

<b>Report on</b>	Memorandum of Understanding (MOU) between the Department of Agriculture, Environment and Rural Affairs (DAERA) and Mid Ulster District Council in respect of certification of certain products of animal origin
<b>Date of Meeting</b>	6 <sup>th</sup> December 21
<b>Reporting Officer</b>	Fiona McClements

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To inform Members of a request received from DAERA for a Memorandum of Understanding (MOU) between DAERA and Mid Ulster District Council in respect of certification of products of animal origin (Fish, Fishery products and composite products containing Fish and/or Eggs) (POAO). The MOU would include provision of support by Environmental Health for official certification of other POAO on behalf of DAERA in approved and registered (where applicable) establishments in Northern Ireland.
<b>2.0</b>	<b>Background</b>
2.1	In the United Kingdom, trade is a reserved matter held by the UK Government in Westminster. The lead department for trade across the agri-food sector is the Department of Environment, Farming and Rural Affairs (DEFRA). DEFRA, as the Central Competent Authority, delegate responsibility for governance and delivery of certification within Northern Ireland to the Department of Agriculture, Environment and Rural Affairs (DAERA).
2.2	<p><b>A. <u>Export Health Certificates (EHCs)</u></b></p> <p>In very broad terms, under the current regulations and agreements there are, in certain circumstances, requirements for Export Health Certificates to accompany goods. Most of the relevant products are certified by DAERA, and other officials authorised by DAERA, and some products are permitted to be certified by competent EHOs within local councils.</p> <p>EHCs are required to accompany certain commodities to Third Countries (TCs) and live animals and some animal products to member states within the EU. The division is broadly as follows:</p> <ul style="list-style-type: none"> <li>DAERA Official Veterinarians authorised as certifying officers (COs) certify meat and dairy POAO to third countries. DAERA Fish health Inspectors authorised as COs certify live aquaculture and aquatic germplasm. Authorised private veterinary practitioners (aPVP) authorised as COs certify live animals, animal by-products and germplasm to third countries.</li> </ul>

- Local Authority designated food competent Environmental Health Officers (EHOs) are authorised by DAERA as Food Competent Certifying Officers (FCCOs) to undertake official certification of fish, fishery products and composite fish and/or egg products on its behalf, issuing EHCs for export of this product to TCs. Councils undertake this work as a non-statutory function, with no further funding from DAERA.

#### **B. Support Health Attestations (SHA)**

2.3 A Support Health Attestation is issued for each commodity at the premises of origin to specify that the POAO for export meets the requirements of the specific EHC for the final market destination. Intra UK movements of POAO (including from NI to GB) where the final product is intended for export from GB to the EU, including NI, after storage or further processing in GB, will require a Support Health Attestation (SHA) confirming that the product complies with the requirements of the EHC. SHAs can be issued by COs, either veterinarians or EHOs, who are specifically authorised by DAERA to do so. In some cases, for example for movement from NI to Ireland, a Background Certificate (BC) may be issued instead of an SHA. The division is broadly as follows:

- DAERA Veterinary Officers authorised as COs issue SHAs for meat, from premises where DAERA has a permanent presence; (slaughter premises and 3 cold stores) aPVPs authorised as COs can issue SHAs for meat, dairy, egg, and composite products from all other premises.
- EHOs authorised as FCCOs can issue SHAs for the movement of fish, fishery products, egg products and composite products containing egg and/or fish from NI to GB to support onward final certification from any premises.

#### **C. Additional information request**

- 2.4
- In addition, DAERA has requested that, where required and appropriate, Councils will provide relevant information to a CO acting on behalf of DAERA, on technical food hygiene, traceability, and compliance matters in businesses under their jurisdiction. The purpose of this is to facilitate official certification for POAO other than fish, eggs, etc., for example, dairy POAO, being produced for export in establishments under Council jurisdiction and which an official veterinarian must certify. Exchange of information is proposed to take place under the provision of a Data Sharing Agreement (DSA) agreed between DAERA, Local Authorities and the Food Standards Agency (FSA).

<b>3.0</b>	<b>Main Report</b>
3.1	A draft MOU has been prepared by DAERA with comments from Environmental Health representatives. This will formalise the work that is currently ongoing between the two organisations and it will have a differing resource impact on each Council depending on businesses' need in each area. This is additional work for EHOs, which is unfunded and will be subject to DAERA monitoring. Local Authorities that undertake to deliver certification will be requested to sign the Agreement for all the certification activities undertaken by LAs on behalf of DAERA.
3.2	DAERA will authorise suitably qualified and trained officers employed by LAs to provide official export health certification and support health attestations for fish and fishery products, egg products and composite products containing fish and/or eggs to food business operators located within the LA's jurisdiction.
3.3	DAERA, in their role as the Competent Authority, and as part of standard governance procedures applied to all official certification issued on behalf of DAERA, will monitor the official certification issued by Councils against the agreed standards through an ongoing monitoring and assessment process. There may be additional planned monitoring of LA certification activities by DAERA, over and above routine monitoring, for example, in preparation for an incoming TC inspection of NI and DAERA competent authority export assurance procedures.
3.4	<p>As the nature of businesses within each council area differs, so does specific requirements for certification. Each local council has been requested to consider the following specific activities to be undertaken on behalf of DAERA. Councils may wish to agree to those activities relevant to their current business types or to help future proof the agreement consider all three activities if businesses may change in their Council areas. The activities are as follows:</p> <ul style="list-style-type: none"> <li>i. <b>Certification Activity 1:</b> provide <b>supporting information relating to Official Controls</b> on food hygiene, traceability, and compliance to facilitate official certification by other Certifying Officers acting on behalf of DAERA.</li> <li>ii. <b>Certification Activity 2:</b> issue <b>official Export Health Certification</b> destined for Third Countries outside the UK and EU for fish, fishery products, including live bivalve molluscs, egg products and composite products containing fish and egg products of animal origin.</li> <li>iii. <b>Certification Activity 3:</b> issue <b>Support Health Attestations</b> and / or Background Certificates within the UK, or to the EU, for fish and fishery products, including live bivalve molluscs, egg products and composite products containing fish and egg products of animal origin.</li> </ul>
3.5	Following a very basic survey across the NI councils, it would appear that to date the involvement in EH departments in Certification activity 1 and activity 3 ranges from none to occasional. However it has to be noted that with the current Avian flu status, it is the DVOs who process any Support Health attestations at present, but this may revert to EH departments when this situation changes.

3.6	It is recommended that consideration is given by members as to whether Mid Ulster District Council will continue to meet the resource demands for Activities1 and 2 which are currently occasional at most. Members may wish to request to reduce the review interval from an annual review to either 3 or 6 months to assess any emerging or potential demands on Councils.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/a
	Human: Officer time to: <ul style="list-style-type: none"> <li>1) Visit premises requiring the certification or for which the assurances are sought and</li> <li>2) Complete and issue the required documentation</li> <li>3) Ongoing training to ensure competence upheld</li> </ul>
	Risk Management: It is not a statutory requirement for a Local Authority to provide certification and there is no funding at present from DAERA to provide it. Whilst it is recognised that it helps local businesses it is operated at council cost, members may wish to discuss further with DAERA the potential for funding councils for this work or consideration given to DAERA introducing a charging regime to cover costs. This function is already being carried out with demands on resources in one of the NI Councils.
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: N/a
	Rural Needs Implications: N/a
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	It is recommended that Council note the content of the report and if approved then enter into the Memorandum of Understanding with DAERA.
5.2	Whilst Health certification has not been requested by MUDC businesses to date, should that happen then Members may wish to explore further with DAERA how this resource can be sustained in the longer term through potential funding from DAERA or through DAERA introducing a charging regime to cover costs.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Memorandum of Understanding (MOU) between the Department of Agriculture, Environment and Rural Affairs (DAERA) and Mid Ulster District Council in respect of certification of certain products of animal origin, and provision of support for official certification of other POAO on behalf of DAERA, in approved and registered (where applicable) establishments in Northern Ireland.