

Meeting of the Cabinet – 27th June 2018

Report of the Strategic Director People

Food and Feed Service Plan 2018/19

<u>Purpose</u>	
1.	To advise Cabinet of the contents of the Food and Feed Service Plan 2018/19 and to refer the plan to Council for final approval.
<u>Recommendations</u>	
2.	It is recommended that:- <ul style="list-style-type: none"> • Cabinet endorses the contents of the Food and Feed Service Plan 2018/2019 and recommends referral to full Council.
<u>Background</u>	
3.	Local authorities are required by the Food Standards Agency (FSA) to produce and implement annual Food and Feed Service Plans that set out how the authority will deliver food and feed law enforcement functions to ensure national priorities and standards are addressed and delivered locally.
4.	The food and feed service is located within the Environmental Health and Trading Standards service in the Health & Wellbeing Division of People Directorate.
5.	The food service consists of inspections of food businesses to ensure compliance with food hygiene and food standards legislation, investigation of complaints relating to food and premises, sampling of foods for microbiological and compositional requirements, the investigation of food borne disease as well as educational and promotional activities. This work is delivered by environmental health officers. There are currently 2,461 registered food businesses in the Dudley borough.
6.	The feed service relates to the safety, hygiene, composition and labelling of animal feed intended to be fed to animals entering the food chain and therefore requiring legislative controls to protect human health when meat is consumed. This work is delivered by Trading Standards Officers for 47 premises in the borough that either produce or distribute animal feed, rear food producing livestock or supply surplus food into the animal food chain.
7.	By ensuring the safety of food and feed produced and consumed within the borough, the delivery of the food and feed enforcement service contributes to delivering the Council Plan priorities of a cleaner, greener place, stronger and

	<p>safer communities and growing the economy. The service helps maintain public confidence in the standards of our local food industry and provides practical support to businesses in difficult economic times, which helps to ensure fair competition and allow well run food businesses to flourish and contribute to the local economy.</p>
8.	<p>Service plans are developed under the framework agreement produced by the Food Standards Agency and provide the basis on which local authorities are monitored and audited by the Agency. It is a requirement that food service plans are submitted to Members for approval to ensure local transparency and accountability.</p>
9.	<p>A full copy of the Food and Feed Service Plan is contained in Appendix 1 of this report. However, a summary of key items to note are detailed in the following paragraphs 9 to 13.</p>
10.	<p>Regarding performance in 2017/18, items to note are:</p> <ul style="list-style-type: none"> • 99.6% of high risk food premises (Category A-C) due for food safety inspection were inspected (534 inspections). Only two due inspections were not completed due to access issues and /or seasonal activity. • A further 348 lower risk Category D food safety inspections and 101 Category E (lowest risk) inspections were carried out, bringing the total food safety and hygiene inspections carried out to 983 during the year. • A total of 277 re-visits were made to premises with unsatisfactory hygiene ratings to check that the required improvements had been made. • The overall proportion of food premises in the borough which are broadly compliant with food hygiene legislation (rated 3, 4 or 5) is 91%, up from 84% three years ago. This is broadly comparable to other West Midland local authorities and just below the national average. Dudley consumers can access the results of food hygiene inspections across the UK including Dudley in one visit via the Council's website to the national website www.foodratings.gov.uk • 650 food standards inspections were carried out and a further 125 premises were given on site allergen labelling advice making in total 775 food standards visits conducted during the year. The transfer of food standards work from trading standards to environmental health in 2015-16 has resulted in increased efficiencies and greatly increased the number of food standards inspections that can be delivered. • 230 microbiological food samples were taken from food premises in the borough with 29 (12.6%) being unsatisfactory. All unsatisfactory samples received appropriate follow up. Samples were taken from a variety of manufacturers, caterers, takeaways, butchers and other retailers and specific projects included takeaway chicken meals, chilled and ready to eat products from Eastern European and other retailers and environmental sampling of re-useable bottles for anti bacterial sanitising sprays. • 25 food standards samples were purchased for analysis for composition or labelling compliance. 5 (20%) were unsatisfactory and received appropriate follow up. Sampling projects included allergens in restaurant meals, takeaway meals for meat species, colourings & rice authenticity and meat species in manufacturers and butchers products. Additionally a

	<p>foreign labelled food project was carried out as part of a regional project focussing on Eastern European shops.</p> <ul style="list-style-type: none"> • 458 new food businesses registered with the local authority during the year including start up businesses and existing food businesses changing hands. • 504 complaints and 430 requests for advice in relation to food hygiene, safety and standards were received during the year. • A significant large scale detention of chilled and frozen meat was undertaken in January 2018 which resulted in approximately 1,550 pallets (tonnes) of meat being detained for examination at an approved cold store in the borough as part of a Food Standards Agency investigation into a meat processor operating across several UK sites. The majority of the detained meat was voluntarily surrendered for destruction with the operations to both supervise the disposal and to examine and potentially release meat deemed to comply with food safety legislation still ongoing into early 2018-19. This operation required significant food officer resources in the final quarter of the year, with a resultant impact on the planned achievement of the 100% category D inspection target. • Thirteen premises dealing with feed for animals entering the food chain were inspected. • The council has a clearly laid down enforcement policy, which focuses on providing advice and guidance for businesses to secure compliance. However, where businesses consistently fail to comply with the law or present a severe threat to public health it is important that action is taken to protect consumers. During the year, Improvement Notices were served for 12 food premises. Four food premises (two takeaways, a retailer and a public house) were closed using emergency prohibition action as they posed an imminent risk to public health due to pest infestations. Eight food safety prosecutions were concluded involving 3 takeaways, 2 restaurants and 3 retailers. Total fines of £43,870 resulted with £12,862 costs being awarded. All concluded prosecutions are published in the prosecution register on the Council's website. http://www.dudley.gov.uk/business/environmental-health/health-and-safety/enforcement/prosecutions-register/
11.	<p>The Food Standards Agency Code of Practice requires local authorities to inspect food premises for food hygiene at intervals determined by risk assessment based on type of food handled, number of consumers, compliance with the law and confidence in the management of the premises. The highest risk premises are Category A-C requiring inspection at 6, 12 and 18 months respectively. The lower risk premises are Category D and E requiring inspection every 2 and 3 years respectively. Category E premises are typically those handling very low risk or wrapped foods with good hygiene ratings and compliance and include childminders handling low risk foods and premises such as small retailers, chemists shops and off licences. Category E premises can be dealt with by an alternative enforcement strategy other than by visit once they have received the first inspection.</p>
12.	<p>At the end of 2017-18, 80 Category D and 438 Category E premises are overdue for an intervention. Overdue inspections are rolled over into the next year and this has increased the number of food hygiene inspections due in 2018-19 to 1,648, not including new food businesses who will register during the year and require inspection. Within existing staff resources it is possible to achieve</p>

	<p>approximately 1,100 food hygiene inspections in the current year. Hence the programme of food safety & hygiene inspections for 2018-19 is as follows:</p> <ul style="list-style-type: none"> • Category A, B and C premises- 100% target (466 inspections) • Category D premises- including 80 overdue- 70% target (380 inspections) • New food business registrations- approximately 250 inspections <p>Total: 1096 inspections.</p>
13.	<p>For 2018-19, it is not possible within existing resources to inspect 30% of due Category D (163 premises) or 438 Category E food premises overdue or the 201 Category E premises which fall due in the current year. Where resources permit during the year, some Category D and E premises may be subjected to non visit contact instead of an inspection, as permitted by the Food Law Code of Practice. However, all new Category D and E premises and those subject to complaints or concerns will be inspected.</p>
14.	<p>As regards food standards inspections (which focus on composition and labelling of food), there are currently approximately 1,415 premises which are not yet rated for food standards compliance, although around half of these premises were rated previously using the national trading standards rating scheme whose ratings are not transferable into the environmental health database using the FSA Code of Practice rating scheme. All these premises have however been inspected and rated for food safety & hygiene compliance. Considerable progress has been made to carry out food standards inspections at previously unrated premises and 552 of the 650 premises rated for food standards compliance in 2017-18 were previously unrated premises. Many of the remaining unrated premises for food standards are retailers who are Category E (lowest risk) for food safety/hygiene purposes and hence are not a priority for visits. High risk premises, including manufacturers, are a priority for inspection as are medium risk premises due for hygiene intervention as well as premises for which complaints arise and catering premises that need to comply with allergen labelling requirements. It should be noted that food standards inspections of manufacturers and approved premises are carried out when due and increasingly, due to the complexity of these inspections, often need to be visited separately from due food hygiene inspections.</p>
<u>Finance</u>	
15.	<p>Financial implications from implementing the Food and Feed Service Plan are met from within existing budgets.</p>
<u>Law</u>	
16.	<p>The Council's duties with respect to protecting consumer interests in relation to food safety/hygiene and standards are set out under the Food Safety Act 1990 and in relation to animal feed enforcement are set out in the Agriculture Act 1970.</p>
17.	<p>Powers to enable the Food Standards Agency to monitor and audit local authorities are contained in the Food Standards Act 1999.</p>
18.	<p>Section 111 of the Local Government Act 1972 authorises the Council to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its statutory functions.</p>

<u>Equality Impact</u>	
19.	This report has no direct implications for the Council's commitment to equality and diversity.
<u>Human Resources/Transformation</u>	
20.	This report has no direct implications for the Council's commitment to Human Resources.

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List of Background Papers

Food and Feed Service Plan 2018-19