HM Government

The UK assurance system for official controls in the agri-food chain

20 December 2020

Contents

Purpose of this document

This document summarises the UK system for assuring that the regulation of food and feed safety, animal health and welfare (including aquatics) and plant health within the agri-food chain is fit for purpose and properly implemented. It provides an overview of how relevant legislation is developed, implemented and enforced, how the UK assures that regulation is effective and proportionate, how accountability is provided through robust management assurance and audit procedures, and how the work of the various authorities is coordinated to provide the very best outcomes.

Introduction

The UK has a world-renowned reputation for its high standards of safety and quality across the agri-food chain that is maintained and developed through a robust regulatory and assurance framework.

The UK is home to a thriving food and farming industry, with 17.5 million hectares of land (72% of land area) under cultivation. Approximately one-third of this land is used for arable farming, with the remaining utilised for livestock, including around 10 million cattle, 34 million sheep, 188 million poultry and 5 million pigs. An additional 3 million hectares of woodland form the UK's forestry sector. With 1 in 8 of the UK workforce employed in food and farming, it is the UK's biggest employer.

Food safety, animal health and welfare and plant health are fundamentally linked within the agri-food chain. Zoonotic disease outbreaks can create a real threat to public health through food, while food imports pose a risk to biosecurity. Additional risks exist within each area – from food hygiene to veterinary residues, and from tree disease to the welfare of animals at slaughter.

This document complements the **UK Multi-Annual National Control Plan and Annual Report** which together detail how UK official controls operate and how the relevant requirements are met for food and feed, animal and plant health and animal welfare legislation.

A separate document, titled **Safeguarding our animals and plants**, provides a high-level overview of the full UK biosecurity system and how the UK delivers high standards of protection from pests, disease and invasive non-native species. These high standards demonstrate the UK's commitment to the protection of our animal health (which includes farmed fish), plant health, ecosystems, industry and trade.

£23.6 billion

worth of food, feed and drink was exported in 2019, with key exports including **whisky**, **salmon**, **chocolates**, **dairy products**, **meats** and **fish products**.

Upholding high standards

The UK has a well-established and effective assurance system to ensure that relevant agri-food legislation is properly enforced and remains fit for purpose. The UK food and farming sector is one of the most highly regulated in the world, meeting the strict requirements of UK legislation. Following the UK's exit from the EU, existing EU controls and standards have been enshrined in UK law through the EU (Withdrawal) Act 2018 and secondary legislation (statutory instruments) made under the Act.

The UK Government has committed to maintaining the UK's high standards following EU Exit, and the agri-food regulatory system will continue to provide the same high levels of assurance to consumers and trading partners.

EUR 2017/625 on *'official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products'* sets out rules for the organisation of official controls.

This has been transposed into UK domestic law under the EU (Withdrawal) Act and requires the following:

Compliance:

UK agri-food chain legislation requires competent authorities to verify that businesses comply with the relevant UK rules and that animals or goods meet specific requirements, with such verification being refered to as an official control. Competent authorities should ensure the quality, consistency and effectiveness of official controls.

Enforcement:

To ensure that UK agri-food chain legislation is correctly enforced, the competent authorities should have the power to perform official controls at all stages of production, processing and distribution of animals and goods concerned by that legislation.

Audit and assurance:

The competent authorities should carry out internal audits or have audits carried out on their behalf, to ascertain compliance with EUR 2017/625. Those audits should be carried out in a transparent manner and be subject to independent scrutiny.

These principles form the basis of the UK assurance system and are enforced through domestic secondary legislation. Further information on legislation and the implementation of official controls is included in Appendix 1.

The structure of the UK assurance system

The UK assurance system covers all aspects of food safety, food labelling, feed safety, animal welfare, animal health, plant health, biosecurity and chemical safety within the agri-food chain. Over 25 authorities and 8,000 trained, competent staff play an important part in ensuring legislation is properly implemented and that trading requirements are met across the UK.

A series of audit and assurance processes take place to ensure that regulation is effective across the agri-food chain. These are set out in Figure 1 and are explained on the following page.

Figure 1: The UK regulatory and assurance system for the agri-food chain, December 2020

UK COORDINATION

Defra

Tier 3: Central Competent Authorities

FOOD AND FEED SAFETY & STANDARDS
Food Standards Agency, Food Standards Scotland, Defra, DHSC

ANIMAL HEALTH & WELFARE
Defra (England), EERA (Wales), ARE (Scotland), DAERA (NI)

PLANT HEALTH
Defra (England), EERA (Wales), ARE (Scotland), DAERA (NI), The Forestry Commissions

Central Competent Authorities undertake audit and assurance of Enforcing Competent Authorities to ensure that they are properly applying official controls. This is delivered by the independent audit team within each Central Competent Authority.

Additional scrutiny: Inspections for verification of UK official controls are routinely undertaken by trading partners to ensure that UK exports meet their respective import requirements. To date, this has included regular inspections by the EU (through Santé F) of the UK as a Member State, the most recent being a follow-up audit of UK National Audit Systems in 2018. Following the UK's exit from the EU, the UK will continue to be audited by the EU to ensure that the UK meets the EU's standards. Recent inspections of the UK by other countries include the Philippines (meat products, 2016), Mexico (pig meat, 2017), Vietnam (beef, 2017), China (beef, 2019) and USA (pork, beef and lamb, 2019).

Tier 2: Enforcing Competent Authorities

FSA, FSS, DAERA (NI) Defra, APHA, VMD, CRD, Local Authorities, Port Health Authorities

APHA, RPI, FHI, ARE (Scotland), DAERA (NI), FSA, CRD, Local Authorities, Port Health Authorities

APHA, The Forestry Commissions, ARE (Scotland), Natural Resources (Wales), DAERA (NI)

Enforcing Competent Authorities monitor, verify and enforce compliance by business operators at a local level through the application of official controls. They are legally required to ensure that official controls are delivered effectively, and have management assurance processes in place to achieve this. This obligation includes ensuring that staff are properly trained and equipped, that they have necessary legal powers and that they are free from conflicts of interest.

Tier 1:
Agri-food Business Operators

BUSINESS OPERATORS
- **Animal Health and Welfare:** Farms, markets, transporters and slaughterhouses
- **Animal Feed:** Animal feed establishments, transport and farms
- **Food:** Food processing, packaging, transport, storage and retail
- **Fisheries and Aquaculture:** Fish and shellfish farms, shellfish beds and depuration facilities, fishing vessels, transporters, fish processing, sale and storage establishments
- **Plants and Plant Health:** Plant nurseries and propagators, importers and exporters, wholesalers, distributors, processors and retailers, foresters and timber/forestry traders
- **Animal By-Product Operators:** Renderers, pet food manufacturers, pharmaceuticals, fertiliser plants, composting, biogas and incineration plants

Primary responsibility for compliance with UK legislation rests with relevant business operators such as farms, slaughterhouses, food processors, manufacturers, nurseries and forestry businesses. Requirements are set down in legislation, with good practice laid out in relevant codes of practice. Business operators will each have internal management assurance procedures in place to manage compliance.

Roles and responsibilities in the UK's assurance system

Devolved responsibilities

The United Kingdom comprises the countries of England, Scotland and Wales (collectively referred to as Great Britain) and Northern Ireland. Powers to implement, regulate and assure food and feed safety and standards, animal and plant health and animal welfare law have been devolved by the UK Parliament to the respective administrations in Scotland, Wales and Northern Ireland (collectively referred to as the Devolved Administrations).

This process of devolution allows local factors to be better recognised in decision-making. The four Administrations work closely together to develop policy relating to the UK's collective assurance system, which in turn is implemented by respective government departments and agencies.

The Northern Ireland Protocol

The Northern Ireland Protocol (NIP) sets out the arrangements agreed between the UK Government and the EU to ensure that no hard border will be created between Northern Ireland and the Republic of Ireland. Under the terms of the Protocol, Northern Ireland will continue to apply the EU's rules for Sanitary and Phytosanitary (SPS) matters following the Transition Period. This means that procedures may sometimes vary between Northern Ireland and Great Britain (e.g. the use of different model health certificates); however, the NIP in no way compromises the UK's high standards for safety and quality.

Common framework agreements exist between the four Administrations to manage the administrative impact of the NIP for food, animal health and welfare and plant health matters.

Central Competent Authorities

Central Competent Authorities (CCAs) are government authorities with overall responsibility for policy, regulation and assurance within the agri-food chain sector. In the UK, CCAs are organised by policy area and geography as set out below. While CCAs retain ultimate responsibility for delivery, many official controls are delegated to Enforcing Competent Authorities – further information on these is included below.

Food and feed safety and standards

The **Food Standards Agency (FSA)** in England, Wales and Northern Ireland, along with **Food Standards Scotland (FSS)** in Scotland, are the CCAs responsible for the majority of food and feed safety. The **Department for Environment, Food and Rural Affairs (Defra)** and the **Department of Health and Social Care (DHSC)** are the CCA for specific food standards such as organic certification and nutritional standards. Key official control areas are:

- Approval and registration of food and feed businesses
- Food hygiene at registered and approved feed businesses, including farms
- Import controls: food and feed safety
- Controls at slaughter
- Classification of shellfish harvesting areas
- Animal feed controls
- Microbiological standards
- Veterinary residues
- Pesticide residues
- Chemical contaminants
- Food and feed labelling
- The UK organic inspection and certification system
- Protected food names
- Natural mineral waters

Animal health and welfare and plant health

The **Department for Environment, Food and Rural Affairs (Defra)** in England, with **Environment, Energy and Rural Affairs Department (EERAD)** in Wales, **Department of Agriculture, Environment and Rural Affairs (DAERA)** in Northern Ireland and **Agriculture and Rural Economy Directorate (ARE)** in Scotland are the CCAs for:

- Biosecurity: animal and plant health
- Animal feed: relating to animal health
- Animal welfare
- Animal by-products
- Bee health
- Import controls: biosecurity
- Export certification
- Farming, including fish and shellfish farms
- Livestock identification and movements
- Plants and plant products, including forestry products and other plant health regulated objects
- Use of pesticides and other plant protection products

Assurance delivered by CCAs

Each CCA has its own independent audit team to provide assurance in the areas over which it has competence. This includes assurance of official controls that are delegated to Enforcing Competent Authorities to deliver. For example, both FSA and FSS have a statutory duty to monitor the performance of Local Authorities undertaking official controls of food and feed businesses. Together, the audit teams play an essential role in assuring that regulation of the sector is effective and fit for purpose.

To maintain impartiality, audit teams are removed from financial, political or management pressures. This is achieved by audit teams having a ring-fenced governance structure whereby they are answerable solely to a relevant and independent audit committee.

CCA audits of the agri-food chain typically focus on a specific area of delivery (e.g. food labelling, shellfish hygiene etc.). They are selected as part of a routine cycle of policy areas, or based on risk (e.g. delivery areas where non-compliance could have the biggest impact, or previous compliance history in that area). An audit will test that suitable measures are in place to mitigate risks, ensuring that the measures are effectively implemented and that they are fit for purpose to achieve objectives.

Audits of government departments and agencies are delivered to professional standards set by the **Chartered Institute of Internal Auditors (CIIA)** and the UK Government equivalent, the **Public Sector Internal Audit Standards (PSIAS)**. Audits of Local Authorities are delivered to ISO standards and the auditors are required to be ISO Lead Auditor qualified.

Performance is typically reported to the Audit and Risk Assurance Committee (ARAC), the Executive Board and the senior management team of the organisation. Further details of independent audit procedures are included in Appendix 2.

Auditors are subject to an external assessment by a qualified, independent assessor at least once every 5 years, with assessments often taking place more regularly. For example, FSS undertakes an annual independent scrutiny exercise.

Laboratory capacity and expertise

CCAs designate official laboratories to analyse samples taken during official controls. In the UK, accreditation of official laboratories is undertaken by the United Kingdom Accreditation Service (UKAS), an independent body responsible for determining the technical competence and integrity of professional testing and certification services. More details are available at **www.ukas.com**, including a **searchable database of accredited bodies**. All laboratory services are accredited to ISO/IEC 17025:2005 standards and also comply with relevant international standards, such as International Standards for Phytosanitary Measures.

Enforcing Competent Authorities

The monitoring and enforcement of UK agri-food businesses is delivered by a number of specialist regulatory bodies, each with a specific technical and geographical remit, supported by local government authorities. Together, these are referred to in this document as Enforcing Competent Authorities (ECAs).

Monitoring is undertaken at a local level through detailed official controls to verify compliance with agri-food chain legislation. There are more than 700 official control areas (e.g. pest and disease control and outbreak management and eradication; inspection of imports at the border), for each of which detailed official controls procedures are in place.

Delivery includes on-site inspections by ECAs, with a significant number of control procedures taking place each year.

ECAs have a range of enforcement options available to them to support compliance. These include providing advice and recommendations, financial incentives (e.g. grants and payments), assurance incentives (e.g. organic certification) as well as the use of fines and other penalties.

Food and feed safety and standards

The Food Standards Agency (FSA), Food Standards Scotland (FSS), Department of Agriculture, Environment and Rural Affairs (DAERA) and **Local Authorities** are the principal Enforcing Competent Authorities that regulate food and feed safety and standards.

FSA and FSS approve and inspect establishments that require veterinary control, with Official Veterinarians (OVs) and Meat Hygiene Inspectors (MHIs) having a presence in every slaughterhouse to ensure the safety of fresh meat and high welfare standards are maintained. OVs and MHIs also carry out official controls in approved cutting plants and game handling establishments.

In 2018...

Over 36,000 samples of products of animal origin (POAO) were analysed for veterinary residues in the UK

Nearly 7,000 checks took place on organic produce

Over 100,000 consignments of plants and plant products were subject to import controls

Over 80,000 herds of cattle were tested for bovine tuberculosis

8,500 inspections feed businesses took place

Local Authorities, with DAERA in Northern Ireland, regulate all other food and feed businesses. Meat, fish, shellfish and animal-processing establishments with a higher level of risk must be assessed and approved, while catering and food retail establishments must be registered with the Local Authority. All are subject to monitoring and enforcement by Local Authority Officers, who enforce relevant food hygiene and food standards law. Local and Port Health Authorities undertake checks on food imports at points of entry to the UK, with DAERA also providing checks in Northern Ireland.

Animal health and welfare

APHA is responsible for animal health controls, including endemic and exotic disease surveillance and outbreak response, veterinary field services and laboratory services in England, Scotland and Wales. DAERA provides equivalent services in Northern Ireland.

APHA OVs, together with Local Authorities, are responsible for inspections of imported animals, germplasm, animal by-products (ABP) and products of animal origin for human consumption (POAO) at UK Border Control Posts (BCPs). DAERA provides equivalent services in Northern Ireland. APHA is responsible for assuring the certification of OVs in the UK, working with the Royal College of Veterinary Surgeons.

Laboratory services are accredited to ISO/IEC 17025:2005 standards and comply with all relevant international standard

Local Authorities also provide local enforcement of legislation relating to disease control, illegal imports, animal identification, livestock movements and animal health and welfare, including on farms, at livestock markets and in transport. DAERA provides equivalent services in Northern Ireland.

The Fish Health Inspectorates (FHI) deliver official controls relating to aquatic animal health.

The Rural Payments Inspectorates (RPI) conduct a range of farm, trade and technical inspections to ensure full compliance with a range of UK laws. Checks for certain official controls are undertaken as part of their cross-compliance inspection regime.

Plant health

APHA is responsible for the operational delivery of plant health services and activities in England and Wales. DAERA and the Scottish Government provide equivalent services for Northern Ireland and Scotland. The Forestry Commission in England, Scottish Forestry, the Northern Ireland Forest Service and Natural Resources Wales are responsible for forestry and timber health. Together, they form the operational delivery arm of the UK Plant Health Service (UKPHS), with government inspectors undertaking surveillance of diseases and pests, undertaking inspections of plant imports and exports, and providing plant export certification services.

Coordination

In the UK, Competent Authorities work closely together to safeguard public, animal and plant health, to promote animal welfare and to protect consumers. This includes the coordination of activities through framework agreements, working groups and official guidance to ensure effective and efficient delivery, as well as coordination at policy and delivery level through liaison groups and through online resources.

Reflecting their roles as CCAs, FSA and FSS provide central coordination for feed and food safety, while Defra and the equivalent agriculture departments in Devolved Administrations provide coordination for animal and plant health and animal welfare.

Defra, as the UK CCA for international trade in agri-food products, provides an overarching coordination role across the CCAs (see Figure 1).

Assurance delivered by ECAs

Each ECA is required to have detailed management assurance systems to ensure that official controls are delivered effectively and efficiently. Delivery performance is monitored using a number of measures such as efficiency (e.g. actual vs. planned numbers of inspections), effectiveness (e.g. that officials are delivering a quality service) and outcomes (e.g. that enforcement practices are improving compliance by business operators).

It is standard practice for ECAs to work to agreed performance indicators for delivery (e.g. the number of inspections undertaken and samples analysed). Performance indicators are set out in respective delivery plans and reported on in the **UK Annual Report on Implementation of the Multi-Annual National Control Plan**. Where official controls are undertaken by a Control Body on behalf of a Competent Authority (e.g. certification of organic produce), performance indicators are typically set out in a service level agreement between the Competent Authority and the Control Body.

Assurance for trade

UK central point of contact

Defra is the UK Central Competent Authority for international trade and exports of food and drink and retains overall responsibility for policy in relation to market access. Defra is also responsible for negotiating agri-food trade opportunities with other countries and, in relation to POAO, for agreeing on any specific requirements imposed by those countries over and above those of UK legislation.

In this role, Defra operates as a central point of contact for trading partners regarding the UK assurance system, working closely with UK Devolved Administrations and Competent Authorities to ensure that efficient and effective coordination and communications are in place to support the UK's agri-food export market. Delivery frameworks are primarily defined through concordats and memorandums between administrations and authorities. Coordination is delivered through formal liaison groups and specialist committees and supported by detailed guidance documents and codes of practice. Further details of UK coordination and cooperation in the food and feed, animal and plant health and animal welfare sectors are set out in Chapter 4 of the **UK Multi-Annual National Control Plan**.

Imports

Products imported into the UK are classified into one of three categories according to their risk profile. Risk profiles take into account the likelihood of the product to transmit disease, introduce pests, or contain toxins and harmful chemicals. The three categories are:

- Unrestricted material that can enter the UK without any conditions

- Controlled material that can only enter the UK if it can show it meets the requirements for entry

- Prohibited material that cannot enter the UK except in exceptional circumstances, such as for scientific research.

All controlled products (and prohibited materials when allowed in exceptional circumstances) must enter the UK via a facility (e.g. a sea, air or rail port) that is properly equipped and authorised to undertake the necessary import checks.

Primary responsibility for meeting standards at inspection facilities rests with the relevant inspector (e.g. Plant Health and Seeds Inspector, OV or Official Fish Inspector) who delivers import controls. It is the responsibility of Port Health Authorities, which are part of Local Authorities, to manage the day-to-day activities of the port facility. APHA regularly audits UK Border Control Posts (BCPs) to assure they are delivering their responsibilities.

Where live animals are transported across borders, they are subject to the UK's strong regulatory requirements for the safeguarding animal health and welfare in transport.

Exports

To export animal products, live animals, fish or fish products, animal by-products or germplasm, exporters must apply for, and be issued with, an Export Health Certificate (EHC), or in the case of some animal products, commercial documentation. The majority of EHCs are issued by APHA (or DAERA in Northern Ireland) and set out details of the consignment, its destination and travel arrangements. The EHC is an official document, signed by a veterinarian or authorised signatory. It is specific to the commodity and the destination country and ensures the export complies with relevant quality and health standards, along with any specific requirements of the EHC.

Phytosanitary certificates for exports of plants and plant products are issued by the relevant ECA from the UK Plant Health Service (see Appendix 3), in line with the International Standards for Phytosanitary Measures No 12, *Guidelines for phytosanitary certificates*.

Ensuring the ongoing quality of the UK assurance system

The UK assurance system is fully aligned with UK legislation, with well-established and robust procedures in place to provide accountability throughout the agri-food supply chain.

Standards are maintained through rigorous internal management and audit processes, with Competent Authorities and Control Bodies working to ISO standards for many aspects of delivery. These include ISO/IEC 17020:2012 (Inspection bodies), 17043:2010 (Proficiency testing), 17025:2005 (Testing laboratories) and 17021-1:2015 (Certification bodies). The UK also adheres to all relevant international standards, such as International Standards for Phytosanitary Measures and OiE (World Organisation for Animal Health) standards for animal health and welfare.

For the UK to be a strong, credible partner in the global agri-food economy, its regulatory and assurance systems need to be responsive, effective, fit for purpose and keep pace with rapid change. The UK achieves this through a process of continual review and improvement.

During 2020-21, plans include:

- Undertaking a system-wide review of UK assurance procedures to identify specific areas for improvement, such as the potential to strengthen coordination

- Further strengthening animal health and welfare and plant health controls, and assurance procedures for these controls

- Reviewing regulation of food businesses, to create a system that is modern, risk based, proportionate, robust and resilient

- Development of a National Food Strategy to support high food and farming standards into the future.
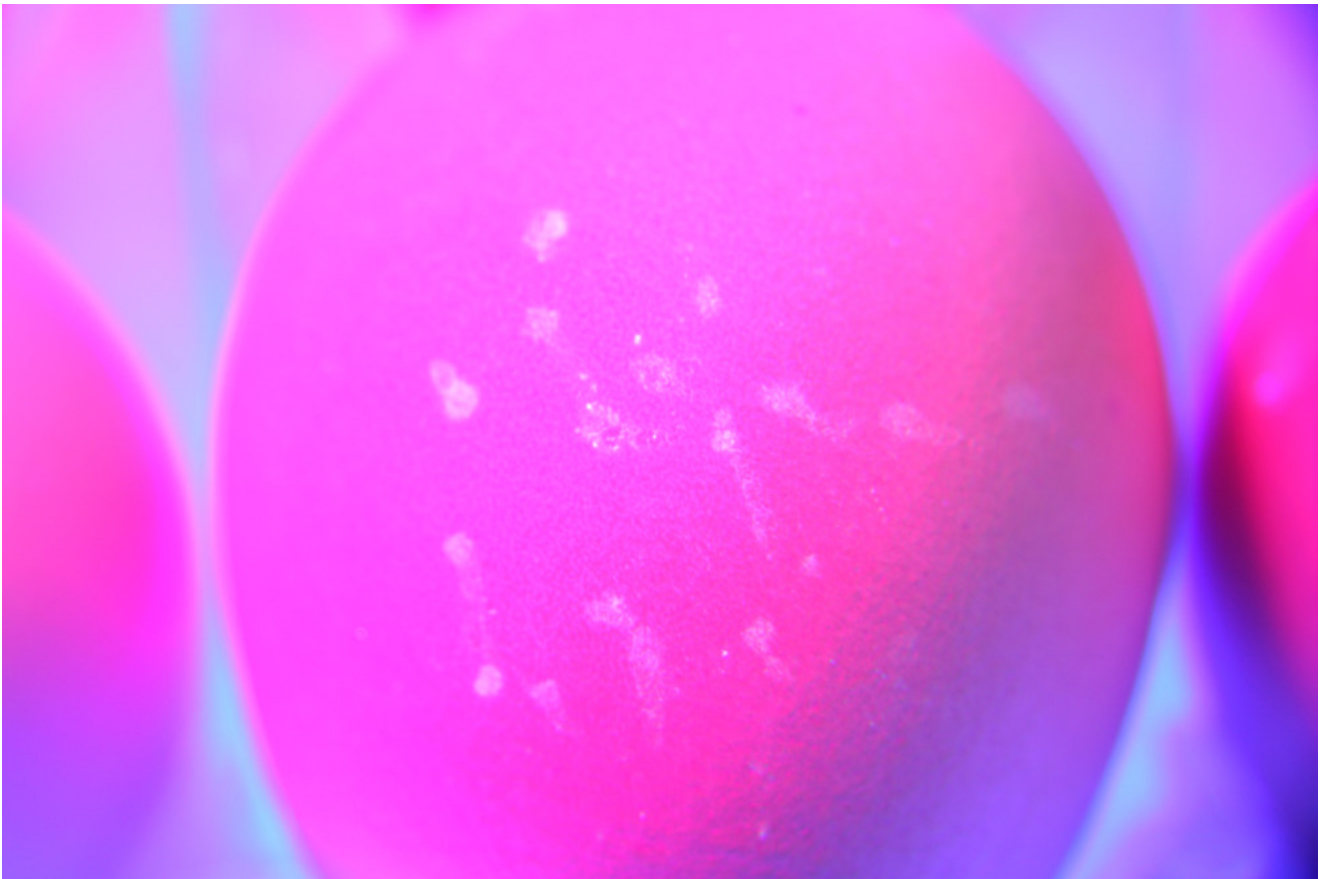
"The UK's regulatory and assurance system is continuously reviewed to ensure that it remains fit for purpose and can rapidly respond to changes in operating environment."

Future legislation

Existing government departments, agencies and expert committees have significant experience advising the Government and the EU on emerging biosecurity risks and potential legislative changes, and will continue to do so after EU Exit. New legislation will also be subject to normal legislative procedures such as impact assessments, public consultations and scrutiny by parliament to ensure that wider impacts have been properly considered.

Defra is responsible for notifying the World Trade Organization (WTO) of any changes in legislation in the UK in scope of the Agreement on Sanitary and Phytosanitary Measures (the SPS Agreement).

Strengthening ties with trading partners and facilitating market access

The UK is one of the world's leading advocates of free and fair trade, and has long been a proponent of international action to tackle anti-competitive practices and raise regulatory standards. Commitments on open and fair competition are fundamental to all trading relationships.

The UK has always sought to comply with international law and will continue to do so as we leave the EU. The UK will continue to uphold our firm commitments to food and feed safety, animal and plant health, animal welfare and environmental standards, which are held in high regard the world over. Equally, the government has been clear that any commodities imported into the UK must comply with the rigorous legislation and standards applicable in the UK.

> "Globally, consumers know that when they are buying UK produce it will be of high quality."

The UK has a world-class reputation for quality and provenance, with some of the highest environmental and animal welfare standards in the world. Globally, consumers know that when they are buying UK produce it will be of high quality. The UK is committed to robust domestic market surveillance and cooperation to ensure that rules are upheld. This approach is necessary to ensure that only compliant goods reach domestic and international markets.

Appendix 1: Key pieces of legislation in the UK

Introduction

The UK food and farming sector is one of the most highly regulated in the world, meeting the strict requirements of both EU and UK legislation. Following the UK's exit from the EU, EU Regulations have been transposed in UK law through the EU (Withdrawal) Act 2018, with amendments being made through various Statutory Instruments to ensure their operability following the UK's departure from the EU. Under the terms of the Northern Ireland Protocol, Northern Ireland will remain aligned with EU legislation going forward.

The total body of relevant legislation extends to several hundred pieces, the most significant of which are set out below. A searchable database of all UK legislation can be found at **www. legislation.gov.uk**.

Food and feed safety and standards

- EUR 2017/625 sets out requirements for official controls for food, feed and animal health and animal welfare. This is enforced through the **Official Controls (Animals Feed and Food) (England) Regulations 2006**, **The Official Feed and Food Controls (England) Regulations 2009** and through parallel legislation in the Devolved Administrations.

- EUR 2019/625 lays down specific hygiene rules for the organisation of official controls on products of animal origin intended for human consumption. This is enforced through the **Food Safety and Hygiene (England) Regulations 2013** and through parallel legislation in the Devolved Administrations.

- A detailed list of food and feed legislation can be found in the **FSA Food and Feed Law Guide** (England, Wales and Northern Ireland) and FSS's **Scottish Food and Feed Law Guide** (Scotland).

Animal health

- **The Trade in Animals and Related Products Regulations 2011** sets out requirements to ensure that live animals and products of animal origin entering England from other countries are safe with regard to animal and public health and meet the required import conditions. It implements EC Directives now part of retained EU law relating to veterinary checks and animal and public health rules for imports to Great Britain. Parallel legislation is in place in the Devolved Administrations.

- **The Animal Health Act 1981** regulates the prevention, control and eradication of animal diseases in GB. It provides emergency powers to respond to the outbreak of diseases and covers aspects of disease control including eradication and disposal of carcasses. Diseases of significance are made notifiable under this Act, supported by Orders providing rules and enforcement powers for specific diseases. Parallel legislation is in place in Northern Ireland.

- **The Aquatic Animal Health (England and Wales) Regulations 2009** sets out animal health requirements for aquaculture. Parallel legislation is in place in Scotland and Northern Ireland.

Animal by-products

- **EUR 1069/2009** and **EUR 142/2011** lays down health rules regarding animal by-products not intended for human consumption. This is enforced through the **Animal By-Products (Enforcement) (England) Regulations 2013** and by parallel legislation in the Devolved Administrations.

Animal Welfare

- The **Animal Welfare Act 2006** sets out the responsibilities of owners, including the requirement for animals to be provided with a suitable environment and diet, to be protected from pain and suffering, and to be able to exhibit normal behaviour patterns.

- Welfare standards for farm animals are set out in **The Welfare of Farmed Animals (England) Regulations 2007**, **The Welfare of Animals at Markets Order 1990**, **The Welfare of Animals (Transport) (England) Order 2006** and by parallel legislation in the Devolved Administrations.

Plant Health

- Plant health is protected through **EUR Regulation (EU) 2016/2031** and associated legislation, as amended for GB by legislation including **The Plant Health (Amendment etc.) (EU Exit) Regulations 2020** and **The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020**.

Appendix 2: Internal government audit procedures

Audit schedules

The respective audit teams of each Central Competent Authority (CCA) undertake audit work for their areas of responsibility. Audit schedules reflect priority areas: in Defra, an average of 6 internal audits are undertaken each year on official controls. In FSA, between 8 and 12 audits are undertaken each year. In FSS, 5 audits are typically undertaken each year: FSA's internal audit team is currently contracted to deliver these. In DAERA, 5 audits are typically performed each year. In Wales, 2-3 audits are undertaken each year.

The majority of audits are undertaken based on risk, with the remaining proportion being undertaken on a cyclical basis to ensure coverage of all official control policy areas over a 5 year period. Audits also have oversight of functions delegated to Enforcing Competent Authorities (ECAs).

For Local Authorities, FSA independent audit teams undertake routine audits of approximately 25 Local Authorities each year in England, Wales and Northern Ireland to assure the delivery of those official controls which are delegated to them to enforce. In Scotland, the FSS audit team undertakes audits on approximately 6 Local Authorities each year. Audits are conducted against the relevant legislation, standards and codes of practice, which set out the minimum standards of performance for enforcement activities in these areas. Local Authorities are selected to represent a cross-section of local authority types, geographical location, and level of enforcement activity. Focused audits which look at specific aspects of food and feed law enforcement by Local Authorities may also be conducted. Planning of these audits takes account of a risk-based planning exercise and gives consideration to covering all official controls over a 5 year period.

Ensuring the independence of the audit team

The independence of internal audit teams is ensured through an organisational structure which separates the audit team from standard departmental functions and management. The audit team is typically directed by a Head of Audit. The Head of Audit will report directly to the department's audit, risk and assurance committee (**ARAC**), which operates as an independent and objective committee of each department's governing board.

Internal auditors are bound by the standards of the **Chartered Institute of Internal Auditors** (CIIA) and by the Civil Service Code of Conduct. Furthermore, all government internal audits are required to comply with the **UK Public Sector Internal Audit Standards** (PSIAS).

Local authority audit teams in FSA and FSS are not classed as internal auditors and are not bound by CIIA and PSIAS standards. Instead, auditors are required to be ISO Lead Auditor qualified (ISO 9001:2015).

Monitoring and reporting

Audit teams are responsible for tracking the corrective measures put in place to address their audit findings. These are reported to the respective ARAC, as well as to relevant boards and senior staff.

A summary of internal audit findings is included in the **UK Annual Report on Implementation of the Multi-Annual National Control Plan**

Details of audits by FSA of local authorities can be found at **https://www.food.gov.uk/other/local-authority-audits**

Details of audits by FSS of local authorities can be found at **https://www.foodstandards.gov.scot/business-and-industry/safety-and-regulation/audit-and-monitoring**

Appendix 3: UK Competent Authorities

The UK's Competent Authorities and their key responsibilities for official controls delivery and assurance are listed below. Further information can be found in the **UK Multi-Annual National Control Plan**, which sets out in detail the roles and responsibilities of the different authorities and organisations involved in monitoring compliance with, and enforcement of, feed and food law, animal health and welfare rules and plant health requirements.

Food Standards Agency (FSA)

FSA is an independent, non-Ministerial government department working to protect public health and consumers' interests in relation to food across England, Wales and Northern Ireland.

Established in 2000 by an Act of Parliament, it is governed by an independent board appointed to act in the public interest.

The FSA uses a scientific, evidence-based approach to ensure food is safe and what it says it is, empowering businesses and consumers to do the right thing to keep food safe. It works closely with Food Standards Scotland and other regulatory partners to deliver an effective regulatory regime across the UK, with responsibilities set out in a **Memorandum of Understanding**.

Responsibilities as a Central Competent Authority
FSA has overall responsibility for food and feed safety in England, Wales and Northern Ireland. It also operates as the UK CCA for food and feed safety relating to international trade.

Responsibilities as an Enforcing Competent Authority
Many official controls are delivered by Local Authorities, with FSA directly delivering official controls in the following areas:
- Approval of certain food and feed businesses, including slaughterhouses
- Food and feed hygiene at approved businesses
- Controls at slaughter
- Classification of shellfish harvesting areas
- Microbiological standards
- Chemical contaminants

Food Standards Scotland (FSS)

FSS is an independent government department that works across Scotland in close coordination with FSA in England, Wales and Northern Ireland. Like FSA, it works to protect public health from risks to health which may arise in connection with the consumption of food, to improve the extent to which members of the public have diets which are conducive to good health, and to protect the other interests of consumers in relation to food. Created in 2015, it is governed by a public board appointed by Scottish Ministers.

Responsibilities as a Central Competent Authority
FSS has overall responsibility for food and feed safety in Scotland, and for ensuring public health protection in relation to food and feed imports and exports into and from Scotland.

Responsibilities as an Enforcing Competent Authority
Many official controls are delivered by Local Authorities, with FSS directly delivering official controls in the following areas:
- Approval of certain food and feed businesses, including slaughterhouses
- Food and feed hygiene at certain approved businesses
- Controls at slaughter
- Approval of shellfish harvesting areas
- Microbiological standards
- Chemical contaminants in food products
- Animal feed controls

Department for Environment, Food and Rural Affairs (Defra)

Defra is a UK Government department responsible for environmental protection, food production, agriculture, fisheries and rural communities. Accountable to a Secretary of State, it is responsible for policy and regulation within England, and generally leads on international negotiations relating to agri-food for the UK. Defra has its headquarters in London with offices across England.

Responsibilities as a Central Competent Authority
Defra has overall responsibility for policy, regulation and assurance related to animal health, animal welfare and plant health controls in England, as well as certain elements of feed and food law such as veterinary residue monitoring.

Defra leads for the UK on matters relating to international trade and exports of food and drink and retains overall responsibility for policy in relation to market access.

Responsibilities as an Enforcing Competent Authority
Defra operates the majority of its official controls through its delivery agencies and Local Authorities. Key official control areas that Defra retains direct responsibility for enforcing are:
- The UK organic inspection and certification system
- Natural mineral waters
- Protected food names

Agriculture and Rural Economy Directorate, Scotland

The Scottish Government's Agriculture and Rural Economy Directorate promotes sustainable economic growth in agriculture, the food industry, and in rural areas. It is responsible for agricultural policy, rural land management, controlling and eradicating animal disease in Scotland, enhancing animal welfare and providing scientific services and advice on agricultural and environmental matters.

Responsibilities as a Central Competent Authority
The Agriculture and Rural Economy Directorate has overall responsibility for animal health and welfare and plant health in Scotland.

Responsibilities as an Enforcing Competent Authority
The Agriculture and Rural Economy Directorate operates all of its official controls through Local Authorities and various delivery agencies.

Environment, Energy and Rural Affairs Department, Wales

The Welsh Government's Environment, Energy and Rural Affairs Department is responsible for agriculture, environment, energy and rural development policy in Wales.

Responsibilities as a Central Competent Authority
The Environment, Energy and Rural Affairs Department has overall responsibility for animal health and welfare and plant health in Wales.

Responsibilities as an Enforcing Competent Authority
The Environment, Energy and Rural Affairs Department operates all of its official controls through Local Authorities and various delivery agencies.

The Department of Agriculture, Environment and Rural Affairs (DAERA), Northern Ireland

DAERA has devolved responsibility for farming, environmental protection, fisheries, forestry and sustainability policy, along with the development of the rural sector in Northern Ireland.

Responsibilities as a Central Competent Authority
DAERA has overall responsibility for animal health and welfare and plant health in Northern Ireland.

Responsibilities as an Enforcing Competent Authority
Official controls for food and feed in Northern Ireland are largely delivered directly by DAERA, often on behalf of FSA. These include:
- Food hygiene at registered and approved businesses (including farms)
- Import controls: POAO, non-food animal products, live animals
- Controls at slaughter
- Beef labelling in approved establishments

- Animal feed controls
- Microbiological standards
- Veterinary residues
- Chemical contaminants
- Biosecurity – animal and plant health
- Animal feed - relating to animal health
- Animal welfare
- Animal by-products
- Bee health
- Livestock identification and movement records
- Plants and plant products, including forestry products
- Use of pesticides and other plant protection products
- Export certification

Department of Health and Social Care (DHSC)

DHSC is a Ministerial department responsible for national health and social care.

Responsibilities as a Central Competent Authority
DHSC has responsibility for policy, regulation and assurance related to nutritional standards of food in England.

Animal and Plant Health Agency (APHA)

APHA is an executive agency of Defra and also works on behalf of the Scottish and Welsh Governments. APHA is an internationally recognised centre of scientific excellence, specialising in pests and diseases of plants and livestock.

APHA's remit includes:
- Identifying and controlling endemic and exotic diseases and pests in animals, plants and bees
- Surveillance of livestock and plant pests and diseases, domestically and abroad
- Scientific research in diseases and vaccines
- Facilitating international trade in animals, products of animal origin and plants
- Protecting endangered wildlife through licensing and registration
- Managing a programme of apiary (bee) inspections, diagnostics and research
- Regulating the safe disposal of animal by-products to reduce the risk of potentially dangerous substances entering the food chain

Responsibilities as an Enforcing Competent Authority
Key official control areas are:
- Biosecurity: animal health
- Animal feed: relating to animal health
- Animal welfare
- Animal by-products
- Bee health

- Import controls: non-food animal products, live animals
- Export certification
- Plant health (via the UK Plant Health Service)

Rural Payments Inspectorates

The Rural Payments Inspectorates in GB (Rural Inspectorate for Wales, Rural Payments Agency Inspectorate for England, and the Rural Payments and Inspections Division for Scotland) conduct a range of farm, trade and technical inspections to ensure full compliance with a range of UK laws. Checks for certain official controls are undertaken as part of their cross-compliance inspection regime. This function is delivered by DAERA in Northern Ireland.

Responsibilities as Enforcing Competent Authorities
- Beef, pig, sheep and goat labelling in approved establishments
- Livestock identification and movement records

The Fish Health Inspectorates

The Fish Health Inspectorates of the four UK administrations are responsible for the enforcement of the UK aquatic animal health regime. This includes statutory inspection, sampling and testing programmes at fish and shellfish farms, investigation of disease outbreaks in wild and farmed fish and shellfish stocks, enforcement of statutory disease controls and implementation of controls on the import and export of live fish and shellfish.

Responsibilities as Enforcing Competent Authorities
- Fish and shellfish health
- Approval of fish and shellfish farms
- Import controls: fish and shellfish
- Export certification

UK Plant Health Service (UKPHS)

The UKPHS comprises a number of ECAs working together to provide a UK wide approach to plant health. These ECAs include APHA, the Forestry Commissions, Defra, Scottish Government (SASA), Welsh Government and DAERA.

Responsibilities of the Enforcing Competent Authorities
- Import controls: plants and plant products
- Biosecurity: plant health
- Forestry products
- Export certification

The Forestry Commissions

The Forestry Commissions of the four administrations (Forestry Commission (England), Scottish Forestry, the NI Forest Service and Natural Resources Wales) are responsible for forestry policy and regulation across the UK.

Responsibilities as Enforcing Competent Authorities
- Forestry health
- Registration of forestry growers and traders
- Wood packaging material marking programme
- Import and export controls for forestry material
- Forestry reproductive materials

Veterinary Medicines Directorate (VMD)

The VMD assures the safety, quality and efficacy of all aspects of veterinary medicines in the UK.

In relation to official controls for food and feed, VMD is responsible for monitoring veterinary residues in products of animal origin in England, Scotland and Wales (DAERA fulfils this role in NI). The UK National Residues Control Plan sets out VMD's monitoring, sampling and enforcement regime.

Responsibilities as an Enforcing Competent Authority
- Veterinary residue monitoring

Chemicals Regulation Directorate (CRD)

The CRD, part of the Health and Safety Executive, is responsible for controlling the sale, supply, storage, advertisement and use of pesticides and other plant protection products (PPPs). As well as regulating the approval and use of pesticides, CRD is also responsible for monitoring pesticide residues to protect public health.

Responsibilities as an Enforcing Competent Authority
- Pesticide residue monitoring

Local Authorities

There are 408 Local Authorities in the UK. The Local Government Association (LGA) has a coordinating role in respect of regulation for local authorities in England, alongside the Welsh Local Government Association in Wales. In Scotland the Convention of Scottish Local Authorities (COSLA) is the national association of Scottish councils, while the Scottish Food Enforcement Liaison Committee (SFELC) and the Chief Environmental Health Officers Group, Northern Ireland (CEHOG NI) provide specialist advice in Scotland and Northern Ireland respectively.

Local Authorities, along with DAERA in Northern Ireland, monitor and verify compliance with, and enforcing the requirements of, the main body of food and feed law.

The frequency of inspections and interventions of food businesses are determined by the intervention rating scheme in the relevant Food Law Code of Practice. Businesses that present a higher risk will attract more frequent inspections. Local Authorities also investigate complaints, control and investigate disease outbreaks and food-related infectious disease, and provide advice to businesses.

Responsibilities as Enforcing Competent Authorities
Key official control areas that local authorities deliver in England Scotland and Wales are:
- Registration of most food and feed businesses and approval of certain establishments
- Food hygiene at registered businesses
- Food labelling at registered businesses
- Animal feed controls
- Local enforcement of organic certification rules
- Animal health and welfare, on farm and in transport: enforcement
- Use of pesticides and other plant protection products

In Northern Ireland, local authorities (often referred to as District Councils) are responsible for:
- Registration of food businesses

Port Health Authorities (PHAs)

PHAs are usually the UK local authority where a port or airport is located. PHAs carry out a range of health controls at the UK borders. The level, focus and frequency of these controls is informed by various factors, including the level of risk, the specific requirements of UK legislation, international notifications and local intelligence and priorities. Physical checks on imported food include inspecting ships and aircraft for food safety and infectious disease control, as well as general public and environmental health checks.

UK Border Control Posts (BCPs) are facilities within a port or airport designated as a place to undertake official controls on animals, plants and their products imported into the UK.

Responsibilities as an Enforcing Competent Authority
In England Scotland and Wales, PHAs are responsible for:
- Import controls: food and feed safety, POAO and document checks

In Northern Ireland, PHAs are responsible for:
- Import controls: Food not of Animal Origin (FNAO) and fish products

Appendix 4: Useful links

The Multi-Annual National Control Plan and **Annual Reports** detail how UK official controls operate and how the relevant requirements are met for food and feed, animal and plant health and animal welfare legislation.

Food and Feed Law Codes of Practice set out the code of practice for Local Authorities delivering official controls for food and feed in England, Wales and Northern Ireland.

The Food and Feed Law Codes of Practice in Scotland set out the code of practice for Local Authorities delivering official controls for food and feed in Scotland.

FSA Food and Feed Law Guide is a reference tool for food and feed legislation applicable in England, Wales and Northern Ireland.

Scottish Food and Feed Law Guide is a reference tool for food and feed legislation applicable in Scotland.

FSA's Manual for Official Controls and **FSS's Manual for Official Controls** describe the tasks, responsibilities and duties of their staff carrying out official controls in approved meat establishments in England and Wales and in Scotland respectively. Similar arrangements are in place in Northern Ireland.

Approved Establishments – Scotland National Protocol sets out the approvals process for approved meat establishments in Scotland.

Details of audits by FSA of local authorities can be found at **www.food.gov.uk/other/local-authority-audits**

Details of audits by FSS of local authorities can be found at **www.foodstandards.gov.scot/business-and-industry/safety-and-regulation/audit-and-monitoring**

Official Veterinarian Instructions are produced by APHA for use when performing official duties for the agency.

The **Border Control Post** Manual provides guidance on checks of products of animal origin from third countries.

Livestock numbers in the UK are published bi-annually by the UK government.

The UK Contingency Plans for Exotic Notifiable Diseases of Animals sets out the roles, responsibilities, systems and structures in place across the UK to respond to animal disease outbreaks.

The **UK Plant Health Risk Register** is an online tool to prioritise action against plant pests and diseases.

The **UK Plant Health Portal** is an online hub for plant health information, data and resources.

Appendix 5: Glossary

ABP   Animal by-products (not for human consumption)

APHA   Animal and Plant Health Agency

ARAC   Audit, Risk and Assurance Committee

ARE   Agriculture and Rural Economy Directorate (Scottish Government)

BCP   Border Control Post

CCA   Central Competent Authority

CEFAS   Centre for Environment, Fisheries and Aquaculture Science

CRD   Chemicals Regulation Directorate

CIIA   Chartered Institute of Internal Audit

DA   Devolved Administration

DAERA   Department of Agriculture, Environment and Rural Affairs (Northern Ireland Executive)

Defra   Department for Environment, Food and Rural Affairs (UK Government)

DHSC   Department of Health and Social Care

EA   Environment Agency

ECA   Enforcing Competent Authority

EERA   Environment, Energy and Rural Affairs Division (Welsh Government)

EHC   Export Health Certificate

EHO   Environmental Health Officer

EU   European Union

FC   Forestry Commission

FHI   Fish Health Inspectorate

FNAO   Food not of animal origin

FSA   Food Standards Agency

FSS   Food Standards Scotland

FTA	Free trade agreement
GB	Great Britain
HSE	Health and Safety Executive
ISO	International Organization for Standardization
LA	Local Authority
LGA	Local Government Association
MANCP	Multi-Annual National Control Plan
MHI	Meat Hygiene Inspector
NRW	Natural Resources Wales
OiE	World Organisation for Animal Health (previously the Office International des Epizooties)
OV	Official Veterinarian
PHA	Port Health Authority
PHE	Public Health England
POAO	Products of animal origin (for human consumption)
PSIAS	Public Sector Internal Audit Standards
RPI	Rural Payments Inspectorates
RPW	Rural Payments Wales
SG	Scottish Government
SPS	Sanitary and phytosanitary
UK	United Kingdom
UKPHS	UK Plant Health Service
UKAS	United Kingdom Accreditation Service
VMD	Veterinary Medicines Directorate
WG	Welsh Government
WTO	World Trade Organisation