

MEETING:	REGULATORY COMMITTEE
MEETING DATE:	5 JUNE 2014
TITLE OF REPORT:	HEREFORDSHIRE COUNCIL'S PROPOSED FOOD STANDARDS INSPECTION PROGRAMME FOR 2014/15.
REPORT BY:	HEAD OF TRADING STANDARDS & LICENSING

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

County-wide

Purpose

To consider the proposed 2014/15 Food Standards Enforcement Programme to be undertaken by the Trading Standards Service in respect of its obligations under the Food Law Code of Practice (England)(April 2012).

Recommendation(s)

THAT: subject to any comments the Committee wishes to make, the implementation of the proposed Food Standards and Feed Hygiene Inspection programme as detailed at Appendix 1 and 2 to the report be endorsed.

Alternative Options

- 1 There are no alternative options identified as compliance with the Code is a statutory requirement.

Reasons for Recommendations

- 2 To comply with the Food Standard Agency's (FSA) Code of Practice.

Key Considerations

- 3 Following a previous audit of Herefordshire Council's Food enforcement return (LAEMS) by the FSA, it was noted that the Council was not fully compliant with the requisite statutory Codes of Practice in relation to food hygiene and food standards when carrying out its food law enforcement role. Implementation of the code was by means of a revised programme based on undertaking a limited number of programmed inspections to align with staffing resources and budget allocated. As a consequence, it was recommended that the Committee was notified by means of an appropriate report.
- 4 With a limited number of appropriately qualified officers available, it was only possible to undertake a reduced number of Food Standards inspections during the year 2013/14. This revised inspection programme was the subject of a separate report to this Committee in accordance with a recommendation made by both Internal Audit and the FSA following their respective audits
- 5 Following a review of the national premise risk rating scheme by the FSA and its subsequent adoption by the National Trading Standards Board (NTSB), a new risk rating scheme for food standards inspection has been adopted nationally. This was implemented by the trading standards service during November 2013 and involved considerable officer time and work to modify the department's database system APP/CIVICA.
- 6 As a result of its implementation, the risk rating criteria, risk rating categories and subsequent inspection frequency for food standards premises nationally has changed; effectively, the 'goal posts' have moved. The new rating system has significantly reduced the overall number of premises that are due for inspection during the year and especially those rated as high risk, reducing from 93 high risk premises in 2012/13 to only 1 due in 2014/15.
- 7 The new risk categories are now High, Medium High, Medium Low and Low and are now principally based on the confidence that the authority has in the operation of that business.
- 8 Although the overall risks have been reduced for 2014/15, it is envisaged that as the inspection programme is undertaken, the risk rating of premises is likely to increase and therefore in subsequent years, the number of high risk premises is likely to increase.

Community Impact

- 9 Failure to implement or to complete this proposed inspection plan would potentially have an adverse impact upon the health and wellbeing of the population. This is likely to manifest itself through deterioration in food standards with regard to composition and descriptions thereby increasing the risk to the population's health as well as, increasing the likelihood of consumer fraud, which would have a detrimental effect on the economic prosperity of the local community and its legitimate businesses.

Equality and Human Rights

- 10 None identified.

Financial Implications

11 None identified.

Legal Implications

12 Possible intervention by the FSA if the agreed inspection/sampling programme not completed.

Risk Management

13 As the risk of implementing a non-complaint food standards inspection programme for 2014/15 will have been eliminated, the relevant risk register entry [RSK.EEC.35 (EHTS)] would be removed accordingly. A request to remove the limited assurance rating from this part of Environmental Health and Trading Standards at the next available opportunity would also be sought.

14 If the programme is not agreed and implemented, then the Limited Assurance grading that has previously been issued namely; that the Council's annual programme of planned food standard inspections does not fully accord with the requirements of the Food Law Code of Practice (England) (April 2012), the risk of failing to fulfil relevant legislative requirements is to be noted in the Economy, Communities and Corporate Risk Register with reference RSK.EEC.35 (EHTS) would be reinstated.

Appendices

Appendix 1 - Proposed Food Standards Inspection and Sampling Programme.

Appendix 2 - Proposed Feed Hygiene Inspection & Sampling Programme.

Background Papers

None identified.

Further information on the subject of this report is available from
Mike Pigrem Head of Trading Standards & Licensing on Tel (01432) 261658

Appendix 1 - Proposed Food Standards Inspection and Sampling Programme.

Food Standards Inspection Programme

Risk rating	Total No of risk rated premises due in year as per the revised FSA risk rating scheme	No of inspections due in year and required by the FSA code of practice	Target % (Number)
High	1	93	100% (1)
Medium High	26	254	100%(26)
Medium Low	27	58	100%(27)
Low	85	0	85 through an Alternative Enforcement Strategy (AES)

Food Sampling Programme

- circa 40 food samples to be taken in line with the following criteria:-
- Take part in an FSA grant funded food/animal feed sampling initiative in partnership with Worcestershire Scientific Services and Worcestershire Regulatory Services subject to grant funding acceptance
- Sample food produced in Herefordshire during inspections of food producers for Protected Geographical Indications.
- Sample food following complaints concerning food composition and description.
- Officer discretion to sample food/food ingredients/feeding stuffs in order to assist and support local businesses when first trading.
- Sampling as part of a food incident either locally or nationally initiated (e.g. horsemeat substitution).

Appendix 2 - Proposed Feed Hygiene Inspection & Sampling Programme.

Types of feed Business Establishment	Activity Code	Numbers of planned inspections
Approved Manufacturers	A01-08	3
Manufacturer - additives	R01	2
Manufacturer - premixtures	R02	0
Manufacturer - bioproteins	R03	0
Manufacturer - compounds	R04	9
Placing Compound Feeds on the Market	R05	1
Manufacturer - pet food	R06	0
Feed Materials / Ingredients / Surplus Food	R07	10
Transporter	R08	0
Stores	R09	1
Mobile Mixer - Additives (HACCP)	R10	0
On Farm Mixer - Additives (HACCP)	R10	17
Mobile Mixer - Compounds/ Additives	R11	0
On Farm Mixer - Compounds/ Additives	R11	6
Co Product Producer	R12	3
Livestock Farms (Feed & Food Hygiene)	R13	74

Arable Farms (Feed & Food Hygiene)	R14	1
Importers		2
Total		129

Feeding Stuffs Sampling Programme

Circa 26 feeding stuffs samples planned plus any complaint samples required.