

## **Select Committee on the Environment 7th November 2011**

### **Informal Report of the Director of the Urban Environment**

#### **Food Service Plan 2011/2012**

##### **Purpose of Report**

1. To update the Committee on progress with the activities detailed in the Directorate of the Urban Environment Food Service Plan 2011/2012.

##### **Background**

2. Local authorities are required by the Food Standards Agency (FSA) to produce and implement an annual Food Service Plan that sets out how the authority will deliver food law enforcement functions to ensure that national priorities and standards are addressed and delivered locally.
3. The Food Service is located within the Planning and Environmental Health Division of the Directorate of the Urban Environment and provided by officers within the Food and Occupational Safety (FOS) and Trading Standards sections.
4. The service consists of inspections of food businesses to ensure compliance with food safety 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.
5. By ensuring the safety of food produced and consumed within the borough and encouraging healthy eating and reducing health inequalities, the delivery of the food enforcement service contributes to the Jobs and Prosperity theme and the Health and Well-being theme of the Council Plan and the Dudley Community Strategy. 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.
6. The current year's Food Service Plan was brought to the Environment Scrutiny Committee on 16th June 2011 and subsequently endorsed by Cabinet on 14<sup>th</sup> September 2011 prior to being sent to Full Council in October 2011.
7. A summary of the activities in the Food Service Plan 2011-12 completed at the

half-year stage is contained in Appendix 1 of this report. However, items of note include:

- High levels of routine inspections in accordance with the planned programme have been carried out.
- The increase in the proportion of the borough's food premises which are broadly compliant with food hygiene and safety legislation is being sustained, up from 75% in April 2008 to nearly 89% in September 2011.
- The proportion of Dudley food premises achieving the two highest ratings of 5\* (excellent) and 4\* (very good) is now 45% (874 premises), up 5% since the same period in 2010-11.
- 51 Dudley Food for Health Awards have been issued to food businesses offering healthy nutritional choices as well as achieving high standards of food safety and contributing to environmental sustainability.
- The publishing of the results of food hygiene inspections on the Council's website under the "Scores on the Doors" scheme is continuing along with publication of the Dudley Food for Health Awards.
- High levels of microbiological and compositional sampling have been maintained.
- Bottles of potentially dangerous illicit vodka have been seized by trading standards prompting warnings to the public to be vigilant.
- The Directorate of the Urban Environment Food Policy which lays down a commitment to provide healthy food choices whenever food is offered for direct sale or vending to staff or customers was launched in April 2011.

### **Finance**

8. Financial implications from implementing the Food Service Plan are met from within existing budgets.

### **Law**

9. The Council's duties with respect to protecting consumer interests in relation to food safety and standards are set out under the Food Safety Act 1990.
10. Powers to enable the Food Standards Agency to monitor and audit local authorities are contained in the Food Standards Act 1999.

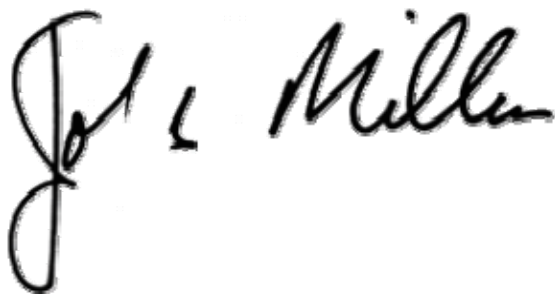
### **Equality Impact**

11. The proposals in this report do not impact on relevant groups or conflict with the Council's commitment to equality. Account is taken of the diversity of the ethnic origins of the local food business proprietors and efforts made to assist those whose first language is not English, for example by providing interpreters to accompany inspectors where possible and by providing advice literature in a range of languages.

12. The Food Service Plan contributes towards reducing health inequalities for all residents in the borough by promoting healthy eating. In particular, healthy eating is encouraged for children and young persons and also elderly people through the Dudley Food for Health Award. The vast majority of premises achieving the award are schools, nurseries and residential care homes.

### **Recommendation**

13. It is recommended that progress with the delivery of service within the Food Service Plan 2011-12 at the half-year stage be noted by members.



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### **List of Background Papers**

Food Service Plan 2011/2012

## APPENDIX 1

### FOOD SERVICE PLAN 2011/2012

#### Progress up to 30<sup>th</sup> September 2011

<b><u>ACTION</u></b>	<b>HALF YEAR TARGET</b>	<b>ACHIEVED</b>	<b>COMMENTS</b>
High risk food safety inspections (Cat A, B, C)	100% (413)	98.3% (406)	The 100% target is programmed to be achieved by year-end.
Low risk food safety inspections (Cat D, E)	50% (95)	67.9% (133/191)	Over achievement due to fact that not all Cat D premises are deemed to be suitable for an alternative intervention other than an inspection and also due to some Cat D's which were not intended to be inspected needing an inspection due to being a new business or due to a complaint being received.
Carry out alternative enforcement strategy for lowest risk premises (Cat D and E)	Cat D (50%) Cat E (100%)	13/41 (29%) Cat D and 7/17 (41%) Cat E achieved	Food Standards Agency Code of Practice permits Cat D food premises to alternate between inspections and non official controls including information and intelligence gathering. Cat E premises also dealt with by alternative enforcement strategy involving contact with proprietors by postal or telephone questionnaire. Underachievement is due to 1.5 FTE posts being vacant due to maternity leave but expected to be on target by year end.
Carry out re-visits to food premises following programmed inspection	Approx 100	95	Re-visits are carried out where urgent remedial work has been required or Improvement Notices served (mainly 1* and no star premises). Hygiene ratings are not revised at re-visit inspections, only at due programmed inspections.
Continue to publish the results of food hygiene & safety inspections on the Council's website. "Scores on the Doors"	Monthly updates to website of all inspections undertaken.	Achieved	1921 premises are now listed in the following categories: 5* (excellent): 410 premises (21%) 4* (very good): 464 premises (24%)

scheme			3* (good): 638 premises (33%) 2* (broadly compliant): 231 premises (12%) 1* (poor): 142 premises (7%) no stars (very poor): 36 premises (2%)
Utilise the alternative interventions strategy in the Food Standards Agency (FSA) Code of Practice to give greater focus on improving standards in the poorest performing food businesses	Implement Interventions Strategy	Interventions Strategy implemented	High star premises may receive a themed or partial inspection focussing on elements which can be improved from last inspection (unless new food business operator when full inspection is carried out). This releases additional officer time to work more closely with high risk no star premises to improve standards over a short period of time.
Continue to support food business operators to produce documented food safety management systems (FSMS).	On all inspections	Covered on all inspections. Pack has been developed to assist low risk businesses not covered by the FSA's "Safer Food, Better Business" system	Previous funding from the FSA to deliver bespoke training to small businesses through seminars and on site coaching has ceased; hence additional time needs to be taken during inspections to assist proprietors to comply.
Increase the proportion of food premises broadly compliant with food hygiene legislation (2* or higher)	88%	88.5%	There has been a rise in broadly compliant premises from 75% to nearly 89% since the "Scores on the Doors" scheme was launched in April 2008. Broadly compliant figure incorporates all food premises in the borough, including newly registered premises which are counted as not compliant until inspected.
Continue surveillance for new premises which require registration and inspection.	Carry out exercise to identify unregistered food businesses	Achieved. Trawl of on line business directories identified a small number of unregistered food businesses, all of which have been followed up.	During the half year, 243 food premises registrations have been dealt with. Most of these are existing food businesses which have changed proprietors. The number of small food businesses changing hands and requiring re-registration and inspection has steadily increased over the past 3 years due to the current economic climate. This places an extra burden on the inspection programme in terms

			of additional inspections and providing extra support to new proprietors.
High risk food standards inspections	100% (8)	87.5% (7)	The 100% target is programmed to be achieved by year-end.
Medium risk food standards inspections	50% of due medium (81)	100% (81)	
Microbiological food samples	223	223 (100%)	Final outturn expected to be 312 samples for the year.
Compositional food samples	70	70 (100%)	Year end figure expected to be 125 samples.
Deliver food standards projects-compositional & labelling	(i) Artificial Colours. Presence of artificial colours and levels and whether new label warning is present.	Completed	The level of artificial colours used in foods is generally compliant with a small number of exceptions. Advice to be given where necessary to manufacturers and sellers of loose food.
	(ii) Post-mix Drinks dilution ratios, substitution of diet for full sugar.	On-going.	5 premises visited within the borough and formal samples obtained; results of analysis awaited.
	(iii) Counterfeit spirit drink (CenTSA* project)  * Central Trading Standards Authorities	Completed	Conducted in conjunction with HMRC Customs & Excise. 18 premises visited in total. No issues at 11 premises. Non duty paid issues at four premises. Illicit and/or counterfeit goods found at three premises.
	(vii) Imported Food Sampling project	Completed	Eight samples obtained in conjunction with FSA, three nut samples for aflatoxins, one potato for arsenic, mercury & lead and four allergen samples. All samples were reported as satisfactory. Any allergens detected were labelled as necessary.
	(viii) Project to encourage	On-going	10 initial samples obtained. FSA 2012 salt target

	butchers to use less salt in sausages.		1.13g/100g. Salt levels found range from 1.42g – 2.24g. Follow up stage is to encourage reduction, delayed by discussion with season mix manufacturers.
Food complaints (FOS)	Approx 75	53 received	Complaints relate to foreign bodies, microbiological or chemical contamination.
Food complaints (Trading Standards)	Approx 60	50 received	Complaints concerning dates, labelling and quality and suspect food fraud.
Food premises complaints (FOS)	Approx. 100	91 received	
Food advice enquiries (FOS)	Approx 125	173 received	Includes advice requests from businesses and members of the public.
Food borne disease notifications	Approx. 270	366 received including 256 campylobacter notifications	Campylobacter notifications dealt with by postal advice. All others require officer visit/contact.
Dudley Food for Health Awards Issued	50 awards	51 awards given. (1 Platinum, 25 Gold, 19 Silver, 6 Bronze Awards).	Delivered in conjunction with NHS Dudley. Award encourages premises to promote healthy eating whilst complying with food hygiene regulations.
Implement the DUE Food Policy	From April 2011	Achieved	The Food Policy lays down commitment to provide healthy food choices whenever food is offered for direct sale, hospitality or vending. New vending contract for DUE premises in place since April 2011 ensures healthier snack options are available in all vending machines, including Leisure Centres. Contributes to meeting objectives of the Obesity Strategy.
Prosecutions concluded	-	1	All prosecutions are progressed in accordance with the Enforcement Policy and are published on the Council's website. A further 5 prosecution cases, 4 involving food hygiene offences and one food standards case involving numerous use by date offences are currently being progressed.