food safety          | <ul style="list-style-type: none"> <li>■ meat chain and food safety</li> <li>■ fish chain</li> <li>■ industrial production</li> <li>■ animal by-products</li> <li>■ animal Food</li> <li>■ special food and drink good</li> <li>■ hotel and catering and traditional production</li> <li>■ pathogenic micro-organisms and non-alimentary zoonoses</li> </ul> |
| Consumer good safety | <ul style="list-style-type: none"> <li>■ consumer good safety</li> </ul>   |
| Animal welfare       | <ul style="list-style-type: none"> <li>■ animal welfare</li> <li>■ animal testing</li> </ul>   |

| Domain               | Sub-domain  |
|----------------------|---|
| Animal health        | <ul style="list-style-type: none"> <li>■ animal health</li> <li>■ livestock</li> <li>■ animal medicines</li> </ul>                                |
| Plant health         | <ul style="list-style-type: none"> <li>■ crop protection</li> <li>■ phytosanitary</li> <li>■ fertilizers</li> </ul>                               |
| Nature               | <ul style="list-style-type: none"> <li>■ nature</li> </ul>  |
| Horizontal           | <ul style="list-style-type: none"> <li>■ export</li> <li>■ import</li> <li>■ alcohol and tobacco</li> </ul>                                       |
| Implementation tasks | <ul style="list-style-type: none"> <li>■ cross compliance</li> <li>■ land-based subsidies</li> <li>■ EU subsidies and follow-up visits</li> </ul> |

### A9.2.2 Performance management frameworks

The risk management framework of the NVWA, also termed the 'enforcement procedure', is based on the following elements:

- maintaining clear objectives for each domain;
- assessing the risks in each domain and monitoring the level of compliance;
- matching the enforcement approach with the objectives and risks;
- evaluation of implementation, enforcement and compliance rates; and
- adjustment of implementation and enforcement of official controls.

The enforcement procedure is a uniform process that is applied in all domains to ensure quality and consistency in the implementation of official controls.

Routine system monitoring, secondary supervision and horizontal supervision has been applied throughout NVWA since a reorganisation in 2012. NVWA applies an impact assessment procedure / model to evaluate the success and efficiency of its enforcement methods and instruments. The impact assessment procedure was developed in collaboration with the Ministry of Economic Affairs, Agriculture and Innovation, and the Ministry of Public Health, Welfare and Sport. It involves assessing NVWA's performance against the agreed operational and enforcement goals in each domain. A sample of targets and measures included in the NVWA annual plan 2012 (NVWA 2012a) are included in Table A9.4.<sup>42</sup>

Other processes used to verify effectiveness of official controls include monitoring FBO compliance rates in each sector and informal reviews submitted to management about the implementation of controls and any emerging issues.

**Table A9.4 Sample of targets and measures included in the NVWA annual plan 2012**

| Sub-domain                 | Target  | Key measures in 2012 (with quantitative information)   |
|----------------------------|---|--|
| Meat chain and food safety | By 2015 reduce the control burden for businesses by 25% | <ul style="list-style-type: none"> <li>■ Development of a new control and monitoring system (Continuous Control Monitoring – CCM) with VION Food Group. The system is based on the use of a</li> </ul> |

<sup>42</sup> The NVWA also planned to identify more specific goals for inclusion in their multiannual plan and annual objectives by working with the Ministry of Economic Affairs, Agriculture and Innovation, and the Ministry of Public Health, Welfare and Sport.

| Sub-domain              | Target  | Key measures in 2012 (with quantitative information)   |
|-------------------------|---|--|
|                         |   | <p>dashboard to control the crucial stages in the production processes of producers.</p> <ul style="list-style-type: none"> <li>Development of a 'Reduce Regulatory Pressure' programme.</li> </ul>  |
| Fish chain              | <i>[no target specified]</i>  | <ul style="list-style-type: none"> <li>Mandatory use of the electronic reporting system for all fishing vessels larger than 15 meters.</li> </ul>  |
| Consumer product safety | Prevent access to the market for products with serious health and safety issues | <ul style="list-style-type: none"> <li>Focus control activities on entrepreneurs with the highest compliance deficiencies (800 – 1000 companies, operators and institutions).</li> <li>Increase the compliance level of 60 EU-importers of consumer products from third countries. The objective is to close control agreements with 5 EU importers.</li> <li>Increase the compliance levels of 180 prioritised EU importers that deal with higher risk products and do not have satisfactory quality systems in place.</li> <li>Use system monitoring to increase the level of compliance of 5 major distributors dealing with higher risk products.</li> <li>Use focused product control to increase the level of compliance of 20 distributors that sell higher risk products but do not qualify for system monitoring.</li> <li>Use system monitoring to increase the level of compliance at 15 theme parks and 15 zoos and complete agreements with 7 theme parks.</li> </ul> |
| Livestock               | <i>[no target specified]</i>  | <ul style="list-style-type: none"> <li>Assess the 'Quality System Livestock Logistics'<sup>43</sup> (QLL) to determine if it is fulfilling its requirements.</li> </ul>  |
| Veterinary drugs        | In 2013 the use of antibiotics must decrease by 50%                             | <ul style="list-style-type: none"> <li>More intensive control activities.</li> </ul>   |
| Pesticides              | <i>[no target specified]</i>  | <ul style="list-style-type: none"> <li>Physical controls of 3% of farmers.</li> </ul>  |

The process of identifying and refining appropriate operational and enforcement goals is expected to take approximately 3-5 years. NVWA plan to establish a more comprehensive register of the food safety risks in each domain, and gather more detailed information about the compliance levels of different types of food business operators. While work is underway, NVWA consider that several years will be necessary to build the knowledge and skills of staff, revise and implement new processes for conducting official controls, and for establishing the necessary information technology (IT) architecture.

### A9.2.3 Risk rating and inspection

NVWA is in the process of categorising all food businesses using a risk pyramid to ascribe risk ratings to businesses. Categorisation draws on inspection frequency, type of inspection and follow up activity. In general the risk is more related to the FBO than the product. It is likely that authorities are looking to rely more on FBO certification systems. A grading system is also used to indicate the degree of non-

<sup>43</sup> Quality system from the supply chain (conveyors, collection centres and exporters) in the animal transport sector.

compliance found during inspections which is then fed back into the wider risk rating. Some sectoral product boards (ZBOs) can set the frequency of inspections and other controls within their respective sectors. The system also offers scope for risks to be adjusted on the basis of third party accreditation.

An 'effective monitoring' approach newly introduced by NVWA aims to reduce the supervisory burden on businesses, by shifting focus to high risk areas and establishments with poor compliance history and those not using approved quality assurance systems. Authorities also use earned recognition approaches to reduce control frequency or supervision where appropriate.

The Dutch system also has in place an additional cost recovery mechanism to increase the effectiveness of inspection and enforcement efforts. For example, the burden is placed on businesses to cover the cost of supervision as a further deterrent to non-compliance, for example, when minor non-compliances result in a second inspection, it must be paid for by food businesses.

#### **A9.2.4 Reporting and transparency**

The official controls process is facilitated by regular communication in the form of quarterly and annual reports on inspection results and performance, from the regional to the central inspectorate who in turn produces internal fact sheets and an annual report of the NVWA. This process is supported by the NVWA ISI database. A food safety database is also currently being developed to collate all of the information available on inspections, sanctions and NVWA performance.

NVWA ensures transparency by making its annual reports publically available. The development of more comprehensive food risk databases and IT capabilities should potentially increase transparency.

#### **A9.2.5 Staffing and resources**

Around 4,200 full-time equivalent staff are involved in food [and feed] safety, plant health and animal health and welfare activities at national, regional and local levels.

Official controls staff are also trained to perform additional inspection tasks when on a producer's premises such as health and safety inspections, alcohol and excise controls. This allows for greater efficiency and mobility of staff resources. The Netherlands and the UK are the only EU Member States to provide training with a view to cross-cutting inspections.

NVWA has also focussed on training personnel in an auditing capacity to enhance the quality of measurement of control effectiveness. Pilot project have included specific training to staff on risk and target group analysis, as well as measuring effectiveness.

## Annex 10 References

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