

**FOOD SAFETY LAW ENFORCEMENT SERVICE PLAN 2012 - 2013**

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**1. PURPOSE**

- 1.1** The Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement requires the Council to produce and review an annual Food Safety Service Plan for consideration and approval by elected Members.
- 1.2** This Report presents the Food Safety Law Enforcement Service Plan for 2012 - 2013 for Members' approval.

**2. RECOMMENDATIONS**

- 2.1** That Members recognise the work being undertaken by Environmental Health staff in respect of food safety, and note the achievements in 2011/2012 in protecting food safety and supporting business. Of significance is the success in two major audits of the Service; winning the shellfish biotoxin project contract and our support to businesses in exporting salmon to the new United States and Chinese markets.
- 2.2** That Members formally approve the Food Safety Law Enforcement Service Plan for 2012 - 2013; the appointment of the statutory Public Analysts, Agricultural Analyst and Food Examiners, and revisions to our Enforcement Policy.

**3. FOOD SAFETY ENFORCEMENT IN ARGYLL AND BUTE**

- 3.1** The strategic objectives of Regulatory Services in terms of food safety are to protect public health and promote the production and sale of safe food. This work is undertaken by the Council's Environmental Health team and the objective is to improve the hygiene standards of food businesses through working with businesses, and general enforcement.
- 3.2** The Food Safety Service Plan details the arrangements and the service priorities and targets for 2012 – 2013. Of significance and worthy of noting are :
- (i) The programmed risk-rating system which generates our interventions programme for high, medium and low-risk business continues.

- (ii) The implementation of the *E.coli* 0157 guidance will have significant implications for the delivery of the food safety enforcement service, and to business. This introduces very stringent requirements, principally the designation of 'clean areas', which will have to be maintained by spatial separation and/or scientifically validated cleaning and disinfection regimes. Also noteworthy is an effective ban, on the dual use of equipment for raw and ready to eat products, where the equipment is determined in accordance with the Guidance to be difficult to clean. These measures will have to be implemented in the 2012-14 workplan through our strategy which proposes an approach focusing on premises which have an inherent *E.coli* 0157 risk, and identifying significant resource issues.
- (iii) The Food Standards Agency (FSA) is considering a Paper proposing that medium-risk interventions be "postponed" to allow Local Authorities to implement the *E.coli* guidance with business. This, should it be approved, will amend the Service Plan and we will revise our priorities accordingly.

**3.3** In 2011 – 2012 we achieved the majority of the Service Plan, although some work was delayed as a result of the *E.coli* guidance and the FSA Audit in September 2011. Achievements of note were :

- (i) The FSA Audit of our approved business (ie, local manufactures and processors of 'higher risk foods including those exporting foods) identified three highly significant examples of best practice in Scotland and was very positive.
- (ii) Two audits conducted by the United States Food and Drug administration (USFDA, which looked at the Official Controls, carried out by the Council and also looked at standards within local manufactures exporting to the USA. The results were also very positive and assisted local businesses attain export status with the USFDA.
- (iii) We achieved the targets of 100% for high-risk and met 94% of medium-risk inspections (target 70%).
- (iii) We successfully secured the shellfish biotoxin contract from the FSA for the period 2012 – 2015, which enables us to protect public safety and support the shellfish sector in Argyll and Bute.
- (iv) We have supported local business to develop into the Chinese market for export of salmon, through the inspection of, and issue of, export certificates, which have resulted in excess of \$6 million in 2011-2012.
- (v) We continue to support the concept of the "informed consumer" through the Food Hygiene Information Scheme and EatSafe Awards.

- (vi) We continue to ensure that enforcement officers are competent and have undergone their statutory continued professional development. We also have a development plan in place which supports those officers progressing toward further authorisation, in accordance with the Service's authorisation procedures and in accordance with the council's 'Grow you Own' policy . This will provide additional flexibility in our operational resource management.

#### **4. ENFORCEMENT POLICY**

- 4.1** The service ethos, to secure compliance with statutory duties on a risk-based approach with proportionate enforcement, remains in place. We continue to seek to do work with, and support, business and formal enforcement is only initiated where there are inherent risks to food safety, or reluctance on behalf of the business to co-operate.
- 4.2** It is my considered opinion, as the Council's Head of Food Safety, that the only major changes required to the Food Safety Enforcement Policy, relate to the endorsement of the FSA's Guidance on Cross Contamination and the extended application of Remedial Action Notices to all food businesses. It also my considered opinion, that no changes are required to the Food Standards Enforcement Policy.

Elected Members are asked to formally endorse these policies.

#### **5. CONCLUSIONS**

- 5.1** The Report satisfies the requirement to review annually the Food Safety Law Enforcement Service Plan and the Enforcement Policies in relation to Food Safety and Food Standards. This will ensure that the Council's statutory obligations as a Competent Authority, under EU Food Law and as a statutory food authority, under the Food Safety Act 1990 are met, and that we have adequate arrangements to protect food safety.

#### **6. IMPLICATIONS**

- Policy :** None
- Resources :** None
- Legal :** Meets the Council's legal food authority obligations
- Equal Opportunity;** None
- Financial :** Will be delivered from existing budget

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**AM/KT/ 7086 Mar 2012**

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**LIST OF BACKGROUND PAPERS :**