

**LA name & OCD Number**

**Food Standards Scotland**

**Local Authority Food Law Enforcement Services**

**Capacity and Capability Audit**

**Regulation (EU) 2017/625 Checklist – Article 13**

| **Regulation (EU) 2017/625**  **Article 13**  **Written records of official Controls** | | | |
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| 1. Competent authorities shall draw up written records of every official control that they perform. Those records may be on paper or in electronic form.  Those records shall contain:  (a) a description of the purpose of the official controls;  (b) the control methods applied;  (c) the outcome of the official controls; and  (d) where appropriate, action that the competent authorities require the operator concerned to take as a result of their official controls.  2. Unless the purposes of judicial investigations or the protection of court proceedings require otherwise, the operators subject to an official control shall be provided upon request with a copy of the records provided for in paragraph 1, except where an official certificate or official attestation has been issued. The operator shall be promptly informed in writing by the competent authorities of any case of non- compliance identified through the official controls.  3. Where official controls require the continuous or regular presence of staff or representatives of the competent authorities on the operator’s premises, the records provided for in paragraph 1 shall be produced with a frequency that enables the competent authorities and the operator to be:  (a) regularly informed of the level of compliance; and  (b) promptly informed of any case of non-compliance identified through the official controls.  4. Paragraphs 1, 2 and 3 shall also apply to delegated bodies, organic control authorities and natural persons to which certain official control tasks have been delegated. | | | |
| **Question** | **Answer** | **Comments/Evidence** | **Auditors Notes** |
| Are records of food premises easily retrievable? | Yes/No |  | *Records will be required for the checks on enforcement. This will go some way in determining whether they are retrievable. Auditors should examine the storage system and attempt to retrieve records themselves.* |
| Do they include relevant details like Annex 6 of the FLCoP 2019 | Yes/No |  | *These details may be either on computer databases and/or on paper files. The information to be stored includes:*   * *information on the size and scale of the business;* * *type of food activities including any special equipment;* * *processes or features, copies of correspondence including documentation associated with approvals or licensing;* * *copies of food sample analysis/examination results. In addition* ***food hygiene:*** * *assessment of compliance with HACCP requirements;* * *hygiene training by employees including any training on the implementation and operation of the food safety management system;* * *for premises subject to Regulation (EC) 853/2004. details of any derogations in force;* * *details of other businesses that produce or import for the business. IC 6.2* |
| Are inspections carried out in accordance with the LA’s procedures? | Yes/No |  | *Interviews with officers should test their understanding of the procedures. Ask officers to talk you through how they would undertake an inspection and how they would assess further action.* |
| Do officers determine the conformance of businesses against the relevant legislation? | Yes/No |  | *Auditors should look at any aide-memoire or inspection checklists to ensure that the legislation is covered.* |
| Are officer’s observations and data obtained during the course of inspections legible and retrievable? | Yes/No |  | *Auditors should look at a sample of inspection notebooks/inspection sheets or computer systems.* |
| Is there evidence of a mechanism to allow discussion or monitoring of the content of letters, notices etc? | Yes/No |  | *Auditors should check for any standard paragraph in letters or pamphlet given to proprietors.* |
| Are decisions to serve notices or other formal actions recorded? | Yes/No |  |  |
| How are these recorded and by who? |  |  |  |