



FOOD SAMPLING POLICY

1. INTRODUCTION

Erewash Borough Council recognises the important contribution food sampling makes to the protection of public health and the food law enforcement functions of the Authority. This sampling policy sets out Erewash Borough Council's general approach to sampling and our approach to sampling in specific situations such as inspections, complaints and coordinated programmes etc.

Sampling is used as part of a planned approach to gather information about the microbiological quality and possible presence of harmful micro-organisms in particular foods which are produced and/or sold/used locally. Based on this information appropriate action can be taken to protect the consumer.

This sampling policy has been prepared with due regard to the guidance provided in the Food Law Code of Practice and Practice Guidance. This policy does not cover the testing of private water supplies which are subject to specific legislative control.

2. GLOSSARY OF TERMS

Authorised Officers: An officer authorised in writing by Erewash Borough Council.

Food Standards Agency: An independent food safety watchdog set up in 2000 to protect the public's health and consumer interest in relation to food.

Food Examiner: This is a person who carries out the microbiological examination of food samples. Their qualifications are prescribed by the Food Safety (Sampling and Qualifications) Regulations 2013

HACCP: Hazard Analysis & Critical Control Points is a systematic approach to ensuring food is safe to eat and is required by Regulation (EC) 852/2004.

Home/Originating Authority: A Home Authority is a local authority which has agreed to act as a coordinating centre for enforcement issues for companies operating in several local authority areas. An Originating Authority is a local authority in whose area a company operates e.g. retailer/manufacturer.

Health Protection Agency (HPA) Laboratory: A Health Protection Agency laboratory that provides food, water and Environmental microbiology services to local authorities.

Public Analyst: This is a person appointed by a local authority to carry out the analysis of food samples. Their qualifications are prescribed by the Food Safety (Sampling and Qualifications) Regulations 2013.

UKAS Accredited: The United Kingdom Accreditation Service is the sole national accreditation body recognised by government which assesses and accredits official laboratories to meet agreed EU Standards on procedures for testing food.

3. PURPOSE OF SAMPLING

Erewash Borough Council sample foodstuffs within the borough for the purposes detailed in paragraphs 3.1 to 3.4 below.

3.1 Surveillance

- To participate in national and international sampling programmes and initiatives.
- Sampling related to local products, events and initiatives particularly relevant within the Borough.



FOOD SAMPLING POLICY

- Sampling of imported food where Erewash Borough is their place of destination.

3.2 Verification

- To help assess hygiene standards and procedures and to verify matters noted during food hygiene inspections.
- Sampling to meet responsibilities as a Primary/Home/Originating authority (if relevant).

3.3 Compliance

- Taking of food samples defined by statute.
- To meet the Authority's obligations under the Food Standards Agency framework agreement.

3.4 Investigation

- To investigate potential food contamination and food poisoning incidents.
- Investigation of a complaint regarding general hygiene or practices carried out in a particular food premises where the complainant does not have any food available for examination.

N.B This policy does not cover a complaint where the food (including drinks) is available for examination and may include problems concerning the fitness of the food, its wholesomeness, or foreign body contamination.

4. GENERAL APPROACH TO SAMPLING - AIMS AND OBJECTIVES

Erewash Borough Council will consider two principal aims of sampling, these are:-

- 1 To protect the consumer through the enforcement of food legislation i.e. Food Safety and Hygiene (England) Regulations 2013, Regulations (EC) 852/2004, 853/2004, 2073/2005 and 2074/2005
2. To identify any contraventions of food safety legislation by: -
 - a) identifying foods, including imported food, that pose a hazard to the consumer because they may contain significant levels of pathogenic bacteria and/or associated toxins;
 - b) evaluating temperature control, food handling and processing practices at food premises in relation HACCP requirements;
 - c) determining whether advice or enforcement action would be appropriate where it is suspected that poor practices and procedures exist and there is poor confidence in management;
 - d) assisting in the investigation of food complaints or food poisoning incidents to determine any contravention of food safety legislation;
 - e) giving advice and guidance, if appropriate, on food hygiene matters; and,
 - f) assessing the microbiological quality of food manufactured, prepared, distributed or retailed in the Council's area.

5. CONSIDERATIONS FOR SAMPLING

In deciding whether, and how, in a particular case, sampling may usefully contribute to the above aims the following points will be carefully considered.

- Whether further processing of the food by caterers or consumers will reduce or eliminate micro-organisms prior to consumption.



FOOD SAMPLING POLICY

- The significance that HACCP may have played in the production of safe food and whether a detailed investigation of this linked to sampling of particular ingredients rather than the end product might be the most useful approach.
- The statistical confidence that could be drawn from the results e.g. the heterogeneous distribution of micro-organisms in food can result in misleading interpretations being drawn, particularly by proprietors.

6. SAMPLING IN SPECIFIC SITUATIONS

6.1 Process Monitoring

Sampling from establishments subject to Regulation (EC) 853/2004 is necessary to:

- Verify that processing methods result in microbiologically safe food;
- Verify matters noted during inspections of good or poor practices; and
- Verify whether the provisions of the food law e.g. Regulation (EC) No 2073/2005 on Microbiological Criteria for Foodstuffs are being complied with.

6.2 Inspections

During routine inspections of premises Authorised Officers may determine that sampling is necessary to:

- Verify matters noted during inspections of good or poor practices; and
- Verify whether the provisions of the food law are being complied with.
- Verify the safety of any food that has been detained or seized.

6.3 Complaints

Following a complaint to Erewash Borough Council regarding general hygiene or practices carried out in a particular food premises where the complainant does not have any food available for examination the Authorised Officer will determine the most appropriate course of action. This may include taking samples from the premise.

6.4 Primary / Home / Originating Authority Principle

At present Erewash Borough Council does not act in any capacity for an enterprise.

However where sampling is required from premises that are part of any such scheme to avoid duplication of samples, it may be necessary to contact the relevant authority to discuss the proposed sampling.

7. SPECIAL INVESTIGATIONS

7.1 Water Supply Monitoring

As part of the requirements to satisfy itself that the water undertaker is supplying wholesome water in the Borough, samples of drinking water will be taken from random premises throughout the Borough. This sampling will normally be undertaken during routine food hygiene inspections.

Water supply monitoring samples will not include private water supplies which are subject to specific legislative control.

7.2 Outbreak/incidents involving certain foods

Relevant sampling will be undertaken following a locally identified or nationally reported incident or food hazard warning, where sampling is required by the Food Standards Agency or it has been determined that local sampling is relevant.



FOOD SAMPLING POLICY

8. NATIONAL, REGIONAL or LOCAL CO-ORDINATED PROGRAMMES

8.1 FSA or EU Coordinated Programmes

Where practicable, Erewash Borough Council will participate in relevant coordinated sampling programmes. Sampling for these programmes is often coordinated by the HPA Laboratory

8.2 Regional and National coordinated programmes

The Derbyshire Food Liaison Group provides a countywide consultation system with the HPA Laboratory to identify local priorities for sampling and input into the development of regional and national sampling programmes. A Sub-Group has been set up to provide direct links with the HPA Laboratory via regular meetings.

8.3 Local Sampling Programmes

Requirements for local sampling within the Borough may be determined by the Authorised Officers and is organised with the HPA Laboratory

9. IMPLEMENTING THE SAMPLING POLICY

Implementation of this Sampling Policy is considered during the development of the annual unit service plan for Environmental Health Food, Health and Safety Team. As part of this process the proposed sampling programme for the year is developed having regard to food businesses in the area and the number, type, risk rating and the confidence in management of premises within the Borough.

However it is also necessary that the Sampling Programme is flexible to allow for:-

- poor sampling results from previous samples which may prompt further sampling;
- emergency sampling situations or when any other particular issues of concern arise.

As the Sampling Programme may include information on individual premises the programme will not be placed in the public domain.

10. PROCURMENT AND TESTING OF SAMPLES

Samples will be taken in accordance with the Food Law Code of Practice, specific sampling protocols and documented procedures for food sampling.

The circumstances will determine if the samples taken will be used for legal proceedings. If legal proceedings are considered necessary samples will be taken in accordance with the Food Safety (Sampling and Qualification) Regulations 2013.

All samples will be tested either by the Public Analyst or Food Examiner at a UKAS accredited laboratory dependant on the type of sample and the test required.

11. RESULTS OF SAMPLING

A record of all samples is kept on a computerised database. Sampling results notified to the food business operator of the premise concerned but are not normally placed in the public domain. Any poor sampling results are dealt with in accordance with the document procedure for food samples.

The number of samples taken and the results are reported to the Food Standards Agency.