



Report on the Food Law Enforcement Service

Dover District Council and
Port Health Authority

2 – 4 December 2003

Controls of Imported Foods Not of Animal Origin
at the Port of Dover

Foreword

Audits of local authorities' food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through their Environmental Health and Trading Standards Services.

Agency audits assess local authorities' conformance against the Food Law Enforcement Standard "The Standard", which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement and is available on the Agency's website at: www.food.gov.uk/enforcement.

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety.

This audit was carried out as part of a programme of focused audits of local authority controls of imported foods of non-animal origin. This forms part of the Agency's commitment to improving the co-ordination and delivery of this area of work as part of the 'Step Change' programme.

Following concern about UK controls on food imports, and whether these controls are sufficient to ensure the safety of imported food, a Cabinet Office report '*The Organisation of the Government's Controls of Imports of Animals, Fish, Plants and their Products*' (November 2002) recommended a 'Step Change' in the co-ordination and delivery of local authority inspection of imported foodstuffs within 1 year (by 31 March 2004). www.cabinet-office.gov.uk/reports/pdf/illegal%20%20paper.pdf

Work to improve these local authority controls is being taken forward by the Food Standards Agency. A new Imported Foods Division has been established with a work plan that addresses the areas of change identified by the Cabinet Office report. The work includes agreed Agency recommendations to improve the effectiveness of imported food controls ('10 Point Plan').

Authorities within the audit programme on imported food controls have been selected to represent a cross-section of authority types (seaport and airport), geographical location and level of enforcement activity. By end of March 2004, all major UK ports of entry for food of non-animal origin will have been audited as part of the programme.

The attached audit report considers the Local Authority's Food Law Enforcement Service, focusing on the local arrangements in place for the controls of imported food of non-animal origin (NPOAO). Imported foods of animal origin are covered by separate veterinary controls and audit arrangements within the remit of the Department for Environment, Food and Rural Affairs (Defra) and the Food and Veterinary Office (FVO) of the European Commission.

The report also contains an action plan, prepared by the Authority, to address the audit findings. For assistance, a glossary of technical terms used within the audit report can be found at Annex A.

A summary report of the findings of the focused audit programme on imported food controls, as well as the individual local authority audit reports, will be made available on the Agency's website. The Agency's website also contains enforcement activity data for all UK local authorities and can be found at www.food.gov.uk/enforcement.

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1. Introduction

Reason for the audit

- 1.1 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999.
- 1.2 The audit of the imported food inspection and control activities of the food law enforcement service of Dover District Council and Port Health Authority at the Port of Dover, was undertaken as part of the Food Standards Agency's focused audit programme of local authority imported food controls.

Scope of the audit

- 1.3 The audit covered Dover District Council and Port Health Authority's imported food inspection and law enforcement service in respect of imported foods *not* of animal origin (NPOAO). Products of animal origin (POAO) are subject to veterinary control checks and separate auditing regimes.
- 1.4 The Authority was not aware of any NPOAO feeding stuffs being imported through the Port. However, arrangements for their examination were raised during the audit and references have been included in the report where relevant.
- 1.5 The audit assessed the Authority's conformance against the Standard, using audit protocols FSA/IMP/1-FSA/IMP/16. The Standard was adopted by the Food Standards Agency Board on 21 September 2000, (amended March 2002), and forms part of the Agency's Framework Agreement with local authorities. The Framework Agreement can be found on the Agency's website at: www.food.gov.uk/enforcement.
- 1.6 The on-site element of the audit took place at the Authority's offices at White Cliffs Business Park and the Eastern Dock at the Port of Dover on 2–4 December 2003.

- 1.7 The audit also afforded the opportunity for discussion with officers involved in imported food law enforcement, with the aim of exploring trends and gaining opinions to inform Agency policy. A set of structured questions were used as the basis for a discussion which sought views and information on areas related to imported food controls such as:
- service planning and the strategic framework of controls;
 - the criteria used for determining an appropriate level of checks;
 - issues affecting the imported food control programme;
 - sampling and surveillance;
 - enforcement approaches.
- 1.8 The information gained during the interviews will be incorporated into a summary report on the imported food inspection and control activities audit programme.

Background

- 1.9 Dover is located on the south-east coast of Kent. The District has a resident population of approximately 106,000 and comprises the 3 major towns of Dover, Deal and Sandwich in a predominately rural area. The Port of Dover is located within the District and the Channel Tunnel enters the UK at Dover.
- 1.10 The docks at Dover are split into an East and West Dock. Three main cross-Channel ferry companies operated from the East Dock and this traffic included commercial freight, usually brought in during night crossings. In addition, a small amount of commercial freight was brought in at the East Dock deep-water terminal on ships arriving directly from South and Central America and West Africa. There was no known trade in commercial freight at the West Dock other than shipments of aggregates.
- 1.11 The ferry service and the Channel Tunnel carried roll-on roll-off traffic, with cross-Channel freight totalling 1.77 million road haulage vehicles per year (2001 figures). It was not known what proportion of this freight was food and feeding stuffs. The Authority advised that import and export trade were not identified separately in the available Harbour Board figures. An internal report produced by the Authority in 2002 ('Funding of Port Health Service', 10 June 2002) had estimated that more than 1% of these vehicles were likely to be carrying food consignments (177,000 vehicles per year or 3,400 per week).

- 1.12 Much of the food entering Dover would have been in free circulation, having been produced within the European Community and subject to food safety checks at the point of origin. However, the Authority's internal report stated that a 'significant' proportion of these food consignments would have been transhipped from third countries, and therefore, had not been previously checked for compliance with EC and UK statutory standards. The auditors were advised that of the total road haulage traffic, HM Customs and Excise (HMCE) cleared some 4,000 vehicles from third countries per week. It was not known what proportion of these carried food consignments.
- 1.13 HMCE anti-smuggling and immigration controls were operated at the East Dock, but facilities for freight clearance were located at the West Dock. Consequently, vehicles that arrive at the East Dock carrying freight must enter the country and then be driven along a section of the A20 to the clearance facilities at the West Dock. Commercial pressures and restricted parking facilities encouraged a rapid throughput, although the Authority advised that there were considerable time delays between vehicles disembarking from the ferries and becoming available for inspection.
- 1.14 The Authority believed that the main non-EC NPOAO food imports received at the Port were typically fruit arriving by sea from South and Central America and West Africa, and a range of unidentified food products from Turkey and eastern Europe arriving on vehicles carried by ferries.
- 1.15 The Port is designated as a point of entry for specified high risk foods from third countries that are subject to mandatory controls under EC decisions and UK Emergency Control legislation. The Port had been de-listed as a Border Inspection Post for imported products of animal origin in July 2003.
- 1.16 Enforcement of imported food controls was the responsibility of the Food Safety Team in the Environmental Health Division of the Directorate of Community Services and Regeneration.

2. Executive Summary

- 2.1 Dover District Council was not providing an effective imported food control law enforcement service. Although Dover is a significant port of entry for imported foods, the Authority did not have a current Service Plan that addressed its imported food law enforcement responsibilities or which identified the resources needed to provide an effective service.
- 2.2 The Authority did not have adequate systems in place aimed at identifying and checking relevant foods.
- 2.3 The Authority estimated in its official returns to the Agency that, in the previous 2 years, around 100,000 NPOAO food consignments had arrived through Dover from third countries and on transshipments via other Member States without previous food safety checks. The Authority's records showed that the Service had examined only 10 of these consignments. Furthermore, mandatory controls in respect of high risk foods had not been carried out in accordance with European Community Decisions and UK Emergency Control legislation.
- 2.4 The Authority had used its formal enforcement powers in only a few cases and there were a number of problems in the drafting and processing of these formal notices.
- 2.5 A part time Port Health Officer had been designated, but imported food control represented about 5% of the Officer's responsibilities. The Port Health Officer's qualifications and training were insufficient for the duties required of this post and the level of authorisation conferred.
- 2.6 Some records of imported food activities were maintained in a handwritten log. These records were not sufficiently detailed to permit consignment traceability or to provide a record of any relevant actions taken, including deferrals of enforcement responsibility to other authorities. The Authority's official monitoring returns made to the Agency were compiled from incomplete records of actions and contained a number of inaccuracies.
- 2.7 The Authority was not carrying out internal monitoring of officer actions and did not have updated procedural guidance for imported food control activities.

3. Audit Findings

3.1 Planning and Organisation

Organisation and Management

- 3.1.1 The Authority had adopted a new political decision making structure. The Cabinet, comprising an appointed Leader and 6 councillors, was responsible for most day-to-day decisions.
- 3.1.2 Food law enforcement fell within the political remit of the Scrutiny (Environment and Transport) Committee and the Cabinet's Environment portfolio holder.
- 3.1.3 The Chief Environmental Health Officer had operational responsibility for food law enforcement, including imported food controls at the Port. The Environmental Health Service was part of the Authority's Directorate of Community Services and Regeneration.
- 3.1.4 The Authority had recently reorganised its structure with the primary aims of achieving more focused service delivery and budget savings of £3m within 3 years.
- 3.1.5 The Authority had established a Local Strategic Partnership with representatives from various community groups, local businesses and other agencies, including the Dover Harbour Board, to assist in delivering the District's Community Strategy. This document set out a *'shared vision for the community, reflecting local needs and priorities to guide all partners in developing and delivering services'*.
- 3.1.6 The Authority's Best Value Performance Plan (BVPP) 2003/2004 set out the corporate aims and key themes, together with details of its performance against national and local performance indicators (PIs). No PIs specific to imported food control had been established, although the BVPP did include the national PI – 'the score against a checklist of enforcement best practice for environmental health (BVPI 166)'. The Authority recorded an achievement rate of 46.6% for 2002/2003 and had set a target of 46% for 2003/2004.
- 3.1.7 The Authority had developed a 'Service Plan for Food Law Enforcement 2002/2003', but this did not address the Authority's imported food control responsibilities. A generic draft 'Environmental Health Service Plan' for 2003/2004 included a local PI for responding to port health service requests within 24 hours, but the current status of this document was unclear.

- 3.1.8 The Service considered that it did not have sufficient resources to meet its statutory duties as a food authority with regard to imported food. In the absence of a relevant Service Plan, however, this contention was not supported by any calculated figures for staff resource needs matched to a planned enforcement programme for imported food controls. The Service was therefore unable to provide objective evidence that confirmed or quantified any perceived resource deficiencies.
- 3.1.9 The financial allocation for imported food control at the Port had not been disaggregated from the total port health budget. Figures for all port health functions during 2002/2003 were provided, and these indicated an allocation of £58,075.
- 3.1.10 For the purposes of audit, the Authority provided the following estimate of the current staffing levels for imported food control work:

Officer designation	Estimated percentage of work time spent on imported food control
Port Health Officer (part time)	<* 5%
Environmental Health Officer	< 1%
Environmental Health Officer (newly qualified)	< 1%
Environmental Health Manager	< 1%

*< - less than

- 3.1.11 The designated Port Health Officer normally dealt with all port health work, with support available from environmental health officers of the Food Safety Team. In the absence of the Port Health Officer, out of hours stand-by cover was provided by an environmental health officer and the Environmental Health Manager.
- 3.1.12 The Chief Environmental Health Officer (CEHO) had drafted a report to the Authority's Cabinet in June 2002 highlighting concerns related to the resourcing of all port health work. With the relevant Member portfolio holder's agreement, this report was instead submitted to a Transitional Structure Team so that the issues raised might be taken into account as part of the Authority's re-organisation plans. A previous report on the port health function had been made to the Authority's Health and Housing Committee in March 2000.

3.1.13 The 2002 report confirmed that the Authority has 'designated port' status and, therefore, a statutory duty to carry out prescribed checks and sampling of certain high risk foods in addition to general surveillance work. The following related concerns were identified in the report:

- That the Authority was not in a position to quantify the volume or fully identify the nature of food imports entering the UK through the Port of Dover. However, of this '*a significant amount will be [NPOAO] foodstuffs from third countries outside the EC. . . subject to checks only at the country of final destination*' and which, therefore, '*require inspection*';
- '*The current service provision consists of 1 part-time Port Health Officer . . . and given that in the year 2000/2002 the sampling budget was £700, and is now only £2,000, there is little scope for undertaking any form of routine food sampling*'.

3.1.14 The CEHO's report concluded that:

- '*There is a marginal port health service for stopping and checking these products, which fails to perform many of the basic checks that a port health service should provide*'.

3.1.15 There was no evidence of any action taken by the Authority to address the concerns raised in this June 2002 report.

Recommendations

3.1.16 The Authority should:

- (i) Develop, document and implement a Service Plan for 2004/2005 that is in accordance with the Service Planning Guidance. The Service Plan should include specific references to the arrangements for imported food control, and identification of the financial and staff resources required and those available. Ensure that the Service Plan is submitted for Member approval. [The Standard – 3.1]
- (ii) Ensure that the annual review of performance against the service plan is submitted for Member approval, and that any variance in meeting the Service Plan is addressed in the subsequent year's service arrangements. [The Standard – 3.2 & 3.3]

Review and Updating of Documented Policies and Procedures

- 3.1.17 The Service had developed a range of documented food safety policies and procedures. These were of a clear and consistent format and all were marked with the date of issue.
- 3.1.18 The Service had also developed a comprehensive documented procedure that set out the arrangements for the control of internal policies and procedures and external reference documents. Two master sets of the Service's internal policies and procedures were maintained in hardcopy format. The auditors were advised that these were due to be transferred to the IT system so that officers could access them as electronic 'read only' versions.
- 3.1.19 The existing procedures did not, however, provide specific guidance to officers involved in NPOAO examinations and follow-up actions at the Port. The auditors were advised that a longstanding Port Health Manual had not been updated and was now obsolete, although officers available for out of hours cover at the Port and interviewed during the audit were generally of the view that this Manual remained in use.
- 3.1.20 Documented procedures had been implemented for actions taken under the Food Safety Act 1990. Some of these procedures, such as Food Safety Act detentions, seizures and voluntary surrenders of food were relevant to imported food controls, but these were developed for use in food premises and did not include any guidance specific to actions taken at the Port.
- 3.1.21 Officers had access to most of the relevant legislation and official guidance through official sites on the internet and an updated hardcopy food law encyclopaedia maintained by the Service.
- 3.1.22 The Service was unable to locate some key official guidance documents, however, and 3 superseded copies of Food Safety Act Codes of Practice were available for officer use. A file of Food Standards Agency official guidance documents was incomplete and lacked the following important provisions relating to controlled high risk food imports:
- 'Chemical Contaminants in Food – Explanatory Note on UK Statutory and Guideline Limits and EC Legislation' (2003);
 - 'Guidance on the Contaminants in Food (Amendment) Regulations 2002 (The Mycotoxin Regulations)';
 - Guidance on Star Anise (February 2002, March 2002 and September 2003);

- Guidance on products containing Sudan I dye (June 2003 and July 2003);
- Guidance on the Rapid Alert System for Food and Feed (March 2002 and June 2003);
- Guidance on HMCE/POAO arrangements (April 2003).

Recommendations

3.1.23 The Authority should:

- (i) Review the documented internal policies and procedures and ensure that they include the Authority's arrangements for food examinations and follow-up actions relating to imported foods. [The Standard – 4.1]
- (ii) Implement an effective document control system to ensure that all relevant up to date reference texts and official guidance documents are readily available to officers at all appropriate locations. [The Standard – 4.2]

Authorised Officers

- 3.1.24 The Authority's arrangements for the delegation of enforcement powers were set out in its recently revised 'Scheme of Officer Delegations and the Constitution'. This provided a coherent scheme of delegated authority, although it included references to revoked food safety legislation and important imported food control powers under the European Communities Act 1972 had been omitted. Officers had been issued with authorisations under the European Communities Act 1972, but it was not clear that these authorisations were consistent with the Authority's Constitution.
- 3.1.25 A documented procedure for the 'Authorisation and Training of Officers' had been implemented in May 2002. The procedure was in accordance with the Authority's scheme of delegated authority and officers were issued with warrant cards that confirmed their generic authorisations.

- 3.1.26 Although the limits of individual officers' authority were not confirmed, the qualification, training and experience criteria set out in the Authorisation Procedure was generally in accordance with the requirements of Food Safety Act Code of Practice No. 19: Qualifications and Experience of Authorised Officers.
- 3.1.27 The Authorisation Procedure included a preface that detailed a number of deficiencies in the Service's officer authorisation and training arrangements. It could not be confirmed whether the problems, identified by the Authority in May 2002, had all been addressed. Consequently, the Authority may be open to legal challenge until such time as these issues are resolved.
- 3.1.28 The auditors were advised that officer authorisations were due to be re-issued following a further planned review of the Authority's Constitution.
- 3.1.29 Imported food safety and food standards controls were primarily the responsibility of a part time Port Health Officer, (PHO) supported by an informal call-out system of officers with varying levels of food law enforcement experience. The designated PHO did not have the qualifications required by Food Safety Act Code of Practice No. 19, and was not qualified to carry out the duties for which the officer had been authorised. The Authority was aware of this but had no immediate plans to rectify the problem.
- 3.1.30 It could not be confirmed, from the Service's training records and the records of imported food examinations carried out, that officers involved, or those potentially involved in imported food control, had sufficient knowledge, training and practical experience of food hygiene and food standards enforcement to undertake these duties. The training records were incomplete and it may therefore be the case that some relevant training had been provided but not recorded.
- 3.1.31 The Authority had achieved Investors in People accreditation, which required annual assessments of officer training and development needs. The Service maintained records of these assessments, but there was little evidence that training needs relating to imported food control had been taken into consideration. The Service's officer training programme for 2003/2004 included limited references relevant to imported food.
- 3.1.32 The 2003/2004 officer training budget for all Environmental Health Service functions totalled £11,300.

Recommendations

3.1.33 The Authority should:

- (i) Review and revise the documented officer authorisation procedure to ensure that adequate provision is made for all authorisations relevant to the enforcement of imported food controls, and that these are in accordance with the scheme of delegation. [The Standard – 5.1]
- (ii) Ensure that officers are properly authorised to carry out the Authority's statutory imported food control responsibilities, commensurate with their individual levels of qualification, training and experience. [The Standard – 5.3]
- (iii) Ensure that all officers receive training on imported food controls, appropriate to their duties and levels of authorisation, and that adequate details of the content of training are maintained. [The Standard – 5.4 & 5.5]
- (iv) Ensure that identified team and officer training needs relating to imported food controls are collated and documented in the annual training programme. [The Standard – 5.4]

Facilities and Equipment

3.1.34 The Authority had made available the equipment necessary to permit all activities associated with the imported food control service.

3.1.35 The Service had concerns that the facilities available at the Port for detaining food consignments were not adequate. The Service had contacted the Port administration immediately prior to the audit, seeking to clarify whether cold storage facilities, temperature monitoring arrangements, including monitoring records were still available at the Port. The Authority was concerned that temperature controlled storage and inspection facilities could have been removed by the Port operators following the recent loss of the Port's Border Inspection Post status.

3.1.36 The Service maintained an externally calibrated reference thermometer for internal calibration checks of officers' thermometers. The auditors were advised that ad hoc checks were carried out, but these were not recorded. There was no documented procedure for ensuring that equipment was properly maintained and calibrated.

- 3.1.37 The Service had an electronic administration system that had been developed in-house and which was scheduled for replacement with a commercial software system by June 2004. A corporate Computer Security Policy had been implemented to minimise the risk of corruption of the database and for the safe storage of data.
- 3.1.38 Most imported food control activities, however, were not entered onto the database. The Service's records relating to imported food controls at the Port were handwritten in a 'daybook' held at the Port. The audit identified inconsistent and incomplete records relating to imported food checks and sampling.
- 3.1.39 These inaccuracies in record collation were reflected in the Authority's official monitoring returns to the Agency. The Authority's submission earlier this year, in response to the Agency's Baseline Data Survey on Imported Food Enforcement Activity, also contained inaccuracies. The Authority's returns relating to the numbers of consignments checked and those rejected were inconsistent with those recorded in the manual log and appeared to under-represent the actual level of activity.
- 3.1.40 The Authority's returns for food consignments entering the Port had been derived from a notional percentage (1%) representing the proportion of all incoming road vehicles that may have carried food, added to the figures for some sea-borne cargo provided by the Harbour Board. An un-quantified adjustment was then made to this figure to represent the 'significant' proportion of the total food imports arriving unexamined from third countries. This approach did not take all potential sources of information into consideration, such as data available to HMCE, the Port's centralised Freight Services Agency and import agents. No data verification checks were carried out by the Authority.

Recommendations

- 3.1.41 The Authority should:
- (i) Review the facilities available for the detention and examination of imported foods to ensure that these are adequate.
[The Standard – 6.1]
 - (ii) Develop, maintain and implement a documented procedure to ensure that equipment is properly maintained and calibrated, and that appropriate records of calibration checks are kept.
[The Standard – 6.2]
 - (iii) Ensure that the Authority's official monitoring returns are an accurate reflection of actual imported food control activity.
[The Standard – 6.4]

Liaison with Other Organisations

- 3.1.42 Liaison arrangements were in place aimed at facilitating consistent food law enforcement. This was principally through the Authority's regular attendance at meetings of the following local authority enforcement groups:
- Kent Food Group, and
 - Kent Food Sampling Sub-Group.
- 3.1.43 The auditors were advised that the Authority was a member of the Association of Port Health Authorities (APHA) and received minuted copies of the Association's meetings and routine briefings, although the Service did not participate in liaison meetings with other food law enforcement authorities with port responsibilities.
- 3.1.44 The auditors were advised that a Dover Port Liaison Group had not met since 2002 and was now disbanded. This group, which included representatives from the various Port enforcement agencies and the main shipping companies, had been led by HMCE and focused primarily on Customs issues. Similarly, the Authority no longer attended meetings of the Cruise Ship Liaison Committee and a Freight Liaison Group had also been disbanded.

- 3.1.45 The Authority was represented by the CEHO and a Councillor at bi-annual meetings of the Port Consultative Committee (PCC). This was a high level meeting of Port and local authority administration, commercial, business and residents' representatives, and Port based enforcement agencies. The PCC was concerned with strategic issues affecting the District and region. There was no evidence from the available minutes of recent meetings that imported food control issues had been raised.
- 3.1.46 The auditors were advised that the Service held meetings with local HMCE officials and the Port management when specific issues arose, but these were ad hoc rather than structured and planned. There was no evidence that the Authority liaised routinely with HMCE, the Port's central Freight Services Agency or freight handling businesses.

3.2 Imported Food and Feeding Stuffs Control Activities

Food and Feeding Stuffs Inspection and Sampling

3.2.1 The Authority's official monitoring returns to the Agency indicated the following levels of third country NPOAO activity at the Port:

Year	NPOAO* Consignments:			
	Entering	Checked	Rejected	Sampling**
2002	45,000	3	1	0
2001	44,000	0	0	0

* figures relate to third country (unchecked) food consignments.

** the Authorities records indicated that 10 informal food samples had actually been taken during the 2 years preceding the audit.

3.2.2 Most NPOAO food consignments entering the UK at Dover are in free circulation within the EC as they are deemed to have satisfied food safety and standards checks at their point of origin. However, the Authority did not have adequate systems in place to identify third country imports, some of which will have arrived via other Member States. Third country imports have not been subject to prior food safety and standards checks to ensure compliance with EC and UK standards. The Authority did not have an effective system for gathering information from all available sources or a proactive approach to checking food consignments, including those subject to statutory controls.

3.2.3 The Authority acknowledged that the figures for food consignments entering the Port were largely based on guesswork, but contended that this was unavoidable because, in the absence of any pre-notification requirement for imported NPOAOs, it was not practicable to determine the volume of food arriving by ferry, road and rail. It was evident, however, that there were a number of measures that had not been explored by the Service and which were likely to provide additional and more reliable data.

3.2.4 The auditors were informed that copies of daily shipping lists were available, which included some general information on cargo, but there was no evidence that the manifests of ships arriving at the deep-sea terminal had been requested by the Authority.

3.2.5 In September 2003, the Service had written to the 3 cross-Channel ferry companies operating from the Port to inform them that ship manifest details needed to be provided for the purposes of this audit. There was no evidence that these manifests were requested or considered by the

Authority prior to this date. The Service had not attempted to liaise with the freight agents or to establish effective working relationships with other commercial, administrative and official bodies based at the Port that could assist in identifying food consignments.

3.2.6 A letter advising of requirements relating to imports of organic foods had been sent by the Service to local import agents. Although the contact details for 39 local agents were retained on file, the Authority had not attempted to utilise this information in order to identify other foods that were being imported.

3.2.7 The Service had arranged for HMCE to notify the Authority of just 2 types of high risk foods subject to statutory controls. The Authority was aware, however, that other designated high risk foods subject to enhanced EC checks were not covered by this procedure. Furthermore, the Authority was not examining most high risk foods arriving out of office hours and these were also released without any food safety checks. Although some limited enquiries had been made, there was no evidence that the Authority had taken any effective action to discuss and seek remedies to these specific problems or to improve the level of information received from this source.

3.2.8 There were practical difficulties entailed in achieving effective controls of third country imported foods at the Channel Tunnel. These are subject to further meetings and consideration by the relevant local authorities, the Agency and HMCE.

3.2.9 The Authority did not have any documented procedures specific to imported food control work other than a brief undated statement of the types of NPOAO foods that *'warrant Port Health attention'* together with a protocol for sampling. The list of foods to be examined was confined to the following and did not cover all high risk foods subject to specific statutory controls:

- *'nuts and figs';*
- *'organic foods';*
- *'other foods – either fruit imported at the cargo terminal or individual containers entering on a road vehicle via a ro-ro ferry'.*

3.2.10 This procedure further stated that *'foods moving through the cargo terminal do not warrant routine inspection. Where an inspection does take place, this will be at the request of the agents and at the discretion of the authorised officer'.*

- 3.2.11 The Service's manual log of imported food control activity indicated that 10, rather than the 3 checks reported in the official returns to the Agency had been carried out over the preceding 2 years. The consignment rejected by the Authority in 2002 was a POAO and should not, therefore, have been included in these official returns.
- 3.2.12 Given the significant quantities of third country imported foods believed by the Authority to be arriving through Dover, and notwithstanding the difficulties involved in identifying and predicting consignment arrivals, this level of checking was inadequate. It was also evident from the Authority's limited records of identified consignments that not all foods subject to Emergency Control provisions, and requiring enhanced checks at ports of entry, had been recognised as such. Where action had been taken, this had not been in accordance with statutory and official guidance.
- 3.2.13 The imported food control service was operated primarily from the Council offices approximately 5 miles from the Port. The Port Health Officer visited the Authority's office at the Port twice daily, early in the morning and at lunchtime, to check for recorded messages on the Authority's Port Health telephone. The Service had an informal performance indicator to respond to any such notifications within 6 hours. The auditors were informed that this PI was generally met but not recorded.
- 3.2.14 The Authority was attempting to provide some risk based checks on imports by targeting some designated high risk nut and fig consignments, but this was not being achieved in practice. The 10 checks carried out in the preceding 2 years were limited to documentation checks and informal sampling. Although authorised, the Port Health Officer did not have the necessary qualifications required by statutory Codes of Practice to carry out 'formal' food examinations and formal sampling, or to serve any necessary enforcement notices.
- 3.2.15 No formal detention notices had been served, but the Authority recently served rejection notices under the Imported Food Regulations 1997 in relation to a 'groupage' consignment of Iranian products. The audit identified a number of significant defects relating to both the drafting of the notices and the formal process.
- 3.2.16 The records of 9 voluntary surrenders of imported foods were examined. In all cases these related to over-ripe and poor quality bananas received at the Port. These voluntary surrenders had been carried out in accordance with the requirements of Food Safety Act Code of Practice No. 4: Inspection, Detention and Seizure of Suspect Foods. Although there was no evidence to the contrary, the Service did

not maintain records to confirm that the foods had been properly disposed of.

- 3.2.17 The Authority's Service Plan for Food Law Enforcement 2002/2003 stated that *'it is the Council's current policy not to undertake routine sampling of third country food imports unless specifically requested to do so. Only a minimal budget is therefore available for this function'*. The auditors were advised that this remained the Authority's policy and that *'requested'* related to any notifications of high risk foods that may be received from HMCE or requests by Kent County Council for food standards sampling.
- 3.2.18 The Service had implemented a documented procedure for general food sampling, but this was not directly relevant to imported food controls at the Port. An addendum to the sampling procedure provided an outline of some general requirements of the Contaminants in Food Regulations 2002. This also included a methodology for using in-house a test kit to screen for aflatoxins, although the procedure was marked as no longer in use as all samples were now submitted to an accredited laboratory.
- 3.2.19 The Authority's records of 5 informal imported NPOAO samples taken by the Authority over the preceding 2 years were examined. No formal sampling had been carried out. Products subject to Emergency Controls had been sampled, but these had not been dealt with in accordance with the relevant EC Decision and UK statutory provisions. The samples submitted to the accredited laboratory for testing did not appear to have been taken in accordance with the prescribed sampling process and were insufficient for full official testing purposes. Honey had been sampled under the wrong legislation and was wrongly recorded as a NPOAO.
- 3.2.20 The records for imported food sampling activity carried out by the Authority were incomplete and did not provide adequate details of the actions taken. In 4 of the 5 cases examined it appeared that appropriate follow-up action had not been taken.
- 3.2.21 It was evident that the Authority had attempted to defer some examinations and follow-up actions relating to identified consignments, but these were not fully recorded. In a case relating to possible food contamination, the Authority had notified the food manufacturer receiving the consignment but did not involve the 2 Originating Authorities concerned or take any further action. In general, the Service's records of referrals were insufficient for traceability purposes and, in most cases, did not provide details of actions that may have been taken.

- 3.2.22 There were no documented procedures for deferred action or referral to other enforcement authorities. The Authority considered, however, that it had effective liaison arrangements with Kent County Council Trading Standards Service for the notification of food standards and animal feeding stuffs enforcement issues.
- 3.2.23 The Authority was not aware of any feeding stuffs imported through Dover, and no food standards issues had been identified other than a recent consignment of tomato paste that appeared to have a 1983 Best Before date. This was not detained, although an informal sample had been taken. The auditors were advised that the receiving enforcement authority had been notified while the results were awaited.
- 3.2.24 The Authority's total imported food sampling budget for 2003/2004 was £2,300. The laboratories used by the Service for port health work were properly accredited, but there was no evidence that the Public Analyst had been formally appointed by the Authority.

Recommendations

3.2.26 The Authority should:

- (i) Ensure that effective arrangements are in place to enable the Authority to improve the identification of NPOAO food consignments arriving at the Port, and to adopt an appropriate and effective risk based approach to imported food inspection and control. The actions taken should ensure that imported foods are in full conformance with any relevant statutory controls, official guidance and legally prescribed standards. [The Standard – 12.1 & 12.2]
- (ii) Review and revise the sampling policy as necessary to ensure that it contributes to an adequate and effective risk based control system for imported foods, and that this area of work is incorporated in a documented sampling programme. Implement the revised sampling policy and programme. [The Standard – 12.3 & 12.5]
- (iii) Revise the existing documented food safety sampling procedure so that adequate and appropriate sampling guidance is available to officers on imported food sampling and follow-up actions. Implement the revised procedures. [The Standard – 12.4 & 12.5]
- (iv) Ensure that the Public Analyst is properly appointed for Port Health Authority purposes. [The Standard – 12.7]
- (v) Liaise with HMCE, and appropriate business and operator representatives at the Port, in order to improve the identification of imported food and feeding stuffs and to assist in ensuring a consistent standard of enforcement. [The Standard – 18.1]

Enforcement

- 3.2.27 The Authority had adopted the Enforcement Concordat. This is a Cabinet Office and Local Government Association scheme that sets out the principles of good enforcement practice, based on the following criteria:
- Standards of service and performance;
 - Openness and clarity;
 - Helpfulness;
 - Effective complaints procedures;
 - Proportionality of enforcement actions;
 - Consistency.
- 3.2.28 It was not clear whether the Authority had an approved Enforcement Policy at the time of audit. The auditors were advised that a food law Enforcement Policy had been drafted (dated July 2002) and this was due for a Member decision on approval on 24 November 2003, but the minutes of this meeting were not available. The draft included a statement of intent to ensure that *'food . . . imported within the district is without risk to the health or safety of the consumer'*.
- 3.2.29 There was no evidence that officers were aware of the Policy or that it was being implemented. Subject to the limitations of the Authority's records, a number of enforcement actions examined and outlined in the previous section of this report appeared not to be in accordance with the criteria set out in the Enforcement Policy. This included the Authority's assertion in its Policy that decisions on the fitness of food would only be made by officers with the relevant food inspection qualifications, and that formal enforcement powers would be used in cases where there is a proportionate risk to public health.

Recommendations

- 3.2.30 The Authority should:
- (i) Ensure that it develops a food law Enforcement Policy that is approved by Members, and that imported food control issues are properly addressed. Ensure that the Policy or an accurate summary is made readily available to the public and relevant food businesses. [The Standard – 15.1]
 - (ii) Ensure that imported food controls are carried out in accordance with the Enforcement Policy and the relevant official guidance. The reasons for any actions taken outside the criteria set out in the Enforcement Policy should be recorded. [The Standard – 15.2 & 15.3]

Food Complaints and Home Authority Principle

- 3.2.31 The Authority did not have a policy on the Home Authority Principle and the auditors were informed that no local businesses had expressed a desire to enter into any arrangements.
- 3.2.32 Although there was some evidence that the Service had contacted other enforcement authorities concerning imported food control problems, these had not always been in accordance with the Home Authority Principle or properly recorded.
- 3.2.33 The Service had documented policies and procedures for dealing with food and food premises complaints. These covered general complaints but did not include any guidance specific to imported foods.
- 3.2.34 The auditors were informed that no complaints had been received relating to imported foods. However, the Authority advised that an inland enforcement authority had contacted the Service due to concerns about a consignment of Turkish nuts, subject to Emergency Control provisions, which had been identified in the complainant authority's area and which had been imported through the Channel Tunnel. The Authority advised that these would not have been examined when imported and no further actions were taken. No records had been kept of these discussions.

Recommendation

3.2.35 The Authority should:

Review and revise the internal food complaints policies and procedures to ensure that complaints about imported foods are covered, and that all relevant issues are incorporated, including contact with Home and Originating Authorities. [The Standard – 8.1]

Food Safety Incidents

3.2.36 The Service had developed a documented procedure relating to food hazard warnings (FHWs) and had systems capable of receiving them.

3.2.37 The procedure did not provide guidance on receiving and responding to Rapid Alert System for Food and Feed (RASFF) notifications or how these should be initiated. The auditors were informed that the Port Health Officer was responsible for checking RASFF notifications in practice.

3.2.38 It could not be confirmed that the Authority responded to RASFF notifications and FHWs relating to imported foods, or that alerts were initiated when necessary. The Authority had not taken action at the Port to identify, examine and where necessary reject imported foods subject to official guidance and FHWs, such as those containing Sudan I dye.

Recommendations

3.2.39 The Authority should:

- (i) Review and expand the food hazard warning documented procedures to ensure that adequate procedural guidance is provided in relation to receiving and responding to RASFF alerts. Ensure that the procedures are implemented and that appropriate action is taken on all relevant notifications. [The Standard – 14.4]
- (ii) Ensure that its responses to and the outcomes of relevant FHW and RASFF alerts are recorded. [The Standard – 14.3]

Advice to Business and Food Safety and Standards Promotion

- 3.2.40 Other than verbal advice given to agents and importers in response to specific enquiries, there was little evidence of any proactive initiatives aimed at assisting businesses and importers to comply with food import controls.
- 3.2.41 The auditors were informed that a letter had been sent to all shipping agents operating from the Port advising them of recent requirements relating to organic products.

3.3 Monitoring Arrangements

Internal Monitoring

- 3.3.1 The Service had a documented procedure for qualitative internal monitoring of food law enforcement activities, but this did not cover imported food controls and the auditors were advised that this area of work was not monitored in practice.
- 3.3.2 Regular and routine Commercial Group team meetings were scheduled and minuted and there was evidence that Port related issues were discussed.
- 3.3.3 An internal Audit Report on Port Health had been carried out in 1999 with the aim of ensuring that the Authority met its statutory responsibilities in the provision of port health services. With regard to imported food controls, however, the Authority had based this audit on an assumption that the Service was responsible only for aflatoxin checks on nuts and figs. This was incorrect and the conclusions of this audit were therefore misleading.
- 3.3.4 An internal assessment of the Service's performance had been carried out with regard to the good practice guidance ('Guide No. 2: Control of Imported Food Not of Animal Origin'), set out in the Syniad Benchmarking Centre report 'Benchmarking the Port Health Function' (November 2002). The Authority had concluded that the checks it carried out met the minimum standard for each of the significant control criteria and that it was achieving the 'good' and 'better' practice levels for 7 of the 11 criteria. This assessment was also inaccurate and misleading.

Recommendation

- 3.3.5 The Authority should:

Review and revise the documented monitoring procedures and ensure that an effective system for monitoring imported food control work is implemented. This will enable the Service to verify its conformance with relevant legislation, official guidance, its own policies and procedures and the Standard. [The Standard – 19.1]

Records

- 3.3.6 All examinations of imported food consignment were recorded in a handwritten 'daybook' that had been in use since 1994 and which contained no entries since mid-November 2003. These records were inadequate and incomplete.
- 3.3.7 Sampling certificates and details of voluntary surrenders were held separately in hardcopy form.
- 3.3.8 The Authority had not recorded all relevant activities and where some notes were available, these did not provide sufficient details of product descriptions, the nature of any checks carried out, the actions taken and of persons or authorities contacted. As such, the Authority's records did not provide consignment traceability and were inadequate for compiling accurate official statistical returns and for internal monitoring purposes.

Recommendation

- 3.3.9 The Authority should:

Ensure that sufficiently detailed records of imported food consignments are maintained, together with confirmation of the examinations to determine compliance with legal requirements, any actions taken and persons contacted. [The Standard – 16.1]

Complaints about the Service

- 3.3.10 A leaflet providing details of the corporate complaints procedure had been issued and this was made available from public reception points at the Council offices.
- 3.3.11 There was no evidence that any complaints had been made against the food law enforcement service during the 2 years preceding the audit.

Third Party or Peer Review

- 3.3.12 The Authority had not participated in any inter authority auditing schemes or peer review processes with other enforcement authorities.

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 Mark Ball

Food Standards Agency

Local Authority Enforcement Division and Imported Foods Division

Action Plan for Dover District Council and Port Health Authority

Audit date: 2-4 December 2003

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
Service Plan to be revised to include references to imported food control. Plan to be submitted to Cabinet.	17/05/04	3.1.16(i) Develop, document and implement a Service Plan for 2004/2005 that is in accordance with the Service Planning Guidance. The Service Plan should include specific references to the arrangements for imported food control, and identification of the financial and staff resources required and those available. Ensure that the Service Plan is submitted for Member approval. [The Standard – 3.1]	Revisions to Service Plan to be agreed by EHM and Team Leader of Commercial Section.
Review of performance against Service Plan to be carried out, documented and submitted for Member approval.	19/01/05	3.1.16(ii) Ensure that the annual review of performance against the Service Plan is submitted for Member approval, and that any variance in meeting the Service Plan is addressed in the subsequent year's service arrangements. [The Standard – 3.2 & 3.3]	
Policy and Procedures to be revised to include food examinations and imported food controls.	30/04/04	3.1.23(i) Review the documented internal policies and procedures and ensure that they include the Authority's arrangements for food examinations and follow-up actions relating to imported foods. [The Standard – 4.1]	External consultants to be employed for this task.
Document control systems to be examined and improved where necessary.	31/03/04	3.1.23(ii) Implement an effective document control system to ensure that all relevant up to date reference texts and official guidance documents are readily available to officers at all appropriate locations. [The Standard – 4.2]	All superseded documents to be marked as such. Locations to be agreed.
Authorisations to be reviewed and revised to ensure that imported food enforcement is in accordance with scheme of delegation.	30/05/05	3.1.33 (I) Review and revise the documented officer authorisation procedure to ensure that adequate provision is made for all authorisations relevant to the enforcement of imported food controls, and that these are in accordance with the scheme of delegation. [The Standard – 5.1]	

Officers to be authorised commensurate with their qualifications.	30/05/04	3.1.33(ii) Ensure that officers are properly authorised to carry out the Authority's statutory imported food control responsibilities, commensurate with their individual levels of qualification, training and experience. [The Standard – 5.3]	
Officers to attend appropriate imported food control courses. Training records are kept in Procedures Manual.	30/04/04	3.1.33(iii) Ensure that all officers receive training on imported food controls, appropriate to their duties and levels of authorisation, and that adequate details of the content of training are maintained. [The Standard – 5.4 & 5.5]	
All Officer training to be agreed during annual appraisal. For this year only, review will take place during interim appraisal. Identified training needs are to be collated in a documented training programme.	01/05/04	3.1.33(iv) Ensure that identified team and officer training needs relating to imported food controls are collated and documented in the annual training programme. [The Standard – 5.4]	
Meeting to be held within Dover Harbour Board to review facility.	30/05/04	3.1.41(i) Review the facilities available for the detention and examination of imported foods to ensure that these are adequate. [The Standard – 6.1]	
Procedure to be reviewed and calibration checks to be recorded. To be reviewed at next team meeting.	30/04/04	3.1.41(ii) Develop, maintain and implement a documented procedure to ensure that equipment is properly maintained and calibrated, and that appropriate records of calibration checks are kept. [The Standard – 6.2]	
New computer database to be installed, which will capture records. Team Leader to check official returns before they are submitted.	01/09/04	3.1.41(iii) Ensure that the Authority's official monitoring returns are an accurate reflection of actual imported food control activity. [The Standard – 6.4]	Will capture records from second quarter onwards.

On-going discussions with HMCE. Levels of imported foodstuffs to be monitored. Action taken to ensure all high risk foodstuffs are notified to Port Health. Ex-Port Health Officer to undertake "sampling" of HMCE records, subject to agreement by HMCE.	30/04/04	3.2.26(i) Ensure that effective arrangements are in place to enable the Authority to improve the identification of NPOAO food consignments arriving at the Port, and to adopt an appropriate and effective risk based approach to imported food inspection and control. The actions taken should ensure that imported foods are in full conformance with any relevant statutory controls, official guidance and legally prescribed standards. [The Standard – 12.1 & 12.2]	
Sampling policy to be reviewed and revised so that it contributes to an adequate control system for imported foods. Policy and programme to be implemented. Proposals to be put to Cabinet.	30/09/04	3.2.26(ii) Review and revise the sampling policy as necessary to ensure that it contributes to an adequate and effective risk based control system for imported foods, and that this area of work is incorporated in a documented sampling programme. Implement the revised sampling policy and programme. [The Standard – 12.3 & 12.5]	Will require additional resources from Cabinet.
Food safety sampling procedures to be reviewed to include guidance on imported food sampling and follow-up actions.	31/05/04	3.2.26(iii) Revise the existing documented food safety sampling procedure so that adequate and appropriate sampling guidance is available to officers on imported food sampling and follow up actions. Implement the revised procedures. [The Standard – 12.4 & 12.5]	
Dover District Council to arrange appointment of Public Analyst for both District and Port functions.	30/04/04	3.2.26(iv) Ensure that the Public Analyst is properly appointed for Port Health Authority purposes. [The Standard – 12.7]	Service Level Agreement drawn up and submitted to Public Analyst.

Awaiting changes to Dover Customs operations. Service Level Agreement sent but not agreed. Further consultation to take place with business representatives.	21/06/04	3.2.26(v) Liaise with HMCE, and appropriate business and operator representatives at the Port, in order to improve the identification of imported food and feeding stuffs and to assist in ensuring a consistent standard of enforcement. [The Standard – 18.1]	HMCE not willing to discuss SLA until Law Enforcement (LE) division takes over on 1 May 2004
Food Law Enforcement policy to be submitted to and approved by Members. The approved policy to be available to the public in written form and via the Council's website.	17/05/04	3.2.30(i) Ensure that it develops a food law Enforcement Policy that is approved by Members, and that imported food control issues are properly addressed. Ensure that the Policy or an accurate summary is made readily available to the public and relevant food businesses. [The Standard – 15.1]	Currently in draft. Requires amending to incorporate Imported Food Controls.
Imported Food Controls to be carried out in accordance with Enforcement Policy and relevant official guidance.	17/05/04	3.2.30(ii) Ensure that imported food controls are carried out in accordance with the Enforcement Policy and the relevant official guidance. The reasons for any actions taken outside the criteria set out in the Enforcement Policy should be recorded. [The Standard – 15.2 & 15.3]	Subject to adoption of Food Law Enforcement Policy.
Documented Procedure to be revised to include complaints about imported food.	30/04/04	3.2.35 Review and revise the internal food complaints policies and procedures to ensure that complaints about imported foods are covered, and that all relevant issues are incorporated, including contact with Home and Originating Authorities. [The Standard – 8.1]	
Documented procedure to be revised to include RASFF alerts. The revised procedure will be implemented and appropriate action will be taken on any relevant notifications.	30/04/04	3.2.39(i) Review and expand the food hazard warning documented procedures to ensure that adequate procedural guidance is provided in relation to receiving and responding to RASFF alerts. Ensure that the procedures are implemented and that appropriate action is taken on all relevant notifications. [The Standard – 14.4]	

Relevant FHW and RASFF alerts are recorded and outcomes detailed where appropriate.	Completed.	3.2.39(ii) Ensure that its responses to and the outcomes of relevant FHW and RASFF alerts are recorded. [The Standard – 14.3]	
Documented monitoring procedures to be reviewed to include Port Health function. National Benchmarking report to be revisited and assessed in light of F.S.A. audit. The revised procedure will be implemented and appropriate actions taken.	31/05/04	3.3.5 Review and revise the documented monitoring procedures and ensure that an effective system for monitoring imported food control work is implemented. This will enable the Service to verify its conformance with relevant legislation, official guidance, its own policies and procedures and the Standard. [The Standard – 19.1]	
Records now kept of imported food consignments together with confirmation of the examinations undertaken to determine compliance with legal requirements.	Completed.	3.3.9 Ensure that sufficiently detailed records of imported food consignments are maintained, together with confirmation of the examinations to determine compliance with legal requirements, any actions taken and persons contacted. [The Standard – 16.1]	Deep water manifests are received on daily basis. Records of examinations are kept in Imported Food Register. Sample results kept in sample register. To investigate potential for use of IT database for recording results.

Glossary

Agricultural Analyst	A person, holding the prescribed qualifications, who is formally appointed by a local authority to analyse feeding stuffs samples.
Airway bills	Commercial documents providing a general description of cargo items.
Authorised officer	A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.
Best Value	<p>A Government policy which seeks to improve local government performance in the delivery of services to local communities – from education and care for the elderly through to environmental health and road maintenance. Best Value aims to ensure that the cost and quality of these services are of a level acceptable to local people by:</p> <ul style="list-style-type: none"> • increasing the role of local people in deciding the priorities for local government services • improving the way authorities manage and review their business • building on the experience and expertise of staff.
Border Inspection Post	Point of entry into the UK from non-EU countries for products of animal origin.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.
Consignment	Can consist of 1 type of product or a number of different types of products 'consigned' to a destination, an agent/shipper, a company or an individual.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
Defra	The Department for Environment, Food and Rural Affairs. The Government department designated as the central competent authority for products of animal origin in England.
District Council	A local authority of a smaller geographic area and situated within a County Council whose responsibilities include food hygiene enforcement.

Enforcement Concordat	Government guidance setting out principles and procedures of good enforcement which local authorities may adopt. Developed in consultation with businesses, local and central government, consumer groups and other interested parties. It sets out what businesses and others being regulated can expect from enforcement officers.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
ERTS	Enhanced remote transit shed. An HM Customs and Excise designated warehouse where goods are held in temporary storage pending Customs clearance and release for free circulation.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
Food Examiner	A person holding the prescribed qualifications who undertakes microbiological analysis on behalf of the local authority.
Food Hazard Warnings	This is a system operated by the Food Standards Agency to alert the public and local authorities to national or regional problems concerning the safety of food.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Food Standards Agency	The non-ministerial department designated as the central competent body responsible for enforcement support, advice and audit of enforcement activity with regard to local authority food safety and standards controls, including imported foods not of animal origin.
Formal samples	Samples taken in accordance with the requirements of Food Safety Act Code of Practice No 7: Sampling for Analysis or Examination. Formal samples included on the Official Control Directive monitoring statistics are those taken in accordance with the relevant sampling regulations and submitted to an accredited laboratory on the official list. The official list is available on the Food Standards Agency website at www.food.gov.uk/enforcement/foodcontrollabs

Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food law enforcement services of local authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	<p>A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food enforcement.</p>
Home Authority	<p>An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.</p>
Informal samples	<p>Samples that have not been taken in accordance with the appropriate sampling regulation (e.g. samples for screening purposes) and/or not sent to an accredited laboratory.</p>
Inter Authority Auditing	<p>A system whereby local authorities might audit each others' food law enforcement services against an agreed quality standard.</p>
Manifest	<p>Commercial document providing a general description of cargo.</p>
Member forum	<p>A local authority forum at which Council Members discuss and make decisions on food law enforcement services.</p>
Metropolitan Authority	<p>A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.</p>

NPOAO	Products NOT of animal origin. Foods that fall under the requirements of the Imported Food Regulations 1997.
OCD returns	Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.
Originating Authority	An authority in whose area a business produces or packages goods or services and for which the Authority acts as a central contact point for other enforcing authorities' enquiries in relation to the those products
POAO	Products of animal origin. Animal derived products that fall under the requirements of the veterinary control regime.
Port Health Authority	An authority specifically constituted for port health functions including imported food control.
Public Analyst	An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food samples.
RASFF	Rapid alert system for food and feed. The European Union system for alerting port enforcement authorities of food and feed hazards.
Service Plan	A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Third Country	Countries outside the European Union.
Trading Standards	The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.
Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.
Unitary Authority	A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.