

13th December 2016

EXTENSION OF AUDIT FREQUENCIES AT FOOD STANDARDS AGENCY APPROVED MEAT ESTABLISHMENTS WITHIN ENGLAND, WALES AND NORTHERN IRELAND

SUMMARY REPORT OF RESPONSES TO CONSULTATION FROM STAKEHOLDERS

Introduction

The Extension of Audit Frequencies at Food Standards Agency (FSA) approved Meat Establishments within England; Wales and Northern Ireland consultation was issued on 4th July 2016 and closed on 23rd September 2016.

Purpose

The purpose of the FSA web-based consultation was to seek stakeholders' views on the extension of FSA audit frequencies for those Food Business Operators (FBOs) who maintain high levels of compliance.

Proposal

The changes proposed were to extend the FSA audit frequencies for those FBOs who currently have been awarded 'Good' (18 month frequency) and 'Generally Satisfactory' (12 month frequency) audit outcomes over two successive FSA audit cycles.

By extending audit frequencies, the FSA wants to recognise those FBOs who have sustained compliance over audit cycles with an aim of ultimately reducing footfall from official control activities without increasing risk to consumer protection or confidence.

The public consultation sought stakeholder views on the extension of audit frequencies and the evidence-base used in the Impact Assessment of this proposal.

The proposal aligns with the FSA strategy to ensure the right to the best food future we can deliver as well as aligning with wider government initiatives, including reducing the regulatory burden on business through lessening the impact of meat establishment's visits, and streamlining and targeting enforcement activity on a risk basis.

The Consultation

The questions asked by this consultation were:

Q1. Do you support the proposal to extend audit frequencies for those businesses who have sustained compliance over audit cycles?

Q2. Do you support the proposal that for slaughterhouses with or without cutting plants, and approved game handling establishments where there is routine attendance by FSA/Department of Agriculture, Environment and Rural Affairs (DAERA) officials, there is the possibility of achieving a 24 month and 36 month audit frequency where sustained compliance over audit cycles is being achieved?

Q3. Do you support the proposal that for stand-alone cutting plants and cold stores (where applicable) it is proposed that the sustained compliance achieves 24 months and 18 months audit frequency with each establishment being subject to 2 Unannounced Inspections (UAs) during the interim audit period?

Q4. Do you support the proposal that Ready to Eat establishments will follow the same audit frequency as standalone establishments but will have 3 UAs during the interim audit period?

Summary of Respondent Comments

Six organisations responded to the public consultation:

- BMPA – British Meat Processors Association.
- BPC – British Poultry Council.
- AHDB – Agriculture and Horticulture Development Board.
- Wales Food Safety Expert Panel.
- Wild Game Representatives.
- DAERA.

No responses were received from individuals.

The responses received were supportive of the principle that earned recognition through sustained audit compliance should translate into the award of an extended audit frequency (EAF). The majority of respondents were also content with the detail of how these proposals should be applied to slaughterhouses, cutting plants and Ready To Eat (RTE) establishments.

However, several respondents raised additional questions about:

- The timing of these proposed changes, in particular whether sufficient evidence had been gathered since the current audit arrangements were introduced in August 2014 to inform the consultation proposals;
- The effectiveness of the UAI regime which is to provide the assurance on compliance with Official Controls in the period between audits, particularly in stand-alone cutting plants;
- The impact of extended audit frequencies on establishments approved for 3rd country export; and,
- The detailed implementation of these arrangements, specifically in relation to the treatment of closed non-conformances under any extended audit regime.

The FSA is grateful to those stakeholders who responded to this consultation. Their comments in full and the FSA response to each comment are included at Annex 1.

FSA Response

After careful consideration of respondents' comments, the FSA will adopt an EAF regime from 2nd January 2017, beginning with those establishments who have achieved the award of 2 consecutive 'Good' audit outcomes:

Establishment Type	Current Audit Frequency	Current Number of UAIs	Extended Audit Frequency	Extended Audit Frequency UAIs
Slaughterhouse with or without a co-located cutting plant	18 months	Nil	36 months	Nil
Game Handling Establishment				
Stand-alone cutting plant	12 months	One	24 months	Two *
Cold Store (where applicable)				

* RTE establishments will receive one additional (total of 3) UAI during the interim audit period by a trained Official Veterinarian.

The FSA believes that the emphasis of the UAI regime at cutting plants and cold stores in the inter-audit period strikes the right balance between recognising consistently good FBO performance in the frequency of their regulated audit and maintaining public confidence in the effectiveness of Official Controls.

Results from enforcement evidence, slaughter hygiene verification activity and animal welfare verification in abattoirs during the inter-audit period will

continue to inform audit outcomes. The treatment of historical non-compliances informing EAF shall be considered by a future stakeholder working group.

The FSA will further consider under which circumstances EAF could be awarded to establishments achieving consecutive 'Generally Satisfactory' audit outcomes as soon as sufficient evidence of sustained compliance performance has been accumulated from establishments awarded EAF and the data reviewed by the stakeholder working group.

Any decision to award EAF in 'Generally Satisfactory' establishments will not be made until later in 2017, when the working group has had the opportunity to consider the impacts of the first phase of EAF implementation.

The arrangements for determining the frequency of audits of premises exporting to Third Countries continue to be determined by the individual agreements brokered with the relevant countries. Those countries requiring compliance with European Union standards will continue to gain assurance by the Official Controls verified by the FSA, including the audit programme.

As is already the case, FBOs can continue to request FSA audits.

Next Steps

A comprehensive communications plan is in place to notify industry and FSA stakeholders of the implementation of EAF. Those FBOs who qualify for the award of EAF will receive confirmation in writing of their revised audit frequency. In addition, the Manual for Official Controls will be updated from 2nd January 2017 to include full details of the new arrangements.

Annex:

1. Summary of Substantive comments to the FSA consultation- Extension of audit frequencies at FSA-approved meat establishments within England, Wales and Northern Ireland.

SUMMARY OF SUBSTANTIVE COMMENTS TO THE FSA CONSULTATION – EXTENSION OF AUDIT FREQUENCIES AT FSA-APPROVED MEAT ESTABLISHMENTS WITHIN ENGLAND, WALES AND NORTHERN IRELAND

Respondent	Method of Response	Comment	FSA Response
<p align="center">British Meat Processors Association (BMPA)</p>	<p align="center">Email</p>	<p>We support the extended frequencies only if either:</p> <ul style="list-style-type: none"> • The FSA recognises that raising these closed-non-conformances serves no purpose, as the issue has been resolved, and stops the practice; or • The FSA raise these within the audit for information only, but closed non-conformances no longer affect the audit outcome. <p>We certainly would like to discuss this further with the FSA.</p> <p>Some sites for export purposes require annual audits – we ask for confirmation that these would continue, whatever the new system permits.</p>	<p>The audit of FBOs obligations in respect of public health, animal health and welfare outcomes must comply with the requirements of (EC) 854/2004 to determine the frequency of audit on the basis of risk.</p> <p>Risk profiling for audit outcomes also includes the interim audit period performance to determine the level of assurance relating to FBO management procedures and identification of risk The closed interim audit non-conformances serve a purpose in informing the frequency of audit.</p> <p>However, FBOs initiating corrective actions, where the FBO has identified a breakdown in controls, is a sign of a healthy control system and shall be taken into account by the auditor when determining risk scoring and ultimately audit frequency. The Generally Satisfactory audit outcome allows for up to 2 Major non-compliances and the description and weighting of non-conformances is outlined in MOC instructions but will be further discussed by stakeholder working group to consider the treatment of historical non-compliances.</p>

Respondent's Additional Comment	FSA Response
<p>Audits are used as additional enforcement and any significant issues that have been raised in the time since the previous audit are noted as 'closed non-conformances'. While no action is required on the part of the FBO as the problem has been resolved and the action closed, it does affect the audit outcome. If audit frequencies are extended to up to 36 months there is a much greater time period to accumulate these closed non-conformances leading to worse audit outcome and much reduced audit frequency, Sites could swing between 24-36 months and 3 months, which is far from ideal.</p>	<p>The FBO audit system it is not on itself an enforcement tool. It is an assessment of the FBO's food safety management systems and animal welfare controls in line with the requirements of The Regulations. Audits can lead to subsequent enforcement activity if controls are considered insufficient, but enforcement matters are separated from the audit activity itself.</p> <p>The FSA looks forward to meeting with BMPA representatives to assess the impact of the extended audit frequency as aforementioned and maintaining the collaborative engagement with the BMPA.</p>

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Respondent	Method of Response	Comment	FSA Response
<p>Wales Food Safety Expert Panel</p>	<p>Email</p>	<p>Q1: No. The Future Delivery programme “Regulating our Future Developing the FSA’s New Approach to Regulating Food Businesses” is currently ongoing and Annex D states that one of the reasons for its introduction is that the meat industry is outdated. They would not expect audits to be announced and may view 3 years as too long. Are establishments only rated on announced audits? If so this does not give a true reflection of standards.</p>	<p>Advance notice of an audit must be provided to the FBO in writing. This provides the FBO with prior warning of an audit by outlining the scope of the audit and the access to information that will be required. Reference: Regulation (EC) 882/2004, Article 3, Para 2 refer: <i>“Official controls shall be carried out without prior warning, except in cases such as audits where prior notification of the feed or food business operator is necessary. Official controls may also be carried out on an ad hoc basis”</i>. FSA does carry out quarterly themed audits/inspections at sample establishments unannounced to check FBO regulatory compliance on a specific theme and non-regulatory official control delivery at meat premises.</p> <p>Audits, results from enforcement evidence, slaughter hygiene verification activity and animal welfare verification in abattoirs during the interim audit period determine what audit outcome and frequency is applied to a meat premises. In cutting plants where there is no routine official control attendance, however, unannounced inspections are utilised during the interim audit period to assess hygiene standards and provide evidence which feeds into the subsequent full announced audit.</p> <p>Changes to audit frequencies are being proposed under the current European Union (EU) regulatory requirements and the consultation was developed following sanction from the FSA Executive Management Team. The ‘Regulating our Future’ representatives - aware of the consultation - were supportive of pursuing this initiative under the current EU regulatory requirements.</p> <p>In addition to announced audits, all plants can be subject to partial audits. As part of the scheduled audit programme, unannounced inspections can and do take place in slaughterhouses to follow-up specific issues identified during the audits or to verify continued compliance between audits. Routine hygiene checks are carried out in slaughterhouses from full-time Official Veterinarians. All approved premises are inspected</p>
		<p>Q2: Yes we support the proposal but only if all the audits being undertaken are unannounced. It is understood that the current arrangement for premises that have a permanent veterinary presence on site do not undertake any hygiene checks that are required to be documented. This should be a standard requirement.</p>	
		<p>Q3: If unannounced audits were undertaken then there would be no need to undertake additional unannounced inspections which would reduce the burden on business.</p>	
		<p>Q4: See answer 3 above.</p>	

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			routinely and regularly.
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Respondent's Additional Comment	FSA Response
We welcome the opportunity to comment on this proposal. We agree that higher performing FBOs should be recognised by undertaking fewer audits and therefore reducing inspection charges, but to achieve an accurate reflection of a business' performance all inspections and audits should be unannounced. This would bring them in line with all other official controls in food business establishments and also save businesses time as they would not have to prepare for audit. It would also benefit public health.	Regulation (EC) 882/2004. Regulatory requirements in approved meat premises require announced audits however the <i>FSA does carry out quarterly themed audits/inspections at sample establishments unannounced.</i>

Respondent	Method of Response	Comment	FSA Response
British Poultry Council (BPC)	Email	Q1: Yes, we support the extension of audit frequencies. FBOs achieving sustained compliance must be recognised and rewarded.	The FSA will continue to risk-assess premises based on findings from official control activity and align official controls accordingly utilising enforcement evidence in the periods between audits to inform audit frequencies
		Q2: Yes. A FBOs (sustained) compliance can be a factor in commercial contracts, and as such is highly valued. When given the opportunity to achieve an extended audit frequency we believe that FBOs will strive to do so.	

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		<p>Q3: Yes. FBOs that do not have a permanent or regular presence by the Competent Authority should begin with this additional requirement. However, that should not rule out, in the future, changing that requirement on a risk-based assessment.</p>	
		<p>Q4: Yes. The potential impact of non-compliance in these establishments is higher than in slaughterhouses and cutting plants, and it is right that additional steps be taken. However, that should not rule out, in the future, changing that requirement on a risk-based assessment.</p>	
Respondent's Additional Comment			FSA Response
<p>On the broad subject of audit and audit frequency, the BPC has been a long-term supporter and participant in the work undertaken to improve the effectiveness and efficiency of the system. We support both the efforts to help FBOs to be consistently compliant, and to recognise good performing FBOs. We believe the proposals made in this consultation are valid, reasonable, and timely. The BPC supports the extension of audit frequencies based on consistent compliance. The BPC is willing to participate in any future work on this subject.</p>			<p>The FSA look forward to continuing the collaborative engagement with the BPC.</p>

Respondent	Method of Response	Comment	FSA Response
Agriculture and Horticulture Development Board (AHDB)	Email	<p><i>This is a response on behalf of the Agriculture and Horticulture Development Board (AHDB). AHDB is a statutory levy board, funded by farmers, growers and others in the supply chain. Its purpose is to equip levy payers with independent, evidence-based information and tools to grow, become more competitive and sustainable. Established in 2008 and classified as a</i></p>	<p>The FSA look forward to continuing the collaborative engagement with the AHDB and welcome the feedback received.</p>

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		<p><i>Non-Departmental Public Body, it addresses areas of market failure in the following industries: meat and livestock (cattle, sheep and pigs) in England; horticulture, milk and potatoes in Great Britain; and cereals and oilseeds in the UK. The AHDB's remit covers 75 per cent of total UK agricultural output. Further information on AHDB can be found at www.ahdb.org.uk</i></p> <p>AHDB fully supports the implementation of risk based enforcement for those businesses that act responsibly to meet legislative requirements. Indeed, we continue to work closely with FBO's, and provide guidance where necessary to ensure application of best practice.</p> <p>AHDB supports the wider objectives of 'red-tape' removal and targeted auditing for those plants without routine official FSA staff on site. For this reason, we also view the extended audit period for FBO's with FSA officials routinely on site to be of low risk.</p> <p>AHDB supports Option 2.</p>	
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Respondent	Method of Response	Comment	FSA Response
Wild Game Representatives	Email	We are happy to extend audit frequencies for compliant plants, as long as FSA have regular/ routine visits to ensure sustained compliance.	In establishments where Official Veterinarians and inspection teams are present there will be no change to the current unannounced inspection regime However, for standalone cutting plants, there will be an increase

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		<p>How many additional unannounced visits do you foresee?</p>	<p>in one unannounced inspection during the inter-audit period (making a total of 2) if they achieve consecutive audit outcomes of either 'Good' or 'Generally Satisfactory' or a mix of both. For the same audit outcomes above, standalone cutting plants approved to manufacture ready-to-eat products will received a total of 3 unannounced inspections, an increase of one.</p>
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Respondent	Method of Response	Comment	FSA Response
<p align="center">DAERA (Department of Agriculture, Environment and Rural Affairs)</p>	<p align="center">Email</p>	<p>Q1: Answer: No, not at this time. The current audit system has been in place for an insufficient amount of time to have evidence to support the extension of the inter-audit period. While it is recognised that the majority of establishments across the UK are either Good or Generally Satisfactory, this may only have been the case for a single audit cycle and further audits where these results are maintained are required to give the confidence to extend the inter-audit period. While the proposed extension may only apply after 2 consistent audit cycles it would be preferable to have this demonstrated before considering moving to the extended frequencies. DAERA is also concerned that in some parts of the UK the time-spend on audit is significantly less than has been, and is, spent in NI. Consequently we question whether the audit outcomes are a true reflection of the prevailing compliance across the breadth of the audit and consistent across the UK. This is not a criticism of auditor competence but rather an observation that the findings of audits will be impacted by the amount of time spent at a site and looking at the records and activities at that site. The results from some unannounced inspections (UAI) show that establishments with compliant audits can have significant non-compliances at unannounced inspection, both in standalone and co-located establishments. While these findings do feed into the subsequent audit outcome and its frequency, there has been no review on a UK wide basis to assess the efficacy of audit plus UAIs in securing compliance other than the results of the audits themselves. The FSA internal audits did not appear to critically examine the link-up between the UAIs and the audit. While there has been significant work on audit standardisation across the UK there has not been the same liaison on the UAIs.</p> <p>Findings of veterinary checks on some export consignments, originating from across the UK, may also be indicative that extension of the inter audit period is not yet appropriate.</p>	<p>Following the consultation, the FSA has agreed to apply the extended audit frequency only to those establishments with two audits rated “good” at this time. We have agreed that “generally satisfactory” establishments will need three audits at this rating before moving to an extended audit frequency. In addition, where an establishment’s rating falls that establishment must then have two (good) or three (generally satisfactory) before they can avail of an extended audit frequency again.</p> <p>There have been two FSA internal audits carried out on the audit system since implementation in 2014. Both have resulted in favourable outcomes. In the latter audit the differences in time-spend on audit between areas of the UK was highlighted. This will be addressed as part of the audit action plan.</p> <p>It has been recognised that there could be more co-ordination between audit and field veterinarians in relation to audit and UA inspections and we are also currently addressing this.</p> <p>Where the interval between audits is extended it has been agreed that that the number of UAIs will be increased to two in stand-alone cutting establishments with an additional UAI where the establishment also produces RTE products.</p> <p>Findings of concern from any official control activities e.g. unsatisfactory export consignments, unsatisfactory unannounced inspection results or an increase in enforcement activity can trigger an audit of an establishment.</p>

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		<p>Q2: No, for the reasons given at 1 and in the absence of an effective, fit for purpose slaughter hygiene verification system across the UK. The limitations of the current contamination recording system have been recognised and the work to replace it with slaughter hygiene verification needs to be completed, implemented and reviewed through the audit.</p>	<p>See above response to Q1.</p> <p>A new slaughter hygiene verification system will be introduced in England, Wales and Northern Ireland in 2017 and results will be reviewed during the audit process.</p>
		<p>Q3: No, for the reasons given at 1. When the time is right and the evidence is there to support extending the audit intervals then additional unannounced inspections would be essential.</p>	<p>See above response to Q1.</p>
		<p>Q4: No comment. RTE all supervised by district council in NI.</p>	

List of Respondents:

1. BMPA – British Meat Processors Association.
2. BPC – British Poultry Council.
3. AHDB - Agriculture and Horticulture Development Board.
4. Wales Food Safety Expert Panel.
5. Wild Game Representatives.
6. DAERA - Department of Agriculture, Environment and Rural Affairs.