

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 19 March 2013

BY Executive Director (Services for Communities)

SUBJECT: Food Standards Agency Audit and Review of Official Feed Controls of Non-Animal Origin and Feed Establishments including Primary Production of Food and Feed

1 PURPOSE

- 1.1 To provide the Policy and Performance Review Committee with a summary of the recent Audit by the Food Standards Agency (FSA) on Official Feed Controls in East Lothian Council.

2 RECOMMENDATIONS

- 2.1 That the Policy and Performance Review Committee notes the FSA Audit report and the content of the improvement plan developed by Trading Standards to address the issues identified.

3 BACKGROUND

- 3.1 Audits of Local Authorities feed and food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to feed and food.
- 3.2 The composition and safety of animal feeding stuffs is a principal factor in protecting not only the integrity of the human food chain but maintaining the highest standards of animal health and welfare.
- 3.3 FSA audits assess Local Authorities conformance against the Feed and Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Official Feed and Food Controls by Local Authorities.
- 3.4 The enforcement of feed law is a statutory duty on East Lothian Council discharged through the work of the Trading Standards service.

- 3.5 The FSA undertook an Audit of the Council's feed enforcement arrangements in November 2012. The audit and lasted 3 days and involved interviewing management and operational officers involved in feed enforcement. The audit also involved a 'reality visit' to a farm to observe an officer conducting an inspection.
- 3.6 An executive summary of the audit can be found on page 6 of the audit report which is attached as an Appendix to this report.
- 3.7 The audit report identified a number of key findings.
- There is a service plan and unit plan in place but not all areas of the framework agreement were included in these plans.
 - It was identified that there was an authorisation policy in place however it was not based on competencies and should be amended to reflect this.
 - The total number of feed premises on the database system needs to be reviewed and reassessed to ensure it is accurate and up to date.
 - The current feed businesses already identified should be reassessed to establish if any are categorised as Annex II businesses and set up documented procedures for these premises. (Annex II refers the addition of certain additives to feed mixes).
 - The auditors identified the need for an internal monitoring policy to ensure consistency and quality of information which is collected and processed.
 - The Council didn't have a documented procedure in place for initiating and responding to feed alerts or for responding to feed incidents.
 - Feed sampling procedures and programme to be reviewed.
 - Ensure that all officers involved in feed enforcement have 10 hours relevant annual Continuing Professional Development (CPD).
- 3.8 Overall, the audit did not establish or highlight any fundamental failings in the Official Feed Control work undertaken by Trading Standards. What was identified was a need to refresh and review some procedures and processes that support the enforcement function.
- 3.9 The action plan included in the audit report was developed by FSA and the Trading Standards Manager to address the issues raised. Some of the matters identified in the action plan have already been dealt with. The action plan was signed off by the FSA.
- 3.10 It should be noted that Official Feed Control enforcement forms a very small part of the overall work of the Trading Standards service.

4 POLICY IMPLICATIONS

- 4.1 Enforcement of the Official Controls supports the single outcome agreement areas of 'East Lothian has a sustainable and successful local economy through developing key local sectors and enhancing business performance' and East Lothian has high quality natural and built environments that enhance the well-being of the local community.
- 4.2 The enforcement of feed law is a statutory duty on local authority under Food safety legislation.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equality groups and an Equality Impact Assessment is not required

6 RESOURCE IMPLICATIONS

- 6.1 Financial - None
- 6.2 Personnel - there may be some ongoing training required for one or two officers in the Trading Standards team.
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 Food Standards Agency Scotland Letter to D Evans, 11 January 2013 which agreed the audit report action plan.
- 7.2 Audit report: Food Standards Agency audit and review of Official Feed Controls of Non-Animal Origin and Feed Establishments including Primary Production of Food and Feed (attached to this report)

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