

AUDIT REPORT

Audit of Official Controls
carried out on the Table
Egg Production Chain

Department of
Agriculture, Food and the
Marine

Egg and Poultry Section

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1. Glossary

DAFM	Department of Agriculture, Food and the Marine
EPC	Egg Packing Centre
EU	European Union
FBO	Food Business Operator
FFPGD	Feedingstuff, Fertiliser, Grain and Poultry Division
FSAI	Food Safety Authority of Ireland
FSMS	Food Safety Management System
HPAI	High Pathogenic Avian Influenza
ILT	Infectious Laryngotracheitis
LPAI	Low Pathogenic Avian Influenza
OCR	Official Control Regulation
SOP	Standard Operating Procedure
VMD	Veterinary Medicines Division

2. Executive Summary

The Food Safety Authority of Ireland (FSAI) is responsible for the enforcement of all food legislation in Ireland. This is carried out through service contracts with official agencies. As part of its legal mandate, the FSAI is required to verify that the system of official controls is working effectively. For the purposes of assessing the delivery of official controls in the official agencies, the FSAI conducts an annual programme of audits.

The FSAI completed an audit of the official controls performed by the Poultry and Egg Section of the Department of Agriculture, Food and the Marine's Feedingstuff, Fertiliser, Grain and Poultry Division (FFGPD) at various stages of the table egg production chain (egg collection, transporting, packing, warehousing, and distribution and retail sale). The COVID-19 pandemic impacted on the audit process in that its timelines were extended due to Government restrictions and parts were conducted remotely. The onsite verification components were in person and face-to-face.

The audit covered the organisation, planning, implementation and review of official controls within the FFGPD Poultry and Egg Section of the Department of Agriculture, Food and the Marine (DAFM) at national and regional levels to confirm compliance with food law, service contract requirements and with DAFM's own documented procedures. The scope of the audit included the structure and organisation of official controls by the Poultry and Egg Section, as they are applied to the collection, transporting, packing, warehousing, distribution, and retail sale of table eggs. The verification of compliance with egg marketing standard requirements in relevant food business operations was also assessed. The audit did not include the assessment of official controls at egg producer premises due to biosecurity concerns regarding low pathogenic avian influenza (LPAI), high pathogenic avian influenza (HPAI) and infectious laryngotracheitis (ILT).

There is a structured and organised system of official controls in place and undertaken by the official agency to verify requirements of food law and marketing standards pertaining to food businesses involved in the table egg industry. Those involved in official controls are suitably qualified and trained to perform this work. Poultry and egg officers are duly authorised to perform official controls and other activities and the necessary legislation to enforce same is in place. Official controls across all aspects of the table egg industry are carried out according to the level of risk involved.

Records of official controls are maintained and a copy of same is issued to food business operators. Documented procedures for carrying out official controls have been established in a series of standard operating procedures. Procedures are in place for the notification to DAFM by those who wish to engage in

the table egg industry. It was found that all food businesses have been issued with a unique identification number. However, some findings relating to the structure and organisation of official controls were identified.

The audit team assessed compliance with relevant food law in eight food business operations. While no significant findings were identified during these inspections, where non-compliances were identified, these were outlined to the food business operator and will be followed up by authorised officers during subsequent official controls.

3. Introduction

This audit was part of the planned programme of audits of official controls, undertaken by the FSAI. The COVID-19 pandemic impacted on the audit process in that its timelines were extended due to Government restrictions and parts were conducted remotely. The onsite verification components were in person and face-to-face. Government restrictions which were in place to prevent the spread of the virus were always adhered to. The audit was carried out using documentation contained in the FSAI business management system i.e., the Audit Charter and FSAI Audit procedure. The FSAI team were at all times accompanied throughout the audit by representatives from the Poultry and Egg Section of DAFM.

3.1 Audit objective

The primary objective of the audit was to assess the effectiveness of official controls carried out by the Poultry and Egg Section of DAFM relating to the table egg production chain. A secondary objective was to verify compliance by selected food business operators with the relevant requirements of food law that applied to their establishments.

3.2 Audit scope

The scope of the audit included the structure and organisation of official controls by the Poultry and Egg Section as they applied to the collection, transporting, packing, warehousing, distribution, and retail sale of table eggs. The scope did not include the assessment of official controls at egg producers due to biosecurity concerns regarding low pathogenic avian influenza (LPAI), high pathogenic avian influenza (HPAI) and infectious laryngotracheitis (ILT). The scope of the audit also covered the verification of compliance with relevant food law and egg marketing standard requirements in several selected food business operations.

3.3. Audit criteria and reference documents

- [Food Safety Authority of Ireland Act, 1998](#) (S.I. No 29 of 1998), as Amended.
- [Regulation 178/2002](#) laying down the general principles and requirements of food law, establishing the European Food Safety Authority, as Amended.
- [Regulation 2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, as Amended.
- [Regulation 852/2004](#) on the hygiene of foodstuffs, as Amended.
- [Regulation 853/2004](#) laying down specific hygiene rules for food of animal origin, as Amended.
- [Regulation 2073/2005](#) on microbiological criteria for foodstuffs, as Amended.
- [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007
- [Commission Regulation \(EC\) No 589/2008](#) laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs.
- [S.I. No. 140/2009](#) European communities (Marketing Standards for Eggs).
- European Union (Food and Feed Hygiene) Regulations, 2020 ([S.I. No. 22 of 2020](#)).
- [Regulation \(EU\) No. 1169/2011](#) on the provision of food information to consumers, as Amended.
- [S.I. No. 556/2014](#) European Union (Provision of Food Information to Consumers).
- [The FSAI/DAFM Service Contract](#) particularly Schedule 1.6.4 as it applies to eggs and egg products.
- [The National Control Plan for Ireland 2018 - 2022](#)
- DAFM Business/Service Plans and data supplied to the FSAI.
- Documented Procedures.
- Guidance Notes / Codes of Practice.
- Other relevant legislation detailed in the [FSAI Service Contract](#).

3.4. Audit methodology

This audit was undertaken using documented procedures which are included in the FSAI Business Management System, namely the FSAI Audit Procedure and Charter. These procedures implement the FSAI's audit obligations as set out in Section 48 (9) of the Food Safety Authority of Ireland Act, 1998, as Amended. They are also in accordance with the requirements of the EU Commission guidance document on the implementation of the provisions for the conduction of audits under Article 6 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

FSAI information was supplemented by information received in pre-audit questionnaires completed by management in the Poultry and Egg Section of FFGPD. The audit commenced with an in-person opening meeting which was held before the COVID-19 pandemic. This was followed by two remote audit sessions during which the audit team assessed compliance with relevant requirements of Regulation (EU) 2017/625 and other relevant legislation. In-person auditing resumed with a review of official control documentation. Other relevant information and food business operators' files contained at the DAFM divisional headquarters at Backweston Campus, Celbridge, Co Kildare. The final component of the audit was the assessment of official controls as conducted by DAFM staff from three regional offices in Backweston Campus, Cavan, and Limerick. At each of these locations, the audit team selected food businesses for inspection based on type, size, and the nature of their activities. Four egg packing centres were inspected to assess compliance with the requirements of Regulation 852/2004 on the hygiene of foodstuffs and on [Regulation 853/2004](#) laying down specific hygiene rules for food of animal origin and four food business operations were inspected to assess compliance with the requirements of Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs.

4. Audit findings

4.1 Service contract.

Section 48 of the FSAI Act, 1998 makes provision to allow the FSAI to enter a service contract with official agencies, for the purposes of carrying out its functions. For this audit, the service contract is between the FSAI and the Department of Agriculture, Food and Marine.

Schedule 2.5.1 of the service contract details how conformance with its requirements are monitored through liaison and review meetings. Such meetings shall be held according to an annual schedule developed by the FSAI, in consultation with DAFM.

Findings

The audit team reviewed the minutes of the liaison meeting held between officials of the FSAI and DAFM for 2020 and 2021. The minutes were detailed and contained information on the performance of official controls as they apply to table eggs. These official controls relate to sampling and inspection programmes carried out under marketing standard and hygiene legislation.

4.2 General obligations concerning the competent authorities and the official control authorities

Article 5 of Regulation 2017/625 on official controls and other official activities (OCR) performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, as amended, requires competent authorities to have procedures and/or arrangements in place to ensure the effectiveness and appropriateness of official controls and other official activities. Competent authorities shall also have the legal powers to perform official controls and other official activities and to take the action provided for in the Regulation. It is also a requirement that staff receive appropriate training for their area of competence.

Findings

Each year, DAFM develops an integrated strategic business planning framework, within which are divisional business plans. The head of the Feedingstuffs, Fertiliser, Grain and Poultry Division sets out the egg official controls within the business plan. From this, a control programme is developed each calendar year which sets out the goals and objectives of the division. The primary objectives of the control programme are to ensure food is safe, wholesome and authentic to protect consumers' health and interests.

The specific objectives are:

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

The audit team verified that control programmes were in place and were suitable to achieve the objectives set out above. The implementation of the plan is delegated from the head of division to teams of administrators, reporting to an assistant principal and inspectors, consisting of technical officers who report to a management group of two assistant agricultural inspectors, two agricultural inspectors, an area superintendent and two district superintendent officers.

During all aspects of the audit, the FSAI team verified that those carrying out inspections, sampling etc. have been issued with warrants to enforce the legal powers contained in statutory instruments which allows them to perform official controls and other official activities as set out in the OCR.

The audit team verified through the training records evaluated that staff carrying out official controls are qualified to do so and are kept up-to-date in their area of competence through regular additional training. This training may be in the form of internal events or seminars organised within the division/DAFM or through attendance at Better Training for Safer Food events organised by the European Commission. While the COVID-19 pandemic significantly impacted on face-to-face training, events were organised through online platforms.

4.3 General Rules of official controls

Article 9 of the official control regulation requires competent authorities to perform official controls on all operators regularly, on a risk basis and with appropriate frequency.

Findings

A methodology for official controls relating to table eggs has been developed to ensure they are carried out on a risk basis and at appropriate frequencies. This methodology is based on a weighting system that incorporates risks and ratings. Depending on the type of business, the risk categories include the scale of the operation, whether the food business is registered with the Bord Bia Quality Assurance Scheme and history of compliance. It also depends on whether more than one system is in operation (e.g., organic, free

range, barn, or caged eggs) and on the authorised officers experience of the business. The rating categories are numeric from zero to six. The combination of the risk and rating scores results in an inspection categorisation of 'low', 'medium' or 'high'. Food businesses categorised as 'low' are inspected once per year, 'medium' twice per year and 'high' three times per year.

The audit team verified that the annual risk categorisation was carried out in 2020 and 2021 and that the appropriate risk rating had been applied to selected food businesses in the producer and packing centre categories.

4.4 Operators, processes, and activities subject to official controls

Article 10 of the OCR requires that to the extent necessary to ascertain compliance with the rules referred to in Article 1(2) of the Regulation, competent authorities shall perform official controls on animals and goods at any stage of production, processing, distribution and use. The competent authority shall also draw up and keep up-to-date a list of operators.

Findings

The audit team verified that DAFM has established a system of official controls in relation to table eggs at all stages from producer, collector, egg packing centre, distributor, wholesaler and retailer. This system of official controls provides for assessment of compliance with relevant legislation through inspection and sampling programmes. It was also confirmed that procedures are in place to include new notifications on such lists and remove food businesses which no longer trade as producers, collectors, egg packing centers, distributors, wholesalers, or retailers.

4.5 Documented control procedures

Article 12 of the OCR requires competent authorities to perform official controls in accordance with documented procedures. They shall cover the subject areas for official controls, contain instructions for staff performing such official controls, take corrective action where shortcomings are identified and be updated, as appropriate.

Findings

DAFM has developed a series of documented procedures to describe how official controls are carried out by the inspectorate in relation to table eggs. The audit team verified that these procedures are available to officers in regional offices through the “E Docs” system. These documents detail the procedures used by authorised officers during official controls relating to inspections and sampling carried out at food business operations. In addition, documented procedures have been developed for the certification of eggs destined for third countries, including where veterinary input is required. They are controlled by means of an issue date, version history and are approved by the head of the division.

Documented procedures are in place, however some of them refer to legislation which has been revoked or replaced and at times do not accurately describe the control practices currently in use. There is a need for a complete review of all documented procedures to ensure they are accurate and reflect current practices.

A procedure has been documented for the registration of egg packing centres. Annex IV of the guidance document on the implementation of certain provisions of Regulation (EC) No 853/2004 on the hygiene of food of animal origin specifies that egg packing centres are subject to approval rather than registration. Therefore, the use of the term registration rather than approval in the title and throughout the document requires correction.

4.6 Written records of official controls

Article 13 of the OCR requires that competent authorities shall draw up written records of every official control that they perform, and they shall contain a description of the purpose of the official controls, the control methods applied, the outcome of the official controls; and where appropriate, action that the competent authorities require the operator concerned to take as a result of their official controls.

Findings

The audit team verified that a written record is drawn up after official controls are carried out in table egg establishments. The template of the record to use is appended to the relevant standard operating procedure (SOP). Inspectors are provided with books of these records which are carbon copied and are in triplicate.

Following an inspection, the authorised officer completes the record which documents the nature of the official control, lists a summary of offences or infringements identified, if any. The authorised officer records the inspection outcome as being ‘compliant’ or ‘non-compliant’. Non-Compliant outcomes are further categorised as being ‘minor’ ‘moderate’ or ‘major’. Having discussed the outcome with the food business

operator, the record is signed and dated by the authorised officer and the person-in-charge during the inspection. The top copy is provided to the food business operator, the second copy is retained by the authorised officer and the third copy is checked by the authorised officer's line manager before it is sent to DAFM offices in Backweston for filing.

The audit team confirmed that the procedure relating to written records was being adhered to during the review of files in Backweston and the onsite visits.

4.7 Methods and techniques for official controls

Article 14 of the OCR specifies the methods and techniques to be used during official controls and may include the examination of the controls that operators have put in place and of the results obtained, inspection of equipment, cleaning and maintenance products and processes, traceability, labelling and controls on the hygiene conditions in the operators' premises.

Findings

Inspection report forms developed by DAFM which are used during official control inspections require the authorised officer to determine compliance with all relevant food law in relation to the suitability of premises, hygiene, transport, equipment, HACCP, training, labelling and traceability. A total of 26 areas to be covered have been documented on the inspection report form. The audit team verified that a separate audit trail is maintained by the inspecting officer to record the specific records evaluated during the inspection to verify compliance with the specific area of food law.

4.8 Obligations of operators

Article 15 of the OCR requires competent authorities to the extent that this is necessary for the performance of official controls or of other official activities that operators shall, where required by the competent authorities, give staff of the competent authorities access to premises and other places under its control, access to computerised information management systems, their documents, and any other relevant information.

Findings

The audit team was satisfied that during official controls conducted as part of the audit that food business operators provided access to all areas of the food business requested and that the relevant information was provided by means of hard copy or electronic records. The FSAI team during the onsite verification part of

the audit were given full access to all relevant areas of premises and they inspected the food safety management systems used as part of their operations and the associate records.

4.9 Residues of relevant substances in food

Article 19 of the OCR lays down specific rules on official controls and for action taken by the competent authorities in relation to the residues of relevant substances in food.

Findings

The audit team verified that sampling is carried out as specified in the National Residue Control Plan. Veterinary Medicines Division (VMD) of DAFM is responsible for the development and implementation of the plan. VMD then advises the Poultry and Egg Section of the number of samples of eggs to be taken and of the substances to be analysed. Gallus gallus/hens, ducks and quails' eggs are analysed.

5. Regional audits and food business operators findings

As part of the FSAI audit process, the team visits several regional offices and selects some random food business operations for inspection which fall within the scope of the audit for onsite assessment against relevant food law. The team for this audit visited three regional locations where authorised officers are located in Backweston, Cavan and Limerick.

A total of eight food businesses were visited to assess compliance with relevant food law. Four were inspected to assess compliance with marketing standards, as set out in Regulation 589/2008. The type of food business operations inspected during this part of the audit were a retailer, multiple central distribution centre, wholesaler, and a vending machine operator. To determine compliance with general food law as contained in Regulations 852/2004 and 178/2002, four food businesses were inspected which varied in size from large commercial businesses to small domestic operations, one of which an organic producer.

5.1 Audits in division headquarters and regional offices

5.1.1 Division headquarters

All aspects of the administration of the Poultry and Egg Section have now been relocated to the Backweston campus. As part of this administrative process, DAFM has put a system in place whereby a file is developed and maintained for each food business operation which comes under the supervision of the Poultry and Egg Section.

Findings

The audit team assessed the systems used and randomly selected the files of some table eggs food businesses for review which come under the supervision of the division and within the scope of the audit. In all cases, there was a file in place which contained the relevant documentation regarding the notification to DAFM of the operator's intention to commence a table egg business, the assessment of same and the suitability of the premises by authorised officers and subsequent inspection reports. The current practice in DAFM when an egg packing centre closes is to issue the food business operator with a form to be signed confirming that the business has ceased. One file reviewed was that of an egg packing centre which was no longer in operation and the notification of closure form had been issued. At the time of the audit, this form had not been returned to DAFM, resulting in the egg packing centre still retaining its registration number and remaining on the register of food businesses, despite the fact that it had been closed for a significant period of time. There is no procedure in place whereby DAFM revokes the registration of an egg packing center which is no longer in operation, where the operator fails to complete the form notifying DAFM that the business has closed.

5.1.2 Regional offices

DAFM has established several regional offices across the country where local inspectorates are based. Each of the audits in the three regional offices visited commenced with an opening meeting with local representatives responsible for the management of the service within the region and inspectors responsible for carrying out official controls.

Findings

During this part of the audit, the FSAI team verified that inspectors:

- Were authorised to carry out official controls and had powers to enforce food law, if necessary, through implementing legislation. This is achieved by the issuing of identity cards and warrants.

- Were suitably qualified and trained to perform official controls in relation to table eggs through a review of the relevant sections of training records.
- Had access to approved documented procedures through 'E Docs' by way of networking systems from the regional offices to the central library of documents.

The audit team also reviewed the portfolio of food businesses supervised by the inspectorates located in each of the regional offices. From this portfolio, food businesses were selected for onsite verification to assess compliance with relevant food law.

The inspections at food business operations commenced with an opening meeting with management of the food business and official agency personnel. The inspections concluded with a closing meeting at which any findings which required corrective action by the food business operator were outlined verbally and that DAFM personnel would follow up to ensure corrective action was implemented. A separate closing meeting was held with DAFM personnel to outline overall findings and outline where corrective action was required in department processes or procedures.

5.1.3 Egg packing centres

The audit team accompanied by a regional manager and an authorised officer inspected four egg packing centres to assess compliance with relevant food legislation.

Findings

Each food business had a food safety management system in place and associated records commensurate with the nature and extent of the operation. The audit team reviewed and evaluated completed records to verify that the own checks detailed in the food safety management system were being adhered to.

Eggs examined in each packing centre were stamped and had the required information in relation to the method of farming e.g., organic, free range, barn or caged, the country of origin and if produced in the Republic of Ireland, the county identification, as well as the producer code. In addition, each individual egg had its best-before date, as part of the stamp.

Outer packaging evaluated by the audit team provided the following mandatory information i.e., class, size, egg packing centre code, and the best-before date. If the egg packing centre was a member and audited as part of the Bord Bia Quality Assurance Scheme, the symbol confirming same was displayed on the packaging and on the egg. Storage advice to consumers was provided and if additional claims were made such as 'omega enriched', this information was also displayed on the outer packaging.

During this part of the audit, the FSAI team inspected one food business which operated a vending machine system. During the inspection, the audit team noted that as part of a recent official control, the food business operator informed the DAFM inspector that he had six vending machines in operation. It was established at the time of the audit that he in fact had ten machines in operation. There is no requirement in place as part of the registration process which specifies that the operator of vending machines maintain an up-to-date list or record of machines that are newly introduced or taken out of use. This is to facilitate the traceability of all eggs placed on the market by the food business operator of such machines.

One small food business operator visited had recently constructed a new building to facilitate an expansion of the food business. Several issues were identified by the audit team namely: a recent water sample result had indicated 15 coliforms/100ml, but no follow up was conducted; some records maintained as part of the food safety management system were not accurate; the scales used to determine egg grade by weight was not calibrated and; pest control records were not maintained.

5.1.4 Marketing standards

The audit team accompanied by a regional manager and an authorised officer inspected four food business operations to assess compliance with marketing standards legislation.

Findings

The audit team observed DAFM personnel carry out inspections in the four food businesses visited. The inspection report form used during these official controls allows for inspection of a maximum of five batches of eggs. A batch is defined in Commission Regulation (EC) No 589/2008 as “the eggs in packs or loose from one and the same production site or packing centre, situated in one place, in the same packs or loose, with one and the same laying date or date of minimum durability or packing date, the same farming method, and in the case of graded eggs, the same quality and weight grading.”

During the inspections, a record of the class as indicated on pack/label was noted, as was the grade as indicated on pack/label and farming method. It was verified that the egg packing centre number, as stated on the pack, producer registration number and best-before date were present on the eggs. Eggs must be delivered to the consumer within a maximum time limit of 21 days of laying under Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin. No eggs were found to be past their best-before date.

At the end of each visit, the audit team observed the DAFM inspector provide the food business operator with the outcome by way of the completed inspection report form. The completed form was signed by the authorised officer and countersigned by the person in charge at the time of the inspection.

6. Conclusions

There is a structured and organised system of official controls in place for the supervision of food businesses involved in the table egg industry and those involved in official controls are suitably qualified and trained to perform this work. Poultry and egg inspectors are duly authorised to perform official controls and the necessary legislation to enforce same is in place. Official controls across all aspects of the table eggs production process from collection, transporting, packing, warehousing, distribution and retail sale of table eggs are carried out on a risk basis. Records of official controls are maintained and a copy of same is issued to the food business operator.

Standard operating procedures for carrying out official controls have been documented. In addition, procedures are in place for the notification to DAFM by those who wish to engage in the table egg industry, each of which have been issued with a unique identification number. Food businesses inspected had a food safety management system in place and associated records commensurate with the nature and extent of the operation.

If a food business operator who has ceased operating does not voluntarily confirm this to DAFM, there needs to be a mechanism in place whereby DAFM revokes the unique identification number after a specified period.

7. Findings requiring corrective action

1. Documented procedures are in place, however some of them refer to legislation which has been revoked or replaced and at times do not accurately describe the control practices currently in use. There is a need for a complete review of all documented procedures to ensure they are accurate and reflect current practices.
2. A procedure has been documented for the registration of egg packing centres. Annex IV of the guidance document on the implementation of certain provisions of Regulation (EC) No 853/2004 on the hygiene of food of animal origin specifies that egg packing centres are subject to approval rather than registration. Therefore, the use of the term 'registration' rather than 'approval' in the title and throughout the document requires correction.
3. There is no procedure in place whereby DAFM revokes the registration of an egg packing centre which is no longer in operation where the operator fails to complete the form notifying DAFM that the business has closed.
4. There is no requirement in place as part of the registration process which specifies that the operator of vending machines maintains an up-to-date list or record of machines that are newly introduced or taken out of use. This is necessary to facilitate the traceability of all eggs placed on the market by the food business operator of such machines.
5. Ensure non-compliances with food law identified during on-site inspections at food business operations are closed out during subsequent official control inspections.



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