

AUDIT
REPORT

Audit of SFPA Official
Controls in (approved)
Fish and Fishery
Product Establishments

Sea Fisheries
Protection Authority

JULY 2013



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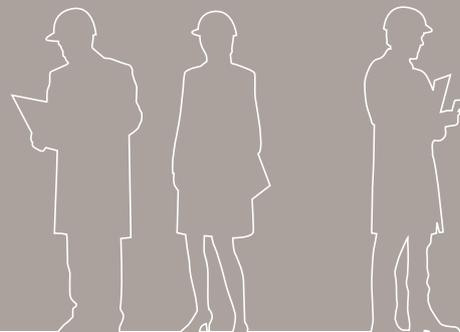


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1. GLOSSARY

COP	Code of Practice
FSAI	Food Safety Authority of Ireland
SFPA	Sea Fisheries Protection Authority
SFPO	Sea Fisheries Protection Officer
SOP	Standard Operating Procedure
SPO	Senior Port Officer

2. EXECUTIVE SUMMARY

In accordance with Schedule 5 of the Food Safety Authority of Ireland (FSAI) Service Contract, an audit of the Sea Fisheries Protection Authority (SFPA) fish and fishery product establishments was carried out.

As part of the audit, the organisation, planning, coordination, delivery and review of SFPA official controls was assessed in relation to the supervision of approved fish and fishery product establishments. The audit team visited SFPA central, regional and local levels of the organisation, as well as a number of food business operators as part of onsite verification of the implementation of official controls and assessment of their level of compliance with food law.

The audit commenced with an opening meeting and audit at SFPA headquarters in Clonakilty, and involved a review of information held at central level relating to the performance of official controls in each of the SFPA regions to be audited. The audit in each port office region typically was comprised of two to three days duration. The audit team reviewed records of inspections carried out by sea fisheries protection officers (SFPOs) as well as any other relevant or supporting information held within the port office regarding food business operator compliance, enforcement details, communications to/from the SFPA and the food business operator. Follow-up activities were also evaluated in relation to the close-out of non-compliances. Within each port office, a number of food business operator establishments were then selected for onsite audit activities to verify the delivery and effectiveness of official control activities being carried out, as well as the level of food business operation compliance with food law. The audit team was accompanied throughout by SFPA staff from each of the regional port offices visited and also by an SFPO from the SFPA Food Safety Unit.

In relation to the provision of resources, the audit team was informed that there has been a noticeable reduction in staff at the central and regional/local levels of the organisation. Since 2008, the SFPA had lost 11 SFPOs and a number of management positions had also not been filled/replaced. The audit team was informed that this has directly impacted on available resources for the performance of official controls and has posed challenges for the organisation in relation to service delivery.

The planning of official controls at SFPA approved fish and fishery product establishments, i.e. falling within the scope of the FSAI audit, is detailed principally via the SFPA annual Food Safety Control Plan and these are required to be carried out in accordance with SFPA documented procedures, guidance documents and codes of practice. The audit team noted that SFPA procedures in general, provided sufficient detail and instructions to SFPOs for the performance of official controls.

The audit team confirmed that monitoring of SFPA targets to be met relating to the performance of official controls at SFPA approved establishments takes place on an ongoing basis. In practice, this monitoring is being driven principally by the Food Safety Unit staff at central level. Evidence of monitoring was provided in the form of communications issued to port offices in order to prompt completion of quarterly returns, i.e. official controls, in line with the requirements of the Food Safety Control Plan. A certain level of monitoring also takes place at regional level where communications by the senior port officer (SPO) and/or Food Safety Coordinator to SFPOs were seen in relation to completion of risk assessments and performance of official controls. For some port offices however, minutes of meetings had also not been recorded.

In relation to the performance of official controls, the audit team noted that in most cases, they were being carried out in accordance with requirements, i.e. with the SFPA Food Safety Control Plan and documented procedures. Certain exceptions were also observed by the audit team, where variation in the consistency, delivery and effectiveness of certain official controls conducted were noted, which were highlighted in individual reports to the port office regions, where they applied.

Although the exception rather than the norm, in certain instances, the minimum target frequencies for inspection and/or sampling activities had not always been met. In some cases, a full, detailed audit/inspection of specific food business operator establishments (including those that had been categorised as high-risk), had not always been carried out on an annual basis. The audit noted that, for one port office, certain official controls, e.g. sampling checks, had not been carried out in 2011, in accordance with the SFPA Food Safety Control Plan.

The audit team's view was that in general, for food business operator establishments visited within the port office regions visited, a satisfactory level of compliance was observed (subject to certain exceptions identified on the day of the audit). For one establishment, a number of structural, operational and layout deficiencies were evident on the day of the FSAI audit. For another establishment, in a different port office region, numerous deficiencies were found on the day of the audit, which in some cases had also been highlighted in previous SFPA reports for this premises. For both establishments however, a good level of follow-up to close-out the issues identified was demonstrated by the SFPA, which were detailed in post audit communications provided to the FSAI. For one of these establishments, a compliance notice was also issued promptly in order to restrict certain activities and operations at the premises, as part of the process to remedy deficiencies identified and in response to the FSAI audit findings.

The audit team confirmed that a system for tracking non-compliant samples resulting from official controls checks was in place. This provided the SFPA at central level, with details on their status and related follow-up activities by SFPOs at food business operator establishments.

A system to track enforcements was also in place at SFPA headquarters, including copies of the compliance notices and orders issued, as well as details when they had been lifted, amended or withdrawn. The audit team was in general, satisfied that appropriate enforcement action was being taken by the SFPA when deemed appropriate.

The audit team noted that a formal and detailed review of the performance and delivery of official controls was in general, not carried out on an annual basis at SFPA central level and against the requirements of the annual SFPA Food Safety Control Plan. At regional level, the audit team was informed that a system of remote monitoring and review was in place for one of the port offices visited. However, details were not being recorded. Internal audits for the assessment of the performance of official controls within the SFPA in order to comply with the requirements of Article 4.6 of Regulation 882/2004, are not being conducted.

Consequently, the audit team's view is that a formal review process for evaluation of the performance and delivery of official controls and their effectiveness could not be considered as being fully in place.

3. INTRODUCTION

The FSAI is responsible for the enforcement of all 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.

The SFPA has entered into a service contract with the FSAI and is responsible for the implementation and enforcement of national and EU legislation as it applies to establishments under their supervision. It is a requirement of the service contract that the SFPA shall ensure that official controls are carried out regularly, on a risk basis and with 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. For the purposes of assessing the delivery of official controls by the SFPA at approved fish and fishery product establishments, this audit focused on compliance by the SFPA with regard to relevant food legislation, adherence to the terms and requirements of the FSAI service contract, as well as conformance with relevant SFPA documented procedures and their Food Safety Control Plan.

The audits in the SFPA were undertaken as part of the FSAI's audit programme for 2012. This report describes the audit objective, scope, methodology and the findings from the audit.

3.1 Audit Objective

The objective of the audit was to verify the effectiveness and appropriateness of official controls in approved fish and fishery product food business operations supervised by the SFPA.

The audit focused on the organisation, planning, coordination, delivery and review of official controls related to the supervision of SFPA approved fish and fishery product establishments.

3.2 Audit Scope

FSAI audits of official controls involve verifying compliance by official agencies regarding the requirements of the FSAI service contract, Regulation (EC) No 882/2004 and the Multi-Annual National Control Plan. The scope of the audit covered the implementation of SFPA official controls in approved fish and fishery product establishments.

During the audit, the audit team verified that the official agency was complying with the audit criteria against which the audit was carried out (see Section 4.3).

3.3 Audit Criteria and Reference Documents

The principal audit criteria referred to during the audit included the following non exhaustive list:

- [Food Safety Authority of Ireland Act, 1998](#) (S.I. No 29 of 1998), as amended.
- [FSAI Service Contract with the SFPA](#)
- National Control Plan for Ireland 2007-2011
- SFPA Documented Procedures
- SFPA Food Safety Control Plan (2010, 2011 & 2012)
- [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
- [Regulation \(EC\) No 852/2004](#) on the hygiene of foodstuffs, as amended
- [Regulation \(EC\) No 853/2004](#) laying down specific hygiene rules for food of animal origin, as amended
- [Regulation \(EC\) No 854/2004](#) laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption, as amended
- [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
- Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs, as amended
- S.I. No. 432/2009: European Communities (Food and Feed Hygiene) Regulations, 2009, as amended

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 and Charter. These procedures implement the FSAI audit obligations defined in Schedule 5 of the service contract between the FSAI and SFPA and are in accordance with the requirements of Regulation (EC) No 882/2004 (including Article 6.1 of Commission Decision 2006/677/EC) and 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 official agency ahead of onsite activities and provided a detailed overview of the audit including a proposed itinerary for onsite activity.

The first part of the audit took place at SFPA headquarters in Clonakilty, and involved a review of information held at central level relating to the performance of official controls in each of the SFPA regions to be audited. The audit in each port office region typically comprised of two to three days duration. The audit team also reviewed records of inspections carried out by SFPOs as well as any other relevant or supporting information held within the port office regarding food business operator compliance, enforcement details, communications to/from the SFPA and the food business operator. Follow-up activities were also evaluated in relation to the close-out of non-compliances identified during previous official control inspections. Within each port office, a number of food business operator establishments were selected for onsite verification of the delivery and effectiveness of SFPA official control activities being carried out, as well as the level of food business operator compliance with food law. The audit team was accompanied throughout by SFPA staff from each of the regional port offices visited and also by an SFPO from the Food Safety Unit based in Clonakilty.

Following onsite verification of the delivery and effectiveness of SFPA official controls at selected food business operations, the audit team informed SFPA staff of any findings relating to the establishment. A closing meeting with the food business operator management then took place, during which the audit findings were outlined to the food business operator.

At the end of each SFPA region, a closing meeting was held where the findings in relation to the port office were delivered. A report of the preliminary findings relating to official controls and food business operator establishments visited was sent to each port office following completion of each regional audit, in order to allow follow-up in relation to any issues highlighted.

A final closing meeting was held at SFPA headquarters where representatives from each of the port offices were either present or dialled in by conference call. A summary of all findings relevant to the audit was delivered.

4. OFFICIAL CONTROLS PERFORMED IN ACCORDANCE WITH REGULATION (EC) No 882/2004 AND 854/2004

4.1 Organisation and Structure of Official Controls

The SFPA provides a range of food safety/food control activities which are organised in accordance with the Food Safety Control Plan in order to deliver the requirements of the FSAI/SFPA service contract, the Multi Agency National Control Plan and national and EU legislation.

At a central level, the SFPA Food Safety Unit operates from SFPA headquarters in Clonakilty, Co.Cork. The Food Safety Unit coordinates SFPA activities nationally and interfaces directly with each of seven port offices which make up the regional levels of the organisation. Port offices are geographically distributed around the coast and food safety activities are managed under the supervision of an SPO. At regional level, official controls in food business operations are performed by SFPOs operating from each of the port offices and/or directly from SFPA headquarters. Within each port office, a food safety coordinator has been designated as a contact point in relation to food safety activities, liaising with the Food Safety Unit at central level whilst also reporting to the SPO at regional level.

Regarding the staffing provision within each port office, the audit team was provided with a breakdown of numbers (including whole time equivalents) for both 2011 and for 2012 (see Table 1). According to the SFPA at central level, while the figures in Table 1 reflect overall staff numbers, two key areas, namely long-term sick leave and maternity leave, are not reflected in the whole time equivalent figure, which consequently, also impacts on the overall available whole time equivalent.

From the figures provided by SFPA headquarters, there has been a noticeable reduction in staff at the central and regional/local levels of the organisation. The audit team was informed that from 2008 to July 2012, the number of SFPA SFPOs had reduced from 76 to 65 - a decrease of 11, i.e. equivalent to a 14% reduction. The audit team was informed by SFPA headquarters that these staff reductions have impacted on available resources and consequently, posed challenges for the organisation in relation to service delivery.

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Within each of the port offices visited, SFPA staff were organised on a roster basis to deliver official controls for both food safety and fisheries control activities. The system in operation was principally determined by the nature of fisheries activities in the region, their seasonality and throughput of the port. Consequently, certain port offices were organised on a 3 cycle shift (to provide 24 hour cover) whilst others operated on a two cycle shift basis (to provide 16 hours cover). The audit team was also informed that in the case of one port office during busier periods, staff from the Food Safety Unit in Clonakilty were rostered in order to support the existing SFPOs in the port office. This rostering of headquarter staff impacted on their food safety unit duties at central level.

Table 1: Staff Numbers Control Plan¹

Grade	All Duties		Food Safety Controls		Comments
	2011	2012	2011	2012	
Chair & Authority Members	3	3	1	1	
Senior Managers	4	3**	1.75	1.5	
Senior Port Officers	5*	5*	2.75	2.75	
Regional Managers	1**	1**	0.25	0.25	
SFPOs Castletownbere	8	8	4	3	1 staff member on ERS project
SFPOs Clonakilty/Cork	23	24	10.5	7.5	3 staff members on ERS project
SFPOs Dingle	4***	3***	2	1.5	1 staff member on ERS project
SFPOs Dunmore East	8	7	4	3.5	
SFPOs Killybegs	13	12	6.5	5	1 staff member on ERS project
SFPOs Howth	6	6	3	2	1 staff member on ERS project
SFPOs Ros a Mhil	6	5	3	1.5	1 staff member on ERS project
Total SFPOs****	68	67	33	24	

Notes:

* The figure of 5 SPOs reflects filled posts

** National Sea Food Operations Manager also filling post of SPO for Clonakilty including duties as National Sea-Fisheries Operations Manager

*** 1 Regional Manager retired during 2011. 1 Operations manager post has been vacant since September 2010 (i.e. Seafood Safety Manager)

**** 1 staff member on long-term career break not included

*****A number of SFPOs retired from SFPA port offices. Two SFPOs retired in 2011 (one from Dunmore East Office & one from Ros an Mhil) and similarly two in 2012 (one from the Killybegs and one from Dingle port offices)

¹ **SFPA Update to Table 1:** Figures for 2011 and 2012 in Table 1 are taken from the SFPA Food Safety Control Plan, i.e. they relate to commencement of the calendar year and consequently, do not reflect the year end breakdown. This information is captured in the notes section of the table.

4.2 Coordination and Planning of Official Controls

The audit team confirmed that in general, there was a structured and well organised approach to the coordination and planning of SFPA official controls nationally. From a delivery viewpoint, the annual Food Safety Control Plan issued by SFPA headquarters at the start of each year specifies the type and frequency of official control tasks to be performed by SFPOs as well as the associated recording and reporting requirements. The audit team was provided with copies of the Food Safety Control Plan for 2011 and 2012. The Food Safety Unit coordinates SFPA activities nationally.

At regional level, the audit team was provided with a local business plan drawn up by the SPO in order to deliver the Food Safety Control Plan requirements and to manage and prioritise duties and resources within the port office region. The audit team confirmed that SFPOs are either assigned individually or as a group to carry out official controls at food business operator establishments within the port office region. They are required to schedule activities, e.g. inspections, sampling, follow-up activities etc., in order to meet the requirements of the SFPA Food Safety Control Plan, relevant SFPA codes of practice (COPs) and standard operating procedures (SOPs).

The audit team confirmed that food business operator establishments visited had been classified as high, medium or low-risk in accordance with the SFPA COP for the Risk Assessment of Approved Establishments. Official controls at these establishments were being scheduled in accordance with the frequencies associated with their risk categorisation and in order to meet the requirements of Article 3 of Regulation (EC) No 882/2004 and the SFPA Food Safety Control Plan. The audit team noted that the risk category had also been entered on the SFPA electronic worksheets for approved establishments.

As part of the coordination and planning activities within the SFPA, meetings were organised at central level on a regular basis between SFPA headquarters and SPOs from each of the regional port offices and covered operational issues for both fisheries control and food safety activities. The Food Safety Unit also frequently held its own meetings at SFPA headquarters in relation to food safety matters.

Other meetings were organised on an ad-hoc basis between the Food Safety Unit and food safety coordinators from within each port office and these also specifically dealt with food safety activities. The audit team was informed by the Food Safety Unit that they intended to increase the frequency of these meetings going forward. As part of the coordination of SFPA activities within the port offices, the audit team noted that regional meetings were being organised regularly in some port offices and on a more ad-hoc basis in others. In general however, there was a lack of recording of reviews of the delivery of official controls in most of the minutes reviewed by the audit team. The audit team noted that the frequency of these port office meetings varied between the regions visited and, in some cases, minutes were not always kept.

The audit team also noted that central SFPA management had committed, going forward, to regularly attend port office meetings as part of the coordination of activities between central and regional levels.

Monitoring of the delivery of SFPA official control activities was being carried out principally by Food Safety Unit staff at central level. Evidence of this monitoring was provided in the form of communications issued to port offices in order to prompt completion of quarterly returns (official controls) in line with the requirements of the Food Safety Control Plan. In a number of the port offices visited, the audit team noted communications from the SPO to SFPOs to complete outstanding inspections and sampling activities in relation to the Food Safety Control Plan. For one port office region, correspondence was also noted from the food safety coordinator to SFPOs to complete the risk assessments associated with food business operator establishments under their supervision, and remaining official controls, prior to the port office communicating its quarterly return figures to SFPA headquarters.

A formal, documented year end review of performance delivery against the requirements of the annual SFPA Food Safety Control Plan is not generally carried out by SFPA management at central level or by SPOs at regional level (including the local business plans for each port office). For one port office, the audit team was informed that a system of remote monitoring and review of official controls was in place which involved being copied on inspection reports and also conducting a quarterly review of inspection targets to be carried out by SFPOs against the requirements of the SFPA Food Safety Control Plan. Records of this review however, were not being kept. Post audit communications from one port office indicated that a close-out of the 30th of November for completion of official controls was now in place within the port office to ensure targets would be achieved before year end.

At central level, the audit team was informed that a formal year end review of service delivery against the requirements of the SFPA Food Safety Control Plan would take place going forward and would form part of the basis used to plan priorities for the 2013 annual Food Safety Control Plan.

Consequently, although a system for the planning and monitoring of official controls was in place at the time of the audit, a review of performance delivery and effectiveness could not be considered as being fully carried out.

4.3 Description of Official Control System and 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 that they must keep these procedures up-to-date.

Documented procedures used by the SFPA include SOPs, COPs, Guidance Notes/Aide Memoirs and Inspection Forms. The audit team confirmed that all staff within each of the regions had access to these documents which were available via the SFPA intranet.

The main procedures used by the SFPA within the scope of the FSAI audit included:

- Code of Practice for Approving Land Based Establishments
- Guidance for SFPA Official Controls - Microbiological Criteria for Sea Fishery Products and Other Seafood
- Code of Practice for the Risk Assessment of Approved Establishments
- Inspection Checklist for Fishery Products and LBM Establishments
- Guidance Document for Inspection of Fishery Products and LBM Establishments

SFPA procedures were in general, sufficiently detailed and provided clear instructions to SFPOs for the performance of official controls.

For the most part, official controls were being carried out in accordance with SFPA requirements subject to certain exceptions identified during the course of the audit which were highlighted in the individual audit reports for the port office region, where applicable.

In a number of cases however, certain SFPA forms/records/notes were not always completed in order to fully document the checks carried out in accordance with SFPA procedural requirements.

The audit team noted that for one port office region visited, hyperlinks had been inserted within the electronic worksheets for the recording official controls performed. This allowed direct access to both inspection reports and sampling records of controls conducted on the SFPA intranet for the port office and provided full visibility on all checks carried out by SFPOs at food business operator establishments.

4.4 Performance of Official Controls

Official controls using SFPA documented procedures were performed in order to meet the requirements of the annual Food Safety Control Plan. These official controls (other than inspections/audits) can include the testing/analysis of water, ice, temperature checks, microbiological checks, checks for parasites, sulphite, histamine and for labelling compliance. In many cases and in particular for two of the port offices visited, these were being carried out as part of the verification of food business operator's compliance with food law.

The audit noted however, that for one port office, many of these checks had not been carried out in 2011 in accordance with the SFPA Food Safety Control Plan.

The audit team also noted in some cases that where these official control checks had not been performed, SFPO inspections of the establishments had not always recorded verification of the results of the food business operator's own checks, and whether these results had been confirmed as satisfactory during the inspections conducted.

In relation to the performance of audits and inspections performed by SFPOs at food business operator establishments, in most cases these were being carried out in accordance the requirements of the Food Safety Control Plan and associated SFPA documented procedures, subject to certain exceptions identified during the course of this audit.

In a number of cases however, official control inspections performed did not always meet the minimum frequencies to be delivered in accordance with the SFPA Food Safety Control Plan and the COP for approving land-based establishments.

In many of the food business operator files examined (but with some exceptions), the audit team confirmed that detailed audits and inspections had been conducted, contemporaneous notes/checklists were in many cases available as evidence of the checks performed.

In certain cases however, a full, detailed audit/inspection of food business operator establishments had not been carried out on an annual basis (despite the fact that in certain cases, they had been categorised as high-risk) and consequently, not all elements of the SFPA checklist were covered in the audit conducted.

A satisfactory level of follow-up was observed in many cases in relation to the close-out of deficiencies identified during the course of SFPA inspections at food business operator establishments. However, for one food business operator, numerous deficiencies were observed on the day of the audit, where certain historic non-compliances had also not been closed out at this establishment. A compliance notice was issued by the SFPA and appropriate enforcement action was taken.

In relation to the performance of official controls, the audit team noted that although in most cases they were being carried out in accordance with requirements, certain exceptions were also observed, where variation in the consistency, delivery and effectiveness of certain official controls conducted were noted, which were highlighted in individual reports to the port office regions, where they applied.

The audit team noted that a formal and detailed review of the performance and delivery of official controls was not in general carried out on an annual basis at SFPA central level and against the requirements of the annual SFPA Food Safety Control Plan. Documented reviews at regional level were either not taking place or being recorded. Internal audits for the assessment of the performance of official controls within SFPA in order to comply with the requirements of Article 4.6 of Regulation No 882/2004 are not being conducted.

4.5 Non-compliances, Follow-up, Enforcement Action, Complaints, Incidents and Alerts

The audit team confirmed that a system for tracking non-compliant samples resulting from official controls checks was in place. This provided the SFPA at central level, with details on their status and related follow-up activities by SFPOs at food business operator establishments. A number of non-compliant samples were also selected by the audit team for verification that they had been satisfactorily closed out.

In one port office visited, the approach adopted for dealing with the close-out of non-compliances involved recording the previous inspection report deficiencies in the current report findings and specifying whether they had been addressed or remained outstanding. These reports were then issued to the food business operator. This ensured that deficiencies remained active until closed out.

A system to track enforcements was in place at SFPA headquarters, including copies of the compliance notices and orders issued, as well as details when they had been lifted, amended or withdrawn. For the three port offices visited, details of enforcement actions taken were provided to the audit team. In the case of one port office, the audit team was satisfied that enforcement action had not been necessary as part of their enforcement activities in 2011/12. The audit team was in general, satisfied that appropriate enforcement action was being taken by SFPA when deemed appropriate. The audit team was provided with examples where formal enforcement action/notices had been issued in response to deficiencies identified at food business operator establishments in relation to non-compliances with traceability, hygiene practices and procedures and also for certain food incidents and alerts.

In the case of one establishment visited during the course of the FSAI audit, there were numerous deficiencies observed on the day of the audit. Enforcement action was taken on the day by SFPA staff. Details of further follow-up actions at this premises were subsequently provided by the SFPA to the audit team.

The audit team noted that a number of compliance notices issued in 2011 had not been fully withdrawn at the time of the FSAI audit in 2012. The audit team was informed that this was mainly due to the fact that certain issues at food business operator establishments were still in the process of being remedied and would not be withdrawn until all corrective action by the food business operator had been fully completed.

The audit team reviewed a number of Rapid Alerts and food incidents in 2011 and 2012 falling within the scope of the audit. In general, the audit team was satisfied that detailed investigation and follow-up had been carried out.

In relation to food complaints, these were reviewed in one port office visited. The audit team was satisfied that in general, these had been adequately followed up and closed out.

4.6 Approval of Establishments

Although the audit team noted that there had been a gap in the approval process for a number of the above establishments (in accordance with the strict timeframes for approval required by Regulations (EC) No 854/2004 and 882/2004), they were satisfied that this had been addressed at the time of the FSAI audit, as the establishments had been fully approved.

4.7 Staff Performing Official Controls

Article 6 of Regulation (EC) No 882/2004 requires that the competent authority shall ensure that all of its staff performing official controls receive, for their area of competence, appropriate training enabling them to undertake their duties competently and to carry out official controls in a consistent manner. Details of training of SFPA staff which took place in 2010, 2011 and 2012 and relevant to the performance of official controls falling within the scope of the FSAI audit was provided by the Food Safety Unit at SFPA headquarters. A detailed review of training was not carried out by the FSAI audit team.

5. FOOD BUSINESS OPERATOR CONTROLS PERFORMED IN ACCORDANCE WITH REGULATIONS 178/2002, 852/2004 & 853/2004 and S.I. No. 432/2009

The audit team noted that in most of the food business operator establishments visited, a satisfactory level of compliance with food law was observed. Food safety management systems had been put in place in order to comply with the requirements of Article 5 of Regulation (EC) No 852/2004 and were for the most part, being effectively implemented and adequately maintained by the food business operators concerned. In other establishments however, a number of weaknesses were also observed. In one establishment in particular, numerous deficiencies were observed on the day of the audit and the audit team's view was that the food business operator was not operating at the required standard expected of an approved establishment. A compliance notice was issued by the SFPA on the 11th June in order to correct deficiencies at this premises. Following a subsequent follow-up SFPA inspection on the 10th of September, the compliance notice was further amended to reflect progress to-date in addressing non-compliances previously highlighted and also to capture certain additional shortcomings identified. The compliance notice was withdrawn on the 3rd of December 2012 following satisfactory close-out of all findings by the food business operator, as verified by the SFPOs supervising this establishment. By comparison, it was noted by the FSAI audit team that the other food business operator establishment visited within this port office demonstrated a satisfactory level of compliance with food law.

In another port office, for one establishment, a number of deficiencies were observed in relation to the layout and maintenance of the premises and also regarding certain operational practices observed on the day of the visit. During the audit, a commitment was given by the food business operator to address weaknesses identified. A good level of follow-up was communicated to the FSAI audit team after the audit by the SFPA staff involved, highlighting an active corrective action programme to resolve the non-compliances identified. It was also noted that the other food business operators visited within this port office, by comparison, demonstrated a satisfactory level of compliance with food law.

6. POSITIVE PRACTICES OBSERVED DURING THE AUDIT

- The audit team noted that for one port office region visited, hyperlinks had been inserted within the electronic worksheets for the recording official controls performed. This allowed direct access to both inspection reports and sampling records of controls conducted on the SFPA intranet for the port office and provided full visibility on all checks carried out by SFPOs at food business operator establishments.

- In one port office visited, the approach adopted for dealing with the close-out of non-compliances involved recording the previous inspection report deficiencies in the current report findings and specifying whether they had been addressed or remained outstanding. These reports were then issued to the food business operator. This ensured that deficiencies remained active until closed out.

7. CONCLUSIONS

The audit team confirmed that there was a structured and well organised approach for the prioritisation, planning, and coordination of SFPA official controls and in general, a good level of communication was noted between the SFPA central and regional levels.

A noticeable reduction in staff at the central and regional/local levels of the organisation has taken place since 2008 which the audit team was informed poses certain challenges for service delivery.

Monitoring of the delivery of SFPA official control activities was being carried out principally by Food Safety Unit staff at central level. Evidence of this monitoring was provided in the form of communications issued to port offices in order to prompt completion of quarterly returns (official controls) in line with the requirements of the Food Safety Control Plan. A certain level of monitoring also takes place at regional level.

In relation to the performance of official controls, the audit team noted that in most cases, they were being carried out in accordance with requirements. Certain exceptions were also observed by the audit team where variation in the consistency, delivery and effectiveness of certain official controls conducted.

The audit team's view was that, in general for food business operation establishments visited within the port regions visited, a satisfactory level of compliance was observed (subject to certain exceptions identified on the day of the audit).

The audit team noted that a formal and detailed review of the performance and delivery of official controls was not in general carried out on an annual basis at SFPA central level and against the requirements of the annual SFPA Food Safety Control Plan. Documented reviews at regional level were either not taking place or being recorded. Internal audits for the assessment of the performance of official controls within the SFPA in order to comply with the requirements of Article 4.6 of Regulation 882/2004 are not being conducted.

Consequently, the audit team's view is that a formal review process for evaluation of the performance and delivery of official controls and their effectiveness could not be considered as being fully in place.

The findings identified during this audit should be disseminated nationally to ensure that corrective actions and opportunities for improvement identified are implemented across all regions.

8. AUDIT FINDINGS REQUIRING CORRECTIVE ACTION

Audit findings requiring corrective action are listed in the corrective action plan.



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