

AUDIT
REPORT

Audit of Official Controls
carried out by the Local
Authority Veterinary Service
– Louth County Council

NOVEMBER 2015



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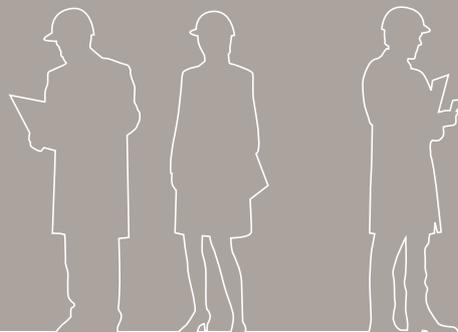


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1. GLOSSARY

CCP	Critical Control Point
FSAI	Food Safety Authority of Ireland
HACCP	Hazard Analysis Critical Control Point
OAPI	Official Agency Premises Inspection
SOP	Standard Operating Procedure

2. EXECUTIVE SUMMARY

This report describes the outcome of an audit carried out by the Food Safety Authority of Ireland (FSAI) in Louth County Council from 7-8 October, 2014. The objective of this audit was to verify (i) the efficacy of official controls and (ii) compliance with official food control legislation and the agency's own procedures and plans.

Overall, the report concludes that official controls are generally in compliance with the legislation and there is an organised approach to the identification and follow-up of non-compliances in food businesses under the supervision of the Louth County Council Veterinary Service.

The report lists a number of findings requiring corrective action aimed at rectifying identified shortcomings and enhancing the effectiveness of the control system in place. The main findings include:

- The official control programme in place is not fully documented. Inspections are carried out regularly. However, they are not always risk-based. The system of oversight to ensure inspection and sampling targets are met, should be documented
- The ready meals establishment audited should not have been approved for the production of ready-to-eat meat products
- Significant non-compliances were identified in the two establishments audited in relation to HACCP-based procedures. The audit team does not consider the current system of official controls to be effective at identifying and closing out deficiencies in food business operators' HACCP-based procedures
- Documented procedures prescribed by the local authority veterinary service are not always used
- Corrective actions to the findings of this report are required to ensure the ongoing effectiveness of official controls and to enhance the consistency of the service in line with other local authorities. This is important to ensure that all food business operators under the supervision of a local authority veterinary service are subject to the same inspection process

3. INTRODUCTION

3.1 Audit Objective

The FSAI is responsible for the enforcement of food legislation in Ireland. The FSAI carries out this enforcement function through service contracts with official agencies. These service contracts outline an agreed level and standard of food safety activity that the official agencies perform as agents of the FSAI. Louth County Council has entered into a service contract with the FSAI and is responsible for the enforcement of food legislation as it applies to low throughput slaughterhouses, meat plants, cold stores and food vehicles (wholesaling meat) in the county. It is a requirement of the service contract and food legislation that the council ensures official controls are carried out regularly, on a risk-basis and with the appropriate frequency.

As part of its legal mandate, and in accordance with Schedule 5 of the service contract, the FSAI is required to verify that the system of official controls is working effectively. This audit was carried out for the purposes of assessing the effectiveness and appropriateness of the delivery of official controls by the council. Compliance by the veterinary staff with relevant food legislation, adherence to the terms and requirements of the FSAI Service Contract, as well as conformance with relevant documented procedures, were assessed.

This audit was undertaken as part of the FSAI's audit programme for 2014. This report describes the audit objective, scope, methodology and the findings of the audit.

3.2 Audit Scope

The audit covered the organisation, planning, implementation and review of official controls within the council in order to confirm compliance with the requirements of the FSAI Service Contract, Regulation (EC) No 882/2004 and the Multi-Annual National Control Plan.

3.3 Audit Criteria and Reference Documents

The audit criteria referred to during the audit included the following:

- Regulation (EC) No 882/2004 on official controls performed to ensure verification of compliance with feed and food law, animal health and animal welfare rules, as amended
- The FSAI Service Contract (including the FSAI Act)
- Regulation (EC) No 852/2004 on the hygiene of foodstuffs, as amended
- Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs
- European Communities (Food and Feed Hygiene) Regulations, 2009 (S.I. No. 432 of 2009) as amended
- Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as amended
- The National Control Plan for Ireland 2012-2016
- Local authority hygiene plans and data supplied to the FSAI
- Local authority veterinary service documented procedures
- Local procedures

3.4 Audit Methodology

This audit of official controls was undertaken using documented procedures which are included in the FSAI Quality Management System, namely the FSAI Audit Procedure. These procedures implement the FSAI audit obligations, defined in Schedule 5 of the service contract between the FSAI and Louth County Council and in accordance with the requirements of Regulation (EC) No 882/2004 (including Article 6.1 of Commission Decision 2006/677/EC), the Multi-Annual National Control Plan and also the FSAI Act.

An evaluation plan describing the audit process and approach (including the scope, objectives, criteria and the audit team) was sent to the local authority ahead of the on-site activities. As part of the desktop element of this audit, a review of relevant information held within the FSAI was also carried out.

The audit included a review of the performance and delivery of official food controls by the county council. The audit team evaluated whether the official controls were being carried out in accordance with local authority veterinary service documented procedures which are used to implement the service contract requirements with the FSAI and related legislation.

As part of the audit of the food business operators, the audit team assessed the adequacy and performance of the controls put in place at establishment level. The implementation of good hygiene practices and principles of HACCP as part of the food business operator's food safety management system and traceability systems, were assessed to determine if they were effective, adequately maintained and in compliance with food law.

On completion of the on-site visits to establishments, the audit findings relevant to each food business operator were outlined by the FSAI audit team. The food business operator was informed that the FSAI would communicate the audit findings to the county veterinary officer for follow-up. Following completion of the establishment audits, a final closing meeting was held by phone with the county veterinary officer, where findings were discussed. Preliminary findings were issued in hard copy following that meeting.

4. AUDIT FINDINGS

4.1 Official Controls performed in accordance with Regulation (EC) No 882/2004

4.1.1 Organisation and Structure of Official Controls

Article 4 of Regulation (EC) No 882/2004 requires Member States to designate the competent authorities responsible for the purposes of the official controls set out in the Regulation. It also lays down operational criteria for the competent authorities.

Article 4(2)c The competent authorities shall ensure: that they have, or have access to, an adequate laboratory capacity for testing and a sufficient number of suitably qualified and experienced staff so that official controls and control duties can be carried out efficiently and effectively.

Findings

One veterinary inspector and one part-time veterinary inspector (20%) carry out official controls in 13 food establishments: 11 small meat manufacturing plants, one slaughterhouse and one food vehicle.

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Laboratories used by the service are as indicated on the national residue control plan: Dublin Public Analyst Laboratory, Eurofins (for water) and Cork County Council. The veterinary inspector's temperature probe was in calibration at the time of the audit.

A bilateral agreement is in place with Monaghan County Council to assist as required in the event of an incident or when the county veterinary officer is on leave. The local authority veterinary inspector in Monaghan County Council acts as designated officer when necessary. Louth County Council provided veterinary services for Monaghan County Council from January to August this year.

4.1.2 Coordination and Planning of Official Controls¹

Article 4(3) of Regulation (EC) No 882/2004 provides for efficient and effective coordination and cooperation between competent authorities.

Article 4(5) of the Regulation requires that when, within a competent authority, more than one unit is competent to carry out official controls, efficient and effective coordination and cooperation shall be ensured between the different units.

Findings

The whole-time veterinary inspector carries out the ante-mortem/post-mortem checks in the one slaughterhouse in the county and in his absence, the part-time veterinary inspector carries out these inspections. It has been agreed by the veterinary service that the part-time veterinary inspector carries out four inspections per week in the small meat manufacturing plants. The veterinary inspectors meet monthly to coordinate their activities to ensure establishments are inspected regularly and that non-compliances are closed out. In addition, quarterly file reviews are conducted although this is not always documented.

Premises are risk assessed and the risk assessments are reviewed generally annually. SOP No. D25 Risk Assessment of Establishments provides for a significant variation of inspection frequency of establishments supervised by the local authority veterinary service:

- Low-risk: 4-12 inspections per year
- Medium-risk: 6-24 inspections per year
- High-risk: 12–48 inspections per year
- Very high-risk: At discretion

The SOP also specifies a full audit of an establishment should be carried out once per year in low and medium-risk establishments and twice per year in high-risk establishments.

Inspections targets in Louth County Council have been agreed by the veterinary inspectors as at one per month (high-risk), one every two months (medium-risk) and one every three months (low-risk). The target number of audits for high-risk establishments is two per year and for low- and medium-risk establishments is one per year. This annual plan for audit and inspections is not fully documented, setting down annual sampling and inspection targets.

¹**Recital 15** The competent authorities should ensure that where different control units are involved in carrying out official controls, appropriate coordination procedures are in place and effectively implemented.

Recital 16 The competent authorities should also ensure that, where the competence to carry out official controls has been delegated from the central level to a regional or local level, there is effective and efficient coordination between the central level and that regional or local level.

The number of inspections and audits is reviewed at quarterly meetings and the frequency is adjusted either up or down over the next period as required. The frequency of inspections does not always follow the formal annual risk categorisation as they are modified by the county veterinary officer to take account of his on-going assessment of the establishment, e.g. sometimes low-risk establishments get the same level of inspection as medium and high-risk (see discussion at 4.1.4.)

Microbiological sampling programmes are provided to local authorities by Cork County Council Veterinary Laboratory and the programme is followed. Water sampling is carried out by the county veterinary officer at least annually in all food business operators.

Microbiological samples are taken as per the instruction from Cork County Council, which manages a national sampling plan for all local authorities, and water samples are sent to a private laboratory. Sulphur dioxide and nitrate samples have been taken by the veterinary inspector in relevant establishments and sent to the Public Analyst Laboratory as part of a national sampling plan.

The county veterinary officer does not have a fully documented planned official control programme in place, setting down official control targets for inspections and sampling.

4.1.3 Registration/Approval of Establishments

Article 31 of Regulation (EC) No 882/2004 requires competent authorities to establish procedures for food business operators to follow when applying for the registration of their establishments in accordance with Regulation In addition it requires competent authorities to draw up and keep up to date a list of food business operators which have been registered.

Article 2 of Commission Regulation (EU) No 210/2013 of 11 March 2013 on the approval of establishments producing sprouts states food business operators shall ensure that establishments producing sprouts are approved by the competent authority in accordance with Article 6 of Regulation (EC) No 852/2004. The competent authority shall approve those establishments only provided that they comply with the requirements set out in Annex I to Regulation (EC) No 852/2004 and in the Annex to this Regulation.

Findings

Premises were approved as per the Regulation (EC) No 854/2004 but issues were identified with the approval status of the establishment producing ready meals. The ready meals were labelled that they must be fully cooked before consumption and therefore, were not ready-to-eat products. The food business operator's documented procedures were unclear regarding of the implications of a product classification as ready-to-eat for the HACCP-based procedures, necessary controls and product testing. This establishment did not have sufficient controls in place to be approved as a ready-to-eat establishment².

² The reference to ready-to-eat status of the establishment has been adjusted on the approval certificate and replaced with 'non ready-to-eat meat products'.

4.1.4 Prioritisation of Official Controls and Risk Categorisation

Article 3 of Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency. In doing so, account must be taken of identified risks that may influence food safety, past records of food business operators, the reliability of own checks and any additional information on non-compliance.

Findings

Premises are risk assessed and the risk assessments are reviewed annually. At the quarterly meetings, the number of inspections and audits carried out in each premises over the period in question are reviewed to ensure inspection targets are in line with the SOP D25. To take account of the veterinary officers ongoing assessment of the premises, the formal annual risk categorisation may not be followed and as a result, on occasion, low-risk establishments get the same level of inspection as medium-risk and also some medium-risk establishment received the same number of inspections as high-risk (see Table 1).

Table 1: Number of Inspections by Risk Category

Risk Category	2012	2013
High	27	29
High	21	21
Medium	10	14
Medium	14	9
Medium	14	7
Medium	16	12
Medium	8	22
Risk Category	2012	2013
Medium	17	15
Medium	19	16
Medium	13	21
Low		14
Low	6	21
Low	2	2

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A system of risk assessment for sampling is in place and is in line with the guidance for microbiological criteria for food stuffs in low throughput establishments.

Article 10 specifies how official controls should be carried out using appropriate control methods, such as monitoring, surveillance, verification, inspection, audit, sampling and analysis. In Louth, different techniques are used, e.g. full hygiene inspections, vehicle inspections, surveillance, sampling inspection etc.

In addition to checks on the hygiene conditions and an assessment of good manufacturing practice, good hygiene practice and HACCP-based procedures, Article 10 of Regulation (EC) No 882/2004 references a list of other factors that need to be included in an inspection such as raw materials, ingredients, packaging, cleaning, maintenance products, processes and labelling. In Louth County Council, different techniques are used - full hygiene, full hygiene including vehicle(s), surveillance, sampling inspection etc. There was limited evidence of cleaning processes being inspected.

4.1.5 Documented Procedures

Article 8 of Regulation (EC) No 882/2004 requires that competent authorities carry out their official controls in accordance with documented procedures containing information and instructions for staff and must keep these procedures up-to-date.

Findings

As per the service contract: ***‘The official agency shall carry out official controls in accordance with documented procedures developed by agreement between the Authority and the local authority veterinary service. These procedures shall provide information and instructions for staff performing official controls’.***

As per the service contract, the Local Authority Standardisation Working Group has put a series of documented procedures in place for local authority veterinary inspectors to ensure official controls are implemented in a standardised manner. The Louth County Veterinary Officer is a member of this working group, was chair of the Local Authority Veterinary Service Group in 2013 and has also been actively involved in the shared services project.

The county veterinary officer applies the majority of the instructions provided in these local authority veterinary service procedures. The Food Premises Inspection Report and the audit reports, as prescribed in these procedures, are used; however, a number of other procedures are not used, e.g. revised HACCP forms, vehicle inspection checklists.

There is no SOP in place dealing with how local authorities should verify the effectiveness of their activities.

Non-compliances identified by the veterinary officers are reviewed at the monthly and quarterly file review meetings. However, the veterinary inspector doesn't have a documented system of checking previous non-compliances during the next inspection, so as to provide a documentary trail that non-compliances identified previously are closed out.

4.1.6 Identification, Follow-up and Close-out of Non-compliances

Article 54 of Regulation (EC) No 882/2004 requires that when the competent authority identifies non-compliance, it shall ensure that the operator remedies the situation. When deciding which action to take, the competent authority shall take account of the nature of the non-compliance and that operator's past record with regard to non-compliance.

Article 8.3 (b) of Regulation (EC) No 882/2004 requires that competent authorities shall have procedures in place to ensure that corrective action is taken when needed

Findings

Non-compliances identified by the veterinary officers during inspections and audits are reviewed at the monthly and quarterly file review meetings. This is to ensure corrective actions are taken by food business operators in a timely manner and the non-compliances are closed out. This was documented on the establishment files held by Louth County Council.

Following the on-site audits, the audit team noted that some non-compliances had not been identified by the veterinary inspector during official control inspections or were not closed out by the food business operator following reports, e.g.

- In the cutting plant audited, significant non-compliances in relation to the HACCP-based procedures were identified and there was no documented cleaning programme in place but these had not been listed on the previous audit report
- In the establishment producing ready meals, non-compliances identified by the audit team had also been identified by the veterinary inspector during a previous audit but some had yet to be closed out, e.g. HACCP, staff protective clothing, cleaning

The audit team does not consider the current system of official controls to be fully effective at identifying or in some cases, closing-out deficiencies in food business operators.

4.1.7 Reports to Food Business Operators and Announcing Inspections

Article 9 of Regulation (EC) No 882/2004 requires that competent authorities draw up reports on the official controls carried out, including a description of the purpose of official controls, the methods applied, the results obtained and any action to be taken by the business operator concerned. The competent authority shall provide the food business operator with a copy of the report on official controls carried out, at least in case of non-compliance.

Article 3 (2) of Regulation (EC) No 882/2004 requires official controls to be carried out without prior warning, except in cases such as audits where prior notification of the feed or food business operator is necessary. Official controls may also be carried out on an ad-hoc basis.

Findings

Louth County Council has developed an in-house IT-based reporting system. A Food Premises Inspection Report as per SOP No. M2 is emailed to the food business operator immediately after the inspections or left with the food business operator at the time of the inspection. In addition, Louth County Council posts inspection reports in hard copy to the food business operator.

Non-compliances listed on the inspection report are sometimes difficult to understand, e.g. the last audit report issued to the ready meal establishment included a very vague description of the non-compliances found (although following the audit, the veterinary inspector provides the food business operator with a verbal account of the non-compliances). In general, inspections are unannounced and audits are announced.

4.1.8 Verification and Review of Official Controls and Procedures

Article 4(4) of Regulation (EC) No 882/2004 requires the competent authorities to ensure the impartiality, consistency and quality of official controls at all levels and to guarantee the effectiveness and appropriateness of official controls.

Article 4(6) of the Regulation requires the competent authorities to carry out internal audits or have external audits carried out. These must be subject to independent scrutiny and carried out in a transparent manner.

Article 8(3) states that the competent authorities must have procedures in place to verify the effectiveness of official controls and to ensure corrective action is taken when needed and to update documentation as appropriate.

Findings

There is no SOP dealing with how local authority veterinary inspectors should verify the effectiveness of their activities.

Formal enforcement action has been taken by Louth County Council in food establishments, including a fixed penalty notice in 2012. A system of risk assessment for both establishment inspection and establishment sampling is in place and is reviewed.

Although Louth County Council has agreed inspection and audit targets, the review of activities is not fully documented. In addition, there was evidence of inspections taking place by both veterinary inspectors on the same day in the same establishment. There are differences in the way controls are carried out by the veterinary officers and the controls are not always aligned to those prescribed in the documented procedures. The close-out of non-compliances is not always documented.

Significant non-compliances were identified in the two establishments audited in relation to HACCP-based procedures. The audit team does not consider the current system of official controls to be effective at identifying and closing out deficiencies in food business operators' HACCP-based procedures.

4.1.9 Staff Performing Official Controls

Article 4 (2) of Regulation (EC) No 882/2004 requires the competent authority to ensure staff performing official controls are suitably qualified and experienced staff, that appropriate and properly maintained facilities and equipment are available; and that staff performing controls are free of any conflict of interest.

Article 6 of Regulation (EC) No 882/2004 requires the competent authorities to ensure that staff receive appropriate training and are kept up-to-date in their competencies.

Findings

To retain their registration with the Veterinary Council of Ireland the county veterinary officer and temporary veterinary inspectors are legally obliged to comply with the Council's Continuing Veterinary Education requirements. The county veterinary officer attends national meetings and training provided by the FSAI and/or the Department of Agriculture, Food and the Marine.

The list of designated officers is up-to-date. Veterinary staff were authorised as required and warrants had been issued.

There is no formal food safety or official control training plan for the veterinary officers. Further training is required to enable the veterinary staff to better evaluate HACCP-based procedures in approved establishments.

4.2 Official Controls Performed in Food Establishments

An overview of the on-site verification work in both of the establishments audited is provided in Annex I of the report. A brief summary under (a) Structure, Maintenance and Operational Hygiene and (b) Food Safety Management System and (c) Traceability is provided below:

Findings

(a) Structure, Maintenance and Operational Hygiene

Article 4(2) of Regulation (EC) No 852/2004 establishes that the food business operator carrying out any stage of production, processing and distribution of food after the stage of primary production/associated operations shall comply with general hygiene requirements as set out in Annex II to Regulation (EC) No 852/2004. These provisions relate to cleaning and maintenance, layout, design, construction, siting and size of food premises.

The layout and the design of the ready meals establishment did not easily permit good food hygiene practices which are necessary to prevent cross-contamination between the raw and cooked areas.

In the cutting plant, the cleaning records were not available and hygiene deficiencies were noted.

(b) Food Safety Management System

On the basis of Article 5 of Regulation (EC) No 852/2004 the food business operator shall put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles. Regulation (EC) No 852/2004 allows the HACCP-based procedures to be implemented with flexibility so as to ensure that they can be applied in all situations.

Weakness with the food safety management systems were identified in both establishments audited.

In the cutting plant, the food business operator had very limited HACCP-based procedures in place and there was little evidence of the procedures being reviewed or properly implemented.

The inspections done by the Louth County Council veterinary inspector at the ready meals establishment in 2014 regarding HACCP had identified deficiencies and the HACCP file was in the process of being updated. Additional non-compliances were identified by the audit team in the application of the procedures, e.g. the hazards identified in the plan were not being adequately monitored or controlled.

(c) Traceability

Traceability requirements were being complied with in both establishments.

5. CONCLUSIONS

Louth County Council supervises 13 food establishments under service contract to the FSAI. The audit team confirmed that there was a structured approach to the delivery of official controls. Establishments are inspected regularly and the premises files are subject to review. The current organisation of controls is not always effective at identifying non-compliances in food businesses. The findings identified by the audit team in the two food business operators visited, related particularly to HACCP-based procedures, which will require corrective action.

6. AUDIT FINDINGS REQUIRING CORRECTIVE ACTION

Audit findings requiring corrective action are listed in the corrective action plan. The findings identified during this audit should be addressed by Louth County Council so that the effectiveness of the service can be improved. In addition, findings in this series of audits should be disseminated to all local authorities by the local authority veterinary service and/or the FSAI to enhance official controls nationally.

Annex I: Summary of On-site Findings

Food Business Operator 1

Findings related to non-compliance with Food Law	
1.	<p>HACCP-based Procedures</p> <p>Regulation (EC) No 852/2004, Article 5(1) <i>Food business operators shall put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles.</i></p> <p>Regulation (EC) No 852/2004, Article 5(2)</p> <ul style="list-style-type: none"> <i>(a) Food business operators shall identify any hazards that must be prevented, eliminated or reduced to acceptable levels;</i> <i>(b) identifying the critical control points at the step or steps at which control is essential to prevent or eliminate a hazard or to reduce it to acceptable levels;</i> <i>(c) establishing critical limits at critical control points which separate acceptability from unacceptability for the prevention, elimination or reduction of identified hazards;</i> <i>(d) establishing and implementing effective monitoring procedures at critical control points;</i> <i>(e) establishing corrective actions when monitoring indicates that a critical control point is not under control;</i> <i>(f) establishing procedures, which shall be carried out regularly, to verify that the measures outlined in subparagraphs (a) to (e) are working effectively; and</i> <i>(g) establishing documents and records commensurate with the nature and size of the food business to demonstrate the effective application of the measures outlined in subparagraphs (a) to (f).</i> <p>The food business operator had very limited HACCP-based procedures in place and there was no evidence of the procedures being reviewed in the establishment since its introduction. The audit team considered the procedures insufficient, e.g. no hazard analysis of the blade tenderisation process.</p> <p>The documentation outlined in the procedures was not followed, e.g. pre-production check sheets were sometimes used.</p> <p>There was limited evidence that the two CCPs identified by the food business operator were in control, e.g.</p> <ul style="list-style-type: none"> • CCP 1 Goods Inwards/Deliveries: The temperature probe used to check deliveries was out of calibration since 2011 • CCP 2 Chill Records: The critical limit on the HACCP plan was for the meat, but the temperature checked was the room temperature; in addition, there were significant gaps in the records for the data logger for the chills <p>There was no evidence available for the verification of CCPs.</p> <p>Supplier and customer lists were out-of-date.</p>

<p>2.</p>	<p>Cleaning and Maintenance</p> <p>Regulation (EC) No 852/2004: Annex II, Chapter I (1) <i>Food premises are to be kept clean and maintained in good repair and condition.</i></p> <p>Regulation (EC) No 852/2004, Annex II, Chapter I (2) <i>The layout, design, construction, siting and size of food premises are to:</i></p> <ul style="list-style-type: none"> <i>(a) permit adequate maintenance, cleaning and/or disinfection, avoid or minimise air-borne contamination, and provide adequate working space to allow for the hygienic performance of all operations;</i> <i>(b) be such as to protect against the accumulation of dirt, contact with toxic materials, the shedding of particles into food and the formation of condensation or undesirable mould on surfaces;</i> <i>(c) permit good food hygiene practices, including protection against contamination and, in particular, pest control;</i> <p>Cleaning records were not available and evidence of hygiene deficiencies in an un-used chill and storage area was noted.</p>
<p>3.</p>	<p>Staff Training</p> <p>Regulation (EC) No 852/2004, Annex II, Chapter XII (2) <i>Food business operators are to ensure that those responsible for the development and maintenance of the procedure referred to in Article 5(1) of this Regulation or for the operation of relevant guides have received adequate training in the application of the HACCP principles</i></p> <p>The gaps in the HACCP-based procedures indicate a requirement for further training.</p>
<p>4.</p>	<p>Traceability</p> <p>Regulation (EC) No 178/2002, Article 18</p> <ul style="list-style-type: none"> <i>1. The traceability of food, feed, food-producing animals, and any other substance intended to be, or expected to be incorporated into a food or feed shall be established at all stages of production, processing and distribution.</i> <i>2. Food and feed business operators shall be able to identify any person from whom they have been supplied with a food, a feed, a food-producing animal, or any substance intended to be, or expected to be, incorporated into a food or feed. To this end, such operators shall have in place systems and procedures which allow for this information to be made available to the competent authorities on demand.</i> <i>3. Food and feed business operators shall have in place systems and procedures to identify the other businesses to which their products have been supplied. This information shall be made available to the competent authorities on demand.</i> <i>4. Food or feed which is placed on the market or is likely to be placed on the market in the Community shall be adequately labelled or identified to facilitate its traceability, through relevant documentation or information in accordance with the relevant requirements of more specific provisions. No traceability system in place to identify where food is purchased.</i> <p>Of the files reviewed, there was a system of traceability in place.</p>

<p>5.</p>	<p>Microbiological Criteria</p> <p>Regulation 2073/2005 Article 3.1 <i>Food business operators shall ensure that foodstuffs comply with the relevant microbiological criteria set out in Annex I. To this end the food business operators at each stage of food production, processing and distribution, including retail, shall take measures, as part of their procedures based on HACCP principles together with the implementation of good hygiene practice, to ensure the following:</i></p> <p style="padding-left: 40px;">(a) <i>that the supply, handling and processing of raw materials and foodstuffs under their control are carried out in such a way that the process hygiene criteria are met,</i> (b) <i>that the food safety criteria applicable throughout the shelf-life of the products can be met under reasonably foreseeable conditions of distribution, storage and use.</i></p> <p>The food business operator had not taken the relevant process and food safety criteria into consideration when designing its food safety management system.</p> <p>Shelf-life studies were completed in 2010 and have not been reviewed. ‘Use-by’ dates provided by suppliers are applied to re vac-packed meat.</p>
<p>6.</p>	<p>Hand Washing Facilities</p> <p>Regulation (EC) No 852/2004, Annex II, Chapter I (4) <i>An adequate number of washbasins is to be available, suitably located and designated for cleaning hands. Washbasins for cleaning hands are to be provided with hot and cold running water, materials for cleaning hands and for hygienic drying. Where necessary, the facilities for washing food are to be separate from the hand-washing facility.</i></p> <p>A wash-hand basin was located in the toilet/lobby area but was not used and there was no hot water or towels available on the day of the audit. This wash-hand basin should be available for staff entering cold-rooms etc.</p> <p>It was noted that there was a wash-hand basin located in the cutting room.</p>
<p>7.</p>	<p>Labelling</p> <p>Regulation (EC) No 1760/2000, Article 13 General rules</p> <p>1. Operators and organisations marketing beef in the Community shall label it in accordance with this Article</p> <p>2. The label shall contain the following indications:</p> <p style="padding-left: 40px;">(c) <i>the approval number of the cutting hall which performed the cutting operation on the carcass or group of carcasses and the Member State or third country in which the hall is established. The indication shall read: ‘Cutting in: (name of the Member State or third country) (approval number)’.</i></p> <p>Product from one supplier was incorrectly labelled as cut in the premises when in fact it was not cut on the premises and was for wholesale in its original vac pack³.</p>

³ A similar incident was noted by the Louth veterinary inspector in a previous inspection in 2013.

Food Business Operator 2

Findings related to non-compliance with Food Law	
1.	<p>HACCP-based Procedures</p> <p>Regulation (EC) No 852/2004, Article 5(1) <i>Food business operators shall put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles.</i></p> <p>Regulation (EC) No 852/2004, Article 5(2)</p> <ul style="list-style-type: none"> <i>(a) Food business operators shall identify any hazards that must be prevented, eliminated or reduced to acceptable levels;</i> <i>(b) identifying the critical control points at the step or steps at which control is essential to prevent or eliminate a hazard or to reduce it to acceptable levels;</i> <i>(c) establishing critical limits at critical control points which separate acceptability from unacceptability for the prevention, elimination or reduction of identified hazards;</i> <i>(d) establishing and implementing effective monitoring procedures at critical control points;</i> <i>(e) establishing corrective actions when monitoring indicates that a critical control point is not under control;</i> <i>(f) establishing procedures, which shall be carried out regularly, to verify that the measures outlined in subparagraphs (a) to (e) are working effectively; and</i> <i>(g) establishing documents and records commensurate with the nature and size of the food business to demonstrate the effective application of the measures outlined in subparagraphs (a) to (f).</i> <p>Extensive HACCP-based procedures⁴ were available at the establishment, nevertheless non-compliances were identified by the audit team in the application of the procedures, e.g. the hazards identified in the plan were not being adequately monitored or controlled.</p> <p>The HACCP plan outlines four CCPs but the monitoring taking place was not as prescribed in the HACCP plan, e.g. CCP 1 requires a goods inwards check including temperature check but this is not documented. CCP 2 requires trained employees to take temperature checks. Employees have not been trained in this requirement. CCP 4 requires a delivery van check sheet to be completed – this was not done.</p> <p>There was no evidence of the verification or validation of CCPs.</p> <p>The control necessary to prevent cross contamination from raw to ready-to-eat foods was not highlighted in the hazard analysis or in the controls identified.</p> <p>Although a cleaning record is kept, on the day of the audit, the records were not available and the food business operator was not aware if there was a documented cleaning programme in place in the revised HACCP plan.</p>

⁴ 2014 audits by the Louth County Council veterinary inspector identified weaknesses in the HACCP-based procedures.

<p>2.</p>	<p>Traceability</p> <p>Regulation (EC) No 178/2002, Article 18</p> <ol style="list-style-type: none"> 1. <i>The traceability of food, feed, food-producing animals, and any other substance intended to be, or expected to be incorporated into a food or feed shall be established at all stages of production, processing and distribution.</i> 2. <i>Food and feed business operators shall be able to identify any person from whom they have been supplied with a food, a feed, a food-producing animal, or any substance intended to be, or expected to be, incorporated into a food or feed. To this end, such operators shall have in place systems and procedures which allow for this information to be made available to the competent authorities on demand.</i> 3. <i>Food and feed business operators shall have in place systems and procedures to identify the other businesses to which their products have been supplied. This information shall be made available to the competent authorities on demand.</i> 4. <i>Food or feed which is placed on the market or is likely to be placed on the market in the Community shall be adequately labelled or identified to facilitate its traceability, through relevant documentation or information in accordance with the relevant requirements of more specific provisions. No traceability system in place to identify where food is purchased.</i> <p>Of the files reviewed, traceability requirements were in order.</p>
<p>3.</p>	<p>Cleaning and Maintenance</p> <p>Regulation (EC) No 852/2004, Annex II, Chapter I (2) <i>The layout, design, construction, siting and size of food premises are to:</i></p> <ol style="list-style-type: none"> (a) <i>permit adequate maintenance, cleaning and/or disinfection, avoid or minimise air-borne contamination, and provide adequate working space to allow for the hygienic performance of all operations;</i> (b) <i>be such as to protect against the accumulation of dirt, contact with toxic materials, the shedding of particles into food and the formation of condensation or undesirable mould on surfaces;</i> (c) <i>permit good food hygiene practices, including protection against contamination and, in particular, pest control;</i> <p>The layout and the design of the establishment do not easily permit good food hygiene practice which is necessary to prevent cross-contamination between the raw and cooked areas.</p> <p>Raw packaged product was stored beside ready-to-cook products in chills and freezer.</p> <p>Staff were moving between the two areas with limited controls being taken.</p> <p>Trays with food products were stored on the ground in the processing area.</p>
<p>4.</p>	<p>Staff Training</p> <p>Regulation (EC) No 852/2004, Annex II, Chapter XII (2) <i>Food business operators are to ensure that those responsible for the development and maintenance of the procedure referred to in Article 5(1) of this Regulation or for the operation of relevant guides have received adequate training in the application of the HACCP principles</i></p> <p>The gaps in HACCP-based procedures indicate a requirement for further training.</p>

<p>5.</p>	<p>Microbiological Criteria</p> <p>Regulation 2073/2005 Article 3.1 – General Requirements <i>Food business operators shall ensure that foodstuffs comply with the relevant microbiological criteria set out in Annex I. To this end the food business operators at each stage of food production, processing and distribution, including retail, shall take measures, as part of their procedures based on HACCP principles together with the implementation of good hygiene practice, to ensure the following:</i></p> <p style="padding-left: 40px;">(a) <i>that the supply, handling and processing of raw materials and foodstuffs under their control are carried out in such a way that the process hygiene criteria are met,</i> (b) <i>that the food safety criteria applicable throughout the shelf-life of the products can be met under reasonably foreseeable conditions of distribution, storage and use.</i></p> <p>The food business operator was not aware if the relevant process and food safety criteria were taken into consideration when designing their revised food safety management system. Sampling was being undertaken at the veterinary inspectors' instruction. There was no sampling plan available on the day of the audit. The food business operator had undertaken shelf-life studies but these were not available to the audit team on the day of the audit.</p>
<p>6.</p>	<p>Hand-Washing Facilities</p> <p>Regulation (EC) No 852/2004, Annex II, Chapter I (4) <i>An adequate number of washbasins is to be available, suitably located and designated for cleaning hands. Washbasins for cleaning hands are to be provided with hot and cold running water, materials for cleaning hands and for hygienic drying. Where necessary, the facilities for washing food are to be separate from the hand-washing facility.</i></p> <p>Wash-hand basins were located in the raw and ready-to-eat areas of the establishment but they were not in suitably located areas of the establishment so as to permit good hand washing practices. For example, the wash-hand basin for the cooked room was in a lobby separated from the room by a loading bay.</p>
<p>7.</p>	<p>Registration and Approval of Establishments</p> <p>Article 4 of Regulation 853/2004 requires food business operators to have establishments manufacturing food of animal origin to be approved for the activities they are carrying out in accordance with the Regulation.</p> <p>The establishment which is approved to produce ready-to-eat foods produces ready meals which are labelled that they must be cooked before consumption. Hazards evident in terms of products and person flow, layout of the establishment and the controls evident on the day of the audit, were not sufficient for a ready-to-eat establishment. The approval certificate should be reviewed to reflect the operation as ready-to-eat meat products⁵.</p>

⁵ The reference to ready-to-eat status of the establishment has been adjusted in the approval certificate and replace with 'non ready-to-eat meat products'.



Abbey Court,
Lower Abbey Street,
Dublin 1.

Advice Line: 1890 336677
Telephone: +353 1 817 1300
Facsimile: +353 1 817 1301
Email: info@fsai.ie
Website: www.fsai.ie