



Brussels, 12 October 2015

**MINUTES OF THE EXPERT GROUP 882 MEETING ON THE VERIFICATION OF  
EFFECTIVENESS OF OFFICIAL CONTROLS**

**Date of the event: 14 September 2015**

**Place: Brussels**

**Participants: All MSs except GR, MT, CY.  
SANTE Units: F1, F7, G6 and E5.**

**Introduction and chair: Carmen Garau, DG SANTE, Head of Unit E5**

The meeting aimed to present and discuss the possibilities available to and obligations incumbent upon competent authorities regarding the systems put in place for verification of the effectiveness of official controls in accordance with the requirements of Regulation (EC) No 882/2004.

The chair explained the purpose of the meeting, underlined the need to communicate with Member States to develop a better understanding of, and expectations with regard to, the requirements enshrined in Regulation 882/2004. She also recalled the FVO overview report on a series of audits evaluating the systems put in place by Member States to implement article 8(3) of Regulation (EC) No. 882/2004, and other relevant work in different manners related to ‘verification of effectiveness of official’ controls.

After presenting the agenda the chair invited MS representatives to introduce themselves in a *tour de table*. This revealed that many of the participants were involved in the quality of official controls and were regular participants in the FVO hosted Networks on Multi-Annual National Control Plans and/or National Audit Systems.

In addition, the issue of the definition of effectiveness was highlighted. In some languages the same word is used for effectiveness as well as efficiency. The chair expressed the hope that a common definition of ‘effectiveness’ would overcome these difficulties and stressed that our focus was on ‘effectiveness’ and not on efficiency (as in ‘cost-efficiency’).

The European Commission (DG SANTE) then presented:

**1. THE EU LEGAL FRAMEWORK APPLICABLE TO THE VERIFICATION OF EFFECTIVENESS OF OFFICIAL CONTROLS, CURRENT CHALLENGES AND FUTURE CHANGES**

SANTE E5 presented the legal framework underlying the obligation to verify the effectiveness of Official Controls as described in Articles 4 and 8 of Regulation (EC) No 882/2004. The Commission also explained the current shortcomings, including the absence of a definition for verification of effectiveness and of necessary operational details. The future legislative framework (i.e. ‘the official controls proposal’) was analysed with a view to explaining how it will re-assert the importance of the verification of effectiveness of official controls and clarify relevant provisions.

**2. THE RESULTS OF A SERIES OF FVO FACT FINDING MISSIONS AND AUDITS ON THE EVALUATION OF THE SYSTEMS PUT IN PLACE TO GIVE EFFECT TO ARTICLE 8(3) REGULATION (EC) No 882/2004.**

Presentation by SANTE F1 revealing that, while practical arrangements and procedures are in place in most Member States to guarantee good quality of official controls, a number of Member States have encountered difficulties in developing or demonstrating procedures or systems to verify and ensure the effectiveness of official controls.

**3. DEVELOPING OBJECTIVES AND INDICATORS FOR (THE PERFORMANCE OF) OFFICIAL CONTROLS (MANCP WORKING GROUP, NAS WORKING GROUP)**

The results of the MANCP and NAS working group can be used as guidance for the development of objectives and indicators directly related to the performance of official controls. This is different from ‘verification of effectiveness’ but still part of mechanisms to ensure good quality control activities.

**4. CODEX GUIDELINES (CCFICS) ON MONITORING PERFORMANCE; STATE OF PLAY**

A short overview was given on work ongoing on *monitoring performance* of control systems. In 2014 a paper was prepared by CCFICS which should lead to 'Guidelines for Monitoring the Performance of national food control systems'. The working group on this issue is led by the USA (in which the EC takes part). The guidelines (now at step 3) are expected to be finalised in 2018 or 2019.

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The chair started the afternoon session by summarising discussions and outlining the rationale of the new approach to the issue of effectiveness (based on the ‘function’ of official control). She emphasized that the intention was to produce a guidance document describing the different practices available to Member States in implementing the requirements of Article 8(3). Such a document could for instance include questions that the Competent Authorities ought to ask themselves when trying to determine the effectiveness of their official controls. A series of basic questions as tools to assure accurate and truthful official controls, might be of guidance for Competent Authorities to focus their mind-set on the function of the individual controls as well as a series of controls. Those questions could also be related to the use of the outcome and the procedures and arrangements to verify this. Any such document should be practical and operational rather than theoretical.

**5. PRACTICAL CASE STUDIES BY MEMBER STATES**

Four Member States (ES, FR, IE, and NL) presented practical cases and shared a number of experiences on issues of “quality assurance” (such as quality measurement, performance indicators and auditing) and issues related (to a different extent) to the verification of effectiveness. They also explained the hurdles they encountered and their

thoughts on the need to develop further guidance. In general these Member States supported the idea of additional guidance, provided it was flexible and non-prescriptive although some questioned the extra burdens placed on competent authorities. The chair explained that several competent authorities might have these systems for verification of effectiveness of official controls already in place but do not question them in relation to article 8(3) of Reg. 882/2004.

**- Objectives and Indicators for the performance of official controls**

In response to a question from DE, the chair clarified that the approach to the verification of effectiveness was not to be seen as either use of operational objectives and performance indicators or use of supervision of individual controls, but rather as complementary to those and as all such activities contribute to the review and continuous improvement of official controls.

**- Next steps**

The Commission will:

- a) distribute the ‘power points’ presented during the meeting.
- b) invite Member States to forward to [SANTE-REVIEW-882-2004@ec.europa.eu](mailto:SANTE-REVIEW-882-2004@ec.europa.eu) any comments on the proposed way forward and the issues discussed, by 15<sup>th</sup> October, in order to ensure they are received before the meeting in Grange. Also the sending of smart use of data already gathered by Member States could be very helpful for input to this meeting.
- c) Prepare, together with the MANCP Network, a guidance paper *on verification of effectiveness of official controls*; the paper should be practical and clear and as operational as possible. A draft of it should be made available in early 2016, and subsequently updated as needed.

The Commission also suggested that, once a draft document has been developed, a further meeting of the Expert Group on the general application of Regulation 882/2004 could be convened in order the review it.