



Food and  
Veterinary Office

# COUNTRY PROFILE **Organisation of Official Controls**

FVO

Health and  
Food Safety

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## **INTRODUCTION**

This overview has been drawn up by the Food and Veterinary Office (FVO), a Directorate of the Directorate-General for Health and Food Safety of the European Commission based on information supplied by the United Kingdom.

The aim is to present, in summary form, the latest information on how control systems for food and feed safety, animal health, animal welfare, plant health and quality labelling are organised in the United Kingdom.

Chapter 1 describes the overall organisation of the United Kingdom authorities and the respective responsibilities of the ministries and government agencies in relation to the different components of the control system. A chart is used to help the reader better understand the inter-relationships between the responsibilities of the different bodies.

Chapter 2 gives a more detailed description of the main responsibilities for each of the eleven separate systems that form the complete range of control systems in the United Kingdom, covering the whole chain of plant, animal and food production. As in Chapter 1, organisation charts are used to help the reader.

The overview was updated following the most recent general follow-up audit in June 2015 and will be updated at regular intervals based on relevant information received by the Commission from the United Kingdom authorities.

Acronyms are used extensively throughout this overview for the sake of brevity. A list of acronyms, abbreviations and special terms is given in Annex I as a guide for the reader.

## SUMMARY

The United Kingdom of Great Britain and Northern Ireland consists of England, Wales, Scotland and Northern Ireland. The Scottish Parliament, the National Assembly for Wales (NAW), and the Northern Ireland Assembly were established in 1999 and the resulting devolved administrative Agriculture/Rural Affairs Departments have varying degrees of responsibility in relation to controls in feed and food, animal health, animal welfare and plant health areas.

Responsibility within the United Kingdom (UK) for these official controls is assigned centrally but, in practice, day to day responsibility for enforcement functions is divided between central and local Government.

The central authorities for food and feed controls are the Food Standards Agency (FSA), Food Standards Scotland (FSS), Department for Environment, Food and Rural Affairs (Defra) and the equivalent Agriculture/Rural Affairs Departments in the Devolved Administrations in Scotland, Wales and Northern Ireland (NI). Defra in England and the equivalent Departments in the Devolved Administrations have some responsibility for the following controls: residues of pesticide and veterinary medicines, beef labelling, certification of organic produce and protected food names, animal by-products in relation to feed, medicated feed and feed additives, certain rules for TSEs, imports of live animals.

During 2010, nutrition policy in England and Wales was transferred from the FSA to these countries' health departments, with this responsibility retained by the FSA in Scotland and NI. Responsibility for some non-safety-related food labelling and composition policy was moved to Defra in England although enforcement policy for these and nutrition remains with FSA. The FSA continues to be responsible for non-safety-related food labelling and composition policies in Wales and NI and since 1 April 2015 these responsibilities in Scotland rest with FSS.

From 1 April 2015 FSS became the public sector food body for Scotland. It is established to ensure that information and advice on food safety and standards, nutrition and labelling is independent, consistent, evidence-based and consumer-focused.

FSS develops policies, provides policy advice to others, is a trusted source of advice for consumers and protects consumers through delivery of a robust regulatory and enforcement strategy.

FSS was established by the Food (Scotland) Act 2015 as a non-ministerial office, part of the Scottish Administration, alongside, but separate from, the Scottish Government. It is mainly funded by government but also charge fees to recover costs for regulatory functions (<http://www.foodstandards.gov.scot/>).

FSA Operations has responsibility for official controls in approved meat establishments subject to veterinary audit in England and Wales and as of 1 April 2015 FSS has this responsibility in Scotland. During 2011 FSA Operations was restructured following amalgamation of the Meat Hygiene Service in 2010. The main changes to the management structure saw the UK organised along national boundaries, reflecting devolution and local government responsibilities within the UK. For logistical reasons England was subdivided into four geographical areas: North West, North East, South East and South West. FSS has assumed the responsibility for official controls in approved meat establishments subject to veterinary control in Scotland from 1 April 2015. In June 2013 the first qualified meat inspectors who were trained in-house joined the FSA. In April 2012 on-farm dairy hygiene inspections in England and Wales transferred to the FSA from Animal Health and Veterinary Laboratories Agency (AHVLA) now the Animal and Plant Health Agency

(APHA). In April 2012 the FSA took over shellfish sampling in three areas of Scotland (Dumfries and Galloway and North and South Ayrshire) from Local Authorities and as of 1 April 2015 FSS has this responsibility. Private contractors carry out sampling in certain parts of Scotland and NI.

In general Local Authorities (LAs) have day-to-day responsibility for controls on registered food and feed establishments. DARD is responsible for these controls on feed businesses in NI.

The central authorities for animal health, animal welfare and plant health controls are Defra and the equivalent Agriculture/Rural Affairs Departments in the Devolved Administrations in Scotland, Wales and NI (Department of Agriculture and Rural Development (DARD)).

At local level the monitoring and enforcement is predominantly carried out in these areas by local and port authorities (PHAs). Some monitoring and enforcement responsibilities in GB lie within certain agencies. The Animal and Plant Health Agency (APHA) was launched on 1 October 2014. It merges the former Animal Health and Veterinary Laboratories Agency (AHVLA) with parts of the Food and Environment Research Agency (Fera) responsible for plant and bee health to create a single agency responsible for animal, plant and bee health. The Scottish Government Agriculture Food and Rural Communities Directorate (SGAFRC) is responsible for plant health policy and implementation in Scotland.

The Plant Health Unit comprising Plant Health Policy and Plant Health Inspection Branch within Forest Service, DARD is responsible for plant health policy and implementation across agriculture, horticulture and forestry.

The Veterinary Medicines Directorate (VMD) implements the monitoring of residues of veterinary medicines and monitoring of antimicrobial resistance with respect to animal health.

Overall, approximately 8,274 staff in terms of full-time equivalent are involved in official controls at national, regional and local level. The majority of staff work in LAs and PHAs – 2, 449, in FSA 1,710 and APHA – 2,129.

The UK's Multi Annual National Control Plan (MANCP) is valid for the period 2013-2016 and was extended and updated in March 2015. The FSA is the designated contact point and co-ordinator of the whole project but works closely with FSS, Defra and its agencies, the Chemicals Regulation Directorate of the Health and Safety Executive, Department of Health and the Agriculture and Rural Affairs Departments in Devolved Administrations. Review and reporting is managed cross-departmentally. The UK's plan and annual reports are published on the FSA's website at: [https://www.food.gov.uk/sites/default/files/mancp-uk\\_0.pdf](https://www.food.gov.uk/sites/default/files/mancp-uk_0.pdf).

# 1 ARRANGEMENTS FOR THE IMPLEMENTATION OF CERTAIN REQUIREMENTS OF REGULATION (EC) No 882/2004

## Designation of competent authorities

### Food Standards Agency (FSA)

The Food Standards Act 1999 established the FSA, which is an independent, non-Ministerial Government department set up to protect public health and consumer interests in relation to food and feed. The FSA and in Scotland FSS are the Central Competent Authorities in the UK for controls on feed and food (safety and standards) legislation. The FSA is the Central Competent Authority where a single point of contact or authority is designated to represent the UK as a Member State. There are some exceptions for which the agriculture departments are responsible. The 1999 Act gave the FSA formal powers to set standards for, and monitor and audit LA feed and food law enforcement. The UK headquarters of the FSA are in London, with national offices in Wales and NI. The FSS headquarters are located in Aberdeen.

The FSA is accountable to the Westminster Parliament through the UK Secretary of State for Health and to the Scottish Parliament, National Assembly for Wales and NI Assembly via their Minister of Health or equivalents. The non-executive board is appointed to act in the public interest and not to represent particular sectors. The national priorities of the FSA are decided at board level. These priorities are set out in the FSA's five year strategic plan and are reflected in the annual business plans of each Division of the FSA. The FSA's current Strategic Plan for the period 2015-2020 sets out the strategic outcomes which have been aligned to the definition of consumer interests in relation to food:

- Food is safe.
- Food is what it says it is.
- Consumers can make informed choices about what to eat.
- Consumers have access to an affordable healthy diet, now and in the future.

The Food Standards Act 1999 established the FSA and gave it formal powers to set standards for, and monitor and audit LA feed and food law enforcement.

In January 2011 the FSA Board agreed that the Agency should undertake a review of the current delegated delivery model in the UK to assess the current model and consider the scope for making improvements. On the basis of emerging findings from the review whilst it was clear that LAs are under resourcing pressure they continue to deliver the service and therefore the FSA Board agreed the review would be closed down. The issues identified are now being taken forward as part of the 2015-2020 strategy.

The Food Law Code of Practice aims to ensure appropriate and consistent enforcement by LAs and PHAs when engaged in the enforcement of food law. Separate but parallel codes have been developed for England, Scotland, Wales and NI. The current versions, published in April 2015, are available at:

For England: <http://www.food.gov.uk/enforcement/enforcework/food-law-code-of-practice-2015>

For Scotland: <http://www.foodstandards.gov.scot/food-law-code-practice-2015>

For Wales: [http://www.food.gov.uk/wales/regswales/regsguid\\_wales/codepracticewales](http://www.food.gov.uk/wales/regswales/regsguid_wales/codepracticewales)

For NI: <http://www.food.gov.uk/northern-ireland/niregulation/niguide/copni>.

In November 2012 the FSA Board accepted the need to improve UK delivery of feed controls and a programme of work was established to implement change. From 2014/15 the FSA introduced a new system for supporting the delivery of feed controls in England. This includes work with the National Trading Standards Board (NTSB) to ensure funding is better targeted, expertise is shared and there is improved co-ordination between agencies involved in feed related work. The Feed Law Code of Practice was reviewed and reissued in May 2014 for England and Wales. The new code introduces, for businesses which are broadly compliant with EU requirements, the principle of earned recognition which takes the form of reduced inspection frequencies. The feed code will also be reviewed in Scotland by FSS. NI FSA is currently reviewing and incorporating changes following a public consultation to its Feed Law Enforcement guidance to parallel the changes made to the Code of Practice for England and Wales. All the Codes and Practice Guidance are available at: <http://www.food.gov.uk/enforcement/enforcework/feedlawcop>.

The Framework Agreement on Official Feed and Food Controls by Local Authorities (<http://www.food.gov.uk/enforcement/enforcework/frameagree>) provides the mechanism through which the FSA sets standards for, monitors and audits, LA and PHA feed and food law enforcement activities. It was developed by the FSA in close partnership with the now-defunct Local Authorities Co-ordinators of Regulatory Services (LACORS) (whose responsibilities have since been taken over by the Local Government Association) and became fully operational on 1 April 2001. The Agreement is kept under review and updated (most recently April 2010) to reflect changes in feed and food law and monitoring and audit arrangements.

The FSA ensures that the standards required by law for the hygienic production of fresh meat and the welfare of animals at slaughter are maintained throughout England, Wales and NI. In NI, this service is provided on behalf of the FSA, by the Department of Agriculture and Rural Development (DARD). FSS ensures such standards are maintained in Scotland.

In April 2012 the FSA changed its operations management structure so that the UK is now organised along national boundaries, reflecting devolution and local government responsibilities within the UK. For logistical reasons England was subdivided into four geographical areas: North West, North East, South East and South West. This new structure allows better monitoring and management at each level. Each geographical area has a Head of Operational Delivery (HoD) and in England each area also has an Operations Manager to support each HoD. The inspection and veterinary teams consist of employed and contract staff and the daily management and deployment of these teams is led by Service Delivery Managers.

In August 2014 the FSA established a dedicated team of veterinary auditors with responsibility for auditing FSA approved meat establishments. This team sits separately from field operations.

In December 2011 delivery of official controls in registered dairy holdings in England and Wales transferred to FSA Operations from the former Animal Health and Veterinary Laboratories Agency (AHVLA) now APHA. From April 2012, Dairy Hygiene Inspections in England and Wales have been carried out by FSA staff. Official controls within dairy establishments in Scotland and NI continue to be delivered by LAs and DARD, respectively.

The FSA (and now FSS) took over shellfish sampling in three areas of Scotland (Dumfries and Galloway and North and South Ayrshire) from Local Authorities at the beginning of April 2012.



In 2013/14, FSA Operations better aligned its core functions and delivery. As part of wider organisational changes, resilience planning, incidents and food crime functions became part of FSA Operations.

### Food Standards Scotland

Following a review in June 2012, Scottish Ministers agreed to create a new Scottish body for food safety, food standards, nutrition, food labelling and meat inspection. On 1 April 2015, the new food body, 'Food Standards Scotland' (FSS) adopted national Government responsibilities in Scotland for food and feed safety and standards, nutrition, food labelling, and meat inspection policy and operational delivery. Consequently, since 1 April 2015 references that previously applied to FSA in this document apply to FSS in relation to Scotland, except where the references are to functions where a single authority requires to be nominated for the UK as a Member State of the EU. Further information about Food Standards Scotland can be found on its website at [www.foodstandards.gov.scot/](http://www.foodstandards.gov.scot/).

### Department for Environment, Food and Rural Affairs (Defra)

Defra is the UK Central Competent Authority for animal health and welfare law in England and is responsible for policy and regulations on environmental, food and rural issues. Although Defra works directly in England, it works closely with the Devolved Administrations in Wales, Scotland and NI, and generally leads for the UK on negotiations in the EU and internationally.

Defra's Plant Health Policy Team represents the position of the UK Plant Health Risk Group in regard to plant quarantine and plant certification policy. It leads for the UK in international fora and is the 'Single Central Authority' for plant health under EU legislation.

Defra's objectives:

- a cleaner, healthier environment which benefits people and the economy
- a world-leading food and farming industry
- a thriving rural economy, contributing to national prosperity and wellbeing
- a nation protected against natural threats and hazards, with strong response and recovery capabilities
- excellent delivery, on time and to budget and with outstanding value for money
- an organisation continually striving to be the best, focused on outcomes and constantly challenging itself.

Defra's five-year strategy is available at: <https://intranet.defra.gov.uk/about-defra/what-we-do/strategy-and-priorities/>.

The Department is structured around five Director-General commands responsible for policy and regulations on environmental, food and rural issues. Defra's structure including overview of programmes, projects and functions is available at:

<https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs>.

The Department is supported by [34 agencies and public bodies](#). The key partners with an interest in food safety, animal and plant health and animal welfare are: APHA, Rural Payments Agency, Centre for Environment, Fisheries and Aquaculture Science, and the Veterinary Medicines Directorate.



In addition to these agencies, the following bodies work in partnership with Defra:

- Local Authorities
- The Pirbright Institute
- Environment Agency
- Natural England
- National Fallen Stock Company
- FSA
- FSS
- Farm Animal Welfare Committee.

### Animal and Plant Health Agency (APHA)

APHA is an executive agency of Defra responsible for veterinary controls in the fields of animal health and welfare, plant and bee health and international trade in GB and for providing Defra, and other sectors of the animal and plant health industry, with specialist veterinary research, consultancy, animal plant and pest disease surveillance and animal diagnostic services.

It is responsible for the delivery of Defra's animal health and welfare policies in England, and those of the Welsh and Scottish Governments in their respective territories. It is also responsible for implementing plant health policy in England and Wales on behalf of Defra.

APHA Management Board, responsible to the Defra Minister, sets the agency's strategic direction and targets, and approves Business/Corporate Plans and the annual report and accounts.

Performance and high level priorities are reviewed by APHA Customer Board (APHACB) which meets quarterly. The APHACB includes the DG Chief Operating Officer, the APHA Chief Executive, senior APHA representatives, representatives from the Devolved Administrations.

APHA has Commissioning Framework with Defra and SLA's with Devolved Administrations and other Government Departments. Quarterly operational meetings between APHA and its policy customers review the overall delivery of Key Performance Indicators and the scheduling of new work.

APHA operates from many sites across GB and includes centralised facilities at Worcester, Weybridge, Carlisle and Cardiff and a network of offices, laboratories and post mortem facilities.

APHA has two business units in England, one in Scotland and one in Wales, each of them is headed by a Head of Field Delivery who report to a Service Delivery Director. Each business unit has a team of veterinary, technical and administrative staff, plus a Readiness and Resilience Manager responsible for contingency planning.

APHA is responsible for:

- Identifying and controlling endemic and exotic diseases and pests in animals, plants and bees, and surveillance of new and emerging pests and diseases.
- Scientific research in areas such as bacterial, viral, prion and parasitic diseases and vaccines, and food safety.
- Ensuring high standards of welfare in farmed animals.
- Facilitating trade in animals and in products of animal origin, plants and seeds.

- Ensuring improvements in the breeding of plant varieties.
- Protecting endangered wildlife through licensing and registration.
- Managing a programme of apiary (bee) inspections, diagnostics and training and advice.
- Regulating the safe disposal of animal by-products to reduce the risk of potentially dangerous substances entering the food chain.
- Ensuring genetically modified (GM) crop trials are carried out in accordance with statutory requirements and auditing seed importers to minimise the risk of unauthorised GM crops being planted.

APHA is the Community Reference Laboratory for Avian Influenza, Newcastle disease and Transmissible Spongiform Encephalopathies and the OIE reference laboratory for: antimicrobial resistance; Avian Influenza; Bovine Tuberculosis; Bovine Viral Diarrhoea; Brucellosis; Classical Swine Fever; Contagious Equine Metritis; Enzootic Bovine Leukosis; Equine Viral Arteritis; Infectious Bovine Rhinotracheitis; Newcastle disease; Salmonellosis; Scrapie and Bovine Spongiform Encephalopathy.

### Rural Payments Agency (RPA)

RPA is an Executive Agency of Defra. It is the paying agency for all Common Agricultural Policy (CAP) schemes in England including the Basic Payment Scheme. RPA also manages the Rural Land Register, Defra's database of land used for all land-based CAP schemes.

RPA operates as a paying agency on a UK basis for all trader-based CAP schemes on behalf of Defra and the Devolved Administrations. The Agency also makes payments for Rural Development Schemes including Environmental Stewardship schemes, made on behalf of Natural England and the Regional Development Agencies.

RPA undertakes cattle tracing services across Great Britain (GB). The British Cattle Movement Service (BCMS), which is part of RPA, operates the Cattle Tracing System (CTS) which is the GB identification and registration database for cattle. BCMS also administers the Animal Movement Licensing System (AMLS) which is the central database for sheep, goat and pig movements for England and Wales.

In total, RPA conducts around 23,000 inspections per year. These cover a range of on-farm, trader and technical inspections to check compliance with the requirements under the CAP schemes and the relevant legislation on livestock identification and registration. On behalf of Defra it is responsible for the cattle identification statutory inspection regime in England and since 2007 has also been responsible for the statutory sheep and goat identification inspection regime in England. RPA also carries out Cross Compliance inspections to ensure farmers comply with the relevant Statutory Management Requirements and keep their land in Good Agricultural Environmental Condition as required under the Basic Payment Scheme and certain pillar two CAP schemes. In Wales these functions are undertaken by Rural Payments Wales. The Scottish Government Rural Payments and Inspections Directorate carry out cross compliance inspections in Scotland.

### Centre for Environment, Fisheries and Aquaculture Science (Cefas)

Cefas is an executive agency of Defra which carries out scientific monitoring and associated research and development on the management of fish stocks, the marine environment, fish and shellfish health, hygiene and cultivation. Cefas undertakes work for Defra, other Government Departments, other Governments and the private sector. Cefas is the EURL for monitoring bacteriological and virological contamination of bivalve molluscs, as well as the EURL for crustacean diseases. Cefas is the NRL for fish diseases, shellfish diseases and

crustacean diseases. Cefas is responsible through the Fish Health Inspectorate for the application of aquatic animal health controls and the enforcement of aquatic animal health legislation in England and Wales. Equivalent organisations operate in the other devolved regions, Marine Scotland Science (MSS) in Scotland, and DARD for NI.

#### Veterinary Medicines Directorate (VMD)

VMD is an executive agency of Defra responsible for: the assessment, issue and maintenance of all national marketing authorisations for veterinary medicines; acting as Reference Member State (rapporteur) (RMS) or Concerned Member State (co-rapporteur) (CMS) for designated European applications for centralised or decentralised authorisations; controls on the manufacture and distribution of veterinary medicinal products including inspections; pharmacovigilance through the surveillance of Suspected Adverse Reactions Events (SAEs); controls on the manufacture and distribution of medicated feedingstuffs and feeds containing specified feed additives, surveillance for residues of veterinary medicines and illegal substances in animals and animal products; the provision and implementation of policy advice to Ministers; the management of the Research and Development (R&D) programme linked to veterinary medicine issues; surveillance of antibiotic resistance in animals and the co-ordination of Defra's work in the area of antimicrobial resistance via the Defra Antimicrobial Resistance Co-ordination Group.

Performance of the VMD is measured through the Defra SLA.

#### Department of Health (DH)

In October 2010, DH took on policy responsibility and acts as the competent authority for food labelling where it relates to nutrition in England, and is responsible for EU level coordination. FSA retains responsibility for this area in Scotland and NI, and the Welsh Government has the responsibility in Wales. This includes legislation on nutrition and health claims, additions of vitamins and minerals and other substances to foods, foods for specific groups (foods for particular nutritional uses), food supplements and nutrition labelling under the EU Food Information for Consumer Regulation. The FSA retains the responsibility for enforcement for all these areas in England, Scotland, Wales and NI.

#### Chemicals Regulation Directorate (CRD)

The CRD is a Directorate of the Health and Safety Executive (HSE). It employs scientific, policy and support staff and is headed by a Director, who is supported by a Management Team. The aim of the CRD is to protect the health of human beings, creatures and plants, safeguard the environment and secure safe, efficient and humane methods of pest control, by controlling the sale, supply, storage, advertisement and use of pesticides. The CRD aims to monitor pesticides use and limit illegal use by taking appropriate enforcement action.

The CRD is the delivery body for the authorisation of pesticides and controls for the purposes of advertising, sale, supply, storage, and use in agriculture, horticulture, and in the garden. Specific roles include: monitoring the advertisement, storage, sale and use of pesticides; initiating or assisting in enforcement action; monitoring and surveillance programmes for pesticide residues in food; and policy advice to Ministers.

## **Devolved Administrations**

### **Scottish Government (SG)**

The SG is the devolved body for Scotland established in 1999. A First Minister leads the Government. Civil servants in Scotland are accountable to Scottish Ministers, who are in turn accountable to the Scottish Parliament.

The Government in Scotland has five Strategic Objectives: Greener, Healthier, Safer and Stronger, Smarter and Wealthier and Fairer Scotland. More information can be found at <http://www.gov.scot/About/Performance/Strategic-Objectives>.

These Strategic Objectives are underpinned by 16 National Outcomes and 50 National Indicators and Targets as described in the National Performance Framework: <http://www.gov.scot/Publications/2007/11/13092240/9>.

The SG is responsible for the following areas in Scotland: agriculture, rural development, food, the environment and fisheries. The Cabinet Secretary for Rural Affairs and the Environment is assisted by the Minister for Environment, Climate Change and Land Reform. A Concordat sets out agreed frameworks for co-operation between the SG and Defra.

### **Welsh Government (WG)**

The WG is a devolved government body that decides on its priorities and allocates the funds made available to it by the UK Government. Powers devolved to the WG include: health; education; economic development; planning; culture; and animal health and welfare. Within its powers, the WG develops policy and the NAW passes legislation for Wales.

The WG's Natural Resources (NR) department covers subject matters that include managing Wales' natural resources sustainably, supporting the management and competitiveness of its agriculture and food sectors, ensuring the health and welfare of animals, overseeing Wales' planning system and implementing sustainable development policy.

The NR department is supported in its work by the other WG departments as necessary, for example; the Economy, Science and Transport (EST) department provide specific support and advice to assist the growth, modernisation and development of the Food sector in Wales and abroad. In addition the Health and Social Services department has responsibility for food safety and the fluoridation of drinking water in Wales and oversight of the Food Standard's agency (FSA).

Rural Payments Wales (RPW) is a Division within the NR department. As the Paying Agency for the EU Common Agricultural Policy (CAP) Schemes in Wales, RPW make payments to farmers and landowners.

### **Department of Agriculture and Rural Development (DARD) for NI**

DARD has responsibility for some feed, farming, fisheries and environmental policy and the development of the rural sector in NI. It provides a veterinary service with administration of animal health and welfare policy and delivers meat inspection controls in approved slaughter and meat cutting establishments on behalf of the FSA in NI. It is responsible to Defra in GB for the administration in NI of schemes affecting the whole of the UK.

Forest Service is an agency within DARD and is responsible for policy and implementation of Plant Health legislation across agriculture, horticulture and forestry.

In relation to delivery functions, DARD is subdivided into the Veterinary Service (with 10 Divisional Offices) and the Service Delivery Group. In addition, samples are analysed by the Agri-Food and Biosciences Institute (AFBI) which has the status of a Non-Departmental Public Body and is managed by its own Chief Executive and Board outside core DARD.

### Local Authorities across the UK

There are 418<sup>1</sup> LAs in the UK excluding PHAs. Local Government in the UK is structured in two ways. In parts of England, a single tier "all purpose council" is responsible for all LA functions (Unitary, Metropolitan or London Borough). There are 126 such authorities in England. The remainder of England has a two-tier system, in which responsibilities are divided between district and county councils. There are 27 county councils and 201 district councils in England.

LA functions in relation to animal health and welfare, food standards and feed enforcement are carried out by county councils and all types of unitary authority depending on the relevant council structure. Feed law enforcement in GB is carried out by 202 LAs (District Councils in England are not responsible for feed law enforcement) and the Port of London Health Authority and in NI by DARD.

Food hygiene enforcement in England is carried out by district councils and all types of unitary authority.

Wales has 22 unitary authorities while Scotland has 32. These authorities are responsible for the complete range of LA functions. The 11 District Councils in NI are responsible for enforcement of food legislation.

Decisions about day to day operational control of food, feed, animal health and animal welfare services, rests with each LA. Overall policy, resource allocation, and monitoring of service delivery rests within each authority with the body of elected members or councillors, and the officers of the authority are accountable to them. National guidance and frameworks are taken into account where appropriate.

LA officers' control activities are set out in service delivery plans which include: inspections of feed/food/animal health premises; sampling and analysis; intelligence; investigating complaints; control and investigations of outbreaks and food related infectious disease and providing advice to businesses.

### Local Government representative associations

The LGA underwent a significant transformation in 2012 resulting in the Local Government Regulation (LGR) no longer existing as a separate entity. The LGA continues to support the needs of councils in the changing political and economic climate within which it operates through a coordinating role in respect of Regulation for LAs in England and Wales. Regulatory policy matters have now been placed at the heart of the LGA, meaning that local regulatory services, including environmental health and trading standards, can benefit from strong political engagement, cross cutting work with other policy areas and the wealth of experience that the LGA has in public affairs on the national stage. The LGA has a Knowledge Hub, a professional social network which facilitates discussion, sharing of ideas and problem resolution in a secure environment for those working in local government. Environmental health and trading standards services perform an invaluable role within local

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<sup>1</sup> In 2014/15 LAs in NI amalgamated resulting in a reduction of 15, taking the number from 433 to 418 in the UK.

communities by protecting the public and supporting businesses. The LGA recognises the importance of these services and is fully committed to working with councils and partners to provide effective representation and support to regulatory services.

There are number of national focus groups, including those relating to feed, food, animal health and animal welfare. Each group includes LA representatives from across the UK and provides an ongoing mechanism to consult and engage with front line services. Representatives on these groups also provide a critical conduit to liaise with LAs in their area.

In Scotland, COSLA, the Convention of Scottish Local Authorities, is the representative voice of Scottish local government on behalf of all 28 of Scotland's 32 local authorities; and in Wales the WLGA, Welsh Local Government Association provides a similar role on behalf of its 22 LAs.

#### Port Health Authorities (PHA) and Association of Port Health Authorities

PHAs are LAs specifically constituted under an Act of Parliament. Their functions include checks on products of animal origin and imported food controls at point of entry into the UK. At points where a PHA has not been constituted, the LA carries out the role of the PHA. The Association of Port Health Authorities is the representative body for PHAs.

#### Environment Agency (EA)

The EA is a non-departmental public body responsible for protecting and enhancing the environment throughout England and for contributing to sustainable development through the integrated management of air, land and water. In Wales this function is undertaken by Natural Resources Wales (NRW). Formed in April 2013, NRW is a Welsh Government sponsored body largely taking over the functions of the Countryside Council for Wales, Forestry Commission Wales and the Environment Agency in Wales. Defra Ministers set its objectives in England, and the WG does likewise for NR in Wales. Defra and the devolved administrations liaise closely with the EA during disease outbreaks to ensure control measures do not have a detrimental impact on the environment. The EA is consulted when generic contingency plans are drafted and a general disposal policy has been agreed between Defra (and the devolved administrations) and the EA.

The EA has headquarters in both Bristol and London. It has eight regional offices, comprising 26 areas and 22 National Services in England and Wales including the National Laboratory Service and the Information Services Unit. The Environment and Heritage Service and Scottish Environment Protection Agency (SEPA) carry out broadly similar functions to the EA in NI and Scotland respectively.

#### Marine Management Organisation (MMO)

The MMO is a non-departmental public body of Defra responsible for: monitoring, control and enforcement of sea fisheries regulations. The MMO, created on 1 April 2010 has replaced the former Marine Fisheries Agency. The function is undertaken in Wales by Natural Resources Wales.

## Fera Science Limited (Fera)

Fera is a privately owned Joint Venture with a wide customer base including Defra family organisations (e.g. VMD, and the Environment Agency), other Government departments (e.g. FSA, Home Office), the Commission and industry. Its primary aim is to provide its customers with an efficient and competitive service in scientific support, research and advice to meet both statutory and policy objectives.

### *Co-operation between and within CAs*

## Food Standards Agency

The FSA consults local feed and food authorities directly during the development of policies that may impact on their feed and food law enforcement activities. It also obtains independent expert advice from its scientific advisory committees and provides advice and information to the public and Government on food safety from farm to fork.

The LGA and the FSA have established a system of Regional Food Liaison Groups at which representatives of Local Authorities Food Liaison Groups can raise issues with the FSA and have the opportunity to discuss these in detail. In England the FSA organises meetings in the regions via the Regional Food Liaison Groups or via the smaller county Food Liaison Groups.

The FSA has set up a number of groups to facilitate co-ordination and co-operation:

*Food Hygiene Rating Scheme (FHRS) User Group in England and Implementation and Liaison Groups in Wales and NI.* These groups provide a forum for two way communication and a means to identify and disseminate good practice and consist of FSA and local authority representatives.

*Animal Feed Law Enforcement Liaison Group (AFLELG).* AFLELG was established on the recommendation of the Advisory Committee on Animal Feedingstuffs to discuss animal feed law and related matters, identify common problems, and agree a co-ordinated approach by all of the Agencies involved in feed law enforcement. Detailed information on the Group is available at <http://www.food.gov.uk/enforcement/enfcomm/aflelg/>. More information on the Advisory Committee may be found at: <http://www.food.gov.uk/science/ouradvisors/acaf/>.

*National Animal Feed Ports Panel* – This panel, a sub-group of AFLELG, formed in 2008, discusses co-ordination between enforcement agencies involved in the official control of imported animal feed.

The FSA issues enforcement guidance or communicates with the LAs to action information connected with official controls. The legislation, enforcement guidance and methodological database is available to all inspectors through the FSA's website and intranet. A new administrative tool (Audit 'Risk Matrix' – Selection Tool) has been established to gather information for the FSA's LA audit planning to improve risk based targeting and selection of LAs for audit.

On 1 April 2015, a new food body, 'Food Standards Scotland' (FSS) was created and carries out broadly similar functions to the FSA in Scotland.

The Scottish Food Enforcement Liaison Committee is the principal forum for engagement between FSS and local authorities in Scotland.



## Defra

### Co-ordination between central Government and Devolved Administrations

In animal health and welfare sectors formal co-ordination arrangements between Defra and the respective agricultural departments in the devolved administrations include written Concordat Agreements, monthly Ministerial meetings and regular monthly discussions on implementation of policy.

Co-ordination between the different competent authorities is established by means of Service Level Agreements (SLA) and memoranda of understanding (MoUs).

A number of groups have been set up to facilitate co-ordination and co-operation:

The *pesticide enforcement liaison group* brings together a range of government bodies and service providers with a role in enforcement of pesticide legislation. The group meets twice annually and has agreed the terms of reference. It serves for exchange of information, establishment of priorities for enforcement work and collaboration in joint enforcement programmes.

LAs with responsibility for animal welfare during transport and at markets in England and Wales work within a national Framework on the delivery of services, designed to support working partnership between LAs and APHA, including shared risk assessment and agreement of priorities. APHA provides veterinary input as required in the production of an agreed local service delivery plan.

The *Veterinary Risk Group (VRG)* was established in response to the Anderson Review (Lessons Learned from the Foot and Mouth Disease outbreak in 2007) which recommended that government should establish a standardised and systematic process for identifying, assessing, characterising, prioritising and escalating unexpected animal-related threats. The VRG meets on a monthly basis to consider threats raised across government's remit, and provides transparent, auditable technical advice on options for risk management to inform decision making. The VRG is a cross-directorate and cross-administration UK-level body which reports to the four UK Chief Veterinary Officers.

### *Delegated control bodies*

In the UK the majority of control bodies employed by the competent authorities are the laboratories undertaking chemical analysis or microbiological examination of feed and food samples, or diagnostic analysis in relation to animal health controls, for local authorities or for the central Government Departments with official control functions. Other control bodies are employed for the collection of samples for residue monitoring and surveillance programmes. In addition, those bodies employed to certify organic produce and to verify protected food names also constitute control bodies. As regards animal health, various commercial carrier companies are approved by APHA to act as control bodies to undertake the basic checks required to ensure that animals entering the UK under the Pet Travel Scheme (PETS) comply with the law.

Arrangements are in place through contracts or Service Level Agreements between the competent authority and the control body to ensure conditions and standards of performance are met. Full details of the control bodies in the UK, the control tasks delegated to them and the arrangements in place to comply with the legal requirements can be found in the MANCP, Appendix N.

<http://www.food.gov.uk/foodindustry/regulation/europeleg/feedandfood/ncpuk>.

## **Resources for performance of controls**

Overall, approximately 8,274 staff in terms of full-time equivalent are involved in official controls at national, regional and local level. More detailed information on human resources can be found in Appendix O of the UK MANCP.

Primary and secondary legislation sets out the requirements that feed and food business operators must comply with and establishes offences and penalties for non-compliance. It also provides the legal powers for the competent authorities to carry out their duties in monitoring and verifying compliance by businesses with these requirements and in enforcing them where appropriate. In general terms, this includes powers to enter premises, inspect and copy records, and take samples.

Officials are required to be free from conflict of interest and official guidance is in place to ensure that officials work in accordance with the published seven principles of standards in public life: <http://www.public-standards.org.uk/>.

These principles are required for all staff working within the organisation. Staff are required to report issues that could compromise their impartiality and integrity, including offers of gifts or hospitality.

LAs must have regard to the Food Laws Code of Practice and Practice Guidance relevant to their national administration when discharging their duties with regard to food. In respect of feed, LAs in GB must take account of the Feed Law Enforcement Codes of Practice for their respective national administrations; DARD is required to take account of the Feed Law Enforcement Guidance Document for Northern Ireland (Guidance Document) in carrying out its duties. These documents contain material on the prevention of conflicts of interest.

DARD staff must also complete a compulsory conflict of interest declaration. Meat hygiene inspectors and veterinary contractors must take account of the Manual for Official Controls when carrying out their duties. IIT inspectors must take account of the Civil Service Code of Conduct when performing their duties. In addition, they are required to submit a declaration of interest form.

## **Organisation of and implementation of official controls**

Organisation of controls for each sector - see Chapters 2.1-2.12.

*UK Official Control Laboratory Policy for conducting analysis under the direction of the public & agricultural analyst and food examiner*

In the UK, the national legislation provides provisions for enforcement of food and feed by The Food Safety Act 1990 and the Agriculture Act 1970.

For feed and food enforcement purposes the analysis of official control samples is carried out in official control laboratories by official control scientists. In the UK, official control scientists are Public Analysts, Agricultural Analysts and Food Examiners (authorised officers in the Official Control Laboratories).

A Public Analyst is a food scientist qualified under the UK Food Safety (Sampling & Qualifications) Regulations 2013 and appointed by a UK Food Authority under section 27 of the Food Safety Act 1990. They carry out chemical analysis of food samples.

A Food Examiner is a food scientist qualified under the UK Food Safety (Sampling & Qualifications) Regulations 2013 and instructed by the UK Food Authority under section 27 of the Food Safety Act 1990. They carry out microbiological examination of food samples.

An Agricultural Analyst is a food scientist qualified under the UK Feed (Sampling and Analysis and Specified Undesirable Substances) Regulations 2010 and appointed by a UK Food Authority under section 67 of the UK Agricultural Act 1970. An Agricultural Analyst carries out analysis of feed and fertilizer samples.

A food enforcement officer who has procured a sample under the Food Safety Act 1990 will usually submit it for analysis/examination to the Public/Agricultural analyst or Food Examiner for the area in which the food was purchased.

Where possible, official control work should be carried out in official control laboratories. However, if no official control laboratory is capable of doing the work, the sample may then be analysed in another laboratory specialising in that technique. The analysis in this case may be carried out by an analyst acting under the direction of the Public/Agricultural Analyst or Food Examiner but the certificate of analysis must be signed by the authorised official control analyst/examiner as stated in Section 30 of The Food Safety Act 1990 and Section 77 (5), Chapter 40 of the Agriculture Act 1970.

The laboratory selected must be accredited to ISO 17025 and the method used for the particular analysis is shown to be fit for purpose and also accredited to ISO 17025.

During the analyses the Public/Agricultural Analyst or Food Examiner does not need to be in the testing laboratory for the entire duration of the analysis, however there should be managerial control over the work ensuring that the same essential provisions in terms of quality standards, analytical ethos and good familiarity and rapport with staff are applied.

Although the test would have been done in a different laboratory, the certificate of analysis must still be signed by the Public/Agricultural Analyst or Food Examiner who directed the analysis.

Although it may not be necessary for direct supervision for every test done, the Public/Agricultural Analyst or Food Examiner should at least be familiar with the laboratory and the relevant staff by initially visiting the laboratory and maintaining sufficient contact and knowledge to satisfy himself that the work carried out is of the standard required for official controls and so enable him to sign the certificate of analysis. In addition there should be traceability records of samples sent to the laboratory undertaken and clear instructions and requirements of the analyses required.

The Association of Public Analysts (APA) has provided a publicly available guidance on how to conduct analyses under the direction of a Public/Agricultural Analyst. This guidance can be found at the following web link:

[http://archive.publicanalyst.com/Members\\_Section/Information/Reference\\_Documents/Direction\\_of\\_Analysis.pdf](http://archive.publicanalyst.com/Members_Section/Information/Reference_Documents/Direction_of_Analysis.pdf).

### *Sampling and Laboratory analysis*

Official feed and food laboratories are designated by the FSA for the purposes of chemical analysis or microbiological examination of samples taken by the enforcement authorities. In the UK, these include Public and Agricultural Analyst Laboratories, Public Health England, (previously Health Protection Agency), Public Health Wales and Public Health Agency (PHA) in NI all of which undertake work for LAs. Laboratories that undertake work for the

CCA and their agencies or Directorates, such as the CRD and the VMD, are also designated official laboratories. Official laboratories must employ staff possessing qualifications which are defined by national legislation. In addition, Public and Agricultural Analysts must be formally appointed by a local authority. In addition to these laboratories the FSA also designates the National Reference Laboratories for feed and food.

The FSA has worked with the Association of Public Analysts, the representative body for most food control laboratories in the UK; Public Health England; and the UK Accreditation Service (UKAS see below) to define the scope of accreditation and the audit requirements for official laboratories. The agreed accreditation requirements and the assessment and audit of the laboratories conducted by UKAS are set out in an Agreement between the FSA and UKAS. This is currently being revised and once the Agreement is finalised, it will be published on the FSA website.

In addition to meeting accreditation requirements, laboratories seeking official designation must provide evidence that they are, or will be, undertaking feed or food control work for LAs.

A list of FSA designated official laboratories is published at:  
<http://www.food.gov.uk/enforcement/monitoring/foodlabs/foodcontrollabs> and  
<http://www.food.gov.uk/enforcement/monitoring/foodlabs/nrl>.

The official laboratories designated for the testing of samples from mammals and birds for notifiable or reportable diseases, taken as part of an investigation, are:

- Animal and Plant Health Agency (APHA)
- APHA also approves on behalf of Defra, WG and SG, private laboratories carrying out BSE testing of cattle slaughtered for human consumption
- The Pirbright Institute
- Agri-Food and Biosciences Institute, NI (AFBI).

#### Chemicals Regulation Directorate of the Health and Safety Executive (CRD)

The CRD has a traditional hierarchical structure where staff are managed by senior officers. This is backed up by a system of performance review, establishment of work and personal objectives and formal appraisal. Objectives are cascaded throughout the organisation from high level business objectives down to key milestones for individual officers.

#### The Pirbright Institute (TPI) (formerly known as Institute of Animal Health)

TPI is the major centre in the UK for research on viral diseases of livestock. It has two sites: Compton and Pirbright. The Compton laboratory carries out research predominantly on avian viral diseases and is scheduled for closure with relocation of activities to Pirbright during August 2015. The Pirbright laboratory works on large animal livestock and vector-borne viral disease including zoonoses and exotic viral diseases. The TPI is one of eight research institutes sponsored by the Biotechnology and Biological Sciences Research Council.

The Pirbright laboratory houses the FAO World, EU, OIE and National Reference laboratory for FMD. It also houses the EU, OIE and National Reference labs for bluetongue; the FAO World Reference lab for morbilliviruses (Rinderpest and PPR), and the OIE and National Reference labs for Swine Vesicular Disease, African Swine Fever, African Horse Sickness, Capripox and Lumpy skin disease. In addition, provides a National Reference lab for

Culicoides. The Compton Laboratory provides an OIE Reference lab for Marek's Disease. The national reference functions of the Pirbright laboratory are funded by Defra under a contract to provide a permanent laboratory diagnostic service as well as consultancy, training and contingency planning.

### Agri-Food and Biosciences Institute (AFBI)

AFBI carries out high technology research and development, statutory, analytical and diagnostic testing functions for DARD other government departments, public bodies and commercial bodies in NI.

AFBI is forging new partnerships with other scientific institutes and research organisations and extending the range of services it offers. This enables AFBI's unique breadth of scientific capabilities in the areas of agriculture, animal health, food, environment and biosciences to be offered to a wider prospective national and international customer base.

AFBI is managed by an independent board which is also responsible for monitoring its performance. AFBI is based at seven sites across NI with its headquarters at Newforge Lane, Belfast.

### National accreditation body

The UK Accreditation Service (UKAS) is the sole national accreditation body recognised by Government to assess, against internationally agreed standards, organisations that provide certification, testing, and inspection and calibration services.

## **Enforcement measures**

### ***Measures to deal with non-compliance with feed or food requirements***

National legislation establishes offences and penalties for non-compliance with EU feed and food requirements. It also provides various legal powers needed by the competent authorities to carry out their duties monitoring and verifying compliance by feed and food businesses operators with EU requirements. These powers apply to the whole of the feed and food chain including primary production, manufacturing, catering/retail sale, checks at points of entry and all other areas of the supply chain.

Guidance on the use of the formal enforcement powers available to competent authorities is set out in Chapter 6 of both the Feed Law Code of Practice (England and Wales) and the Food Law Code of Practice (England) and Section of the Food Law Code of Practice (Wales). Similar guidance is available to officers of DARD in NI who enforce feed law requirements. Separate guidance on the use of enforcement powers at points of entry for feed are set out in the Guidance Manual on Import controls.

The powers available to competent authorities in enforcing feed and food law include verbal and written warnings, hygiene improvement notices, hygiene emergency prohibition notices, remedial action notices (in approved food establishments only in England and all food establishments in Scotland, Wales and NI), seizure and detention of food and feed, seizure and detention of records (if considered to be required as evidence in proceedings under food or feed law), the revocation of approval and prosecution (in Scotland, prosecutions are undertaken by the Procurator Fiscal on submission of a report from the enforcing authority). Both the Feed and Food Law Codes of Practice (and equivalent Feed Law Guidance in NI) indicate that a proportionate use of formal enforcement powers should be operated by competent authorities with minor non-conformances being dealt with initially by advice and other informal actions.

As regards imports of live animals and food of animal origin the Trade in Animals and Related Products Regulations lays down the enforcement measures which may be used in the case of non-compliances.

The Food and Feed Law Codes of Practice and Practice Guidance for each administration in the UK give details about the enforcement actions available and when they should be applied.

### *Criminal Sanctions*

The Feed and Food Hygiene Regulations set out penalties for various offences. For fines imposed in the magistrates' courts, the standard scale ranges from £200 to an unlimited amount and in certain cases a term of imprisonment of up to three months can be imposed. However, for more serious offences, tried in the Crown court or referred there for sentencing, fines may be unlimited and terms of imprisonment of up to 2 years imposed. Similar penalties are set out in equivalent legislation in Scotland within the context of the Scottish justice system

PPP sanction provisions are set out in Regulation 10 of the Pesticides (Maximum Residue Levels) (England and Wales) Regulations 2008, including fines up to a maximum of £5,000 per offence. Identical provisions apply in equivalent Scottish and NI Regulations. Sanctions may only be imposed by courts, and no administrative fines or other sanctions are currently possible. The level of sanctions is decided by the court taking account of the nature and seriousness of the offence.

In England the Animal Welfare Act 2006 provides the basis for criminal sanctions to be imposed for non-compliances identified during animal welfare inspections and the enforcement action that can be taken to prevent any form of suffering to animals. Failure to correct a welfare problem leading to an improvement notice may result in a criminal prosecution. If a FBO is found guilty of an offence under the Animal Welfare Act, he may be fined, sent to prison, have their animals taken away, and/or may be disqualified from keeping animals. The Act also allows animals to be seized outside of the prosecution process. The Act increases the penalties available for the more serious offences. The maximum penalty is imprisonment for up to 6 months, or an unlimited fine, or both. Similar legislation is in place in Scotland and Wales.

In NI the Welfare of Animals Act (NI) 2011 was made 29 March 2011. DARD inspectors have been empowered to act for farm animals and local council inspectors have been empowered to act for non-farmed animals since April 2012. Powers are similar to the Animal Welfare Act 2006, however the maximum penalty for the more serious offences may be 2 years jail or an unlimited fine, or both.

Local Authorities enforce the requirements of the regulations on livestock identification and movement. The primary and secondary legislation provides inspectors with enforcement powers including powers of entry and inspection and prosecution powers. Penalties include movement restrictions on individual animals or whole herds, compulsory slaughter without compensation of unidentified animals and the possibility of sanctions following prosecution.

As regards imports of live animals and food of animal origin, sanctions are laid down in Art. 42 of the Trade in Animals and Related Products Regulations. The penalties in the Regulations are imposed after court proceedings, either with a fine or a prison sentence. The sanction imposed may be up to two years of imprisonment. Section 170 of the Customs and Excise Management Act 1979 allows for the imposition of an unlimited fine or up to seven years imprisonment for severe cases of illegal imports. In GB, LAs are responsible for

launching a Court case if the case is based on the Trade in Animals and Related Products Regulations. In NI, DARD is responsible for launching a Court case.

In relation to plant health, sanctions are provided for in Articles 46 and 47 of the Plant Health Order. Plant health inspectors have no power to confiscate the imported material. This may only be done in co-operation with Customs. They may however prohibit the removal of plant pests or relevant material from specified premises, or require the destruction or re-export of material which is infected or creates the risk that infection might spread.

## **Verification and review of official controls and procedures**

### *Verification procedures*

#### FSA and FSS

Under national legislation, the FSA and FSS are responsible for monitoring and reporting the performance of LAs in enforcing relevant legislation on food and feed safety. The FSA and FSS jointly collect key data on how each LA is delivering food law enforcement, on an annual basis. This is achieved through the Local Authority Enforcement Monitoring System (LAEMS) which has been operational since 2008/2009. Each LA is obliged under the Framework Agreement on Official Feed and Food Controls by Local Authorities (the Standard) to develop service delivery plans and implement policies and procedures for each of the enforcement activities carried out and a control system for all documentation. Each LA is required under the Standard to develop and implement a documented procedure setting out the internal monitoring arrangements, to reflect all monitoring being carried out. The procedure enables the LA to verify its compliance with the Standard, relevant legislation, central guidance and the LA's own policies and procedures.

#### Defra and its agencies

In relation to animal welfare, some local supervisory initiatives were established, including accompanied inspections, where experienced staff accompany less experienced colleagues or perform joint checks at markets and ports.

In BIPs for products of animal origin in England and Scotland, internal checks are carried out by BIP managers/lead officers to verify compliance with instructions, EU and domestic legislation. The frequency of the checks is determined by the throughput of the BIP. In general, APHA audit full throughput product of animal origin BIPs twice a year using check lists published in the APHA Operations Manual. Completed checklists and summary reports of these inspections for each BIP, which include the follow up of deficiencies noted, are forwarded to the Centre for International Trade (CIT) in Carlisle and FSA. Twice a year CIT provides a summary report to Defra and the SG. CIT carries out at least once, in every two years, a formal assessment of BIPs, taking into account the audit reports of APHA officers. Quarterly self-assurance checks at live animal BIPs are carried out by lead officers to verify compliance with instructions, EU and domestic legislation. Since September 2015, audits of live animal BIPs take place once a year and audits are carried out by the Field Quality Assurance team of APHA. A summary of the findings of the audit is provided twice a year to Defra and the SG.

As regards plant health, a Business Plan is prepared on an annual basis, which includes targets for the number of inspections. Progress towards achieving the targets is monitored by senior managers on a quarterly basis.

An APHA Central Performance Team produces monthly reports on the delivery of key aspects of operations, including those concerning BSE controls.



In GB, a specific internal system of supervision is in place for monitoring the implementation of the feed ban inspection and sampling programme. At central level, returns from APHA offices are examined by an FSA or FSS Lead VO who also checks a proportion of individual inspection and sampling reports. These returns, which contain the list of establishments to be visited as well as summary information on the visits carried out and the samples taken, facilitates verification that the risk prioritisation foreseen in the FSA and FSS programmes have been followed.

### *Audit*

Details of the FSA's LA audit scheme are included in the Framework Agreement on Official Feed and Food Controls by Local Authorities. FSS operates an equivalent audit regime in Scotland.

LA monitoring and performance data, together with relevant sources of wider information inform national audit priorities. Plans involve a combination of horizontal audits looking at a specific LA's feed and food enforcement activity as well as focused audit looking at particular aspects of enforcement activity. The audit programmes are published in advance on the FSA and FSS websites.

The FSA and FSS Internal Audit Team are responsible for audits of meat hygiene controls throughout the UK, including controls delivered by DARD Veterinary Service –Veterinary Public Health on behalf the FSA in NI. The Internal Audit Teams are also responsible for audits of other controls that are delivered directly by the FSA and FSS. These include dairy hygiene controls in England and Wales and some shell fish controls.

The FSA and FSS Internal audit teams include veterinarians and technical experts, trained in systems auditing, and are managed by a qualified auditor who reports to the FSA Head of Internal Audit or the FSS Intelligence, Incidents and Delivery Assurance Branch Head.

The audits are carried out in line with Commission guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004.

In certain areas where Defra and the Agriculture/Rural Affairs Departments or Directorates in the Devolved Administrations are responsible, an established system is in place for the inspection of Border Inspection Posts (BIPs) by APHA and the NI DARD Veterinary Service and a scheme for audit of the Rural Payments Agency (RPA) Inspectorate/ Rural Inspectorate Wales which is responsible for beef labelling rules and cross compliance controls in England and Wales respectively.

To take forward the implementation of the audits provision across Defra and its agencies in 2010, Defra's Internal Audit unit (IA) completed a project across sections of Defra with official controls responsibilities to identify if procedures were in place to show compliance with Article 4(6) of Regulation (EC) 882/2004. A number of recommendations were made to strengthen relevant arrangements where required and introduce new procedures as necessary.

In 2011 Defra's IA conducted a review to follow-up the recommendations made in the 2010 audit report and confirmed that action had been taken on seven of the eight recommendations. The one recommendation (Official Controls audit arrangements to cover the work completed by Local Authorities) was closed and a new action was agreed.

Internal Audit have revised their official controls Audit Strategy. This includes arrangements to audit the work completed by Local Authorities which is complex. This is ongoing piece of work which has still to be resolved. Defra IA have been working with FSA

IA to map the Official Controls and the assurances that are available and those that need to be put in place.

The following table gives an overview of the distribution of responsibilities in relation to control systems and operational levels.

Sector	Policy co-ordination	Co-ordination of controls	Implementation of controls <sup>2</sup>	Laboratories	Risk assessment, scientific advice
1. Animal Health	Defra, SG, WG DARD	APHA, DARD,	APHA,LA, RPA, RPW, DARD	APHA, PIR, AFBI	Defra, APHA, DARD
2. Aquatic Animal Health	Defra, SG, WG, DARD	Cefas, MSS, DARD	Cefas, MSS, DARD	Cefas, MSS, AFBI	Cefas, MSS, AFBI
3. Food of Animal Origin (inc. Zoonoses)	FSA, FSS, Defra, SG, WG, DARD	FSA, FSS Defra, DARD, LA	FSA, FSS Defra, DARD, LA	Off Food labs AFBI, APHA	Fera, FSA, FSS, APHA, DARD
4. Imports of animal and food of animal origin	Defra, FSS, DARD	FSS, Defra LA, PHA APHA, DARD, BF	APHA, LA, PHA DARD, BF	APHA, IAH, Fera, AFBI	Fera, APHA
5. Feedingstuffs, feed additives and animal nutrition	FSA, FSS, Defra, DARD, VMD	FSA, FSS, Defra, DARD, VMD	DARD, APHA, IIT, LA/PHA	APHA, AFBI, Off Feed labs	FSA, FSS, VMD, Defra, DARD
6. TSEs/ABP	Defra, FSA, FSS, SG, WG, DARD	Defra FSA, FSS, WG, DARD	APHA, FSA, FSS, LA DARD	APHA, AFBI	APHA, FSA, FSS, DARD
7. Veterinary medicines - authorisation, marketing and distribution	Defra, HSE	VMD	HSE		VMD,FSA FSS
Veterinary medicines - residues	Defra, VMD, FSA, FSS, DARD	VMD, DARD	APHA, FSA, FSS, VMD, IT, Cefas, MSS, EMI, DARD, SG, WG	Fera, AFBI	VMD,FSA,FSS
Antimicrobial resistance - animal health	Defra, APHA, DARD FSA/FSS DH	Defra, DH, FSA/FSS	Defra, DH, FSA, FSS	APHA	APHA, FSA, FSS, PHE
8. Foodstuffs, Food labelling and Food hygiene	FSA, FSS, DH, Defra	FSA,FSS, LA	FSA,FSS LA	Off Food labs Fera	FSA, FSS, PHE
9. Imports of food of plant origin	FSA, FSS	FSA, FSS LA/PHA	LA/PHA	Off Food labs	FSA, FSS
10. Plant protection products -	CRD	CRD	Defra, BASIS	Fera	CRD,FSA, FSS

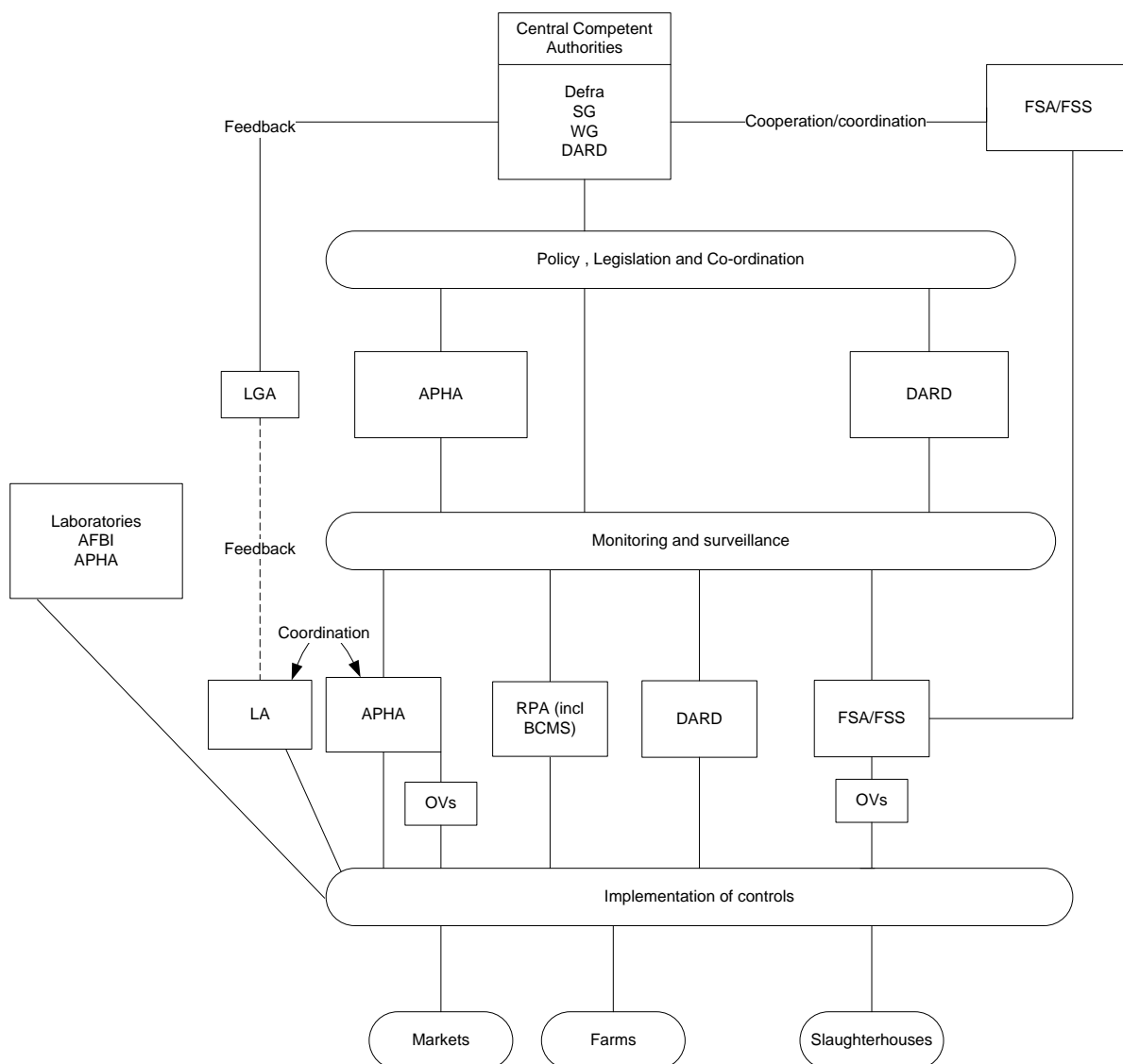
<sup>2</sup> This includes enforcement.

Sector	Policy co-ordination	Co-ordination of controls	Implementation of controls <sup>2</sup>	Laboratories	Risk assessment, scientific advice
authorisation, marketing and use					
Plant protection products - residues	CRD	CRD	LA, HSE	Fera, SASA, LGC Eurofins, AFBI	CRD,FSA,FSS
11. Animal Welfare	Defra, SG, WG, DARD, FSA, FSS	APHA, DARD	DARD, APHA, FSA, FSS, LA	APHA	Defra, WG, DARD
12. Plant Health	Defra	Defra, SG, FS DARD, FC	APHA FC, SG, FS DARD	Fera, SASA, FC, AFBI	Defra, SASA, AFBI, FC

More detailed descriptions of the allocation of responsibilities between authorities for each control system are given in the following chapters.

## 2 COMPETENT AUTHORITIES AND DISTRIBUTION OF RESPONSIBILITIES IN RELATION TO INDIVIDUAL CONTROL SYSTEMS

### 2.1. Control system for animal health



<b>APHA</b>	Animal and Plant Health Agency
<b>AFBI</b>	Agri-Food and Biosciences Institutes
<b>BCMS</b>	British Cattle Movement System
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>LA</b>	Local Authorities
<b>LGA</b>	Local Government Association
<b>OV</b>	Official Veterinarian
<b>RPA</b>	Rural Payment Agency
<b>RPW</b>	Rural Payments Wales
<b>SG</b>	Scottish Government
<b>WG</b>	Welsh Government

## Competent Authorities

Defra is the Central Competent Authority responsible for legislation, implementation, control, and communication with the European Commission on animal health matters for the UK. It is responsible for drafting animal health legislation for England which is used as a framework by the other authorities who draft legislation to be applied in other parts of the UK.

In GB, APHA is responsible for veterinary controls in the fields of animal health and welfare, the regulatory and enforcement aspects of plant health and bee health, and international trade.

In GB, VMD is responsible for policy relating to Antimicrobial resistance in animals.

In NI, DARD is responsible for the implementation and enforcement of legislation on animal health and welfare, and controls on imports and exports. DARD is represented at local level by the Divisional Veterinary Offices.

Defra and the Welsh Government have delegated the enforcement of animal welfare legislation in approved fresh meat premises to the FSA's meat inspection teams in England and Wales whilst in Scotland Scottish Government has delegated this to FSS. The FSA responsibilities are set out in a SLA with Defra and the Welsh Government. A similar SLA between Scottish Government and FSS is in the process of being agreed. The FSA refer welfare cases, following investigation, to the crown Prosecution Service who decide whether to proceed with prosecution. In Scotland, welfare cases are referred by FSS to Procurator Fiscal for a decision on prosecution.

Co-ordination meetings between Defra and DARD are organised on a monthly basis.

## Holding registration, animal identification and movement controls

GB holdings for cattle (bovines<sup>3</sup>), sheep, goats and pigs are registered with a unique CPH (County/Parish/Holding) number. This is used to support identification, movement and tracing requirements.

CPH numbers are issued: by the RPA (in England) or the RPW (in Wales) through the RITA database; and by SGRPID in Scotland through the SIACS database. In NI holdings are registered on APHIS. Once a keeper has a CPH number or other identifier for their holding if they are going to keep cattle, sheep, goats or pigs, APHA (GB) or DARD (NI) will issue them with a herd/flock mark unique to their holding. The further detail of how holdings are registered and movements reported differs by species as follows. It is accessible to competent authorities:

***Bovines:*** The CTS, administered by the BCMS, is the central database for cattle holding registration, identification and registration of bovines, and movement recording within GB. It holds details of all registered cattle keepers, cattle holdings, and individual cattle in GB herds including their movement histories from birth to death. Keepers report moves electronically or via post to BCMS. Its data is used for statutory compliance inspections for ID/recording compliance inspections, as well as for disease control purposes, such as tracings, BSE testing and TB control. Its data can be accessed by competent authorities either through established electronic links or through requests to BCMS for specific data.

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<sup>3</sup> Including Bison and Buffalo.

APHIS holds the equivalent data and functionality data in N.I. Information on cattle is shared between CTS and APHIS through the UK Cattle Movements database.

*Sheep and goats:* In England, the Animal Reporting and Movements Service (ARAMS) is, since April 2014, the movement and recording database for sheep and goats and can record data about individual sheep. Keepers may report to it electronically or via a postal bureau service. Consignments moving through markets and abattoirs and collection or export assembly centres may be electronically reported. In Scotland ScotEID provides equivalent functionality and ScotEID and ARAMS exchange information nightly relating to cross-border moves. In NI, APHIS provides equivalent functionality. In Wales data for individual sheep are not presently recorded. Movements are (presently<sup>4</sup>) reported direct to AMLS2.

AMLS2, administered by RPA-BCMS is the central (GB) database for sheep, goat (and pig) holding registration. It, and ARAMS, holds information about temporary grazings that RITA does not hold. AMLS2 also supports the statutory ID/recording compliance inspections for sheep and goats, and acts as the register of sheep and goat keepers' (statutory) annual inventories. They can be accessed by competent authorities requiring movement data through established electronic links or through requests to the relevant CA for specific data.

*Pigs:* in England and Wales the eAML2 system is the movement recording system. Keepers may report moves electronically or via a bureau service (BPEX). In Scotland ScotEID provides the equivalent function, and in NI, APHIS.

Ear Tag Allocation is supported in GB by an allocation System - ETAS (separate systems; one for Sheep and Goats, and one for Cattle), administered by BCMS, which issues individual identification numbers with an appropriate herd/flockmark (including EID numbers for sheep). In NI the APHIS database does this.

AMLS2 is also used to monitor compliance with domestic movement 'standstill' rules for all species throughout GB; to achieve this, relevant details are passed to AMLS2 on a nightly basis.

On-farm inspections to meet EU targets for cattle, sheep and goat identification are carried out by the RPA inspectorate for English holdings. Scottish, Welsh and NI holdings are inspected by inspectorates of the devolved administrations.

Animals moved from one holding to another must be accompanied by an animal movement document or passport for cattle completed by the keeper of the holding of origin. In NI cattle passports are not used for internal movements. Animals moving to/from markets are likewise accompanied by movement documents. All holdings are required to have a holding register.

Procedures have been established in to select the holdings to be inspected on the basis of the risk criteria specified in Commission Regulations (EC) No 1505/2006 (sheep and goats), and 1082/2003 (bovines). Additional criteria have been added, including the selection of a proportion of holdings at random and the allocation of a higher selection weighting to holdings with large numbers of movement consignments, which are considered to be at higher risk from ear tag loss.

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<sup>4</sup> *In Wales an electronic movement reporting system with equivalent functionality (EIDCymru) is due to be launched in Autumn 2015 and be fully operational by 2016. This system will be able to record individual sheep details.*

These inspections are the responsibility of RPA inspectors in England, the Rural Inspectorate in Wales, SG agricultural inspectors in Scotland and DARD agricultural inspectors in NI. However, in NI, veterinary service inspectors share the responsibility for carrying out these inspections.

### Animal health controls

Official Veterinarians (OV) in GB and Authorised Veterinary Inspectors (AVIs) in NI are appointed to carry out animal health tasks such as export certification, disease control measures and implementation of monitoring and eradication programmes under the supervision and instruction of APHA or DARD through their divisional offices.

Responsibility for official controls on animal identification and certification at markets and slaughterhouses and for other inspections on farms varies according to region: in England and Wales inspections are carried out by LA officers. In Scotland, they are also the responsibility of LAs, which may include Scottish Police forces which report to the Scottish Government. DARD inspectors inspect NI holdings.

LA inspectors carry out official controls on: animal health and welfare on holdings; transporters; dealers; livestock markets; assembly centres; and slaughterhouses. All controls are risk based.

In England and Wales, LA enforcement activity requirements are determined by means of a national risk profile matrix with a locally agreed element discussed with APHA. In Scotland the AMES database has been piloted by six Local Authorities. At the present time Scotland relies on a combination of summaries from LA inspection records and AMES information to direct LA enforcement activity requirements. In NI, the DARD Veterinary Service maintains a separate database of enforcement activities under the control of the Veterinary Service Enforcement Branch.

Corrective measures are dictated by the nature of non-compliances found, in accordance with statutory guidance and published enforcement policies. These may range from advisory notes or warning letters to more formal action, including prosecution.

### *Salmonella control programme*

In the UK, Defra together with the Scottish Government, the Welsh Government and DARD in NI, are designated as the competent authority for the implementation of the *Salmonella* National Control Programmes. The delivery and enforcement of the programme is carried out by APHA in GB and DARD in NI.

Two industry control bodies have been approved to perform routine official controls within the framework of the programme.

### *Zoonoses*

The UK Zoonoses, Animal Diseases and Infections (UKZADI) group was formed in 2008 with the amalgamation of the UK Zoonoses Group (UKZG) and the Surveillance Group on Diseases and Infections in Animals (SGDIA). The Group meets quarterly and acts as the focal point for the exchange of views within and between central Government departments and Agencies, Devolved Administrations (DAs) and local Government on matters relating to infectious diseases of veterinary and public health significance. UKZADI co-ordinates and implements actions from member organisations and advises on important trends and observations which impact on animal and public health including where necessary preventative and remedial action. The Group's role is also to provide a strategic overview



and means of ensuring overall co-ordination of public health action at UK, national and local level with regard to existing and emerging zoonotic infections, and trends in antimicrobial resistance (AMR).

#### *Post-import controls – intra-community trade in live animals*

In GB, an Import Risk Management System (IRMS) has been developed, to record checks on consignments of live animals. Checks are carried out according to a risk matrix. The regional APHA offices must enter all notifications of arrival consignments into IRMS, and use the criteria set out in the APHA Operations Manual to identify the consignments to be subjected to checks. Checks and post import testing when required are done by trained staff, and the outcome recorded on the system.

In NI, DARD carries out checks at points of entry for animals into NI. The portal authorities use software which selects one in ten consignments for a further documentary and identity check performed by the local DVO at point of destination. They may also select consignments for further checks based on level of risk.

#### Contingency Plans (CPs)

Contingency plans (CPs) covering all exotic notifiable diseases of animals (including FMD, Avian Influenza and Newcastle disease) have been approved by the UK Administrations in accordance with the requirements of the Animal Health Act 2002 and the European Commission has been made aware of them.

Defra, DARD, the Scottish and Welsh Governments have all produced individual CPs outlining their responses to disease outbreaks. Whilst specific to their own institutional arrangements, the plans are mutually complementary. The CPs for exotic notifiable diseases in all parts of the UK are subject to ongoing review. The United Kingdom Contingency Plan for Exotic Notifiable Diseases of Animals provides a UK wide overview of how the administrations work together to respond to disease outbreaks.

Policy information, available on relevant public websites, is referenced in the Plans to ensure that stakeholders always have access to up to date policy information.

The CPs can be accessed at the following links:

UK

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/411097/pb14239-animal-disease-plan-2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/411097/pb14239-animal-disease-plan-2015.pdf)

England

[www.gov.uk/government/publications/contingency-plan-for-exotic-notifiable-diseases-of-animals--2](http://www.gov.uk/government/publications/contingency-plan-for-exotic-notifiable-diseases-of-animals--2)

Wales

<http://gov.wales/topics/environmentcountryside/ahw/contingencyplanning/contingency-plan-exotic-animal-diseases-20131/?lang=en>

Scotland

<http://www.gov.scot/Topics/farmingrural/Agriculture/animal-welfare/Contingencies>

DARD

[http://www.dardni.gov.uk/index/animal-health-and-welfare/disease-control-prevention/contingency\\_planning\\_for\\_epizootic\\_diseases.htm](http://www.dardni.gov.uk/index/animal-health-and-welfare/disease-control-prevention/contingency_planning_for_epizootic_diseases.htm).

The CPs for exotic notifiable diseases of animals and the accompanying disease control strategies and operational manuals, are up dated regularly and the CPs are reviewed annually. The CPs were utilised most recently during the outbreaks of:

- contagious agalactia in goats in Wales in October 2014; and
- Low Pathogenic Avian Influenza (LPAI) outbreak in February 2015 and the Highly Pathogenic Avian Influenza (HPAI) outbreak in July 2015 - in England.

The notifiable disease national expert group consisting of core Defra specialists in disease control, core Defra administrative staff and disease consultants based at the relevant National Reference Laboratory (NRL), and representatives from the Devolved Administrations were also involved.

Defra records data on measures taken during animal disease outbreaks in the Notifiable Disease Outbreak Management System (NDOMS) database. This is supplemented by data stored at the NDCC and LDCC. In addition, Defra officers have access electronically to the relevant information, internal documents, guidelines, instructions and protocols.

Defra has set up a Disease Emergency Response Committee with a specific remit to ensure that sufficient laboratory facilities for the diagnosis of exotic notifiable diseases are available in emergencies. The committee includes representation from APHA, The Pirbright Institute, Defra, SG, WG and DARD.

### Laboratories

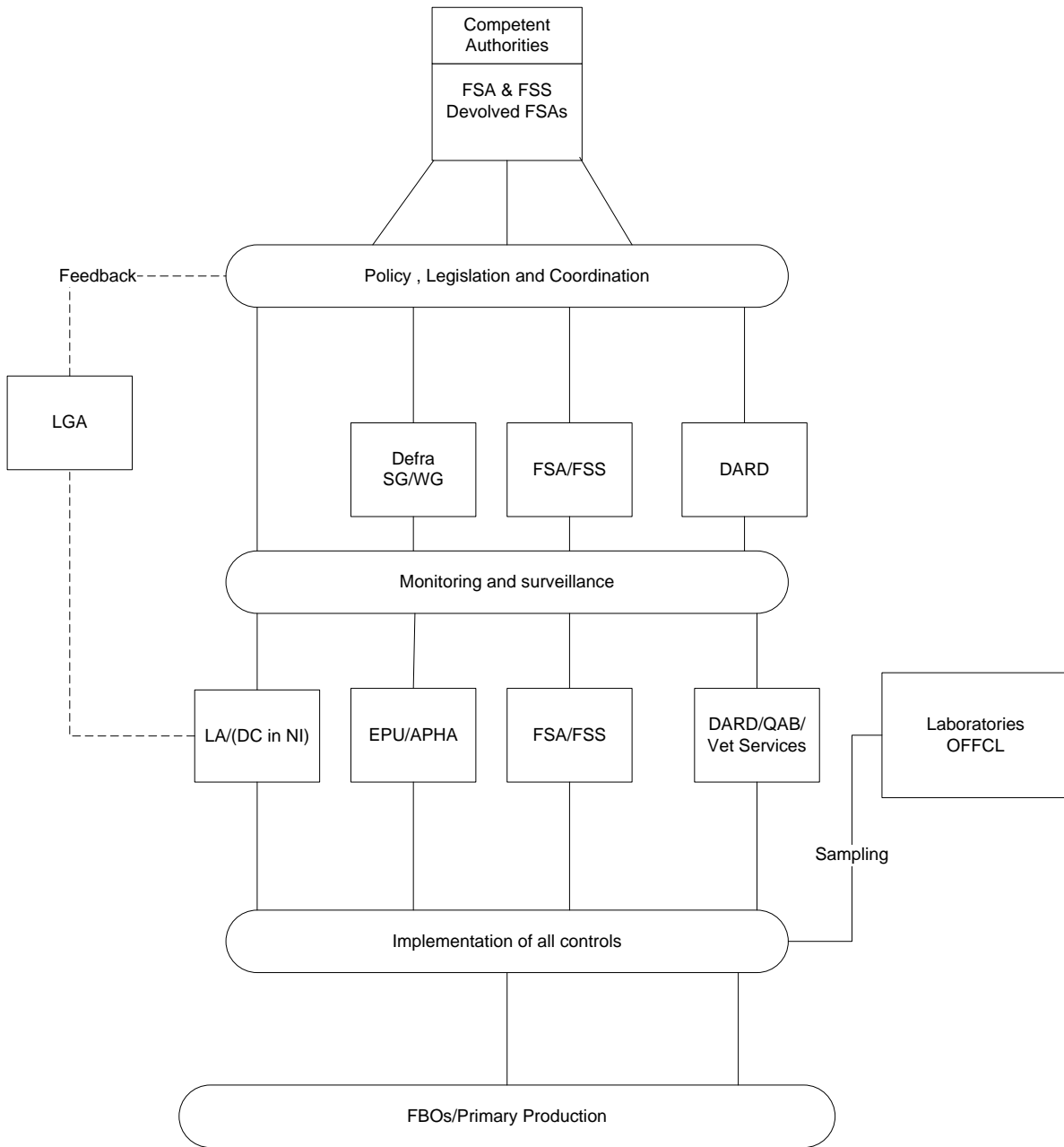
APHA is responsible for carrying out laboratory examinations on GB samples relating to animal health. It carries out routine statutory disease surveillance examinations. It is the UK NRL for: Aujeszky's disease; Avian Influenza; brucellosis; Classical Swine Fever; enzootic bovine leucosis; equine encephalomyelitis; equine infectious anaemia; Newcastle Disease; and Teschen disease and Antimicrobial Resistance - Animals. The national FMD reference laboratory is part of The Pirbright Institute.

APHA is the UK NRL for TSE sample testing. APHA Regional Laboratories in Newcastle and Penrith carry out TSE Feed Ban testing on surveillance samples. APHA Weybridge carries out confirmatory testing on TSE suspect samples, with initial rapid testing surveillance sampling being carried out at a private laboratory under Government contract.

The statutory laboratory work of the disease surveillance and investigation branch of the Veterinary Science Division of the AFBI is performed in the Omagh and Belfast laboratories.

Additional private laboratories approved by the Competent Authority have been designated to carry out testing under the requirements of the *Salmonella* National Control Programmes and the Poultry Health Scheme.

## 2.2. Control system for food of animal origin



<b>AFIB</b>	Agri-Food Inspection Branch
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>DC</b>	District Councils
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>EPU</b>	Egg and Poultry Unit
<b>FBO</b>	Food Business Operators
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>LA</b>	Local Authorities
<b>LGA</b>	Local Government Association
<b>OFFCL</b>	Official Food and Feed Control Laboratories
<b>SG</b>	Scottish Government
<b>WG</b>	Welsh Government

## Competent Authorities

The FSA is the Central Competent Authority in England and Wales for controls on food of animal origin and is responsible for the enforcement of legislative requirements in approved meat plants. In Scotland, FSS is responsible for this function. In NI, DARD's Veterinary Service provides the services on behalf of the FSA.

The FSA's Local Delivery Division (LDD) is responsible for implementing the public health requirements for bivalve molluscs and fishery products in England in NI, this function is carried by FSA Local Authority Delivery Team. The FSA enforces relevant provisions of food hygiene legislation at milk production holdings in England and Wales. In NI, this function is provided by DARD Agri-Food Inspection Branch (AFIB) via SLA with FSA. In Scotland, milk production holdings are inspected by LA food law enforcement services.

The FSA's Local Delivery Division is also responsible for public health requirements for eggs and egg products (via SLA with APHA). In NI, the FSA Primary Production Unit is responsible with inspections carried out by DARD AFIB via SLA with FSA. In Scotland, the FSS has policy responsibility for food hygiene in relation to eggs and inspections are carried out on behalf of FSS by Scottish Government at primary production level and by local authorities at other points in the supply chain.

In GB, Defra is responsible for certification of foodstuffs. APHA's Centre for International Trade (CIT) in Carlisle, is responsible for the delivery of such certification. CIT keeps a central IT database (CENTAUR) of model certificates and data on any certificates issued. Following determined criteria, APHA's Specialist Service Centre authorises veterinarians as Official Veterinarians (OVs), to sign certificates. Authorisation as an OV in GB can only be accomplished by successful completion of the appropriate training module(s) (including a final assessment) in order to attain an Official Controls Qualification (Veterinarian). This qualification has to be revalidated every 3 to 5 years. APHA has provided the syllabus for each of these modules. The modules are supervised by an appointed Course Director (full time employee of APHA). The training modules have been produced and are maintained by a single and established provider of continuing veterinary education. Export certificates signed by OVs are routinely audited and certification standards monitored by CIT staff. OVs failing to certify satisfactorily are investigated, retrained and if required, authorisation suspended. In NI, DARD has this role with nominated Authorised Veterinary Inspectors (AVIs).

Enforcement of the relevant food safety legislation is primarily the responsibility of the LAs. The Local Government Association (LGA) assists with facilitating co-ordination, communication and consultation between local food authorities and the FSA. In Scotland the principal mechanism between FSS and local authorities is the Scottish Food Enforcement Liaison Committee.

Criteria such as: risks associated with the operation; food business operators' past records; reliability of own-checks; and information on non-compliances, are taken into account in the organisation of official controls in establishments under the supervision of FSA and FSS, DARD and LAs, which do not require approval under Regulation (EC) No 853/2004. For establishments under LA control subject to such approval, inspection frequency are set by LAs using a risk based approach and taking account of the results of audits of the plant establishments.

## Registration and approval of establishments

The list of approved establishments for the UK is available at:

<http://www.food.gov.uk/enforcement/sectorrules/meatplantsprems/meatpremlcence>.

In GB approval assessments of slaughterhouses, cutting plants and game handling establishments are carried out by Field Veterinary Leaders (or equivalent in Scotland or NI). Any cold stores, minced meat, meat preparation or meat products establishments co-located with slaughterhouses, cutting plants and game handling establishments are also approved by the FSA and FSS— when standalone, these establishments are approved by local authorities. Field Veterinary Leaders are provided with the audit and enforcement history of establishments before carrying out assessments, if the plant had been previously operating. Any monitoring or enforcement action required following the granting of conditional approval is managed by the Veterinary Leader.

In NI, pre-approval assessments of slaughterhouses, cutting plants and game handling establishments are carried out by DARD Veterinary Public Health Programme. FSA in NI are responsible for approving these establishments subject to satisfactory recommendation by DARD. The same arrangements apply to minced meat and meat preparation establishments co-located with slaughterhouses, cutting plants and game handling establishments. Standalone coldstores, minced meat, meat preparation and all meat products establishments are approved by District Councils. In GB, milk and milk product processing establishments are approved by the LAs where plants are located. In NI, liquid milk establishments are approved by DARD AFIB (Milk Section). The FSA maintains a central list of approved dairy establishments on its website.

In the UK, shellfish purification centres and dispatch centres for live bivalve molluscs, fish auction and fish processing establishments are approved by LAs where plants are located. The FSA maintains a central list of approved establishments on its website.

#### Official controls and inspection at establishments

The FSA and FSS use sub-contracting agencies to supply the majority of veterinarians to work as OV's at approved establishments, primarily, slaughterhouses, cutting plants, game handling establishments and other premises under FSA and FSS control. In NI all OV's and Official Auxiliaries are employed by DARD. The audit of FBO's is however carried out by a specialist team of Veterinary Auditors directly employed by the FSA, FSS or DARD respectively.

The organisation of official controls is set out in the Food Law - Code of Practice and Practice Guidance for LAs and in the Manual for Official Controls for FSA and FSS staff and officials carrying out official duties in premises requiring veterinary control.

Control procedures for DARD Veterinary Service (VS) are set out in a separate Manual for Official Controls. Control procedures for DARD AFIB (Milk Section) are set out in a Manual of Operations.

In Scotland, most of the EMI's function is fulfilled by the Egg and Poultry Unit (EPU) of SGRPID, a Division of the Scottish Government's Agriculture, Food and Rural Communities Directorate and, in NI, by DARD AFIB.

Enforcement of the hygiene regulations at egg packing stations is carried out by local authorities in England, Wales and Scotland, and DARD AFIB in NI.

DARD Agri-Food Inspection Branch, on behalf of the FSA, in NI and LAs in Scotland carry out official controls at milk production holdings.

Dairy Hygiene inspections in England and Wales are carried out by FSA Dairy Hygiene Inspectors. The FSA monitors and verifies compliance through enforcing food hygiene legislation at milk production holdings. Raw milk may be sold in limited circumstances in

England, Wales and NI, but it is illegal to do so in Scotland. Health requirements for raw milk are controlled at holding level through animal testing for bovine tuberculosis and brucellosis by APHA. Analysis of raw milk for human consumption is carried out by the FSA, and DARD in NI, through their sampling programmes. E&W samples are tested against the criteria specified in the national food hygiene legislation by ALS Eclipse who then report directly back to the FSA. NI samples are analysed by AFBI and reported back to DARD and FSA. Sampling on non-cow raw drinking milk is the responsibility of the LA Environmental Health Department.

The FSA has service level agreements and performance targets with the relevant inspection bodies for controls in the egg and milk sectors. In Scotland, FSS has an MoU in place with SG for hygiene inspections at egg production holdings.

#### *Inspections of primary production*

For the dairy and egg sectors the enforcement regimes are as described above but for the remaining primary production sectors, local authorities in England and Wales, and DARD AFIB in NI are responsible for this work. DARD AFIB services are authorised by the FSA. In Scotland, enforcement is carried out by a combination of LA officers and Scottish Government staff (Agriculture, Food and Rural Communities Directorate) authorised by the FSS.

The FSA and FSS are the Central Competent Authorities responsible for the management of the official classification and marine biotoxin monitoring programmes for live bivalve mollusc harvesting areas. In England and Wales, Cefas is currently contracted to manage both programmes on behalf of the Agency. In Scotland, the classification system is managed by the FSS while biotoxin monitoring sample analysis is carried out by Cefas under contract. In NI, management of the classification system and the official control monitoring programmes is undertaken by the FSA and the biotoxin monitoring regime is administered by the Agri-Food and Biosciences Institute (AFBI).

The FSA and FSS have an MoU and performance targets with the relevant laboratories within the UK shellfish Partnership for the official control monitoring of live bivalve molluscs across the UK.

#### Official controls on identification mark and traceability

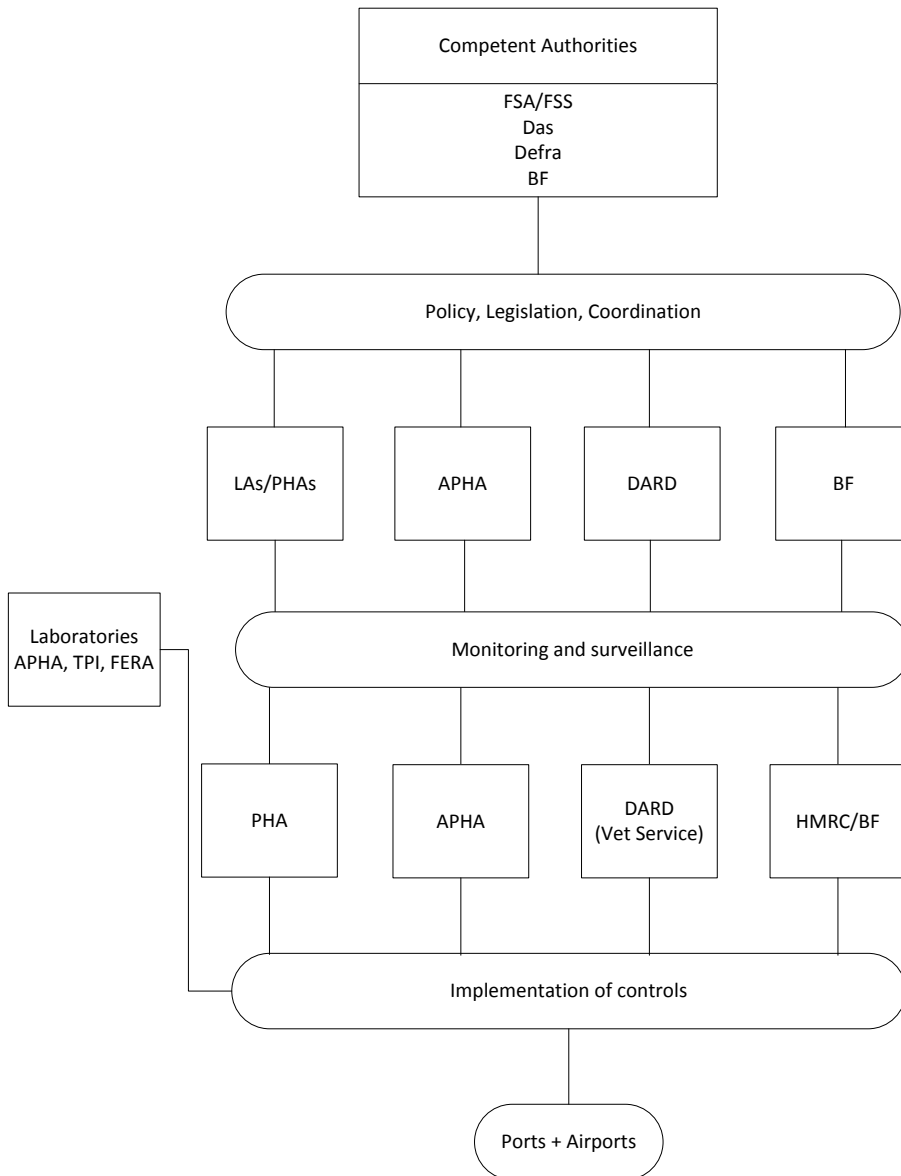
##### *Beef traceability and beef labelling*

As regards beef traceability and beef labelling, Defra and the Agriculture Departments in the devolved administrations are responsible for developing and implementing the relevant legislation.

Responsibility for official controls in respect of beef labelling is shared. In England and Wales, this is between LAs and the RPA. In Scotland, this is between the Scottish Government and LAs, and in NI, between DARD and District Councils. Controls on imported beef are the responsibility of PHAs in GB.

Each Central Competent Authority in the UK has issued guidance for all officials, local and regional authorities, establishments and the public on compulsory beef labelling.

### 2.3. Control system for imports of animals and food of animal origin



<b>APHA</b>	Animal and Plant Health Agency
<b>DA</b>	Devolved Administrations in Scotland, Wales and NI
<b>DARD</b>	Department of Agriculture and Rural Development in NI
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>Fera</b>	Fera Science Limited
<b>FSS</b>	Food Standards Scotland
<b>FSA</b>	Food Standards Agency
<b>HMRC</b>	Her Majesty's Revenue and Customs
<b>LA</b>	Local Authorities
<b>PHA</b>	Port Health Authorities
<b>TPI</b>	The Pirbright Institute
<b>BF</b>	Border Force



## Competent Authorities

Defra through its Animal Health: Global Trade and Aquaculture Health Team has overall responsibility for policy on animal health import controls and veterinary checks, including preparation of legislation, and policy guidance to BIPs, APHA and Border Force (BF), on illegal imports. The respective Devolved Administrations in Scotland, Wales and NI are responsible for the preparation of parallel legislation within their countries.

APHA is responsible for supervision, monitoring and administration of the veterinary checks regimes for animals and animal products in GB.

The FSA's Legal, International and Regulatory Affairs Directorate is responsible for public health policy on import controls including fishery products. It prepares legislation and policy guidance to BIPs on public health issues as the competent authority for the implementation of EU safeguard measures such as residues of veterinary medicines in the import of products of animal origin. FSS has similar responsibility in Scotland.

The APHA and Local Authorities (mainly Port Health Authorities) are responsible for the day-to-day operation of Border Inspection Posts (BIPs) in England, Wales and Scotland. A service level agreement (SLA) has been drawn up between each agriculture department, Defra and APHA. In NI, BIPs are under the direct supervision of DARD. Responsibility for fishery products there has been devolved to District Councils with responsibility for all other POAO imports remaining with DARD.

Her Majesty's Revenue and Customs Service (HMRC) operates procedures at import and releases consignments after the requirements of the Port Health Authorities and APHA have been met. The BF carries out controls on illegal imports from third countries at GB points of entry other than BIPs. A Strategy Document which outlines a joint Border Force\Defra Strategy and Framework has been agreed. This is underpinned by a Development Agreement which outlines roles and responsibilities on the importation of freight and passenger luggage. In NI, DARD is responsible for checks on passenger luggage.

Defra, the FSA, FSS, BF and APHA meet regularly to discuss imports. In particular the BIP liaison committee meets quarterly and the FSA's Imported Food and Feed Working Group which meets twice a year.

With regard to food of animal origin, the level and frequency of routine sampling or physical checks on products from particular countries or establishments is influenced by the amount of Rapid Alert System for Food and Feed (RASFF) Reports on particular products. The LA and BF use risk information provided by Defra's monitoring of the global animal health situation and results of previous checks to inform their enforcement activities.

## Import Controls

Import controls at BIPs receiving products of animal origin for human consumption only or both human consumption and not for human consumption are the responsibility of the Environmental Health Department of the relevant LA, usually a Port Health Authority (PHA). Environmental Health Officers (EHOs) are contracted/employed by PHAs for checks on fishery products, and Official Veterinarians are contracted for checks on products of animal origin where BIPs are approved for products fit for human consumption and those which handle products for both human consumption and not for human consumption. LAs are responsible for the enforcement of legislation on imported food and animal by-products.

APHA has responsibility for BIPs approved for live animals and BIPs only approved for consignments of products of animal origin unfit for human consumption. APHA Veterinarians carry out checks on live animals and products unfit for human consumption.

A national monitoring plan for residues and other contaminants in products of animal origin imported from third countries has been introduced in all BIPs.

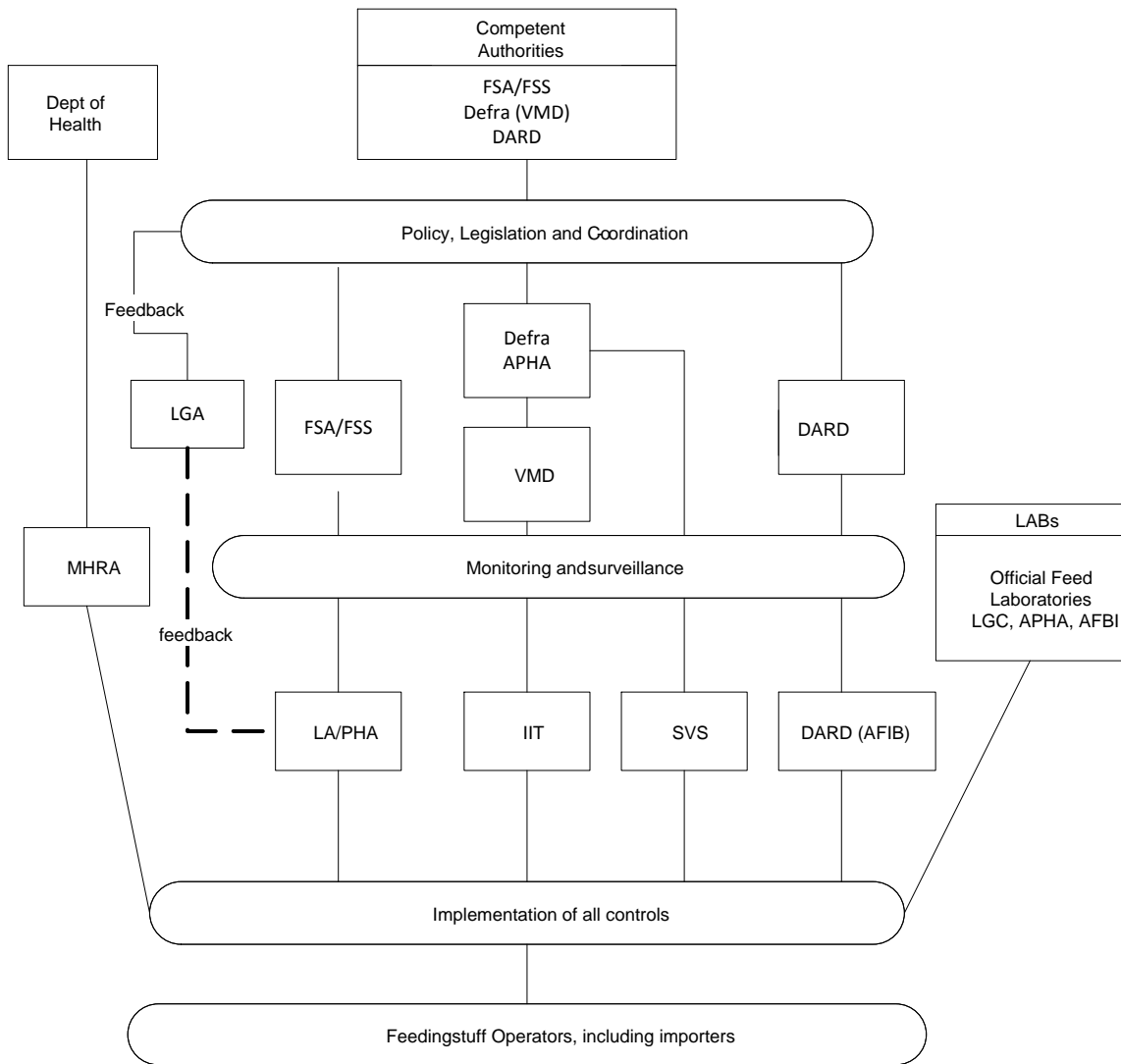
The BIP manual of procedures provides guidance to staff at the products of animal origin BIPs relating to import controls. Further guidance and instructions are provided in Official Veterinary Surgeon (OVS) notes. Food Trade Information Sheets with specific details of the conditions for imports of particular foodstuffs are available on the Internet. The Operations Manual provides instructions to Official Veterinarians at live animal BIPs.

Details of listed UK BIPs for veterinary checks can be found at the following link:

[http://ec.europa.eu/food/animal/bips/contact/contact\\_uk.pdf](http://ec.europa.eu/food/animal/bips/contact/contact_uk.pdf).

A number of bodies are involved in the supervision of disposal of kitchen waste from international means of transport, namely: APHA, which supervises disposal; the Environmental Health Department of the LA which supervises hygiene and is responsible for registration of catering establishments; and the Trading Standards Office which is responsible for transport. In NI, DARD is wholly responsible for the supervision of kitchen waste.

## 2.4. Control system for feedingstuffs and animal nutrition



<b>APHA</b>	Animal and Plant Health Agency
<b>AFIB</b>	Agri-Food and Inspections Branch
<b>AFBI</b>	Agri-food and Biosciences Institutes
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>IIT</b>	Inspections and Investigations Team
<b>LA</b>	Local Authorities
<b>LGA</b>	Local Government Association
<b>LGC</b>	Laboratory of the Government Chemist
<b>MHRA</b>	Medicines and Healthcare Regulatory Authority
<b>PHA</b>	Port Health Authorities
<b>VMD</b>	Veterinary Medicines Directorate

## Competent Authorities

The FSA and FSS have responsibility in the UK for policy and implementation of legislation on the composition, hygiene and marketing requirements for animal feed. The Agency also takes the policy lead on enforcement of animal feed legislation carried out by LAs in GB and DARD AFIB in NI.

LAs in GB are responsible for enforcing animal feed legislation, including that on feed materials and feedingstuffs which do not contain medicated or specified products (coccidiostats, histomonostats and non-antibiotic growth promoters). LAs at ports and airports are responsible for checking feed imports. DARD AFIB is the enforcement authority in NI.

Defra has responsibility for agencies and delivery bodies that enforce animal feed legislation related to animal disease:

### *Animal and Plant Health Agency (APHA)*

APHA is responsible for carrying out risk-based inspections and official sampling under the National Feed Audit (NFA) in GB. This programme targets businesses throughout the farm animal feed chain to confirm compliance with the TSE-related feed ban. The NFA programme also covers compliance with ABP feed controls, such as the ban on feeding catering waste and also on farm use of organic fertilisers/soil improvers, in relation to preventing diversion into feed. A similar TSE Feed Ban related control programme exists in NI, where it is delivered by DARD's VS and Agri-Food Inspection Branch. An APHA laboratory is the single National Reference Laboratory for the testing of animal proteins in feed in the UK.

APHA is responsible for collecting samples of compound feed from farms on behalf of the VMD for the National Surveillance Scheme (NSS), for analysis for residues of veterinary medicines, unauthorised substances and certain contaminants. These samples are analysed by the Fera Laboratory at Sand Hutton.

APHA operates a commercial quality assessment scheme for testing of animal proteins in animal feedstuffs, for use by accredited private laboratories in the EU and Third Countries.

### *The Veterinary Medicines Directorate*

The VMD is responsible for the preparation and implementation of legislation on specified feed additives (coccidiostats) and medicated feedingstuffs. In GB, the VMD carries out enforcement of this legislation. They currently inspect and approve manufacturers and distributors of specified feed additives, premixtures and feedingstuffs containing specified feed additives; manufacturers and distributors of medicated premixtures and feedingstuffs; and retailers of certain restricted veterinary medicines. The VMD also carries out routine audits of feedingstuffs manufacturers and distributors, (which include taking samples of feed for quantitative analysis), and conduct follow up visits where serious non-compliance necessitates additional control activities. The VMD to UKAS delegates to accredited laboratories the task of analysing samples taken as part of routine inspections for the control of medicated feedingstuffs and specified feed additives.

In NI, DARD is responsible for enforcement of all feed legislation.

To avoid duplication and overlap of feed enforcement activities, memoranda of understanding have been drawn up between the National Agricultural Panel (NAP) (representing local authorities) and the VMD.

## Approval and registration of Feed Business Operators

Feed business operators manufacturing or mixing specified feed additives into feed or distributors supplying these products and manufacturers and distributors of medicated premixtures and medicated feedingstuffs, are required by UK law to be approved (by the VMD in GB and by DARD in NI) and to be inspected on a regular basis to ensure compliance with legislative requirements. The VMD maintains a register of all approved manufacturing establishments and distributors throughout GB, which is published on GOV.uk website:

<https://www.gov.uk/government/publications/animal-feedingstuffs-registration>.

LAs in GB and DARD AFIB in NI are responsible for the approval and registration of other feed business establishments under Regulation (EC) No. 183/2005. The FSA has a list of those premises approved by LAs and DARD in NI. The list is available at: <https://www.food.gov.uk/enforcement/sectorrules/feedapprove/feedpremisesregister>.

Enforcement of feed law by LAs in GB is mainly undertaken by Trading Standards Departments which take a risk-based approach to inspection and sampling as set out in the Feed Law Enforcement Code of Practice. The Codes of Practice are available at: <http://www.food.gov.uk/enforcement/enforcework/feedlawcop>.

In Scotland enforcement of feed law is by LAs. The Feed Law Code of Practice (Scotland) is available at: <http://www.foodstandards.gov.scot/feed-law-code-practice-2015>.

Enforcement of feed law includes undertaking unannounced inspections of all feed businesses to which feed law applies. These inspections include taking samples for analysis, where appropriate.

From October 2010, the VMD began using risk analysis on which to base the frequency of their inspections. All approved establishments will be risk-assessed and the result used to determine the date of the next inspection. The risk assessment will take into account the inherent nature of the business, for example, the complexity of manufacturing procedures and controlled products used to determine the standard inspection frequency. The risk assessment will also take into account the number and nature of deficiencies noted during an inspection or audit, which result in a reduction in the standard inspection frequency. Compliance history is factored into the risk assessment through its effect on how a deficiency is categorised (elevated to 'next level' if noted at a prior inspection/audit).

From September 2012 the inspection of fish farms that are authorised to manufacture medicated feed for feeding to their own fish in England and Wales was delegated to the Centre for Environment Fisheries and Aquaculture Science (Cefas). The VMD has a Service Level Agreement (SLA) with Cefas which includes a detailed Specification of Requirements. The VMD retains enforcement responsibility.

From July 2014 the VMD applied 'Earned Recognition' to those commercial feed mills that it has approved and rated 'Good', and which are additionally certificated under the Agricultural Industries Confederation's (AIC's) Universal Feed Assurance Scheme (UFAS). The VMD applies an extended inspection interval to those mills. The VMD, FSA and AIC have put in place an MOU to facilitate the Earned Recognition arrangements.

In NI, DARD determines the frequency of inspection and sampling by risk assessment. All approved establishments are inspected annually, with on-farm mixers inspected every four to five years.

## Monitoring of Pathogens in Animal Feedingstuffs

For controls carried out by Defra, the Veterinary Surveillance Division (VSD) draws up programmes based on scientific advice and legal obligations for monitoring specific pathogens. The VSD has set up a Business Assurance Group which includes representation from key stakeholder groups.

### *Animal and Plant Health Agency (APHA)*

Defra and the Devolved Administrations are able to monitor salmonella findings in animal feeds through legislative requirements for private laboratories to notify such findings to APHA. In addition, APHA notify Local Authorities responsible for investigations under the Feed Hygiene Regulations. There is a system in place for high priority isolates to be investigated separately by APHA, if required.

In NI, DARD Agri-Food Inspection Branch take 30 feed samples per annum for Salmonella screening and subsequent typing if required.

## Production, manufacture and trade of feedingstuffs

The UK feed industry is highly fragmented, with two large national compounders accounting for nearly 50% of market share. The remainder is divided between smaller compounders.

### Import of feed

The import of feed of non-animal origin into GB is subject to checks Local Authorities similar to those for food of non-animal origin (see Part 2.8). Imports of feed of animal origin are subject to the procedures and controls detailed in Part 2.3. In NI import of feed is controlled by DARD AFIB.

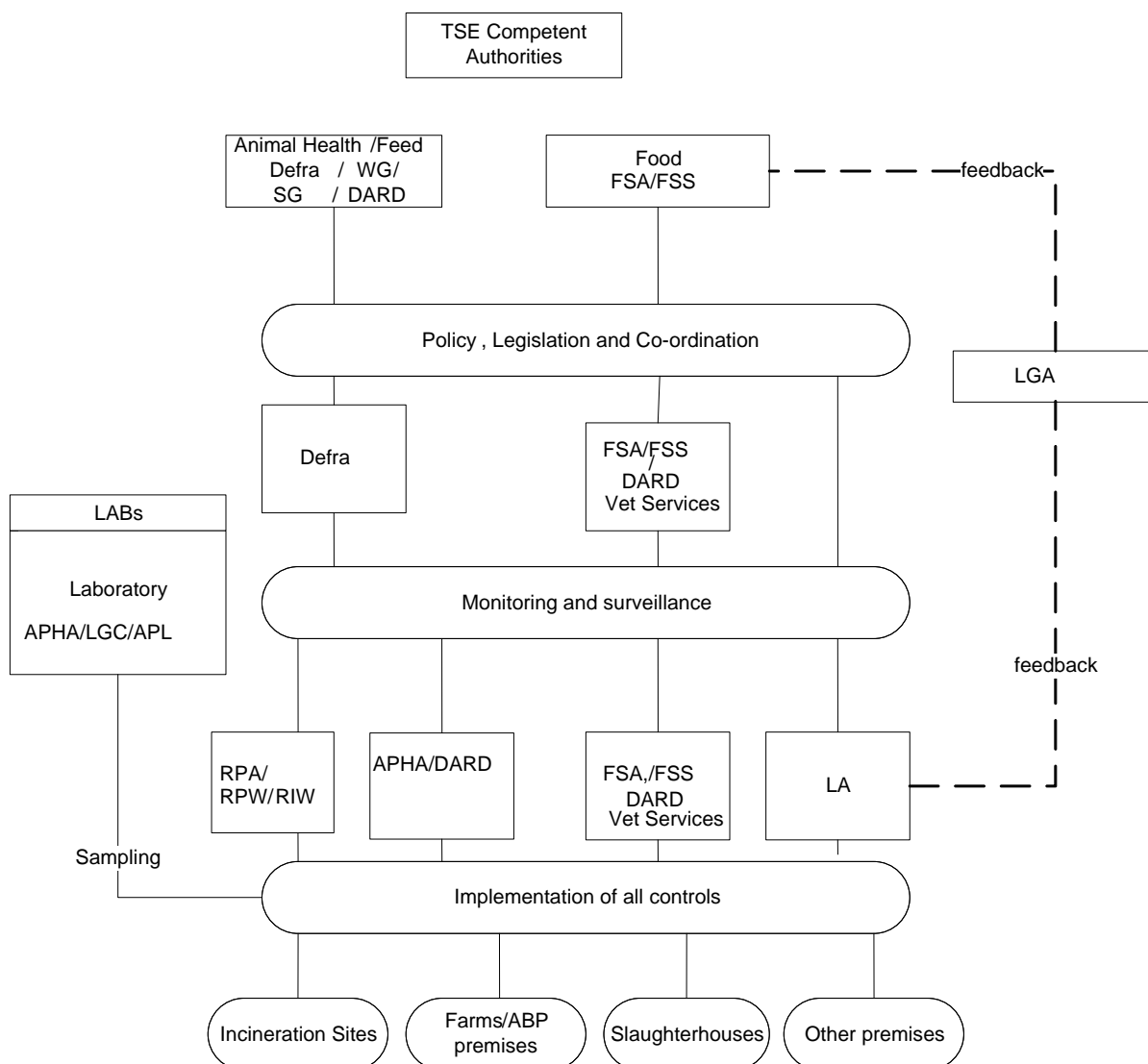
### Laboratories

Both LAs and the IIT use UKAS accredited laboratories to analyse samples taken as part of routine inspections. In NI, DARD uses the AFBI and the appointed Agricultural Analyst which are similarly accredited.

Samples for detection of Processed Animal Protein are analysed by Defra and DARD in APHA laboratories.

LGC is the National Reference Laboratory (NRL) for Feed Additives – Authorisation and Control.

## 2.5. Control system for TSEs and Animal-By-Products (ABPs)



<b>ABP</b>	Animal-by-Products
<b>APHA</b>	Animal and Plant Health Agency
<b>APL</b>	Approved Private Laboratories
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>LA</b>	Local Authorities
<b>LGA</b>	Local Government Association
<b>LGC</b>	Laboratory of the Government Chemist
<b>RIW</b>	Rural Inspectorate Wales
<b>RPA</b>	Rural Payments Agency
<b>RPW</b>	Rural Payment Wales
<b>SG</b>	Scottish Government
<b>TSE</b>	Transmissible Spongiform Encephalopathies
<b>WG</b>	Welsh Government

## Competent Authorities

Defra is responsible for policy and implementation of TSE issues related to animal health and feed in England. Similar responsibilities are allocated to SG, WG and DARD in NI. The FSA and the FSS are responsible for TSE public health issues in relation to food.

The FSA and FSS have overall responsibility for specified risk materials (SRM) controls at approved slaughterhouses and cutting plants. The FSA, FSS and DARD VS are responsible for implementation of TSE active surveillance at approved slaughterhouses and cutting plants.

APHA and DARD are responsible for TSE passive surveillance on farms and at markets and for action following positive cases from active surveillance through the fallen stock scheme and abattoir monitoring by the FSA, FSS and DARD VS, total feed ban controls on farms and in establishments and SRM controls in ABP plants and other processors (excluding fresh-meat premises).

APHA and DARD are responsible for the investigation of positive scrapie cases resulting from active and passive surveillance and the implementation of control action under the Compulsory Scrapie Flocks Scheme in flocks/herds to which a positive case of scrapie has been traced.

In GB, a system has been put in place to enhance communication between the LAs, APHA and BCMS on animal identification issues, which includes procedures for the exchange of information and scheduled meetings. DARD is responsible in NI.

## Epidemiology-surveillance

*Passive surveillance:* APHA/DARD Veterinary Officers investigate suspect cases of TSEs. In GB suspect cattle carcasses are sent to the APHA or SAC laboratories. Suspect sheep or goats are sent to the APHA and SAC laboratories for sampling. The carcass is disposed of by incineration. The brains are sent to the APHA for analysis. In NI, whole suspect carcasses are sent to the Agri-Food and Biosciences Institute laboratory for analysis.

Information on BSE and scrapie cases and test results can be found at the following links:  
<https://www.gov.uk/government/collections/tse-disease-surveillance-statistics>.

### *Active surveillance:*

Cattle: APHA in GB and DARD in NI control the sampling of fallen cattle for BSE testing. The following fallen bovines are sampled and tested for BSE:

- aged over 48 months if born in EU Member States (except Romania, Bulgaria and Croatia); or
- aged over 24 months if they were born in Romania, Bulgaria, Croatia and all non-EU countries.

FSA Operations in England and Wales and FSS in Scotland controls the sampling of abattoir slaughtered cattle for BSE testing. With falling numbers of BSE cases across the EU, the requirement to carry out TSE testing on healthy slaughtered cattle born within EU Member States, was relaxed on 1 March 2013 (with the exception of cattle born in Bulgaria, Romania and Croatia aged over 30 months). From 1 March 2013, only high risk cattle slaughtered for human consumption are still tested for BSE (i.e. emergency slaughtered/or cattle showing abnormalities at ante-mortem inspection).



Sheep and Goats: APHA in GB and DARD in NI control the sampling of fallen and slaughtered ovines and of fallen caprines over 18 months for TSEs in line with EU requirements.

FSA and FSS Operations controls the sampling of slaughtered sheep aged over 18 months for TSE testing in line with EU requirements.

Bovines born or reared in the UK before August 1996 may not enter the food chain.

### Specified Risk Material (SRM)

Enforcement of SRM controls in approved slaughterhouses and cutting plants is carried out by FSA and FSS Operations and, by DARD on behalf of the FSA in NI. FSA, FSS Operations and DARD staff are present in slaughterhouses when in operation and supervise operators' compliance. They are also present in cutting plants which have been additionally authorised for the removal of SRM i.e. where vertebral column that is SRM is removed, and in plants where the spinal cord of sheep and goats over 12 months of age is removed. Supervision of SRM removal in authorised cutting establishments is arranged at a frequency appropriate to the risk. In GB, FSA, FSS Operations inspection is subject to audit by the FSA and FSS audit teams; in NI, a similar regime is present for DARD VS on behalf of FSA.

FSA and FSS Operations and DARD staff are not present on a daily basis in cutting plants that do not remove SRM. These plants are subject to regular audit at a frequency appropriate for the individual plant with further unannounced inspections between scheduled audits. Establishments where non-compliances have been detected, or those that supply the feed chain and where more complex cutting and processing occurs, are generally considered as higher risk and are visited more frequently.

Manuals for Official Controls (MOC) contain instructions for FSA and FSS Operations and DARD staff on SRM controls; the MOC is available on the FSA website. They describe the inspection and audit tasks to be done by the different levels of FSA and FSS Operations and DARD staff. In addition, an update of guidance for the meat industry - the Meat Industry Guide (MIG) has been published and distributed to the industry. The MIG has been developed in partnership with industry representatives. The MOC and the MIG are accessible to all FSA, FSS and DARD staff.

Low capacity incineration and co-incineration ABP plants in GB which burn only animal carcasses or parts thereof are approved by APHA. High capacity incineration/co-incineration plants under environmental controls are the responsibility of the EA in England and Natural Resource Wales, SEPA in Scotland or the LA, depending on the size of the incinerator. All landfill sites are licensed by the EA in England and Wales, SEPA in Scotland. APHA monitors landfill sites that take international catering waste. Parallel arrangements are in place in NI where approval of plants is the responsibility of DARD and landfill sites are licensed by the Department of Environment.

### Total Feed ban

This consists of a ban on the use of animal proteins in ruminant feed (with exceptions) and processed animal protein (PAP) (with exceptions) in feed for farmed animals. The National Feed Audit (NFA), conducted by APHA, audits feed production and handling standards throughout the feed supply chain in GB and end users on-farm. In NI, these duties are the responsibility of DARD's VS and Agri-Food Inspection Branch.

A risk assessment model based on Commission Recommendation 2005/925/EC was originally used to design the risk-based NFA programme. This model is continually assessed and adapted to cope with changes in the risk environment, in order to establish the correct annual level of inspection and sampling for each different type of feed establishment involved in the manufacture, handling, storage or use of farm animal feed. The programme includes the taking of 5,600 feed samples in GB annually and submitting them to the NRL for testing to confirm the absence of banned animal proteins in feed using the EU approved Microscopy test.

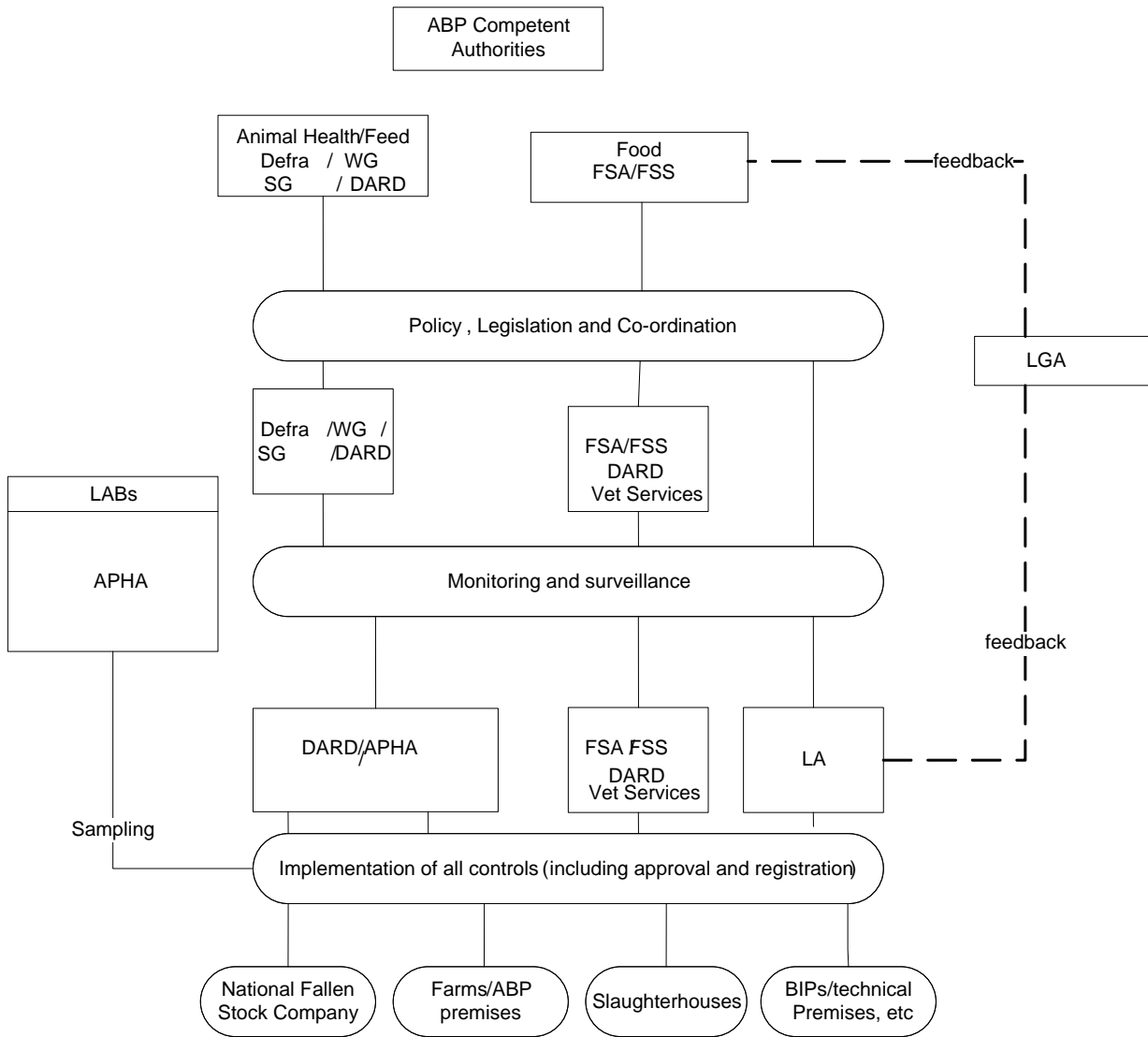
The NFA programme also covers the investigation of any potential breaches of the ban, and the determination of appropriate actions necessary to prevent any further contaminated feed being used, to ensure protection of the human food chain and to provide evidence for further enforcement action by LAs.

### Laboratories

Defra, WG and SG have approved private laboratories to carry out testing of cattle slaughtered for human consumption. The laboratories use the EU approved rapid test for all their BSE testing. From 17 September 2012, a private laboratory under contract to Government is responsible for testing all fallen stock in GB using the EU approved rapid test. In NI, the AFBI laboratory is responsible for all active and passive surveillance, including confirmation of positive results. It is supervised by the NRL.

All laboratories participating in active surveillance are accredited under ISO: 17025 standards. The NRL has an ongoing programme of supervisory activities that includes inspections in all participating laboratories, private and public, in GB and NI. Results of these inspections are communicated to Defra//WG/SG/DARD for further action, when necessary.

# ABP



<b>ABP</b>	Animal By-Products
<b>APHA</b>	Animal and Plant Health Agency
<b>BIP</b>	Border Inspection Posts
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>LA</b>	Local Authorities
<b>LGA</b>	Local Government Association
<b>SG</b>	Scottish Government
<b>WG</b>	Welsh Government

## Competent Authorities

Defra is the Competent Authority in England for ABP. Similar responsibilities are allocated to the devolved administrations control bodies: WG, SG and DARD.

Defra has overall policy responsibility for the application of the regulation of ABP. It provides advice to the APHA on matters of policy, while APHA approves ABP plants and maintains the central register of approved establishments.

The EA in England and NRW in Wales and SEPA in Scotland are responsible for the official controls of composting plants and biogas plants handling only green waste. Where catering waste and/or ABP are to be used in a composting or biogas plant, the premises must also be approved by Defra. The EA, NRW and SEPA have no direct enforcement role for the regulation of ABP, but they enforce legislation covering waste management and environmental controls. In NI, the Department of the Environment has the environmental inspection role.

The FSA and FSS are responsible for the official controls relating to ABP of food processing establishments and for control of foodstuffs and is the enforcement body in approved slaughterhouses and cutting plants on behalf of Defra, SG and the WG. In NI this role is carried out by the DARD Veterinary Service.

The LAs enforce the ABP Regulations in establishments under their control, using a risk-based approach. The Secretary of State and Devolved Administrations have the power to take over the responsibility for enforcement from the Local Authorities in certain cases. In GB, LAs are responsible for serving notices requiring the disposal of ABP or catering waste, or cleansing and disinfection of any vehicle, container or premises. In the larger BIPs the PHAs within LA areas are the enforcement body for veterinary checks for all products of animal origin. In the other BIPs, the APHA is responsible for veterinary checks of products not intended for human consumption and the LA for products intended for human consumption. The BIP manual provides instructions for controls on handling ABP consignments subject to channelling.

Liaison between the APHA and LAs is developed across GB and joint visits are actively encouraged. In NI, a protocol for the implementation and enforcement of the ABP Regulation involving all CAs was signed in December 2005.

#### Approval and registration of ABP plants and other premises

The approval and registration procedure in the UK consists of a written application and establishment inspection by the local AHPA/DARD Veterinary Service. Plant approvals are issued, as appropriate, by the Regional APHA office in England/Wales and the devolved administration in Scotland based on recommendations from the Scottish Veterinary Lead.

The registration procedure in GB is administered by APHA and the registration is issued by APHA in England and Wales, whereas in Scotland it is issued by the Scottish Government.

The list of approved and registered ABP plants and other premises in the UK are provided at the following links:

<https://www.gov.uk/government/publications/animal-by-product-operating-plants-approved-premises>

<http://www.dardni.gov.uk/index/animal-health-and-welfare/animal-by-products/approved-premises.htm>.

#### Official controls

Defra and the Devolved Administrations have drafted a control plan for GB covering the entire ABP chain establishing minimum re-approval frequencies and inspection visit frequencies established on a risk-based approach. Plants which generate, handle or dispose of specific risk materials are inspected at an interval of between 1 and 3 months. All other plants are inspected at an interval of between 3 months and 1 year. All processing plant lines must be revalidated at least every five years. The APHA can increase or reduce these frequencies for individual premises based on risk assessment. A similar approach is implemented in NI by DARD's Veterinary Service.

The framework agreement between LAs, Defra and the WG includes a risk-based approach for controls. A working partnership has been established between the FSA, FSS and LAs on inspection activities in food premises related mainly to hygiene.

LAs work jointly with the APHA in: pet food plants; collection centres; processing plants; composting and biogas plants; ABP incinerators; handling and storage plants; plants storing derived products and landfill sites; and with the FSA and FSS in cutting plants and slaughterhouses. LAs are also responsible for the control of the disposal of carcasses of farm animals. In NI these duties are the responsibility of the VS of DARD.

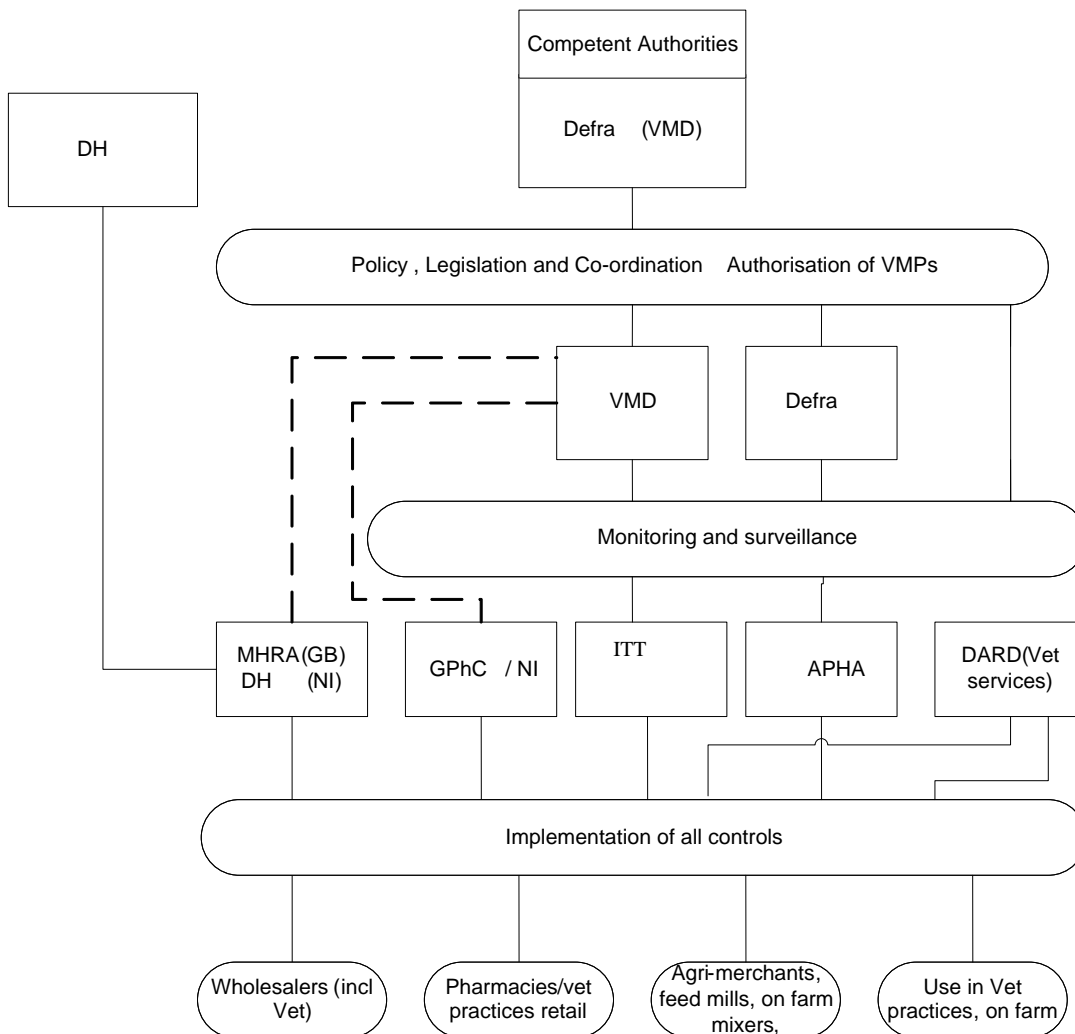
There is an MoU and a Working Together Agreement to promote coordination and information sharing between APHA and the EA in England and NRW in Wales.

The AMES database for recording input data on activities, results and actions concerning ABP controls is accessible to all CA and delivery bodies. APHA has a database (SRABPI) for recording and monitoring ABP controls in GB. The APHIS database in NI has been modified to perform similar functions.

The National Fallen Stock Scheme is run by the National Fallen Stock Company (NFSCo) which is a Community Interest Company (CIC) on which Government has representation. The voluntary scheme, which was subsidised by the Government for the first four years, has approximately 40,000 members who each pay an annual subscription to participate.

## 2.6 Control system for veterinary medicinal products (VMPs) and residues

### VMP



<b>APHA</b>	Animal and Plant Health Agency
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>DH</b>	Department of Health
<b>GPhC</b>	General Pharmaceutical Council
<b>NI</b>	Northern Ireland
<b>ITT</b>	Inspections and Investigations Team
<b>MHRA</b>	Medicines and Healthcare Regulatory Authority
<b>VMD</b>	Veterinary Medicines Directorate

### Competent Authorities

The Veterinary Medicines Directorate (VMD) of Defra is responsible for the authorisation, distribution and use of VMPs.

## Authorisation of VMPs

VMP are authorised for five years initially and then permanently unless pharmacovigilance reports require a further renewal. The application and supporting data is evaluated by VMD assessors according to either the National or European procedure. Assessors may take advice from other specialists within Government or from the independent Veterinary Products Committee (VPC). Information about changes to current authorisations is available on-line ([www.gov.UK](http://www.gov.UK)). The FSA and FSS provide advisors, assessors and nominates members to the Committee.

## Official controls on marketing/use

VMPs are distributed from the manufacturers to authorised wholesalers, some of whom may be veterinary surgeons. The wholesalers distribute the VMPs to veterinary practitioners, registered pharmacists, approved retail premises operated by suitably qualified persons (SQPs) and other retail shops, depending on the authorisation status of the VMP. Through Memoranda of Understanding, the responsibilities for controls at specified levels in the distribution chain have been delegated from the VMD to other official bodies.

The authorisation and audit of veterinary-only wholesalers, including veterinary practices functioning as wholesalers, was transferred to the VMD from the Medicines and Healthcare Products Regulatory Agency (MHRA) on 1 April 2009. The MHRA continues to authorise and inspect those wholesale dealers that supply both human and veterinary medicinal products. The VMD carries out the inspections of veterinary-only wholesale dealers throughout the UK.

The VMD inspects all registered veterinary practice premises from where veterinary surgeons retail supply VMPs in the UK, other than those additionally registered with the Royal College of Veterinary Surgeons (RCVS) as 'RCVS Practice Standards Scheme' premises. RCVS Practice Standard Scheme premises are inspected by RCVS inspectors under an agreement with the VMD but enforcement responsibility remains with the VMD.

The VMD inspects and approves premises for the retail supply of VMPs by SQPs in GB and in NI on behalf of the DHSSPS. SQPs are animal health care professionals who have undertaken appropriate training and examination in veterinary medicines and are registered with a body recognised by the VMD. SQPs are permitted to supply VMPs classified as POM-VPS and NFA-VPS.

Inspection of retail pharmacies from which VMPs are supplied is carried out by inspectors of the General Pharmaceutical Council (GPhC) in GB and DHSSPS in NI.

The VMD inspects and approves manufacturers and distributors of specified feed additives, premixtures and feedingstuffs containing specified feed additives; manufacturers and distributors of medicated animal feedingstuffs and retailers of certain restricted veterinary medicines. The inspectors carry out routine audits of manufacturers of feedingstuffs, including on farm mixers (which includes fish farmers) and distributors, (which include taking samples of feed for quantitative analysis) and inspections on a risk basis. A maximum inspection interval of 4 years applies for lowest risk, fully compliant feed business operators. Follow up visits take place where serious non-compliance necessitates additional control activities. As a result of our 'earned recognition' some actual inspection intervals may now be more than 4 years.

In June 2014 a MOU was created between FSA, VMD and Agricultural Industries Confederation (AIC) which allowed 'earned recognition' for feed manufacturing businesses which were risk assessed as 'good' at their last VMD inspection. For these compliant manufacturers, the standard inspection interval has been extended by 50%.

In NI, AFIB inspectors are responsible for risk based inspections of both feedmills and on-farm mixers authorised for the production of medicated feedingstuffs.

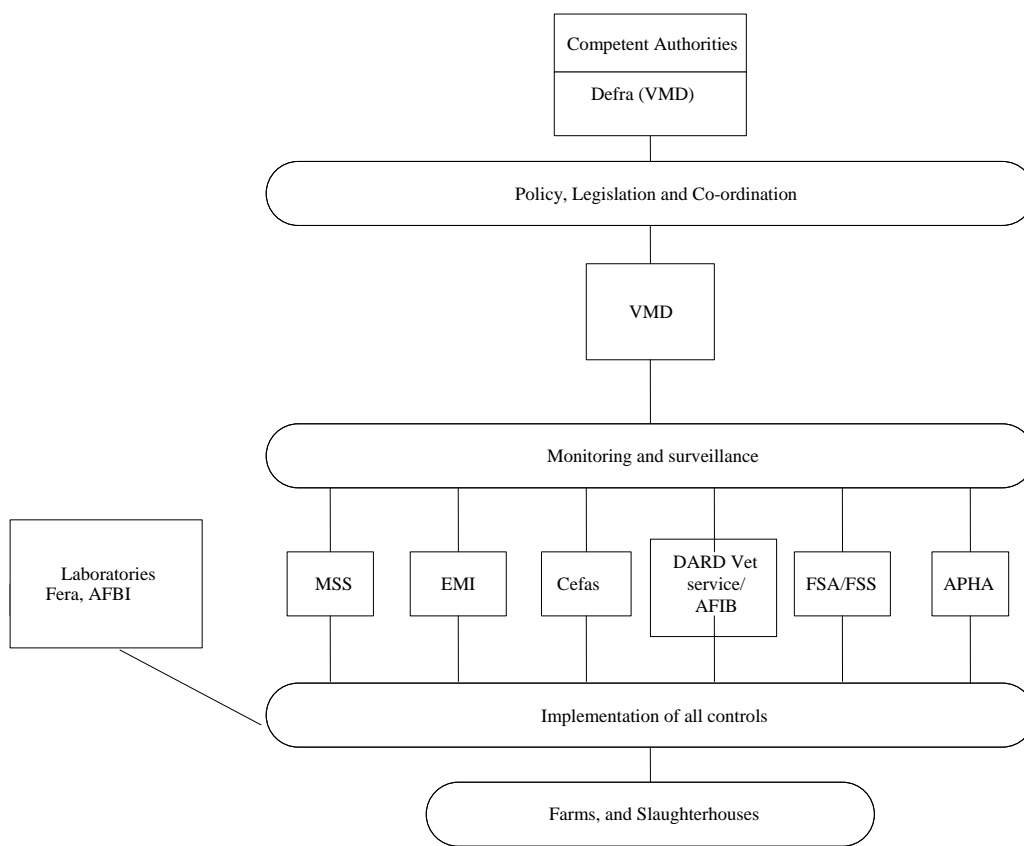
From September 2012 inspection of fish farms mixing medicated feed for use on their own fish has been delegated to the Centre for Environment Fisheries and Aquaculture Science (Cefas). The VMD has a Service Level Agreement (SLA) with Cefas which includes a detailed Specification of Requirements.

APHA is currently responsible for inspections of the use of VMPs on farms in GB. By way of exception, apiaries are controlled by the National Bee Unit in England and Wales and agricultural staff Bee Officers in Scotland and NI; and fish farms, shellfish farms and crustacean farms are controlled by Cefas in England and Wales and the MSS in Scotland. However in a previous outbreak of foulbrood in bees in Scotland in 2009, Scottish Government authorised the Scottish Agricultural College (SAC) to organise this and would probably use that route again if need be.

An annual inspection plan for APHA targets 0.7% of the 224,700 premises holding cattle, sheep/goat, pigs or poultry. DARD is responsible for controls of VMPs on farm in NI.



## Residues of Veterinary Medicinal Products



<b>AFIB</b>	Agri-Food Inspection Branch
<b>AFBI</b>	Agrifood and Biosciences Institutes
<b>APHA</b>	Animal and Plant Health Agency
<b>Cefas</b>	Centre for Environment, Fisheries and Aquaculture Science
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Affairs
<b>EMI</b>	Egg Marketing Inspectorate
<b>Fera</b>	Fera Science Limited
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>MSS</b>	Marine Science Scotland
<b>VMD</b>	Veterinary Medicines Directorate

### Competent Authorities

The VMD is responsible for the implementation of the National Residue Control Plan (NRCP). The NRCP planning group comprises representatives from the VMD, Defra, APHA, FSA, FSS, Fera, MSS and Cefas.

The FSA and FSS is the competent authority for the implementation of EU Decisions concerning residues of veterinary medicines in imported products of animal origin.

The responsibility for sampling and follow-up of non-compliant results is delegated to the following official bodies in GB by specified memoranda of understanding:

- APHA undertakes on-farm sampling for red meat, poultry and milk;
- FSA and FSS carries out sampling for red meat, game and poultry in slaughterhouses;
- Cefas collect fish samples in England and Wales; MSS in Scotland;
- The EMI of AHPHA has responsibility for collecting egg samples for England and Wales while SGRPID EPU egg marketing officers carry out these tasks in Scotland;
- NBU carries out sampling for honey in England and Wales; bee inspections from the Scottish Government in Scotland.

In NI, the DARD-VS carries out on-farm sampling, while inspectors attached to the Meat Hygiene Section of the VS take samples in the slaughterhouses. Inspectors from DARD AFIB collect egg, milk and fish samples.

#### Official controls on residues

In September each year, the members of the NRCP planning group meet under the chairmanship of the VMD to plan the programme for the following year. The sample requests are generated in November and sent out in time for sampling to commence in January.

In GB, sample requests are sent from the VMD to APHA and the FSA, FSS one month before each sampling quarter. These requests specify the slaughterhouses from which the samples must be collected. For on-farm sampling the requests are despatched to the AHDOs which select the farms. In NI the approved VMD plans are entered into DARD's computer system (APHIS) which selects the slaughterhouses and farms from which the samples must be taken. The sample requests are distributed via APHIS to the slaughterhouses and DVOs and copies are sent to each DVO.

The VMD sends monthly reports to central points at each of the collection agencies indicating sampling performance and shortfalls. In addition, the VMD arranges monthly meetings with the designated contract laboratory (Fera) and quarterly meetings with APHA, FSA, FSS and Fera.

The VMD and DARD respectively, are responsible for initiating and co-ordinating follow-up actions of non-compliant results in GB and NI.

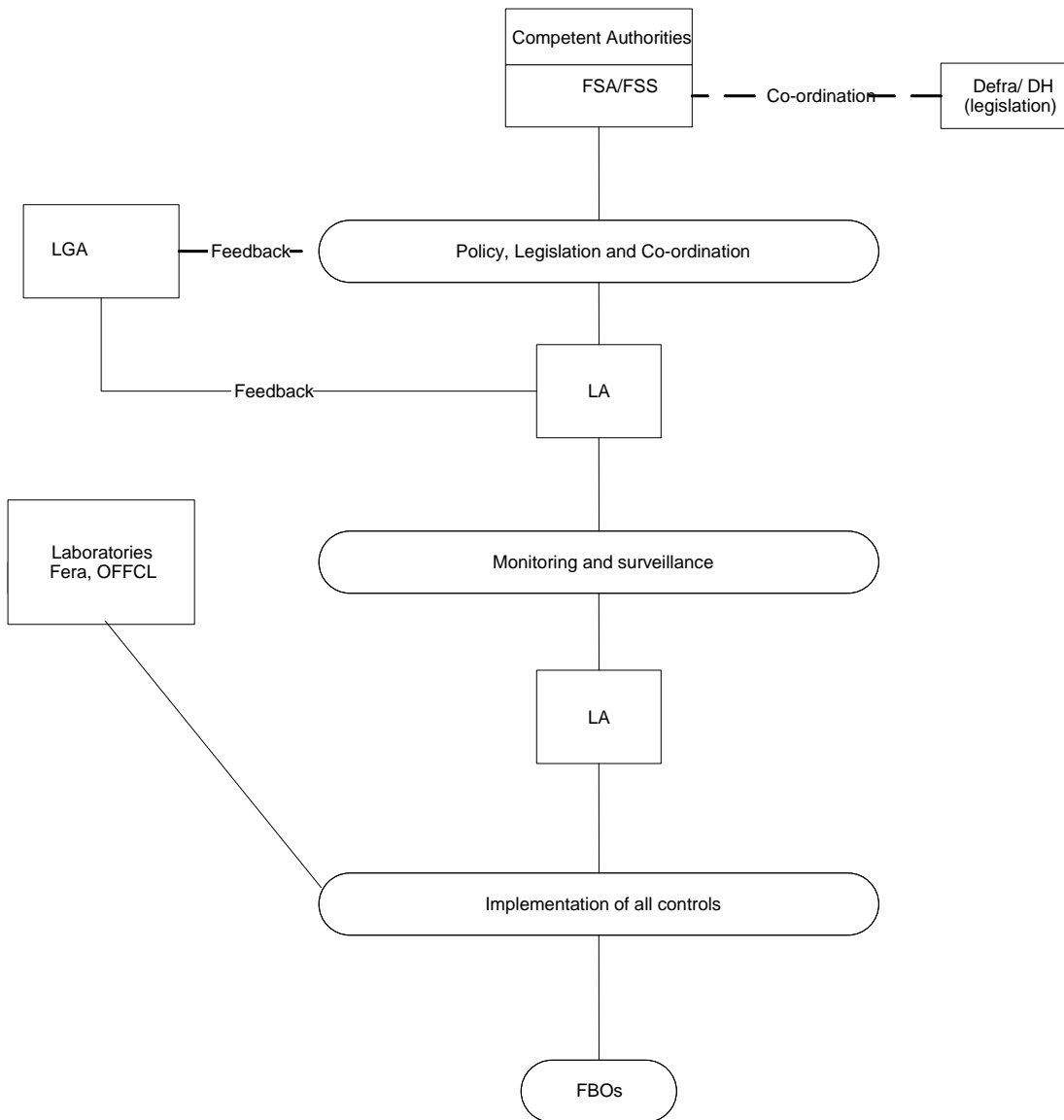
The FSA and FSS review the VMD's risk assessments for non-compliant samples of food and assesses the intake risk of residues. In the case of a consumer health concern an EU Rapid Alert is issued by the FSA/FSS and any food safety issues are followed up by the FSA and/or FSS in liaison with LAs.

#### Laboratories

The scope of residue control laboratories is as follows:

Laboratory	Comments
Fera Science Limited	Routine laboratory for all GB samples
AFBI Veterinary Sciences Division	Routine Laboratory for all NI veterinary medicine samples
AFBI Agriculture, Food and Environmental Science Division	Routine laboratory for all NI samples for environmental contaminant analyses.

## 2.7 Control system for foodstuffs and food hygiene



<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>FBO</b>	Food Business Operators
<b>Fera</b>	Fera Science Limited
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>LA</b>	Local/Municipal/Metropolitan Authorities
<b>LGA</b>	Local Government Association
<b>OFFCL</b>	Official Food and Feed Control Laboratories

## Competent Authorities

The FSA and FSS are responsible for developing and implementing the main body of food law in the UK. This includes rules on: food hygiene; additives; contaminants; labelling and composition (in England, only in relation to food safety); food safety aspects of TSE controls; food contact materials: food produced and sold within the EU; and public health requirements for imported food.

Defra (and its agencies) and the Agriculture/Rural Affairs Departments in the devolved administrations have responsibility for food legislation, except nutrition, that falls outside the FSA or FSS's remit. This includes: labelling and composition standards in England (only in relation to non-food safety issues); beef labelling; standards for organic products; protected food names; ABP (in relation to feed); certain rules relating to TSEs; imports from third countries of products of animal origin as regards the animal health requirements; and residues of pesticides and veterinary drugs.

Department of Health (in England) are responsible for developing nutrition related food policy and law, as is the health department in Wales.

As regards official food controls, for the most part, this function is delegated, as appropriate, LA and PHAs in the UK. However, the FSA and FSS are directly responsible for the approval and inspection of food irradiation facilities in the UK, and also for the approval of fresh meat premises in the UK subject to veterinary inspection and for on farm dairy hygiene inspections. The FSA and FSS are also responsible for monitoring, designation and classification of shellfish harvesting areas in the UK (for more details, see Part 2.2).

In England and Wales, scientific and technical support in carrying out the approval is provided to the LA by Cefas, on behalf of the FSA. Following receipt of an application from an FBO to operate a purification centre for LBMs, technical specialists from Cefas will carry out an initial inspection of all new premises alongside the LA. They provide the LA with a technical report which sets out appropriate operating conditions for the purification tanks to ensure that they can effectively purify.

Other areas that fall outside the LA remit are described in Parts 2.2, 2.6 and 2.9.

## Registration of Food Business Establishments

Food businesses engaged in the sale or supply of food are required to register their establishments with the local food authority. Exemptions to this requirement include establishments which require approval under the EU Hygiene Regulations.

## Official controls of food premises

Direction on the approach to official controls is set out in statutory Food Law Codes of Practice and Practice Guidance for LAs – separate but parallel Codes exist in each of the four UK regions.

The Codes of Practice lays down minimum inspection frequencies for premises according to their risk rating. The Code includes inspection-rating schemes for both food hygiene inspections and for food standards inspections. The Codes are available on the FSA website at: <http://www.food.gov.uk/enforcement/enforcework/food-law-code-of-practice-2015>.

EHOs, and/or Food Safety Officers, specialised in food law enforcement, conduct LA food hygiene interventions. Trading Standards Officers (TSO) enforce food standards and labelling legislation. In cases of non-compliance and depending on the seriousness of the

case, the action to be taken by LAs may include written warnings and advice, the use of formal enforcement powers, e.g. Hygiene Improvement Notices, and simple caution or prosecution. These may vary dependent on the powers available in Country. Direction and guidance for LAs on the approach to enforcement is included in the relevant Food Law Code of Practices.

According to the Local Authority Enforcement Monitoring Systems (LAEMS) at the end of March 2012, the number of registered food premises in the UK was 622,015 including 5,616 holdings at primary production level.

The FSA has developed a database to hold details and results of samples taken by food Enforcement Officers. The UK Food Surveillance System (UKFSS) enables the electronic transfer of sampling data (both chemical and microbiological) between enforcement authorities, public analyst laboratories and its storage in a central database. The system is designed to enable the FSA and FSS to identify the types and amount of sampling that enforcement authorities are undertaking.

Official enforcement data for the UK is available on the FSA website at:

<http://www.food.gov.uk/enforcement/auditandmonitoring/laems/mondatabyyear>

At the end of March 2014 54% of LAs carrying out Food Standards work (which may include pesticide sampling) in UK are using UKFSS; All LA's in NI and 97 % in Scotland. Wales is at 86%, England is 43%. Grant funding is being offered by FSA to encourage LAs to come on board. 84% of UK LA's carrying out food controls involving chemical analysis of foods were using UKFSS. Those LAs using UKFSS can use the system for reporting samples but these are enforcement samples taken by officers under general food law controls (and 669/2009 for the ports) rather than those samples taken by CRD under the pesticides monitoring programme. Minimal sampling for pesticides is carried out by inland LAs.

Following the Smarter Rules for Safer Food package of proposals a UK executive steering group was established in May 2013. In order to ensure UK objectives are presented across the package consistently, the Steering Group is made up of Defra, the Devolved administrations and the FSA.

The Food Hygiene Rating Scheme (FHRS) for England, Wales and Northern Ireland and the Food Hygiene Information Scheme (FHIS) for Scotland are FSA/LA partnership initiatives designed to improve public health through behaviour change. The schemes allow consumers to make informed choices about the places where they eat out or shop for food by providing them with information about the standards of hygiene found at the time of intervention by LA food safety officers.

The schemes recognise those businesses that meet legal requirements and incentivise others to improve standards. The overarching aim is to reduce the incidence of food-borne illness and the associated costs to the economy. In Wales and NI, the FHRS is operating nationally as is the FHIS in Scotland. In England, all but one local authority has been operating the FHRS since September 2014. The FHRS was put on a statutory footing in Wales in November 2013 to provide for mandatory display of ratings at food premises. Northern Ireland is set to follow suit by 2016 and the FSA Board agreed in March 2015 to develop the case for mandatory display in England. Information is available at [food.gov.uk/ratings](http://food.gov.uk/ratings) on over 485,000 establishments across the UK, an estimated 85% of the businesses that fall within scope of the schemes. All local authorities in Scotland operate the FHIS on a voluntary basis. FHIS information was available on around 45,000 food business, an estimated 89% of those within scope.

## Good Hygiene Practice Guides

Seven Guides to Good Hygiene Practice (GHP) are currently orderable from the Stationery Office. The guides cover: retail; wholesale distributors; flour milling; vending and dispensing; bottled water; mail order food and sandwich manufacturing.

## Rapid Alert System for Food and Feed (RASFF)

The Consumer Protection division within the FSA is the designated UK contact point for the RASFF system. An Incidents Management Plan and Routine Incident Plan outlines the procedures that should be followed by FSA staff during food incidents and emergencies. It describes classifications of incidents from Routine through to Severe or Major. The plan outlines notification procedures, command and control, escalation and communication procedures during incidents and the arrangements for working with other government departments. The Routine Incident Plan provides guidance for FSA and FSS staff on an Operational level incident response and details risk management options for routine incidents. Where appropriate a Food Alert may be issued and sent to all stakeholders. Food Alerts are used to inform LAs of problems associated with food and provide details of specific action. For further details see: <http://www.food.gov.uk/enforcement/alerts/>.

The FSA incident response is continuous across England, Wales and NI. The Memorandum of Understanding in place between the FSA and FSS provides for the management of incidents under the FSA's Incident management plan. Where the impact of an incident does not extend beyond Scotland it will be managed under the FSS incident management plan.

The FSA has developed an Early Warning System to identify emerging risks from food of non-animal origin which monitors alerts from all EU Member States under the Rapid Alert System for Food and Feed so as to enable it to predict what food and feed might become 'high risk' and become included in Annex I of Regulation (EC) 669/2009. It also uses the intelligence to identify any emerging risks and to advise enforcement agencies and food businesses of such results and how they can consider them in relation to their sampling programmes and the Grant Funded Sampling Scheme financed by the FSA. Food Businesses who wish to be included in the monthly notifications that the FSA sends about potential risk products are also notified on at least a monthly basis.

## Food fraud

The FSA maintains a central UK food fraud database and provides fraud intelligence, expertise, resources and training to support local food fraud investigation and enforcement.

The FSA has recently established a Food Crime Unit (FCU). During its first phase the Unit will focus on building the intelligence and evidence picture of the risks and the nature of food fraud and food crime in the UK. Where cases of food crime are exposed the FCU will work with the relevant police forces and enforcement agencies (including local and PHA). FSS is in the process of reviewing structures and resources in relation to food crime. FSS will work with the FCU to tackle food crime.

## Laboratories

Official food laboratories are designated by the FSA and FSS for the purposes of chemical analysis or microbiological examination of samples taken by the enforcement authorities. In the UK, these include Public Agricultural Analyst Laboratories, Public Health England, Public Health Wales and Public Health Agency (PHA) in NI all of which undertake work for LAs. Laboratories that undertake work for the CCA and their agencies or Directorates, such as the CRD and the VMD, are also designated official laboratories.

The agreed accreditation requirements are set out in an Agreement between the FSA and UKAS. This is currently being revised but once the revised Agreement is finalised, it will be published on the FSA website.

## Genetically Modified Organism (GMO)

### Competent authorities

The FSA's Food Safety Policy division is responsible for drafting GMO food legislation and policy development. Ensuring enforcement is the responsibility of the Agency's Operations Group. In the devolved administrations, the FSA's equivalent offices in Wales, NI and FSS in Scotland are responsible.

The FSA's Animal Feed and Animal By-Products Branch (AFAB) are responsible for drafting GMO feed legislation and policy development.

The LAs in GB are responsible for the enforcement of food and feed legislation at local level and for food only in NI. Official Controls undertaken for GMO in food and feed form part of the general control activities undertaken as part of the feed and food hygiene and food standards inspections.

At local level mostly TSOs are responsible for the enforcement of controls of GMO in feed in England, Scotland and Wales. In NI, DARD AFIB is the responsible authority.

The Advisory Committee on Novel Foods and Processes (ACNFP) the Advisory Committee on Animal Feedingstuffs (ACAF) and the Advisory Committee on Releases to the Environment (ACRE) provide advice to the FSA, FSS and other Government bodies on GM food, feed and risks to the environment respectively.

Seed policy, legislation, inspection and labelling are the responsibility of the certifying authorities namely: Defra (England); SG (Scotland); DARD (NI); and WG (Wales).

Communication with local authorities takes place through regular meetings between the FSA, FSS and Regional Food Liaison Groups as described in Chapter 1 above.

No centrally organised plans and no specific official controls are in place for GMO in food. Planning of GM controls is done at LA level, without consultation with central CAs, and according to local needs. Details of samples taken by enforcement authorities are recorded on the UKFSS database, to which both the FSA and FSS have access. Data from UKFSS is used, together with other intelligence, to inform sampling priorities for enforcement authorities.

### Official controls of GM food, including at import

GM food inspections are carried out as part of the food hygiene and food standards inspections. Controls of GM food focus primarily on maize and soya and their products. Inspections consist of documentary checks on delivery and HACCP documentation and sampling of consignments. Follow up samples for quantitative GM analyses are sent to accredited laboratories in other Member States.

PHAs and LAs are responsible for GM controls on imported food. For feed the same authorities are responsible in England, Scotland and Wales, while DARD is responsible in NI.

Apart from their normal import controls, Customs have no specific function with regard to the import of food or feed containing, or potentially containing GM material. There is no requirement to communicate GM food or feed imports to PHA. The PHA inspectors at the port may undertake controls to check for compliance.

#### Official controls of GMO in propagating material

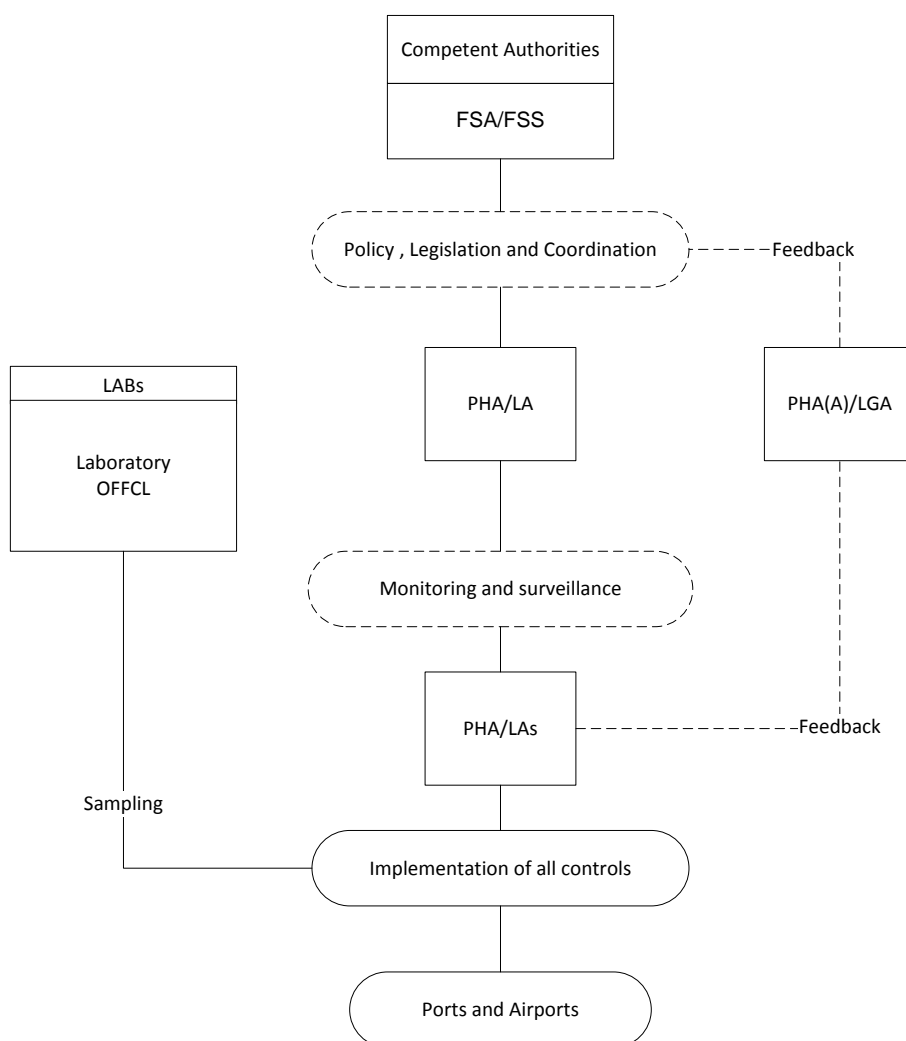
There is no cultivation of GM seed in the UK and no legal obligation to test for the adventitious presence of GMO in imported seeds. However, a voluntary audit system is in place under which seed importers implement quality systems to minimise the risk of adventitious presence of GMO in seed. Audit information is shared with the devolved certifying authorities. There are no GM varieties in the UK National List and no applications pending for listing of GM varieties.

#### Laboratories

Four Public Analyst laboratories (one official control laboratory through its German laboratory) are accredited for GMO analysis in the UK. LGC Ltd. was appointed as NRL for monitoring of GMOs in food and feed in March 2009.



## 2.8 Control system for imports of food of non-animal origin



<b>PHA(A)</b>	Port Health Authorities (Association)
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>LA</b>	Local Authorities
<b>LGA</b>	Local Government Association
<b>OFFCL</b>	Official Food and Feed Control Laboratories
<b>PHA</b>	Port Health Authority

### Competent Authorities

The CCAs responsible for the public health aspects of imported food of plant origin is the FSA and FSS. Within the FSA the Regulatory and Legal Strategy Directorate and Local Delivery Division (LDD) are the teams with primary responsibility for this policy area. It is part of the FSA Operations.

The FSA's Consumer Protection Division is the contact point for national reports of food incidents and receipt of RASFF notifications (see Part 2.7).

FSA Local Delivery Division is responsible for liaison with the LAs and PHAs and for implementing a strategy to improve the consistency and effectiveness of the enforcement of controls. This includes ensuring the authorities have the necessary guidance and training.

HMRC is the customs authority responsible for the collection and enforcement of customs duties and taxes. HMRC's National Clearance Hub (NCH) is the single national site responsible for processing all import and export declarations. The NCH is also responsible for releasing consignments where PHAs have carried out official controls and all the requirements of PHAs have been met.

Defra and the Devolved Administrations agricultural departments and directorates are responsible for import controls relating to plant health, organic food, and pesticide residues. These controls are described in Parts 2.1 and 2.9. Liaison between the different agencies and bodies is described in Part 2.3.

### Import Controls

The FSA's website contains information on imported food controls: [www.food.gov.UK/imports](http://www.food.gov.UK/imports). PHAs and LAs are responsible for the official controls and enforcement on imported food of non-animal origin at import points. At points where a PHA has not been constituted, the LA carries out the role of a PHA.

In advance of the arrival of a consignment, PHAs may receive flight manifests or, in the very least, flight manifest information (such as airway bills and invoices) via the port computer system. Port Health Officers decide which commodities require sampling having regard to legislative requirements and risk assessment.

The frequency of certain commodity controls specified in EU legislation is communicated from the FSA and FSS to the ports by means of individual correspondence and information is published on the FSA and FSS websites.

As part of the FSA Imported Food Training Programme, two training courses are dedicated to updating Port Health Officers and inland Local Authority officers on the latest legislative requirements and patterns/trends of imported food activity. This is with the view to develop new data sharing networks and strengthen delivery of official controls at ports and inland.

A list of the products under specific Commission Regulations and Decisions is available on the FSA website and is updated to reflect any new arrangements in place. The list is available at: [http://www.food.gov.uk/multimedia/pdfs/foodstuff\\_controls.pdf](http://www.food.gov.uk/multimedia/pdfs/foodstuff_controls.pdf).

Imported food issues at inland LAs are also examined during general audit programme activities and focused audit programmes covering imported food and feed issues. The FSA publishes a list of approved External Storage Facilities (ETSFs) on its website at: [https://www.food.gov.uk/enforcement/enforcework/enforce\\_authorities/ertslist](https://www.food.gov.uk/enforcement/enforcework/enforce_authorities/ertslist).

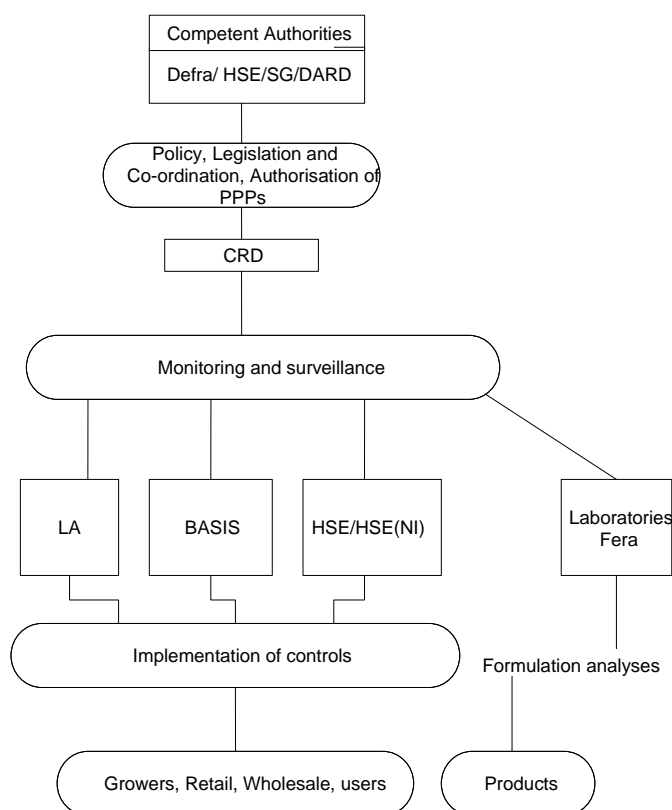
The above list is to support other Member States and inland LAs with the implementation of the onwards transportation system.

### Laboratories

Lists of official laboratories are published at: <http://www.food.gov.uk/enforcement/monitoring/foodlabs/foodcontrollabs> and <http://www.food.gov.uk/enforcement/monitoring/foodlabs/nrl>.

## 2.9 Control system for plant protection products (PPPs) and residues

### Plant Protection Products (PPP)



<b>BASIS</b>	An independent organisation which establishes and assesses standards in the PPP industry relating to storage, transport and competence of staff
<b>CRD</b>	Chemicals Regulations Directorate
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>Fera</b>	Fera Science Limited
<b>HSE</b>	Health and Safety Executive
<b>LA</b>	Local/Municipal/Metropolitan Authorities
<b>NI</b>	Northern Ireland
<b>PPP</b>	Plant Protection Products
<b>SG</b>	Scottish Government

#### Competent authorities

The competent authorities for the authorisation of plant protection products (PPPs) under 1107/2009 and authorising aerial spraying for the purposes of Article 9 of Directive 2009/128/EC “Establishing a framework for Community Action to achieve the Sustainable Use of Pesticides are Defra’s Secretary of State (for England and Wales), the Scottish Ministers and the Department of Agriculture and Rural Development in Northern Ireland. The Chemicals Regulation Directorate (CRD), a Directorate of the Health and Safety Executive (HSE) is the delivery body for this work under agency agreements with the Competent Authorities. It is also responsible for compiling reports on the results of inspection measures related to the marketing and use of PPP.

The Advisory Committee on Pesticides is an independent committee that advises Ministers on all matters concerning pesticides including pesticide approvals, revocations and suspensions. The FSA provides an advisor and an assessor, (as do other Government

Departments and the Devolved Administrations), and, also nominates a member to the committee.

Controls on the marketing and use of PPP are carried out by a number of authorities and organisations. County Councils and Unitary Authorities (first tier authorities) have responsibility for controls over the advertisement, sale and supply of PPP. EHO of the LAs at Borough and District Councils level (second tier authorities) are responsible for controls on the storage and use of PPP at retail premises for which they are also the enforcing authority for the purposes of health and safety legislation. They are also responsible for the monitoring and enforcement of controls governing the storage and use of pesticides by members of the public. HSE and Welsh Ministers agree a specification order for these responsibilities.

By way of agency agreements The Health and Safety Executive (HSE) is responsible in England, and Wales for the enforcement of controls governing the storage and safe use of PPP in the workplace and during work activities at premises for which it is also the enforcing authority for health and safety legislation.

The Department of Agriculture and Rural Development in Northern Ireland (the Department) and the Scottish government are responsible for the enforcement of the Plant Protection Products Regulation 2011 +and the Plant Protection Products (Sustainable Use) Regulations 2012.

BASIS (Registration) Ltd is the organisation responsible for certifying the level of competence of persons involved in the sale of professional PPP. The NPTC is the organisation tasked with certifying the level of competence of persons using professional PPP.

The CRD, assisted by Fera, is responsible for a formulations analysis programme to check that retailed PPP formulations comply with authorisations.

The CRD, in consultation with the Fera, drafts an annual plan for sampling of PPP as a quality and safety check. The plan identifies specific active substances, specific contaminants or product types. The CRD identifies approved products meeting the programme criteria and then works with Fera to obtain samples. Product samples are analysed according to the work plan, typically analysis is for content and impurities of active substance, content and impurities of key co-formulants and a limited range of physical/chemical properties. The plan also provides for the analyses of PPP which are the subject of investigation such as illegal imports and parallel imports. Packaging and labelling of these PPP are checked when purchased for the analysis programme.

The Pesticide Incident Appraisal Panel consists of medical, health and safety and toxicology staff from various bodies and Government Departments. It assesses HSE and LA investigations into cases of pesticide related ill-health and provides recommendations to better inform the authorisation process.

#### Authorisation of PPP

PPP evaluations are undertaken by CRD with consultative input as necessary from Government agencies, departments and on behalf of the Devolved Administrations. The bodies involved are: the FSA, FSS, Department of Health, Department for Work and Pensions, Scottish Government, Welsh Government and Department of Agriculture and Rural Development in Northern Ireland.

The CRD advises Ministers on all aspects of pesticides approvals policy and provides the secretariats for the Advisory Committee on Pesticides (ACP) and its sub-groups. The FSA provides an advisor, an assessor and nominates a member to the ACP. Authorisations for marketing and use and aerial spraying permits in UK are granted by HSE for and on behalf of Defra's Secretary of State, the Welsh Ministers, the Scottish Ministers and the Department of Agriculture and Rural Development in Northern Ireland.

Permits for parallel trade plant protection products are granted by HSE in accordance with Art. 52 of Regulation (EC) No 1107/2009 and Guidance Document SANCO/10524/2012.

Authorisations for extension of use are granted by HSE under a simplified procedure in accordance with Art. 51 of Regulation (EC) No 1107/2009. Applications must be supported by data for residues or evidence that this use is authorised in another Member State.

#### Official controls on marketing/use

Visits by EHOs or TSOs of a LA to retailers of PPP are unannounced and may cover several safety issues. The requirements for suppliers and distributors are set out in the Plant Protection Product Regulations 2011 (Regulation 9) and the Plant Protection Products (Sustainable Use) Regulations 2012. These permits only authorised PPP to be placed the market and requires those who sell and purchase PPP to have the appropriate training and certification (Regulation 8). Certain obligations are required for those who handle and store PPP (regulation 17) with the aim of protecting staff, and the environment and water, and the training of staff involved in the sale, supply and storage of PPP.

Commercial stores and staff are assessed annually by a competent and independent organisation. Most are assessed by BASIS, which reports to the distributors of PPP. The LA is informed of any problems found in a store for two consecutive years. BASIS also checks the labels of products held within the store during their inspections. Work on both label checking and inspection of stores is done under an agreement with CRD.

The requirements for users of PPP are set out in The Plant Protection Products (Sustainable Use) Regulations 2012. These requirements are aimed at protecting workers, members of the public, and the environment and water.

Under Cross Compliance legislation, 1% of Single Payment Claimants are inspected for compliance with 19 EU Regulations and Directives. In GB the Rural Payments Agency (RPA) is the Competent Control Authority for Pesticides Cross Compliance. In Scotland, Scottish Government has this responsibility. The Specific Management Requirements for Pesticides (SMR 9) inspection were developed by CRD and CRD advises the RPA on risk factors, including enforcement action and reported misuse that RPA takes into consideration in selecting claimants for inspection.

All sellers and users must comply with conditions set out in the approval and by the law, and take all reasonable precautions in their sale and use of PPP. No person who uses pesticides authorised for professional use can do so unless they hold a specified certificate as described in the PPP (Sustainable Use) Regulations or work under supervision of another with such a certificate.

CRD are responsible for designating the awarding bodies in the UK for such certificates (by way of agency agreements).

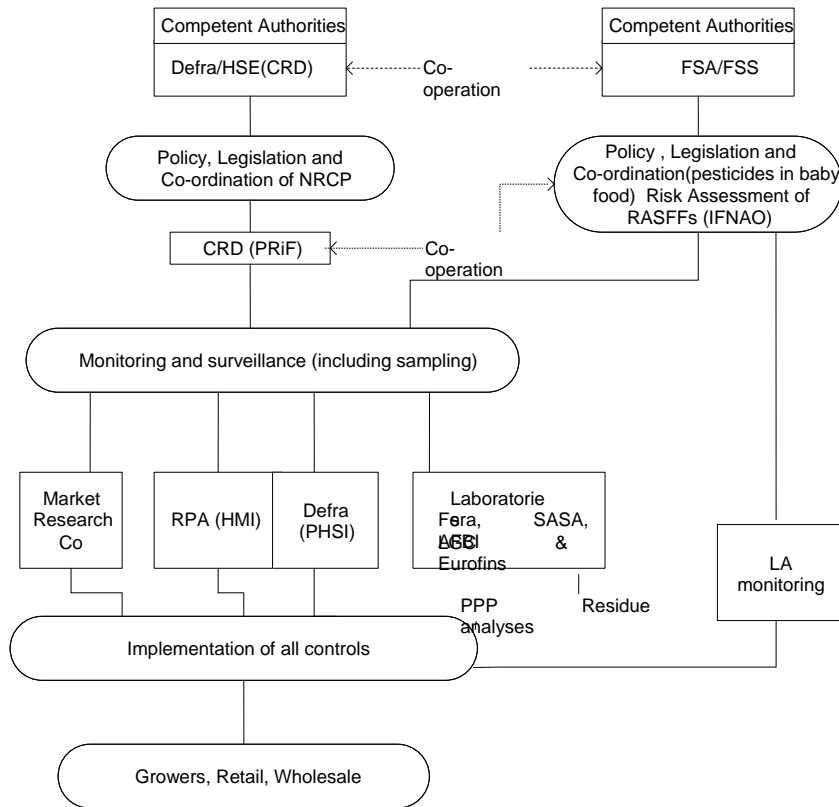
Field Operations Directorate (FOD) inspectors of the HSE and HSE (NI) inspect the storage and use of pesticides in agriculture, horticulture and forestry to ensure that risks to human health and safety are properly monitored. The FOD carries out checks at user level in the form of preventive or reactive inspections.

The CRD has an Agency Agreement with the Office of Rail Regulation allowing the ORR to control and monitor PPP use on railways and railway Property.

### Laboratories

Fera carries out formulation analyses under contract (“Memorandum of Understanding”) for the CRD. In addition to this, Fera collects data and publishes detailed reports on pesticide usage in GB. It also analyses food samples collected for residue enforcement monitoring purposes, and wildlife carcasses to check for illegal poisoning (pesticide abuse) or pesticide misuse. All of these activities are reported back to the CRD. Fera takes part in Collaborative International Pesticides Analytical Council (CIPAC) trials. The laboratory follows the principles for Good Laboratory Practice (GLP), but is not GLP certified.

## Residues of PPP



<b>AFBI</b>	Agri-food Bioscience Institute (Northern Ireland)
<b>CRD</b>	Chemicals Regulations Directorate
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>Fera</b>	Fera Science Limited
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>HMI</b>	Health and Marketing Inspectorate
<b>HSE</b>	Health and Safety Executive
<b>IFNAO</b>	Imports of Food of Animal Origin
<b>LA</b>	Local Authorities
<b>LGC</b>	Laboratory of the Government Chemist
<b>NRCP</b>	National Residue Control Plan
<b>PHSI</b>	Plant Health and Seeds Inspectorate
<b>PPP</b>	Plant Protection Products
<b>PRC</b>	Pesticide Residues Committee
<b>RASFF</b>	Rapid Alert System for Feed and Food
<b>SASA</b>	Science and Advice for Scottish Agriculture Division of the Scottish Government

### Competent Authorities

Defra's Secretary of State is the Competent Authority for the negotiation at EU level of controls for pesticide residues in products of plant origin and for the organisation and operation of the national and EU co-ordinated monitoring programme as required under EC Regulation 396/2005. Implementation of the controls is delegated to HSE. The independent Expert Committee on Pesticide Residues in Food (PriF) advises HSE, FSA and Defra on the

national monitoring programme. The FSA provides an assessor. PriF reports can be accessed at: <http://www.pesticides.gov.uk/guidance/industries/pesticides/advisory-groups/PriF>.

An annual pesticide residue monitoring programme, incorporating the EU co-ordinated monitoring programme, and the national monitoring programme, is drafted in April/May of the preceding year by CRD and presented to the PriF for consideration and for consultation with stakeholders.

The draft programme takes into account parameters such as the level of consumption of the commodities, commodities surveyed in former years, previous analytical results and information received through the Rapid Alert system.

#### *Residues in Baby Foods*

The Department of Health is responsible for the weaning foods directive 2006/125/ EC and act as the competent authority for notification purposes. They are responsible for the EU negotiation of the legislation and implementation into national legislation. Following government changes in 2010, the nutrition legislation area moved to Department of Health but the enforcement coordination role remains with FSA/FSS.

#### *Other monitoring*

LAs may monitor residues in foods at local level using the provisions of the Food Safety Act and the Food Safety Order (for Northern Ireland). This work is overseen by the FSA and FSS, but does not form a part of the official monitoring programme.

#### Official controls on residues

##### *Monitoring programme under Regulation (EC) No 396/2005*

The annual pesticide residue surveillance programme includes all of the commodities listed in the EU co-ordinated monitoring programme and provided for the analysis for all of the analytes listed in the EU programme for those commodities.

The majority of samples are taken at retail level in 24 cities across the UK. The sampling is carried out and organised by a market research company under contract to CRD. This private company is responsible for sending the commodities to the appropriate laboratory under the planning arrangements established by CRD. During the year, CRD provides information to the company to ensure that the market share in the UK is properly reflected and, where necessary, to adjust the sampling plan. Some of the samples are collected by Government Inspectors from a range of points in the supply chain (wholesale market, retail depots, ports and import points).

In cases where residues are above the MRL, risk to the consumer is taken into account. For all positive samples, dietary intakes are calculated, based on the UK model for 10 consumer groups including adults and toddlers, and acute dietary risk assessments are conducted on all samples where intakes are over the ArfD.

The FSA reviews CRD's risk assessments for non-compliant samples of food and assesses the intake risk of the residues. In line with the guidance from RASFF, in most cases where a consumer health concern is identified an EU Rapid Alert is issued by the FSA and any food safety issues are followed up by the FSA and FSS in liaison with Local Authorities.

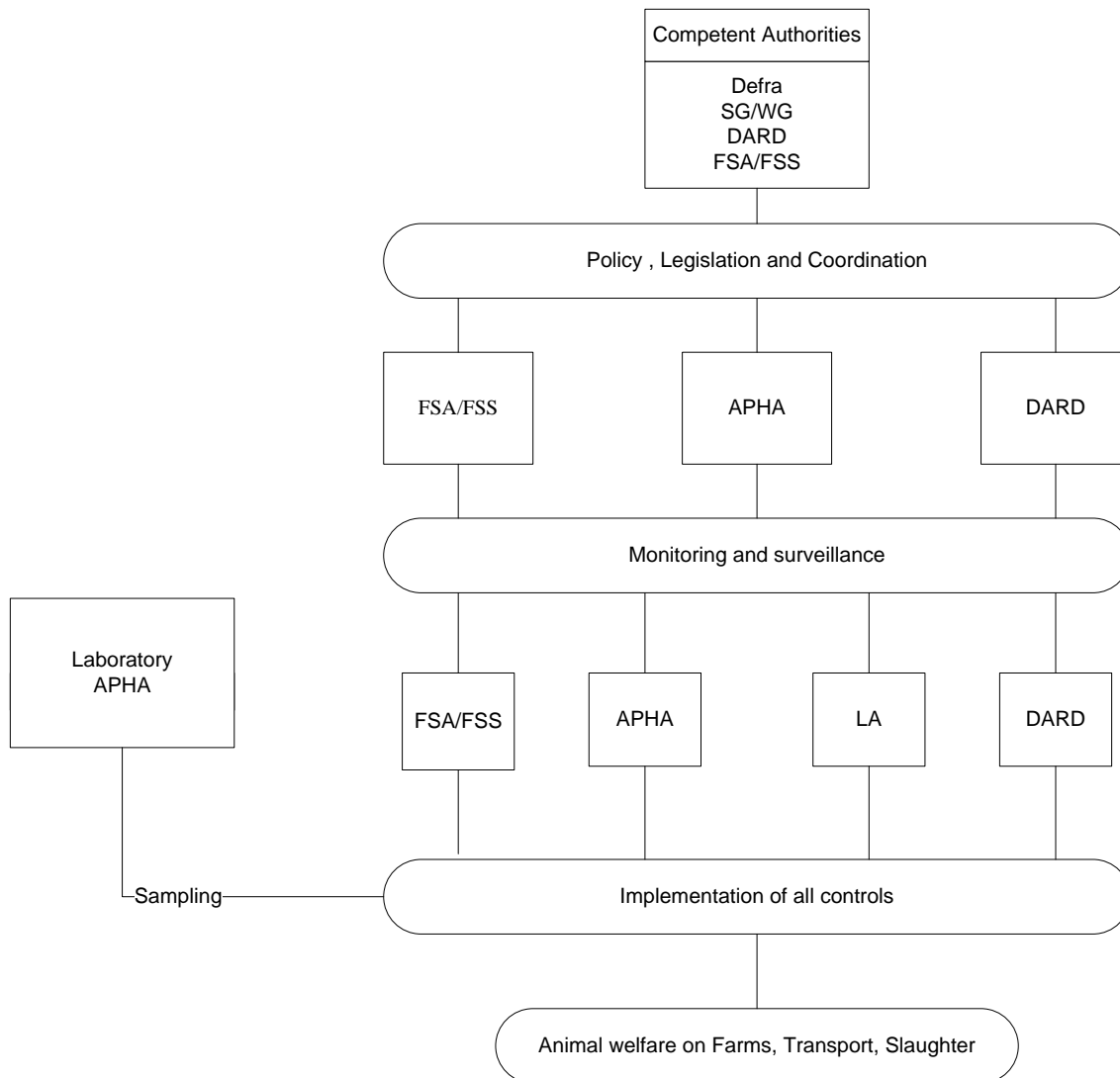


## Laboratories

Each of the five laboratories listed below, accredited under ISO 17025, and used in the programme, is contracted to perform residue control analyses for specific commodities.

<b>Laboratory</b>	<b>Status</b>	<b><i>Percentage of the annual monitoring programme undertaken (foodstuffs of plant origin)</i></b>
<b>Fera</b> Science Limited	Government/private partnership	<b><i>42 %</i></b>
<b>LGC</b> Laboratory of the Government Chemist	Private laboratory	<b><i>27 %</i></b>
<b>SASA</b> Science and Advice for Scottish Agriculture	A Division of the Scottish Government	<b><i>20 %</i></b>
<b>Eurofins</b>	Private laboratory	<b><i>11 %</i></b>
<b>Agri-food and Biosciences Institute</b>	An executive agency of the Northern Ireland Government	<b><i>0%</i></b>

## 2.10 Control system for animal welfare



<b>APHA</b>	Animal and Plant Health Agency
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>LA</b>	Local Authorities
<b>SG</b>	Scottish Government
<b>WGDR</b>	Welsh Government

### Competent Authorities

Responsibility for animal welfare policy and controls on-farm, at slaughter and during transport lies with Defra in England and with the Directorate for Agriculture, Food and Rural Communities of the SG, WG and DARD in the respective Devolved Administrations.

On-farm animal welfare controls are primarily the responsibility of the APHA in GB and DARD in NI. Welfare controls during transport are carried out by APHA/LAs in GB and DARD in NI. Defra and the Welsh Government have delegated the responsibility for animal

welfare implementation in slaughterhouses to the FSA. The Scottish Government have delegated responsibility for animal welfare implementation to FSS.

In GB, the LAs are the primary enforcers of animal welfare legislation and they determine how they organise these checks within their individual inspection programmes. In NI, DARD has this role.

Inspections are recorded using the APHA welfare inspection database (SAM), which is available to all APHA staff in England, Wales and Scotland. In NI, a centralised electronic database (APHIS) is used to collate welfare data.

Specific guidance on enforcement is provided in APHA and DARD instructions. Where welfare problems are found, advice or warnings and follow-up visits are usually sufficient to bring about satisfactory improvements. If necessary, further enforcement action may be taken, including the serving of formal improvement notices or, in severe cases, prosecution. APHA co-operates closely with other organisations such as LAs and the Royal Society for the Prevention of Cruelty to Animals (RSPCA) in England and Wales, the Scottish equivalent (SSPCA) in carrying out on-farm inspections. In NI, DARD co-operate with the equivalent Ulster society (USPCA).

#### Official controls on farm

APHA delivers a risk based approach to carrying out welfare checks on livestock holdings in GB on behalf of Defra, SG and WG. Risk is identified by responding to complaints from the public or following up potential welfare issues detected in markets, at slaughter or in transport and by the risk model used to select holdings for welfare inspections under cross compliance with Statutory Management Requirements (SMR) 11, 12 and 13. There is also a random element to the selection process to provide a baseline for assessing the risk model.

APHA Veterinary and technical staff (AHOs) carry out on farm inspections for all categories of farmed animals including those under the cross compliance regime. Animal welfare inspections of holdings are prioritised using Veterinary Risk Assessment and Categorised as: Response to complaint/referrals/intelligence; Risk based; and Random surveillance. In NI, inspections are carried out by the VS of DARD.

APHA is also responsible for registration of laying hen holdings and its egg marketing inspectors monitor and provide surveillance for welfare issues insofar as it relates to egg marketing regulations. In NI DARD's Agri-Food Inspection Branch Egg Marketing Inspectors also provide surveillance to DARDS veterinary service for welfare issues.

In addition to spot checks and planned visits, APHA/DARD follow up all complaints and allegations of poor welfare on farms as a matter of urgency.

#### Official controls during transport

Transporters involved in the transport of all live vertebrate animals over 65km and up to eight hours, in connection with economic activity, must apply for a Type 1 or 'short' transporter authorisation to APHA/DARD. Transporters involved in journeys of over eight hours (including intra-EU trade) must apply for a Type 2 ('long') authorisation. Authorised transporters are registered on a computerised database. In addition, those transporting and handling the main farm livestock species, domestic equidae and poultry by road on journeys in excess of 65km must be in possession of a certificate of competence. Certificates are issued by designated, independent certification bodies. In GB, vehicle approvals for the transport of farm livestock and equidae on journeys of over eight hours are carried out by designated, independent inspection bodies. In NI, DARD VS undertakes this role.

OVs at approved slaughterhouses will contact the LA Trading Standards Office to report any welfare concern involving transport of animals.

APHA and DARD are responsible for approving control posts, authorising transporters and controlling journey logs. Animal Health Officers or Veterinary Officers employed by the APHA, and Animal Health and Welfare Inspectors (AHWI) in DARD, carry out checks of vehicles at place of departure, ports and in collection centres. LA inspectors carry out transport checks, usually in co-ordination with the police and/or APHA and Local Authority Inspectors carry out inspections at livestock markets. In NI DARD central enforcement team members carry out inspections at places of departure. Journey logs undergo detailed checks within an official control system. In NI all journey log applications are checked by DARD before approval. In GB, each journey log application is checked, with a risk based approach being adopted to existing journeys by the APHA's Welfare in Transport team, in order to assess feasibility. All applications involving new journeys, are scrutinised to ensure compliance with the legislation. Return of journey logs in GB and NI are also scrutinised and action taken in case of non-return, or incomplete plans.

### Official controls at slaughter

All approved slaughterhouses are supervised by OVs of the FSA and FSS or VOs of DARD's Veterinary Service. Detailed instructions are provided by FSA, FSS and DARD. OVs are required to take action on the spot to correct any problems found. This may include verbal or written advice and, when necessary, a recommendation for prosecution. Animals arriving at slaughterhouses showing evidence of welfare problems arising on farm or during transport are reported to the appropriate enforcement body which takes the necessary follow-up action.

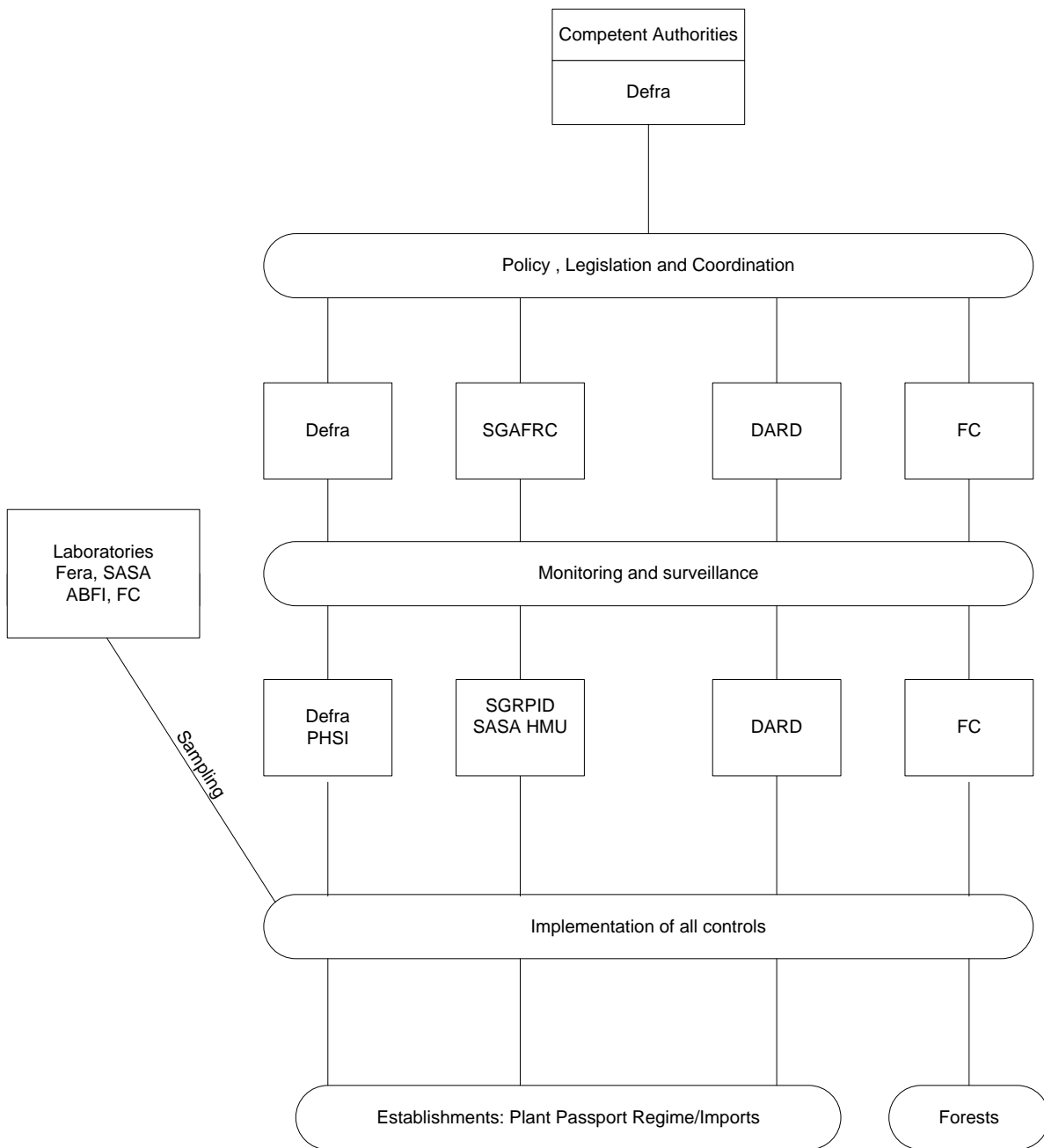
Controls of welfare at slaughterhouses are carried out daily in GB. Results of controls in England and Wales are sent to the FSA head office monthly and then reported to Defra and WG (except Scotland and NI) on a monthly basis. In Scotland, FSS delivers welfare controls on behalf of SG via a service level agreement. FSS report performance to SG quarterly. In NI results of controls are added to APHIS by DARD.

The APHA/DARD monitors on-farm welfare at slaughter when animals are killed during the seasonal slaughter of poultry (mainly turkeys) or at hatcheries. Where possible, VOs monitor slaughter during visits to farms, and knackers' yards. The APHA/DARD follow up reports and allegations of poor practice and, when necessary, instigate investigation with a view to prosecution.

### Welfare Codes of Practice

UK legislation provides for codes of welfare recommendations to be drawn up. Before these codes are introduced in England they require approval of the UK Parliament. Similar codes are produced in Scotland and Wales and are approved by the Devolved Administrations. In NI new codes have been produced during 2012 for beef cattle, sheep and meat chickens. These codes have been approved by the NI assembly agricultural committee. Welfare codes do not lay down statutory requirements. However, livestock farmers and employers are required by law to ensure that all their staff are familiar with, and have access to, the relevant codes. Although the main aim of the welfare codes is to encourage farmers to adopt high standards of husbandry, they may also be used to back up legislative requirements. A court may take the level of non-compliance with code requirements into account when considering a case.

## 2.11 Control system for plant health



**AFBI**

**DARD**

**Defra**

**FC**

**Fera**

**APHA PHSI**

**SGAFRC**

**SGRPID**

**SASA**

**SASA HMU**

Agri-Food and Biosciences Institute

Department of Agriculture and Rural Development (NI)

Department for Environment, Food and Rural Affairs

Forestry Commission

Fera Science Limited

Animal and Plant Health Agency Plant Health Seed Inspectorate

Scottish Government Agriculture, Food and Rural Communities Directorate

Scottish Government Rural Payments and Inspections Division

Science and Advice for Scottish Agriculture Division of the Scottish Government

SASA Horticulture and Marketing Unit

## Competent Authorities

Defra is responsible for co-ordinating plant health across the UK and crown dependencies as the 'Single Central Authority' under the EU Plant Health Directive, and the 'National Plant Protection Organisation' under the International Plant Protection Convention. Defra, together with the devolved administrations and the Forestry Commission (FC), form the UK Plant Health Service.

Defra's Chief Plant Health Officer (CPHO) is the EU focal point for plant quarantine and plant certification policy in England and Wales except in relation to pests of forest trees and wood. APHA's Plant Health and Seeds Inspectorate (PHSI) is the responsible official body for: implementation of the single market regime in England and Wales (on behalf of the Welsh Government); planning of activities relating to plant passport; issuing of technical guidance and co-ordination of the local offices in England; and under a formal agreement in Wales. APHAPHSI performs checks in nurseries of forestry plants on behalf of the Forestry Commission.

APHA PHSI also carries out plant health controls on imported regulated articles, other than wood and wood products, in England and Wales. It issues scientific licences for work on prohibited pests and plants. APHA PHSI has headquarters near York and operates through 7 regions and 39 local offices.

Defra's Plant Health Policy Team (PHPT) is responsible for strategic oversight, policy development and implementation. The PHPT and PHSI plan annual activities in England and Wales and prepare a Plant Health Business Plan under which funds are allocated in specific areas. Priorities are established on a risk analysis basis. The business plan is reviewed against the targets planned on a quarterly basis and supporting reports are placed on the Plant Health intranet site, which is available to staff.

The Forestry Commission (FC) is responsible for plant health for forestry matters in England and Scotland, including import controls of wood and wood products. In Wales Welsh Ministers' plant health functions are delegated to both the Forestry Commissioners and the Natural Resources Body for Wales. They are each responsible for different functions. The Forestry Commissioners are responsible for functions as they relate to the import of material from third countries and the movement of material in the European Union, including the issue of plant passports and the registration of forestry traders. Both bodies are responsible for the authorisation of persons as inspectors, but for different purposes: those authorised by the Forestry Commissioners undertake inspection and enforcement activity in relation to the premises of registered forestry traders; and those authorised by the Natural Resources Body for Wales undertake inspection and enforcement activity in relation to all other premises.

In Scotland, the Government has responsibility for plant health issues, except those relating to pest of forest trees and wood. Scottish Government provides policy advice on plant health, plant and seed certification, and plays a major part in UK representation on matters relating to seed potato certification. Scottish Government (SGRPID and SASA Horticulture and Marketing Unit) inspectors conduct plant health controls including import and export inspections, plant passporting, issue of phytosanitary certificates, monitoring inspections, surveys and eradication campaigns. They also carry out crop and produce inspections for statutory and voluntary certification schemes.

In Scotland, annual planning meetings are held to organise plant health activities in the potatoes and horticulture sectors.

In NI, DARD has responsibility for plant health matters. The Forest Service is an agency of DARD dealing with implementation of legislation and regulatory matters. The Plant Health Policy Branch of the Forest Service drafts legislation and develops policy. The Plant Health Inspection Branch deals with the implementation of policy, including inspections, across agriculture, horticulture and forestry.

The PHPT and the other UK responsible official bodies hold two co-ordination meetings each year. High-level policy meetings of the relevant official bodies are also held. Separate co-ordination meetings are organised for potato issues and other issues as appropriate.

#### Plant passport system and internal market checks

Establishments in England and Wales apply to the local offices for registration with the PHSI and receive a single registration number. A visit is not normally carried out before registration. The authorisation to issue a plant passport is given after the favourable result of an inspection and any follow up laboratory analysis. A record check is carried out annually. A dossier for each registered and authorised premises is kept at local level and notes are entered by the inspector in an inspection report in eDOMERO, the APHA PHSI database where all registered premises and all inspection reports are recorded. APHA PHSI inputs the results of analyses and, when necessary, provides advice on remedial measures.

In Scotland, the Government maintains a register of businesses trading in plants and plant products. Registration with the Scottish Government is free and does not require a visit. However, traders requiring plant passports are subject to annual inspection prior to authorisation, annual record checks and payment of a fee. The Scottish Government also maintains a database of seed potato growers who are required to register for plant passport purposes. The Science and Advice for Scottish Agriculture (SASA) Division of the Scottish Government provides scientific and diagnostic support.

In NI, businesses trading in regulated plants and plant products register with DARD's Plant Health Inspection Branch. These businesses are subject to inspections which are recorded on a plant health database. AFBI provides diagnostic services and scientific support.

Similar arrangements operate in the wood and wood products sector. Details of inspections are recorded electronically on a register held centrally. Forest Research, an agency of the FC, provides scientific support.

#### Import controls

Changes in the system of import controls for plant health have resulted in a change to work planning priorities. The priority is now to check all planting material, potatoes, soil and grain, and to respect minimum levels of checks for articles imported under the reduced frequency regime. Checks of other regulated as well as non-regulated articles are dependent on the relative risk posed by the trade and upon resources available.

Third country imports for the UK landing in England and Wales requiring plant passports are dealt with as follows:

- a) If imports are moving directly from point of entry to the importer's premises – clearance from plant health import controls is sufficient. No passport is required. (Further movement from the importers premises would require a plant passport issued by the importer, if they are registered to issue plant passports, or by an inspector).
- b) If imports are moving from point of entry directly to premises other than those of the importer either:

- i. Plant passports are issued by the importer from the point of entry or
- ii Plant passports are attached in the exporting country on behalf of the importer.

The APHA PHSI inspectors check on site whether importers adequately fulfil this obligation.

For third country imports subject to both plant health and marketing quality controls, horticultural marketing inspectors operating within the structure of the Rural Payment Agency (RPA) are required to notify the PHSI of any potential plant pests.

There are 7,056 registered importers of regulated articles in the UK (6,780 in England and Wales, 23 in Scotland, 28 in NI) and 225 Forestry Traders in GB (registered by the Forestry Commission).

There are 98 designated points of entry: 68 in England, 6 in Wales, 20 in Scotland and 4 in NI.

*England and Wales:* All regulated articles destined for the UK are required to be notified in advance and are Customs cleared only after the APHA PHSI's permission to import. The TARIC code is used to inform Customs that a consignment requires a plant health check. For this purpose, three separate but internally linked IT systems are used:

- eDomero, which is the APHA PHSI's information and work recording system for all plant health import and export activities in England and Wales;
- PEACH (Procedure for Electronic Application for Certificates from the Horticultural Marketing Inspectorate), operated by the Rural Payment Agency;
- CHIEF (the Customs Handling of Import and Export Freight), operated by HMRC service. It records the movement of goods by land, air and sea and allows importers, exporters and freight forwarders to complete customs formalities electronically.

However, under defined circumstances, the APHA PHSI also allows plant health checks of imported regulated articles to be carried out in places other than official points of entry. There are 17 registered inland places, although not all 17 are currently in use. The procedure to approve premises with Customs Freight Simplified Procedures (CFSP) is carried out in co-operation between the APHA PHSI and Customs.

*Scotland:* In Scotland pre-notification is required for all regulated articles. SASA Horticulture and Marketing Unit inspectors carry out the documentary, identity and plant health checks and if all import conditions are met a Quarantine Release Certificate (QRC) is issued. The importer or agent must submit the QRC to Customs to allow clearance. All inspections are carried out at point of entry. There are no approved inland inspection points in Scotland.

*NI:* DARD Portal inspectors carry out, identity and documentary checks on regulated articles. Inspectors of the Plant Health Inspection Branch carry out plant health checks as required. Following satisfactory inspection a Plant Health Release Certificate is issued to be presented to Customs. NI also has a statutory pre-notification system of advance notification of arrival for incoming consignments.

*For wood and wood products:* Advance notification of arrival is a statutory requirement and triggers an inspection (documentary, identity and plant health) carried out at the point of entry. On completion (including any necessary remedial action as a result of non-compliance) a Certificate of Clearance, is issued to the importer for presentation to Customs



together with the other information necessary to complete the entry procedure. The FC has agreed arrangements with Customs to have inspections of wood and wood products at the place of destination. Only one premise has been approved thus far under this arrangement.

### Laboratories

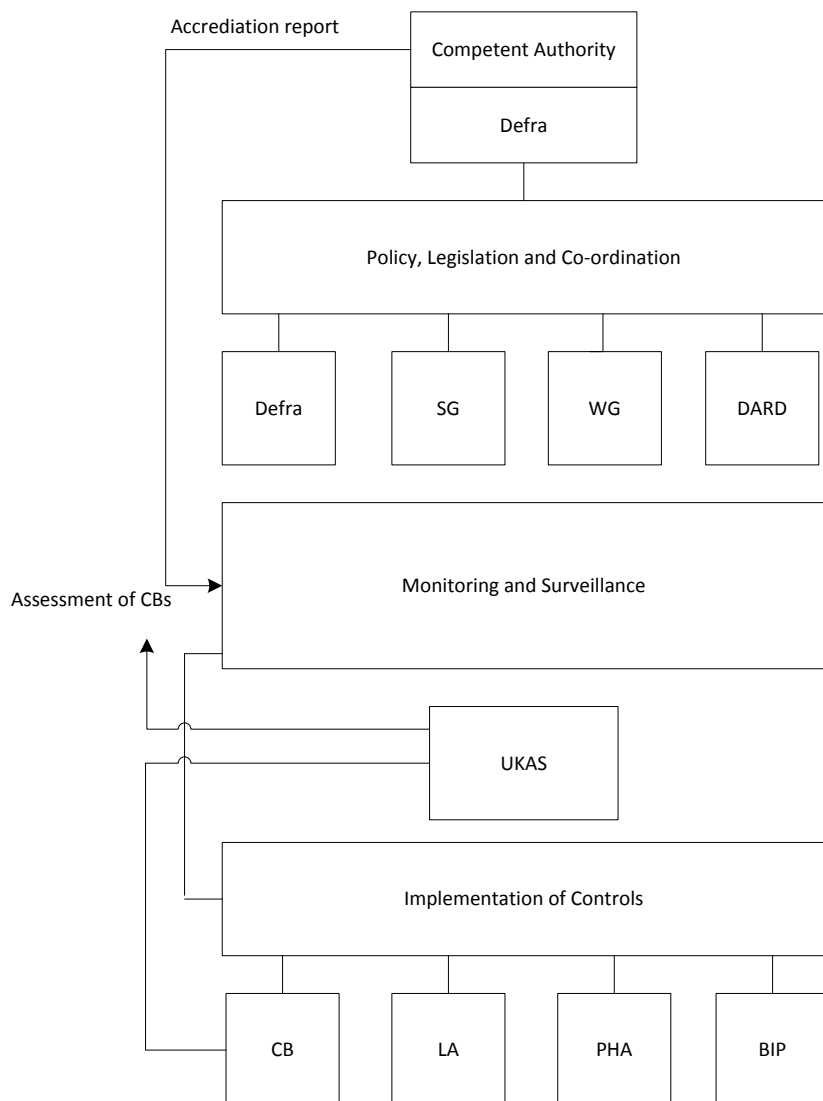
On 1 October 2014 plant health consultants, whose responsibilities include assessments of risks from particular pests and commodities and advice on interceptions and outbreaks, transferred from the Fera to the PHPT within Defra's Directorate for Plant and Animal Health. The consultants support the PHPT in international, European and other meetings.

Pest and disease identification and diagnosis is carried out by the Pest and disease ID team, within the plant protection programme of the Fera, from samples submitted by PHSI. They also carry out research and development projects linked to the needs of the UK Plant Health Service.

The Forest Research Agency Laboratory carries this out for wood and wood products. In Scotland, SASA provides scientific support by carrying out laboratory testing and pest identification and providing advice on monitoring, interceptions and outbreaks. SASA issues licences for scientific work on prohibited pests and plants in Scotland and operates the Seed Potato Classification Scheme for Scotland and the UK Potato Quarantine Unit. In NI, the Agri-Food and Biosciences Institute provide diagnostic services and scientific advice. All are internationally recognised laboratories and possess diagnostic reference collections of pests and pathogens.

## 2.12 Control system for quality labelling

### Control system for organic production



<b>CBs</b>	Control Bodies
<b>BIP</b>	Border Inspection Post
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environmental, Food and Rural Affairs
<b>LA</b>	Local Authorities
<b>PHA</b>	Port Health Authorities
<b>SG</b>	Scottish Government
<b>UKAS</b>	United Kingdom Accreditation Services
<b>WG</b>	Welsh Government

## Competent Authorities

Under EU Regulations, any organic food produced within the EU must originate from growers, processors and importers who are registered with an approved organic Control Body.

In the UK, Defra acts as the Competent Authority for the organic control system and delegates control functions to approved organic Control Bodies. These Bodies carry out annual inspections of their operators whom they certify to undertake organic production subject to meeting strict standards laid down in the EU Regulations. It is the responsibility of Local Authority Trading Standards Officers to carry out retail sector enforcement and it is an offence to wrongly label produce as 'organic'.

Control Bodies are also responsible for authorisation of organic produce imported from third countries (i.e. outside of the EU). Port Health Authorities (PHAs) are responsible for endorsing certificates of inspection that accompany consignments. Prior to end June 2014, Defra issued import authorisations and maintained a database of them. The database is still in place and is accessible securely to PHAs: the database will be reviewed by Defra at the end of June 2015.

## Accreditation of Control Bodies

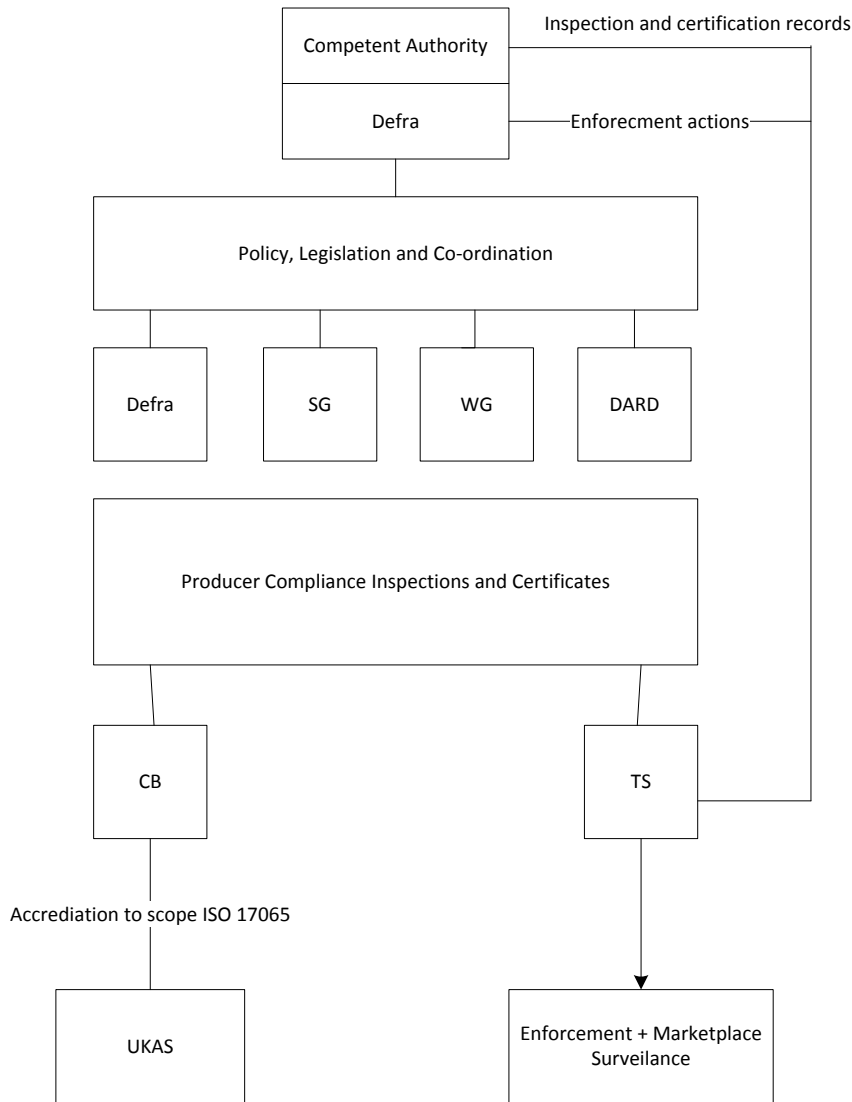
Control Bodies are accredited to the European Standard on general requirements for those operating product certification systems i.e. ISO17065. Accreditation is carried out by the United Kingdom Accreditation Service (UKAS). Accreditation also requires Control Bodies to demonstrate they are compliant with the control requirements set out in the relevant EU Organic Regulations (i.e. Council Regulation (EC) 834/2007 and Commission Regulation (EC) 889/2008).

There are 9 approved certification bodies in the UK, although only eight actively certify UK operators. Defra's Organic Team, on behalf of the devolved Agriculture/Rural Affairs Departments, is responsible for approving these bodies in accordance with its Organic Certification Body and Inspection Approval Control Manual. The Team also oversees the on-going work of the certification bodies.

## Annual Report on organic production

Defra provides an annual report on organic production, inspection and certification in the UK to the European Commission. This includes a list of operators and organic inspection bodies operating in the UK along with a report on supervision and compliance with ISO17065. The report also includes a description of the inspection system along with details of supervision visits to the inspection bodies. Further information on inspections undertaken by the bodies themselves, along with sanctions imposed and sampling undertaken is provided in this report.

**Control system of the protected food names**



- |              |  |
|--------------|--|
| <b>CBs</b>   | Control Bodies                                       |
| <b>DARD</b>  | Department of Agriculture and Rural Development (NI) |
| <b>Defra</b> | Department for Environmental, Food and Rural Affairs |
| <b>TS</b>    | Trading Standards                                    |
| <b>SG</b>    | Scottish Government                                  |
| <b>UKAS</b>  | United Kingdom Accreditation Services                |
| <b>WG</b>    | Welsh Government                                     |

## Competent Authorities

Defra as Central Competent Authority is ultimately responsible for deciding whether applications meet the criteria, and if they should be forwarded to the European Commission. For England Defra is also responsible for handling applications with producer input, up to national consultation stage. In Wales this function is carried out by ADAS whereas in Scotland SAC Consulting has this role and in NI the work is managed by DARD. DARD has policy responsibility for protected food names in Northern Ireland. Implementation of control systems is carried out by Local Authority inspectors.

Defra is responsible for the operation within the UK of the protected food names schemes set out in Regulation (EU) No. 1151/2012. These schemes provide for a system for the protection of food names on a geographical or traditional recipe basis. The three schemes (Protected Designation of Origin, Protected Geographical Indication and Traditional Speciality Guaranteed) highlight regional and traditional foods whose authenticity and origin can be guaranteed through an independent inspection system.

The UK currently has 63 protected food names as of April 2015. Products range from being made by only one producer (e.g. Dorset Blue) to those produced by thousands of producers (e.g. Welsh Lamb). Once registered, all products are subject to inspection on a risk analysis basis. In order to ensure product specifications are met applicants must nominate an inspection body (which may be either a local Trading Standards Authority or a Control Body, such as a private independent body) to undertake this function.

Defra is responsible for approving these bodies within the UK and for monitoring their performance. More detailed information on the operation of the protected food names schemes within the UK is available at: [defra.gov.uk/food-farm/food/protected-names](http://defra.gov.uk/food-farm/food/protected-names).

UK Local Trading Standards Authorities also have an enforcement role with respect to ensuring that registered food names are not used fraudulently and that general food labelling rules are complied with. Details of local trading standards authorities' food law enforcement services are provided in the MANCP at Appendix K.

ANNEX I – ACRONYMS, ABBREVIATIONS, AND SPECIAL TERMS

ACRONYM	DESCRIPTION
<b>ABP</b>	Animal-by-Products
<b>ABPRIS</b>	Animal Health database of ABP controls
<b>AFAB</b>	Animal Feed and Animal By-Products Branch
<b>AFBI</b>	Agrifood and Biosciences Institutes
<b>AFIB</b>	Agri-Food Inspections Branch
<b>APHA</b>	Animal and Plant Health Agency: Executive Agency responsible for animal and plant health in England, Scotland and Wales; formerly the Animal Health and Veterinary Laboratories Agency
<b>APHACB</b>	Animal and Plant Health Agency Customer Board
<b>APHA AO</b>	Animal and Plant Health Agency Agency Officer
<b>AHWI</b>	Animal Health and Welfare Inspector (NI)
<b>AMES</b>	Animal Health and Welfare Management and Enforcement System
<b>AMI</b>	Animal Medicines Inspectorate
<b>AMLS</b>	Animal Movement Licensing System
<b>AMLS 2</b>	Animal Movement Licensing System, second version of the movement database
<b>APHIS</b>	Animal and Public Health Information System
<b>ArfD</b>	Acute Reference Dose
<b>BASIS</b>	Independent organisation which establishes and assesses standards in the PPP industry relating to storage, transport and competence of staff
<b>BCMS</b>	British Cattle Movement System
<b>BIP</b>	Border Inspection Post
<b>BSE</b>	Bovine Spongiform Encephalopathy
<b>CA</b>	Competent Authority
<b>CCA</b>	Central Competent Authority
<b>Cefas</b>	Centre for Environment, Fisheries and Aquaculture Science
<b>COBRA</b>	Combined Bovine Risk Analysis System
<b>CP</b>	Contingency Plan
<b>CPH</b>	County, Parish, Holding number
<b>CRD</b>	Chemicals Regulations Directorate
<b>CSF</b>	Classical Swine Fever
<b>CSFS</b>	Compulsory Scrapie Flock Scheme
<b>CVED</b>	Common veterinary entry document for products of animal origin and for live animals
<b>CVO</b>	Chief Veterinary Officer
<b>DARD</b>	Department of Agriculture and Rural Development (NI)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>DG SANCO</b>	Directorate General for Health and Consumer Protection
<b>DH</b>	Department of Health
<b>DHSSPS</b>	Department of Health, Social Services and Public Safety
<b>DNA</b>	Deoxyribonucleic Acid
<b>DOMERO</b>	Defra database
<b>EA</b>	Environment Agency
<b>EC</b>	European Community

<b>ACRONYM</b>	<b>DESCRIPTION</b>
<b>ELISA</b>	Enzyme Linked Immuno Sorbent Assay
<b>ELU</b>	Enforcement Liaison Unit (Defra)
<b>EMI</b>	Egg Marketing Inspectorate
<b>EU</b>	European Union
<b>EURL</b>	EU Reference Laboratory
<b>FAO</b>	Food and Agriculture Organisation
<b>FC</b>	Forestry Commission
<b>FCU</b>	Food Crime Unit
<b>FEPA</b>	Food and Environmental Protection Act
<b>Fera</b>	Fera Science Limited
<b>FFG</b>	Food and Farming Group
<b>FHIS</b>	Food Hygiene Information Scheme
<b>FHRS</b>	Food Hygiene Rating Scheme
<b>FMD</b>	Foot and Mouth Disease
<b>FR</b>	Forest Research
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>FSM</b>	Food Safety Management
<b>FVO</b>	Food and Veterinary Office
<b>GB</b>	Great Britain (England, Wales and Scotland)
<b>G(IFN)</b>	Gamma Interferon blood testing
<b>GMO</b>	Genetically modified organism
<b>HACCP</b>	Hazard Analysis Critical Control Point
<b>HSE</b>	Health and Safety Executive
<b>HMRC</b>	Her Majesty's Revenue and Customs
<b>IR</b>	Inconclusive (TB) reactor
<b>IIT</b>	Inspections and Investigations Team of the VMD
<b>LA</b>	Local Authorities
<b>LGA</b>	Local Government Association
<b>LDCC</b>	Local Disease Control Centre
<b>MAT</b>	Microscopic Analysis Test
<b>MFA</b>	Marine Fisheries Agency
<b>MHRA</b>	Medicines and Healthcare Regulatory Authority
<b>MLCSL</b>	Meat and Livestock Commercial Services Ltd
<b>MRL</b>	Maximum residues limit
<b>MSS</b>	Marine Scotland Science
<b>NAW</b>	National Assembly for Wales
<b>NDCC</b>	National Disease Control Centre
<b>NDPB</b>	Non-departmental Public Body
<b>NFSCo</b>	National Fallen Stock Company
<b>NI</b>	Northern Ireland
<b>NRL</b>	National Reference Laboratory
<b>NRW</b>	Natural Resource Wales
<b>NTPC</b>	Formerly known as the National Proficiency Test Council. They have now adopted only the initials as their official name.

<b>ACRONYM</b>	<b>DESCRIPTION</b>
<b>OIE</b>	International Office of Epizootics
<b>OFFC</b>	Official food and feed control
<b>OTM</b>	Over thirty months
<b>OV</b>	Official Veterinarian
<b>OVS</b>	Official Veterinary Surgeon
<b>PBFH</b>	Poultry Breeding Flocks and Hatcheries Order
<b>PHA</b>	Port Health Authority
<b>PHE</b>	Public Health England
<b>PHIB</b>	Plant Health Inspection Branch (DARD)
<b>PHPB</b>	Plant Health Policy Branch (DARD)
<b>PHPT</b>	Plant Health Policy Team
<b>PHSI</b>	Plant Health and Seeds Inspectorate (APHA)
<b>TPI</b>	The Pirbright Institute
<b>PRC</b>	Pesticide Residues Committee
<b>RASFF</b>	Rapid Alert System for Feed and Food
<b>RIW</b>	Rural Inspectorate Wales
<b>RPW</b>	Rural Payments Wales
<b>ROD</b>	Regional Operational Director
<b>RPA</b>	Rural Payments Agency
<b>RRM</b>	Readiness and Resilience Manager
<b>RSPCA</b>	Royal Society for the Prevention of Cruelty to Animals
<b>RVL</b>	Regional Veterinary Leads
<b>SAMS</b>	Scottish Animal Movement System
<b>SASA</b>	Science and Advice for Scottish Agriculture, a Division of the Scottish Government
<b>SASA HMU</b>	SASA Horticulture and Marketing Unit
<b>SEPA</b>	Scottish Environment Protection Agency
<b>SG</b>	The Scottish Government
<b>SGAFRC</b>	The Scottish Government Agriculture, Food and Rural Communities Directorate
<b>SGRPID</b>	The Scottish Government Rural Payments and Inspections Directorate
<b>SIUG</b>	Sheep User Inspection Group
<b>SLA</b>	Service Level Agreement
<b>SRM</b>	Specified Risk Material
<b>SSPCA</b>	Scottish Society for the Prevention of Cruelty to Animals
<b>TARIC</b>	The Integrated Customs Tariff of the European Communities
<b>TB</b>	Tuberculosis
<b>TCs</b>	Third Countries
<b>TRACES</b>	TRACES Trade Control and Expert System introduced by Commission Decision 2004/292/EC
<b>TSE</b>	Transmissible Spongiform Encephalopathy
<b>TSO</b>	Trading Standards Officer
<b>TSS</b>	Trading Standard Services
<b>UKAS</b>	UK Accreditation Service
<b>BF</b>	Border Force



<b>ACRONYM</b>	<b>DESCRIPTION</b>
<b>USPCA</b>	Ulster Society for the Prevention of Cruelty to Animals
<b>VETNET</b>	Animal Health Database (GB)
<b>VIPER</b>	Veterinary Instructions, Procedures and Emergency Routines
<b>VMD</b>	Veterinary Medicines Directorate
<b>VO</b>	Veterinary Officer
<b>VS</b>	Veterinary Service
<b>WG</b>	Welsh Government