

FINAL REPORT
(incorporating reviewers' comments)

**International Study of Different Existing Delivery Models for
Feed and Food Official Controls**

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Executive Summary

The study provides a summary of the models used for the delivery of Official Controls for Food and Feed in twenty one countries. The sample comprised fifteen member states of the EU plus six countries who are not members. These were:

1. Austria
2. Belgium
3. Cyprus
4. Denmark
5. Finland
6. France
7. Germany
8. Ireland
9. Italy
10. Netherlands
11. Spain
12. Poland
13. Portugal
14. Sweden
15. United Kingdom
16. Australia
17. Canada
18. New Zealand
19. Norway
20. Switzerland
21. United States of America

Standard information was compiled for each country using published sources. The model of delivery in a country reflects the government structure in federal states but is variable in unitary countries. In unitary countries the reason a given delivery model is used is rarely evident from the literature. The only control arrangement used consistently across the sample group which is not exhibited by the UK is the central control of imported foods. As far as could be established, the only power available to control authorities in any of the sample countries which is not also available to UK Environmental Health Officers is the power to stop and search vehicles. The only sanction reported by any countries which is not available for UK Environmental Health Officers to use in the control of food is the Monetary Administrative Penalty.

Risk Rating Schemes were described by fifteen of the countries, most supported by semi quantitative risk assessments, although not all the risk assessments were accessible. The recommended intervention frequencies cover a significant range. The highest recommended frequency is once per month while the least frequent is once in eight years. There is no robust evidence base to support any particular intervention frequency.

Audit and Monitoring protocols reflected the government structure in federal states and the delivery model in unitary countries. Limited information was available on the indicators, frequency or strategic context.

The majority of countries reported using food sampling plans and also had local sampling options.

Novel approaches to the delivery of controls were also identified. These include:

- The use of centralised investigation units for enforcement, especially fraud cases
- Earned recognition
- Food Hygiene Rating Schemes
- Cost recovery for the delivery of controls

Glossary

BIP	Border Inspection Post
CA	Control Authority
CCA	Central Control Authority
EC	European Commission
EU	European Union
FBO	Food Business Operator
FVO	Food and Veterinary Office, DG SANCO, European Commission
GMO	Genetically Modified Organism
MANCP	Multi Annual National Control Plan
PNOAO	Products not of animal origin
POAO	Products of animal origin
RASFF	Rapid Alert System for Food and Feed
SH	Slaughter house
SME	Small/medium sized enterprise
UK	United Kingdom
USA	United States of America

Introduction

Delivery of official controls for food and feed (referred to hereafter as delivery of official controls) is an essential responsibility of government. The basic controls themselves (e.g. control of cross contamination) are science based and therefore do not vary significantly according to geographical location. However the delivery of the controls is a political and cultural matter. Consequently different countries choose different arrangements to ensure delivery. This document forms the final report for the project '**International Study of Different Existing Delivery Methods for Feed and Food Official Controls**'. Its purpose is to provide a summary of the delivery of controls in selected countries which may be used to inform the Food Standards Agency Review of the Delivery of Official Controls.

A review of 21 countries identified similarities and differences in the delivery of official controls. Countries which are member states of the EU must deliver the same controls according to EC legislation. Requirements for the delivery of controls is summarised in Regulation (EC) no 882/2004 and Regulation (EC) No 854/2004. However, the political structure and historical divisions of the country affect the arrangements and allocation of responsibility. Countries which are not member states are not required to follow the demands of Regulation (EC) no 882/2004 but if trading with the EU will need to demonstrate that appropriate controls are in place and are administered effectively.

A major consideration in the delivery of official controls is whether the country has a federal or unitary system of government. In a unitary system the legislative powers required to deliver the controls will be focused centrally while in a federal system autonomous units may deliver the controls and may also have independent legislative powers. However even in unitary systems delivery of the actual interventions and enforcement can be devolved to the local or regional level while the legislative power remains centrally focused.

The objective of the project was to develop an outline of existing regulatory and official control delivery modes for EU member states and selected third countries. This would be carried out as a desktop study relying on the published country profiles and other published information.

The purpose of the exercise was to identify existing delivery methods which demonstrated good practice, novel or cost effective delivery methods and other aspects of enforcement which could be used to inform the work of the Review of Official Controls. Part of the analytical process was to highlight gaps in the published accounts where further research would be needed.

Methodology

The study was a desk based project using various literature sources to provide the data. The two objectives of the research were:

- to develop an outline of the existing regulatory and official control delivery models for food and feed currently in operation in selected EU countries
- gather relevant data on the governance and operational structures used to deliver food and feed controls in selected third countries

The final outcome of the research was to produce a comparison of the delivery models for official controls of food and feed used in the EU and in some third countries. This was to take the form of case studies which gave standard information for each country. The conclusions of the report focus on trends, good practice, novel methods for delivery and learning points as demonstrated by the case studies.

A standard format was developed to collate the relevant information for each country. This proved essential as the variation in the style and content of the country profiles and the complexity of the delivery of controls in each country meant that not all information was available for all countries. For EU member states the FVO publishes information relating to basic statistics and the controls systems in use in each country. These are compiled by each member state and published on the FVO website. In third countries there was no standard document summarising the relevant details so the information had to be gathered from a variety of sources and again, some information was unavailable in a usable format. Using a standard pro forma to record the information identified these gaps.

Which information was to be collected was agreed after consultation with the Food Standards Agency and included the following:

- Regulatory and Official control structures
- Powers & sanctions available to staff
- Audit and monitoring
- Risk rating systems
- Sampling strategy
- Imports
- Statistics relating to
 - cost of official delivery
 - number of control staff
 - number of food businesses

The case studies use headings reflecting these information categories and are consistent across the report. In this way comparisons may be made and the variations and gaps may be identified.

Sample Selection

The original plan was to consider all twenty seven member states but because of time constraints, the countries were prioritised and the final project considered twenty one countries, including the UK, comprising fifteen member states plus six third countries.

EU Countries

Countries were included for a number of reasons. One important consideration was whether they had recently or were currently undergoing reviews of control delivery. Within the EU it was important to cover a full range of countries with regard to geography and other factors. Some selection criteria included:

- Size
- Population density
- Geography
- Political arrangements – i.e. federal, unitary, new democracy etc.
- Length of EU membership.

An attempt was made to ensure countries were included which could demonstrate a range of these factors – for example Belgium has a high population density of 355 people/km² while Finland is less densely populated with 16 people/ km².

Non –EU countries

Third countries were also selected if they had recently or were undergoing review of controls, but other issues were also taken into account. In the UK the delivery models vary slightly even between the four countries. However the delivery of official controls in the UK is largely carried out by Environmental Health teams and Trading Standards teams working within Local Authorities. Both teams cover areas other than food in their training and delivery. Historically this approach was shared within the commonwealth where ex -colonies such as Canada and Australia implemented food control systems and training based on the English model. By contrast, this is not a common system across the member states of the EU where food and feed controls tend to be delivered by specialist food inspectors and veterinarians. Comments published in the Food Standards Agency Unit report ‘Exploring Regulation Cultures and Behaviour’ indicate that the multi-disciplinary aspects of Environmental Health Officers may be perceived as a limitation for delivery of official controls, especially with regard to manufacturing. In addition to exploring the various models for delivery of official controls for food and feed in the EU, the project included Canada, Australia and New Zealand as these countries share a cultural and enforcement heritage with the UK and also have a modern food industry. In common with other EU and non –EU countries (e.g. Germany and USA) Canada has a federal system of government with Provinces (Länder in Germany and States in the USA) sharing in the delivery of official controls. For example, the Canadian Food inspection Agency, instituted in 1997, delivers official controls in federally mandated areas such as imports and products of animal origin being traded inter provincially, while Provincial and Municipal authorities deliver controls in the food service and some manufacturing sectors. Comparison of federal systems with the UK and with each other may identify useful insights. The USA is an important trading partner, for example importing significant amounts of Scottish Smoked Salmon (Scottish Enterprise 2012), and was therefore included for consideration. Recent changes in American food legislation (Food Safety Modernization Act 2011) and the sharing of food controls between federal and state agencies were also considered to have the possibility for learning points. Norway and Switzerland represent non EU

European countries which were also important for the project as they are EEA and EFTA countries respectively. As such, there is movement of food and feed across their borders with EU countries.

Table 1 lists the final selection of countries which form the basis of this research.

Data Collection

The study was carried out using desk- based research. This comprised searching and summarising existing sources of information. This creates a number of issues and limitations.

Type of literature

Country Profiles

A major source of information for EU Member countries was the Country Profile available from http://ec.europa.eu/food/fvo/country_profiles_en.cfm . These are very informative with regard to the delivery of controls in each country. However there are a number of limitations, one of which is that they are generally compiled by the CCA. This means that, although authoritative, they tend to focus on the roles of the CCA often at the expense of the actual delivery in the premises. Consequently the divisions and subdivisions of the CCA may be described in detail while issues such as the powers or qualifications of the officers actually inspecting the premises are not covered or covered superficially.

There may also be a problem with currency of information. Many of the Country Profiles are recently published. Denmark, Austria and Finland, for example are 2012 reports. Others are older. For example the Country profile for France was correct as of 2009 and the Netherlands as of 2010. As both these countries were undergoing reviews or government restructures, some of the information provided is certainly out of date and the difficulty is to determine which information is no longer valid. For the Netherlands it was impossible to summarise the relationships between the control authorities from the existing country profile.

Grey literature and unattributed information

Additional published information was also accessed and included. Some peer reviewed papers were used but these were very limited in number. As far as possible information was taken from creditable, if anonymous, sources such as official websites and government publications. Some grey literature was also used, typically for general information on country's political arrangements or food industry. As these publications tend to have no (or very limited) editorial control the veracity of the information cannot be confirmed. Where possible multiple sources were used to cross check information but without editorial control and attribution it is still not possible to be confident.

Referencing system

The type of information used has also created a difficulty with regard to referencing. The normal Harvard system is not amenable to documents without authorship. It was felt that the Vancouver system would also be inappropriate. A slightly anomalous system has been created using a combination of the Harvard system but breaking the reference list into sections, each of which relates to a particular country. There is also a General section which contains references used for all

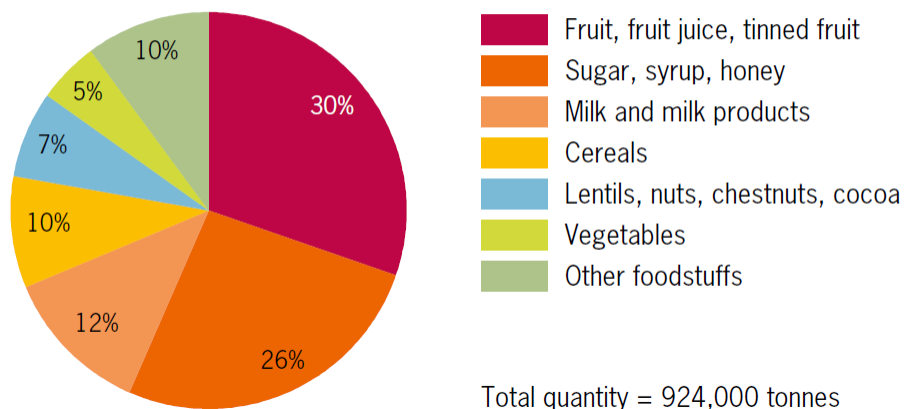
countries (for example World Bank data) or for other parts of this report such as the Methodology or the Discussion. Occasionally personal communication with specialists, and information from presentations made at meetings (Australia) and conferences (USA, Denmark, Italy, and Germany) has also been used. This has been referenced in the normal manner.

Incomplete and/or inconsistent data

Imports & exports

The original plan was to include data on the volume of imported /exported foods for each country. This proved very difficult to access in a format that was relevant to the delivery of official controls. Data tends to be compiled according to foodstuff rather than exports or imports overall. Eurostat data (Eurostat 2008) provides import data broken into products but for the EU overall. Country profiles provide information on the degree of self-sufficiency for individual items and imports and exports in tonnes according to foodstuff. For third countries it was in various formats. An example of the type of data is demonstrated below for Switzerland, taken from Pocket Statistics 2012 published by the Swiss Federal Statistical Office (2012)

Food exports, 2009



Swiss Agriculture (2012) Pocket Statistics 2012 Agriculture and Forestry; Federal Statistical Office

The manner of collection was also variable. For example the Food and Drugs Administration estimates that 15% of the food in the USA is imported but for which year and how this was determined is not clear. It was also not clear how this disparate information could be used to inform the delivery of controls. Instead, Country Profiles and FVO reports were used to determine the manner in which a member state delivered official controls with regard to imports. Other issues relating to import/export controls such as the sharing of a border with third countries were highlighted.

Table 1

Countries selected for study

EU Countries	
1.	Austria
2.	Belgium
3.	Cyprus
4.	Denmark
5.	Finland
6.	France
7.	Germany
8.	Ireland
9.	Italy
10.	Netherlands
11.	Poland
12.	Portugal
13.	Spain
14.	Sweden
15.	United Kingdom
Third Countries	
16.	Australia
17.	Canada
18.	New Zealand
19.	Norway
20.	Switzerland
21.	USA

Staff delivering controls

All member states report on the number of staff employed to deliver official controls. In third countries some of the national or state authorities hold such data. However, because of the various ways controls are managed, this data is difficult to report consistently. In some cases it will include management and administrative staff, in others laboratory staff, in some all of these groups. It is not always possible to distinguish between officers delivering controls in slaughterhouses and cutting plants and those delivering controls in other premises. In a federal country where delivery is devolved to state level, it may or may not be reported and where it is, it may not be reported consistently. As consequence, although this measure has been included, it may have limited value as an indicator.

Third Countries

Five of the third countries examined were Federal Countries – Australia, Canada, New Zealand, Switzerland and USA. Each deliver controls through autonomous subdivisions - provinces/territories /cantons/ states. As these sub divisors have independent legislative powers, there may be some variation in the manner in which official controls are delivered. It was beyond the scope of the project to examine each subdivision independently – there being 50 States in America alone. Instead, for Australia, Canada, New Zealand, and USA examples have been selected to illustrate delivery.

Format of the Report

The results section of the report consists of the country case studies. These are divided into EU countries followed by Non –EU countries. Within these two sections the countries are listed alphabetically. The references list reflects this arrangement and within each country section the references are listed alphabetically.

Case Studies

EU Countries

- Austria
- Belgium
- Cyprus
- Denmark
- Finland
- France
- Germany
- Ireland
- Italy
- Netherlands
- Poland
- Portugal
- Spain
- Sweden
- UK

Non-Member States

- Australia
- Canada
- New Zealand
- Norway
- Switzerland
- USA

Austria

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population (2006)	8,281,295	Statistics Austria
Area	83,870 km ²	Europa EU
Population density	99 people/km ²	
Currency	Euro	Europa EU
Agricultural holdings (2007)		Eurostat (2008)
<ul style="list-style-type: none"> including horses 	225,380	
<ul style="list-style-type: none"> excluding horses 	208,620	
Total food businesses	130,567	Country profile Summary Data
Producers	10,694	Country profile Summary Data
Manufacturer & Processing (2008)	3958	Eurostat (2008)
Manufacturer, packaging & wholesale (2010)	6591	Country profile Summary Data
Retailers (2008)	10,257	Eurostat (2008)
Retailers (2010)	37,306	Country profile Summary Data
Food service (2008)	30,129	Eurostat (2008)
Food service (2010)	75,976	Country profile Summary Data
Volume of livestock produced (2010)		Country profile Summary Data
<ul style="list-style-type: none"> Cattle, pig, sheep, goat, horse 	5653 (1000 heads)	
<ul style="list-style-type: none"> poultry 	14210 (1000 heads)	
Staff delivering Food Controls	3,153 FTE*	Country profile Summary Data
<ul style="list-style-type: none"> Federal 	1440	Country profile Summary Data
<ul style="list-style-type: none"> Provincial (Länder) 	1588	Country profile Summary Data

*125 appear to be unaccounted for

Austria is a Federal Republic divided into 9 independent provinces or Länder, each controlled by a Provincial Governor with its own directly elected government (Landtag).

Legislation covering food and feed safety is the responsibility of the Federal Government (Chancellery), mainly the Ministry of Health (BMG) and the Ministry of Agriculture, Forestry, Environment and Water Management (BMLFUW). The Austrian Agency for Health and Food Safety is a private agency owned by the State which provides the required laboratory facilities, risk assessment and consumer information.

Responsibility for implementation of food safety controls is at either federal (imports) or provincial level (everything else).

Central Competent Authorities

Name of CCA	Responsibility
Ministry of Health (BMG)	Food safety and quality (including pesticide residues), animal health and welfare. Import of animals and food of plant and animal origin.
Ministry of Agriculture, Forestry, Environment and Water Management (BMLFUW)	Feed, plant health and plant protection products
Austrian Agency for Health and Food Safety (AGES)	laboratory facilities , risk assessment and consumer information

At the provincial level food controls are implemented by the Provincial Veterinary services, the Food Inspectorates and the Plant Protection Services. Officers are employed by the provincial administrations and report to the Provincial Governor. The Provincial Veterinary Services are organized into district services while the Food Inspectorates are not. Food inspectors can also be employed directly by the municipality in cities. In three provinces the responsibilities associated with the Provincial Veterinary Services have been assigned to the Provincial Food Inspectorates and in Upper and Lower Austria the two inspectorates have been merged.

Provincial Control Authorities

	Responsibility
Provincial Veterinary services	Meat, Poultry and establishments handling POAO except milk, eggs and fishery products
Food Inspectorates	Establishments handling milk, eggs and fishery products, retail, catering (food service) wholesalers
Plant Protection Services	Plant health

Official Control Staff

According to the Country Profile for Austria there are 3,153 staff (full time equivalents) involved in the performance of controls. This is divided between 1440 at Federal level and 1588 at provincial level, leaving 125 unaccounted for. These figures include staff employed by the Austrian Agency for Health and Food Safety (AGES) who deliver laboratory services and risk analysis. The main CCA, the Ministry of Health (BMG), employs 74.5 staff, including 15.5 administrators and 10.5 BIP Vets. The Provincial Veterinary Service employs a further 1100 vets and the Provincial Food Inspectorates employ 248 people. Other provincial or district staff add up to 240 FTE's. Staff are employed as civil

servants to ensure independence and any vets from private practice who may be used to deliver official controls are permitted only limited powers to eliminate any conflicts of interest.

Delivery of official controls, including approval of premises, is carried out by the provincial governments using directly employed veterinarians and inspectors. Both hygiene and standards are covered. The qualifications required for these posts are not indicated in the country profile. In response to the FVO report 2011-8997 of 28 February 2011 a new basic training course for Food Inspectors was to be implemented at the beginning of February 2012 covering not only food additives and food contact materials but all food groups and goods subject to the Austrian Food and Consumer Protection Law (LMSVG). The estimated number of hours training per year for food inspectors was to be 12 for those dealing with food additives and 14 for food contact materials.

Powers and Sanctions

Officers may deliver sanctions in the event of non-compliance according to the details provided in section 35(7) of The Food Safety and Consumer Protection Act (LMSVG) and according to the country profile these include the following:

- Seizure;
- Obligation to recall product;
- Imposition of corrective action;
- Forwarding evidence of infringement to the competent judicial authority (court).

In the area of Feed, inspectors may file a written objection for minor deficiencies, or charge for the cost of sampling and analysis. For serious cases they may seize non-compliant products and order their destruction or make a complaint to the penal authorities.

Risk Rating

The national control plan covers all establishments dealing with food and a risk category is assigned to the premises which relates to the frequency of inspection (risk assessment exercise). The categories range from 1-9. If a food establishment falls into the highest category of risk 9, inspection should be carried out at least one per year.

Audit & Monitoring

Verification of the delivery of official controls on food safety in Austria is achieved through submission of reports to the Ministry of Health (BMG) from the Provinces. In the area of food safety these reports take the form of a target –performance comparison using data generated by the provincial databases (referred to as ALIAS). The provisions are identified by the Ministry of Health (BMG) and reported on a quarterly basis. There is also an internal audit system which the provinces implemented in 2006. This has been expanded and updated and now ensures that each province will be audited once every three years. A pool of trained auditors conduct the audits with a federal observer participating in each audit.

Sampling Programme

The Ministry of Health (BMG) liaises with the Food Inspectorates and Austrian Agency for Health and Food Safety (AGES) through regular (six monthly) meetings to ensure co-ordination of the food testing plans.

Imports

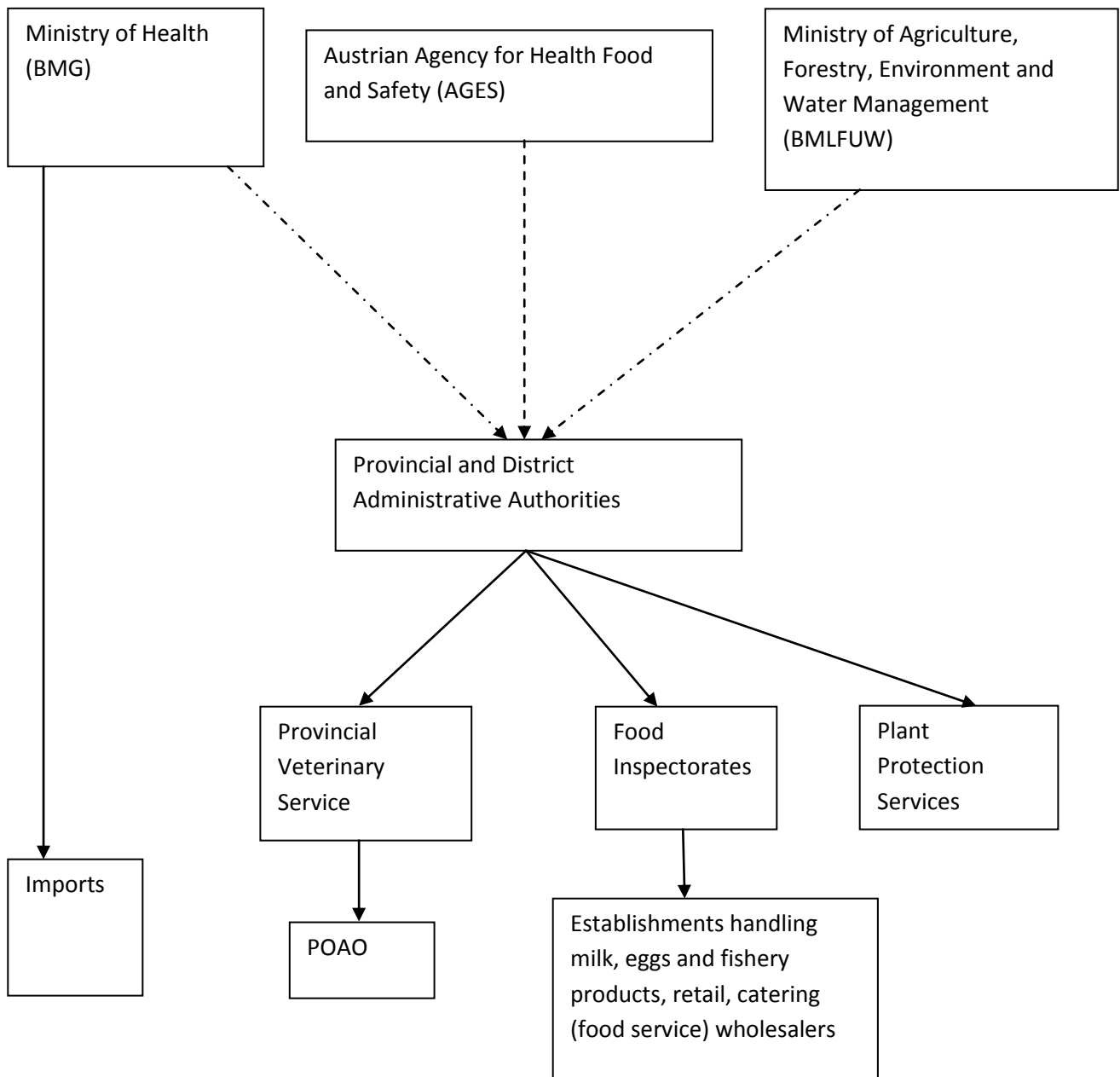
Austria, being landlocked and bordered by EU or EFTA countries requires limited border controls. The Ministry of Health (BMG) is responsible for the control of imported foods and staffs two Border Inspection Posts (Linz and Vienna) using 10.5 FTE veterinarians. Control of imports is carried out in cooperation with Customs (part of the Ministry of Finances). Control of imports was fully centralized in 2011 when import controls for food of plant origin moved from the Food Inspectorate to the Ministry of Health (BMG). Inspectors can ban the import of product which fails to meet required standards.

Other

Sector Guides

Co-operation with relevant entrepreneurs, experts and representatives of the authority, has resulted in the development of 24 good hygiene practice guides which were distributed to business and trade associations and published on the internet in various branch-specific journals. These guides were proposed by the Ministry of Health.

Chart indicating relationship between Federal and Provincial authorities Austria



Controls —————>

Legislation - - - - ->

Risk assessment and laboratory - - - - ->

Belgium

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population (2010)	10,839,905	Portal Belgium be
Area	30,528 km ²	Portal Belgium be
Population density	355/km ²	
Currency	Euro	Portal Belgium be
Agricultural holdings (2005)	51,540	Eurostat (2008)
Total food businesses	76503	Country profile, summary data
Production, Manufacturer & Processing	7323	Country profile, summary data
Retailers	27,063	Country profile, summary data
Retailers	18,163	Eurostat (2008)
Food service	42,117	Country profile, summary data
Food service	39,952	Eurostat (2008)
Volume of livestock produced		
• Cattle, pig, sheep, goat, horse	8798 (1000 head)	Country profile, summary data
• poultry	32750 (1000 head)	Country profile, summary data
Staff delivering Food Controls	1158	Country profile
• Federal	563*	Country profile
• Provincial	595	Country profile

*Includes inspectors and management but not administrative staff in Federal Agency for the Safety of the Food Chain (FASFC).

Belgium is a multilingual federal country with three levels of organisation. This arrangement was instituted in 1993 when the constitution was revised. The three levels of organisation are:

1. The first (top) level is the Federal state which has responsibility for food and feed safety, animal and plant health and animal welfare. Additionally at this top level there are Regions (Flemish, Walloon and Brussels-Capital) with powers to control specific areas including agriculture, environment and waste and Communities (Flemish, French and German) dealing with culture, education and language.
2. The second level comprises 10 provinces. Each province is responsible for anything not covered by the Federal state, Regions or Communities.
3. The final level (lowest) is that of the commune. There are 589 communes.

There are two main Central Competent Authorities with responsibility for food and feed safety in Belgium. They operate at the Federal level and are part of the Federal State. The Federal Agency for the Safety of the Food Chain (FASFC) is answerable to the Minister of Agriculture who is responsible for the safety of the food chain. The Federal Public Service for Health, Safety of the Food Chain and

Environment (FPS- HSFCE) answers to the Minister of Public Health. In general it appears that the Federal Public Service for Health, Safety of the Food Chain and Environment (FPS- HSFCE) (Minister of Public Health) is responsible for policy and product standards while the Federal Agency for the Safety of the Food Chain (FASFC) (Minister of Agriculture) is responsible for implementation and process standards. The division of responsibility between these two organizations has been clarified in a Royal Decree and is summarized below. Cases of zoonoses are jointly managed. There are monthly meetings between the two organizations and formal consultation processes.

Central Competent Authorities

Name of CCA	Responsibility
Federal Agency for the Safety of the Food Chain (FASFC) (Minister of Agriculture) Created in 2000	Process standards development. Risk Assessment not covered by Federal Public Service for Health, Safety of the Food Chain and Environment (FPS- HSFCE). Implementation and application of legislation and standards at all stages in the food and feed chains. Approval, registration, authorization as appropriate of Food Business Operators, traceability & identification systems, control measures and programmes protecting human, animal and plant health including fertilizers, pesticides and residues.
Federal Public Service for Health, Safety of the Food Chain and Environment (FPS- HSFCE) (Minister of Public Health) Created in 2001	Legislation, Policy – setting objectives and general principles on food chain safety, feed, animal health and plant protection (fertilizers and pesticides), Product standards development, including product risk assessment. Professional standards including approval of Vets.
Customs service (Federal Public Service Finance)	Imports of food not of animal origin

Provincial Control Authorities

CA	Responsibility
Provincial Control Unit	Application of controls and inspection of food premises including establishments handling POAO. Sampling, registration, authorization and approval

Official Control Staff

Official Controls are delivered via the 11 Provincial Control Units. Although these provincial control units reflect the geographic organization of the 10 provinces plus the Brussels-Capital Region, they are not provincially governed. Instead they are directly controlled by the Federal Agency for the Safety of the Food Chain (FASFC) via its Directorate General Control. The Directorate General Control

is one of the four Directorates General into which the Federal Agency for the Safety of the Food Chain (FASFC) is divided.

Apart from the Brussels-Capital Region which has no primary production, each Provincial Control Unit is divided into three operational sections corresponding to Primary Production, Processing and Unit Distribution. There are 595 staff delivering controls in the Provincial Control Units.

Belgium requires Food Business Operators to be registered, authorized or approved according to national legislation. Registration is administrative while approval requires a prior site visit. Authorization may include a prior site visit if considered necessary by the Control Authority. Butchers shops require authorization, with additional requirements if they wish to remove the vertebral column.

Sanctions are carried out by Federal Agency for the Safety of the Food Chain (FASFC) staff. Checklists indicate whether the premises conforms, conforms with remarks or does not conform. A score system is used and sanctions (warnings or summons) can be issued. In emergency cases premises can be closed.

The Public Prosecutor is responsible for hearing cases but apparently many cases can be dealt with by the Commissioner of Administrative Charges in the Federal Agency for the Safety of the Food Chain (FASFC) and need not go through the full court proceedings. However this is not explained in detail in the country profile.

Consideration is being given to allowing municipalities to also carry out inspections and draft warrants but this is expected to only be permitted in very few – the country profile suggests 2-3 out of 589 municipalities.

Risk Rating

According to the country profile the frequency of inspection/visits for establishments handling POAO is determined based on:

- Area of activity
- Compliance history over two years
- Own check systems

The resulting assessment determines the inspection frequency by allocating a class from I – V. However this categorisation does not seem consistent with the document entitled 'Risk Based controls & the MANCP' which considers all food premises and identifies three inspection categories, 1-3, relating to (1) a reduced inspection frequency, (2) basic or normal frequency and (3) increased frequency. Using category 2 as the standard frequency and an assessment of whether the premises is a low, medium or high sensibility premises, the inspection frequency can be calculated as a multiple or fraction of category 2.

The same document details the approach for the food sampling plan

Audit & Monitoring

Federal Agency for the Safety of the Food Chain (FASFC) prepares an annual control plan which determines the sampling and inspection targets for the Provincial Control Units. This is developed based on risk evaluation but also considers available resources. Ante and post mortem inspections

are not included as these are carried out 'on request' according to the document on 'Risk Based controls & the MANCP'.

The delivery of official controls is supervised by the Head of each Provincial Control Unit. The central services of the Directorate General Control monitors the statistics that result from the delivery of the official controls. Electronic data bases (e.g. FoodNet) are used for this purpose and allow both Provincial Units and Federal Agency for the Safety of the Food Chain (FASFC) to monitor the implementation of controls. The Provincial Control Units also have key performance indicators which are evaluated although they appear to be selected as easy to measure e.g. time & distance rather than relevant to public health. Other monitoring includes joint working, visits to other sectors, routine meetings and evaluations.

Internal auditing is carried out by the Federal Agency for the Safety of the Food Chain (FASFC) using a specialist section comprising fulltime auditors and seconded technical experts. The objective is to audit all sections, including the Provincial Control Units, laboratories and services within a five year period.

Sampling Programme

The sampling programme is determined by Federal Agency for the Safety of the Food Chain (FASFC) using a risk based methodology which considers the legislative requirements and RASFF notifications in addition to the risk analysis.

Imports

Federal Agency for the Safety of the Food Chain (FASFC) is responsible for import control at Border Inspection Posts via the relevant Provincial Control Unit. Private Veterinarians deliver the controls under contract to the Federal Agency for the Safety of the Food Chain (FASFC). The Customs Service controls import procedures for food not of animal origin using a single administrative document. Customs officers may inspect imported foods. Noncompliance leading to a danger to public health will be notified to the Provincial Control Unit.

Other

Fee Recovery

The Federal Agency for the Safety of the Food Chain (FASFC) is partially funded by annual fees collected directly from Food Business Operators. The fee levied is calculated according to the sector, capacity and staffing levels. Details of fee calculation are contained within National Legislation and no examples given on publicly available webpages- see 'Funding the FASFC' website and 'Risk Based Controls' website.

National Investigation Unit

Part of the Directorate General Control (a division of the Federal Agency for the Safety of the Food Chain (FASFC)), the NIU Investigates fraud especially with regard to illegal meats and false labelling. The unit is a multidisciplinary group including vets, agricultural engineers and technical experts.

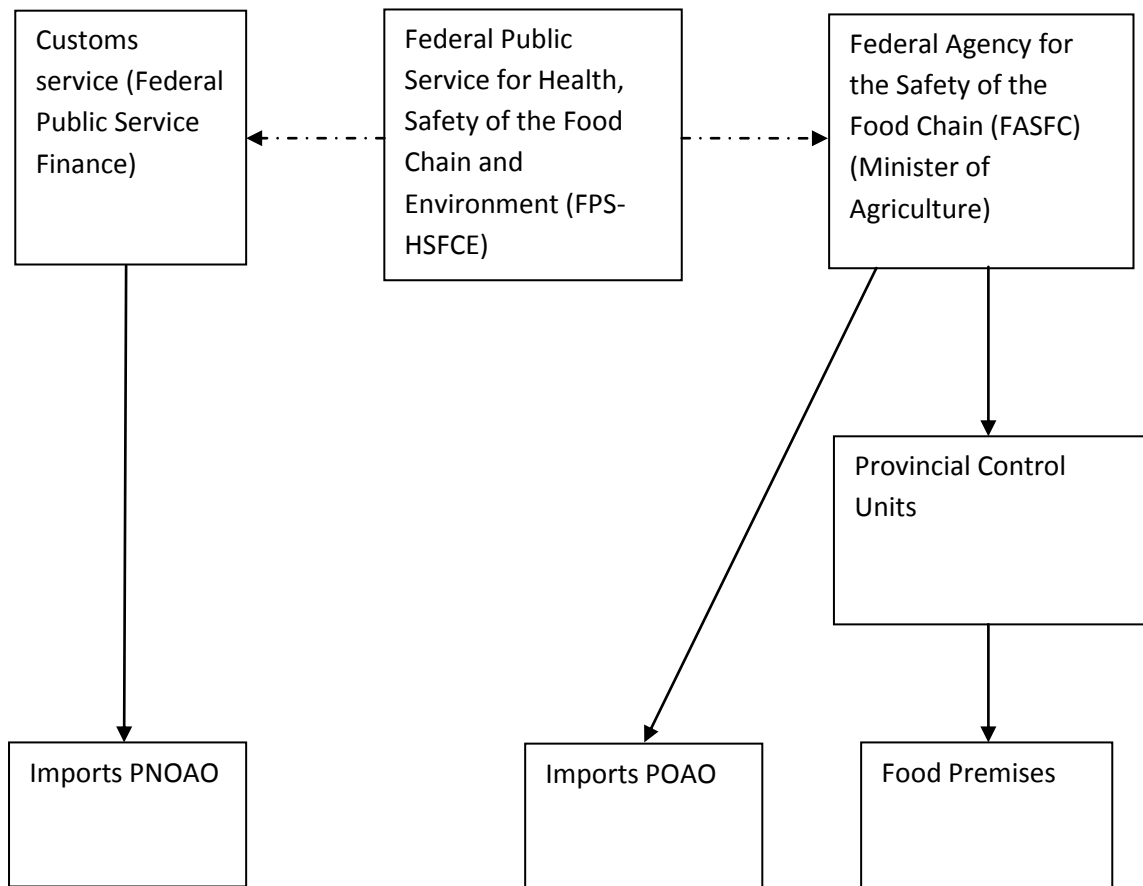
Sector Guides

Eleven sector guides for POAO and 29 guides for good hygiene practice have been approved based either on EC legislation (Regulation (EC) no 852/2004) or Belgian legislation. These can contribute to the implementation of own checks and acquisition of the Smiley award (see below)

Own Checks and Earned Recognition/3rd Party Audit

HACCP control and own check systems form part of the delivery of controls system in Belgium and contribute to the decisions on inspection frequencies. Validation of own check systems are also used to award a 'smiley' to food businesses who sell to the public. This is a voluntary scheme where the own checks system must be implemented using the relevant sector guide and audited by an approved certification body (NOT the Federal Agency for the Safety of the Food Chain (FASFC)). Award of a 'smiley' reduces the frequency of the inspections carried out by the Control Authority AND reduces the fees paid by the business to support the Federal Agency for the Safety of the Food Chain (FASFC) (see 'Welcome to Smiley' website).

Chart indicating relationships between authorities Belgium



Policy, standards, legislation - - - - ->

Controls - - - - ->

Cyprus

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	800,000	Europa eu
Area	9250km ²	Europa eu
Population density	86.5/km ²	
Currency	Euro	Europa eu
Agricultural holdings	45160	Eurostat (2008)
Total food businesses	15122	Eurostat (2008)
Total food businesses	10768	Country profile Summary Data
Manufacturer (2005)	960	Eurostat (2008)
Manufacture (2007)	816	Country profile Summary Data
Production & processing (2007)	114	Country profile Summary Data
Wholesale (includes tobacco) (2005)	489	Eurostat (2008)
Retailers (2005)	3004	Eurostat (2008)
Retailers (2007)	4026	Country profile Summary Data
Food service (2005)	8408	Eurostat (2008)
Food service (2007)	5812	Country profile Summary Data
Volume of livestock produced		Country profile Summary Data
<ul style="list-style-type: none"> • Cattle, pig, sheep, goat, horse 	1033 (1000 heads)	
<ul style="list-style-type: none"> • poultry 	3840 (1000 heads)	
Staff delivering Food Controls	665	Country profile
<ul style="list-style-type: none"> • National 	639	
<ul style="list-style-type: none"> • Local (municipal) 	26	

Cyprus is a presidential republic and one of the smallest member states of the EU. It is an island which also effectively shares a land border with a non EU country. In 1974 internal conflict between Greek and Turkish speaking Cypriots resulted in the division of the island into two republics. The Greek speaking Republic of Cyprus is a member of the EU while the Turkish Republic is not (Europa EU). In 2003 the previously sealed land border between the two republics was opened and there is now movement between the two sections. The crossings are controlled but the BIPs in Southern Cyprus are at Larnaca Port and Limassol Airport while the crossing points from North to South are along the land border, especially in Nicosia. However, the most recent FVO report on the controls of imports to Cyprus (FVO 2012) concludes that satisfactory controls are in place with regard to POAO.

Food controls are mainly centralised in Cyprus with the responsibility being shared between the Ministry of Agriculture, Natural Resources and Environment (MANRE) and the Ministry of Health (MH). The Ministry of Agriculture, Natural Resources and Environment (MANRE) delivers controls relating to Products of Animal Origin (apart from ice cream and honey) and the Ministry of Health

(MH) is responsible for controls in other establishments. Food service and retail, except butchers, are the responsibility of the municipalities via agreement with the Ministry of Health (MH).

The Ministry of Agriculture, Natural resources and Environment (MANRE) delivers controls in retail butchers through its veterinary services division.

Central Competent Authorities

Name of CCA	Responsibility
Ministry of Agriculture, Natural resources and Environment (MANRE)	animal health including POAO (except Honey and Ice Cream) and premises approval, TSE's and vet medicines, feed, pesticides and plant health, butchers shop registration, imports of POAO.
Ministry of Health (MH).	food hygiene, GMO, pesticides residues in food, imports of plant origin, honey and ice cream , licensing & registration, annual inspection plans, import of PNOAO

The Ministry of Health (MH) delivers controls through its Public Health Services Division. This includes 5 district Health Inspectors Offices. Food Hygiene inspections are carried out by the District Offices of the Ministry of Health (MH) for establishments NOT handling POAO and by the municipalities for restaurants, tavernas and other food service premises.

The Ministry of Health (MH) is also directly responsible for honey and ice cream through Public Health Services Division.

Co-ordination between the two ministries and the definition of priorities and policy is handled by the Food Safety Board. This is chaired by the Ministry of Health and representatives from the competent authorities sit on the board which meets every two months.

Control Authorities

	Responsibility
Municipalities	Food service premises

Official Control Staff

Staff delivering official controls in food service sector work for the municipalities but operate under an agreement with the Ministry of Health. According to the country profile, there are 24 autonomous municipalities, of which 19 have inspectors but of which only 8 have the competence to deliver official controls. How controls are delivered in the remaining 16 is not explained.

Powers

Staff have powers of entry (details not specified), to sample and take enforcement measures (details not specified), restriction or prohibition of placing on the market, monitoring, recall, withdrawal and or destruction, suspension of operation or approval, premises closure/withdrawal of approval, detention or destruction of product, restriction or return of consignments

Sanctions

Sanctions comprise:

- Administrative fines imposed by the Control Authority
- Fines imposed by the Police
- Prosecution with penalties which include fines and/or custodial sentence. The decision to prosecute is made by Attorney General on written recommendation by the inspector.

Staff training appears to be internally assessed rather than meeting externally validated competencies.

Risk Rating

The Country Profile reports that a risk categorisation for the delivery of official controls has been developed for premises under the control of the District or Municipal inspectors. Frequency of controls ranges from three times per year for high risk premises to once per year in low risk. Details of how risk is determined are not described.

Audit & Monitoring

The Ministry of Health, through its Public Health Services Division has an internal audit section responsible for auditing the municipalities. All other control delivery is monitored via line management supervision. This may be via monthly returns (district offices) or inspections (BIPS)

Sampling Programme

Inspectors are authorised to take samples and appear to take duplicates for use in the event of a dispute. However it is not clear from the country profile whether samples are taken as part of a nationally coordinated plan, individually initiated or if both options are possible.

Imports

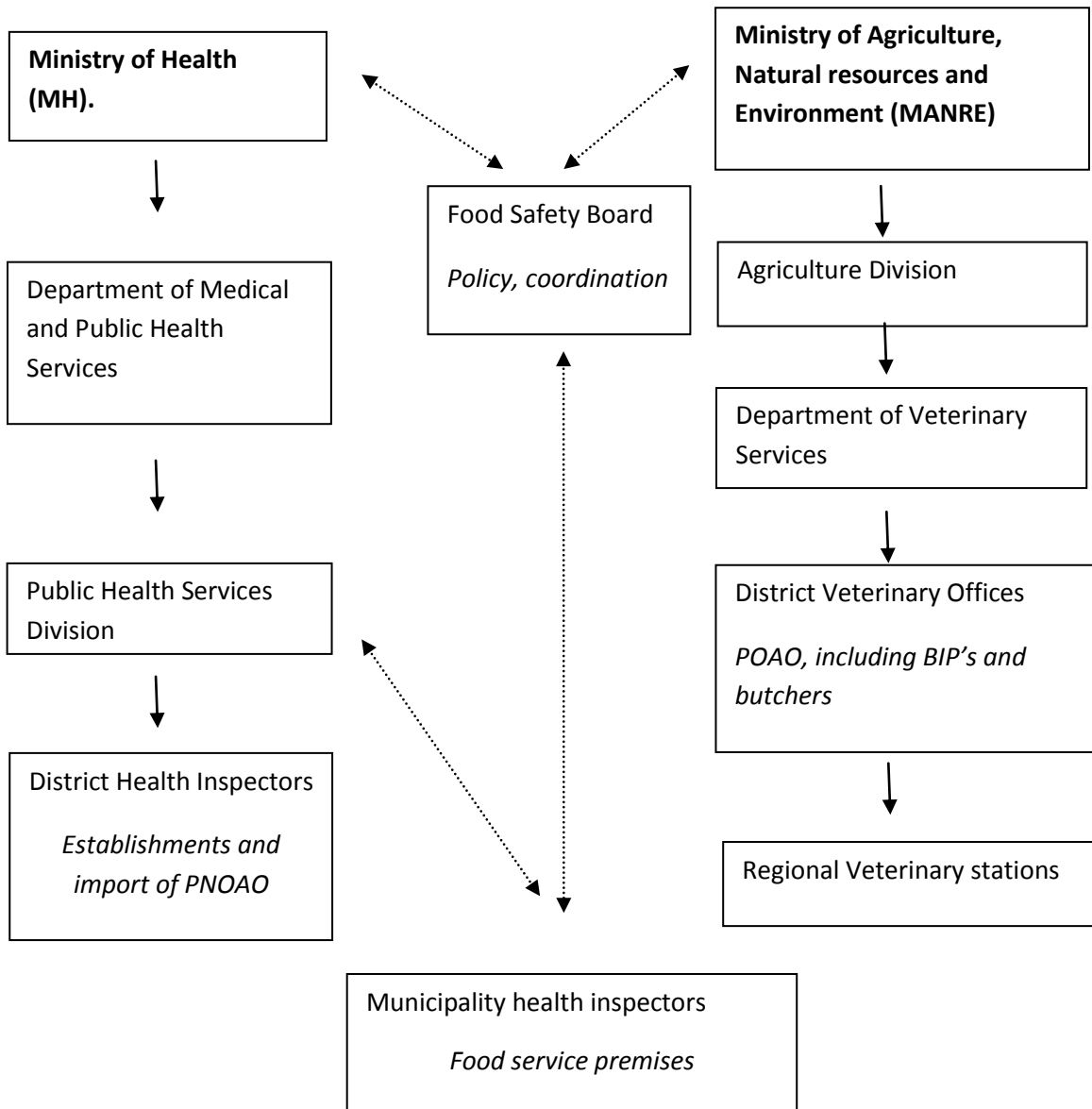
There are two Border Inspection Posts under the control of the Department of Veterinary Services which is within the Ministry of Agriculture, Natural resources and Environment (MANRE). As the Ministry of Health is the RASFF contact, formal communication lines have been established to ensure information is passed between the organisations effectively. Imported products not of animal origin are under the control of the relevant District Health Inspection Office.



Other

The laboratory system in Cyprus is not sufficiently extensive and some aspects are contracted out to laboratories in other member states.

The Ministry of Health (via the Department of Medical and Public Health Services) informs the media on a monthly basis with regard to any fines (court or administrative) imposed for contraventions of food controls. Official Veterinary Officers are obliged to provide an annual media interview.

Relationships between the Control Authorities Cyprus



- 
 Implies coordination between organisations
- 
 Implies direct supervisory control

Denmark

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	5,574,000	Official website
Area	43094 km ²	Europa EU
Population density	129/km ²	
Currency	Danish Krona	Europa EU
Agricultural holdings	51,370	Eurostat (2008)
Total food businesses	19,974	Using Eurostat figures
Total food businesses	21,129	Using Country profile Summary Data figures
Manufacturer & Processing	1,778	Eurostat (2008)
Manufacture & Processing(2012)	1,639	Country profile Summary Data
Retailers	6,119	Eurostat (2008)
Retailers (2012)	7,538	Country profile Summary Data
Food service	12,077	Eurostat (2008)
Food service (2012)	11,952	Country profile Summary Data
Volume of livestock produced (2012)		
• Cattle, pig, sheep, goat, horse	14066 (1000 heads)	Country profile Summary Data
• poultry	16690 (1000 heads)	Country profile Summary Data
Staff delivering Food Controls	2,645	Country profile
Ministry of Food, Agriculture and Fisheries	1924	Country profile
Other CCA	721	Country profile

Denmark is a constitutional monarchy with a single chamber parliament (Europa EU). It comprises 5 Regions divided into 98 municipalities (Ismeri Europa – Applica 2010). However these regional and municipal delineations do not appear to be reflected in the organisation of the delivery of food controls. Greenland and the Faeroe Islands are part of Denmark but are self-governing (Ismeri Europa – Applica 2010) and are not described in the following section.

Central Competent Authorities

Name of CCA	Responsibility
Ministry of Food, Agriculture and Fisheries (MFAF)	Legislation and delivery of official controls on food and feed legislation on animal health, welfare, veterinary surgeons, organic food

The main CCA in Denmark is the Ministry of Food, Agriculture and Fisheries (MFAF) and the staff delivering controls are part of this Ministry. Three other government ministries also have minor

responsibilities such as the Ministry of Justice (Police are responsible for road side checks on animals during transport). However the majority of official controls fall under the jurisdiction of the MFAF.

The delivery of official controls is carried out by two sections of the Ministry of Food, Agriculture and Fisheries (MFAF). These are The Danish Veterinary and Food Administration (DVFA) and The Danish Agrifish Agency (DAFA). The DVFA, with a central office in Glostrup, is organised into 9 food control offices and 3 veterinary control offices located at various points throughout the country. The Central Administration takes responsibility for national coordination including prioritisation, production of regulations and guidance; national campaigns, control procedures, and holding the common register. Staff in the control offices implement and deliver official controls locally and may adapt national control programmes to local needs. The Danish Agrifish Agency also operates through regional offices.

Control Authorities

CA	Responsibility
Eurofins	Protection of geographical indication and designation of origin, certification and analysis only – non-compliance must be reported to the CCA and enforcement carried out by the DVFA, a division of the Ministry of Food, Agriculture and Fisheries (MFAF)

Official Control Staff

There are 1924 staff employed by the Ministry of Food, Agriculture and Fisheries (MFAF). Those involved in front line delivery of official controls tend to be allocated to the Food Control Offices, the Veterinary Control Offices or the District offices of Danish Agrifish Agency (DAFA). In addition there are two specialist units known as The Veterinary Task Force and The Food Inspection Task Force. Apart from the Official Veterinarians involved in delivery of official controls in the slaughterhouses there are no specified qualifications required. Competency is determined by the Head of the relevant Office.

Powers of Officers

Officers have the following powers under Danish Food Law:

- To enter establishments (and to inspect or audit once there)
- To access documentation
- To implement enforcement measures
- To impose conditions
- To restrict and prohibit placing on the market
- To put in place necessary decisions and orders
- To seize and dispose goods
- To take evidence

For Feed, officers also have the powers to access premises and documentation.

Delivery of Controls

The inspection visits carried out by inspectors in Denmark would be defined as audits under Regulation (EC) No 882/2004 rather than inspections in that the inspectors consider the company's pre requisite systems and own-check management system. Verification may also be carried out by the inspectors through sampling or other monitoring. Inspection reports are published on the internet and must be displayed by the premises.

In addition to the own check audits, The Danish Veterinary and Food Administration (DVFA) arranges national inspection campaigns. These focus on specific areas of food processing or food safety which have been identified as posing a risk. These campaigns do not require additional inspections – they are carried out during normal visits but each campaign raises awareness of a particular risk and the inspectors may make a more in depth investigation of that particular aspect. Industry is informed of the topic(s) each year and this helps to raise awareness in the industry about the particular risk under investigation. In that way the inspection becomes an educative as well as enforcement intervention.

The Food Inspection Task Force and Veterinary Task Force are specialist multidisciplinary units. They carry out specific inspections out with the normal delivery of controls. The Food Inspection Task Force was established in 2006. This unit (sometimes referred to as the flying squad) has teams in three locations but operates nationally. The unit is both reactive and proactive and includes experts such as accounting and banking specialists, people with industrial or legal experience and ex-police officers (Mynster, Proceedings of the Food Fraud Conference). This expertise complements the skills of the food inspectors and ensures a thorough investigation. A Veterinary Task Force carries out similar work but takes action with regard to contraventions in the meat industry such as illegal slaughter. Both task forces work in co-operation with the relevant food control offices.

Sanctions

Sanctions for non-compliance may comprise:

- Issuing a written order or a formal instruction, which may include an administrative fine
- Warning
- Enforcement notice which may cover the following
 - injunction or prohibition e.g. imposing improvement of own-checks,
 - ban on production,
 - correction,
 - external training
 - use of consultancy services
- Removing or issuing an authorisation with conditions;
- Closure of a food operation.
- Reporting premise to police for prosecution (Only the police authorities may initiate prosecutions).

Risk Rating

The Danish risk rating scheme covers all establishments and allocates each to one of five groups. Allocation is based on seven risk factors covering both microbiological and chemical factors and a general factor depending on the activity of the sector. The highest frequency is 5 interventions per year in the highest risk premises to the lowest, where interventions are carried out, according to the Danish Risk Rating Website, 'as and when required'. The Country Profile does not specify if these interventions are inspections or may be other actions. The frequency is also affected by whether the premises is an 'elite' premises (see section on Earned Recognition).

Audit & Monitoring

Delivery of controls by the Food Control Offices is monitored through the use of monthly Key Performance Indicators. These reflect the specific targets identified in the 'Results Contract' or control plan designed annually by the Ministry of Food, Agriculture and Fisheries (MFAF). Inspectors in the Food Control Units are subject to quality supervision and this in turn comes under scrutiny by the supervision unit of The Danish Veterinary and Food Administration (DVFA). The 2012 Country profile reports that from 2012 the responsibility for verifying compliance, effective implementation and effectiveness under Regulation (EC) 882/2004 for food will be taken by an internal audit unit of The Danish Veterinary and Food Administration (DVFA). Previously this was carried out by an external audit unit.

Informal monitoring and standardisation could be said to occur through "Experience Groups". These are meetings which include participants from the Food Control Offices meet with officials from the central level of The Danish Veterinary and Food Administration (DVFA). The meetings are an opportunity for technical discussions and can act to harmonise and standardise implementation of the legislation. Reports are made from the meetings which are published on the intranet for access by all officials.

Sampling Programme

The Danish Veterinary and Food Administration (DVFA) prepares an annual sampling plan. This is designed to include monitoring as well as problems and risks identified by the control staff. The plan, along with guidance and templates are available on the intranet and implemented by the control units. Results, project report and evaluation are also uploaded on to the intranet for ease of access by staff.

Imports

The Food Control Offices of The Danish Veterinary and Food Administration (DVFA) are responsible for control of imported food, including POAO. Border Inspection Posts are not used for import of foods not of animal origin.

Other

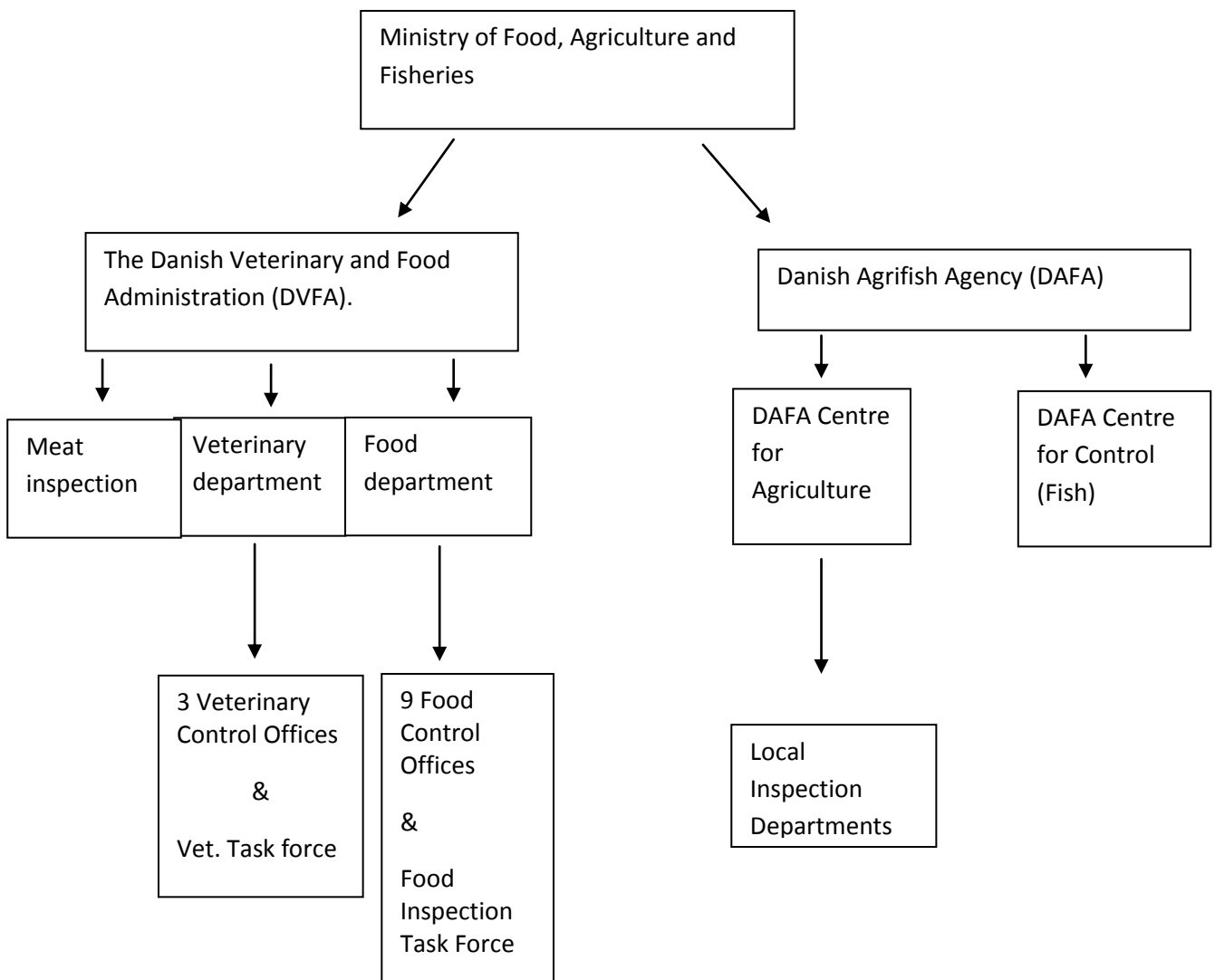
Earned Recognition

Denmark has developed a form of earned recognition which provides an 'Elite' status for premises meeting certain compliance standards. Premises which have had no sanctions for four consecutive

inspections **and** on all inspections for at least 12 months are awarded the 'Elite' status and a reduced inspection frequency. Third party accreditation may also contribute to achievement of 'Elite' status. Uptake of the 'Elite' status award is no doubt encouraged by the fact that since 2001 retailers must display their latest inspection report. A symbol (smiley) is used to indicate a good report and the last four inspection reports are published at www.findsmiley.dk . Food premises may link to the site from their own websites if desired.

National Inspection Campaign (see delivery of controls above)

Chart indicating relationship between authorities Denmark



Finland

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population (2011)	5,401,267	Statistics Finland
Area	338,000km ²	Europa
Population density	16/km ²	
Currency	Euro	Europa
Agricultural holdings	70520	Eurostat 2008
Total food businesses	15,794	Using Eurostat 2008 figures
Total food businesses	13,433	Using Country profile summary figures
Manufacturer & Processing	1739	Country profile summary
Manufacturers & wholesalers	2920	Eurostat 2008
Retailers	4199	Eurostat 2008
Retailers	1996	Country profile summary
Food service	8675	Eurostat 2008
Food service	9698	Country profile summary
Volume of livestock produced		
<ul style="list-style-type: none"> • Cattle, pig, sheep, goat, horse 	2323 (1000 heads)	Country profile summary
<ul style="list-style-type: none"> • poultry 	9790 (1000 heads)	Country profile summary
Staff delivering Food Controls (FTE)	1211	
<ul style="list-style-type: none"> • MAF 	59	Country profile
<ul style="list-style-type: none"> • Evira 	733	Country profile
<ul style="list-style-type: none"> • RSSA 	55	Country profile
<ul style="list-style-type: none"> • Municipal Food Control 	279	Country profile
<ul style="list-style-type: none"> • Customs 	85	Country profile

Finland has been a republic since 1917 with a unicameral (single chamber) parliament of 200 members. The country is divided into 336 municipalities. The Municipalities have wide ranging responsibilities which, according to the Ismeri Europa – Applica report (2010), have increased over the years without any increases in funding. In 2007 The Restructure of Local Government and Services Act encouraged mergers and cooperation between municipalities which can be seen in the arrangements which have developed for the delivery of official controls.

The Ministry of Agriculture has ministerial responsibility for Food and Feed. Evira, the national food agency has responsibility for the national food safety programme and reports to the Ministry of Agriculture. Delivery of controls is divided between Evira and the Municipal Control authorities.

Central Competent Authorities

Name of CCA	Responsibility
Ministry of Agriculture	Policy and legislative powers for food hygiene, plus food composition and labelling. Contains Dept. of Food & Health (DFH) and Central Vet service.
Evira (Finnish Food Safety Authority) reporting to Ministry of Agriculture	Planning and policy Delivery of controls in large SH, integrated meat plants and fish plants Imports of POAO
Ministry of Finance	Import of foods not of animal origin (Customs) and The Regional State Administrative Agencies (RSAA's)

There are 88 Municipal Food Control Authorities. The 336 municipalities cooperate or merge their delivery of controls to form the Municipal Food Control Authorities. Finland is composed of six Regional State Administrative Agencies (RSAA's) who are responsible for supervising and evaluating the delivery of official controls in the Municipal Food Control Authorities. The Regional State Administrative Agencies (RSAA's) are mainly answerable to the Ministry of Finance, although six other ministries also have some form of management control.

Sub-national Control Authorities

CA	Responsibility
Six Regional State Administrative Agencies (RSSA) answerable primarily to Ministry of Finance	monitoring and evaluation of the delivery of food controls by the municipality
88 Municipal Food Control Authorities (MFCA)	deliver official controls apart from those directly delivered by EVIRA

Official Control Staff

The delivery of official controls is shared between Evira and the Municipal Control Authorities. The municipalities each have an Environmental Health department with responsibility for the delivery of controls according to its own municipal food control plan. The municipal plan takes into account the annual national food control programme from Evira. Individual municipalities are autonomous in the organisation and delivery of official controls but many form federations for the delivery of controls resulting in the 88 Municipal Food Control Authorities (MFCA). The formation of such federations is encouraged by the requirement that any individual local (municipal) control unit must have resources equivalent to at least 10 FTE positions if they wish to deliver official controls independently (Tähtkääpä *et al* 2013).

According to the country profile Food Business Operator's (including those in premises producing food not of animal origin) are licensed by the Municipal Food Control Authorities (MFCA) and a national register under development at the time of writing.

Powers

Powers and sanctions available include:

- orders
- prohibitions
- fines
- default powers
- suspension & cancellation of approval
- seizure
- prosecution

Staff

The country profile indicates 1285 FTE are involved in delivery of official controls but this includes officers responsible for feed, animal health, animal by-products animal welfare and plant health, which are not separately identified in the report. At the local level there are 55 staff in the RSAA's and 279 FTE in the municipalities. A calculation on page 51 indicates 4.3 inspection days per 1,000 inhabitants.

Risk Rating

A fixed frequency has been established based on criteria such as type and volume of production and their associated risks, production facilities and hygiene of production. The frequency can be reduced or increased by up to 50% based on the reliability of own-check programmes of the establishments and the FBOs' past records.

Audit & Monitoring

Evira sets the annual national food control programme in agreement with the Ministry of Agriculture. This is discussed with the Regional State Administrative Agencies (RSSA) and performance targets and service contracts are agreed. The municipalities then set the municipal control plan which reflects the national objectives and includes inspection frequencies for premises in their area. This is agreed with the Regional State Administrative Agencies (RSSA). The municipal plans highlight the existing resources and those required for successful delivery of the plan. The Regional State Administrative Agencies (RSSA) evaluates the delivery of the plans through monitoring and annual audit. However there is no legal obligation for the Municipal Food Control Authorities to act on or implement audit recommendations. Neither Evira nor the Regional State Administrative Agencies (RSSA) have powers to direct the Municipal Food Control Authorities to carry out specific actions. Evira has an annual performance agreement with the Ministry of Agriculture which sets out objectives and deliverables. However this does not generally require any auditing of whether the Municipal Food Control Authorities or the Regional State Administrative Agencies (RSSA).

A joint audit co-ordination group has been reviewing the audit system to consider alternate ways of conducting independent scrutiny. The aim was to have completed the review by the end of 2011.

Sampling Programme

Sampling forms part of the national and municipal food control plans.

Imports

Evira is responsible for the import of POAO at the BIP's, of which there are 4. Controls on the import of food not of animal origin are carried out by Finnish Customs who are under the jurisdiction of the Ministry of Finance. Customs also participate in the import of POAO by selecting and forwarding freight consignments for veterinary checks. Finnish Customs employs six specialist food inspectors.

Other

Cost Recovery

The municipalities in Finland receive some state funding but since 2007 are required to charge for the delivery of controls, specifically for licensing, sampling and some types of inspection. According to the Country Profile for Finland, it is estimated that the municipalities are recovering costs and the recovery rate is increasing. However this recovery does not seem to have been immediate (or possibly consistent). In 2007 it was estimated that while 97% of the costs for veterinary border controls were collected, only 20% of the municipal food control costs were. However Tähkäpää *et al* (2013) report that in 2010 the fees collected were significantly higher than had been expected

Chart indicating relationship between authorities

Downloaded From Country Profile



France

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	64,300,000	Europa EU
Area	550,000 km ²	Europa EU
Population density	117/km ²	
Currency	Euro	Europa EU
Agricultural holdings	567,140	Eurostat (2008)
Total food businesses (2008)	276,693	Using Eurostat (2008) data
Total food businesses (2006)	360,112	Using Country profile summary data
Manufacturer & producer (2006)	66,807	Country profile summary statistics
Manufacturer & wholesale	89,099	Eurostat (2008)
Retailers	78,920	Eurostat (2008)
Retailers (2006)	112,843	Country profile summary statistics
Food service	179,674	Eurostat (2008)
Food service (2006)	180,462	Country profile summary statistics
Direct sale food establishment	303,300	Country profile
<ul style="list-style-type: none"> • restaurants 	105,000	
<ul style="list-style-type: none"> • canteens 	91,265	
<ul style="list-style-type: none"> • retail 	107,035	
Volume of livestock produced		
<ul style="list-style-type: none"> • Cattle, pig, sheep, goat, horse 	43,602 (1000 head)	Country profile summary
<ul style="list-style-type: none"> • poultry 	275,780 (1000 head)	Country profile summary
Staff delivering Food Controls (total)	8,246 fulltime 12,500 part time	
<ul style="list-style-type: none"> • central 	1,400	Country profile does not specify if those at the central and regional level are full or part time. Consequently it is not possible to determine how many are employed at department level
<ul style="list-style-type: none"> • regional 	100	
<ul style="list-style-type: none"> • department 	remainder	Annex III of the country profile indicates that 5034 staff are dedicated to food, plus 12,500 part time mandated vets. However these numbers include delivery of controls for raw meat as well as other POAO.

The Republic of France is a unitary state with administrative regions. These subdivisions are the region, the department (*département*) (which is further divided into *arrondissements*) and the commune. They each have various legal functions, and the national government is prohibited from intruding into their normal operations. There are 22 regions, 96 départements and 36000 communes in mainland France. Regions have extensive powers in the fields of transport, infrastructure, economic development, tourism and education. They can levy taxes and have financial control. Departments are administered by elected Councils (*conseil général*). National services such as delivery of official controls for food and feed are typically organized at departmental level. The Department Prefect acts as the National Government representative with constitutional powers. Consequently the Department Prefect is responsible for actions such as, for example, granting and withdrawing approvals to Premises requirement it under Regulation (EC) 853/2004.

At the time of publication (2009) the country profile reports that a review of the delivery of public services in France was underway. With regard to the delivery of official controls, this appears to have so far resulted in the creation of regional bodies, each linked to a Ministry acting as a CCA for some aspect of delivery of official controls. In other cases existing organisations were (at the time the country profile was published) about to change names or structure (e.g., Regional Directorates for Health and Social Affairs (DRASS) to be replaced by Regional Health Agencies (ARS) Jan 1 2010). This may result in some inaccuracies in the following account.

Programmes and budgets are set centrally but the Region has the responsibility for allocation of financial and human resource to départements. The delivery of controls appears to be actually carried out by the departments except in some specific cases such as investigations by the BNEVP (National Brigade for Veterinary and Plant Health Investigations) or agents of the DGCCRF (Directorate General for Competition, Consumer Affairs & Fraud Repression)

There are three main CCA's in France, MAAP: Ministry of Agriculture and Fishery, MEIE: Ministry of Economy, Industry and Employment, and MHS: Ministry of Health, Youth, Sport and Social Life. In addition the Ministry of Defence takes responsibility for the health of the Armed Forces. It appears that the delivery of official controls in food processing and food service establishments is partially the responsibility of all three main CCA's. Policy and Coordination is also listed as the responsibility of all three.

Central Competent Authorities

Name of CCA	Responsibility
MAAP: Ministry of Agriculture and Fishery	<p>Directorate General for Food (DGAL) under MAAP responsibility for primary production, production & processing of POAO; RASFF contact</p> <p>Shared responsibility (with Directorate General for Competition, Consumer Affairs & Fraud Repression DGCCRF under MEIE) for storage, transport , distribution & direct sale, eggs</p> <p>Shared responsibility for catering with Directorate-General for Health (DGS) under MHS</p>

MHS: Ministry of Health, Youth, Sport and Social Life	Directorate General for Health (DGS) under MHS delivers controls in social catering and general food hygiene, including inspection in restaurants, bakeries & markets, food borne infections and water quality; RASFF contact
MEIE: Ministry of Economy, Industry and Employment	Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) responsibility for FNOAO, integrity and safety of food and feed
MD: Ministry of Defence	health of the armed forces

Exactly how the controls are divided is not easy to determine from the country profile but Departmental Directorates for Health and Social Affairs (DDASS) are reported to have carried out inspections in restaurants, bakeries, markets, canteens, retirement homes and holiday resorts. Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) also inspects food premises (21,000 in 2006). According to the country profile some of the delivery of official controls may involve mixed teams. Coordination between the different organisations appears to take place at the department level under the Department Prefects via the Regional Food Services (SRAL's). The Prefect may formalise the coordination by developing an 'Interservice Mission for Food Safety' (MISSA). Other techniques for coordination include the nomination of one of the directors of the Departmental Services to oversee a competence centre or inter service food safety group.

All food premises are registered. This is a requirement of the National Institute for Statistics and Economic Studies (INSEE) and the list of premises is available to the inspectors. For POAO Directorate General for Food (DGAL) and Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) also have databases.

Regional & Departmental Control Authorities

CCA	Regional body	Departmental body
MAAP: Ministry of Agriculture and Fishery Directorate General for Food (DGAL)	Regional Directorates for Food, Agriculture and Forestry (DRAAF) containing the Regional Food Service (SRAL)	Departmental Directorates for social cohesion and protection of the population (DDCSPP) Departmental Directorate for protection of the population (DDPP)
MHS: Ministry of Health, Youth, Sport and Social Life Directorate General for Health (DGS)	Regional Directorates for Health and Social Affairs (DRASS) to be replaced by Regional Health Agencies (ARS) Jan 1 2010	Departmental Directorates for Health and Social Affairs (DDASS) to be replaced by ARS at some point unspecified in the country profile.
MEIE: Ministry of Economy, Industry and Employment Directorate General for	Regional Directorate for Competition, Consumer Affairs and Fraud Repression (DRCCRF)	Departmental Directorate for Competition, Consumer Affairs and Fraud (DRCCRF)

Competition, Consumer Affairs & Fraud Repression (DGCCRF)		
MD: Ministry of Defence	Regional Directorate of the Health Service of the Armed Forces (DRSSA)	

The French Food Safety Authority (AFSSA) does not undertake or deliver official controls. It is an independent Institution primarily responsible for research and scientific /technical support. It carries out food safety risk assessments and many of its laboratories are National Reference Laboratories. It is answerable (the country profile states ‘under the auspices of’) the three main CCA’s, MAAP: Ministry of Agriculture and Fishery, MEIE: Ministry of Economy, Industry and Employment and MHS: Ministry of Health, Youth, Sport and Social Life.

Official Control Staff

Veterinary public health inspectors delivering official controls in the Regional Food Services (SRAL’s) are obliged to have completed specified training at the National Veterinary Services School in Lyon. Other control staff include technicians working under the Official Veterinarians but who do not have specific qualifications and Agriculture and Environment Engineers (qualifications unspecified).

Regional Food Service (SRAL) staff and Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) agents may propose criminal proceedings to state prosecutors, propose measures to the Prefect (suspension of activity or product recall) or require certain corrective actions.

In the response to the FVO report 7223/2007 on food hygiene inspection (FVO 2007) the French authorities state that while their officers already have the necessary legal base to deal with infringements, new decrees clarifying this base and simplifying/diversifying available sanctions were being developed.

Risk Rating

The inspection frequency for premises handling food when ‘first placed on the market’ is a two stage process. The first stage is taken by the Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) and allocates premises a score based on the theoretical risk. This is then amended at department level taking into account the risk of each establishment individually, using local information such as compliance and size. For the stages other than ‘first placing on the market’, the frequency of checks is fixed at local level again using compliance, size, previous history etc.

Audit & Monitoring

Audits on approved establishments are generally undertaken by the Departmental Directorate for Veterinary Services (DDSVs). To ensure harmonised controls these experts assist the Regional Food Services (SRAL’s) and audit establishments. An information system allows the CA to monitor inspection frequency compliance – no further details were given (see the response to the FVO report on food hygiene (inspection 7223/2007 of 10/12/2007)

Sampling Programme

Each plan defines the number of samples taken in the relevant region. Details of samples taken are registered in what the Country Profile refers to as the SORA and SIGAL systems. The Directorate General for Food (DGAL) and Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) are responsible.

Imports

Directorate General for Food (DGAL) is the CCA for imports of POAO and supervises and coordinates the BIP's. Operational matters and staffing at individual BIP's are controlled by the relevant Regional Food Services (SRAL) while the Departmental Directorate for Veterinary Services (DDSVs) are responsible for administrative and financial matters. Ministry of Economy, Industry and Employment (MEIE) specifically the Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) are the CA for imports of PNOAO. There are nine Designated Ports of Entry and the controls are delivered by the Departmental Directorate for Competition, Consumer Affairs and Fraud (DRCCRF)

Other

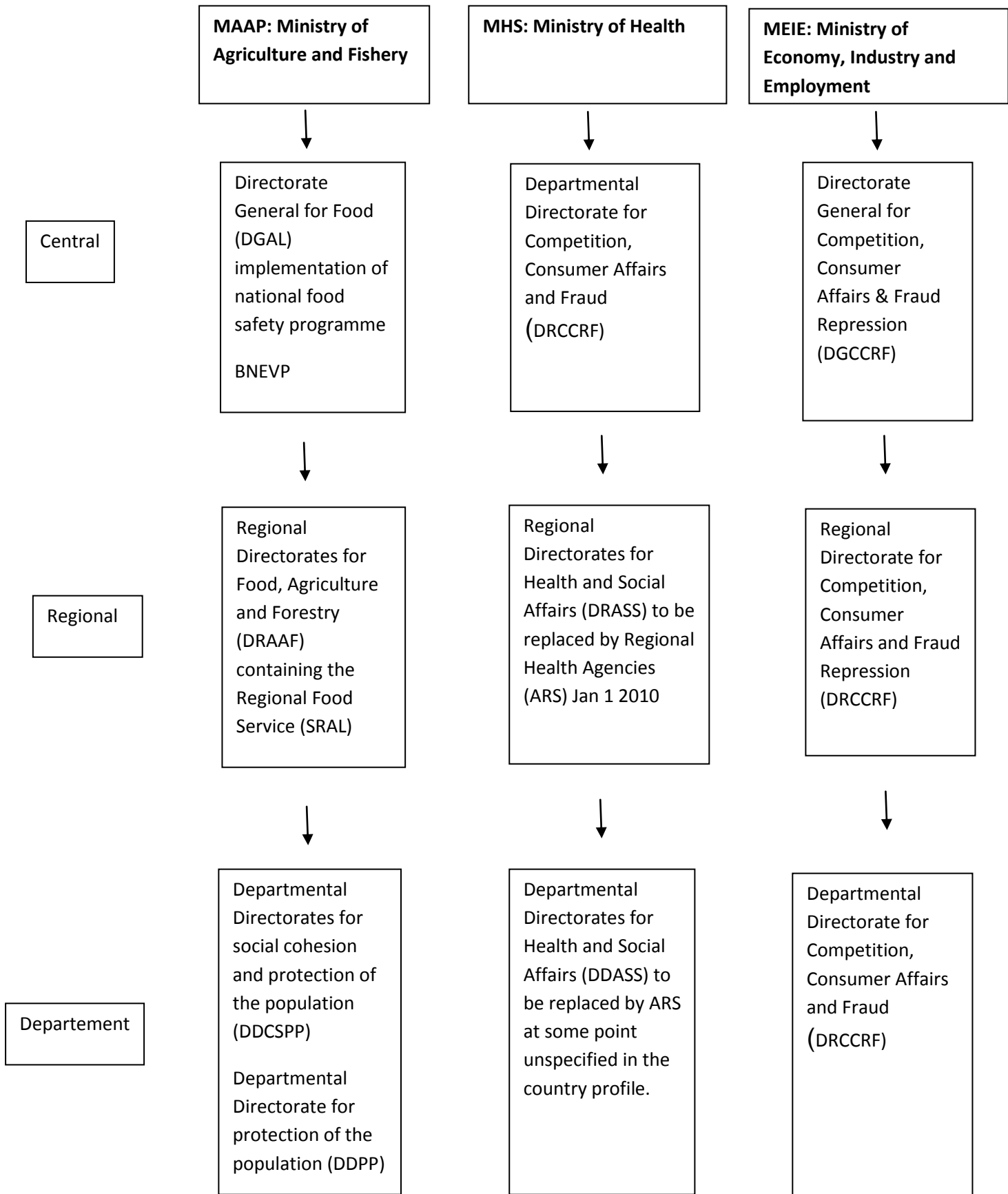
National investigation unit

The National Brigade for Veterinary and Plant Health Investigations is part of the DGAL. As its name suggests it has a national remit and is authorised to investigate infringements, mainly with regard to plant health and veterinary infringements.

Earned Recognition

A form of earned recognition has been functioning at the Perpignan import market since 2001. This programme relates solely to pesticide residues in fruit and vegetables and is a voluntary scheme whereby participating importers are responsible for carrying out their own analysis of products and reporting the results to an intermediary, the Board of Importers. Control Officers of the Directorate General for Competition, Consumer Affairs & Fraud Repression (DGCCRF) rely on record keeping and self-monitoring by the participants rather than carrying out formal sampling and inspection. In addition, when self-reported failures occur, the officers apply what appears to be a lower or less stringent sanction than would have been applied for noncompliance with a formal sample (Rouviere & Caswell 2012).

Chart indicating relationship between authorities France



Germany

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	81,305,856	indexmundi
Area	357,021 km ²	Geography Germany
Population density	227.7/km ²	
Currency	euro	
Agricultural holdings	389, 880	Eurostat (2008)
Total food businesses	211,382	Using Eurostat (2008) data
Total food businesses	254,321	Using Country profile Summary Data
Manufacturer	32,709	Eurostat (2008)
Manufacture (2007)	19,561	Country profile Summary Data
Production & processing (2007)	11,989	Country profile Summary Data
Wholesale (includes tobacco)	10,187	Eurostat (2008)
Retailers	47,972	Eurostat (2008)
Retailers (2007)	81,225	Country profile Summary Data
Food service	120,514	Eurostat (2008)
Food service (2007)	141,546	Country profile Summary Data
Volume of livestock produced		
• Cattle, pig, sheep, goat, horse	42,127 (1000 head)	Country profile Summary Data
• poultry	125 770 (1000 head)	Country profile Summary Data
Staff delivering Food Controls		
• Federal	3383	Includes Research Institutes
• Länder	13,820	Food (includes meat), Feed and plant health

Germany is a Federal Republic comprising a central parliament (Bundestag) which is partially directly elected and partially allocated by party and 16 states or Länder which form the federation. Five Länd were added during reunification in 1990. Each Länd has its own constitution, parliament, government, administrative structures and courts. A third or local level of government is formed by the municipalities. With regard to food and feed safety, the Federal Government in Germany has drafted the relevant legislation and the Länder are responsible for implementing and enforcing it. This system may be referred to as 'executive federalism'. The Länder implement in their own right which means the Federal Government is restricted to verifying the legality of the enforcement. They do not have powers of direction.

Food and Feed safety legislation originates with the Federal Government (Federal Ministry of Food, Agriculture and Consumer Protection (BMELV)) to maximise consistency across the country.

However the Länder, who are responsible for implementation, have some autonomy which can result in variation between areas.

Central Competent Authorities

Name of CCA	Responsibility
Federal Ministry of Food, Agriculture and Consumer Protection (BMELV)	<p>Food and feed safety law, food chain safety, policy, federal research institutions.</p> <p>Contains federal offices and institutes such as:</p> <p>Federal Office of Consumer Protection and Food Safety (BVL) which provides support and expertise in the areas of food safety, veterinary affairs and consumer protection, compiles and publishes the list of premises approved by the Länder, acts as RASFF contact.</p> <p>Federal Institute for Risk Assessment (BfR) is a scientific body is responsible for risk assessment and risk communication in relation to food and feed safety.</p>

The Länder each have two levels of organisation – the first (highest) level is ministry/state which has responsibility for policy and oversight. The controls are then delivered by officers at the municipal level, the lowest level. In five Länder there is an additional intermediate level of administration equating to a provincial level with a provincial governor as head of the administration.

Regional Control Authorities

CA	Responsibility
Länder first level (ministry/senate)	Control, planning, instruction, coordination on all areas of food and feed within the Land.
Provincial level (level 2) exists in some Lander & forms an intermediate level	Five Länder have level 2 administrations: North Rhine Westphalia, Bavaria, Hessen, Baden-Wurttemberg & Saxony
District or municipal level (level 3)	Delivery of local controls

Although the Federal Ministry of Food, Agriculture and Consumer Protection (BMELV) is the Central Competent Authority for Food and Feed it is unable to issue instruction to the Länder. Instead coordination between Federal Ministry and Länder has been formalised and include meetings (at least annually) between high ranking officials in the Ministry and Länder. The Länder also have formalised coordination and communication structures, including working groups to assist standardisation and specialist implementation. These, referred to as LAV (Länderarbeitsgemeinschaft Verbraucherschutz or Federal States Working Committee on Consumer Protection) working groups, interface with the Federal authorities who may also be invited to the

working groups. One LAV group became a permanent working group to develop Quality Management procedures including inter Länder procedures, documents and rules.

Official Control Staff

Delivery of official controls for all premises, including those handling POAO is the responsibility of the Länder. Control staff are employed within food monitoring and veterinary offices which are part of the administrative (level 2) districts or municipalities. In three administrative areas specific tasks have been delegated to control bodies (specifically meat inspection, milk processing and raw milk). The Länder are responsible for registration and approval of premises but the Federal Office of Consumer Protection and Food Safety (BVL) within Federal Ministry of Food, Agriculture and Consumer Protection (BMELV) holds the register.

Qualifications

Qualified staff are required to deliver official controls but the Country Profile does not indicate what these qualifications should be. However, the FVO report 2012-6484 indicates that the inspectors participating in the audit were properly trained and in particular properly trained with respect to HACCP procedures.

Enforcement measures

The Country Profile states that a 'solid legal framework' exists at Federal level and that the Länder also have 'measures' but does not specify what these measures may be. Other sections of the document and the FVO report 2012-6484 (FVO 2012) refer to sampling of foods, inspections and removal of non-compliant food from the food chain as having taken place.

Risk Rating

Risk Rating is specified by the General Administrative Regulation on Framework Control (AVV Rüb) Risk rating according to the type of food, activity and size of premises. Frequencies vary from monthly for an industrial producer of highly perishable food to once per year for a distributor of raw vegetables.

Audit & Monitoring

The Länder implement and enforce the Food and Feed safety legislation in their own right. The Federal Government is restricted to a verification role ensuring that the enforcement procedures are legal. The Länder have responsibility for audit under Regulation (EC) No 882/2004 article 4(6). Using the relevant Working Group (LAV), standard operating procedures have been drafted for conducting audits which can be used by all Länder.

Sampling Programme

A Food Monitoring Programme is implemented jointly by the Federal Government and Länder. Either party can suggest proposals for the programme. The National Monitoring Plan is a one year plan developed by the Länder and is a risk based monitoring programme. It may cover

establishments as well as products and includes cosmetics and non-food items in addition to food stuffs, tobacco and wine.

According to the General Administrative Regulation on Framework Control (AVV Rüb), five food samples per 1000 inhabitants must be taken.

Imports

Control of imports, including Designated Points of Entry and BIPs are under the control of the Länder in which they are located. Enforcement is carried out locally and veterinary staff co-operate with Customs officials who have responsibility for control of animal diseases and are involved in monitoring compliance with food safety law. There are 16 BIP's in 11 Länder.

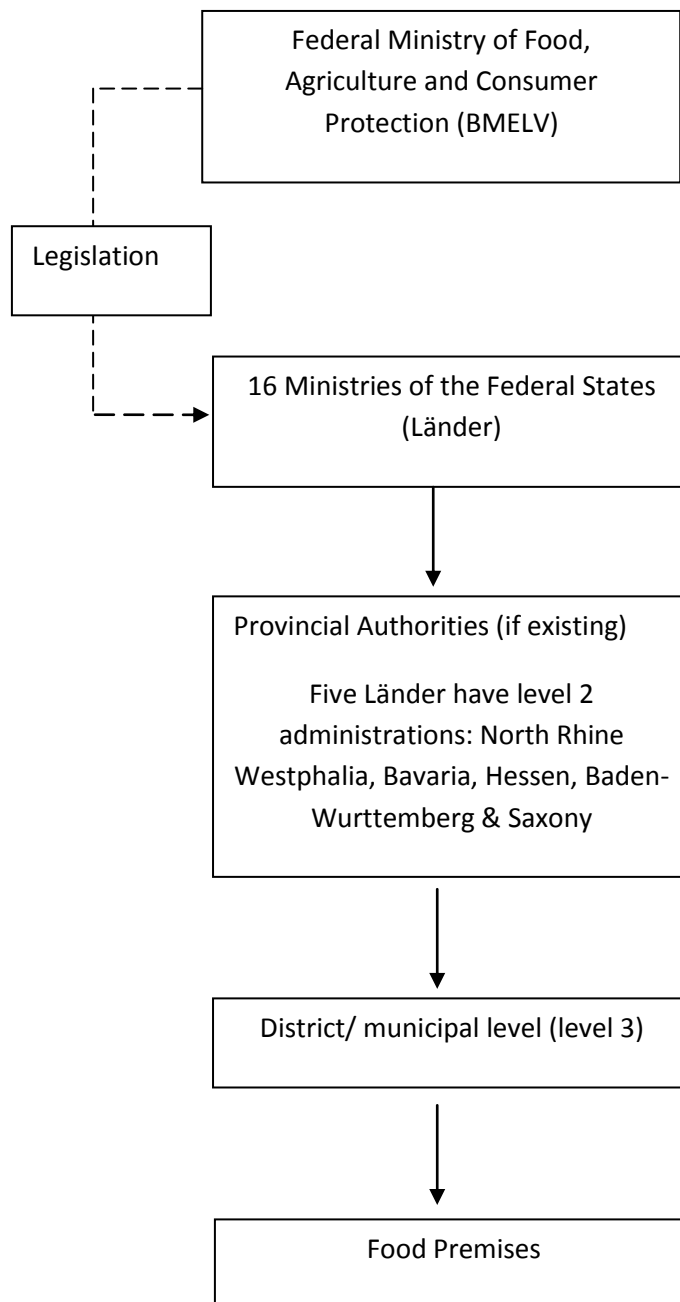
Other

Fee Recovery

Responsibility for fee recovery is allocated to the Länder. There is variation between the Länder in the fee calculation method, the controls for which fees are paid and the level of fees imposed. Consequently a lack of consistency exists across Germany. This disadvantages food businesses in areas with high fees and has resulted in complaints and legal cases from some of the Food Business Operators (see European Commission Directorate General for Health and Consumers (2009) Study on fees or charges collected by the Member States

(http://ec.europa.eu/food/food/controls/inspection_fees/docs/external_study_en.pdf).

Chart indicating relationship between authorities Germany



Verification only →

Direct Control →

Ireland

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	4,722,028	Indexmundi
Area	70,280 km ²	Trading Economics
Population density	67/km ²	
Currency	Euro	
Agricultural holdings	132,620	Eurostat 2008
Total food businesses	17,262	Country profile Summary Data
Manufacturer (2005)	Not reported	Eurostat 2008
Manufacture (2007)	337	Country profile Summary Data
Production & processing (2007)	232	Country profile Summary Data
Wholesale (includes tobacco) (2005)	1626	Eurostat 2008
Retailers (2005)	5181	Eurostat 2008
Retailers (2007)	7229	Country profile Summary Data
Food service (2005)	9738	Eurostat 2008
Food service (2007)	9478	Country profile Summary Data
Volume of livestock produced		
• Cattle, pig, sheep, goat, horse	10734 (1000 head)	Country profile Summary Data
• poultry	11880 (1000 head)	Country profile Summary Data
Staff delivering Food Controls	1359	Country profile

According to Ismeri Europa – Applica (2010), Ireland has a complex, strongly centralised model of government which is 'unique' in Europe. Any decentralisation consists of physical decentralisation, as opposed to devolution of power or authority. There are regional and local levels of government but they appear to have only limited power or autonomy.

The Department of Agriculture, Fisheries and Food (DAFF) and the Department of Health and Children (DoHC) have responsibility for developing food policy and legislation. The Food Safety Authority of Ireland (FSAI) is under the Department of Health and Children (DoHC) and responsible for co coordinating the delivery of controls.

Central Competent Authorities

Name of CCA	Responsibility
The Department of Agriculture, Fisheries and Food (DAFF) <ul style="list-style-type: none"> • Agriculture Inspectorate • State Veterinary Service 	Policy development, negotiation at EU, implementation of EU legislation and official controls for primary production & POAO including import & BIP's
Department of Health and Children (DoHC) <ul style="list-style-type: none"> • Food Safety Authority of Ireland (FSAI) 	Policy relating to retail foods and processing and distribution of PNOAO FSAI is responsible for coordination of food control, including interagency supervisory arrangements and is the contact for RASFF.

Various organisations are responsible for the actual delivery of controls depending on the type of food and establishment. Coordination takes place through service agreements between The Food Safety Authority of Ireland (FSAI) and the relevant organisation. These organisations include:

- the Health Services Executive (Inspection of food businesses, food sampling, management of food alerts and outbreaks)
- Local Authorities (Low through put slaughter houses & small meat plants)
- Sea Fisheries Protection Authority
- The Department of Agriculture, Fisheries and Food (DAFF)

Regional/Local Control Authorities

CA	Responsibility
Local Authorities	Low through put slaughter houses & small meat plants
Health Services Executive	Inspection of food businesses including manufacturing and 'catering premises' producing POA and selling to other than final consumer, food sampling, management of food alerts and outbreaks, imports of PNOAO,
Regional offices of : <ul style="list-style-type: none"> • Agriculture Inspectorate • State Veterinary Service • Sea Fisheries Protection Authority 	

Official Control Staff

Enforcement

All authorised officers can carry out the following:

- improvement notices,
- improvement orders,
- closure orders,

- prohibition orders,
- seizure, removal or detention of products

The Department of Agriculture, Fisheries and Food (DAFF) , Local Authority and Health Services Executive (HSE) issue approvals in premises under their jurisdiction, although the FSAI issues the approval number in the case of Local Authority approvals. The Department of Agriculture, Fisheries and Food (DAFF) can withdraw approval and may seize or detain animals, animal products and equipment.

Food Business Operators can be prosecuted for breaches of food legislation. Successful prosecution may result in fines (€5000 maximum for summary conviction, €500,000 maximum on indictment) and/or custodial sentence (maximum 3 month summary conviction, 3 years maximum on indictment)

Risk Rating

The frequency of inspection visits is risk-based on the nature of the food business, the type of products traded, the volume of activity and prior history of the establishment.

Audit & Monitoring

Audit and monitoring of delivery of official controls is through internal or external processes according to the competent authority's quality management procedures. The Food Safety Authority of Ireland (FSAI) carries out audits in the organisations with no internal audit systems, e.g. Sea Fisheries Protection Authority (SFPA). For those with externally accredited QM systems the external accreditation acts as to monitor the system. The Food Safety Authority of Ireland (FSAI) also audits food premises to ensure implementation of the EU legislation is occurring correctly. Any non-compliance are highlighted and the relevant Competent Authority is expected to ensure corrective action occurs.

Sampling Programme

Laboratories are under the control of the relevant control authority or may be private. According to the country profile 'Microbiological sampling is employed routinely'.

Imports

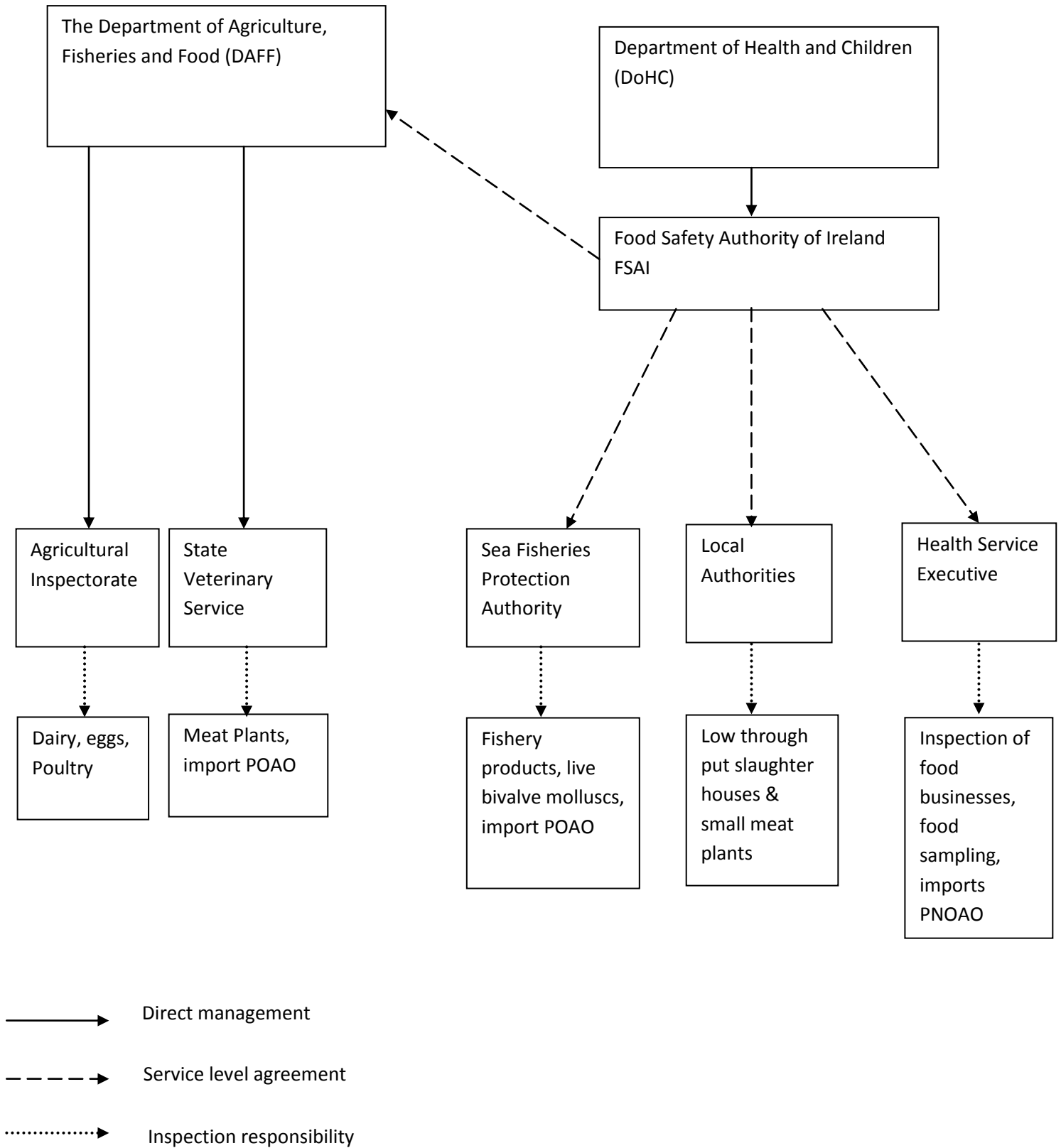
The State Veterinary Service and the Sea Fisheries Protection Authority, both within the Department of Agriculture, Fisheries and Food (DAFF) are responsible for imports of POAO and staffing the BIP's. Customs Officers have a memorandum of understanding with FSAI regarding the respective roles of Customs, The Department of Agriculture, Fisheries and Food (DAFF) and Health Services Executive (HSE).

Other

Delegated tasks

The Department of Agriculture, Fisheries and Food (DAFF) has delegated certification of Organic Food, Feed and Farming to the Irish organic Farmers and growers Association and Organic Trust LTD.

Chart indicating relationship between authorities Ireland



Italy

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	61,261,254	indexmundi
Area	301,340	indexmundi
Population density	203.3/km ²	
Currency	Euro	
Agricultural holdings	1,726,130	Eurostat (2008)
Total food businesses	432,149	Using Eurostat figures
Total food businesses	529,229	Using Country profile Summary Data figures
Manufacturer	n/a	Eurostat (2008)
Manufacture (2007)	62,200	Country profile Summary Data
Production & processing (2007)	6722	Country profile Summary Data
Wholesale (includes tobacco)	34,969	Eurostat (2008)
Retailers	230,418	Country profile Summary Data
Retailers	172,801	Eurostat (2008)
Food service	229,889	Country profile Summary Data
Food service	224,379	Eurostat (2008)
Volume of livestock produced (1000 head)		
• Cattle, pig, sheep, goat, horse	23,303	Country profile Summary Data
• poultry	157,240	Country profile Summary Data
Staff delivering Food Controls	21,592	Country profile
• National	2,413	Country profile
• Regional	894	Country profile
• Local	12,035	Country profile
• laboratory	6,250	Country profile

Italy demonstrates a high degree of decentralisation without being classed as completely federal state. Bilancia *et al* (2010) describe it as 'polycentric' without really explaining what that means. Constitutional reforms in 2001 clarified the manner in which the regions may create statute and appear to have effectively removed the requirement for national approval of regional legislation. The Italian Constitution defines the competencies and powers which are held by the state and those which are devolved to the Regions and upon which the regions may create legislation. It specifically recognizes that the Regions should deliver EU law and participate in EU policy making (Bilancia *et al* 2010). Although the Ministry of Health (MH) is the CCA and the RASFF contact, all administrative tasks in the areas of health and food safety have been devolved to the Regions. The 19 Regions/

Autonomous Provinces of Trento ad Bolzano, and Local Health Units are the competent authorities for Food Safety, for implementation of Regulation (EC) No 852/2004, 853/2004, 854/2004 and 882/2004 and delivery of most official controls. However, Legislative Decree 112 of 31 March 1998 allows the state to take action if a Region fails to meet its obligations. The country profile reports that a '*Piano Di Rientro*' can be implemented which results in enhanced supervision of a region by The Ministry of Health (MH). Currently three regions are subject to this enhanced supervision with regard to veterinary/food safety matters (Campania, Calabria and Molise). Food quality and Labelling is the responsibility of the Ministry of Agriculture, Foodstuff and Forestry Policies (MIPAAF). The Ministry of Health (MH) maintains central control over imports.

Central Competent Authorities

Name of CCA	Responsibility
Ministry of Health (MH) <ul style="list-style-type: none"> • Department of Veterinary Public Health, Food Safety and Collegial Bodies for Health Protection (DVPHFSCBHP) • Carabinieri Health Protection Unit (NAS) 	for animal health, food and feed safety, animal welfare, import controls, international disease prevention, risk assessment in the food chain and consultation of producers and consumers Responsible for investigations and controls on illegal adulteration of foodstuffs, fraud and illegal trafficking of medicines.
The Ministry of Agriculture, Foodstuff and Forestry Policies (MIPAAF)	controls on quality, labelling and traceability of food, feed

At Regional level, the departments of health have responsibility for the official control of food stuffs. The main role of the regional authorities is to provide guidance and staff training for official control activities at local level. Generally the Regional Veterinary Service (RVS) is responsible for animal health, food of animal origin and feed safety and animal welfare while the Regional Public Health Services (RPHS) is responsible for foods of non-animal origin. However the internal organisation can differ between Regions. The Regional Public Health Services (RPHS) have a co-ordination function while the delivery of official controls is carried out at local level by inspectors employed by the Local Health Units (AUSL).

Regional/local Control Authorities

CA	Responsibility
Regional Public Health Services (RPHS)	Planning, co-ordination, authorisation and verification of controls, guidance and staff training for official control activities at local level.
Local Health Units (AUSL) <ul style="list-style-type: none"> • Food Hygiene and Nutrition Service (SIAN) • Local Veterinary Services (LVS). 	<ul style="list-style-type: none"> • (SIAN) Hygiene and Nutrition Service, responsible for food of non-animal origin. • (LVS) Local Veterinary Services; responsible for animal health; animal welfare; food of animal origin; and feeding stuffs.

Official controls are carried out at local level by the Local Health Units (AUSL). These units are responsible for the organisation and management of all public health services in the area. According to the country profile, the Units have a 'high degree of autonomy', including financial autonomy. Typically the delivery of controls is shared between two sections, the Food Hygiene and Nutrition Service (SIAN) and the Local Veterinary Services (LVS). The Food Hygiene and Nutrition Service (SIAN) takes responsibility for PNOAO and the Local Veterinary Services (LVS) deals with POAO. The Health Protection Unit of the Carabinieri (NAS) is also involved in the delivery of official controls. Under the control of the Ministry of Health, the Health Protection Unit (NAS) can initiate its own investigations or respond to Ministry of Health requests. Although part of the unit's responsibility is to investigate the illegal medicine trade, approximately 50% of its time is estimated to be spent on food safety, especially the illegal adulteration of food and food fraud. Their authorisation gives them the power to carry out inspections, including verification of the FBO's own check systems and documentation and the power to sample.

Official Control Staff

Enforcement officers have the powers of entry and inspection, including access to documentation.

Sanctions

The country profile states that the majority of sanctions are administrative sanctions and cross references the relevant legislation. Examples of sanctions listed include impoundment and premises closure. The sanction allocated takes into account the circumstances, for example the seriousness of the offence and the FBO's financial situation. Criminal sanctions also exist and where criminal activity (defined under the relevant penal code) exists or is suspected, the case should be referred to the prosecutor for consideration under criminal proceedings. The Ministry of Health publishes a list of FBO's convicted of food adulteration and fraud.

Risk Rating

Guidelines for the frequency of inspections were agreed in 2007.

Audit & Monitoring

The State-Regions Conference is a mechanism that is used to coordinate and manage the interface between the Central State and the 19 Regions/ Autonomous Provinces of Trento ad Bolzano. There is a permanent Inter-Regional Committee on Food Safety which is assisted by technical working groups. A specific Conference for Heads of Service has also been established to improve co-ordination by developing operational standards, information and audit systems and to assist in the sharing of technical information in food safety and animal health. Guidelines describe appropriate procedures for supervision at State, Regional and Local level.

The State has the authority to undertake inspection and audit in the Regions to ensure satisfactory delivery of official controls. These comprise audits of the overall management in a region and also sector audits. A sector may be selected for audit depending on a number of factors including previous noncompliance or reports from FVO missions. Audit reports are published on Ministry of Health (MH) website. Monitoring also appears to be carried out via service level agreements known

as “Livelli Essenziali Assistenza” (LEA). The LEA Committee carries out an annual assessment of the agreed indicators and food and feed safety form part of this assessment. Compliance impacts on the level of State funding provided to the Region which comprises 3% of their budget.

Regions are required to supervise the Local Health Units (AUSL). The Local Health Units (AUSL) have internal monitoring and provide data to the Regions for monitoring.

Sampling Programme

Sampling can be carried out by the Carabinieri Health Protection Unit (NAS), the Local Health Units (AUSL), The Ministry of Agriculture, Foodstuff and Forestry Policies (MIPAAF) and Ministry of Health (MH) staff with regard to their respective jurisdictions.

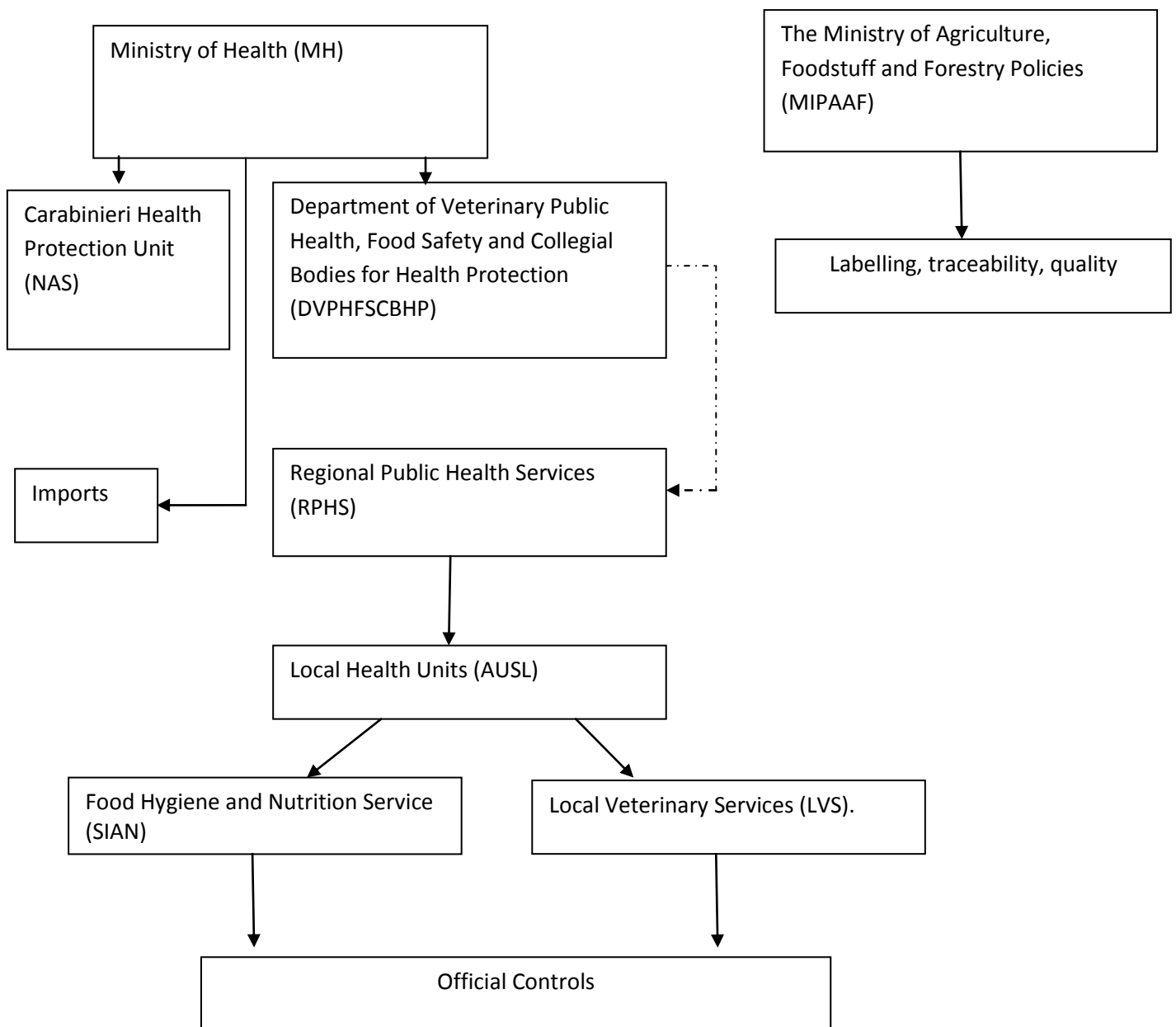
Imports

Imported food is controlled directly by the Central Government. The Staff at the BIP’s and other points of entry are employed by and report to the Ministry of Health. The Local Health Units (AUSL) have no direct control over imports but are informed of any short shelf life products which may have been released before sampling results have been made available.

Other

In addition to provisions in the Penal Code of Italy there are two codes which address conflicts of interest and the independence of inspectors. One is a Government Decree which defines the obligations of civil servants and the extramural activities in which they may participate. The second is a professional code (*Codice Deontologico*) which must be adhered to by Veterinarians. It is overseen by their professional body (*Ordine dei Medici Veterinari*) which may impose sanctions for noncompliance including exclusion from the profession.

Chart indicating relationship between authorities Italy



Policy, monitoring, coordination, planning →

Direct control/delivery →

Netherlands

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	16,730,632	indexmundi
Area	41,543 km ²	indexmundi
Population density	402.7/km ²	
Currency	euro	
Agricultural holdings	80,600	Eurostat (2008)
Total food businesses	56,070	According to Eurostat data(2008)
Total food businesses	53,070	According to Country profile, summary data
Manufacturer (2005)	4585	Eurostat (2008)
Manufacture (2010)	3110	Country profile, summary data
Production & processing (2010)	900	Country profile, summary data
Wholesale (includes tobacco) (2005)	6690	Eurostat (2008)
Retailers (2005)	12,925	Eurostat (2008)
Retailers (2010)	18695	Country profile, summary data
Food service (2005)	31,870	Eurostat (2008)
Food service (2010)	30,365	Country profile, summary data
Volume of livestock produced (1000 head)		
<ul style="list-style-type: none"> Cattle, pig, sheep, goat, horse 	17746	Country profile, summary data
<ul style="list-style-type: none"> poultry 	95710	Country profile, summary data
Staff delivering Food Controls	4033	Country Profile 2010
<ul style="list-style-type: none"> Food and Consumer Product Safety Authority (NVWA) 	2155 FTE	NVWA Official Website

The Netherlands is a constitutional monarchy. It is a unitary state divided into three levels – national, provincial and municipal. Each level is answerable to the level above with the municipalities controlled by the provincial executive and the provinces by the Ministry of the Interior. There are 12 provinces and 433 municipalities. The system incorporates extensive consultation within and between all levels to ensure consensus (Ismeri Europa – Applica 2010).

Competency for food and feed safety is centralised. Implementation is through autonomous or semi-autonomous organisations which generally deliver at a regional level. These bodies are empowered by specific Dutch legislation for the competencies under their control.

One difficulty with using the country profile of the Netherlands is that it was published in 2010, after which several mergers and changes in the relevant organisations appear to have occurred. Whether the same structures and reporting streams are in place now is not clear. As far as possible up to date

information was taken from official websites but in many cases the organisational arrangements could not be confirmed.

Central Competent Authorities

Name of CCA	Responsibility
the Ministry of Economic Affairs, Agriculture and Innovation <i>created from the Ministry of Agriculture, Nature and Food Quality (LNV)</i>	Policy and implementation
Ministry of Health, Welfare and Sports (VWS).	Policy & drafting legislation

Control Authorities

CA	Responsibility
Netherlands Food and Consumer Product Safety Authority (nVWA) <i>Independent Agency created from General Inspection Service (AID)</i> <i>the Food and Consumer Product Safety Authority (VWA)Jan 1 2012</i>	controls the whole production chain, from raw materials and processing aids to end products and consumption The three main tasks of the nVWA are: supervision, risk assessment and risk communication.
Semi-autonomous public bodies (ZBO's)* 1. Control authority for milk & milk products (COKZ) 2. Product board for livestock & meat (PVV) 3. Quality Control Bureau (KCB) 4. Dutch Fish Products board (PV)	1. Inspection & compliance with process and product criteria milk & milk products 2. Formation of regulations , inspection & research 3. Import of fresh fruit & Veg & domestic quality control 4. Legislation and implementation of controls for bivalve molluscs and fishery products

*examples only – not a comprehensive list

The country profile reports that the Food and Consumer Product Safety Authority (VWA), General Inspection Service (AID) and the Plant Protection Service were to be merged by the end of 2011 to ensure more efficient and effective delivery. According to the official website of The Netherlands Food and Consumer Product Safety Authority this occurred on Jan 1, 2012 and the resultant organisation, the Netherlands Food and Consumer Product Safety Authority is an independent agency in the Ministry of Economic Affairs and a delivery agency for the Ministry of Health, Welfare and Sport. The Ministry of Economic Affairs, Agriculture and Innovation itself was created in 2012 by

merging the Ministry of Agriculture, Nature and Food Quality (LNV) with the Ministry of Economic Affairs (<http://www.vwa.nl/onderwerpen/english/dossier/about-the-netherlands-food-and-consumer-product-safety-authority#>).

The Netherlands Food and Consumer Product Safety Authority (nVWA) is funded by the Ministry of Housing, Welfare and Sport and the Ministry of Economic Affairs, Agriculture and Innovation but also receives payments from the business sector. The current (annual) budget is 229 million Euros.

ZBO's

The official nVWA website states that the Netherlands Food and Consumer Product Safety Authority carry out official controls such as food premises inspection, red meat supervision and control of imports. While the The Ministry of Economic Affairs, Agriculture and Innovation is ultimately responsible for food and feed safety, the Netherlands Food and Consumer Product Safety Authority is supported in the delivery of some controls by the ZBO's. These independent administrative bodies are semi- autonomous public bodies created under Dutch legislation for specific activities. In the case of the Product Boards these are known as 'statutory trade organizations'. They focus on a specific sector and may be directly involved in the delivery of controls. As an example, the PVV, the Dutch Product Board for Livestock and Meat, have the authority to produce regulation, are paid for jointly by Central Government and fees from the Meat and Livestock sector and are controlled by a board elected by the trade associations' members. The KBC, responsible for quality in fruit and vegetables, is controlled by a board comprising government representation as well as trade. The delivery of phytosanitary inspections has been formally delegated to the KBC. COKZ is the Control Authority for Milk and Milk Products. This organization ensures compliance with EU legislation, carries out inspections and gives advice. The controlling board members are appointed by industry but must have no interest in the sector and must be approved by Ministry of Health, Welfare and Sports (VWS).The Chairman must also be approved by the Ministry of Economic Affairs, Agriculture and Innovation. The (now merged) Food and Consumer Product Safety Authority approved their annual programmes and received all inspection reports from them. Approval of premises was delegated to COKZ who also set the frequency of official controls (inspection/audit).

Official Control Staff

The country profile reports that control staff for foodstuffs and food hygiene are also trained to conduct health and safety inspections, alcohol and excise controls (page 37) – one of the only EU members apart from the UK to report such multi-subject inspections.

Sanctions

Corrective measures and administrative sanctions or penalties for noncompliance include the following:

- withdrawal of authorisations or approval
- warnings
- restriction or prohibition of food being placed on the market
- seize / detain food

When a minor non-compliance requires a second inspection, this must be paid for by the Food Business Operator. Fines may also be levied. The country profile makes mention of 'administrative record' as a response to non-compliance but it is not entirely clear what this may comprise.

According to the country profile, the Netherlands has a central enforcement system in which the central Legal Department coordinates and monitors all enforcement activities in liaison with the inspectors.

The section entitled 'Enforcement Strategy' on the nVWA website contains this statement (in translation)

'The attitude of the nVWA towards businesses and consumers is characterised by the principle of "trust, unless..." The nVWA uses a risk –based approach, based on knowledge of and cooperation with the industry...'

Risk Rating

The system is reported as being under development in the 2010 profile (page 36). Three risk categories are mentioned : negligible, some and permanent. The risk relates to Food Business Operator rather than product, but consideration may be given to third party accreditation. In the dairy sector COKZ set the frequency. Programmes featuring forms of earned recognition (see below) will also affect frequency of controls.

Audit & Monitoring

The country profile describes the systems used for verification, review and audit under the Food and Consumer Product Safety Authority (now subsumed into the Netherlands Food and Consumer Product Safety Authority). These comprise internal staff assessment and formal auditing carried out by the Audit Department within the Food and Consumer Product Safety Authority. It is likely that these systems are still being used within the merged organisation as the country profile explains that the audit cycle and longer term aspects are to be considered.

Sampling Programme

The country profile reports 13,000 microbiological and 12,000 chemical samples taken annually. The Tri-annual policy programme developed by the Food and Consumer Product Safety Authority included sampling.

Imports

According to the country profile, the BIPS are staffed by the Food and Consumer Product Safety Authority. The Netherlands Food and Consumer Product Safety Authority (nVWA) (created from the Food and Consumer Product Safety Authority) list this as a responsibility on their website in collaboration with the Customs officials. PNOAO are also the responsibility of the Netherlands Food and Consumer Product Safety Authority although the Quality Control Bureau (KBC) are responsible for quality in fruit and vegetables.

Other

Front office concept

Several departments/agencies/organisations working in related fields provide a single point of access for citizens (business or individuals).

Earned Recognition

Known on the nWVA Official website as the Formula Approach, this covers companies with multiple sites where the same protocols and hygiene systems are followed throughout the business. Premises can be inspected and assessed by the Netherlands Food and Consumer Product Safety Authority as green, orange or red. Green companies (with compliance at all inspection points in 90% of the sites visited) have reduced 'supervision' or control frequency.

Chart indicating relationship between authorities The Netherlands

Unfortunately a chart is not possible as the country profile is out of date.

Poland

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	38,501,000	indexmundi
Area	312 679 km ²	EU Member Countries
Population density	123/km ²	
Currency	Zloty	EU Member Countries
Agricultural holdings	2,476,240	Eurostat (2008)
Total food businesses		
Total food businesses	74,451	According to Country profile, summary data
Manufacturer	16,998	Eurostat (2008)
Manufacture (2012)	10,644	Country profile, summary data
Production & processing (2012)	5022	Country profile, summary data
Wholesale (includes tobacco)	13,819	Eurostat (2008)
Retailers	112,448	Eurostat (2008)
Retailers (2012)	10,328	Country profile, summary data
Food service	45,321	Eurostat (2008)
Food service (2012)	48,457	Country profile, summary data
Volume/percentage imported/exported food		
Volume of livestock produced 1000 head (2011)		
<ul style="list-style-type: none"> • Cattle, pig, sheep, goat, horse • 329,160 of which are reported as horse 	348,042	Country profile, summary data
<ul style="list-style-type: none"> • poultry 	158,390	Country profile, summary data
Staff delivering Food Controls total	13600	
<ul style="list-style-type: none"> • Voivod and Poviats 	13000	

From 1952 until the appointment of the Solidarity candidate Lech Walesa as president in 1990, the Republic of Poland was one of the communist regimes in the soviet dominated countries of Eastern Europe. Within 15 years of this appointment, which marked the beginning of the collapse of many of these regimes, Poland had joined the EU (accession date 2004). The geography of Poland is significant to the EU as its Eastern borders form an EU boundary. Russia, Lithuania, Belarus and the Ukraine all share a border with Poland, as does Germany to its west. This has implications for the security of the food chain in the EU as animal diseases originating in these non EU countries may cross into Poland and then on to other member states (Wieland *et al* 2011). Border controls and biosecurity are particularly important for this reason.

Throughout the 1990's the Polish Government addressed the issue of local government reforms resulting, in 1998/99, in the current structure (Kowalczyk 2001). The country is divided into 16

regions or Voivodships, 379 Counties or Poviats and 2478 municipalities (Country Profile). The Central Government Ministries have overall responsibility for food and feed safety but the controls are mainly delivered by the counties (Poviats). The Polish Constitution and other Acts (e.g. Act on County Self Government 1998) specify the relations between the tiers of government and the functions of each tier. In some cases there is apparently overlap and lack of clarity although the examples provided by Kowalczyk (2001) do not include any food safety issues. There is direct control and supervision from the relevant central government department through the regions to the counties and/or municipalities. The Ministry of Finance provides funding for all sections.

Central Competent Authorities

Name of CCA	Responsibility
The Ministry of Agriculture and Rural Development <ul style="list-style-type: none"> Department of Food Safety and Veterinary Matters 	Transposition of EU legislation on feed safety & hygiene POAO
The Ministry of Health <ul style="list-style-type: none"> State Sanitary Inspection (SSI) 	Coordination of food safety Transposition of EU legislation on food hygiene PNOAO

Control Authorities

CA	Responsibility
Voivodship sanitary and epidemiological stations (VSES) (regions)	Pass on SSI plans, guidelines etc. to the Poviats and supervise the implementation
Poviat sanitary and epidemiological stations (PSES)(districts)	Delivery of official controls for retail, wholesale, catering and production of PNOAO
Border sanitary and epidemiological stations (BSES)	Imports of PNOAO
Voivodship Veterinary Inspectorate (VVI) (regions)	Reports on the control activities to the central government department. May carry out other functions but not clear from the country profile,
Poviat Veterinary Inspectorate (PVI)(districts)	Delivery of official controls with regard to POA including in retail establishments categorised as marginal, localised and restricted.
Border Veterinary Inspectorate (BVI)	Imports of POA, BIP's

Official Control Staff

The controls for food safety are mainly delivered by staff of the Poviat Sanitary and Epidemiological Stations (PSES) and Poviat Veterinary Inspectorate (PVI). Ministry of Health regulations detail qualifications which are required for specific jobs within the State Sanitary Inspection.

Administrative decisions and fines can be levied in some circumstances by the State Sanitary Inspection (SSI) and in other circumstances court action is required. The State Sanitary Inspection can also suspend or close operations of a Food Business Operator. This is based on an administrative decision by the Poviats Sanitary and Epidemiological Stations (PSES).

Risk Rating

At present the frequency of inspections for foodstuffs and food hygiene is based on specific Ordinances, or law. The State Sanitary Inspection (SSI) is developing a formal risk based system to prioritise controls which is expected to be in use from this year (2013).

Audit & Monitoring

The State Sanitary Inspection (SSI) has a quality management system (ISO 9001) and the control authorities generally have internal audit systems. The tiers of government appear to form a formal, top down control system where to quote directly from the country profile:

'Control or verification activities are carried out at each level of the SSI, whereby the SSI controls VSES, selected PSES and BSES, and VSES control subordinated PSES and BSES'

The main functions of the Voivodship level of government appear to be the transfer of information between the Central Government Departments and the Poviats and ensuring the Poviats deliver the controls appropriately.

Sampling Programme

The State Sanitary Inspection develops an annual sampling plan in conjunction with the relevant Laboratories. This is then carried out by the Poviats sanitary and epidemiological stations (PSES). With regard to POAO, the relevant Central department determines the number of regional samples requires and the Voivodship delegates to the Poviats Veterinary Inspectors who may also choose how to target sampling.

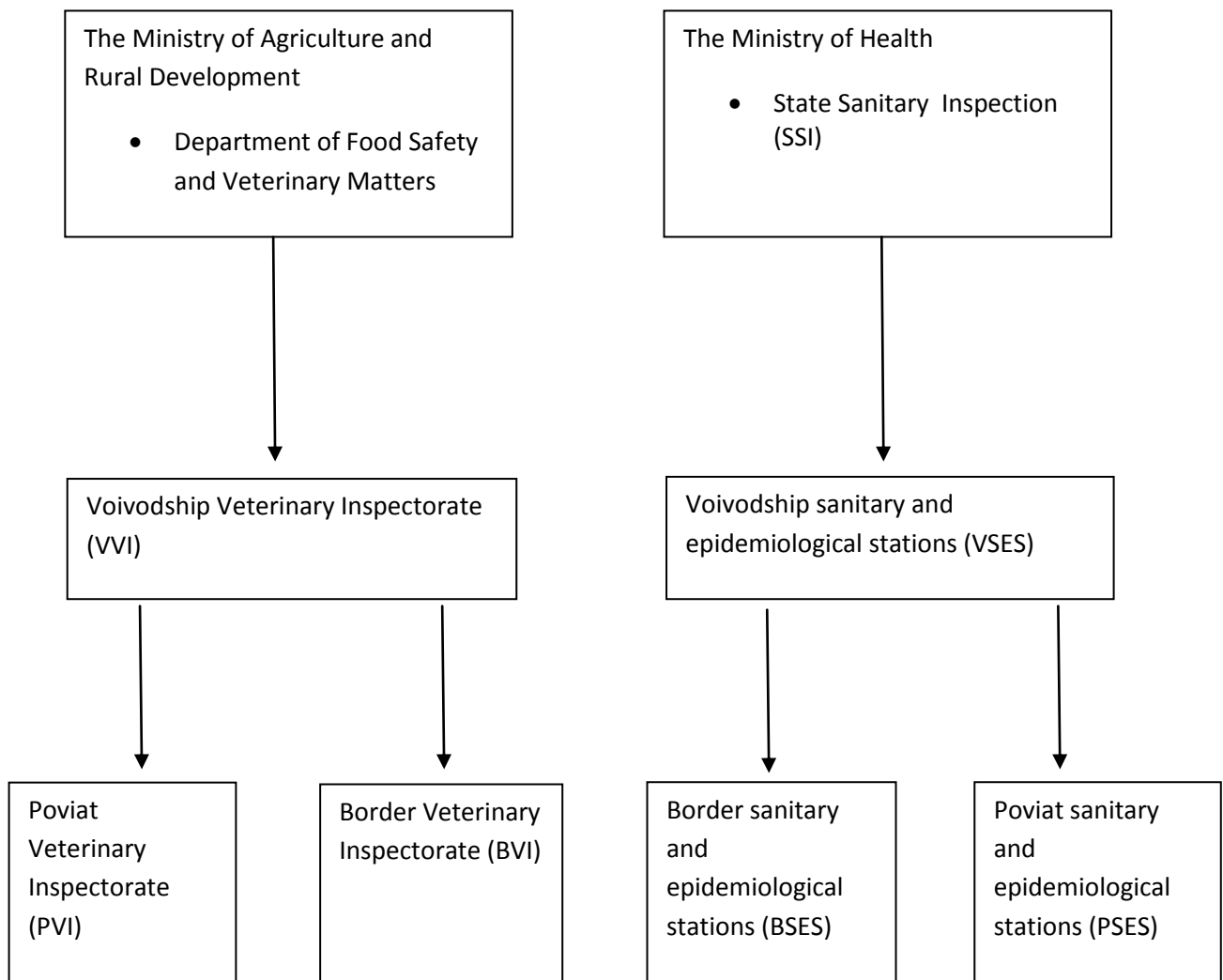
Imports

Imports of POAO are controlled by the Borders Office (Border Veterinary Inspectorate (BVI)) who staff the BIP's. Electronic identification of vehicle traffic at borders is being introduced.

Imports of PNOAO is controlled by the Border sanitary and epidemiological stations (BSES) in cooperation with the Customs service based at the Voivodship. The Customs service electronic recording system is used to identify which checks are required before release.

Other

Chart indicating relationship between authorities Poland



Portugal

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	10, 600,000	Europa EU
Area	92,072 km ²	Europa EU
Population density	115/km ²	
Currency	Euro	Europa EU
Agricultural holdings	323,920	Eurostat (2008)
Total food businesses	165,638	Using Country profile Summary Data
Total food businesses	152,643	Using Eurostat (2008)
Manufacturer (2005)	10,268	Eurostat (2008)
Manufacture (2012)	9776	Country profile Summary Data
Production & processing (2012)	1037	Country profile Summary Data
Wholesale (includes tobacco) (2005)	12,360	Eurostat (2008)
Retailers (2005)	51,483	Eurostat (2008)
Retailers (2012)	71,760	Country profile Summary Data
Food service (2005)	78,532	Eurostat (2008)
Food service (2012)	83,065	Country profile Summary Data
Volume of livestock produced (1000 head)		
<ul style="list-style-type: none"> • Cattle, pig, sheep, goat, horse 	7162	Country profile Summary Data
<ul style="list-style-type: none"> • poultry 	27,570	Country profile Summary Data
Staff delivering Food Controls	1,283	Estimated total as annual reports unable to quantify the number of staff accurately

Portugal has been a member state of the EU since 1986. The of Republic of Portugal's Constitution creates four bodies for the governance of the country:

1. the President of the Republic
 - Directly elected for a five year term
2. the Parliament
 - Representatives of the people of Portugal, elected for a four year term. The parliament has legislative power and ensures implementation and interpretation of the Constitution
3. the Government
 - Has a four year term of office responsible for the executive power. A Prime Minister is determined via the parliamentary elections and is then responsible for appointing the Council of Ministers (Ministers and Secretaries of State). Presidential approval is required.
4. the Courts (from : UN Permanent Mission of Portugal)

Portugal is divided into five regions for administrative purposes. These regions do not have legislative powers. Within the regions are 308 municipalities with an elected president (mayor). There are also two autonomous regions (Azores and Madeira) each of which have their own elected assembly and regional president. The delivery of official controls in Portugal is complex in that responsibility rests with a number of central, regional and municipal organisations, and there appears to be some overlap between them.

The main CCA is the Ministry of Agriculture, Rural Development and Fisheries, which contains within it several offices or directorates general with responsibility for food and feed safety. The directorates general have regional services controlled by the central administration. The regional services have local units which deliver the relevant controls. These controls cover POA and PNOA and imports. Superimposed upon this basic structure is that of the Food Authority (ASAE). The Food Authority is part of the Ministry for Economy and Innovation (MEI). It, too, has regional directorates. The Food Authority delivers a number of official controls including inspection of premises, products and services and checking compliance of Food Business Operators. Another of the Food Authority's responsibilities is for fraud investigation. The Ministry for Economy and Innovation (MEI) has its own regional offices which participate in the control of food premises by licencing some types of food premises – a function also attributed to regional directorates of the Ministry of Agriculture, Rural Development and Fisheries and the municipalities. The Ministry of Health also participates in the delivery of official controls in that it is responsible for coordinating the epidemio-surveillance network, as might be expected, but also for controls of natural mineral water and for the licencing of Food Business Operators. The fourth government organisation to be involved is the municipalities (308 in total), each of whom employs a veterinarian. The municipality vet is responsible for official controls in retail establishments for POAO and is answerable to the municipality president (mayor) although the Chief Veterinary Officer of the Ministry of Agriculture, Rural Development and Fisheries can require their cooperation and assistance. The Municipality is also responsible for licencing type 3 industrial establishments. The autonomous territories of Madeira and the Azores are outwith this system but have their own controls.

Central Competent Authorities

Name of CCA	Responsibility
Ministry of Agriculture, Rural Development and Fisheries <ol style="list-style-type: none"> 1. GPP (Policy & Planning Office) 2. DGPA (Directorate-General for Fisheries and Aquaculture) 3. DGV(Directorate- General for Veterinary Issues) 	Implementation of food safety controls <ol style="list-style-type: none"> 1. Co-ordinating legislation & MANCP 2. Live bivalves, wholesale fish markets, vessels and fishery establishments 3. Feed safety, POAO from primary production to consumer, BIP's
Ministry for Economy and Innovation (MEI). <ul style="list-style-type: none"> • Food Authority (ASAE) 	Performs controls/inspections throughout the whole food chain. Investigates fraud
Ministry of Health (MS)	Epidemio-surveillance network Controls of natural mineral water Licencing of Food Business Operators.

Regional/Local Control Authorities

CA	Responsibility
Regional Directorate for Agriculture & Fisheries (DRAP)	performs monitoring & controls of FBO, excluding retail, Import of PNOAO
Regional Directorate for Veterinary issues (DSVR)	performs controls on food of animal origin under the PACE (plan for approval and control of establishments) plan profile – includes Slaughterhouses, cutting plants and retail. Import of POAO
Regional Directorates of the Food Authority	Inspections throughout the whole food chain including retail and slaughterhouses, meat products plants
Municipal Vet	controls in retail establishments for POAO

Official Control Staff

Training

The Country Profile states that staff delivering official controls receive appropriate training but there is no indication of what basic qualifications are required or whether there is any accreditation of staff or courses. The FVO report of 2011 indicates that individual officers have attended DG (SANCO) Better Training for Safer Food courses.

Sanctions and powers

The Food Authority (ASAE) can undertake investigations into noncompliance. The Country Profile claims that the competent authorities are taking appropriate actions in cases of noncompliance without indicating what these actions may be or which officers/organisations are authorised to take them. The monitoring of enforcement procedures seems to vary between the different organisations. DGV (Directorate- General for Veterinary Issues) receives information regarding enforcement in the meat sector but other control bodies seem to have different methods. It is not possible to summarise any more about the powers or sanctions in Portugal from available sources.

The absence of an accurate and comprehensive register of premises hampers the monitoring of food hygiene compliance. FVO inspections identify this and at the time of the 2011 audit, identified that such a register was still not in existence although much of the information required is contained in the 17 data bases which are held by the different bodies involved. The response from Portugal indicates that the GPP (Policy and Planning Office) of the Ministry of Agriculture are issuing questionnaires to try and build up such a register.

Premises appear to be licensed but the data base for Food Business Operators and the roles of the different organisations involved is a continuing issue. A new data base covering retail, wholesale and catering is expected to be functional by 2013.

The procedure for approval of premises under Regulation (EC) 853/2004 is set out in the PACE (plan for approval and control of establishments). However it appears that several organisations may be involved requiring multiple visits. According to the country profile (page 23):

'This is co-ordinated mainly but not exclusively, by the NTL (technical licencing unit) of DRAP (Regional Directorate for Agriculture & Fisheries). It collates decisions from all these bodies and passes them on the Food Business Operator. The final decision on compliance with food hygiene regulations is taken by DGV (Directorate- General for Veterinary Issues).'

The DGV (Directorate- General for Veterinary Issues) issues the approval number or veterinary control number as it is referred to in the country profile.

Risk Rating

No specific risk rating scheme was described in the country profile and none could be found by searching the literature, including Portuguese publications.

For licencing purposes industrial establishments may be classified, on the basis of potential risk to both humans and the environment, as types 1, 2 and 3. The classification may relate to inspection frequency but if so this is not clear from the country profile. The FVO reports from 2009 and 2011 indicate that risk rating and frequency of inspections is an area which is still under development in Portugal.

Audit & Monitoring

With three different central ministries and (depending on how they are counted) six CA's there is a need for collaboration, monitoring and formal auditing to ensure official controls are delivered correctly. According to the Country Profile (2012) some auditing is occurring within and between the sections of the Ministry of Agriculture, Rural Development and Fisheries.

Sampling Programme

The Food Authority (ASAE) samples meat and meat based products according to a National Plan. The country profile indicates which laboratories can be used for processing various samples (e.g. INRB /IPIMAR (Sea and Fisheries Research Laboratory) being the national reference lab for marine biotoxins) but not who actually takes the samples or whether there is coordination between the organisations.

Imports

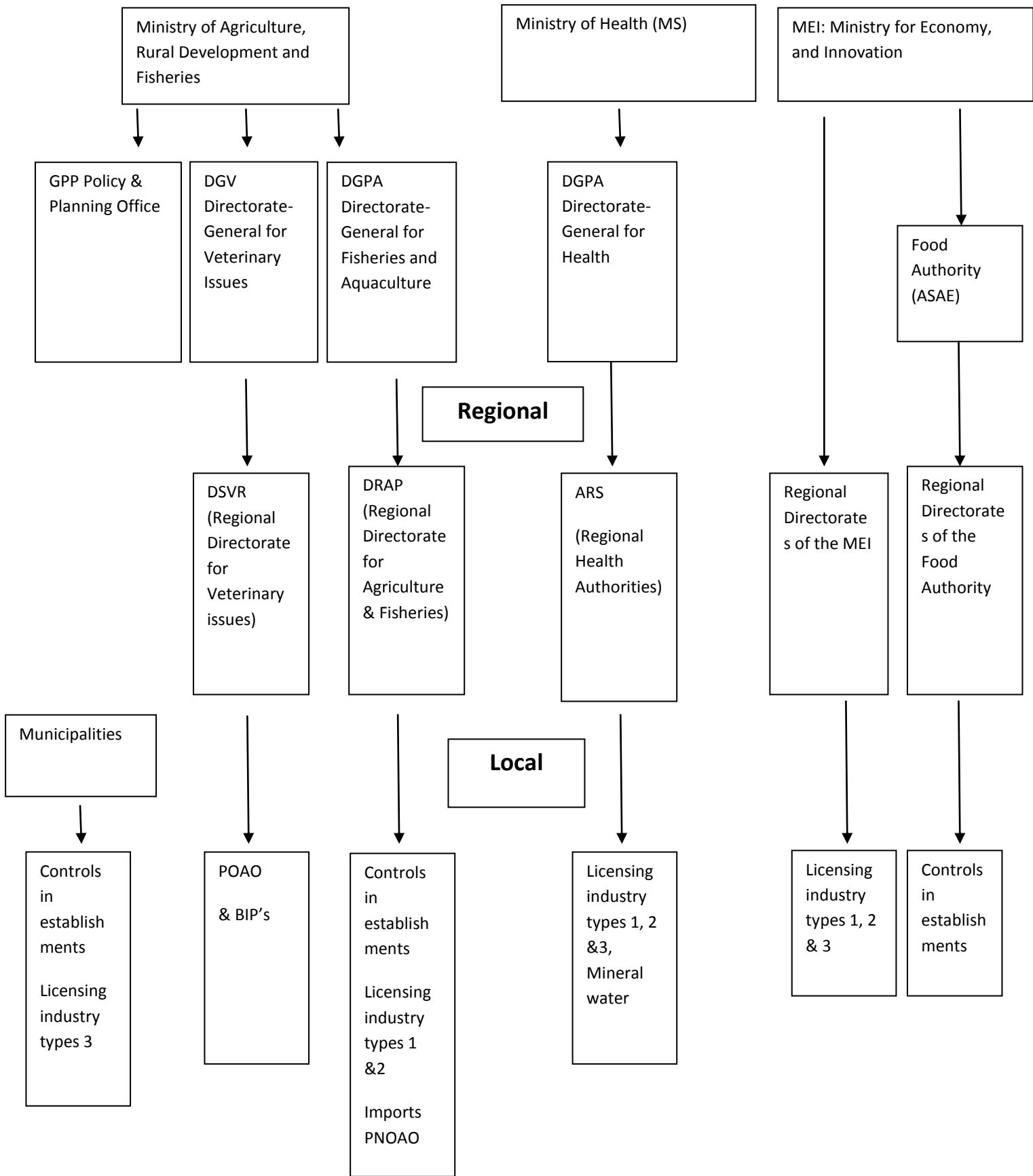
DSVR (Regional Directorate for Veterinary issues) staff the BIP's and carry out controls on imported POAO. DRAP (Regional Directorate for Agriculture & Fisheries) carry out controls on PNOAO.

Other

There is overlap of control activities between the Ministry of Agriculture and the Food Authority which is in the Ministry for Economy and Innovation (MEI) and also some overlap with the municipalities. This has been highlighted by FVO inspections and is mentioned several times in the country profile as an issue of importance.

The extent to which HACCP has been implemented in food businesses in Portugal is not reported.

Chart indicating relationship between authorities Portugal



Spain

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	47,042,980	indexmundi
Area	505,370 km ²	indexmundi
Population density	93/km ²	
Currency	Euro	Europa
Agricultural holdings	1,069,750	Eurostat (2008)
Total food businesses	495,307	According to country profile figures
Total food businesses	495,141	According to Eurostat (2008) figures
Manufacturer (2007)	21,557	Country profile, summary data
Manufacture (2011)	29,353	Eurostat (2008)
Production & processing (2007)	6217	Country profile, summary data
Wholesale (includes tobacco)	43,716	Eurostat (2008)
Retailers (2007)	234,911	Country profile, summary data
Retailers (2011)	154,075	Eurostat (2008)
Food service (2007)	262,622	Country profile, summary data
Food service (2011)	261,997	Eurostat (2008)
Volume/percentage imported/exported food		
Volume of livestock produced (1000 heads)		
• Cattle, pig, sheep, goat, horse	54,354	Country profile, summary data
• poultry	164,450	Country profile, summary data
Staff delivering Food Controls		
• central	1150	Country profile
• regional and local	10,000	Country profile
• private contractors (livestock)	3,200	Country profile

Spain is a constitutional monarchy. The written constitution dates from 1978 following the end of the Franco dictatorship and the proclamation of King Juan Carlos in 1975. The government consists of two chambers, a Congress of Deputies (350 seats), directly elected by proportional representation and a Senate (approximately 228 seats). However the country is divided into 17 autonomous regions or communities and two autonomous cities. These have their own directly elected authorities (parliaments) and have devolved power and control over many aspects of life, including delivery of official controls for food and feed safety. According to Balfour (2008) these autonomous communities have been able to acquire resources and competencies which have made them separately very powerful and have created what he terms a 'competitive federalism' where the

regions act in their own interest and are not inclined to cooperate or proceed according to national unity or interest.

The Ministry of Health Social Policy and Equality is the national ministry with responsibility for food safety. It is directly responsible for control of imported food. Other responsibilities with regard to food , including nutrition have been delegated to the Spanish Food Safety and Nutrition Agency (AESAN). Spanish Food Safety and Nutrition Agency (AESAN) is an autonomous organisation responsible for promoting food safety and providing information to consumers and the industry. It appears to be funded by the Ministry of Health Social Policy and Equality although this is not entirely clear.

Central Competent Authorities

Name of CCA	Responsibility
the Ministry of Health Social Policy and Equality	Imported food Coordination of delivery of controls,
Ministry of the Environment, Rural and Marine Affairs (MARM)	Primary production , food quality,
Spanish Food Safety and Nutrition Agency (AESAN)	Food Hygiene controls apart from imports Legislation RASFF management Promotion of food safety and provision of information to consumers and industry

The implementation and delivery of all controls apart from imports is the responsibility of the autonomous regions and cities. This is achieved through the Consejerias - the autonomous ministries of the communities. There may be four ministries involved in delivery – the ministries of Agriculture, Health, Environment and Fisheries. The manner of delivery and organisation varies between the different communities. Some have their own food agencies while others do not. In those which have a food agency (Asturias, Balearic Islands, Castilla y León, Cataluña and Valencia) the responsibilities and competences within the agency are not consistent. Some (10) autonomous communities are subdivided into provinces which may or may not have corresponding territorial service units. In those having territorial service units the number of units (and therefore the geography) may differ between the ministries of agriculture and health. Those territorial service units which reflect provincial boundaries are subdivided into local health units with responsibility of delivery of official controls.

At national level food safety is coordinated through the Inter-territorial Health Council. This comprises the National Minister of Health and the Ministers of Health from each of the autonomous communities. The equivalent for agriculture exists in the Sectorial Council for Agriculture and Rural Development. The legislation implementing EU regulations appears to be a national law, drafted by the Spanish Food Safety and Nutrition Agency (AESAN) in concert with an inter-ministerial committee on Food Regulation. However, the Autonomous Communities may draft additional

legislation, which may be more detailed, provided it remains within the framework of the national law.

Provincial Control Authorities

CA	Responsibility
17 autonomous communities and 2 autonomous cities of Ceuta and Melilla	Instructions & guidance on delivery and programmes
Territorial services (provincial)	Not specified
Local health areas (district services)	Delivery of official controls for food safety

Food establishments have been registered nationally in Spain according to Royal Decree 1712/1991. This requirement has been updated and simplified by Royal Decree 191/2011. Responsibility for approval of premises presumably rests with the Autonomous Communities although this is not explicitly stated.

Official Control Staff

Qualifications

The country profile affirms that staff carrying out official controls are appropriately qualified but does not describe what these qualifications may be. According to the annexes in the Country Profile staff delivering controls include Veterinarians and others with degree level qualifications as well as technicians.

Powers of Officers

- monitoring
- surveillance
- inspections
- sampling and analysis
- documentary checks
- supervision
- audits

Sanctions

The country profile lists the General Health Act as relevant to infringements and penalties for food safety but does not elaborate on what these may be.

Risk Rating

According to the Country Profile, systems for risk rating delivery of controls are explained in the MANCP part B section I, II, III. On translation it appears that there is no national risk rating scheme with each Autonomous Community developing an individual scheme.

Systems are being developed by the Autonomous Communities to establish the frequencies of control delivery in meat and milk establishments

Audit & Monitoring

The Autonomous Communities are responsible for carrying out verification that official controls are being delivered in their areas. Some have started to carry out audits but this does not appear to be universal. The Spanish Food Safety and Nutrition Agency (AESAN) reports that it has delivered audit training to its own staff and to some staff from the Autonomous Communities. It has also convened official working groups which have drafted procedures and guidance. An audit programme has been developed but no further detail on implementation was provided.

Sampling Programme

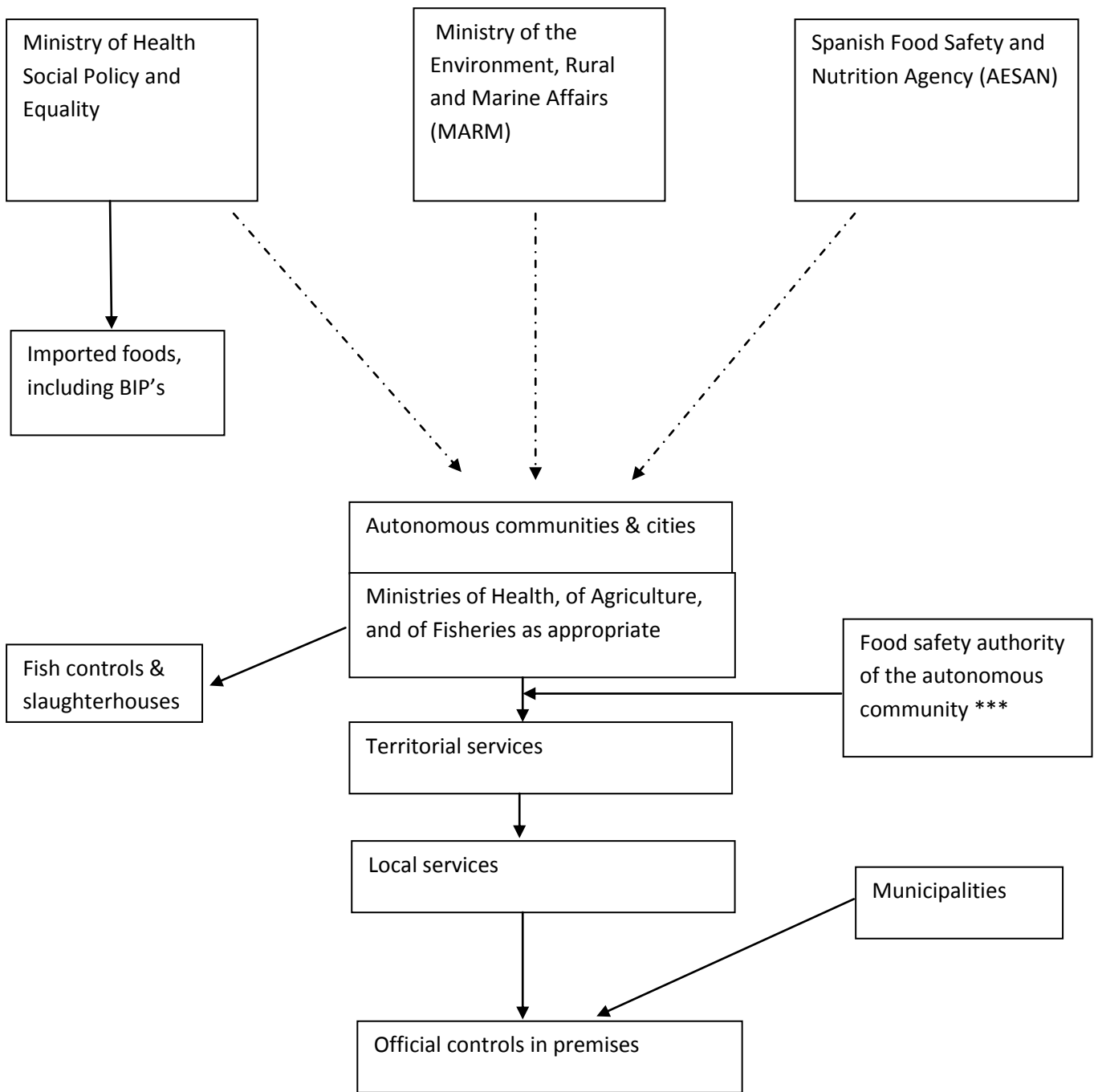
No indication of a national plan.

Imports

The Ministry of Health Social Policy and Equality is directly responsible for imports, including POAO. Although the staff at the BIP's are part of the central government (the Ministry of Health Social Policy and Equality or Ministry of the Environment, Rural and Marine Affairs (MARM) according to whether the imports are for human consumption or not) , the Ministry of Land Policy and Public Administration pays for them, including the infrastructure and equipment. The resource is allocated via the autonomous communities.

Other

Chart indicating relationship between authorities Spain



*** not all Autonomous communities have food safety authorities.

Direct control \longrightarrow

Co ordination $\cdots\cdots\cdots\longrightarrow$

Sweden

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	9,200,000	Europa
Area	449,964 km ²	Europa
Population density	20.5/km ²	
Currency	Krona	
Agricultural holdings	75,260	Eurostat (2008)
Total food businesses	39,280	According to Country profile, summary data
Total food businesses	40,836	According to Eurostat (2008)
Manufacturer (2008)	2284	Country profile, summary data
Manufacture (2005)	3288	Eurostat (2008)
Production & processing (2008)	935	Country profile, summary data
Wholesale (includes tobacco) (2005)	4368	Eurostat (2008)
Retailers (2008)	13,804	Country profile, summary data
Retailers (2005)	12,364	Eurostat (2008)
Food service (2008)	22,257	Country profile, summary data
Food service (2005)	20,816	Eurostat (2008)
Volume of livestock produced (1000 heads)		
• Cattle, pig, sheep, goat, horse	3380	Country profile, summary data
• poultry	13,830	Country profile, summary data
Staff delivering Food Controls		
• Central (National Food Agency)	489	Country profile
• County	245	Country profile
• Municipal	639	Country profile

Sweden is a constitutional monarchy with a unicameral (single chamber) parliament, the *Riksdag*. The members of the parliament (349) are elected by proportional representation and serve for a four year term. The political party with the majority of elected members is invited to form the government. The Riksdag has legislative powers which are implemented by the relevant ministries (Government Offices) and also by central government agencies and state owned companies. The competencies of the Government Agencies are determined by the Riksdag and Government. The Agencies are autonomous but usually accountable to a central government ministry through appointed Agency Heads. The central government sets out an annual plan for the various agencies which include objectives and budget allocations. Monitoring is through annual reports to the relevant ministry. However the government ministry cannot intervene in the daily business of the

Agency, including the exercise of its authority. The National Food Agency one such agency and is responsible for delivery of official controls for food safety.

Sweden is divided into 21 counties. Each comprises a county council and a county administrative board. County councils are directly elected by the citizens while the county administrative boards form the central government’s regional representation. County administrative boards are headed by an appointed Governor. County Councils are responsible for health and medical service delivery which forms a substantial portion of expenditure (80% according to the Government Offices of Sweden website). They also deliver official controls in primary production and monitor the municipalities. The County Administrative Boards report to the Ministry of Health and Social Affairs but also to the Swedish Board of Agriculture and the National Food Agency as appropriate. There is further division of the country into municipalities (290). Each municipality also has a directly elected council. Municipalities are funded through municipal taxes and government grants and carry out the delivery of controls in most food premises, including catering, retail, premises dealing with products not of animal origin and those places dealing with products of animal origin which are not covered by the National Food Agency. Municipalities may also regulate on the fees recovered for official control delivery. Municipalities may collaborate with other municipalities to provide better service. As a consequence of this cooperation only 252 of the 290 municipalities actually perform food controls. The government ministry with responsibility for the municipalities is the Ministry of Finance. The competencies and responsibilities allocated to municipal and county councils and the relationship between them and with central government is laid out in the Swedish Local Government Act 1992.

The Central Competent Authority for food is the National Food Agency. The National Food Agency operates under a Government Authorities Ordinance and reports to the Ministry for Rural Affairs.

Central Competent Authorities

Name of CCA	Responsibility
National Food Agency	Prepare legislation, coordinate controls, carry out risk assessments Imports Products of Animal Origin including cutting plants outside the larger municipalities.

Regional/Local Control Authorities

CA	Responsibility
County administrative boards	Official controls at primary production Desk based audits of municipality delivery of controls
Municipalities	Products of animal origin in small establishments, catering, retail, establishments producing products not of animal origin

Official Control Staff

The FVO report (2010) reports serious staff shortages in the municipalities. This was identified in previous reports and although the problem has improved it appears not to have been completely

rectified by the 2010 inspection. The FVO inspectors also identified a problem with the competencies of the control staff, particularly with regard to HACCP and the details of specific legislation, with regard to identification of non-compliances during inspections, approval of non-compliant premises and with the use of appropriate enforcement action (FVO 2010).

Powers

According to the FVO audit in June 2012, the Food Act provides inspectors with the following powers:

- to enter establishments
- to access to documentation and information
- to take samples
- to apply [for] injunctions
- to issue prohibitions
- to impose corrective measures and penalties
- to revoke(temporarily or permanently) approval

Sanctions

Contraventions are punishable either under the Food Act, which can result in fines or the Penal code which may result in custodial sentences. The country profile records that all measures listed in article 54 of Regulation (EC) No 882/2004 are available to the municipalities.

Risk Rating

Delivery of official controls by the County Administrative Boards (in primary production) is not presently carried out on a risk basis. The National Food Agency has provided risk classification guideline for municipalities to deliver controls on a risk basis. This was revised recently and the updated version due to be implemented in 2012. The rating scheme in existence at the time of the FVO visit in 2010 is summarised below:

- The establishments are classified in five numerical groups (1 to 5) according to the type of establishment, nature of the product, type of processing, volume of production and the end user.
- The past record of the Food Business Operator is assessed to allocate one of four risk classes A to D (A= good past record and D= bad past record). These are combined to provide a risk category which relate to the time which should be allocated to the delivery of controls. These time allocations for official controls range from 1 hour annually in the lowest risk (A5) to 128 hours in the highest risk category (D1) and include all the tasks necessary for the inspection such as preparatory work and report writing.

The FVO inspectors reported that the municipalities were using the NFA risk rating scheme.

Audit & Monitoring

The National Food Agency requires the County Administrative Boards to report of their delivery of official controls and also carries out audits. The County Administrative Boards audit the

Municipalities but have no power to sanction them (FVO 2010). The National Food Agency classifies the municipalities into three risk categories and the County Administrative Boards are expected to use this to prioritise audits (FVO 2010).

The National Food Agency has an internal audit system for its own control delivery.

The National Food Agency can instruct municipalities if food controls are not carried out satisfactorily. This has happened in 22 cases (FVO 2010). The NFA may also (with government permission) take over the responsibility for certain establishments of a municipality which fails to deliver controls correctly. However it appears that this power has not so far been used.

Sampling Programme

National Food Agency carries out sampling from live bivalve molluscs, imports and organises sampling for specific substances in food. These are examined or analysed at laboratories under contract to the NFA. According to the NFA website, food samples are collected by the municipal food control authorities. Analysis takes place usually in accredited private laboratories.

Imports

National Food Agency is responsible for official controls on imported foods including products of animal origin and BIPS.

Other

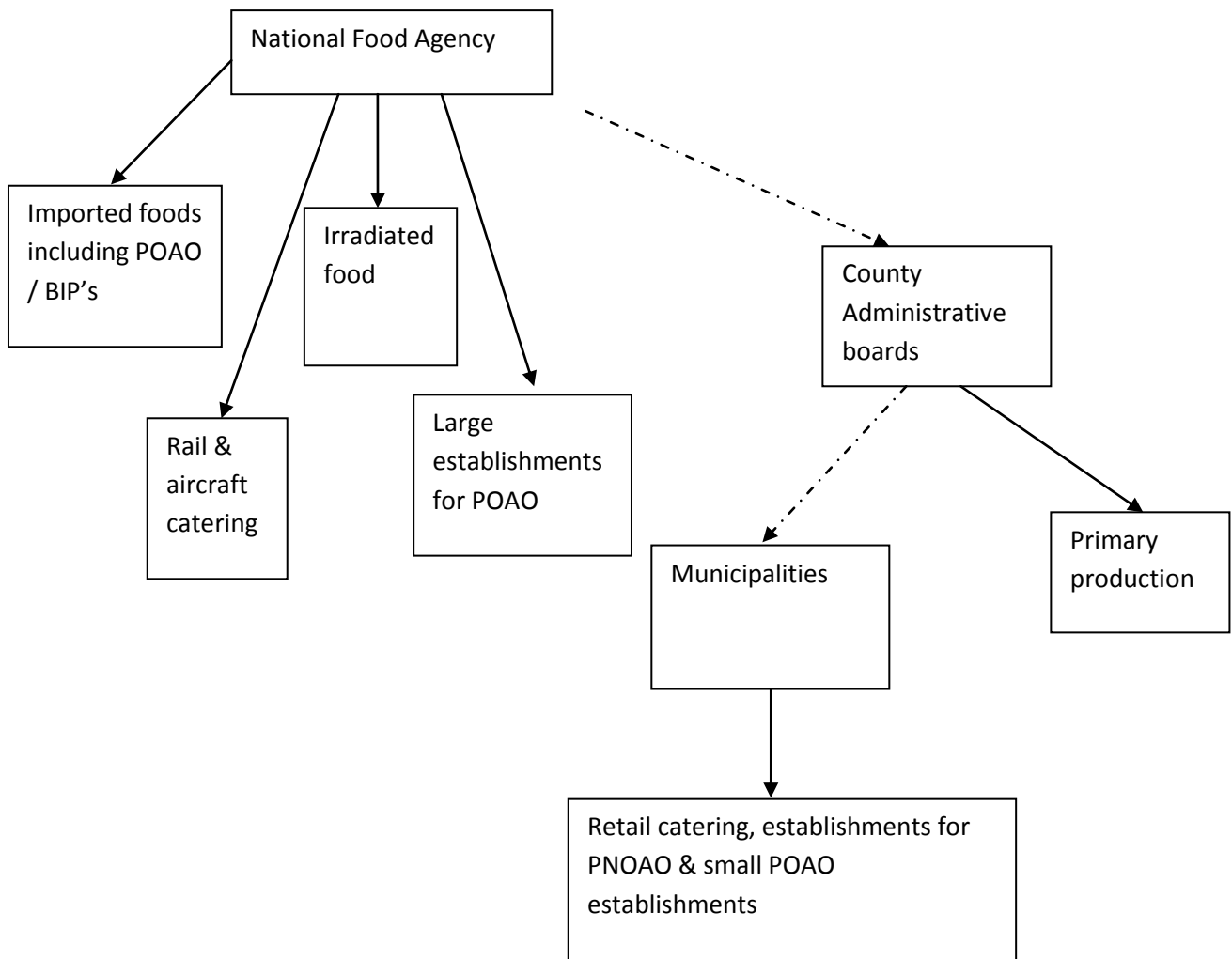
Pooling expertise

Some municipalities have pooled resources to share expertise and to deliver official controls. According to the country profile, 59 municipalities have cooperated to produce 21 organisations for delivery of controls. These range from only two municipalities to organisations involving five.

Cost Recovery

The funding for the delivery of official controls by the County Administrative Boards (primary production) is provided by the government. The remaining controls are funded through cost recovery. The National Food Agency is funded through fees collected from establishments under its control, for example slaughter houses. Municipal food control is also financed by fees collected from the food industry and trade (NFA website).

Chart indicating relationship between authorities Sweden



Audit - - - - ->

Delivery of controls - - - - ->

United Kingdom

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	67,000,000	Europa EU
Area	244,820 km ²	Europa EU
Population density	274/km ²	
Currency	sterling	
Agricultural holdings	254,660	Eurostat 2008
Total food businesses	196,262	Using Eurostat figures
Total food businesses	204,919	Using Country profile Summary Data
Manufacturer (2005)	6994	Eurostat 2008
Manufacture (2009)	4750	Country profile Summary Data
Production & processing (2009)	1819	Country profile Summary Data
Wholesale (includes tobacco) (2005)	14,104	Eurostat 2008
Retailers (2005)	60,081	Eurostat 2008
Retailers (2009)	79,676	Country profile Summary Data
Food service (2005)	115,083	Eurostat 2008
Food service (2009)	118674	Country profile Summary Data
Volume of livestock produced (1000 head)		
<ul style="list-style-type: none"> • Cattle, pig, sheep, goat, horse 	36,245	Country profile summary
<ul style="list-style-type: none"> • poultry 	167,629	Country profile summary
Staff delivering Food Controls		
<ul style="list-style-type: none"> • Central (Food Standards Agency) 	2492.5	Country profile
<ul style="list-style-type: none"> • Local and port authorities 	2861	Country profile

The United Kingdom consists of 4 countries, England, Scotland, Wales and Northern Ireland. Approximately 80% of the UK is English and approximately 10% Scottish (Europa EU). Many parts of the UK, particularly the major cities have welcomed immigrants from the Commonwealth countries, other EU member states and third countries, creating a multicultural society with complex food preferences. The UK is a constitutional monarchy with an elected government. The government comprises two chambers, the House of Lords and the House of Commons. The House of Commons is democratically elected. Devolution of power has resulted in a Scottish Parliament, a Welsh National Assembly, and Northern Ireland National Assembly, all of which have some legislative powers relating to their own geographical domain.

Food Safety is the responsibility of central and local government in the UK. The Central Competent Authority for food safety is the Food Standards Agency. The Food Standards Agency is a non-ministerial Government department which works at 'arm's length' from government and is free to publish any advice it issues. It is, however, accountable to Parliament through health ministers, and to the devolved administrations in Scotland, Wales and Northern Ireland for its activities within their areas. The Food Standards Agency is responsible for policy, legislation and coordination of official

controls for food. In England and Wales two government departments, (DEFRA and DOH) are responsible for general labelling and nutritional labelling respectively but only in so far as they do not relate to safety. There is cooperation between the three organisations to ensure coherent policy. The Food Standards Agency carries out delivery of official controls in slaughterhouses, abattoirs, cutting plants and any other meat establishments under veterinary control except in Northern Ireland where these controls are carried out on its behalf by the Department for Agriculture and Rural Development. With the exception of some very specific circumstances such as raw cow's milk and egg marketing, delivery of official controls relating to food hygiene and safety, including imports, is largely the responsibility of the local or port health authorities.

Central Competent Authorities

Name of CCA	Responsibility
Food Standards Agency	Policy, legislation & coordination of official controls for food safety Official controls in Meat establishments under veterinary control

Provincial Control Authorities

CA	Responsibility
Local Authority	Delivery of official controls in all premises apart from those under FSA control.
Port Health Authority	Imported food, including BIPS's

Official Control Staff

The staff employed by the Food Standards Agency who are delivering official controls are trained Veterinarians and/or meat and poultry meat inspectors.

Staff employed by the Local Authorities or Port Health Authorities are Environmental Health Officers, Food Safety Officers or Trading Standards Officers. These officers may only be authorised by their authorities to carry out official controls if they are competent. To demonstrate competency the officers must have successfully completed one of three bespoke accredited courses, according to the type of controls. Port Health Officers are Environmental Health Officers working for a Port Health Authority and specialising in the import of foods. Food Safety Officers specialise in delivery of Food Controls while Environmental Health Officers and Trading Standards Officers enforce other legislation as well, for example Health and Safety, Environmental Protection, Housing (Environmental Health Officers), Consumer Protection, Weights and Measures (Trading Standards Officers)

Powers

Environmental Health Officers and Food Safety Officers have various powers conferred by legislation (Food Safety Act 1990, The Food Hygiene (England) Regulations 2006 or national equivalent) to carry out official controls. These include:

- Right of entry to premises and to inspect food, documents, records etc.
- Sampling of food, food sources and any substances used in food
- Seizure/ detention of food/prohibition from placing on the market or movement of food
- Power to take evidence
- Power to serve notices including emergency prohibition notices on premises, processes & equipment
- Power to revoke or suspend approval

Sanctions

Sanctions for noncompliance are issued by the courts (magistrate or crown) following successful prosecution of the Food Business Operator by the Local Authority or Food Standards Agency. Sanctions include fines, custodial sentences and prohibition from participating in a food business. On one occasion a Food Business Operator was electronically tagged and subjected to a curfew by Birmingham Crown Court although this is an unusual sanction for an infringement of food legislation (Lowe, N., Birmingham City Council, personal communication).

Risk Rating

The Food Standards Agency has developed an intervention rating scheme for use by Local Authority Officers. Premises are allocated a numerical score based on the following criteria:

- The potential hazard
- Level of compliance
- Confidence in management
- Significance of risk

Summing the numbers in each category provides a premises score. According to this score the premises will be allocated a minimum intervention category ranging from the highest category A (minimum intervention at least every six months) to category E (minimum intervention at least every 3 years). Category E premises, being considered a very low risk, may also be subjected to what are termed 'alternate enforcement strategies' where the premises are monitored to ensure continued compliance rather than, for example, conducting a full inspection. The rating scheme applies to premises approved under Regulation (EC) 853/2004 as well as retail, catering and other establishments but not to primary production or to ships and aircraft. (Food Law Code of Practice and Practice Guidance 2012)

Audit & Monitoring

The Food Standards Agency collects data on the performance of the Local Authorities using a system known as the Local Authority Enforcement Monitoring System (LAEMS). Local Authority delivery and enforcement is recorded and the data can be used to demonstrate compliance with the legislation, guidance and standards. The Food Standards Agency also conducts audits of the local authorities and port health authorities. The results can be accessed through the Food Standards Agency website <http://www.food.gov.uk/enforcement/auditandmonitoring/> . Monitoring and audit of the Food Standards Agency delivery of controls is carried out by the FSA internal audit team.

Sampling Programme

Sampling is carried out by the local authority officers or vets/meat inspectors in the premises for which they are responsible. Port Health Officers sample imported products.

Imports

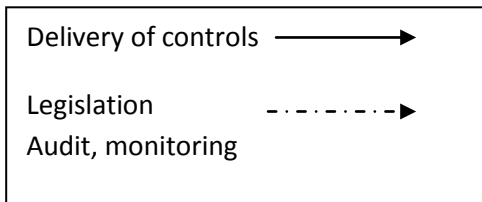
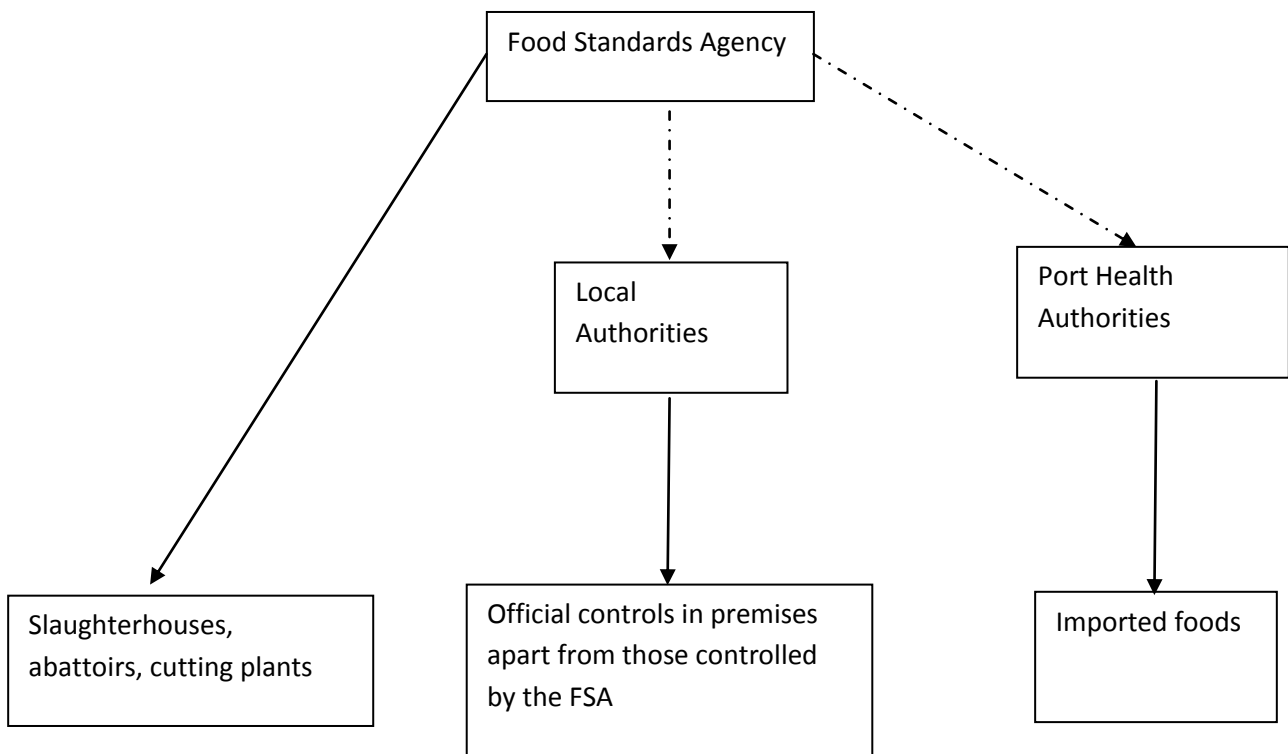
Official Controls on imported foods, including POAO, are delivered by the Environmental Health Officers/Port Health Officers working in the Local Authority in which the port is located.

Other

Food Hygiene Rating Scheme

The food hygiene rating scheme is a national programme run in England, Wales and Northern Ireland which publishes a numerical score for food premises serving the public. Scotland has its own national programme, the Food Hygiene Information Scheme. The score relates to the standard of hygiene observed by the inspecting officer at the last programmed inspection. Local authorities are not obliged to participate and many had already set up independent schemes when the national scheme was implemented. However most have now amended their programmes to participate in the national standard. The aim is to encourage premises compliance with hygiene standards by making a good score a competitive advantage. Customers may include the premises standard of hygiene as one of the criteria used when selecting a place to eat. Premises are not obliged to display their rating but participating local authorities publish electronically. Preliminary research indicates the scheme has produced improvements in compliance and hygiene in many small premises, including some of those which have traditionally proved resistant to other interventions (Winnall *et al*, in preparation).

Chart indicating relationship between authorities UK



Non Member States

Australia

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	22,620,600	World bank
Land Area	7,682,300 km ²	World bank
Population density	2.9/km ²	
Currency	Australian dollar	
Agricultural holdings	140,516	FAO (nd)
Total food businesses	Not determined	
Manufacturer	90,288	Figures are for ALL industries, not just food, as Australian Bureau of Statistics does not publish according to premises type
Wholesale	79,247	
Retailers	143,679	
Food service and accommodation	81,740	Australian Bureau of Statistics (2012)
Volume of livestock		
<ul style="list-style-type: none"> • Cattle, sheep, goats 	103,230,000	Meat & Livestock Australia (2012)
<ul style="list-style-type: none"> • Chickens 	512,200,000	ACMF 2011
Staff delivering Food Controls		
<ul style="list-style-type: none"> • central total DAFF* 	5212	DAFF (2012)
<ul style="list-style-type: none"> • regional and local 	Not determined	
<ul style="list-style-type: none"> • FSANZ (2011) 	138 (15 in New Zealand)	FSANZ website (annual report)

*not all staff involved in food

Australia is a constitutional monarchy with a federal structure. The Federal Government comprises an elected bicameral parliament. The constitution of 1901 defines the powers of the Federal Government and those of the six states. Each state has legislative powers. There are also ten territories. These may have some self-determination or be under the jurisdiction of the Federal Government (Australian Government Website). Coordination is achieved through the Council of Australian Governments – this organisation comprises the Prime Minister, the Premiers of the Australian States and Territories, the Chief Ministers and the President of the Australian Local Government Association (Australian Government Website).

Imported foods are controlled centrally by the Department of Agriculture Fisheries and Food. Previously this task had been carried out by the Australian Quarantine Inspection Service (AQIS) but during 2011/12 the Service was subsumed fully into Department of Agriculture Fisheries and Food.

Central Competent Authorities

Name of CCA	Responsibility
Department of Agriculture Fisheries & Food	Imported foods
Food Standards Australia New Zealand	Guidance and standards

Other food controls are the responsibility of the individual States. Each State has its own legislation but this is based on the national Model Food Act developed by Food Standards Australia New Zealand. Food Standards Australia New Zealand is a national statutory agency with responsibility for developing food standards for Australia and New Zealand. The Agency is not a regulatory authority but is responsible for drawing up appropriate standards which can be used as a basis for legislation and delivery of controls in the Australian States and in New Zealand. In 2008 The Council of Australian Governments signed an amendment to the Intergovernmental Food Regulation Agreement which committed the States and Territories to basing their legislation, guidance and programmes on the Model Food Act.

Food Controls are delivered by the State Authorities. The arrangements vary from State to State but usually involve the local authorities in the delivery of controls in food premises. New South Wales, for example, has a Statutory Agency (the New South Wales Food Authority) which provides integrated control from farm to fork. The New South Wales Food Authority develops legislation and guidance and also conducts inspections in processing, storage and distribution premises. Officers in the Local Authorities deliver controls in retail and food service (New South Wales Food Authority webpage). Other States have alternate arrangements, for example in Queensland, delivery of food safety controls is divided between the Local Authorities and two government agencies, namely Safe Food Production Queensland, and Queensland Health.

Safe Food Production Queensland deals with primary production and processing, specifically POAO, while Queensland Health controls food safety in manufacturing, retail and food service sectors. Local Authorities inspect and licence food businesses as well and the division of tasks between Queensland Health and the Local Authorities is described in the Food Act 2006 (Safe Food Queensland website).

Regional Control Authorities

CA	Responsibility
State & Territorial governments	Food legislation Delivery of food safety controls
Local Councils	Inspection retail and food service

Official Control Staff

In Local Authorities controls are delivered by Environmental Health Officers.

Powers

The powers allocated to officers are detailed in the relevant State legislation, for example The New South Wales Food Act 2003 in New South Wales. Following the Intergovernmental Food Regulation Agreement, these should be based on the Model Food Act and would generally include the following powers:

- to enter premises
- to inspect food, contact materials, documents and any other articles
- to sample
- to investigate
- to gather information
- to take photographs

Some States provide the power to stop and search vehicles.

Sanctions

The Australian & New Zealand Food Regulation Guideline version 8 (Anon 2009) provides an enforcement toolkit which may be used by regulators in the States and Territories. This includes:

- Written warnings
- Improvement notices
- Prohibition of processes and equipment
- Seizure of food
- Administrative penalties
- Cancellation or alteration of registration conditions
- Prosecution

Although some state/territory legislation may omit one or more of these sanctions, the Intergovernmental Food Regulation Agreement encourages implementation of the guidelines and the State Authorities do take notice of them – for example the New South Wales Food Authority Compliance and Enforcement Policy relies heavily on the Guideline and provides further information for officers who need to use the sanctions.

Risk Rating

Food Standards Australia New Zealand has developed and published a risk based system for classification of food businesses. This can be implemented in the six States and territories. The frequency of the routine inspection is determined by the particular category of the food business, for example high, medium and low risk. In addition, inspection frequency can also take into account history of noncompliance. Each class has a min and max inspection frequency. Low is a minimum of one inspection every 24 months and a maximum of once per year. Medium has a minimum of once

every 18 months and a maximum of once every 6 months. High has a minimum of once every year and a maximum of once every 3 months.

Audit & Monitoring

There do not seem to be any reports of a formal audit or monitoring relationship between any central authority and the State Control Authorities.

Sampling Programme

Food Safety Australia New Zealand sets standards for microbiological contaminants, pesticide residue limits and chemical contamination. Samples can be taken for general compliance testing or as a result of planned studies. The Agency acts as the central point for collection of food surveillance data from public health units in Australia and New Zealand.

Samples from imported foods at point of entry are taken by staff from Department of Agriculture Fisheries and Food.

Imports

The standards for import of foods are set by the Food Safety Australia New Zealand (FSANZ) while the inspections are carried out by the Department of Agriculture Fisheries and Food. Controls are delivered on a risk basis through a programme known as the Imported Food Inspection Scheme. Foods are considered as either 'risk' foods which are subjected to 100% inspection or 'surveillance'foods. Five per cent of surveillance foods are inspected. New Legislation is being drafted to replace the Quarantine Act 1908 which is still in force along with other legislation such as the Imported Food Control Act 1992 covering food imports. There is a mutual recognition agreement with New Zealand and products from there are exempt from the Imported Food Inspection Scheme.

Other

Cost Recovery

There are two areas of importance in Australia's delivery of controls with regard to cost recovery. The first is demonstrated by Department of Agriculture Fisheries and Food. The fees charged for inspecting imported foods are standardised and published so all importers can be aware of the cost associated with the procedure. These fees are contained in schedule 2 of the Imported Food Control Regulations 1993. Any costs incurred through sampling and laboratory analysis are also paid by the importer, who is invoiced directly by the laboratory carrying out the work. The Department of Agriculture Fisheries and Food undertook a review of fees in 2011/12 and is expected to amend the relevant legislation accordingly.

Cost recovery for official controls is also demonstrated by New South Wales. In Australia the states and territories have responsibility for delivery of official controls. Each state or territory enacts its own food legislation based on a Model Food Act developed by FSANZ. The New South Wales Local Government Act 1993 gives permission for the municipality to charge fees to the food premises to cover the cost of inspections. These inspections are not optional and are carried out with a frequency which reflects the interventions required in the premises. Individual councils within a

State may set the fees and charges to reflect the local situation. In New South Wales the New South Wales Food Authority sets recommended maxima for example:

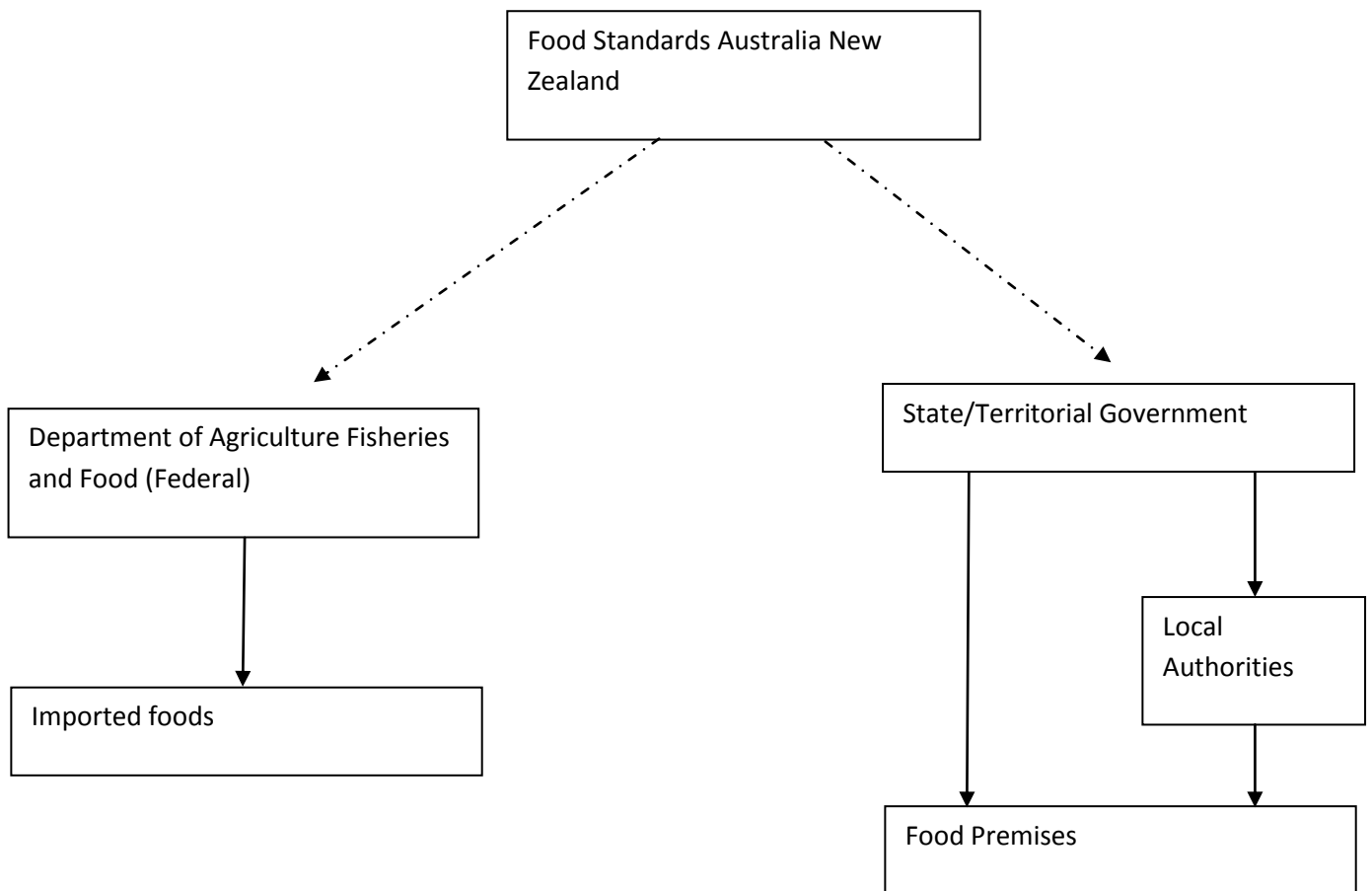
- \$143.08 per hour plus \$35.77 travelling expenses for a programmed inspection of a non-licenced food premises
- a fixed fee of \$330 for the issuing of an improvement notice (including one revisit)

In this way compliant businesses are rewarded by paying less for inspections than non-compliant premises. In addition there is an annual administrative fee charged (\$278) irrespective of the number of visits. Special fees are also levied for particular inspections for example markets or special events. Fees are used by the municipality to deliver services.

Third party audit

New South Wales has developed a process of third party audits for certain licenced premises. This process allows auditors who are not employed by the control authority to undertake compliance audits in premises which meet certain criteria. Premises currently eligible to apply for this system include shellfish, aquaculture premises and dairies (primary production). The audit results must be sent to the Control Authority for verification. Failing premises will be subject to enforcement action by the Control Authority under the relevant legislation. Only approved auditors may be used.

Chart indicating relationship between authorities Australia



Standards & guidance - - - - ->

Delivery of controls —————>

Canada

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	34,482,779	Statistics Canada
Land Area	9093510 km ²	World bank
Population density	3.8/km ²	
Currency	Canadian Dollar	
Total food premises	152,757	
Manufacturer (2010)	7934	Industry Canada
Wholesale (includes tobacco)	11,341	Industry Canada
Retailers (2011)	34,961	Industry Canada
Food service (2011)	98,521	Industry Canada
Animal production establishments	79,848	Industry Canada
Crop production establishments	59,748	Industry Canada
Volume of livestock produced		
• Cattle,	12,500,000	Industry Canada
• Chicken & turkey (2011)	659,546,000	Industry Canada
Staff delivering Food Controls		
• Total Federal control staff	7291	Canadian Food Inspection Agency
• Federal inspectors	4841	Canadian Food Inspection Agency
• Provincial	Not determined	

Canada is a federal country divided into ten provinces and three territories. It is a constitutional monarchy with a constitution dating from 1867. The Federal Parliament comprises a Senate and House of Commons. Both Federal and Provincial governments are elected and the powers of each are set out in the constitution and its amendments. Some areas are exclusively the domain of either the Federal **OR** Provincial/Territorial legislatures, for example Defence (Federal) and Education (Provincial). A few, such as agriculture, are shared. However some areas were not specifically assigned by the Constitution Act 1867, possibly because they were not significant areas for control at the time of the enactment. These include Health. Clarification with regard to the division of these responsibilities occurs through judicial review and the courts have provided definition with regard to some areas (Government of Canada *nd*). The outcome is that a Federal Organisation for Health known as Health Canada exists alongside the provincial and territorial Health Departments, each with their own responsibilities. Historically the territories were governed federally but devolution of powers has resulted in territorial administration which now provides very similar services to those delivered by the provincial governments (Government of Canada *nd*).

The delivery of food safety controls is also divided between the Federal and Provincial/Territorial Governments. The Canadian Food Inspection Agency is a Federal Agency reporting to the Minister of Agriculture and Agri-Food. It has responsibility for what are termed 'federally registered production

units'. These are premises handling, manufacturing and processing products of animal origin (POAO) including honey, fresh and processed fruit and vegetables and maple products. The inspection of food service and retail premises is the responsibility of the First Nations and Inuit Health Branch of Health Canada in the reserves and Inuit communities and of the Provincial or Territorial authorities elsewhere (Canadian Food Inspection Agency). Municipal Authorities in Canada do not appear to be set up as constitutional authorities using a local government act as are the councils in the UK. Instead they can be established by the provincial authorities who delegate some power to them (Government of Canada). As a consequence, while delivery of official controls in retail and food service is generally under the control of the provincial health authority, in some instances it can be devolved to a municipal authority or to regional authorities. This is not consistent across the country or within a province. For example inspections are carried out by the City of Montreal in Montreal and the *Ministère de l'Agriculture, des Pêcheries et de l'Alimentation du Québec* in all other parts of the province of Quebec, including Quebec City. In Newfoundland and Labrador it is the responsibility of the Department of Government Services (Government of Canada). Each Province drafts its own Food Legislation, for example Ontario's Food Safety and Quality Act 2001.

It is understood that some control delivery is under review in Canada. In Manitoba the delivery of controls in slaughter houses (currently the responsibility of the Canadian Food Inspection Agency) will be covered by provincial inspectors in the future (Tezcucano, A., Manitoba Agriculture, Food and Rural Initiatives, personal communication). How extensive this review may be and the strategy behind it is not clear from the published information and would need further research to establish.

Central Competent Authorities

Name of CCA	Responsibility
Canadian Food Inspection Agency	Imported Food Policy & Regulation Federally registered premises Risk Assessment, research
Canadian Border Services Agency	Imported Food Enforcement
Health Canada <ul style="list-style-type: none"> • First Nations and Inuit Health Branch 	Food service and retail in the reserves and Inuit communities

Provincial Control Authorities

CA	Responsibility
Provincial/Territorial authorities (typically Health Authority)	Delivery of official control in Food service, retail and non-federally registered premises Legislation, guidance, policy within the province or territory
Municipal/Regional authorities	Food service

Official Control Staff

Official Controls are delivered by Environmental Health Officers and Public Health Inspectors, generally educated to degree level with specific training to allow the delivery of controls. Relevant qualifications in some aspect of food are expected and there is an emphasis on specialised on-the-job training by the Canadian Food Inspection Agency. Provincial Authorities may also follow this model (Tezcucano,A., Manitoba Agriculture, Food and Rural Initiatives, personal communication).

Powers and sanctions

Inspectors operating within the provinces and territories have powers delegated by the provincial or territorial legislature. According to relevant Acts (*Canada Agricultural Products Act*, the *Food and Drugs Act*, the *Consumer Packaging and Labelling Act* and their *Regulations*) the officials within the Canadian Food Inspection Agency have the following powers (CFIA 2013)

- enter and inspect any premises
- stop any vehicle (agricultural products)
- open container & inspect agricultural products, foods and documents
- sample agricultural products and food, including ingredients
- seize and detain any agricultural product, food or other thing which the inspector believes on reasonable grounds is in contravention of the Act or Regulations.
- take photographs of food, any place where food is manufactured, prepared, preserved, packaged or stored and anything that, on reasonable grounds, the inspector believes is used or capable of being used for the manufacture, preparation, preservation, packaging or storing of any food.

Options when a contravention is identified include:

- reject imports
- issue notices of violation for non-compliance (notices may contain a warning or penalty, e.g. Administrative Monetary Penalty (AMP)).
- suspend or cancel licenses, registrations or permits for federally registered establishments
- recommend to the Public Prosecution Service of Canada that violators be prosecuted, depending on the severity of the violation or the escalation of enforcement actions
- seize and detain shipments and products
- suspend or cancel organic certifications issued under the Canada Organic Regime

AMP's vary in size, ranging from \$500 to \$10,000; Penalties can be increased by 50% of the original (up to a maximum of \$15,000) according to the seriousness of the contravention and history of the Food Business Operator.

Risk Rating

Federally registered premises inspected by the Canadian Food Inspection Agency are subjected to two types of inspection. These are either in depth or follow up (directed). There is an inspection frequency of one of each type per annum in federally registered premises unless the product is low acid where two and one respectively are required.

Food service is provincially/municipally controlled. A National Canadian risk rating scheme was published by Health Canada in 2006 and updated in 2007 giving a Risk Categorisation model designed by a Federal/Provincial/Territorial committee on food safety policy. It was piloted in Nova Scotia and the Yukon and is provided for voluntary use (implementation is 'encouraged'). There are no inspection frequencies as the document states:

'frequency is dependent on available resources within a jurisdiction'

Provinces and Territories may develop their own risk rating and the risk rating scheme for the York region of Ontario is included below as an example (York Region Food Safety Website).

York Region Premises Rating	
Category	Inspection frequency
High Risk include premises that prepare hazardous foods for a high risk population based on age or medical condition (i.e. nursing homes, hospitals, child care centres) or use processes involving many preparation steps and foods implicated as cause of food-borne illness (i.e. full menu restaurants, banquet and catering operations).	Once every four (4) months
Medium Risk include premises, that prepare hazardous foods without meeting the criteria for high risk (i.e. fast food restaurants, submarine and pizza shops) or prepare non-hazardous foods, which are subject to extensive handling or are prepared in high volume (i.e. bakeries).	Once every six (6) months
Low Risk include premises that do not prepare hazardous foods, may serve pre-packaged hazardous foods, are a food storage facility, or where public health concerns relate primarily to sanitation and maintenance (i.e. convenience stores, refreshment stands, cocktail bars).	Annual inspection

Audit & Monitoring

The Canadian Food Inspection Agency has internal audits to ensure accountability and monitor compliance with its own Food Safety Action Plan.

As the Provincial and Territorial Health Authorities are mainly responsible for delivery of official controls in food service and retail, each Health Department will have its own audit and monitoring structure. An example is the 2007 report from the Office of the Auditor General for Newfoundland and Labrador which may be found at: <http://www.ag.gov.nl.ca/ag/annualReports/2007AnnualReport/Chap2.07.pdf>

Sampling Programme

Canadian Food Inspection Agency Officers may sample food in the premises for which they have authorisation. Sampling protocols are published on their web pages.

Imports

Canadian Food Inspection Agency is responsible for policy and regulation with regard to imported foods. The Canadian Border Services Agency (answerable to Public Safety Canada) delivers the official controls for imported food at point of entry.

Other

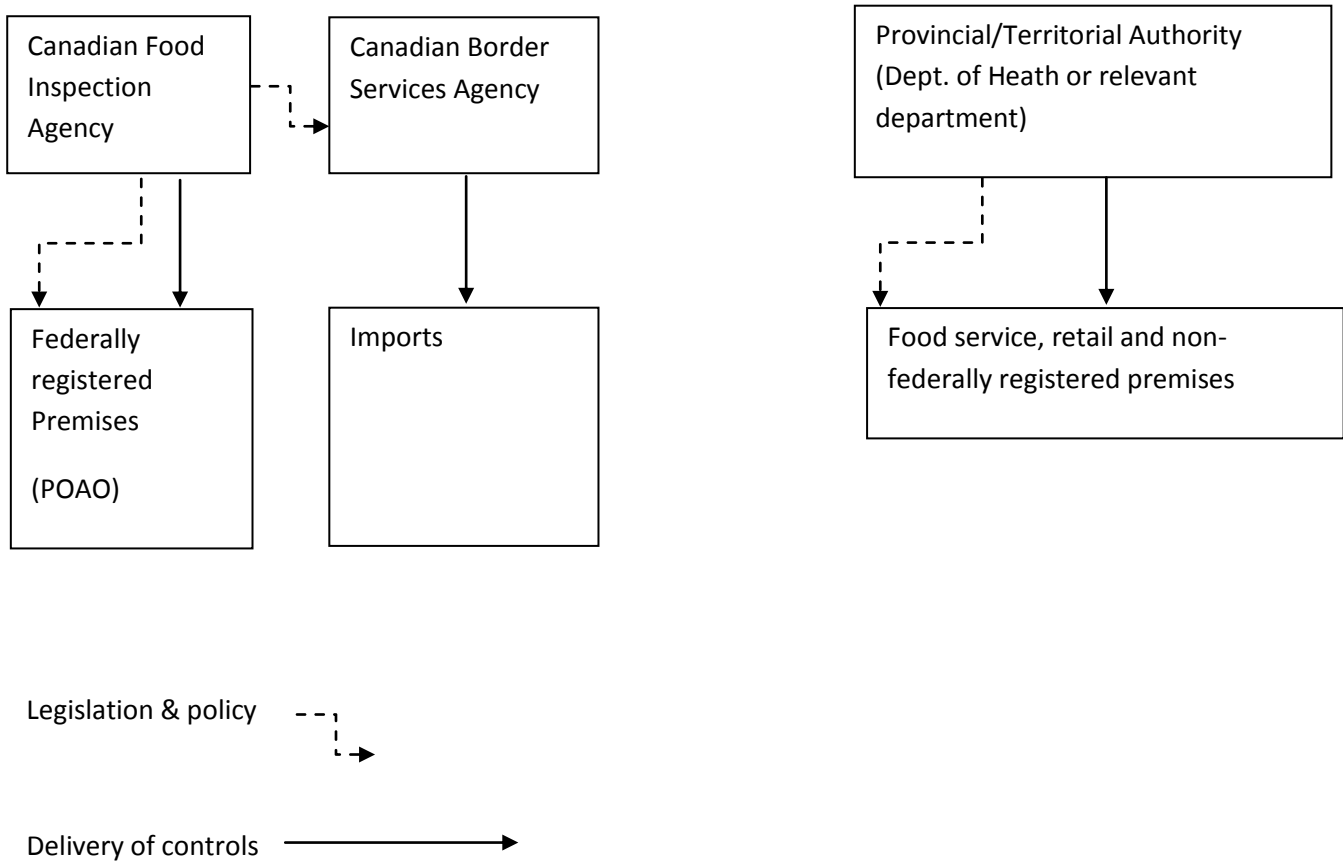
Food Hygiene Rating Schemes

Food hygiene rating schemes are published by most Provinces and Territories. New Brunswick uses a colour coding scheme of five colours to indicate compliance see <http://www1.gnb.ca/0601/fseinspectresults.asp>

Inspection Modernisation programme

This is a programme of training and standardisation being carried out by the Canadian Food Inspection Agency to improve the delivery of official controls in federally registered premises. The objectives include improving the delivery of controls as well as targeting resources in such a way as to ensure delivery of safe food (CFIA 2012)

Chart indicating relationship between authorities Canada



New Zealand

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	4,405,200	World bank
Land Area	263,310 km ²	World bank
Population density	16.7/km ²	
Currency	NZ dollar	
Agricultural holdings	66,000	FAO (nd)
Total food businesses	45,520	
Manufacture total	3115	Statistics New Zealand (2012)
Registered premises (2004) territorial	22,941	Winthrope, L & C Stone (2004)
**Non registered, occasional, exempt and partially registered (2004) territorial	19,464	Winthrope, L & C Stone (2004)
Volume of livestock produced (1000 heads)		
• Cattle, pig, sheep(2012)	96,516	Statistics New Zealand (2012)
• Chicken (2012)	92,503	Statistics NZ infoshare
Staff delivering Food Controls		
• MAF-VS	>280	MAF (nd) Verification Services
• territorial (2004)	94.8 (calculated)	Winthrope, L & C Stone (2004)

**estimates – Territorial authorities are not required to collect this data

New Zealand is a constitutional monarchy with Queen Elizabeth II of New Zealand represented by a Governor General. Central Government comprises a unicameral house of representatives who are elected by the public (NZ Parliament website). There is no written constitution. The country is divided into 11 regions with 67 Territorial Authorities, all having elected councils. These Territorial Authorities are comprised of 12 City Councils, 54 District Councils and 1 Auckland Council. The Territorial Councils carry out public health inspections which include delivery of food controls (anon 2011).

According to the Ministry for Primary Industries webpage, food regulation in New Zealand is being reformed. A new bill has been set before Parliament with a view to updating the existing regulatory system which comprises a Food Act from 1981 and Food Hygiene Regulations from 1974. These are considered to be traditional in approach and not to reflect the modern food industry. For example, Regulation 11(2) (b) of the Food Hygiene Regulations 1974 permits a cat to be used on a food premises as a form of pest control. At the time of the 2004 NZFSA review, 35% of the Councils in New Zealand were found to have drafted by-laws to address gaps in the regulations such as training for food handlers (Winthrope, & Stone 2004).

Since April 2012 the responsibility for food safety in what are termed the 'primary industries' rests with the Ministry for Primary Industries. This was formed by an amalgamation of the Ministry of

Agriculture and Forestry, the Ministry of Fisheries and the New Zealand Food Safety Authority. Primary Industries are those handling, importing, exporting and processing POAO. The controls are carried out by the MAF VS or Ministry of Agriculture and Forestry Verification Services. Premises must be registered with the Ministry for Primary Industries and must implement a Risk Management System. Auditors then verify that the appropriate risk management and food safety controls are implemented in the premises (MAF nd). It is the responsibility of the Food Business Operator to implement the system and to arrange and pay for the auditors as required.

Food Standards Australia New Zealand (FSANZ) is an independent agency with responsibility for developing food standards for Australia and New Zealand. It was set up as a result of the Food Standards Australia New Zealand Act 1991 which involved the governments of both countries. The Agency is not a regulatory authority but is responsible for drawing up appropriate standards which can be used as a basis for legislation and delivery of controls in the Australian States and in New Zealand. Adherence by both countries to the standards set by FSANZ allows free movement of goods between Australia and New Zealand without import controls.

Central Competent Authorities

Name of CCA	Responsibility
Ministry for Primary Industries <ul style="list-style-type: none"> • (MAF VS) Ministry of Agriculture and Forestry Verification Services 	POAO Audit MPI registered premises Drafting national legislation, guidance Imports

Delivery of controls in food premises registered under the Food Hygiene Regulations 1974 are inspected by Environmental Health Officers working for the Territorial Authorities. According to Sections 8D and 8E of the Food Act 1981 as amended, such premises have the option to implement a food safety programme (food safety management system) in which case they will be exempted from control by the Territorial Authorities and registered with the Ministry for Primary Industries. As such they will be audited by an external expert rather than an EHO from the relevant Territorial Authority. What advantage there may be for the business in this arrangement is not entirely clear.

Regional Control Authorities

CA	Responsibility
Territorial Authorities	Delivery of controls in premises covered by the Food Hygiene Regulations 1974

Official Control Staff

Officers delivering food controls in the Territorial Authorities are generally Environmental Health Officers. Auditors from the MAF-VS with responsibility for verifying the Risk Management Programmes in premises registered with the Ministry for Primary Industries have qualifications specified under the relevant legislation. The majority of the MAF-VS staff are veterinarians (MAF nd).

Powers

Under sections 12 -15 of the Food Act 1981 Officers have the following powers:

- Right of entry to premises and to inspect food, documents, records etc.
- To sample food
- To open any package that may contain food
- Seizure/ detention of food or appliance
- Power to prohibit or control the use of equipment
- To take photographs for use in evidence

Sanctions

Section 11Q of the Food Act 1981 lists sanctions for offences involving the sale of food failing to meet the required standards as set out in the Act:

- Where committed by an individual:
 - With intent -a fine not exceeding \$5,000
 - Without intent a fine not exceeding \$3,000
 - Where the offence is a continuing one, to a further fine not exceeding \$500 for every day or part of a day during which the offence continues.
- Where committed by a body corporate
 - With intent -a fine not exceeding \$20,000
 - Without intent a fine not exceeding \$5,000
 - Where the offence is a continuing one, to a further fine not exceeding \$1000 for every day or part of a day during which the offence continues

Section 28 of the Food Act 1981 lists sanctions for any other offences under the act:

'imprisonment for a term not exceeding 3 months or a fine not exceeding \$2,000, and, if the offence is a continuing one, to a further fine not exceeding \$100 for every day or part of a day during which the offence has continued'

Risk Rating

The frequency of audit in federally registered premises is variable. The first audit is generally within 1-6 months of the initial registration. Frequency following the initial audit depends on compliance and any market requirements such as whether the premises export product.

Winthrope & Stone (2004) report that with regard to the Territorial Authorities some carry out annual inspections of all premises (41% of respondents), others go twice per year (12%) and the remainder use a form of risk rating to give inspection frequency. However there were two different rating schemes reported – one which produces an inspection frequency of between one and four times per year while the second (used in different Territorial Authorities) gave inspection frequency of between 1 and 12 inspections per year. As the Authorities practice cost recovery based on the

delivery of controls, this variation is likely to be a cause for concern in the premises, particularly any with multiple outlets in more than one authority.

The New Zealand Food Safety Authority (now part of the Ministry for Primary Industries) published a risk ranking model as part of the Domestic Food Review (NZSA 2006). This document classifies the industry into sectors and then considers sector hazard. There is no indication of how the rankings should relate to inspection frequency although it was based on the ANZFA risk ranking and prioritisation (see references under Australia) and also the Canadian framework (see Canadian references). The objective appears to have been to inform the implementation of food safety management plans rather than inspection frequency.

Audit & Monitoring

In Federally Registered premises, the MAF-VS staff are audited by International Accreditation New Zealand (IANZ).

Sampling Programme

In premises covered by the Ministry for Primary Industries, Food Business Operators are required to ensure that food does not contravene any regulatory standards. Sampling is carried out by the control authority as verification. These are carried out through 'monitoring programmes' of which there are two under the Food Act 1981:

- Food Residues Surveillance Programme (FRSP)
- Imported Food Monitoring Programme

The Food Act 1981 distinguishes between Officers (who can sample under sections 12 & 20) and Local Authority Inspectors (section 13) who do not seem to be able to do so. Winthrope & Stone (2004) indicate that the Territorial Authorities included food sampling as part of their food safety programme but judging from their data, for many it does not appear to have been ranked as a high priority.

Imports

Ministry for Primary Industries is responsible for control of Imports. Importers must register with the Ministry for Primary Industries and comply with the Food Importer General Requirements Standard. Foods are divided into two categories – 'prescribed' foods (which are considered higher risk in that they are associated with particular hazards) and 'other' foods. Full cost recovery is implemented with regard to imports – the importer is required to pay for all processing and testing associated with the food stuff.

Other

Cost Recovery

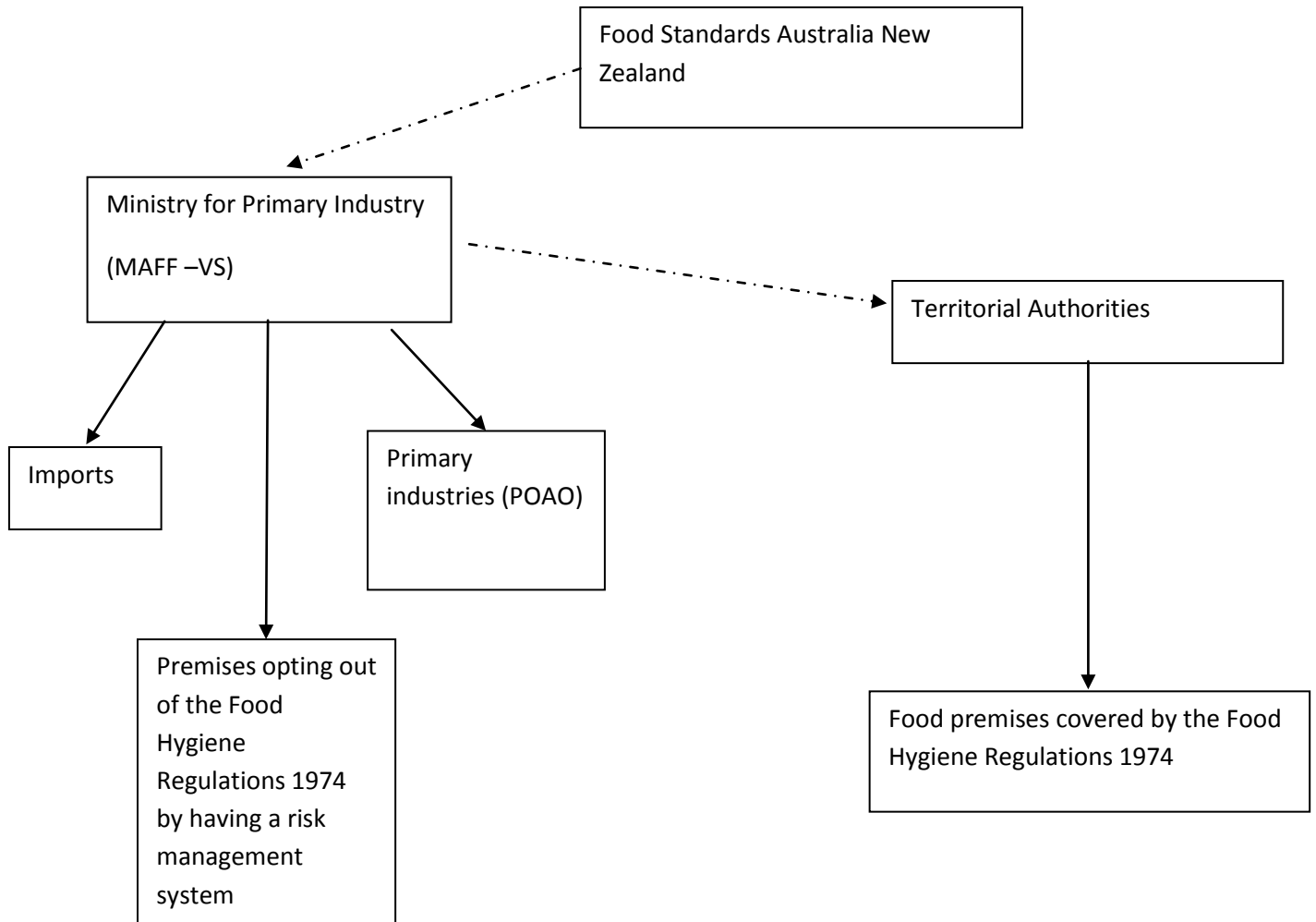
Federally registered premises are obliged to pay for the audits of their Risk Management Systems and to organise the audit visit. In addition they have to pay for other controls to demonstrate

compliance with the relevant legislation and for services. These are published on the Ministry websites (MPI (nd) Fees and charges) and may include fees for:

- approving and/or registering risk management programmes, agencies and persons, including third party verifiers, exporters, products and/or substances, facilities, equipment and premises
- providing the administrative systems and processes for approvals, including appraisals and review
- assessing or appraising applications, systems or processes
- suspending or cancelling approvals
- maintaining associated public registers or lists
- issuing official assurances (export certificates), including E-cert
- undertaking programmes, such as those that develop New Zealand food standards, export standards and overseas market access.

Fee recovery is also practiced by the Territorial Authorities. The level of fee is controlled by the Authority. As an example, Porirua City Council charges for registration of premises, renewal of registration, changes and inspections. These are published on their website. Registration renewal varies according to the compliance and type of premises. Inspection is at an hourly rate. According to the 2004 survey only 12 of the authorities were able to cover 100% of their costs (although 2 made a profit) while twenty-three authorities recovered less than 50% of their costs (Winthrope & Stone 2004).

Chart indicating relationship between authorities New Zealand



Legislation & guidance - - - - ->

Delivery of controls - - - - ->

Norway

Overview of statistics compiled from various sources. Information on Norway was very elusive. Eurostat published data concentrated on the EU member states and did not always report EEA countries. The country profile was presented by the EFTA Surveillance Authority.

		Source
Population	4,952,000	World bank
Land Area	305,470 km ²	World bank
Population density	16.2/km ²	
Currency	Norwegian Krone	
Agricultural holdings (2007)	50	Eurostat 2012
Manufacture	1655	Ministry of Trade & Industry
Wholesale	2700	Eurostat 2008
Retail	6800	Eurostat 2008
Food Service	55,200	Eurostat 2008
Volume of livestock produced (1000 heads)		
• Cattle	906	Eurostat 2012
• poultry		
Staff delivering Food Controls	Approximately 1500	Norwegian Food Safety Authority

The Government of Norway is a constitutional monarchy. Norway is a member of the European Economic Area (EEA) and as such adopts the majority of EU legislation. Food legislation is harmonised with the EU.

The Norwegian Food Safety Authority is responsible for the delivery of official controls in all establishments in Norway. The Authority has a head office responsible for drafting legislation, developing plans and programmes and guidance for the regional and district offices. The eight regional offices co-ordinate the district offices and consider appeals against district office decisions. The 54 district offices deliver the Official Controls, including imports and POAO.

The Norwegian Food Safety Authority reports to three ministries: the Ministry of Agriculture and Food, the Ministry of Health Care Services and the Ministry of Fisheries and Coastal Affairs.

Central Competent Authorities

Name of CCA	Responsibility
Norwegian Food Safety Authority	Food safety throughout the food chain, including legislation, guidance and approvals

There is delegation of control tasks with regard to food to two control bodies:

- Debio – organic controls
- KSL – guidance on protected geographical status. The Norwegian Food Safety Authority retains authorisation of Protected Geographical Indication

Regional Control Authorities

CA	Responsibility
Regional offices of the Norwegian Food Safety Authority	Coordination of the district offices and appeals against the district offices
District Offices of Norwegian Food Safety Authority	Delivery of Official Controls

Official Control Staff

All official control staff are employed by the Norwegian Food Safety Authority. The Authority provides specialist training for staff, including in HACCP, legislation, enforcement and surveillance.

Official Control staff can carry out inspections, sampling and audits. Inspection frequency should be based on risk assessments carried out by each office. Most inspections are unannounced.

The staff of the Norwegian Food Safety Authority are able to rely on the Police for assistance in investigating contraventions if necessary. According to the MANCP, police and inspectors may carry out joint inspections in food premises.

Sanctions include fines and/or imprisonment. Officers can also prohibit imports, withdraw product, destroy product require procedures such as cleaning and disinfection and close premises.

Risk Rating

Risk rating is discussed in the Country Profile in detail for feed establishments. For other premises it states that the 'frequency and number of inspections are based on an evaluation of possible health risks' (page 31). The MANCP elaborates on those risks. It states that the main risk criteria are:

- Events identified that may affect food safety
- Historical data on regulation compliance
- Credibility of self-check systems

Other issues being considered in risk considerations are:

- Product information (high risk product vs. low risk product, consumers, etc.)
- Production volume
- Status of infrastructure (exterior, premises, equipment)
- Production methods
- Competence
- Attitude of the food business operators to following Community and national legislation
- Verification of assumptions
- Degree of control of the production process – HACCP
- Deviation from controls
- Emergency response
- Intermediate products: origin of raw material (e.g. Norway, EU or third countries).

Audit & Monitoring

External audits are carried out by the Office of the Auditor General. Internal audits are conducted by specialists and comply with documented procedures. Reports from internal audits are forwarded to the Office of the Auditor General.

Sampling Programme

Staff from the District Offices carry out sampling as necessary.

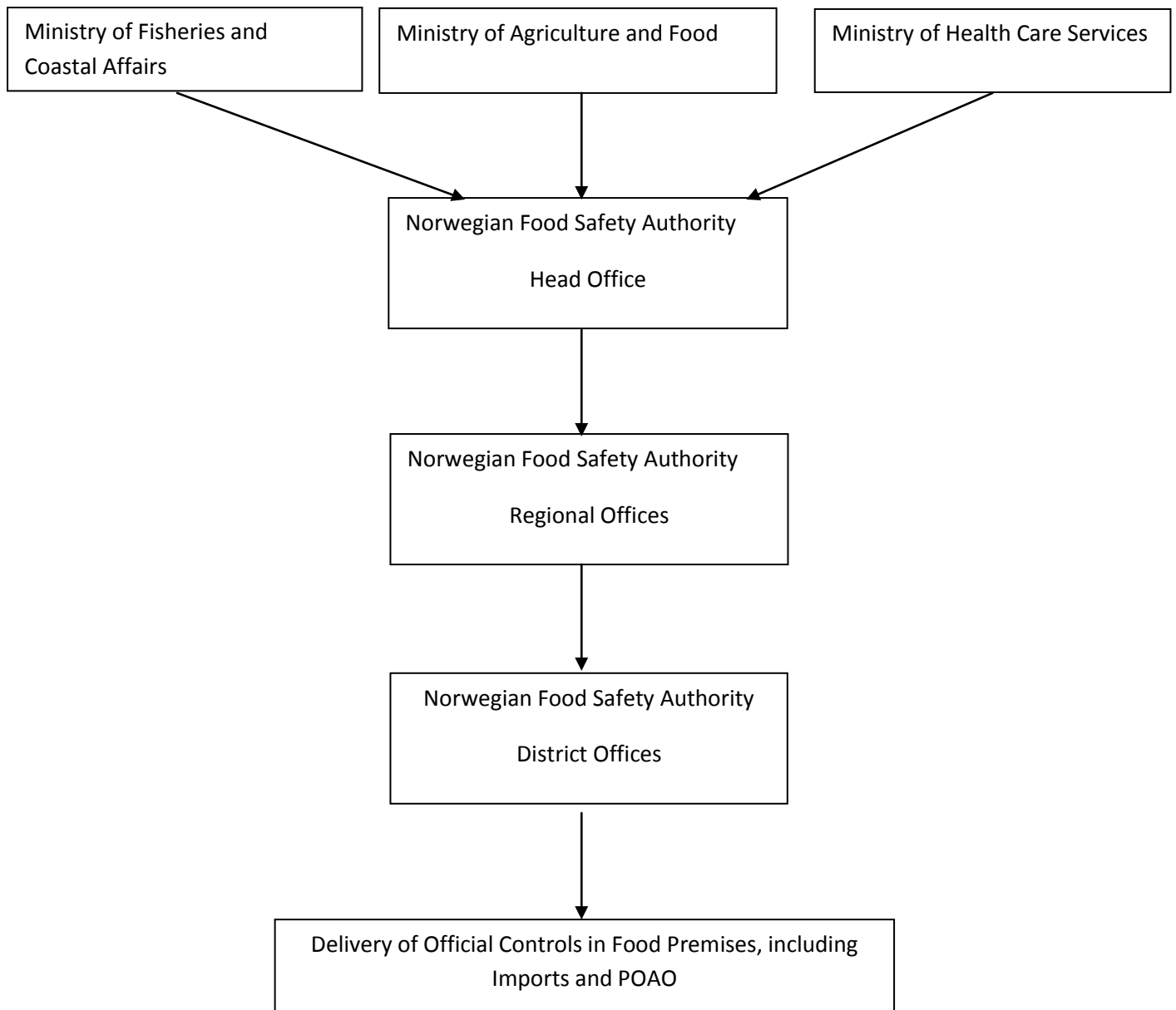
Imports

BIPS are organised as part of the District Offices of the Norwegian Food Safety Authority.

Other

Part of the delivery of controls is financed by fee recovery and the remainder by government funding. Fees are not paid to the Norwegian Food Safety Authority. Instead they go to the Central Government Treasury to offset the government funding for the Agency.

Chart indicating relationship between authorities



Switzerland

Overview of statistics compiled from various sources. Some data are not consistent across the official sources. Statistics on the food industry are apparently not reported according to the Eurostat categories. The number of food premises in each category was unavailable. Instead the number of jobs created in each sector is provided.

		Source
Population	7,907,000	World bank
Land Area	40,000 km ²	World bank
Population density	197.7/km ²	
Currency	Swiss Franc	
Agricultural holdings	59065	Pocket Statistics
Manufacturer	See table below for no. Jobs in each sector Source: Pocket Statistics	
Retailers		
Food service		
Volume of livestock produced (1000 heads)		
<ul style="list-style-type: none"> Cattle, pig, sheep, goat, horse 	4460	Pocket Statistics
<ul style="list-style-type: none"> poultry 	8940	Pocket Statistics
Staff delivering Food Controls		
<ul style="list-style-type: none"> Federal Veterinary office 	119.6 fte*	FDEA (2011)
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Cantonal veterinary staff 	664	FDEA (2011)
<ul style="list-style-type: none"> Federal Office of Public Health 	54.95	FDEA (2011)
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Cantonal food safety staff 	Cannot be determined	FDEA (2011)

*Including 13 bee inspectors

Jobs in the food chain



Source: Swiss Agriculture (2012) Pocket Statistics 2012 Agriculture and Forestry; Federal Statistical Office

Switzerland is a member of the European Free Trade Association (EFTA). This is an intergovernmental organisation to benefit the four member states and to permit free trade and some economic integration between them. The other three members of the EFTA are Iceland, Liechtenstein and Norway who are also participants in the European Economic Area (EEA) Agreement. The EEA agreement forms a single market for these three countries with the 27 EU member states. The EEA Agreement requires harmonisation of food controls in the three non EU countries with those of the EU although the Common Agricultural and Fisheries policies do not apply. Switzerland is a member of the EFTA but has not signed up to the EEA Agreement and has negotiated its own bilateral agreements with the EU (EFTA 2013). The first such agreement was the Free Trade Agreement in 1972. Subsequent agreements on agricultural products and mutual recognition of controls (including HACCP and self-regulation) have occurred since then (EU nd). The consequence is that although Switzerland is formally outwith the EU and not a member of the EEA, there is considerable free movement of goods back and forth across the borders it shares with the EU countries of Italy, Germany, Austria and France. Switzerland participates in the RASFF and research agreements and has undertaken to harmonise Swiss national legislation with Regulation (EC) no 882/2004.

Switzerland, or the Swiss Confederation to use the correct title, became a country in 1848. Prior to this it comprised a loose alliance of states, each of whom could participate or not as they chose. The 1848 constitution created a federation of the cantons which subjected them to some central authority (FDFA nd).

As might be expected, given the manner in which the country was constituted, the Cantons in Switzerland still maintain considerable autonomy. Each of the cantons has its own constitution, government, parliament and courts. Delivery of Official Controls is carried out by the 26 individual Cantons. Each Canton enforces national legislation using its own procedures.

At the national level two Federal Departments contribute to food safety. These are:

- Department of Home Affairs (FDHA)
 - containing the Federal Office of Public Health (FOPH)
- Federal Department for Economic Affairs (FDEA)
 - containing the Federal Veterinary Office (SFVO)

Central Competent Authorities

Name of CCA	Responsibility
Department of Home Affairs (FDHA) <ul style="list-style-type: none"> • Federal Office of Public Health (FOPH) 	National legislation on public health, consumer protection and food safety risk assessment and management
Federal Department for Economic Affairs (FDEA) <ul style="list-style-type: none"> • Federal Veterinary Office (SFVO) 	National legislation on animal welfare, animal health and food Monitoring Canton authorities Imports

The Federal Office of Public Health and the Federal Veterinary Office have collaborated with the Federal Office for Agriculture to form the Federal Food Chain Unit. The purpose of the unit is to implement and evaluate the MANCP and to monitor the implementation of national legislation by the Cantonal Authorities.

Regional Control Authorities

CA	Responsibility
Canton Chemist	Inspection of meat and dairy products, food service, retail
Canton Veterinary Service	Meat & Poultry slaughterhouses, export approvals

Official Control Staff

Food Inspectors and other food controllers are generally under the control of the Canton Chemist. Their qualifications and competencies are specified nationally by the Ordinance Concerning the Federal Diploma of the Food Industry and Ordinance on the Minimum Requirements for Food Controllers. It is not possible to determine the number of inspectors delivering official controls in Switzerland as the cantons do not record or report consistently (FDEA 2011).

Sanctions & Powers

According to Rentsch Partner (2013) officers have several options upon discovery of a violation including:

- Objections
 - This is an agreement between authority and food business operator to remedy the contravention
- Orders
 - These list measures that must be taken but may also ban or prohibit products or advertisements
- Prosecution
 - Penalties on conviction include custodial sentences and/or fines

In some Cantons the authority can directly impose administrative fines on non-compliant Food Business Operators (FVO 2009).

According to the Report on the MANCP (FEDA 2011) information on the delivery of controls within the Cantons is problematic. It states:

'At present, the data (feedback from the cantons) regarding the number of controls carried out and the results of controls are not yet available at national level (no centralised analysis). In future, these data will be recorded electronically in the Acontrol system. Acontrol is currently in development.' (page 12/52)

The same seems to apply to sanctions such as the number of businesses closed or prosecuted, the level of fines or administrative actions for product noncompliance.

Risk Rating

The Federal Food Chain Unit has carried out an in-depth consideration of control delivery with regard to frequency and risk. (FFCU 2011) It was developed by a study group which included specialists from the federal and cantonal authorities. The resulting document provides:

'...for the first time a unified procedure for the control areas of animal welfare, animal health and food safety throughout the food chain' (page 4/30) FFCU (2011)

The document is comprehensive but rather complicated and results in business categorisations of 1-5 giving a range of frequencies from annual inspections to once per 8 years. The assessment includes a dynamic component of risk and a static component of risk. A scientific publication (Lefevre *et al* in press) gives further details and examples as follow:

- Hazards are ranked 1-4 according to possible damage, 1 being low.
- The influence potential of the business is rated 1-4 with 1 = very little or no influence (this provides an indirect measure of likelihood);
- Combining the two results in a risk category of 1-5 which can be translated into control frequencies, 1 being the lowest control frequency.

There does not seem to be any option to consider compliance (past or existing) or confidence in management.

Audit & Monitoring

Auditing is to be carried out in the Cantons by the relevant federal office (Federal Office of Public Health (FOPH)). The FVO report of 2009 (FVO 2009) and the report on the MANCP (FEDA 2011) still identify this as a problem. This is a work in progress within the Federal Food Chain.

The BIPS are under the control of Federal Veterinary Office (SFVO) who undertake internal audits. However the FVO (2010) report identified a number of shortcomings with the process which were being considered by the authorities.

Sampling Programme

The Association of Cantonal Chemists compiles data on the number of samples analysed per year. These were reproduced in the report on the MANCP (FEDA 2011). In 2011 57,681 samples were analysed in Switzerland. What is not clear from this data is the number taken by control officers as the data includes privately submitted as well as official samples. There does not appear to be a national sampling plan.

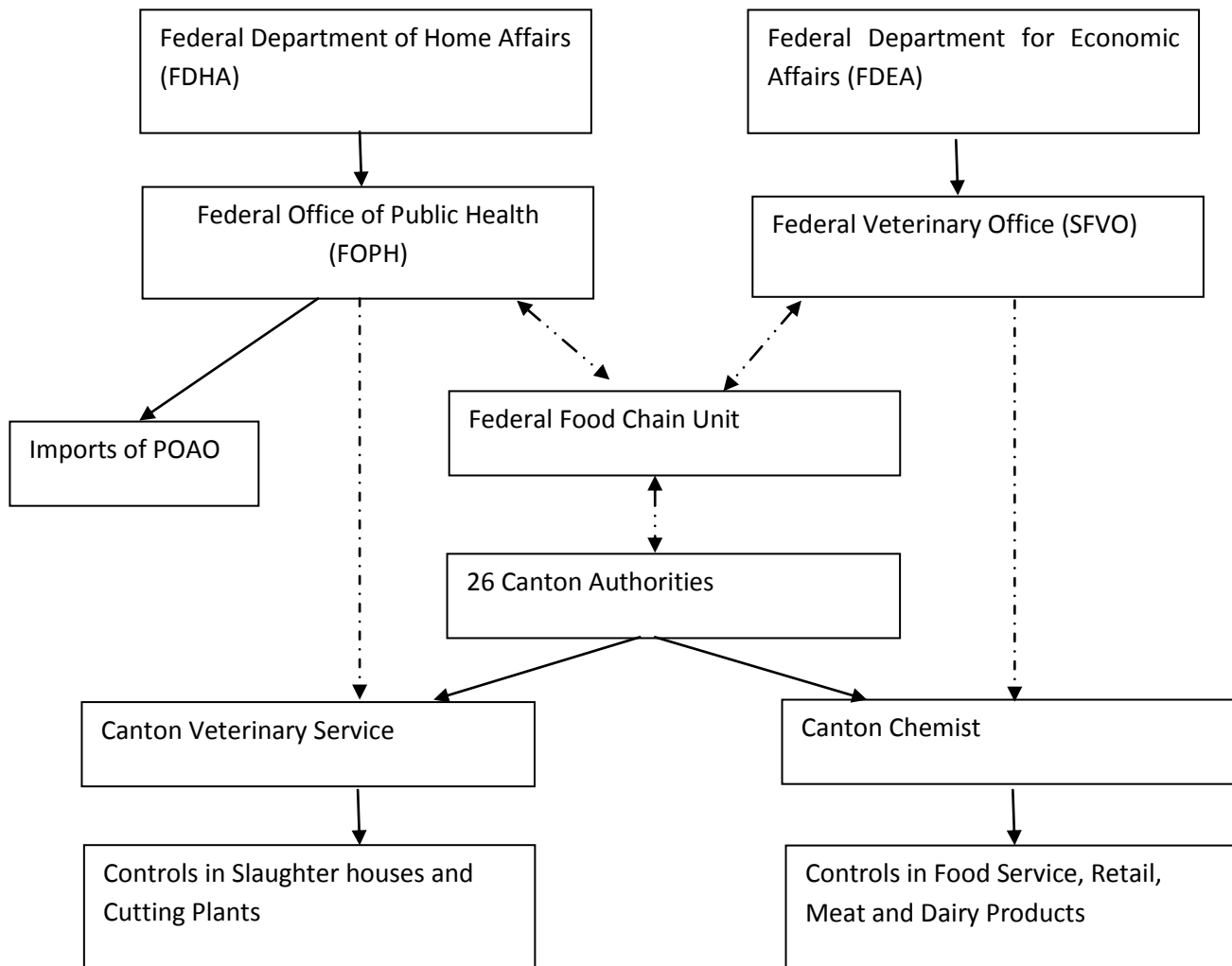
Imports

Switzerland has 1880 km of border including mountain passes, rivers, roads, railways and airports. There are 34 roads permanently manned by customs/border police with the others either manned part time or by mobile units. Zurich and Geneva airports are the two BIPS. The Federal Veterinary Office (SFVO) is responsible for import of POAO. It appears the Federal Office of Public Health (FOPH) is responsible for import of other foods.

Other

Food Business Operators are not charged for routine inspections but in many cantons fees may be charged for repeat inspections or when significant non-compliance is identified (FVO 2009).

Chart indicating relationship between authorities Switzerland



Control or delivery of controls —————>

Monitoring and guidance - - - - ->

Coordination of MANCP <- - - - ->

USA

Overview of statistics compiled from various sources. Some data are not consistent across the official sources.

		Source
Population	311,591,917	World bank
Land Area	9,147,420 km ²	World bank
Population density	34/km ²	
Currency	US dollar	
Agricultural holdings	2,204,792	USDA (2007)
Total food businesses	10,685,175	From US Census Bureau (2009) data
Manufacturer (NAICS 311)	370,222	US Census Bureau (2009)
Grocery, including wholesale (NAICS 424)	443,254	US Census Bureau (2009)
Retailers (NAICS 445)	2,038,044	US Census Bureau (2009)
Food service (NAICS 722)	7,809,948	US Census Bureau (2009)
Volume of livestock (Jan 2012 – Jan 2013)		
<ul style="list-style-type: none"> Cattle, pig, sheep, 	4348 million pounds	USDA (2013)
<ul style="list-style-type: none"> Poultry 	3847 million pounds	USDA (2013)
Staff delivering Food Controls		
Federal <ul style="list-style-type: none"> Food Safety and Inspection Service FDA(2011) <ul style="list-style-type: none"> Centre for Food Safety and Applied Nutrition (FDA) Enforcement (not all food) 	1,100 vets 7500 inspectors 876 staff 4570	FSIS website FDA (2013)
<ul style="list-style-type: none"> State/Local/Tribal 	Not collated	

The United States of America is a federal republic of 50 states, a federal district (District of Columbia) and overseas territories. The Government comprises a President and bicameral legislature. The Federal Government has only those powers formally delegated to it by the States under the constitution. These include the power to print money, control of defence, foreign policy, post offices and roads. Individual States are headed by an elected Governor and all except Nebraska have a bicameral legislature which controls all aspects not allocated to the Federal Government –e.g. health, education, crime. This results in considerable variation across the country. In addition there

are tribal governments which are not considered ‘States’ but as ‘domestic dependent nations’. Delivery of official controls in the USA is carried out at the federal level and also at the state/tribal/county/municipal level. The autonomy and independence of the State and Tribal Governments means that a description of delivery of controls is difficult to achieve without describing the system used in each of the 50 states and approximately 8 territories. This is not feasible within the limitations of the report. Instead examples have been used for illustration.

At the federal level, two government departments are involved. These are:

1. the U.S. Department of Health and Human Services which contains the Food and Drug Administration(FDA),
2. the U.S. Department of Agriculture (USDA) housing the Food Safety and Inspection Service (FSIS).

According to the Food and Drug Administration website and the Food Safety Modernization Act, the Food and Drug Administration has the power to inspect imported foods and the responsibility for inspecting premises required to register. These (premises required to register) are defined by the Federal Food, Drug, and Cosmetics Act 1938(section 415) as:

‘domestic and foreign facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States’.

The number of registered ¹domestic premise is ESTIMATED to be 82,300 (FDA 2012). It appears this number must be estimated as the registration process has been delayed and is incomplete. The FDA plan was to complete 16,000 inspections of registered premises in 2012 although it has not yet been published whether they were successful.

The Food Safety and Inspection Service in the US Department of Agriculture is responsible for the safety, labelling and packaging of meat, poultry, and egg products. This includes the slaughter houses and cutting plants.

Central Competent Authorities

Name of CCA	Responsibility
Food and Drug Administration (FDA) <ul style="list-style-type: none"> • Centre for Food Safety and Applied Nutrition (CFSAN) 	Safety of the food and feed chain, including imports, food defence, additives, residues and labelling. Guidance to States on delivery of controls and appropriate standards
Food Safety and Inspection Service (FSIS)	Safety, labelling and packaging of meat, poultry, and egg products

However some states, for example Maine, also have state inspection services which appear to cover the same type of premises as covered by the Food Safety and Inspection Service (Maine Dept. Agriculture nd). California also has such an inspection service for fresh produce within the State Department of Agriculture and has negotiated a Federal-State Cooperative Agreement with the USDA. As a consequence of this agreement, Californian inspectors use federal grade standards for

¹ Domestic in this context means food premises within the USA not private homes.

fresh produce, and issue federal-state inspection certificates which are recognized nationally and internationally (California Dept. of Agriculture nd). Florida Department of Agriculture also carries out inspection of produce, meat and retail premises (Florida Dept. Agriculture nd).

Delivery of official controls in retail and food service is carried out by state, local and tribal organisations. According to the FDA webpage this comprises more than 3,000 primary agencies. Certainly there are 50 states, each of which has legislative powers in this matter. The FDA has produced guidance for all these organisations known as the Model Food Code (FDA 2013) which set standards and provides information with regard to HACCP and other hygiene matters. The FDA estimates that in 2005, when the last survey took place, 79% of the states and territories were following this code (FDA 2013). Although each State can be autonomous in its structure, many states use the County Health departments as the vehicle for delivery of official controls in restaurants and retail food premises. City Councils and other municipalities may also be involved. For example Maine’s Department of Health and Human Services contains the Health Inspection Program which controls the local health inspectors and the premises inspections. Restaurants must be licensed (Maine Dept. Health and Human Services nd). Florida appears to deliver official controls through the county health departments rather than State.

State Control Authorities

CA	Responsibility
State/Territory	State legislation, inspection of food service & retail
County/municipality	inspection of food service & retail

Official Control Staff

Powers

The Food Safety Modernization Act was signed by President Obama in 2011. According to the FDA website it is *‘the most sweeping reform of our food safety laws in more than 70 years’* <http://www.fda.gov/Food/FoodSafety/FSMA/default.htm>

It provides the officers from the FDA with the power to require safety certification for imported foods and to effect mandatory recalls of any food which is unfit. These appear to be new powers along with the power to refuse food entry if the facility producing it did not allow FDA inspection.

Mandatory implementation of HACCP is also a new requirement under the Act. According to Section 103, registered premises (see definition above) must now have HACCP plans. Some sectors already used HACCP, for example the juice and seafood industries but all registered premises should now implement the system although there are to be exemptions for small premises and, of course, it doesn’t include the nearly 10 million food service or retail premises.

Powers of officers working for state/county/tribal/municipal authorities would be set out in the relevant state legislation. An example follows from section 509.233(4) of Florida’s Chapter 509 Lodging and Food Service Establishments; Membership Campgrounds:

(4) *POWERS; ENFORCEMENT.*—Participating local governments shall have such powers as are reasonably necessary to regulate and enforce the provisions of this section

One assumes these are clarified in some guidance document or amendment.

Sanctions

FDA enforcement statistics for 2011 lists the following sanctions as being carried out by their staff. However not all will be food related as the Agency is also responsible for other matters such as cosmetics, drugs and tobacco and the break down is not given.

Seizures	15
Injunctions	16
Warning letters	1,720
Recall events	3,640
Recalled products	9,288
Debarments	16

From FDA (nd) <http://www.fda.gov/ICECI/EnforcementActions/ucm247813.htm>

The Food Safety and Inspection Service can use criminal, civil, and administrative remedies and also withhold inspection, making the product illegal for trade.

Section 509.281 of Florida’s Chapter 509 (Lodging and Food Service Establishments; Membership Campgrounds) gives the authorities permission to apply for arrest and prosecution of the Food Business Operator when violations of the code are discovered.

Risk Rating

Section 201 of the Food Safety Modernization Act specifies an inspection frequency for registered premises based on risk. Premises must be divided into high or low (actually high or non-high to give the exact wording) risk according to the characteristics of the process, history of compliance, efficacy of HACCP and so on. High risk facilities must be inspected at least once in five years and the non-high risk at least once in the next 7 years following the Act’s implementation.

For premises that are the responsibility of the State, the FDA provides guidance on an appropriate frequency of inspection according to risk in annex 5 of the Model Food Code (latest version 2009). States are encouraged to use this to plan their inspections – following is an extract from Florida’s inspection protocols based on this advice.

Types of Facilities and Food Preparations	Number of Inspections per year
A school that prepares their own food	4
A school that prepares their own food, but is opened for 9 months or less	3
A school that receives catered meals and does not keep leftovers	2
A childcare center that only serves prepackaged items	2
A detention facility that receives catered meals, does not keep any food items overnight, nor does any dishwashing	1

From <http://www.doh.state.fl.us/environment/community/food/index.html>

Audit & Monitoring

The FDA provides an audit for inspectors through a specialised centre known as the Office of Regulatory Affairs' (ORA) on-line university. This provides training and assessment in areas of hygiene to ensure inspectors have appropriate competency (FDA 2009).

Sampling Programme

The Food Safety and inspection Service has programmes for pathogen sampling in both raw and ready to eat foods which come under its jurisdiction. These may relate to the pathogen reduction performance standards or other programmes aimed at enhancing food safety

Imports

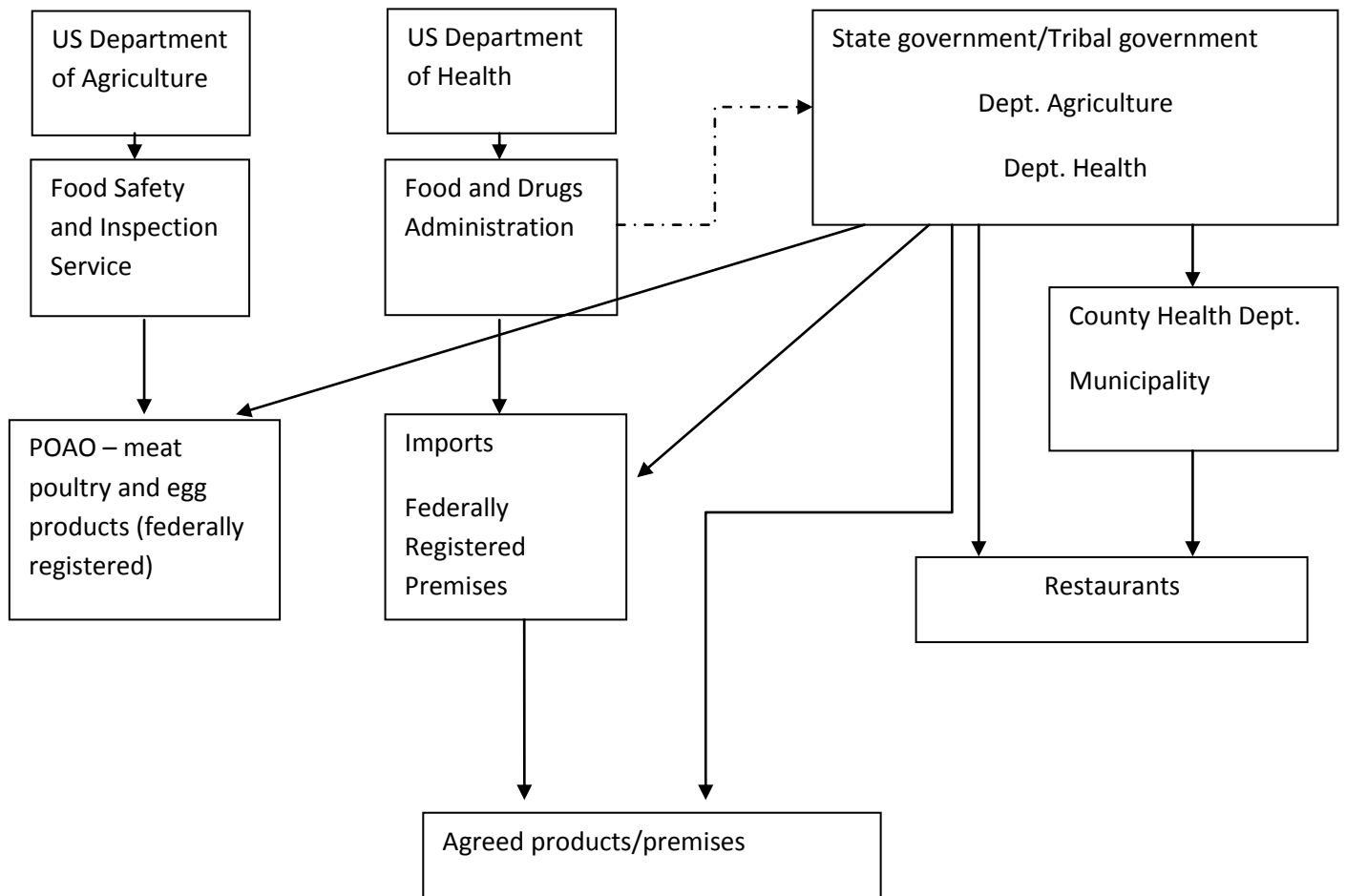
The FDA requires prior notice from the importer of all imported food. Official controls are carried out by FDA staff and this may include inspecting the facility that produced the food in the exporting country. In a form of earned recognition, the Food Safety Modernization Act provides an opportunity for importers to fast track imports through the Voluntary Qualified Importer Program. To participate in this programme the food must have been manufactured in a certified facility. However the mechanism for certification is still under consideration. What is clear is that the premises, rather than the country, will be certified.

Other

Possible earned recognition for imported foods –see paragraph above.

Food Hygiene Rating schemes are common. All three States mentioned above publish inspection records for restaurants in their jurisdiction.

Chart indicating relationship between authorities USA



Model Food Code (guidance) ----->

Discussion

Organisation and Delivery of Controls

The countries under consideration can be divided according to their political structure (See Table 2). One group comprises countries with a federal arrangement – where there is a central government authority but autonomous regional units have the responsibility for delivery of official controls. The autonomous units generally have independent legislative powers. Federal countries include Austria, Germany, Australia, Canada, New Zealand, Switzerland and the USA. The second group comprises unitary countries where a central authority (government ministry or agency) is responsible for legislation and delivery of controls. Unitary countries may be further subdivided into those where the delivery of controls throughout the food chain is directly under the management of the central authority or authorities and those countries where the delivery of official controls is shared and/or delegated to other organisations such as the municipalities. Where the delivery is directly under central management, the central authority may have regional offices to allow local implementation but the personnel delivering the controls appear to be employed by the central authority or authorities and directly answerable to it/them. Belgium, Cyprus, Denmark, Ireland, Portugal, Poland and Norway are examples of this arrangement although Cyprus does have 8 municipalities outwith the central delivery of controls. The Netherlands has a variation on this arrangement where central control of enforcement is managed by the Food and Consumer Products Safety Authority (VWA) but some Product Boards may have legislative powers.

The remaining countries have a unitary structure where there is a central government responsible for official controls, typically drafting the relevant legislation and monitoring implementation but some or all of the delivery of controls is carried out by regional or municipal control authorities. These may or may not be accountable to the same government ministry responsible for drafting the food legislation. The heading in Table 2 classifies them as ‘**unitary with devolved or shared delivery**’ and it is within this group that most variation occurs with regard to the management and delivery of controls. The different systems will obviously require different modes of communication and interaction. Monitoring and audit processes in this group may be complex and generally need to be agreed between the central authority and the regional or municipal authorities.

Table 2
Organisation of Controls

Federal	Unitary	Unitary with shared or devolved controls
Austria	Belgium	Finland
Germany	Cyprus (limited devolved controls)	France (under review)
Australia	Denmark	Italy
Canada	Ireland	Portugal
New Zealand	Netherlands	Spain
Switzerland	Poland	Sweden
USA	Norway	UK

The degree of decentralisation varies considerably from Spain, for example, which is effectively developing into a federal country, to Sweden where the majority of controls are carried out by the

Municipalities but auditing is structured and the National Food Agency has the power to direct any municipalities failing in the delivery of controls.

Central Competent Authority

Regulation (EC) no 882/2004 requires Member states to identify a Central Competent Authority or Authorities responsible for delivery of official controls. In the majority of countries under consideration, there is more than one CCA with responsibilities divided (usually unequally) between them. Regulation (EC) No 882/2004, article 4(3) requires effective co-ordination and co-operation between all competent authorities and the formal mechanisms for this co-ordination may, but not always, be described in the country profiles. In Ireland for example, there are Memoranda of Understanding between the Food Safety Authority of Ireland (FSAI) and the various agencies such as the Health Services Executive with responsibility for delivery of controls (see also the section on audit and monitoring).

Delegated Controls

Regulation (EC) No 882/2004 permits delegation of controls to independent third parties (Article 5) but this does not seem to be widespread among the countries under consideration. Cyprus states it has no delegated control authorities. Where delegation does occur it tends to be for specific limited issues rather than for widespread delivery. As a typical example, Denmark has a delegated control body responsible for the protection of geographical indications and designations of origin (the accredited company Eurofins). However the CCA has retained enforcement power for any non-compliance identified by the company in accordance with article 5 and 54. The Netherlands appears to use delegation the most out of the countries studied although as this country is undergoing a review and the Country Profile is out of date the extent is difficult to establish with any certainty. The Netherlands delegates some responsibilities to the Product Boards and to semi-autonomous public bodies (ZBO's). For example, the Dutch Fish Products Board assists the Food and Consumer Products Safety Authority (VWA) specifically in the control of pectinidae gathered outside controlled production areas. However it appears that the VWA retains enforcement capacity.

Official Control Staff

The most common type of staff identified as delivering official controls in the country profiles were Veterinarians. This reflects the focus on meat found in many reports. In third countries who are members of the Commonwealth, Environmental Health Officers were also mentioned. Historically Canada relied on Environmental Health Officers for the delivery of official controls outside abattoirs and cutting plants but the Canadian Food Inspection Agency is now accepting officers with food related degrees who then undertake specified in house training. Generally the qualifications required to deliver official controls were not reported. Where competencies were mentioned, for example in response to FVO findings, they were often delivered to the officers on an *ad hoc* basis by the CCA or the EC. In countries offering forms of earned recognition or third party accreditation auditors were required to be approved according to national or international auditing standards.

Powers

The powers available to officers and sanctions used for non-compliance were not uniformly reported. As far as could be determined the powers available were not dissimilar to those given to authorised officers in the UK. This is entirely reasonable because the basic requirements for the delivery of official controls is to be able to enter premises, assess compliance and require remedial action. This requires powers of entry, the ability to look at anything in the premises, including documentation and to issue some sort of instruction to effect improvement. Powers relating to sanctions, for example the power to gather evidence are also required. Where the powers were discussed they included options such as the power to remove approval, licence or registration as appropriate to the country, to prohibit processes and equipment and the power to sample and seize food. The only additional power identified during the research was the option of stop and search, generally in the context of animal welfare rather than delivery of food safety controls. In the UK Environmental Health Officers can co-operate with the Police if such access is needed. According to presentations at the Proceedings of the Food Fraud Conference in Birmingham in 2008, Some Portuguese food officials are armed, having undergone the appropriate military training. Whether this is still the case is not clear from the Country Profile and in any event, unlikely to be an appropriate or welcome power for UK Environmental Health Officers.

Sanctions

The majority of countries identified prosecution as a sanction for noncompliance. Fines are also mentioned by most countries, many distinguishing between fines imposed by the courts after successful prosecution and administrative fines dispensed by the enforcement officers. Environmental Health Officers in England do not have the option to use administrative fines for food safety controls although Professor Macrory in his review of sanctions discusses the value of these sanctions in some detail (Macrory 2008). Cyprus provides monthly reports to the media on any fines that have been awarded.

Inspections

Some of the countries researched for this report have direct central control over the delivery and enforcement of official controls down to premises level, including retail premises (e.g. Denmark). The majority of countries devolve enforcement and day to day delivery of official controls to regions or municipalities. However, most also maintain inspection and enforcement potential at national level particularly for specialist or high risk foods. The Canadian Food Inspection Agency (also responsible for imported foods as described below) has responsibility for what are termed 'federally registered production units'. These are premises manufacturing and processing products of animal origin (POAO), including honey, fresh and processed fruit and vegetables and maple products. The inspection of food service and retail premises are the responsibility of the Provincial and Municipal authorities or the First Nations and Inuit Health Branch of Health Canada as appropriate. In Sweden, as in the UK, the National Food Agency has responsibility for delivery of controls in the slaughter houses but, unlike the UK, also has responsibility for large producers of other POAO – specifically meat products and meat preparation premises producing >5 tonnes per week, milk products premises producing > 2,000,000 litres per year, egg packing premises, fishery products (>

250 tonnes per year) and fish wholesalers (>500 tonnes per year). New Zealand's newly formed Ministry for Primary Industries (MPI) takes responsibility for premises handling POAO and those territorial premises which have opted to implement Food Safety Management Systems and register with the MPI rather than the Territorial Authorities. Finland's national authority, EVIRA, also focuses on large scale premises, taking responsibility for large slaughter houses and integrated meat and fish establishments. Small slaughter houses and other premises approved under Regulation (EC) 853/2004 are the responsibility of the municipal authorities in Finland although follow up for non-compliance is taken by the Regional State Administrative Agencies (RSAA). The RSAA also take responsibility for delivery of controls in reindeer slaughter houses. Germany appears to have the smallest federal inspection capacity of those demonstrating this arrangement with the Federal Office of Consumer Protection and Food Safety acting as the inspection centre for new (Novel) foods. The remaining countries, including Austria, Italy, Switzerland and Australia, do not have any premises inspection capacity at the national level, although all retain responsibility for imported foods centrally (see **Imports** below).

Risk Rating

According to Regulation (EC) No 882/2004 Article 3, Member States are obliged to ensure that official controls are carried out regularly but with a frequency appropriate to risk. Inspections are one of the main interventions used to establish compliance. The criteria used to determine the premises risk and how that relates to inspection frequency is managed by individual Member States. It is possible to determine some information on the risk rating used by Member States from the country profiles and other published information. Table 3 summarises the information on risk rating available from the country profiles (and some additional documents) for the Member States which were considered in this project. Australia /New Zealand, Canada, Norway, Switzerland and USA are also included.

It can be seen from Table 3 that there is considerable variation in the inspection frequencies recommended by different countries. Some make no recommendation of desired inspection frequency. Where frequencies are given, the highest frequency in the sample group appears to be once per month (some Territorial authorities in New Zealand) with the lowest once every 8 years (Switzerland). Between one and five inspections/interventions per year are popular. Sweden indicates the number of hours that should be spent on premises according to the risk, rather than the number of visits. Whereas some of the countries provided comprehensive documents with detailed guidance and explanation relating to the categorisation of premises into risk categories, no justification or evidence base was provided for the selection of the intervention frequency allocated to each risk category. Probably the most honest was the Canadian Food Inspection Service which stated the frequency would be resource dependent.

There is a significant disconnect between the elegant semi quantitative risk assessments dividing the premises into their risk categories and the inspection/intervention frequency. This is no doubt due to the lack of evidence linking interventions and compliance. Such research as has been published is old and inconsistent both in methodology and, unsurprisingly perhaps, results. Bader *et al* (1978) used a sample of 158 matched pairs of food service premises in Seattle- King County, Washington to

investigate the effect of four inspections per year (the normal standard at that time) with conditions when only one inspection was carried out. The results indicate that there was a very substantial difference although no statistical analysis was conducted to confirm significance. At the end of the study (after one year) 22% of the group having one inspection were considered unsatisfactory while only 12% of those receiving 4 inspections were. Complaints about the first group were also much higher with fifteen premises (11.4%) being accused of causing food borne illness by members of the public. This was higher than the number of similar complaints associated with the 190 'problem Premises' which had been excluded from the study during the initial selection procedure – all of whom had four inspections during the year. Campbell *et al* (1998) review four other studies that consider the link between inspection frequency and hygiene or compliance but none were able to show a significant or reliable correlation. As the studies were all in practice, using existing procedures in a variety of different jurisdictions and two countries, no conclusions can be made with any confidence about the relationship between inspection frequency and the maintenance or improvement of food safety standards.

If the main purpose of risk rating is to demonstrate that resources are targeted, this arbitrary allocation of interventions is probably irrelevant provided premises of higher risk receive more attention than those perceived to have lower risk. However if the control authorities hope to protect public safety or to achieve improvement in food hygiene as a result of targeting more resources at higher risk premises this is a significant research gap which could and should be addressed.

Table 3

Risk Rating

	Country	Description of risk rating
1.	Austria	Covers all establishments dealing with food using a risk scale from 1-9, nine being the highest risk.
2.	Belgium	Not entirely clear – maybe 3 or 5 categories – documents conflict.
3.	Cyprus	3 inspections per annum high risk; 1 per annum low risk
4.	Denmark	Five categories. In the highest risk premises 5 interventions are carried out per year, in the lowest, interventions are carried out ‘as and when’.
5.	Finland	A fixed frequency based on type & volume of production, facilities and hygiene. Frequency not given in country profile
6.	France	Frequency: annual – once every five years according to risk for when first placing food on the market -. For all other stages the frequency is fixed at local level according to the activity, previous history and size/volume.
7.	Germany	Risk rating according to the type of food, activity and size of premises. Frequencies vary from monthly for an industrial producer of highly perishable food to once per year for a distributor of raw vegetables.
8.	Ireland	The frequency of inspections is risk based according to the nature of the business, type of product, volume and compliance history. Actual frequency not given
9.	Italy	Not given – refers to Regulation (EC) No 882/2004
10.	Netherlands	Not possible to determine – under development in 2012 profile
11.	Poland	Under development
12.	Portugal	Not given
13.	Spain	Not given
14.	Sweden	Up to 20 categories – highest requires 128 hours per year, lowest one hour annually.
15.	UK	Five categories : highest category A (minimum intervention at least every six months) to category E (minimum intervention at least every 3 years, or alternate intervention strategy)
16.	*Australia & New Zealand	Numerical risk rating resulting in a priority class of low, medium or high. Each class has a min and max inspection frequency. Low is a minimum of one inspection every 24 months and a max of once per year. Medium has a min of once every 18 months and a max of once every 6 months. High has a minimum of once every year and a max of once every 3 months.

17.	**Canada	Canadian Food Inspection Agency criteria for federal establishments distinguish between in depth inspections and directed (follow up). Premises must have one of each per year unless handling low acid food when two in depth inspections are required.
18.	New Zealand	Different arrangements according to the Territory. Frequency 1-12 times per annum. Audit frequency in federally registered premises depends on compliance and product
19.	Norway	Risk categorisation of 1-4 based on historical compliance, credibility of self-checks and product information
20.	Switzerland	Categorisation of 1-5 giving a range of frequencies from annual inspections to once per 8 years.
21.	USA	Federal Premises between once every 5 years and once every 7 years. Recommends four times per year for food service

*The risk information for Australia and New Zealand comes from an ANZFA Information paper which offers guidance to the States and Territories on an appropriate way to determine inspection frequencies. The actual delivery of controls is the responsibility of the States and Territories and consequently may vary.

**The Canadian risk rating scheme only applies to federally registered premises. Food service and retailers are under the control of the Provinces and Municipalities and are risk rated at that level.

Audit & Monitoring

The mechanism for audit and monitoring within the sample group vary widely and often reflect the political structure of the country.

Federal countries with autonomous states/provinces/regions may not have the authority to intervene in the way the autonomous regions deliver food controls. This appears to be the case for Austria, Germany, Australia, Canada, New Zealand and the USA. In Germany the Federal Government confirms that the Länder are using legal procedures to deliver food controls and Austria collects data from the provincial databases and receives reports from them but apart from that the Länder and provinces audit themselves. A Länder Working Group is currently developing standard operating procedures for this purpose. From the other Federal Countries, the federal and state authorities follow their own quality management systems. In New Zealand the auditors dealing with the Ministry for Primary Industry registered premises are audited by International Accreditation New Zealand. Switzerland, alone of the Federal Countries, appears to have a formal audit of its cantons but an FVO report (FVO 2009)and comments on the MANCP of 2011 (FDEA 2011) indicate that the implementation is not complete. The internal auditing of the BIPs was also highlighted for attention (FVO 2010).

Countries with complex delivery of controls involving many authorities and overlap of responsibility appear to have the most difficulty with audit and monitoring. Portugal does not seem to have a full system for audit or monitoring according to the FVO reports (FVO 2011) and Spain's national audit system is reported as a work in progress.

Monitoring of databases to assess the delivery of controls was reported by many of the EU member states, including Austria, Belgium, Denmark, France and UK.

Nearly all countries examined for this study use internal audits for the national authority and many also report internal audit systems for regional/local control authorities.

Those countries which are not federations tend to conduct formal audits on the authorities actually delivering the controls. This may be through the formal management structure if the delivery is under the direct control of the national authority (e.g. Poland, Denmark), by the National Agency as an external audit (UK) or through intermediate organisations such as in Sweden (municipalities are audited by the County Administrative boards on direction of the National Food Agency) and Finland (Regional State Administrative Agencies audit the municipal control authorities). The National Food Agency in Sweden can direct the municipalities if they are found to be lacking while Finland's National Food Agency, Evira, cannot.

Formal auditing of an authority by an outside agency, even if it is by a separate government department or authority rather than an accreditation body, is found to be valuable, not just for the collection of data to demonstrate delivery but also because it can assist consistency and improve standards (Tähkäpää *et al* 2013). However, it is important that the correct matters are assessed - a recent public enquiry conducted by Professor Hugh Pennington into a serious outbreak of *E coli* O157 in South Wales criticised the Food Standards Agency audits of the Local Authorities for being systems based, checking that actions were taken according to procedure, that paperwork was complete and 'boxes ticked' without assessing whether the decisions underpinning the choice of action were correct in the first place (Pennington 2009 page 160). The details of what individual

countries audit during the process was beyond the remit of this report but in order for the maximum value to be accrued from an audit process it is necessary for the auditors to be specialists in the subject area as well as trained in auditing. The audit needs to assess not just the mechanism of delivery but the validity of the controls and sanctions in context. Norway uses a combination approach where external audits are carried out by the office of the Auditor General while internal audits by specialists generate reports which are sent to the office of the Auditor General to complete the process.

Sampling

Food Sampling appears to be carried out by all the countries examined for this report. Many describe national plans for sampling (Austria, Belgium, Denmark, Netherland, Poland, Portugal and Sweden) set by the central control authority. Norway was the only country to imply that the district officers carry out the sampling independently without participating in any national plan but this may be an artefact of translation and interpretation. In Cyprus, Ireland, Spain and Switzerland there is either no national sampling plan or the national plans are not discussed in the documents accessed for this report. In the remaining countries sampling is carried out by both the national authorities and the local, state, county, territorial, regional or provincial authorities. In these countries there are usually national plans, local plans and reactive sampling as required. Typically a national plan would be informed by a risk assessment prioritising high risk products. RASFF or other notifications and recent contraventions or outbreaks may also contribute to the plan development.

Imports

There are a number of aspects of delivery common to the countries reviewed for this report. One area which is common to all but which differs from the system in the UK is the control of imported food. Even the most decentralised countries (for example Canada, Germany, Australia and New Zealand) tend to keep the inspection of imported foods, especially imports of products of animal origin (POAO) under the control of a central competent authority, indicating that a federal political system need not be a barrier to this organisation of delivery, should that be preferred. The delivery of controls may be through regional offices (obviously necessary as the delivery must be at points of entry), but the organisation responsible tends to be a national entity rather than municipal. This differs from the UK arrangement where inspection of imported foods is carried out by Port Health Officers working for the Local Authority in which the port is located. In Canada, the Canadian Food Inspection Agency is responsible for the import (and export) of food, live animals and plants, including drafting the legislation, product inspection and quarantine. This provides a single organisation covering all aspects. In Australia, the standards for import of foods are set by Food Safety Australia New Zealand (FSANZ) while the inspections are carried out by the Department of Agriculture Fisheries and Food. In Poland the controls are still centrally delivered but divided between inspectorates with the Border Inspection Posts (BIP's) under the control of the General Veterinary Inspectorate and Border Office and the import of food not of animal origin under the control of the State Sanitary Inspectors. Finland also divides responsibility by allocating the BIPS to EVIRA (the National Food Authority) while the food not of animal origin is controlled by the National Board of Customs (Ministry of Finance) who employ specialist food inspectors for the purpose.

Germany keep imports of POAO under national control (Federal Ministry of Food, Agriculture and Consumer Protection) but delegate imports of food not of animal origin to the Länder. In the USA, the US Food and Drugs Administration (FDA) is responsible for inspecting imported food and imports must be notified to them. The Food Safety Modernization Act (FSMA) approved by President Obama in 2011 confirms that control will remain with the national body (FDA) but offers (under section 302) the voluntary qualified importer program, an option for third party accreditation which will provide a 'fast track' importation route for importers who can demonstrate compliance with the required standards

Other

Central investigation units

In general, the delegation of day to day enforcement to municipal authorities meant that powers and sanctions tended not to be detailed in the national reports. However one important trend with regard to enforcement was the use of a central agency to carry out investigations. In the majority of countries under consideration, enforcement, including the investigation of any noncompliance, is delegated to the officers of the organisation responsible for delivery of official controls. These officers may not all be under the direct control of the CCA (for example Germany, Switzerland, Canada) but may be working for a regional or local government control authority. This means that enforcement tends to be locally addressed. The food industry, of course, does not limit itself to any single municipal jurisdiction and food safety issues may cross local, regional and national boundaries. Deliberate food contamination or fraud can be very sophisticated making it difficult and expensive to investigate. Some of the countries under consideration have developed national bodies which assist in enforcement.

Denmark

Since 2006 Denmark has had an established specialist Food Inspection Task Force. This unit (sometimes referred to as the flying squad) has teams in three locations but operates nationally. The unit is both reactive and proactive and includes experts such as accounting and banking specialists, people with industrial or legal experience and ex-police officers (Mynster, personal communication). This expertise complements the skills of the food inspectors and ensures a thorough investigation. A Veterinary Task Force carries out similar work but takes action with regard to contraventions in the meat industry such as illegal slaughter. Both task forces work in co-operation with the ten food control offices

Italy

In Italy the Carabinieri Health Protection Unit (NAS) comprises 3 field offices and 38 territorial inspection units. This unit can initiate its own investigations or respond to Ministry of Health requests. Although part of the unit's responsibility is to investigate the illegal medicine trade, approximately 50% of its time is estimated to be spent on food safety, especially the illegal adulteration of food and food fraud.

Netherlands

In the Netherlands a Central Legal Department is responsible for all enforcement. This is done in liaison with the inspectors.

Portugal

Portugal's National Food Authority (the Authority for Food and Economic Security) is attached to the Ministry of Economics and Innovation. There is some overlap in its duties with the Ministry of Agriculture but one of its responsibilities is to investigate fraud and take prosecutions.

Other Member states have national or central capacity to investigate noncompliance, including Belgium and France, the latter country having had a national office with local services to prevent fraud since 1907. Originally this office was connected with the Ministry of Agriculture and Fishery but since the 1980's has been in the Directorate for Competition, Consumer Affairs and Fraud within the Ministry of Economy, Industry and Employment. At the time of publication of the last Country Profile it was still reported as being located there.

A national capacity for investigation is increasingly recognised as valuable by many countries as food safety issues become more global. The NAS and Danish Flying Squad also demonstrate the value of multidisciplinary teams who can work on both a national and local level to deal with complex cases where careful and in depth investigations are required. This is especially important in the case of food fraud where inspectors can be investigating blatantly criminal activity with complicated accounting and distribution networks rather than minor noncompliance as a result of poor understanding or carelessness.

Earned Recognition

Earned Recognition is a process which allows a Food Business Operator to demonstrate compliance with food hygiene requirements in such a way that the enforcement authority is able to reduce the number of official controls carried out at the premises.

Denmark

Denmark has developed a form of earned recognition which provides an 'Elite' status for premises meeting certain compliance standards. Premises which have had no sanctions for four consecutive inspections **and** on all inspections for at least 12 months are awarded the 'Elite' status and a reduced inspection frequency. Third party accreditation may also contribute to achievement of 'Elite' status. Uptake of the 'Elite' status award is no doubt encouraged by the fact that since 2001 retailers must display their latest inspection report. A symbol (smiley) is used to indicate a good report and the last four inspection reports are published at www.findsmiley.dk . Food premises may link to the site from their own websites if desired.

Finland

Finland also offers a reduction in the frequency of inspection for compliant premises. The Food Business Operator's own checks and compliance records can be used to vary the frequency of interventions by up to 50%, decreasing frequency for compliant businesses but increasing it for non-compliant ones.

Netherlands

Described on the Netherlands Food and Consumer Product Safety Authority website as ‘the Formula Approach’, the Netherlands scheme for earned recognition focuses on companies with multiple sites following centrally designed standard protocols and food safety systems. Premises are assessed by the Authority and companies are categorised (green, orange or red) according to the compliance. In green companies (with 90% compliance at all premises visited) the level of official controls will be reduced. By targeting companies with multiple sites the scheme reflects the Home Authority principle developed in 2005 by LACOTS in the UK and now joined by the Primary Authority Scheme managed by the Better Regulation Delivery Office (BRDO 2012).

New Zealand

Food Premises in New Zealand are required to comply with the Food Hygiene Regulations 1974. This is a traditional piece of food hygiene legislation; lengthy (99 pages) and with prescriptive details regarding structure etc. Food Business Operators have an option to develop a food safety management system (food safety programme) which, if successfully implemented exempts them from the requirements of the Food Hygiene Regulations 1974 and inspections by the municipal Environmental Health Officers. Instead they register with the Ministry for Primary Industries and are audited by accredited auditors. The implied advantage is that the premises can move from a structure based control to a risk based system. It may also be cheaper for the Food Business Operator but this cannot be determined from the published information.

USA

As mentioned above, the Food Safety Modernization Act 2011 plans to offer a form of earned recognition to Food Business Operators who wish to expedite the import of foodstuffs. The procedure for this is still under discussion and appears to be focused on the overseas premises producing the food rather than the control systems of the exporting country. This would advantage large multi-national companies who own factories located in developing countries but which produce food using their own food safety management systems. The details of how this will work, including which systems will be accepted as adequate to provide third party accreditation, is still under discussion.

Food Hygiene Rating Schemes

Five countries reported using Food Hygiene Rating Schemes. These were Belgium, Denmark, UK, Canada and USA. In both Canada and the USA the schemes have been in operation for a number of years – Toronto, for example has published results since 2001 (Thompson 2009). It is possible that other countries in the sample also make available this information but did not discuss it in the country profiles or other documents. There is variation in the way the hygiene scores are published according to how the inspections are carried out. Some publish actual scores; others give categories using numbers or symbols. New Brunswick (Canada) uses colour codes. Filion and Powel (2011) tested various methods of disclosure with the view to recommending the best scheme for New Zealand and concluded a letter grade card with 4 options was the favourite. They are, however, careful to point

out that their findings should not be considered a universal standard. The purpose of food hygiene rating schemes is to encourage Food Business Operators to improve their standards in order to attract customers. Public awareness of the schemes appears to vary with location but most studies confirm that the Food Business Operators do make changes in an attempt to improve their rating and that these changes are related to an improvement in compliance (Syima *et al* 2012, Stanton *et al* 2008, Winnall *et al* in prep).

Cost

The delivery of official controls is an expensive responsibility. Controls are carried out on behalf of the citizens of a country to ensure a high standard of public health. The countries considered in this research have various arrangements for funding the delivery of controls. Adequate funding for the delivery of Official Controls is vital. Tähkää *et al* (2008) demonstrate a significant relationship between the level of resource allocated to delivery of local controls, the level of implementation of approved in-house control systems and the number of reported food or water borne outbreaks in the area. Poorly resourced authorities had fewer premises with in-house control systems and a higher number of outbreaks. As food made in one municipality can be transported to many others, this is significant for the safety of citizens outside the poorly resourced area as well as the local populace. Actual figures on how much each country spends was not accessible but an important area of finance in many was **cost recovery**.

Ensuring that food which is placed on the market is safe to eat is the responsibility of the Food Business Operator. As s/he is making a profit from the procedure one school of thought suggests that the Food Business Operator should pay directly for the controls which confirm compliance or remedy the issue when its absence is discovered. Article 27 of Regulation (EC) No 882/2004 gives permission for member states to levy fees to cover the costs of delivery of official controls. Under the same legislation Member States are required to collect fees related to post mortem inspection of meat and game, production of milk and production and placing on the market of fish & game and import of meat, meat products and fishery products. The minimum rates applicable to the delivery of these controls are listed in annex IV and V of Regulation (EC) No 882/2004. This tends to focus the levy on producers of POAO, especially the meat industry. Some countries (Member states and third countries) use additional procedures to fund delivery of official controls which shares the cost of controls across the industry more equitably.

Finland

The municipalities in Finland receive some state funding but since 2007 can also charge for the delivery of controls. According to the Country Profile for Finland, it is estimated that the municipalities are recovering costs and the recovery rate is increasing. Research carried out by Tähkää *et al* (2013) indicates that the median hourly rate charged by the municipalities is €45 with a range of €35-€56. More importantly perhaps, they found that charging fees did not compromise the delivery of controls but had improved the service. There were concerns about the unevenness of fee structure affecting competition and fairness which is also reported in Germany (see below).

Germany

A Review of Fees and Charges collected by Member States (FCEC 2009) to cover costs is available at

(http://ec.europa.eu/food/food/controls/inspection_fees/docs/external_study_en.pdf).

This document, which assessed the implementation of article 27 on behalf of the EC, discusses many aspects of the issues which arise from the implementation of article 27 and the situation which has arisen in Germany is valuable to consider. Germany, being a federal system, has allocated the control of fee definition to the Länder. This has resulted in a lack of consistency across the country. There is variation in the fee calculation method, the controls for which fees are paid and the level of fees imposed. This disadvantages food businesses in areas with high fees and has resulted in complaints and legal cases from some of the food business operators. An additional problem demonstrated in Germany (but also identified in other member states) is that the fees recovered are not directly allocated to service delivery but are subsumed into the central funding system. In the other schemes described in this section (Finland, Sweden, Australia and New Zealand) the fees are ring fenced and used for delivery of controls by the organisation which collects them. The Review of Fees and Charges (FCEC 2009) also identifies other difficulties which can be associated with cost recovery schemes; including the problem that standard fees may be proportionally a bigger burden for SME's than for large companies and can result in loss of profitability. This has also been identified in Germany with the closure of some smaller slaughterhouses being attributed to this issue.

Sweden

The municipalities in Sweden also have legislative powers which can be used to set fees to recover costs. The municipalities set an annual fee plus an hourly rate. The categories of the Swedish risk rating scheme relate to the number of hours per annum an inspector should spend on the business, ranging from 128 per annum down to one according to the risk of the business. Consequently the fee levied reflects the time input required from the inspectorate which should be related to the standard of compliance in the business. Municipalities keep the money raised by the fees. The National Food Agency (NFA) in Sweden retains responsibility for enforcement in large premises handling POAO and the Agency sets fees for establishments under its own jurisdiction. The NFA also recovers costs on the inspection of some imported foods.

Australia

There are two areas of importance in Australia's delivery of controls with regard to cost recovery. The first is demonstrated by the Department of Agriculture Fisheries and Food who are responsible for controls of imported food. The fees charged for inspecting imported foods are standardised and published so all importers can be aware of the cost associated with the procedure. These fees are contained in schedule 2 of the Imported Food Control Regulations 1993. Any costs incurred through sampling and laboratory analysis are also paid by the importer, who is invoiced directly by the laboratory carrying out the work. It is not

uncommon for countries to recover some or all of the costs associated with imports from the importer and Port Authorities in the UK are able to do so. However, as these are municipal authorities, the recovery of costs is unlikely to be consistent across all authorities and an advantage of the Australian system is that the collection of fees is standardised by a central agency. The money is also returned to the organisation carrying out the controls.

Cost recovery for official controls is also demonstrated by New South Wales. In Australia the states and territories have responsibility for delivery of official controls. Each state or territory enacts its own food legislation, based on a Model Food Act developed by FSANZ. The New South Wales Local Government Act 1993 gives permission for the municipality to charge fees to the food premises to cover the cost of inspections. These inspections are not optional and are carried out with a frequency which reflects the interventions required in the premises. For example, caterers (including restaurants and takeaways) and bakeries are inspected twice per year while green grocers and service stations are inspected only once per year. Fees are charged on an hourly rate (\$143.08 per hour) according to the time spent with the business. A minimum fee (\$121) is charged for inspections of less than one hour. If follow up inspections are required, the first is free but any subsequent inspections are charged at the normal hourly rate. Service of a notice, including the follow up visit is charged at \$330. In this way compliant businesses are rewarded by paying less for inspections than non-compliant premises. In addition there is an annual administrative fee charged (\$278) irrespective of the number of visits. Special fees are also levied for particular inspections for example markets or special events. Fees are used by the municipality to deliver services.

New Zealand

Like Australia, New Zealand practises cost recovery at both Federal and Territorial (State) level. Importers are required to cover the cost of official controls carried out by the Ministry for Primary Industries (MPI). Likewise premises registered with the MPI must also cover the costs of any controls, including the approving, registering and auditing of their Risk Management Systems (food safety management systems). The Territorial Authorities also recover the costs of the delivery of official controls. The level of fee is set by the Territorial Authority and there is variation in the level as well as the success of the recovery process. According to Winthrope and Stone (2004) twenty three authorities recovered less than 50% of the cost of delivery. However, the fact that 12 were able to cover the full costs while 2 made a surplus suggests that the principle is sound but the style of approach may be significant in its success.

The discussion above highlights areas of interest which can be determined from the case studies. These have been considered according to heading. Analysing the results overall it is possible to identify common and/or novel aspects of delivery within the sample group. The only significant aspect which is universal in the sample group but not implemented in the UK is the centralised control of imported foods. Many countries also centralise control of high risk foods, typically the handling and manufacture of POAO.

Novel aspects of delivery which were identified within the sample group include:

- Centralised investigation units
- Earned recognition
- Food Hygiene Rating Schemes
- Cost recovery

Food Hygiene rating schemes are a feature of the UK delivery of controls model but the other three do not feature significantly at present and may reward further consideration as part of the Food Standards Agency Review of Official Controls.

Conclusions

The objectives of the **International Study of Different International Controls** were to:

1. to develop an outline of the existing regulatory and official control delivery models for food and feed in operation in selected EU countries
2. to gather relevant data on the governance and operational structures used to deliver food and feed controls in selected third countries

The results of objectives 1 and 2 are contained in the country case studies and the discussion of each topic in the previous section. A summary of the main points has been compiled in Table 4.

Table 4
Conclusions

Delivery Models	Reflect the governmental structure in Federal States Wide range of models demonstrated by Unitary countries Limited delegation of controls to third parties
Control staff	Where identified mainly Veterinarians or Environmental Health Officers Only two countries specified that Officers were multifunction The only power identified which is lacking for UK Environmental Health Officers was stop and search The only sanction identified currently unavailable to UK Environmental Health Officers for food safety was Monetary Administrative Penalties
Risk rating	Risk Rating scheme described or referred to by 15 countries Intervention frequencies range from 12 times per year to once in 8 years No robust evidence to support frequency choice
Audit & Monitoring	Reflects government structure and delivery model Monitoring of databases is common
Sampling	National plans in many countries, local capacity in all
Imports	All countries except the UK have central control of Imports
Other	Central Investigation Units Earned Recognition Food Hygiene Rating Schemes Cost Recovery

By compiling the information in a methodical manner, trends, gaps in the available information and areas for further investigation could also be identified.

Trends and Novel Delivery:

From the case studies and discussion some trends in the delivery of Official Controls could be identified. These are:

- Centralised delivery of controls, especially for imported foods and high risk foods, typically POAO.
- Central Investigation Units, especially for complex or fraudulent cases

- Earned recognition
- Food Hygiene Rating Schemes
- Cost recovery

Information gaps:

An expected outcome of the research was to identify where critical information was lacking. Table 5 summarises specific details according to heading.

Table 5
Information gaps and limitations

Delivery Models	Out of date publications and data for countries undergoing reviews No strategic context or justification for delivery models in unitary countries No evaluations of any delivery models No strategic context or explanation for reviews
Control staff	Qualifications required for control staff not discussed Where indicated powers are listed not explained Superficial description (if any) of control staff responsibilities Number of staff delivering controls difficult to ascertain Nonstandard reporting of staff prevents comparisons between countries
Risk rating	No evidence to support intervention frequency
Audit & Monitoring	Content of audits and monitoring indicators not discussed Strategic use of data not discussed
Sampling	Limited discussion on sampling strategy or how results are used
Imports	Data on total food imports/exports per country
Other	Cost of control delivery not published Limited evaluation of novel interventions or compliance schemes

In general, these information gaps fall into three main categories:

1. The first is where information probably exists but has not been published consistently in a form that is easily accessible, which can be used for useful comparison or which can be validated. These include, for example, the data relating to
 - the qualifications, responsibilities, powers and sanctions of officers (see also methodology).
 - the details of monitoring and audit arrangements
 - costs relating to the delivery of controls

It also includes issues which were reported in non-standardised ways because of the variation in delivery styles— for example the number of staff delivering official controls and information which had to be inferred or elicited from uncontrolled sources and need confirmation. These are details which are factual, often numeric and are probably known by the relevant control authorities but have simply not been reported or have not been reported in ways that are accessible. This data could be gathered using a more direct approach, for example electronic or telephone surveys.

2. The second category relates to qualitative information on the delivery of controls. The information provided on the trends and novel delivery methods identified above was largely descriptive. It is possible to identify, for example, that an individual country delivers import controls or controls in premises handling POAO nationally, or that they have specialist investigation units to deal with complex or fraudulent cases. What has not been possible to determine from the literature with any confidence is how effectively these approaches work, or what the country in question feels are the advantages, disadvantages, limitations, boundaries or cost effectiveness. The strategic context is also missing. Why, for example, do particular countries deliver controls in the manner they do? For this reason, it is recommended that further investigation is carried out in these areas. It may be that countries have not carried out any evaluation of the model of delivery or that the delivery model is an historic rather than proactive choice. However it should be established what, if any, assessments have been conducted for the various delivery mechanisms in order to inform the Food Standards Agency Review of Controls. It would be particularly valuable with regard to those aspects not implemented in the UK such as the use of specialist investigation units. This would require direct contact with the relevant Control Authorities to gather the information as the number of relevant publications in peer reviewed journals is very limited.

3. The third area where information is lacking is in the efficacy of the basic controls. There is a fundamental lack of good quality research relating to the impact the controls or their delivery methods have on food safety or compliance. This is extremely obvious in the area of risk rating where many countries have carried out comprehensive and in some cases very sophisticated semi quantitative risk assessments designed to categorise food premises according to the food safety risk they pose. The purpose is to target the delivery of controls (and resources) according to risk. However as there is no robust research which can be used to translate the risk categories into frequency of inspection, the full value of these risk rating schemes for food safety has yet to be realised. Mullen *et al* (2002) in an evaluation of the Scottish rating scheme conclude it to be ‘...ineffective and therefore wasteful.’(page 260) which seems rather extreme, especially as the researchers were assessing whether it could be used predicatively rather than protectively. However, there is certainly a lack of evidence which would allow the categories of any risk rating scheme to be confidently translated into a valid delivery frequency, particularly with respect to inspections.

Recommendations

To address the matters highlighted by this research the following recommendations may be made:

1. Follow up research could be carried out to complete the case studies. This could cover two aspects:
 - a. Surveys to collect factual data that was lacking from the published information such as powers of officers, how these powers are used, control delivery statistics, etc. This could take the form of an electronic survey which would gather the information in a standard format
 - b. Surveys to gather qualitative data on relevant aspects of delivery. These should try to determine the strategic issues relating to delivery of controls, including the reason for and outcomes of any recent reviews of controls. This type of information is often held in internal documents and difficult to access confidently. The survey should also try to gather information relating to any evaluations that might have been made on issues such as the central control of delivery, central investigation teams and cost recovery. Semi structured telephone interviews would be an appropriate methodology for this research as they would assist in gathering consistent data but still allow flexibility to pursue areas of significance.

Some of the difficulties in conducting these two surveys might include

- reluctance of control staff to discuss internal processes
 - lack of data, inconsistent recording within and between CCA's , lack of evidence or assessment for processes
 - difficulties in identifying the correct contacts or the need to contact a number of different people to cover the range of information.
 - language difficulties where internal documents are not in English, are not published or are confidential.
 - difficulty in verifying the validity of the information
2. Basic research using robust methodology should be commissioned to determine the value of official controls in maintaining or improving compliance. The most obvious omission identified in this research was the lack of any valid data to connect inspection frequency and risk rating schemes. Without the correct evidence base any model of the delivery of official controls is difficult to justify apart from on historic, political or resource related grounds. This research could be carried out in the UK but would be time consuming and expensive to fund. It would however, provide data of universal interest, which could be used to validate the delivery of official controls.

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