

# Egg Marketing Inspectorate

## Code of Practice & Customer Charter

October 2004

### 1- Introduction

The Egg Marketing Inspectorate of the Department for Environment, Food and Rural Affairs (Defra) is responsible for the enforcement of the EC Egg Marketing Regulations and EC Hatching Eggs and Chick Regulations at all marketing stages in England and Wales up to but excluding retail level.

This leaflet tells you who we deal with and what you should expect when you deal with us. It also tells you about the standards of service we provide, where to address any enquiries and how to complain if you feel you have been treated unjustly.

This charter incorporates the provisions of the central and local government Enforcement Concordat. This commits us to good enforcement policies and procedures.

### 2 - Information and advice - who to contact

The requirements of EC Regulations covering egg marketing and hatching are complex and can be confusing. If you think that your business may require our attention, please telephone or write to the Regional Egg Marketing Inspector responsible for your area.

The following list gives the contact details for the Headquarters and Regional offices of the Egg Marketing Inspectorate. An outline county map showing the Regions can be found at the end of this leaflet in Section 23.

#### Egg Marketing Inspectorate Headquarters

##### **Mr B W Pattern** – Chief Egg Marketing Inspector

Area 5E,  
9 Millbank,  
c/o Nobel House,  
17 Smith Square,  
London SW1P 3JR

Telephone: 020 7238 3106

Fax: 020 7238 3116

E Mail: [bruce.w.pattern@defra.gsi.gov.uk](mailto:bruce.w.pattern@defra.gsi.gov.uk)

Regional Egg Marketing Inspectors follow on the next page. See the map at end of this leaflet for Regional & County boundaries (Section 23).

Eastern Region:-

**Mr Richard Jones**  
REMI, Defra  
G/77 Eastbrook  
Shaftesbury Road  
Cambridge CB2 2DR

Tel: 01223 533633

Email: richard.jones@defra.gsi.gov.uk

North & North East Region:-

**Mr John Sweeting**  
Defra, SVS  
Block 2, Wing 3  
Govt Buildings  
Lawnswood  
Leeds LS16 5QT

Tel: 01132 303986

Email: john.sweeting@defra.gsi.gov.uk

Southern Region:-

**Mr Mark Jones**  
REMI, Defra  
G/77 Eastbrook  
Shaftesbury Road  
Cambridge CB2 2DR

Tel: 01223 533634

Email: mark.s.jones@defra.gsi.gov.uk

West Midlands & Wales Region:-

**Mr Alistair Blacklock** (acting REMI)  
Defra, Block B  
Room 132, Woodthorne  
Wergs Road, Tettenhall  
Wolverhampton WV68TQ

Tel: 01902 693145

Email: alistair.blacklock@defra.gsi.gov.uk

Western Region:-

**Mr Jack Hainsworth**  
Defra, Block 3, Room 178  
Govt Buildings, Burghill Road  
Westbury-on-Trym  
Bristol BS10 6NJ

Tel: 0117 959 1000 ext. 8407

Email: jack.hainsworth@defra.gsi.gov.uk

**3 - Access to information**

This Inspectorate complies fully with the Data Protection Act 1998. Defra's Data Protection Officer is David Waller and if you wish to receive a copy of information that the Inspectorate holds concerning you, please write to him at the following address:

David Waller, Data Protection Officer.  
Defra, Room 546  
Nobel House  
17 Smith Square  
London SW1P 3JR

You will need to enclose a cheque / postal order for £10 made payable to "Defra" and proof of identity - e.g. a utility bill (the original - not a copy), a copy of the address and personal details of your passport or a copy of your driving licence. Please ensure that the form of identification that you send includes your current home address.

## 4 – Advice and guidance from the Egg Marketing Inspectorate

The advice and guidance we give you will relate strictly to what is required by law. The Egg Marketing Inspectorate is not able to provide comments or opinions on matters that are not related to the Regulations it enforces.

## 5 - Explanatory leaflets

As well as being able to receive oral advice, a series of explanatory leaflets has been produced to help you understand more easily parts of the Regulations which may apply to your business. These are:

- EMR1 Egg Marketing Regulations, general guidance
- EMR7 Conditions relating to use of laying date on eggs & packs.
- EMR9 Regulations on production and marketing of hatching eggs and chicks.
- EMR13 Labelling requirements for egg sales.
- EMR14 Production descriptions permitted (e.g. organic, free range or barn).
- EMR 22 The use of feed claims on labelling

**Copies of these leaflets are available from Regional Egg Marketing Inspectors or on-line on the Defra website (see section 22 for website address).**

## 6 - Businesses required to apply for registration

If you run any of the following businesses you are required to apply to us for registration – application forms are available on-line on the Defra website or through any of the Egg Marketing Inspectorate offices as stated immediately above.

**(a) Producers of eggs** registration is required for:

- all producers of eggs intended for sale as Class 'A', irrespective of how many hens they keep (in simple terms, all sales to retail, wholesale, catering or through any other third party must be Class 'A' eggs).

- and all producers with more than 350 hens, irrespective of how the eggs are sold.

- and from 1<sup>st</sup> July 2005 - all those selling their own eggs on local public markets.

- *The only producers that will not need to be registered at all are those with less than 350 hens and who also sell all their own eggs direct to individual consumers at their farm gate or by local door-to-door rounds.*

**(b) Egg Packing Stations** registration is required for:

- those who grade and sell hen eggs to other businesses (i.e. that must be Class 'A' eggs) and/or sell direct to consumers where EC quality or weight grades are used.

**(c) Collectors** registration is required for:

- those who buy and collect ungraded hen eggs from producers and deliver and sell to packing stations, approved processors (see 7(c) below) or the non-food industry

**(d) Hatcheries** registration is required for:

- those, other than the very smallest, (with a capacity of less than 1000 eggs in incubation) who incubate and hatch hen, duck, turkey, goose and guinea fowl eggs.

**(e) Breeders/Primary Breeders** registration is required for:

- those breeding farms that produce eggs from the above species to supply to hatcheries. The only exception being breeders with less than 100 birds in total.

## **7 - Other businesses requiring inspections (but registration is not required)**

At the current time some businesses that may be subject to visits and inspections by the Egg Marketing Inspectorate are not currently obliged to seek formal registration, examples of such premises are:-

### ***(a) Wholesalers, including Importers and Auction Markets***

Hen egg wholesalers are for example those who buy graded eggs for sale to retail or catering outlets for further distribution or other business use. This will include any importers of eggs. This also includes auction markets. Any wholesale premises must only sell properly graded and packed eggs from registered packing stations.

Such premises are not currently required to register with us. However, we do carry out inspections at these premises.

If you are setting up in such a business you are advised to contact us. Indeed many wholesalers regard us not so much as law enforcers, but more as a quality control service. If you are a wholesaler and you suspect that the product you have bought is not up to the required standard, feel free to contact your Regional Egg Marketing Inspector who will be happy to arrange an inspection without charge (see map/address details at end of this leaflet, Section 23).

### ***(b) Egg Boiling Plants***

Commercial premises that must purchase only Class 'A' eggs for the purpose of boiling in-shell (i.e. that do not break out eggs and pasteurise, but cook in-shell). Registration is not required with the Egg Marketing Inspectorate, however these premises must be listed by the Food Team in the Local Authority.

### ***(c) Egg Processors***

Commercial premises that break-out and pasteurise hen eggs. Registration is not required with the Egg Marketing Inspectorate, however these premises must be approved by and registered with the Food Team in the Local Authority in accordance with The Egg Products Regulations and Council Directive 89/437/EEC.

## **8 - Frequency of inspection**

The number of visits you may receive depends on the size and/or nature of your business, and how well you comply with the legislation. For example if you only keep a few hens and you are registered to supply the local village shop with a few dozen eggs per week, don't expect to see us very often. Where problems of non-compliance are found, additional follow-up visits are made.

## **9 - Results of inspection**

An Inspection Report Form will be completed at each visit showing the details of the inspection and any action required. We will discuss the results with you and ensure that you understand the contents. The notification of action required will distinguish between cases where we are simply giving you advice and those where you are in breach of legal requirements.

## **10 - Non-compliance with legislation**

If we find that you are not complying with legislation the action we take will depend on how serious it is considered to be. Where a minor discrepancy is discovered, you will be advised on how to comply. It may just be a reminder on the inspection report.

In other cases, for example where quality is not up to standard, a Notice of Contravention will be served requiring you to put it right before marketing the product. Either the Notice and/or the accompanying Inspection Report will tell you what needs to be done and by when. However, if we can, we will advise you how best to prevent the problem recurring. If it looks like an equipment or husbandry problem, we may suggest the type of professional assistance you could seek.

If you disagree with the Notice of Contravention or wish to seek further clarification you should contact your Regional Egg Marketing Inspector.

Where serious breaches are found, or where there is no co-operation to get things put right, we will ultimately consider prosecution. We always aim to prevent such a step through good communication and advice which should be followed.

### **11 - Named staff**

We will identify ourselves by name in all correspondence, on the telephone, and when we meet you. At the end of the visit the Inspection Report will clearly show our identity. On our first visit, or whenever details change, we will give you our business card, or similar, which shows our telephone number.

### **12 - Openness**

We will provide information and advice in plain language on the rules that we apply and this will be disseminated as widely as possible. We will be open about how we set about our work and we will discuss the general issues, specific compliance failures or problems with anyone experiencing difficulties.

Currently requests for information are considered in accordance with the requirements of the Code of Practice on Access to Government Information (Second Edition) and the Environmental Information Regulations (1992).

Requests for information under the Freedom of Information Act will be treated in accordance with the provisions of the Act when it comes into force.

### **13 - Helpfulness, courtesy and fairness**

We believe that prevention is better than cure. Our role involves actively working with businesses to advise and assist with compliance. We aim to maintain an even playing field by acting upon any non-compliances before they become problems.

We will provide a courteous and efficient service treating all clients with equal fairness. We will encourage you to seek advice from us.

### **14 - Privacy**

Information you provide to us will be treated confidentially and in accordance with all Data Protection principles.

We provide registration details to Local Authority Trading Standards & Environmental Health Departments who are responsible for enforcement at retail & catering establishments. We supply a list of registered producers to the State Veterinary Service who are responsible for Animal Health & Welfare legislation including disease control and surveillance measures. We supply a list of registered packers to the Veterinary Medicines Directorate (VMD) who are responsible for the enforcement of the EU Veterinary Medicine Residue legislation. We are required to send statistical returns of packers, producers, hatcheries, breeder/multipliers, SMT production and sales figures to the EU in Brussels.

## **15 - Prompt response**

We will answer telephone calls promptly. If the person you speak to cannot deal with your inquiry in full you will be passed to someone who can. If necessary we will call you back.

We will aim to answer all correspondence from you within 14 working days of receipt. If this cannot be done we will let you know why.

Applications for registration will be acknowledged within 3 working days of receipt. A pre-arranged visit will be made to your premises within 14 working days.

Visits requested by local authority officials will be arranged within 3 working days.

## **16 - Appointments**

Normally our visits are made unannounced to ensure that we see as natural a picture as possible. However when appointments are made they will be kept at the time agreed. If, exceptionally, we are forced to cancel, we will arrange a new appointment to suit you. When visits are made unannounced we will explain what we are required to do when we arrive at your premises. We will do our best to inconvenience you as little as possible.

## **17 - Publication of performance standards**

Our working year ends on 31st March. By 30th June each year we will publish an Annual Report on our activities. It will include results of performance against the standards of service and the effectiveness of the complaint procedures set out in this document. Performance results will cover two main areas: the time taken to respond to written enquiries, and a summary of the outcome of complaints dealt with under the new complaints procedures.

If you would like a copy of the annual report please contact the Egg Marketing Inspectorate Head Quarters (address as for Chief EMI shown in introduction).

## **18 – Consultation, Communication & enquiries to the Inspectorate**

We welcome your comments on our service, if you thought it was good or needs improvement. Either way it is important you tell us, either in writing or by e-mail or telephone, as this will help us to continue with the right service in the future.

Each year we write to a cross-section of clients inviting views on our standards of service as we aim to keep our standards high. You may request a survey form (EMR20) from your local office or it is available on-line under “forms & guidance”.

The Egg Marketing Inspectorate also welcomes discussion on any aspect of relevant legislation with representative bodies or individual businesses. Whenever there is a significant change in such legislation which could involve financial commitment, the Egg Marketing Inspectorate will inform affected & interested parties in writing.

Our HQ Policy Branch is responsible for inviting comment from UK representative bodies on any proposed amendment to relevant EC legislation. Their address is:

Head of Pigs, Eggs and Poultry Branch

Defra

Area 5E, 9 Millbank,  
c/o 17 Smith Square,  
London, SW1P 3JR

Telephone: 020 7238 3100

## **19 - Complaints – about the Egg Marketing Inspectorate**

If you have a complaint about our service, you can tell us by telephone, in writing or in person.

In the first instance please make your complaint to the Egg Marketing Inspector you have been dealing with. If this officer cannot deal with this complaint to your satisfaction you should contact the Regional Egg Marketing Inspector responsible for your area (see map & details at the end of this leaflet, Section 23).

If you are still dissatisfied you should contact the Chief Egg Marketing Inspector whose address is shown in Section 2 of this leaflet.

If you still feel that your complaint has not been fully resolved, you can write to the Departmental Complaints Adjudicator for Defra, who is Ms Beryl Condra. The address is:

Ms Beryl Condra, Complaints Adjudicator for Defra,  
Area 7E, 9 Millbank  
c/o Nobel House                      Fax: 020 7238 6497  
17 Smith Square,  
London SW1P 3JR                      Email: [service-standards.adjudicator@defra.gsi.gov.uk](mailto:service-standards.adjudicator@defra.gsi.gov.uk)

Ms Condra plays no part in the management or policy of any Defra Inspectorate thus ensuring her impartiality. She will investigate your complaint and report back to you within 15 working days. If this is not possible she will write to you explaining why and letting you know when you can expect to receive a response.

If you remain dissatisfied following the Adjudicator's investigation, you can write to your (or any other) Member of Parliament, and ask for your complaint to be passed to the Parliamentary Commissioner for Administration (the Parliamentary Ombudsman) who is entirely independent of Government, and who is:-

Ms Ann Abraham,  
Parliamentary Commissioner for Administration,  
Millbank Tower,  
Millbank,  
London  
SW1P 4QP                              Telephone: 020 7217 3000

## **20 - Complaints or enquiries – about policy or legislative matters**

The Egg Marketing Inspectorate complaints procedures cannot deal with the policy underlying Egg Marketing Regulations or legal issues related to enforcement, which are matters outside Inspectorate control.

If you have a query or complaint about policy issues, you should address it to:-

Head of Pigs, Eggs and Poultry Branch  
Defra, Area 5E,  
9 Millbank,  
c/o 17 Smith Square,  
London, SW1P 3JR

Complaints or enquiries will receive an acknowledgement within seven working days of receipt, telling you who is dealing with it. A full reply will follow within fourteen days of receipt or you will be advised of any delay.

## 21 - Best value

Our aim is to take full account of your needs whilst maintaining a satisfactory level of control and compliance.

It is our policy to ensure the compliance costs to our clients are kept to a minimum. Currently there is no charge for our services.

We will ensure, as far as possible, that costs are proportionate to the risks, and we always aim to take account of the particular circumstances of smaller businesses within the industry.

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## 22 - Outline map of counties and the regions and REMI locations

