

**LA name & OCD Number**

**Food Standards Scotland**

**Local Authority Food Law Enforcement Services**

**Capacity and Capability Audit**

**Regulation (EU) 2017/625 Checklist – Article 14**

| **Regulation (EU) 2017/625**  **Article 14**  **Methods and techniques for official controls** | | | |
| --- | --- | --- | --- |
| Official control methods and techniques shall include the following as appropriate:  (a) an examination of the controls that operators have put in place and of the results obtained;  (b) an inspection of:  (i) equipment, means of transport, premises and other places under their control and their surroundings;  (ii) animals and goods, including semi-finished goods, raw materials, ingredients, processing aids and other products used for the preparation and production of goods or for feeding or treating animals;  (iii) cleaning and maintenance products and processes;  (iv) traceability, labelling, presentation, advertising and relevant packaging materials including materials intended to come into contact with food;  (c) controls on the hygiene conditions in the operators’ premises;  (d) an assessment of procedures on good manufacturing practices, good hygiene practices, good farming practices, and of procedures based on the principles of hazard analysis critical control points (HACCP);  (e) an examination of documents, traceability records and other records which may be relevant to the assessment of compliance with the rules referred to in Article 1(2), including, where appropriate, documents accompanying food, feed and any substance or material entering or leaving an establishment;  (f) interviews with operators and with their staff;  (g) the verification of measurements taken by the operator and other test results;  (h) sampling, analysis, diagnosis and tests;  (i) audits of operators;  (j) any other activity required to identify cases of non-compliance. | | | |
| **Question** | **Answer** | **Comments/Evidence** | **Auditor’s Notes** |
| Are inspections being carried out at a frequency of not less than that set out in the Interventions Food Law Code of Practice (Scotland) | Yes/No |  | *The service plan should have identified the planned programme. The auditor should verify from the computer/file records by a database dump these elements:*   * *Name of premises* * *Type of premises* * *Date of last programmed inspection* * *Date of next programmed inspection* * *Current FLRS risk rating Band* * *Details of all individual compliance level scores attributed for each compliance category (Compliance Matrix).*   *Internal monitoring reports of inspections due, and inspections overdue should be requested, and auditors should verify that inspections are up to date. CP 39.2* |
| Are there any Alternative Enforcement Strategies in place | Yes/No |  | *If a business is already registered and has previously been included in an AES in accordance with CP 4.12 and 27.16,the Lead Food Officer has discretion to use historical information to determine whether a business can be awarded Sustained Compliance for a Band 3A(i.e. place business on a 60 month intervention frequency or choose not to undertake a proactive intervention) (IC 2.3.1.3)* |
| Are all inspections being carried out by correctly authorised staff? | Yes/No |  |  |
| Does the LA’s area include a sea/air port? | Yes/No |  | *The service plan should identify the LA’s policy in relation to the inspection of ships/aircraft under the Food Safety (Ships & Aircraft) Order 2003, CoP and associated guidance.* |
| If YES, are inspections of ships and/or aircraft being carried out? |  |  | *The auditor should confirm that, where appropriate, inspections are being considered and carried out in accordance with relevant legislation and official guidance. A strategy for frequency of inspection should be adopted based on knowledge about different types of craft, their origin and history (CP 30.2.2)* |
| Does the Authority have  documented inspection procedures that are:   * Current * Correct * Available * Understood * Reviewed | Yes/No |  | *The service plan should have identified the types of premises in the LA’s area. The auditor should expect to see inspection procedures for each of the different types of premises.*  *The process and content of inspection procedures should set out the LA’s system of inspection including use of any checklists and aide memoirs. The Auditor should be looking for compliance with the relevant codes.* |
| Is there a reference or Policy on:   * announced/unannounced inspections; [PG – 4.2.2] | Yes/No |  | *General principle that inspections should be unannounced. (Regulation (EU) 2017/625 A9.~~3)~~ 4* |
| * Use of experts; [PG 4.2.3] | Yes/No |  |  |
| * New premises inspections; | Yes/No |  | *All registration forms reviewed and appropriate visits made to new premises? (IC 3.7.2)* |
| * Assessment of whether to take food samples; | Yes/No |  | *An assessment of whether to take samples, and if so what sample, should be an integral part of every primary inspection, but particularly in food manufacturing, packing and catering businesses. (IC – 3.7.2.4 c)* |
| * Process and content of inspection (inc. reference to aide memoire/checklists); | Yes/No |  | *An appropriate Intervention form m should be used. These may be LACORS inspection forms or ones developed by food authorities or their regional groups, provided they include all the elements of an inspection that are appropriate to the type of business (IC 4.1.1)* |
| * Content and timing of inspection reports. | Yes/No |  |  |
| * Approvals; | Yes/No |  | *The procedures should cover all categories of Approval relevant to the premises in the LA’s area. Where no premises have been identified that require Approval, the procedures should contain sufficient information to assist officers to recognise such operations and appropriate references to the relevant legislation, guidance and inspection forms.*  *The procedures should cover the inspection of Approved Premises and the Approval process.* |
| 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.* |