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POLICY DEPARTMENT A ECONOMIC AND SCIENTIFIC POLICY

Economic and Monetary Affairs

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Food Safety Situation in Ireland and Overview of the European Food and Veterinary Office

Study for the ENVI Committee

EN 2016



DIRECTORATE GENERAL FOR INTERNAL POLICIES POLICY DEPARTMENT A: ECONOMIC AND SCIENTIFIC POLICY

Food Safety Situation in Ireland and Overview of the European Food and Veterinary Office

STUDY

Abstract

This study was prepared for Policy Department A at the request of the Environmental, Public Health and Food Safety (ENVI) Committee, and updates the earlier 2013 briefing. It provides an overview of the food safety situation in Ireland. It outlines the Irish food and drink industry, the structure and organisation of the food safety and control system involved in food safety in Ireland and a description of current food safety issues in Ireland. An overview of the structure and competencies of the European Food and Veterinary Office is also provided.

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AUTHOR

Ms Sue Keenan, Campden BRI

RESPONSIBLE ADMINISTRATOR

Dr Purificacion Tejedor del Real

EDITORIAL ASSISTANT

Ms Eva Asplund

LINGUISTIC VERSIONS

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ABOUT THE EDITOR

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To contact the Policy Department or to subscribe to its newsletter please write to: Policy Department A: Economic and Scientific Policy

European Parliament

B-1047 Brussels

E-mail: Poldep-Economy-Science@ep.europa.eu

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LIST OF ABBREVIATIONS

CA Competent Authority **CVRL** Central Veterinary Research Laboratory **DAFM** Department of Agriculture, Food and Marine (previously DAFF) **DG SANTE** Directorate General for Health and Food Safety **DOH** Department of Health **EPA-ORP** Environmental Protection Agency – Office of Radiological Protection FFN Food Fraud Network **FBO** Food Business Operator **FSAI** Food Safety Authority of Ireland **FVO** Food and Veterinary Office **HSE** Health and Safety Executive LAVS Local Authority Veterinary Service **MI** Marine Institute **NRL** National Reference Laboratory **NSAI** National Standards Authority of Ireland **OFML** Official Food Microbiology Laboratory PAL Public Analyst Laboratory **RASFF** Rapid Alert System for Food and Feed **SFPA** Sea Fish Protection Authority

VPH Veterinary Public Health

1. EXECUTIVE SUMMARY

This report is based upon, and updates, the earlier study conducted in 2013.

Food safety situation in Ireland

Ireland joined the European Union in 1973 and is one of its smaller members having a population of 4.6 million.

Although the non-food industry and service sectors have grown in recent years, agriculture and the food and drink industry form a significant part of the Irish economy. The agri-food industry provides a quarter of a million jobs and has a turnover of €24 million. Ireland is self-sufficient for many food products. Agri-foods were valued at €10.8 billion in 2015 with most products destined for the UK market and the rest of Europe. The main products exported are dairy products and ingredients, beef, prepared foods and beverages. The agri-food and fisheries market is envisaged as a major area of growth for the future.

Ireland is the largest net exporter of dairy ingredients, beef and lamb in Europe, exporting over 80% of its dairy and beef production. Irish beef is stocked by more than 82 retail chains across Europe.

The principal organisations responsible for developing food policy and legislation are the Department of Agriculture, Food and Marine (DAFM) and the Department of Health (DOH). The Food Safety Authority of Ireland (FSAI) assists them in this role and provides scientific and technical advice. DAFM is also responsible for the development of policy and legislation in relation to feed, plant health and animal and health and welfare and is also the relevant competent authority responsible for official control in these areas.

The FSAI is responsible for enforcement which is undertaken via service contracts with a number of agencies, including DAFM which also acts as a competent authority in the food sector. Commercial contracts stipulate the services to be provided, and the required standards, frequency and reporting structures. A significant number of agencies are involved and the control system appears complex. Nevertheless control and responsibility is organised to avoid duplication and a cross-agency working group ensures co-ordination and that there are no gaps or overlaps in responsibility and enforcement.

The FSAI is also the national contact point for the European Rapid Alert System for Food and Feed (RASFF). Subsequent to the horse meat incident the FSAI also established, and chairs, a National Food Fraud Task Force.

European Food and Veterinary Office

The European Food and Veterinary Office (FVO) works within the European Commission's Directorate-General for Health and Food Safety (DG-SANTE) and is based in Grange, County Meath, Ireland.

The FVO undertakes missions to Member States, acceding and candidate countries and other third countries wanting to export goods to the EU to audit their controls systems and structures to ensure that community legislation on food safety, animal health, plant heath and animal welfare is properly implemented and enforced. As such they undertake detailed visits (missions) to the countries concerned during which meetings are held with the competent authorities and other relevant organisations and visits are undertaken to appropriate food business operators and processors. The programme of visits is developed each year after consideration of risk and other factors. Each visit report sets out the

findings, identifies any shortcomings and includes recommendations for improvements. The competent authorities are required to present an action plan to address the recommendations. Follow up reviews are undertaken to ensure that these actions are taken. In the case of persistent failure to undertake action to address the recommendations the European Commission can resort to legislative action such as infringement proceedings or reasoned opinions via the European Court of Justice. Where an immediate threat to the consumer, animal or plant health is identified emergency measures, including legal action to prevent trade or imports of animals, plants or their products, are taken.

Food safety incidents

Although there are EU and Member State control systems in place food incidents do occur due to various reasons. These can be local, national or affect the whole of the EU. In 2013 an incident which affected the whole of the EU was that of Equine DNA identified in beef products (as well as traces of porcine DNA). This was originally identified following a routine monitoring survey when a beefburger was found to contain 29% horsemeat which was not labelled as such. The ensuing investigation involved other Member States and an investigation relating to possible fraudulent mis-labelling that affected a range of meat products, large global companies and international brands and many products being withdrawn from sale. This investigation resulted in the formation of the Food Fraud Task Force at both EU and national level.

In addition however other aspects of food safety such as foodborne illness, alerts and recalls continue to require monitoring and investigation.

Conclusions

Ireland has a well established food safety control system where the responsibilities are defined and organised to avoid duplication or gaps.

The FVO undertakes missions to ensure that Community legislation on food safety; animal health and welfare and plant health are being implemented and enforced. Their reports provide meaningful, independent information on the national controls systems. They also inform the development of legislation and controls. Recent FVO reports have concluded that Ireland has a well developed and structured control system in place in relation to the safety of food. Where FVO reports have highlighted various areas requiring attention the Irish competent authorities have responded accordingly.

The Irish authorities have responded and coordinated with other Member States in response to the recent problem of equine DNA identified in beef products. They continue to contribute to the identification and investigation of food fraud incidences via the Food Fraud Task Force and Network.

It is reassuring given Ireland's important role as a beef producing nation, that the first evidence in relation to the concerns concerning the integrity of beef products emerged as the result of Irish official controls.

2. INTRODUCTION

This study on food safety in Ireland has been prepared for Policy Department A at the request of the Environment, Public Health and Food Safety Committee (ENVI) Delegation to Ireland oin 10-12 February 2016. It reviews and updates the previous study of 2013.

2.1. Aim

This report provides an update of the 2013 summary of Ireland's food and drink industry which incorporated an overview of the food safety and control system in Ireland and outlines the structure and competencies of the European Food and Veterinary Office (FVO). This report identifies the main developments since that time on Food Safety in Ireland and in particular new relevant legislative actions, events and challenges. Associated references have also been updated as applicable.

2.2. Method

2.2.1. Sources of information

The websites and official publications of the relevant regulatory and other authorities in Ireland were examined. In addition the website of the DG-SANTE and the Food and Veterinary Office (FVO) were also reviewed. Ireland has been subject to eight FVO audits from 2013 to date (five in 2015, of which 2 have been published) which have also been considered.

2.3. Map of Ireland

Map 1 Map of Ireland



Source: Europa website: European Union - Ireland

3. IRELAND, FOOD PRODUCTION AND EXPORTS

KEY FINDINGS

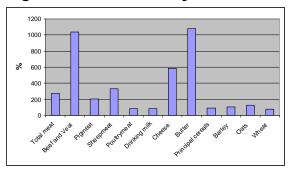
- Ireland has a population of 4.6 million and is one of the smaller countries in the EU
- The agri-food industry provides over a quarter of a million jobs and has a turnover of €24 billion and is seen as an area of economic growth.
- In 2015 the export of Irish food and drink recorded its sixth year of growth, exporting to 175 countries and being valued at €10.8 billion
- The major destination for exports is the UK (41% €4.4 billion)) and the rest of Europe (31% €3.4billion)
- Dairy products and ingredients (30%), Beef (21%) and Beverages (14%) represent the major products exported

This chapter provides general information on Ireland and the Irish food industry.

With a population of approximately 4.6 million (April 2014) (Central Office of Statistics) Ireland has one of the smallest populations in Western Europe. Like a number of countries in the European Union (EU) Ireland suffered in the recent recession and was granted financial support from the European Union's European Financial Stability Fund in 2010. This was completed in 2013 and Ireland is currently subject to post-programme surveillance. The latest report (European Commission, Economic and Financial Affairs, 2015) indicates that there has been a marked improvement in Ireland's economic outlook, and that market perceptions of Ireland have improved significantly. Areas deserving attention however were also identified (European Commission: Economic and Financial Affairs 2015, Country Report, 2015). Ireland's overall competitiveness is also reported to continue to improve (Bord Bia (the Irish Food Board), 2016).

The Food and Drink Industry Ireland (FDII) indicates that the manufacture of food and drink products is Ireland's most important indigenous industry (FDII, 2016a). The sector has been identified to lead in the national economic recovery with expanding exports and increased employment opportunities (FSAI, 2012). Approximately a quarter of a million jobs are linked to the agri-food sector which has a turnover of €26 billion and over €10.8 billion worth of exports in 2015 to 175 countries. Ireland has a high level of self-sufficiency with the majority of produce supplied to Ireland's €14bn domestic grocery sector being provided by the Irish agri-food industry (Figure 1). Due to the high level of self-sufficiency in many products the bulk of the sector's output is exported (DAFM 2010, 2015a,b,c).

Figure 1: Ireland's degree of self sufficiency



Source: Factsheet on Irish Agriculture 2015a, DAFM

Ireland's agri-food industry is expected to play a significant role in the country's ongoing economic development. The ongoing plans have been put forward in the Food-Wise 2025 strategy (DAFM, 2015d), following on from the Food Harvest 2020 (DAFM, 2010) report.

The agri-food sector (Agriculture, Fisheries and Forestry) represented 7.6% of Good Value Added (GVA) (2014); 8.5% of employment (2015 – Q3) and 12.3% of merchandise exports (primary unprocessed products, food and beverages) (2014) (DAFM, 2014, 2015a).

There are approximately 139,860 farms in Ireland with an average size of 37 hectares per holding (DAFM 2014). The land area of Ireland is 6.9 million hectares of which 4.5 million hectares is used for agriculture. 81% of the agricultural area is devoted to pasture, hay and grass silage, 11% to grazing and 8.2% to crop production (DAFM, 2015a). One problem which has been identified, may affect continuity and the skill / knowledge base, however is that over 50% of family farm holders are aged over 55 whilst 6.2% were less than 35.

Exceptionally strong exports made Ireland the fastest growing economy in the EU in 2014 (European Commission, Economic and Financial Affairs, 2015). In 2015 the Irish food and drink sector recorded the sixth year of export growth. Food and drink exports were estimated to have increased by 3% to over 10.8 billion, the highest value recorded and a growth of 51% since 2009. Strongest growth was in beverages, beef and seafood and edible horticulture. Although there was an increase in milk volume overall value was affected by lower prices. Lower prices also negatively affected the price of pigmeat exports (Bord Bia, 2016). Exports of prepared consumer food have grown by 7% to €2.5 billion making it the second largest export category after dairy (FDII), 2016a).

The major destination of exports is the UK (40.1%) (Ireland is the UK's largest supplier of food and drink, and showed the greatest growth rising by 7%) followed by the rest of Europe (31%) and third countries (29.8%). Ireland is the largest net exporter of dairy ingredients, beef and lamb in Europe, exporting over 80% of its dairy and beef production. Irish beef is stocked by more than 82 retail chains across Europe. Ireland also exports over half the pigmeat it produces – to over 60 countries around the world. It is also the largest exporter in Europe of powdered infant formula (FDII, 2016a).

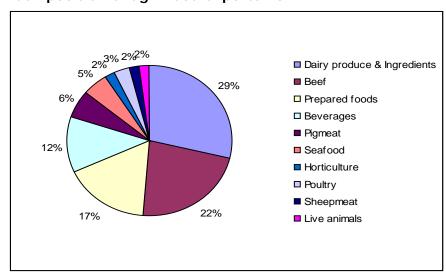


Figure 2: Composition of agri-food exports 2012

Source: Factsheet on Irish Agriculture DARM, 2015a

3.1. Meat sector

Bord Bia (the Irish Food Board) indicates that the combined value of meat and livestock exports increased by 2% to €3.7 billion and was exported to 52 markets and represents 34% of total food and drink exports. Although exports of beef, poultry and sheepmeat increased those of pigmeat and livestock decreased (Bord Bia, 2016).

3.1.1. Beef

The total number of cattle (6.9 million, June 2014) showed a very slight increase (0.3%) over the previous year. Whilst the dairy herd expanded by 5.4%, the beef cow herd contracted by 1.8%. Irish beef production is a predominantly grass based system. Ireland also exported approximately 236,000 head of live cattle in 2014 which was an increase of 13% compared to 2013.

In 2014 Ireland was the only member state that saw increased (3%) beef sales (DAFM, 2014). Beef faces competition from cheaper protein sources. The origin of meat is an important consideration for many consumers and meat retailers are focusing on local sourcing to build trust in the category (Bord Bia 2016).

3.1.2. Pigs and Pigmeat

In June 2012 there were 1.57 million pigs in Ireland, representing an increase of 1% over the previous year. Irish pigmeat is supplied to the Irish domestic market and also to the UK (45% of total pigmeat exports) and to a wide range of European (23% exports) and International destinations (32% exports). Irish pigmeat exports were valued at €457 million in 2012 representing 178,000 tonnes.

3.1.3. Sheep and Sheepmeat

The Irish sheep flock increased by almost 7% to 5.14 million head in 2012.

Irish sheepmeat is supplied to the domestic market and to the EU – predominantly France (44% of total exports in 2012). During 2012 Ireland exported approximately 42,000 tonnes of sheepmeat valued at approximately €205 million.

3.2. Dairy

In 2014, the volume of milk produced was 5.672 billion litres which was 5.93% over quota. This was expected to continue into 2015 which would have led to Ireland incurring a super levy fine (DAFM, 2014). The milk quota regime however ended on 31 March 2015.

3.3. Fish and Seafood Industry

The Irish seafood industry provides approximately 11,600 jobs – 5,000 in fisheries, 2,000 in aquaculture, 3,500 in seafood processing and 1,000 in ancillary services.

Exports of Irish seafood in 2014 amounted to €520 million, an increase of 6% from 2013. Trade to the EU accounted for 65% of seafood export value with the main markets being France, Spain, UK, Germany and Italy. Exports to countries outside the EU increased by 18% to 184 million in 2014. Trade to the African and Asian markets also increased in 2014. (DAFM, 2014).

3.4. Retail

The Irish retail grocery market was valued at €9 billion in 2015 (Bord Bia, 2015a) Convenience stores represent approximately 5.3% of the Irish retail market with the major stores being Centra, Spar, Londis and Costcutter.

The three major supermarkets are Musgrave (Supervalu) (25.1%); Tesco (24.6%) Dunnes Stores (24.0%), whilst Aldi (7.9%) and Lidl (8.0%) have grown market share in recent years. Private label goods account for 35% of products sold in supermarkets (Kantar World Panel, 2016).

Ireland is considered to have high food and drink prices compared to the rest of Europe – 29% higher than the EU average (USDA, GAIN 2011).

4. STRUCTURE OF THE FOOD SAFETY AND CONTROL SYSTEM IN IRELAND

KEY FINDINGS

- Ireland has an established food safety and control system;
- The principal organisations responsible for developing food policy and legislation are the Department of Agriculture, Food and Marine (DAFM) and the Department of Health (DOH);
- The Food Safety Authority of Ireland (FSAI) assists DAFM and DOH in their roles and, by contract to the DAFM, is also responsible for enforcement;
- Enforcement is undertaken by a number of agencies operating under a system of service contracts with the FSAI;
- Service contracts detail the required services and standards, reports required and frequency;
- Control and responsibility is organised by FSAI to avoid duplication and a crossagency working group ensures co-ordination and that there are no gaps or overlaps in responsibility and enforcement;
- Cross border collaboration is undertaken with Northern Ireland:
- Following the horse meat incident a Food Fraud Network has been established.

This chapter provides an overview of the structure of the food safety and control system in Ireland the principal organisation of which, other than the formation of the Food Fraud Network, remains as in 2013.

4.1. Principal Organisations

Two Government departments (Central Competent Authorities) are responsible for developing food policy and legislation for food and feed safety, plant health, animal health and animal welfare in Ireland:

- The Department of Agriculture, Food and Marine (DAFM)
- The Department of Health (DOH)

They are supported in this role by The Food Safety Authority of Ireland (FSAI), under the Department of Health. FSAI has overall responsibility for the enforcement of food safety legislation in Ireland, apart from at the primary production level, which it manages through contractual arrangements with the individual competent authority concerned (see section 4.1.4 below) as well as Memoranda of Understanding with certain bodies (section 4.1.5). A comprehensive national laboratory network is involved in the analysis of samples and provision of scientific research.

DAFM and DOH designate competent authorities in national legislation or through administrative procedures.

4.1.1. Department of Agriculture, Food and Marine (DAFM)

The Minister for Agriculture, Food and the Marine is responsible for the development of policy, the negotiation of rules at European Union level and their execution or implementation in national law:

- Primary production of food, (excluding fish)
- Slaughter, cutting, preparation and processing of foods of animal origin, including fish, up to not including, retail level
- Import of food of animal origin and certain foods of non-animal origin control and pesticide residues controls on imported foods of animal origin
- Controls of foods certified as having protected geographical indications (PGI), protected designation of origins (PDO) and / or traditional specialities guaranteed (TSG)
- Pesticide residues
- Organics
- Food contact materials

The Minister for Agriculture, Food and Marine is also the competent authority for feed safety, animal health and welfare and plant health.

The DAFM comprises seven Assistant Secretaries, the Chief Veterinary Officer, the Chief Agricultural Inspector and the Director of Laboratories. The Department has outlined its objectives, strategies and performance indicators including those related to food safety, animal health and welfare and plant health. The Department has undergone a 32% reduction in staffing levels since 2005 and the application of cross-functional co-ordination and multi-disciplinary teams is highlighted (DAFM, 2015c).

4.1.2. Department of Health (DOH)

The Minister for Health is responsible for the development of policy, the negotiation of rules at European Community level and implementation in national law of those rules for any stage of production, processing or distribution of:

- Food of non-animal origin
- Food of animal origin sold directly to the consumer
- Food of animal origin exempt from Regulation (EC) No 853/2004 laying down hygiene rules for food of animal origin
- Composite products (those for human consumption containing both products of animal origin and products of plant origin)
- The import or export of foods of non-animal origin or composite products

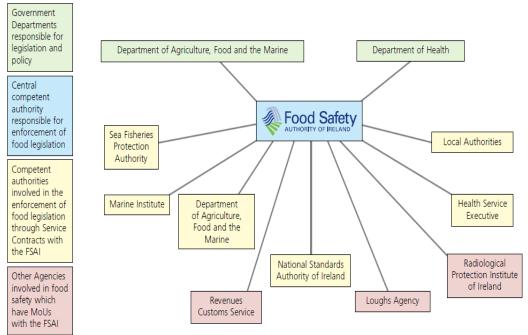
The organisation and execution of official controls are undertaken by a number of competent authorities (see Table 1 and Figure 3).

Table 1: Competent authorities involved in the execution of the National Control Plan

Sector	Government Department responsible for Policy and Legislation	Competent Authorities responsible for Official Controls
Food	Department of Health (DOH) Department of Agriculture, Food and Marine (DAFM)	Food Safety Authority of Ireland (FSAI) Department of Agriculture, Food and the Marine (DAFM) Health Service Executive (HSE) Local authorities (LA) Sea Fisheries Protection Authority (SFPA) Marine Institute (MI) National Standards Authority of Ireland (NSAI)
Feed	Department of Agriculture, Food and Marine (DAFM)	Department of Agriculture, Food and Marine (DAFM)
Plant Health	Department of Agriculture, Food and Marine (DAFM)	Department of Agriculture, Food and Marine (DAFM)
Animal Health and Welfare	Department of Agriculture, Food and Marine (DAFM)	Department of Agriculture, Food and Marine (DAFM) Marine Institute (MI) Local authorities (LA)

Source: DAFM, FSAI (2014) The National Control Plan for Ireland 1st January 2012 to 31st December 2016

Figure 3: Government departments, competent authorities and other agencies involved in official controls of foods

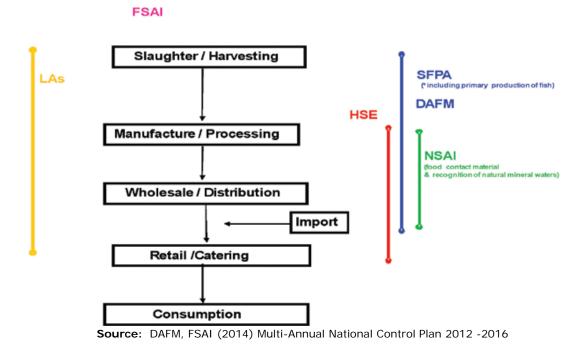


Source: DAFM, FSAI (2014) National Control Plan for Ireland 1st January 2012 to 31st December 2016.

Note: The Radiological Protection Institute of Ireland is now part of the Environmental Protection Agency (EPA-ORP)

Where possible a single inspectorate is involved in official controls in each food business. The FSAI hosts a cross-agency working group to ensure that there are no gaps in food law enforcement and to minimise any overlaps as indicated in Figure 4 and Tables 1, 2, 3 and 4. In general legislation defines the competent authority responsible for the supervision of the business.

Figure 4: Stages of the food chain and the competent authorities involved in official controls



Note: The remit of the FSAI excludes primary production except in the case of fish, although this was under review FSAI, 2012) DAFM is responsible for official controls on primary production of both food of animal production and food of non-animal origin (not illustrated)

Table 2: Distribution of responsibility according to product type

Sector	DAFM	SFPA	Local Authorities	HSE
Products of animal origin	Х	Х	Χ	Χ
Meat, milk, eggs				
Official controls	X			
Primary production	X			
Slaughter	X (High ¹)		X (Low)	
Processing	X (High)		X (Low)	
Wholesale	X (High)		X (Low)	
Distribution	X (High)		X (Low)	
Retail				Χ
Imports from third countries (BiPs)	Χ			
Fish & Shellfish	X	Χ		Χ
Official controls		Χ		
Primary production		Χ		
Slaughter		Χ		
Processing		Χ		
Wholesale		Χ		
Distribution		Χ		
Retail				Χ
Imports from third countries (BiPs)	Х	Х		
Products of non animal origin	Χ			X
Official controls	Χ			X
Primary Production	Χ			
Harvesting	X			
Manufacturing				X
Processing				Χ
Wholesale				Χ
Distribution				Χ
Retail				X
Import	X			Χ
	(Pesticide			
	residues)			
Composite Products				
Dependent on nature of product and	Χ	Χ	Χ	Χ
volume				

Source: DAFM, FSAI (2014) National control plan for Ireland, 2012 – 2016 Revision 1

Official controls of slaughter houses, meat processing, wholesale and distribution establishments is dependent on throughput as defined in legislation implementing Regulation (EC) 853/2004.

Table 3: Categories of food legislation in each of the FSAI service contracts

Category of Legislation HSE LA DAFM SFPA MI NSAI General food law (including traceability) V	rable 9: oategories of						
(including traceability) Official controls Food Hygiene Control of imports Labelling, presentation and advertising Additives and Flavourings Contaminants V V V Contaminants V V Residues of Veterinary Medicines Pesticide residues Microbiological criteria Aquaculture Specified risk material V V V V V V V V V V V V V	Category of Legislation	HSE	LA	DAFM	SFPA	MI	NSAI
(including traceability) Official controls Food Hygiene Control of imports Labelling, presentation and advertising Additives and Flavourings Contaminants Contaminants	General food law	✓	√	✓	√	✓	✓
Food Hygiene	(including traceability)						
Control of imports Labelling, presentation and advertising Additives and Flavourings Contaminants V V V V V Contaminants Contaminants V V V V V V Contaminants V V V V V V V V V V V V V V V V V V	Official controls	✓	✓	✓	✓	✓	✓
Labelling, presentation and advertising Additives and Flavourings Contaminants V V V V V V V V V V V V V	Food Hygiene	✓	✓	✓	✓	✓	✓
advertising Additives and Flavourings Contaminants V V V Residues of Veterinary Medicines Pesticide residues Microbiological criteria Aquaculture Specified risk material Zoonoses V V V V V V V V V V V V V	Control of imports	✓		✓			
Contaminants Residues of Veterinary Medicines Pesticide residues Microbiological criteria Aquaculture Specified risk material Zoonoses Food contact materials Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	.	✓	✓	✓	✓		✓
Residues of Veterinary Medicines Pestlicide residues Microbiological criteria Aquaculture Specified risk material Zoonoses Y Food contact materials Slaughter of animals Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Y V V V V V V V V V V V V	Additives and Flavourings	✓	✓	✓	✓		
Medicines Pesticide residues Microbiological criteria Aquaculture Specified risk material Zoonoses Y Y Y Y Aquaculture Specified risk material Zoonoses Y Y Y Food contact materials Y Slaughter of animals Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Y Nutrition and Health claims Y Manufacturing and Y Manufacturing and	Contaminants	✓	✓	✓	✓	✓	
Microbiological criteria Aquaculture Specified risk material Zoonoses Y Y Y Y Y Y Y Y Y Y Y Y Y			✓	✓	✓	✓	
Aquaculture Specified risk material Zoonoses V V V V Food contact materials Slaughter of animals Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Pesticide residues			✓			
Specified risk material Zoonoses V V V Specified risk materials Food contact materials Slaughter of animals Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Microbiological criteria	✓	✓	✓	✓	✓	
Zoonoses Zoonoses V V V V Slaughter of animals Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and V V V V V V V V V V V V V	Aquaculture				✓	✓	
Food contact materials Slaughter of animals Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Use of protected names Food supplements Nutrition and Health claims Food fortification Manufacturing and	Specified risk material	✓	✓	✓			
Slaughter of animals Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Zoonoses	✓	✓	✓	✓	✓	
Foods for particular nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Food contact materials	✓	✓	✓	✓		✓
nutritional uses Genetically modified foods Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Slaughter of animals		✓	✓			
Novel foods Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	•	✓	✓	✓			
Processed cereal-based foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Genetically modified foods	✓		✓			
foods Infant formula Foodstuffs treated with ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Novel foods	✓					
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ionising radiation Marketing standards Organic foods Use of protected names Food supplements Nutrition and Health claims Nutrition and Health claims Food fortification Manufacturing and	Infant formula	✓		✓			
Organic foods Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and		✓					
Use of protected names Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Marketing standards	✓		✓			
Food supplements Nutrition and Health claims Bottled water Food fortification Manufacturing and	Organic foods			✓			
Nutrition and Health claims V Bottled water Food fortification V Manufacturing and	Use of protected names			✓			
Bottled water Food fortification Manufacturing and	Food supplements	✓					
Food fortification \checkmark \checkmark \checkmark Manufacturing and \checkmark \checkmark	Nutrition and Health claims	✓	✓	✓			
Manufacturing and	Bottled water	✓					
- v v	Food fortification	✓	✓	✓			
	_	✓	√	✓			

Source: DAFM, FSAI (2014) National control plan for Ireland, 2012 – 2016 Revision 1

Table 4: Control systems and operational levels - Overview of the distribution of responsibilities

	л гезропзівн				
Sector	Policy co- ordination	Co- ordination of controls	Implementatio n of controls	Laboratorie s	Risk assessment / scientific advice
Animal health	DAFM	DAFM / MI	DAFM / LA / MI	CVRL / RVL / BTL / MI	CVRL
Food of animal origin	DAFM / DoH	FSAI	FSAI / DAFM / HSE / LA / SFPA / NSAI	EPA-ORP, VPHRL , DSL, VFSL, MI, FSLS, SL	CVRL, VPH, RL, DSL, VFSL, FSAI
Import of animal and food of animal origin	DAFM	DAFM, CUSTOMS, FSAI	DAFM, CUSTOMS, FSAI	VPHRL, DSL, MI, CVRL	VPHRL, DSL, MI, CVRL, FSAI
Feedingstuffs and animal nutrition	DAFM	DAFM, CUSTOMS	DAFM, CUSTOMS	SL, PAL, PRL, CPL	SL, PAL, PRI, CPL
TSEs, ABP	DAFM	DAFM, FSAI	DAFM, FSAI, LA, HSE	CVRL, STS, RVL	CVRL, FSAI, DAFM
Veterinary medicines authorisation, marketing & distribution	DAFM, HRPA	DAFM, HRPA	DAFM, HRPA	HRPA Contracted labs	HRPA Contracted labs
Veterinary medicines Residues	DAFM	FSAI, DAFM, LA, SFPA	FSAI, DAFM, LA, SFPA	VPHRL, SL, MI, TFRC, PCL, DSL	VPHRL, SL, MI, NFC, PCL, DSL, FSAI
Foodstuffs and Food hygiene / GMO	DAFM, DoH	FSAI, DAFM, HSE, NSAI*	FSAI, DAFM, HSE, NSAI*	FSLS, VPHRL, VFSL, PALS	FSAI, FSLS, EHS, DAFM
Imports of foods of plant origin	DAFM, DoH	FSAI, HSE, DAFM, CUSTOMS	FSAI, HSE, DAFM, CUSTOMS	FSLS, PCL	HSE, FSAI
PPPs – authorisation, marketing and use	DAFM	DAFM	DAFM	PCL	DAFM
PPPs – residues	DAFM	DAFM	DAFM, FSAI	PCL	PCD, FSAI
Animal welfare	DAFM	DAFM	DAFM, LA, SFPA	CVRL	CVRL, FAWAC
Plant health	DAFM	DAFM, CUSTOMS	DAFM, CUSTOMS	CPL	CPL

Source: European Commission, FVO (2015a) (*NSAI for recognition of mineral waters)

4.1.3. Food Safety Authority Ireland (FSAI)

The FSAI was established through the Food Safety Authority Ireland Act 1998 and acts as an independent regulatory authority. It is the competent authority with overall responsibility for the enforcement of food legislation in Ireland and is the national agency responsible for ensuring that foods produced, distributed and marketed in Ireland are safe to eat. The Department of Health is the parent department of the FSAI.

The mission statement of the FSAI is as follows:

'to protect people's health and people's interests by ensuring that food consumed and produced in the State meets the highest standards of food safety reasonably achievable and that people have accurate and worthwhile information about the nature of the food they eat.'

The responsibility for enforcement of food legislation is managed through contractual arrangements (service contracts) between the FSAI and a number of competent authorities involved in the enforcement of food legislation. The FSAI is responsible for the coordination of food control activities within and between competent authorities, determining inter-agency supervisory arrangements and ensuring consistency of enforcement. The FSAI is directly responsible for the enforcement of some legislation. The majority of food legislation is enforced by competent authorities who thus carry out controls under service contract to the FSAI.

Thus food legislation is enforced by the FSAI by a network of official agencies through the service network programme. The FSAI monitors and reports on these activities and seeks continuous improvement and accountability through a programme of regular audits.

Enforcement is complemented by awareness campaigns, practical advice and guidance for the food industry.

The FSAI manages food incidents and emergencies and is the co-ordinating body for food alerts and withdrawals. It is the national contact point for the EU Rapid Alert System for Food and Feed (RASFF) in Ireland and the national Network of Food Safety Authorities of the World Health Organisation (FSAI 2015, 2014; DAFM/FSAI, 2014).

a. Other roles undertaken by the FSAI

- Direct involvement in control activities including audits, inspections, certification, investigation of food incidents and monitoring and surveillance
- The provision of scientific and technical support to competent authorities and industry via the publication of reports, guidance notes, codes of practice and information leaflets.
- Contributing to the risk assessment process
- Provision of training for officials in competent authorities
- Chairs working groups to progress issues in relation to official controls specific to a competent authority or inter-agency working groups as appropriate
- Data management in relation to official food control data.

4.1.4. FSAI Enforcement activities and Service contracts

The FSAI enforces food legislation through a service contract mechanism in conjunction with various official agencies – Health Service Executive (HSE), Department of Agriculture, Fisheries and Marine (DAFM), Sea-Fisheries Protection Authority (SFPA), Marine Institute

(MI) and local authorities. Details of the commercial service contracts are available on the FSAI website. Where appropriate, the official agencies have been confirmed as competent authorities in clause 2 of their service contracts. The aim of the service contract is to ensure the effective and consistent enforcement of food-law through a risk-based approach and accountability of each competent authority in enforcing food legislation. The service contracts detail the contracted services required, the service levels and reporting requirements and procedures and each competent authority provides the FSAI with an annual service plan detailing how the required objectives will be fulfilled.

The FSAI is responsible for the co-ordination of food control activities within and between competent authorities, determining inter-agency supervisory arrangements and ensuring consistent enforcement of horizontal legislation across the different competent authorities involved in the official control of food. It communicates with the competent authorities involved in food controls through regular liaison meetings and has established an extranet service called Safety Net, which allows for the sharing of information between competent authorities involved in food controls. The effectiveness of the application of horizontal legislation is assessed through FSAI audits and FVO missions.

a. Department of Agriculture Food and Marine (DAFM)

DAFM carries out official controls in accordance with legislative requirements, the requirements of the service contract with FSAI, DAFM business plans and sampling plans.

b. Health Service Executive (HSE)

The HSE was established under the Health Act 2004 and is part of the Department of Health. The FSAI has a service contract with the HSE to provide the following food control services:

- Environmental health services (EHS) which are organised nationally (an Assistant National Director is supported by four regional Chief Environmental Health Officers) and locally by principal environmental health officers. Services provided include inspection of relevant food premises; food sampling to ensure compliance; management of food alerts and outbreaks; compliance building and education measures. HSE is responsible for import controls on products of non-animal origin.
- Food safety laboratory services which consist of a network of laboratories comprising three Public Analyst Laboratories (PAL) responsible for physical / chemical analysis of food samples and six Official Food Microbiology Laboratories (OFML) responsible for the microbiological testing of foodstuffs (Dublin PAL is a seventh OFML as it does microbiology testing) analyse samples taken during official controls by environment health officers. All of these laboratories are accredited to EN ISO 17025 on 'General requirements for the competence of testing and calibration of laboratories'. Each has local management structures in place. These laboratories analyse samples taking during official controls to support inspection, as part of monitoring and surveillance programmes or as part of the investigation of an outbreak, incident, food alert or consumer complaint.
- Public health medical services which participate in multi-disciplinary investigating, managing and controlling outbreaks of foodborne disease.

c. Local authorities

The FSAI has contracts with 28 individual local authorities which are multipurpose bodies responsible for an extensive range of services, including veterinary services. Local authorities come under the auspices of the Department of the Environment, Community

and Local Government. The majority of local authorities have a local structure involving a County Manager, a Director of Services, the County Veterinary Officer, temporary veterinary inspectors and administrative support. Local authority veterinary officers are normally employed directly by local authorities.

Local authorities use the FSAI centralised official agency premises inspections (OAPI) database to record information regarding their official control responsibilities. This database collates local and regional data for all local authorities.

d. Sea Fisheries Protection Authority (SFPA)

The SFPA was established in 2006 to enforce national and EU regulations on sea-fisheries conservation and seafood safety. DAFM is the SFPA's parent authority.

The SFPA has port offices around the coast including in the main fishing ports.

The SFPA, DAFM Import Control Division, Marine Institute and relevant laboratories agree an annual plan for sampling fishery products and other seafood at the Border Inspection Posts (BiPs) in Dublin Port and Shannon Airport. The sampling plan covers microbiological and chemical sampling and analysis.

e. Marine Institute (MI)

The Marine Institute established in 1991 provides analytical, technical and advice services to the SFPA and DAFM (FSAI). DAFM is the parent department of the MI.

f. National Standards Authority of Ireland

The NSAI provides certification to nationally / internationally recognised standards for processes and services. It also has responsibility for the enforcement of legislative requirements in relation to the recognition and exploitation of natural mineral waters bottled in Ireland and official controls on the production, distribution and import of food contact materials.

4.1.5. FSAI and Memorandum of understanding

In addition the FSAI has a Memorandum of Understanding with the following organisations who have a role in food safety but are not involved specifically with the enforcement of food legislation: Environmental Protection Agency – Office of Radiological Protection, Revenue's Customs Service and Loughs Agency.

a. Environmental Protection Agency – Office of Radiological Protection (EPA-ORP)

The ERA-ORP carries out extensive monitoring of radioactivity in the food chain and the environment in fulfilment of its statutory obligation under the Radiological Protection Act, 1991. It also is the responsible authority in relation to granting of food irradiation licences to irradiation facilities.

b. Revenue Customs Service

Customs are involved with FSAI, DAFM and HSE in relation to the import controls of products of non-animal origin and food contact materials subject to emergency measures and increased official controls and certain products of non animal origin subject to increased controls (pesticide monitoring).

Customs are involved with DAFM in relation to the import of live animals from third countries and products of animal origin (POAO) from third countries at BiPs. All products require inspection by DAFM before released into free circulation.

c. Health Products Regulatory Authority (HPRA)

The HPRA is responsible for the authorisation of all categories of human and veterinary medicinal products.

d. Loughs Agency

The Loughs Agency is responsible for sampling commercially caught, grown and / or harvested shellfish in the Foyle and Carlingford areas.

4.1.6. Laboratories

Details of approved laboratories are available on the FSAI website.

Laboratories offer a range of analytical services and fall into one or more of the following categories: National reference laboratory; Official laboratory; Other (specialist) laboratory; Private laboratory. Laboratories used for official controls are accredited to EN ISO 17025.

4.1.7. Crisis Management

The FSAI has an internal crisis management plan, the protocol for which was updated in 2014, which links to the EU plan and to the contingency plans in the relevant competent authorities. The crisis plans are in place at national and regional level for dealing with crisis incidents, large scale food safety incidents and outbreaks of food-related disease.

4.2. Legislation

The legal foundation of food law in Ireland is The Food Act, which is in line with Regulation (EC) No. 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

Food legislation is defined in the Food Safety Authority Act 1998 (FSAI Act) to include the Acts, Statutory Instruments and the EC regulations set out in the First schedule of that Act in so far as they relate to food safety and hygiene. Each piece of Irish legislation giving effect to specific EU food safety legislation also has enforcement powers appropriate to the EU legislation (FVO, 2015a).

Ireland has a Multi-Annual National Control Plan (MANCP) the current version covers the period 2012 – 2016, revised 2014 and applies until 31 December 2016. It is available from the FSAI (and DAFM) website. This details the controls in place for food, feed, animal health, animal welfare and plant health. Controls are risk-based and are intended to protect the public, animal and plant health and consumer interests in a manner which does not impose unnecessary burdens on the food and feed business operators.

5. EUROPEAN FOOD AND VETERINARY OFFICE

KEY FINDINGS

- The Food and Veterinary Office, works within DG-SANTE, employing approximately 180 staff, and is based in Grange, Co. Meath, Ireland
- The FVO's role is to support the Commission in ensuring that Community legislation on food safety, animal health, plant health and animal welfare is properly implemented and enforced.
- The FVO fulfils this role by undertaking audits (approx 250 year) of Member States, acceding and candidate countries and other third countries; reporting its findings; making recommendations for improvements; requesting action plans to address any shortcomings; following up to ensure implementation of its recommendations and the verification of corrective actions.
- The FVO reports help identify immediate threats and contribute to the development of Community policy and the development and implementation of effective controls in the area of food safety, animal health, plant health and animal welfare;
- The FVO informs interested stakeholders, including the consumer, by making its reports freely accessible via the DG-SANTE website;
- The FVO also contributes to training of enforcement staff.

This chapter provides an overview of the European Food and Veterinary Office, whose role and standard operational procedures remain as in 2013, although areas of focus are adjusted according to assigned priorities.

5.1. Introduction

The Food and Veterinary Office (FVO) works within the European Commission's Directorate-General for Health and Food Safety (DG-SANTE) as indicated in the organisation chart below (Figure 5). Following the bovine spongiform encephalopathy (BSE) crisis in 1996 the report of the European Parliament's temporary committee of enquiry into BSE (Medina Ortega report) criticised both the national control systems and the Commission's monitoring procedures. FVO was established by the European Commission, with strong support from the European Parliament, in 1997 as part the Commission's resulting new food safety policy. (Previously the Commission had carried out controls and inspections under the remit of its Agriculture (veterinary and phytosanitary matters) and Enterprise (general food hygiene) directorates). Since 2002 FVO has been based in Grange, Co. Meath, Ireland.

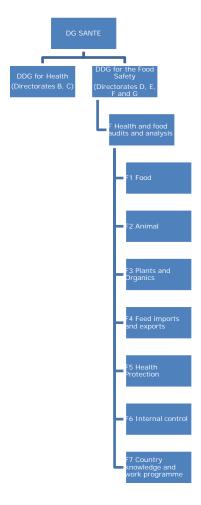
180 staff work in the FVO including inspectors (who participate regularly in on-the-spot inspection missions), management and support staff. Inspectors are typically veterinarians, agronomists and similarly qualified specialists.

5.2. Role of the Foreign Veterinary Office

The European Commission is responsible for ensuring that Community legislation on food safety, animal health, plant health and animal welfare is properly implemented and enforced. The FVO plays a major role in fulfilling this task and works to assure effective control systems and to evaluate compliance with EU standards within the EU, in acceding

and candidate countries to assess their preparedness for joining the EU and in third countries in relation to their exports to the EU.

Figure 5: Organisation chart of FVO within DG SANTE



Source: DG SANTE organisation chart 01/02/2016 DG SANTE website

5.3. FVO's Mission

- Check on compliance with the requirements of EU food safety and quality, animal health and welfare and plant health legislation within the European Union and on compliance with EU import requirements in third countries exporting to the EU,
- Contribute to the development of European Community policy in the food safety, animal health and welfare and plant health sectors,
- Contribute to the development and implementation of effective control systems in the food safety, animal health and welfare and plant health sectors,
- Inform stakeholders of the outcome of its audits and inspections.

5.4. Methods adopted by FVO in fulfilling its mission

- Conducting audits (inspections / missions)
- Reporting on the findings and making recommendations
- Following up on corrective actions

5.4.1. Audits (inspections / missions)

Audits are carried out under the general provisions of Community legislation and in particular Articles 45 and 46 of Regulation (EC) 882/2004 of 29 April 2004 on official controls performed to ensure the verification of compliance with feed law, animal health and animal welfare rules and, for plant health, Articles 21 and 27(a) of Council Directive 2000/29 on the protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread in the community.

Audits verify the effectiveness of national control systems for enforcing the relevant Community standards in the fields of food safety animal health and welfare and plant health. Each audit may be on specific sectors or all sectors. Since 2007, and subject to Article 45 of Regulation (EC) No 882/2004 FVO has also undertaken general audits which are intended to give an overall view of the operation of official controls at national level. In recent years increased emphasis has been placed on the need for Member States to ensure that official controls are risk based and are conducted with appropriate frequency.

The programme of audits is developed each year after a careful consideration of factors most notably risk but also legal requirements, trade and policy considerations. This programme is distributed to Member States and published in advance on the DG Health and Food Safety website (European Commission, FVO 2015c). Priority areas and countries are identified in the programme and reviewed mid-year (when a revised programme is published).

Typically approximately 250 audits are conducted each year.

Table 5: Distribution of FVO audits planned for 2015

FVO audit programmed for 2013	%
By subject	
Food safety	68
Food quality	6
Animal health	7
Animal welfare	5
Plant health	10
General follow-up and systems audits	4
By country	
EU-28	73
Acceding and candidate countries	2
Other third countries	25

Source: European Commission, FVO 2015

Whilst priorities are assigned by area and sector there are also a number of cross-sectoral priorities. Those identified for the 2014 work programme, and still ongoing, included aquaculture, composite products, post-slaughter traceability of meat and meat products and food additives. New cross-cutting themes include: anti-microbial resistance monitoring and national audit systems in accordance with Art. 4(6) of Regulation (EC) No 882/2004.

Smaller projects will look at high pressure processing (pascalisation) and means of transport for food.

New sectoral priorities include, amongst others, slaughter hygiene (bovine and ovine sectors), eggs and egg products, Campylobacter, traceability and labelling of fishery products, additives in fishery products, training in the animal welfare sector and finally, in the area of import controls of live animals and products of animal origin, controls on transiting goods and the re-enforced checks regime.

5.4.2. Reporting

Various types of reports are produced by the FVO:

- Audit reports set out findings, conclusions and recommendations to a country's competent authority to deal with any shortcomings revealed during the inspections.
 The competent authority of the country visited is able to comment on the draft report.
- Country profiles constitute an overview of a country's control systems, progress on FVO recommendations and a compilation of key information.
- Special reports on a specific theme provide an overview of a series of inspections, eg traceability, import controls, animal welfare.
- FVO Annual report since 2009 annual reports have been incorporated into the European Commission reports on the overall operation of official controls in the Member States.

5.4.3. Follow up and enforcement

Following receipt of the report the competent national authority is requested to present an action plan to the FVO on how it intends to address, or has addressed, any shortcomings. Together with other Commission services, the FVO evaluates this action plan and systematically monitors its implementation through a number of follow-up activities such as general review missions, follow-up inspections and requests for written reports. In the case of persistent problems high-level meetings are held between the Commission and the authorities concerned. As a last resort, legal action may be taken under EU law by the Commission to ensure that Member States meet their obligations under Community law².

In the case of an immediate threat to the consumer, animal or plant health being identified emergency measures may be taken. These may include legal action to prevent trade or imports of animals, plants of their products.

5.5. Summary

In summary FVO reports provide meaningful independent information on how a country's national control systems have been performing in the areas covered by its audits during the reporting period. They also highlight areas where the Commission may need to consider amending existing legislation, developing new controls or policies.

All FVO reports are available on the DG SANTE website and are accessible to the public.

During 2009-2010 the Commission launched infringement proceedings against Greece due to persistent failure to comply with a range of important components of EU food safety legislation and issued reasoned opinions against Spain and Italy.

6. CURRENT FOOD SAFETY ISSUES

KEY FINDINGS

- The food industry is responsible for placing safe food on the market and for ensuring that consumers are not misled:
- Food incidents, of varying severity, do occur;
- The 2013 horsemeat incident involved the identification of equine DNA in beef products and was identified by routine sampling undertaken as part of monitoring activities;
- What began as a problem identified in Ireland rapidly extended to include other Member States, a number of leading manufacturers and international brands and the recall of products;
- Member States cooperated, agreeing coordinated action to investigate the problem;
- This incident raised a number of issues in relation to food safety, labelling, informing the consumer, traceability, cross-contamination, complexity of the food supply chain; corporate integrity and responsibility;
- Subsequent incidences of food fraud have been very varied in nature;
- Many food recalls relate to labelling eg the presence of undeclared allergens;
- Other aspects of food safety including microbiological contamination and animal welfare continue to require attention and surveillance;
- Such incidents inform developments and improvements to food control.

All food business operators are required to ensure that foods they produce or supply satisfy the requirements of food law and that they can verify that such requirements are met. Amongst the requirements are that the labelling, advertising and presentation of food must not mislead consumers with respect to the safety or the authenticity of food. In addition, traceability must be established and detailed records kept.

Food incidents however do occur which can be restricted to the local or national level or can, on occasion, affect the food chain throughout the EU. The resolution of such incidents tests the food control system but ultimately leads to improvements by identifying weaknesses and areas that require additional attention, including the need for renewed guidance, training or the introduction of, or amendment to, legislation.

A summary of recent food safety incidents that have occurred in Ireland, and in the EU, are given below, along with an overview of the incident involving the presence of horse meat in beef products.

6.1. Food authenticity - Equine DNA in beef

The investigation into the adulteration of foods containing beef with horse meat, that occurred in 2012 / 2013 has been documented and the details reported in the earlier 2013 report (European Parliament, 2013) The incident raised concerns in relation to the traceability of meat ingredients and products entering the food chain. Another concern was that of fraudulent mislabelling where consumers were being misled.

6.1.1. Background

The FSAI (and equivalent competent authorities in the other member countries of the European Union) carried a limited survey in late in 2012 to investigate the authenticity of meat products on the Irish market. This survey used advanced DNA testing methods and tested for the presence of horse and pig DNA in a number of beef burger, beef meals and salami products available from retail outlets in Ireland. Generally the results showed trace levels of porcine or equine DNA with one exception which showed a high level (29%) of equine DNA in a beef burger.

The findings of this study prompted an official investigation conducted jointly by DAFM (veterinary inspectorate and audit teams) and FSAI to find the cause of the adulteration in the beef burger concerned and to determine if this was a 'one-off' or more systemic problem. The DAFM's special investigation unit (SIU) and the Garda (Police Force) National Bureau of Criminal Investigators were also been involved in relation to possible criminal actions.

The Food Safety Authority of Ireland (FSAI, 2013) published the findings of this study which then led to other Member States examining this issue when it was found that the adulteration of beef products affected other products produced and manufactured elsewhere. Many products were withdrawn from sale and large global companies and international food brands were affected. Europol became involved and coordinated testing throughout Europe. The European Commission published the results of a survey on the authenticity of beef products on the market in April 2013. The results showed that 4.7% of products were adulterated with more than 1%³ horsemeat, some at a level of 100% (FSAI, 2013a).

6.1.2. Actions undertaken in Ireland

Following the horsemeat incident the Irish authorities decided:

- To centralise and manage an equine identification database for Ireland within the Department for Agriculture
- That all meat traders were to be registered by DAFM as Food Business operators
- That DAFM would take over, from local authorities the supervision of two slaughter plants licensed to slaughter horses.
- To undertake an enhanced labelling inspection programme:

The FSAI coordinated an enhanced inspection programme with the HSE and local authorities of cold stores and wholesalers to authenticate provenance and accuracy of labelling of beef raw ingredients used in the manufacture of processed meat products

[&]quot;At present in EU law, a technical limit allowing for the presence of undeclared meat species in meat -based foods does not exist. However, a European Commission Recommendation (2013/99/EU) has adopted a working limit of 1% undeclared horse meat in a food containing beef as a limit that triggers further investigation of possible adulteration. Food businesses must satisfy themselves that their sampling and analysing regime will ensure compliance with this standard. For the purpose of this protocol and in the case of certain DNA analysis the Food Safety Authority of Ireland considers that a result reported a 1% equine DNA relative to bovine DNA should be considered equivalent to this working limit. FBOs should note that this working limit is designed to help with investigations into adulteration of beef containing foods and should not be interpreted as a general 'tolerable' limit for horse meat in beef containing foods" (FSAI, 2013). In 2014 a second coordinating control

^{&#}x27;tolerable' limit for horse meat in beef containing foods" (FSAI, 2013). In 2014 a second coordinating control plan was published in the Official Journal, 2014/180/EU: Commission Recommendation of 27 March 2014 on a second coordinated control plan with a view to establishing the prevalence of fraudulent practices in the marketing of certain foods.

Since 2013 the registration of equine premises has become a requirement and notification of transfer of ownership has been required since 2014.

The FVO report of the follow-up status of FVO recommendations (2015b) found however that the implementation of the TRACES database had been delayed due to the requirement to enter the information concerning equine premises.

The FVO general audit also highlighted continuing issues with the labelling of meat carcasses.

The FSAI undertook consumer research, during May 2013, to investigate the impact that the horse meat incident had on consumer purchasing behaviours of different types of meat and meat products and confidence in Irish food safety controls and regulations (B&A / FSAI, 2013).

The key findings indicated that:

- · Virtually all adults in the country had heard of the horse meat incident
- About 1 in 5 purchased fewer frozen burgers from supermarkets (-21%) while 1 in 7 reduced their consumption of processed foods containing meat (-16%)
- Approximately 4 in 10 were concerned about the idea that they may unwittingly have eaten horsemeat
- Concerns were given as:
 - o Unknowns in food products such as antibiotics
 - o What else might unknowingly be in other meat products
 - Whether there was a health risk
 - Food safety
- Significantly half of all respondents claim to be more conscious of ingredients, traceability and general food safety.

6.2. Food Fraud Task Force

The horse meat incident highlighted the difficulty for Member States' competent authorities to communicate efficiently with their counterparts in other Member States for the purposes of ensuring enforcement in cases of violations having cross-border impact. Food Fraud Contact Points were established to handle specific requests for cross-border cooperation in cases of "food fraud".

6.2.1. Europe

The European Commission established a special working group of Member States, in which Interpol participated, to deal with issues associated with food fraud and to strengthen cooperation between Member States in tackling fraudulent practices in the food chain – the Food Fraud Network (FFN). One of the key initiatives was the development of the Administrative Assistance and Cooperation system. This was to be an IT network, similar to RASFF, to provide a structured communication system through which Member States could communicate for the timely detection and investigation of food crime cases in the food chain

Following the positive opinion given by the Member States at the meeting of the PAFF Committee – section Biological Safety of the Food Chain of 15 September 2015 on the Commission Implementing Decision establishing the AAC system, the launch of the system

was envisaged for November 2015. Since its creation in 2013 the FFN had exchanged on 180 cases (European Commission, Food Fraud 22.12.2015).

In addition the FVO planned to undertake a series of audits in 2014, 2015 with a view to evaluating the organisation and effectiveness of official controls on trade in meat (all species), meat products and preparations and, where appropriate, composite products.

In particular, the audits would focus on official checks on the reconciliation of quantities produced, received, stored, processed and dispatched (European Commission, 2015).

6.2.2. Ireland

FSAI established, and chairs, a National Food Fraud Task Force consisting of representatives from national agencies involved with enforcement, An Garda Siochana, the Health Products Regulatory Authority, Food Standards Agency Northern Ireland and the Revenue and Customs Agency. It is an advisory group acting as a communications, coordination and networking group where intelligence can be shared at national and international level. In addition it raises awareness, improves mechanisms for monitoring and surveillance and training for enforcement officers and those whose roles would not be primarily working with food.

In 2013 incidences investigated by the FSAI included the marketing of counterfeit vodka and the fraudulent relabeling of foods with new 'use-by' dates.

In 2014 the authority was involved in the investigation of 21 food fraud cases, work on three cases which had begun in 2013 and were carried forward. Four other incidents with a food fraud element were also investigated.

These were varied and included:

- Soft drinks re-coding and re-dating
- Operation of unapproved meat establishments
- Sale and supply of counterfeit alcohol
- Re-dating of canned beer
- Mis-description of meat products (halal, lamb)
- Shellfish placed on the market causing illness
- Stolen animals
- Illegally slaughtered animals.

6.2.3. Other issues raised by the horse meat incident

a. Food safety

The FSAI concluded that there was no food safety issue involved in the contamination of beef products with horsemeat. Therefore the FSAI commented that it believed that it was not required to communicate the findings via the EU's Rapid Alert System for Food and Feed (as would be normal procedure in international food safety incidents). The findings did not require a mandatory withdrawal of implicated products from sale by either the food manufacturers or retailers. However, they did this rapidly in the interests of their customers' expectations. Food incidents have since been reported via the RASFF system.

b. Presence of medicinal residues

The origin of the horsemeat and how it had been handled were unknown. Horsemeat intended for the food chain is required to meet food standards and to be processed accordingly. Concerns were raised about the possible presence of phenylbutazone (Bute) - a veterinary medicine commonly administered to horses although horses treated must be excluded from the food chain. As part of the survey, the FSAI conducted testing for the presence of phenylbutazone in those equine DNA positive samples. All the tests for phenylbutazone were negative. Testing for Bute was to continue for a month as part of the EU testing programme.

c. Labelling

A major concern has been that of mislabelling and the misleading of the consumer.

With regard to labelling, under EU legislation, where the horse or pork meat is used as an ingredient or part of a compound ingredient, their presence has to be declared. However, if these are inadvertently or accidently present at low levels they would not be declared on the label. The very low levels that were detected in some of the beef burger products were considered to be more indicative of inadvertent rather than a deliberate presence and as such, would not be declared (FSAI).

d. Cross - contamination

As indicated above one possible explanation given for the presence of trace amounts of pig or equine DNA identified has been that of inadvertent cross contamination in those slaughter houses or processing plants legitimately handling both beef and pig or horsemeat. Nevertheless this may be an area which that requires additional investigation not least because of cultural and religious considerations.

e. Traceability

This incident highlighted the requirement for traceability.

A 2010 audit carried out by FVO in Ireland evaluated the controls over beef and beef products (FVO, 2010). The objective was to evaluate the operation of controls over the traceability of beef and beef products from the retail outlet to the farm of origin. The implementation of, and control over, Community legislation on the labelling of beef and beef products was also evaluated. Particular attention was paid to farm registration and animal identification, animal movements, slaughter, cutting, storage and distribution chain and the labelling of beef and beef products.

Various recommendations were made concerning cross-compliance checks which were found not to be reliable, with deficiencies identified in relation to animal identification and movement controls, traceability and compulsory labelling. The report concluded that traceability systems in place and compulsory labelling of beef and minced beef were in general satisfactory. The competent authority disagreed with a number of the findings and actions were agreed and involved the emphasis and conducting of inspections, training and provision of support documents and reminders to industry of the specific requirements of Regulation (EC) 1825/2000.

f. Country of origin labelling

The labelling of beef carcasses and of beef is covered by specific legislation.

Since 1 April 2015 EU Regulation 1337/2013 implemented by S.I. No 113 requires Food Business Operators (FBOs) label pre-packed meat of swine, sheep, goats and poultry supplied to the consumer or mass caterer with the country of origin.

6.3. Other food safety concerns areas

The RASFF system records incidents associated with food and feed. The main hazard categories associated with food incidents are typically microbiologically (pathogenic microorganisms) or chemically related (RASFF, Annual Report 2014). A number of recalls however are associated with mislabelling often in relation to the presence of undeclared allergens.

6.3.1. Microbiological

Microbiological foodborne illness remains a concern throughout Europe, especially with the development of antimicrobial resistance.

According to the Health Protection Agency (HPA), in 2014, food was the suspected cause of eight outbreaks of gastroenteritis; two salmonellosis outbreaks; two outbreaks of verocytoxigenic- Escherichia coli (VTEC) infection; three outbreaks of acute gastroenteritis and one outbreak of campylobacteriosis. In these eight outbreaks 37 people became ill and three were hospitalised.

A recent Europe wide incidence which was experienced by Ireland included:

6.3.2. Hepatitis A

Ireland experiences its first foodborne outbreak of Hepatitis A in June 2013, which was part of a multinational European Union outbreak whereby more than 1,000 cases across Europe were linked to an outbreak of Hepatitis A virus (sub-genotype IA). Initially the outbreak was identified with travel to Italy where most cases reported. None of the Irish cases had travelled to Italy. In total 23 cases were reported to the Health Protection Surveillance Centre, 15 of which were confirmed primary cases. In Ireland, epidemiological and traceability investigations pointed to imported frozen raspberries as the most likely cause. The Authority issued an advisory notice to food businesses and consumers. However despite detailed investigations by the European Food Safety Authority, the European Centre for Disease Control and Prevention, affected countries and the Commission a likely common source of infection of the berries was not identified.

According to the most recent European Centre for Disease Prevention and Control report (ECDC, 2015) of all reported food-borne outbreaks in human cases in the EU in 2014, 20 were reported in Ireland. 134 individuals were involved, resulting in five hospitalisation and zero deaths. The incidence in Ireland was 0.44 per 100,000 compared to an average of 1.04.

6.3.3. Salmonelloisis

Despite the overall increase in reported cases in 2014, there was a statistically significant (p < 0.01) decreasing trend for reported cases of salmonellosis in the EU/EEA during the period 2008-2015. Over this period Ireland was one of nine member states, with a significantly decreasing trend.

6.3.4. Campylobacteriosis in humans

Campylobacter has been the most commonly reported gastrointestinal bacterial pathogen in humans in the EU since 2005. In 2014, campylobacteriosis data were reported by 26 Member States. Over the 7-year period from 2008 to 2014, there was a statistically significant increasing (p < 0.05) trend in campylobacteriosis in the EU/EEA and Ireland was one of 13 member states where this trend was observed.

Eleven countries (including Ireland) reported improvements in their surveillance system and/or diagnostics for campylobacteriosis; increasing the sensitivity and coverage of surveillance systems, improving data quality, developing electronic/online reporting and more accurate testing of samples e.g. by using PCR. An increase by 23.9% in the notification rate was seen among these 11 countries compared with an average increase of 7.8% in the other MS between 2013 and 2014. This represented 39.5% (8,723 cases) of the increased number of cases reported in 2014.

6.3.5. Other microbes

In addition there was also an increase in reported cases of Listeriosis whilst the highest country-specific notification rates for Verocytotoxigenic Escherichia coli were observed in Ireland 12.42 cases per 100,000).

6.3.6. Animal diseases

Ireland is free of Brucellosis in sheep, pigs and cattle. There has been no outbreak of Brucellosis in cattle since 2006 and Ireland obtained Official Brucellosis Free (OBF) status in July 2009. As such the testing has been significantly tailed back and there was no Brucellosis Round test in 2015.

In recent years there has been significant progress in reducing the incidence of Bovine Tuberculosis. Improvements in testing identified a relatively higher number of TB reactors but resulted in earlier detection of those reactors, shortening the duration of trade restrictions on herds concerned. (DAFM, 2015b). Ireland is one of 12 counties yet to achieve officially tuberculosis free (OTF) status and received funding in 2013 towards this (ECDC, 2015, FVO 2014c).

Bovine Spongiform encephalopathy (BSE) sparked a major food scare that, at the time, led to the formation of FSAI. More recently the rate and level of BSE has continued to fall and in 2014 Ireland applied for and has been recommended to receive the status of 'negligible risk' for BSE from the OIE Worlds Assembly as the disease has been all but eradicated from the Irish cattle herd.

6.3.7. Alerts and recalls

In 2014 FSAI handled 494 food incidents, an increase of 10% on 2013. 245 were investigated as full incidents (including 21 food fraud incidents). 271 hazards were identified for the 245 incidents of which 81 were chemical hazards; 67 other; 44 microbiological; 37 allergens; 17 other biological including mycotoxins; 14 labelling and 11 foreign bodies. Twenty three incidents had more than one associated hazard (FSAI, 2015).

Ireland was the country of origin in 42.1% of the incidents. Table 6 below provides a summary the level of recent incidents:

Table 6: Number of food incidents 2010 – 2014

Year	Full	Minor	Cross- country complaints	Food fraud	Full incident	Minor	Supplement notification follow up	Total
2014	224	160	87	19	1	1	2	494
2013	208	141	91	5	3	1	-	449
2012	162	167	75	-	-	-	-	404
2011	147	170	79	-	-	-	-	396
2010	130	165	60	-	-	-	-	355

Source: FSAI Annual Report 2014 (FSAI, 2015)

Alerts are published on the FSAI website and in 2014 allergen alerts (26 – mostly undeclared allergens) outnumbered food alerts (18)

Within the RASFF system there were 42 notifications relating to products originating from Ireland during 2014 / 2015 of which just over a third (16) related to seafood (bivalve molluscs (13), crustaceans (2) and products thereof and gastropods (1).

6.3.8. Outcome of FVO audits

Food incidents can be exacerbated by the complexity and length of today's food supply chain which indicates the need for robust control systems and mechanisms and the need to adapt these in the light of current and previous events.

Ireland has been the subject of a number of FVO audits which resulted in a number of recommendations being made to deal with any shortcomings revealed during the audits. A general follow-up audit was conducted in Ireland in November 2014 (FVO, 2015) and subsequently revised based on information received since then from the Irish authorities.

26 audits were conducted during the period 2008 – 2013, plus three general follow up audits. A total of 230 recommendations were put forward of which action has been taken in 192 cases, 21 were closed for other reasons, eight are in progress and nine remain where there has been no progress⁴. Those that are in progress or where no action has been taken all relate to food of animal origin. The main issues identified that still require to be addressed by the Irish authorities included:

- Traceability of beef and beef products Effectiveness of official controls, in particular identification marking on cut meat and offal packaging
 - (The CA considers that the practical implementation of this requirement is challenging and unsuitable and intended to formally table this issue with the Hygiene Package working group to obtain the views of other member states).
- Live bivalve molluscs Microbiological classification of production areas and official controls of pectinidae to verify their compliance with the requirements for biotoxins have not been fully implemented in line with EU requirements

⁴ Recommendations classified as "In progress" or "Action still required" are not considered to require any immediate specific legal or administrative action on part of the Commission. These recommendations remain the subject of monitoring to assess progress. Similarly the number of such recommendations does not, in itself, indicate the responsiveness of the Competent Authorities or the seriousness of the problems.

 Post-mortem inspection – Full compliance with the requirements of Annex I Section IV, Chapter 5, Part B paragraph 1(a) and (b) of Regulation (EC) No 854/2004 have not been demonstrated.

Follow up of these continues with the Authority and the official agencies.

Overall however the audit team concluded that 'all competent authorities met could demonstrate that 'they were capable of identifying issues undermining the effectiveness of official controls and of taking actions to address these issues and thus had measures in place which implemented the requirements of Article 8(3)(a) and (b) of Regulation (EC) No 882/2004'. No follow-up recommendations were made to the Irish Competent Authorities based on this audit.

7. POSSIBLE ISSUES FOR DISCUSSION WITH THE IRISH COMPETENT AUTHORITIES

Food fraud issues

- What procedures have been amended or specific actions taken following the horse meat incident?
- The horsemeat incident raised the query of what threshold level constitutes adulteration and what is cross-contamination. Has any further work been undertaken in this area or any developments on the methods of analysis?
- The incident has raised a number of issues including labelling and the misleading of the consumer; labelling and trace amounts; cross-contamination; the regulation of intermediary agents / traders; deliberate food-fraud; the integrity and corporate responsibility of business practices. How have these been addressed?
- What actions have been taken to prevent such an incident re-occurring?
- What are the implications of the development of sophisticated analytical techniques enabling the identification of hitherto unknown, or un-identifiable, problems in terms of consumer confidence, food safety and control?
- 'Food fraud' is not defined in legislation but involves those violations of food law which are motivated by the intention to obtain an undue benefit and so can be expected to be driven by market conditions (shortage, price for example). What methods are used to identify those products which may be potential targets of food fraud and have any such been identified?

Ireland - Control structure

- In their strategy documents both DAFM and FSAI have referred to reduced staff levels, reorganisation and the requirement to deliver the national food control programme with an improved level of service and reduced resources. What assessment been undertaken of these changes and is the current control system adequately resourced to ensure continued food safety?
- Has the remit of the FSAI been extended to include animal feed? If so what implications may this have?
- The control system involves a number of agencies, which may themselves be undergoing change. How is this monitored to ensure that their contracted competencies are not affected?
- How are potential conflicts of interest avoided given the apparent inter-dependence of DAFM and FSAI?

FVO

 What is the current status of actions relating to outstanding recommendations following FVO audits?

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NOTES

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