EDES

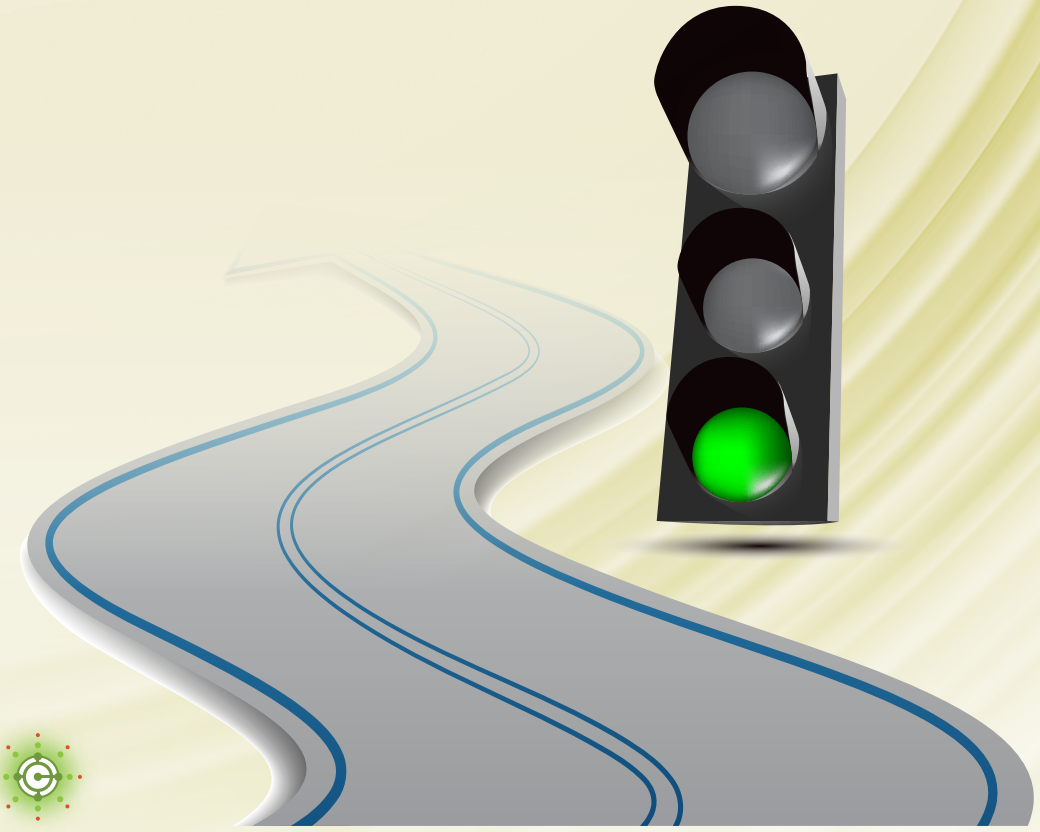
SAFE FOOD IN ACP
A PROGRAMME FUNDED BY THE EU

HANDBOOK 12.11

TOPIC 12
Official Controls

11

Principles for conducting a control, inspection or audit. Code of ethics



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The handbooks are tools designed for civil servants in charge of restructuring the food safety system, and for all operators involved in drawing up the food safety policy and organising official controls (qualified civil servants, heads of laboratories, heads of departments in official organisations, those in charge of official controls, trainers, technicians, researchers, experts or company executives). They aim to provide an overview of the main points of a specific subject. All of the topics addressed by EDES during the training sessions are covered in separate handbooks.

The handbooks have been designed and drawn up by the EDES Training Unit in cooperation with the Consortium members.

Ecole Nationale des Services Vétérinaires

fera The Food and Environment Research Agency

France Vétérinaire International

Ministère de l'Agriculture et de l'Agroalimentaire

Natural Resources Institute

anses agence nationale de sécurité sanitaire alimentation, environnement, travail

DTU Food National Food Institute

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TOPIC 12

Official Controls

11

PRINCIPLES FOR CONDUCTING A CONTROL, INSPECTION OR AUDIT. CODE OF ETHICS

Content

1. Introduction

1.1. Purpose

The purpose of this handbook is to assemble the control, inspection and audit doctrine to reply to those questions most asked of investigators.

1.2. Scope

It covers all controls by the general management or department involved.

1.3. Legislative and regulatory texts or other references

This designates the Consumer Code and application texts.

1.4. Vocabulaire spécifique

Vocabulary relating to ***quality***.
Vocabulary relating to the ***quality means***: see especially the notion of quality control and corporate control.
Vocabulary relating to ***certification*** and ***accreditation***.
Vocabulary relating to the ***audit.***

1.5. Type of controls

This involves all types of research conducted in the context of controls, inspections and audits.

1.6. Means and methods

➤ Organisation

The body of the handbook is broken down into three parts:

- Legal bases, objectives and scope of the corporate control (points 2.1. onwards).
- Control methodology (points 3.1. onwards).
- Control monitoring (points 4.1. onwards).

➤ Sensitive points

It is useful to refer to the points listed below:

- **Corporate controls certified by a system certifying body** (points 3.8., 3.9. and 3.10.). See point 3.9. especially: the agent must only check the documents pertaining to the control of the regulations involved.
- **Connection between the level 1 and level 2 controls** (point 3.14.): it is essential to conduct level 1 controls, in order to be able to apply sound judgment to the self-assessment system implemented by the businesses.
- **Content of diagnoses communicated to the businesses** (point 4.1.): the written diagnoses sent to the businesses must only include the list of noted anomalies and shortcomings.
- **Limit of the administrative support in setting up self-assessments**: it is normal to provide support to businesses, but our information action is limited.
- **Choice of means to be implemented by the business** (point 4.1.): the means are chosen freely by businesses.

2. Legal bases, objectives and control scope

2.1. Obligations of sector operators

Question	**The regulations lay down that the person responsible for marketing a product for the first time is required to check that it complies with the stipulations in force. He is required to justify any checks and controls performed. Does this mean that other operators are not required to perform checks?**
Answers	➤ **General obligation of conformity** Immediately after the market launch, the regulations impose an *obligation of product conformity* to the stipulations in force (i.e. all the quality and safety regulations). This is a results-based obligation that involves all stages in the chain (import, manufacture, distribution, transport, etc.). ➤ **Obligations of those responsible for the first marketing** The provisions detailed above define explicitly, also, for those responsible for the first marketing (manufacturers, importers), an *obligation of self-assessment*, i.e. the introduction of a set of means for compliance with the obligation of conformity. The professional is responsible for choosing the means. He thus defines, for these operators, an *obligation to provide supporting documentation* to the accredited agents, who are then able to detect any shortcomings in the self-assessment. ➤ **Obligations of other operators** This arrangement does not, however, exempt the other professionals (simple retail distributors especially) from any obligation. All operators in the chain contribute, each in their own respect, to the *obligation of product conformity*. In addition, these operators have a responsibility for the obligations arising from their activity (compliance with foodstuff conservation, product advertising, etc.). ➤ **Operator responsibility** When a noted non-conformity justifies legal action, the *responsibility of the professional is assessed by the courts*, according to the present case and the circumstances, mainly based on his quality and the means he had, given his skills, speciality and the extent of his activities, to prevent the offence. It will therefore be necessary sometimes to target both a simple retail distributor and an importer or a manufacturer. ➤ **Consequences for the operators** Those responsible for the first marketing must introduce a self-assessment system adapted to the obligation of product conformity. On the other hand, the simple retail distributors have no formal obligation to introduce a self-assessment system. But it is in their own legal interest – less risk of being liable for either civil or criminal action – to do everything necessary, in line with their own situation, so that they respond definitely and without wavering to the regulatory requirements. Operators are responsible specifically for choosing their means, under all circumstances.

2.2. Production control, corporate control

Question	Why instigate corporate control?
Answer	Controls were exclusively repressive in the past, carried out mainly on finished products at the distribution stage. To make controls more effective before bulk distribution, the notion of *control at source* was mooted, meaning at the production stage. This is what was meant by *production control*. In addition, this type of control only applied to certain business sectors and was essentially seen as preventive. Today, the control at source is applied to all premises where goods are assembled before bulk distribution (import companies, storage warehouses, bulk distribution platforms, etc.). The notion of *corporate control* was therefore introduced, which could apply to production, import, distribution, etc. depending on circumstances. A *control methodology* was also introduced (see point 3.4.). Corporate control is a tool that can be adapted to the context (control stage, preventive or repressive control) and to the new initiatives being introduced into businesses (quality assurance, etc.).

2.3. Powers of seizure (quality/safety procedures)

Question	The regulations give agents powers of seizure. Is it appropriate to implement them in a corporate control?
Answer	Yes, if the controls justify it.

2.4. Spot check and corporate control, intervention modalities

Question	When can a quality-safety spot check be considered as a corporate control?
Answers	➤ **Definition of a spot check** Regardless of the reason for intervening in a business (complaint, survey request, scheduled task): 1. Either the inspector restricts himself to the reason for the intervention (sampling, labelling, etc.) without having the time to analyse the firm's records, and in that case, it is a *spot check*, 2. Or the inspector uses the stipulated corporate control methodology, and in that case, it is a *corporate control*. ➤ **Corporate control intervention modalities** Corporate control conducted according to the stipulated methodology gives a *global approach* of businesses and enables *monitoring over time*. But a business cannot always be seen in its entirety at the first intervention. Interventions taking several days in a row in businesses can sometimes be somewhat incompatible with the organisational constraints of the department's activity (unlike private audits). Nor are they inevitably more efficient and may be poorly perceived by the businesses. They can therefore be broken up over time, provided intervention coherence is maintained: • control designed to understand the business, update knowledge or conduct an assessment; • control of a product sector or a family of products (vertical approach), designed to assess full or partial compliance with regulatory requirements (composition, hygiene, labelling, etc.) ; • control by 'module(s)' (horizontal approach), designed to assess compliance with one (or more) requirement(s) for all the business' products (hygiene, safety, labelling, metrology, etc.). Combinations are possible depending on circumstances. The aim is to understand the business in depth within a reasonable timescale (depending on the context, three months, six months, one year or more). This knowledge is updated regularly. These corporate controls are therefore scheduled over time. This coherence over time makes the interventions – each one may only take half a day – stand out from spot checks, which have a more restricted objective.

2.5. Initiative control, scheduled survey and corporate control

Question	Should initiative controls conducted within the businesses, mainly as scheduled tasks, be considered as corporate controls?
Answer	***Definition*** Any initiative control using the stipulated control methodology can be considered as a corporate control. Otherwise it is a spot check. ***Corporate control included in the scheduled task*** This involves surveys of the national activity programme that calls **explicitly** on the corporate control methodology stipulated by the texts. ***Initiative corporate control under a scheduled task*** This involves controls carried out, according to the corporate control methodology, at the same time as a scheduled task which did not explicitly state the use of this method. These are definitely two sets of actions, as more time is spent (preparation, intervention, particularly when planned under the scheduled task, follow-up).

2.6. Number of employees

Question	Is it essential to only include businesses with more than ten employees?
Answer	The quality-safety corporate control theoretically involves all businesses in the sector, regardless of size. In practice, it is neither possible nor rational to control everything, and control priorities therefore have to be set. Choice criteria have been defined for this purpose. Their goal is to determine the risk from the business and therefore the level of confidence that can be allocated to it. The application of this grid will normally mean controlling large businesses carrying out their activity in regulated product sectors. However, a business with less than ten employees can prove to be reliant on the national or international market, or present special risks (some importers, for example) and it should therefore be included for control. Similarly, craft businesses must not be systematically excluded from controls, especially in regions with little industry.

2.7. Choice of businesses, criteria

Question	Does the choice of businesses to be controlled only depend on their economic importance or the existence of specific regulations to be applied?
Answer	No. The choice of businesses to be controlled does not largely depend on the abundance of regulations. The general provisions apply, even if there are no specific regulations (product safety, advertising, etc.). It is all therefore a question of appraisal. Thus, the control is theoretically not justified in certain businesses. On the other hand, it can become necessary if the business falls under suspicion or an incident is reported. This will involve a corporate control, not a spot check, if the corporate control methodology is used for this intervention (see point 3.4.). The example of a spectacle frame manufacturer can illustrate this question. This is a production with no special risk and which is not governed by qualitative regulations that we are called on to apply. Nevertheless, the business could advertise qualitative guarantees, fail to comply with its customer contracts, produce frames unfit for use or arms with a composition that could trigger epidermal reactions, etc. The corporate control may be performed under these hypotheses. It is therefore important to remain alert and listen to people, even in this type of business sector.

2.8. Role of control agents

Question	What is the exact role of control agents during corporate verifications?
Answer	The investigators carry out a control, in order to ensure the compliance of products with the quality-safety regulations. They are not there to promote a particular quality or to usurp the freedom of choice of businesses or service companies. It is also useful for them to assess the technical and economic difficulties faced by the business, in order to *pinpoint the technical (control of sensitive points) and legal (criminal liability) responsibilities.* They have a *duty of information and explanation concerning the regulations*. They must also urge the businesses to implement relevant, reliable and efficient means to ensure product compliance (identification of regulatory sensitive points, **external guarantees** for their customers, suppliers or other service providers and **internal guarantees**). In addition, they can evoke existing means (HACCP, quality assurance, etc.) but **it is not up to them to decide on suitable means.**

2.9. Allocation of agents

Question	Must corporate control agents be allocated only to this task?
Answer	According to the instructions, the managers must give themselves the means of exercising this action priority in the department. The 'quality-safety' corporate control by the management is a specialist control that requires the agents performing it to have both the technical skills to understand the product technology and an investigation methodology. These specific qualities are acquired as much from initial and on-going training as through experience and personal efforts.

2.10. Role of samplings

Question	Must a corporate control be ended with samplings?
Answer	Sampling is not mandatory, but it remains a preferred method for noting product non-conformity. The knowledge of the business acquired during the level 2 control and the experience of the agents combine to orientate the level 1 control usefully (including samplings, if appropriate). This is used to determine the effectiveness of the means employed by the business in relation to compliance with the quality-safety regulations. Sampling must be used wisely and in sufficient fashion: it should be used when fraud is suspected following the control of the manufacturing process or if it is the only way of making sure that the product is compliant. Remember that sampling is not restricted to finished products only. It can increase an understanding of the quality of raw materials, for example. This is constructive for both the professional who may query the validity of his controls and for the control department in the knowledge of the quality of suppliers' products (networking: information sent to the department at headquarters).

2.11. Know-how and knowing how to control

Question	How can agents really get to grips with the skill of professionals and assess their practices?
Answer	The professionals have the know-how. The inspectors must know how to control, based on regulatory knowledge, the application of a control methodology, the gradual knowledge of the professional environment, an external viewpoint on the business and the possibility of comparing them. If everyone sticks to their role, there is no fundamental need to get to grips with the know-how, even if acquiring a minimum of technological knowledge can prove very useful. In this respect, theoretical training, however necessary, cannot supplant personal effort and time spent in the manufacturing premises. The agents will be able to use the **experience acquired** to refer to patterns of life of products or processes seen in another context, in order to identify the regulatory sensitive points and assess the extent to which the business has them under control. For example, the production of dry animal feed and the manufacture of paint are both technologies involving mixing. In both cases, component dosing is a sensitive point that must be grasped clearly to comply with the stated composition. Sharing experiences at regional level and networking are also factors in enhancing skills.

2.12. Obligations of distributors

Question	Do distributors have a general obligation of self-assessment?
Answer	No, it depends on their role in the marketing chain. But it is to their advantage, in all circumstances, to set one up. Distributors operate in the marketing chains, depending on circumstances, as processors, importers or simple retailers. They therefore play an essential role in the quality of food and manufactured products offered at the retail stage. **Self-assessments are necessary for distributors:** • First and foremost, because it can be an obligation defined expressly by the regulations. The distributors are involved: – as responsible for the first product marketing, when they are processors or importers; – as holders of goods, for certain product-related conditions: for example, the obligation to withdraw the products beyond their use-by date, obligation to sort and withdraw from sale preserves showing outward signs of alteration, ban of all untrue or misleading advertising; – lastly, they will be concerned for the hygiene of foodstuffs, like all operators, in accordance with the order regulating the hygiene of foodstuffs delivered directly to the consumer, transposing Directive 93/43/EEC, which mainly makes it mandatory to introduce self-assessment procedures inspired by the HACCP system (hazard analysis and critical control points). • Secondly, because nothing is free of all liability within a sector. Even when distributors are not expressly governed by any rule, they participate in the general obligation of product conformity with the rules of quality and safety. Case law assesses the liability of each operator based on his professional quality and the means he possesses to prevent breaches of regulatory obligations. • Lastly, because beyond that, the very brand image of the distributor can be called into question.

3. Control methodology

3.1. Unannounced control or not

Question	During a corporate control, should the professional be warned in advance of our visit to his business or not? Should an appointment be made with him?
Answer	The general principle is to arrive without an appointment. Nevertheless, it can prove useful to make an appointment to be able to meet the appropriate contacts or others than those normally encountered during controls, or to compile certain information, for example, during a first visit, an information visit or certain follow-up visits such as an assessment meeting. The investigator will inform his contacts during his first visit that subsequent visits normally take place unannounced.

3.2. Intervention purpose

Question	Should the professional be told the purpose of the intervention right from the start?
Answer	It is better to give a general overview of the intervention goal, excluding nothing, rather than its purpose. State only that you are going to carry out a corporate control. If the professional persists, remind him of the objectives of the corporate control.

3.3. Control or audit

Question	Is corporate control comparable to an audit?
Answer	**No.** An **audit** assesses the gap between what actually takes place and a pre-set standard (specifications, good practices guide, quality assurance system, etc.) chosen by the business. It is a voluntary approach. A consensual relationship also exists between the business audited and the auditor. Depending on circumstances, the audit can be external or internal, and focus on a product, a process, a procedure or the corporate quality system. The **control** is mandatory for the business. It is coercive: repression is not excluded, although it includes preventive aspects. The standard is also mandatory: it is public; it involves the **quality-safety regulations.**

3.4. Corporate control methodology

Question	What is understood by audit methodology in a corporate control?
Answer	Corporate control is not an audit, but the stipulated methodology takes its inspiration from quality systems audits: 1. Preparatory phase starting from the analysis of the firm's records and culminating in the preparation of an intervention framework. 2. The intervention, which identifies the regulatory sensitive points, and level 2 and level 1 controls. 3. Follow-up including mainly exploiting the observations and analysing the means used by the business, determining the level of confidence that can be allocated to the business and the business records service The stipulated control methodology involves three phases in succession: ➤ **Preparatory phase** This includes an analysis of the firm's records (knowledge of the business, its products, technological elements, regulatory or normative standards, etc.) and leads to the preparation of an intervention framework (choice of contacts, products to be controlled, workshops to visit, etc.). ➤ **Intervention phase** It has three stages: • an opening meeting mainly intended to supplement or update the information on the business. This stage can be delayed if appropriate (suspicion of fraud, etc.); • the intervention itself intended to identify the regulatory sensitive points in the life pattern of the product, to make an inventory of means used by the business to control these sensitive points, to assess their relevance and their reliability (level 2 controls) and to check product conformity with level 1 controls (taking samples, for example); • a closing meeting intended mainly to review with the business the observations made and the planned follow-up, if there are any anomalies. ➤ **Follow-up** This phase exploits the observations made and *analyses the means* used by the business (products, processes and organisation). It *draws conclusions on the effectiveness* of these means in relation to the quality-safety regulations and *deduces the level of confidence* to be granted to the business. It also *orientates the subsequent controls*, mainly by determining the intervention intervals and the intensity of level 1 controls to be performed. Possible legal action may also be envisaged during this phase, if appropriate Finally it leads to serving the business records. Corporate control conducted according to this methodology gives a global approach of businesses and enables monitoring over time (see point 2.6.).

3.5. Notions of self-assessment

Question	What should be considered as self-assessment, and how is its value measured?
Answer	'Self-assessment' is understood to mean all the means used by the business to satisfy the obligation of conformity imposed on all operators in the sector (see point 2.1.). The extent of this obligation varies according to the role of the operator in product conformity: • anyone responsible for the initial launch onto the market has an explicit obligation of self-assessment and is required to justify it to the accredited agents; • the other operators in the sector, particularly the distributors, work in their own individual activity to comply with the obligation of conformity (see point 2.1.). This obligation means, for all professionals, taking out advance guarantees and performing controls themselves. The control will involve assessing the relevance and reliability of the means used by the business with respect to the quality-safety regulations (level 2 controls) and checking their effectiveness (level 1 controls).

3.6. Businesses with no self-assessment

Question	In corporate control, is there a provision for carrying out a level 2 control (self-assessment control) before performing our so-called level 1 checks? What is the procedure where a business has no self-assessment?
Answer	In most cases, there are always the beginnings of a self-assessment, at least (written formula or operating instructions and verification of their implementation, for example) and therefore a level 2 control can be performed. Otherwise, the level 2 control is limited to noting the lack of self-assessment, a reminder of the legal obligations and urging that it is set up by underlining its advantage for the quality control. The interested party is also told that the lack of self-assessment can be a constituent part of an intentional element in the event of a noted offence. The intensity of the level 1 control in corporate control is proportional to the level of confidence in the business. Where there is no self-assessment, and for an activity that is difficult to control in relation to the quality-safety regulations, the risk of non-conformity justifies a major level 1 control.

3.7. Businesses with a quality approach

Question	What is the point of talking about corporate certification, quality systems, the HACCP system, FMECA, quality audit, etc. to address the corporate control?
Answers	➤ **Understand the means used by the businesses** The inspectors cannot be unaware of the private approaches used by the businesses when performing controls. They must have heard of and be familiar with the most common approach principles (HACCP, FMECA, quality assurance, etc.) to be in a position to discuss them with the professional and to assess their use. In-house training can see to this. But this may not be sufficient, given the large number of potential approaches. Faced with an unfamiliar approach, the inspector must therefore try to understand its principle and, if necessary, liaise with the administration. ➤ **Be able to assess these means** The investigator cannot trust these approaches at face value. He must check: • during the level 2 control, the relevance and reliability of the means used by the business in relation to regulatory requirements. The means used by the business can be analysed more critically and the level 1 controls can be directed more effectively with a good understanding of quality approaches. • through the level 1 controls, the regulatory conformity of products leaving the business and therefore the effectiveness of the approach (good application of means without deviation). Of course, the number and frequency of level 1 controls depends on the level of confidence set for the business. ➤ **Be able to transpose them in our controls** The fundamental difference between the two approaches is the type of standard: 1. The business reasons in terms of the standard it has chosen, often in agreement with its customers. 2. The control service only has the regulations as its standard and must ensure that the firm's standard incorporates the regulatory aspect.

3.8. Establishments preparing feed or food of animal origin

Question	What attitude should be taken when controlling establishments preparing feed or food of animal origin?
Answer	As in any food-processing business, the control investigates a variety of areas: food and feed composition and labelling, quality, aspects relating to safety (additives, processing aids, contact materials, cleaning and disinfecting products, etc.) and hygiene (microbial contamination of foods, preservation, shelf life, etc.) Nevertheless, if serious shortfalls in hygiene (e.g. holding of spoiled or toxic foodstuffs, disguising the use-by date, etc.) are noted when controlling other regulatory aspects of the quality, including those relating to safety, any action must be according to the regulatory powers. Any other hygiene anomalies noted must be pointed out to the professional during the control.

3.9. Industrial product businesses

Question	Could it not be thought that the corporate control methodology is less suited to industrial and manufactured products?
Answer	It follows different guidelines depending on the type of product, mainly based on regulatory and normative standards, the technologies used and the sensitive points generated. Thus, regardless of the type of product (food-processing or industrial products), there are always three stipulated stages: – preparatory phase with analysis of the firm's records and preparation of the intervention phase; – intervention, which identifies the regulatory sensitive points, and level 2 and level 1 controls; – follow-up and service of the corporate records. At the production stage (for all products), the control covers both the guarantees taken upstream by the business (qualification of suppliers, finished product and raw material specifications, etc.), the internal guarantees and in particular the controls at reception and during the process. At the distribution or import stage, the control of industrial products mainly covers the upstream guarantees (qualification of the supplier or importer, specifications, fitness for use, etc.), the reception control (visual conformity) and the after-sales service. The control of evolving food-processing products also covers the elements controlled by the distributor (maintaining the cold chain, for example).

3.10. Non-regulated sectors (see point 2.9.)

Question	How do you intervene in a business in a given sector where there are no particular regulations or only 'private standards'?
Answer	Provided no special problem has been reported, the control in this type of sector is not priority. However, in principle these firms should not be distanced from the corporate control (see point 2.9.). The control is necessary to understand the business, identify, if appropriate, the sensitive points likely to be of interest to the control (loyalty, safety), look at the means used and assess them.

3.11. Contractual requirements extending beyond the regulations

Question	What can be done when faced with a 'crunchy toast' type advertisement?
Answer	This is a specific feature that is neither banned nor regulated. Theoretically, the investigator has no need to worry about it, except if this characteristic is advertised to the consumers, in which case he should check compliance with the regulations. But under any circumstances where an innovative characteristic is underlined by the business, questions must be asked about the means used to obtain it (additive, etc.).

3.12. Value of supporting documents (see also points 2.1. and 2.5.)

Question	What attitude should be taken towards someone responsible for the first launch onto the domestic market of foreign food or industrial products, who vouches for regulatory conformity by producing self-certification-type supporting documents from his supplier?
Answer	These products must carry markings that vouch for their conformity with the essential requirements through compliance with a conformity assessment procedure that varies according to the sector and the product in question (self-certification, certification by a third-party body, quality assurance, etc.). When the self-certification procedure alone is required, the foreign supplier must provide documentary evidence of this self-certification to the person responsible for introducing it into the territory. The national operator cannot hide behind this document to claim exemption from his liability. He must at least assess its validity. Thus, for example, he must not be content with inaccurate or partial certificates that do not cover all of the marketed products. He must carry out additional controls, when he considers – or should have considered as a professional – based on documents in his possession, that the elements provided by the manufacturer are insufficient to ensure the conformity of goods. Similarly, when he receives written notification of non-conformity from the control services, the operator must reinforce his controls. For other products with no marking requirement, the self-certification by a foreign supplier in no way exempts the national operator from his obligation to check the product.

3.13. Sampling

Question	Do the provisions planned for sampling have to be respected?
Answer	These provisions remain today the reference to be recommended (see Handbook N°9.8 “Key concepts of sampling”).

3.14. Level 2 controls and level 1 controls

Question	How are the level 2 and level 1 controls connected?
Answer	The first goal of an official control service is to **make sure that the products or services comply with the regulations.** As a preventive measure, he urges all operators to implement self-assessments that take account of regulatory requirements. At the same time, a two-level control methodology has been developed that allows him to consider the quality of self-assessments implemented by the professionals more effectively. This methodology is based firstly, on the assessment of the means used by the professionals (**level 2 controls**) and secondly, the direct control of the finished products and their environment (**level 1 controls**). ➤ **Level 2 controls** Agents can use these controls to assess the relevance and reliability of the firm’s self-assessment system. These controls also have the advantage of directing the level 1 controls more effectively. The analysis of the results can lead to suspected shortfalls and has sometimes revealed the lack of a temperature control when products are received into the stores, for example, which could prove detrimental to maintaining correct temperatures in the chain. **But it is impossible to go further with the diagnosis.** ➤ **Level 1 controls** **Level 2 controls are always accompanied by level 1 controls.** They involve a direct control of products and their environment on site (production line, etc.). Only this type of control (for example, product temperature check, sampling) and an analysis of the results can provide control agents with a basis for judging whether or not products are indeed compliant and therefore whether the self-assessment system introduced by the businesses to deal with the regulatory requirements actually works. The detection of regulatory shortfalls (for example, noting non-compliant product temperature in the stores) would reveal either a failure to take regulatory requirements into account in the self-assessment system or a self-assessment system not up to the task of managing them, or a deviation in the system.

4. Control monitoring

4.1. Diagnoses sent to the businesses

Question	What can firms be told at the end of a corporate control?
Answer	It is advisable to restrict the communication of results to listing breaches of the regulations (for example, detected additive or non-conforming temperature of cold units) and the anomalies or risks of shortfalls (for example, risk of a break in the cold chain when products are received). Any advice that may have been given during the control must not be communicated in writing. It is then up to the business to propose corrective actions to remedy the situation. The control service must not usurp the freedom of choice of the businesses or the consultancy firms.

5. Starting the survey: quality control, means and methods

5.1. Reminder of a few basic principles

Question	**What is the purpose of quality control?**
Answer	The purpose of quality control is to protect the consumer by monitoring product quality and safety from manufacture and/or importing to marketing. The agents control PRODUCTS, not individuals or corporate bodies.
Question	**Who has the power to trigger a survey of product quality?**
Answer	The Government, the governing Minister, his departments through scheduling or investigation, the jurisdictions, the civil (consumers) or merchant (businesses) sphere.
Question	**Is a control legal, if based on an anonymous tip-off?**
Answer	Yes, as long as the control complies with the right of defence and the procedures.
Question	**Can an investigator be required to know the extent of a quality control?**
Answer	No, but when preparing his intervention, the investigator must make sure that he has all the information required for the control to proceed smoothly.
Question	**Duration of a quality control**
Answer	This can vary. Started during normal working hours, it can continue into the night.
Question	**Can the agents conduct controls at night?**
Answer	Which operations are carried out by agents from the Ministry?
Question	**Quelles sont les opérations exécutées par les agents du Ministère ?**
Answer	Sept opérations sont effectuées par les agents dans une entreprise : • The basic control • Consulting documents • Taking samples • Seizing business-related documents • Impounding goods • Seizing goods • Final withdrawal

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