

# **The Society of Food Hygiene Technology's Response on Consultation Food Safety Act 1990 Code of Practice**

## **1.1.1: Composition, chemical contamination, adulteration and labelling**

*Some members wondered why food labelling regulations are dual enforced by EHO's and TSO's on date coding and differing enforcement policies they encounter.*

## **1.1.5 Registration information**

*Premises registration seems overly complicated to some members e.g. catering; a web based form (if not already available) could be useful.*

## **1.1.8 Operating in other areas**

*Does this section fully cover seizure and detention of food since the Walkers Case. It does not make sense that if there is an imminent risk of injury to health that an Enforcement officer in another area cannot take action?*

## **1.2.8 Lead Officers**

*Is there any way that out-of-hours contact details could be held by the society for its members to access thereby ensuring the public do not get this information.*

## **1.3.2 Avoiding Potential Conflicts of Interest**

*SOFHT fully endorse this view.*

## **1.7.6. Food Hazards Associated With Outbreaks of Foodborne Illness**

*Could the contact details of the food incident team be made available to assist SOFHT members via the SOFHT Members' website? How might businesses be able to directly notify when they have an out-of-hours hazard?*

## **1.7.9. Action by the Food Authority – Food Hazards**

*There appears to be consistent advice as to when a batch or lot should be detained or seized and this is left to the subjective decision of an enforcement officer/s and or the FSA advisors. What criteria is used if, for instance, 20 out of a 1000 bags of ambient sandwich filling containing tuna is affected by scrombotoxin. What advice is there as to when the whole batch should be destroyed when large batches are too cumbersome to check of when high value is involved?*

## **CHAPTER 1.3: LIAISON WITH OTHER MEMBER STATES**

### **1.3.1. Introduction**

*Is this necessary? Could be perceived as cumbersome and an unnecessary layer of bureaucracy. Could 2.4. be simplified?*

### **3.1.1 Introduction**

*SOFHT believes its members would prefer local authorities to be as transparent as possible about their enforcement policies, to keep to a recognised format and LACORS could lead this.*

### **3.1.2 Enforcement Information**

*There is some concern with EHO's offering advice as to good practice and insurance implications; consistency of the advice; qualification to give such advice and overall financial implications. EHO's should keep to offering advice on good practice within the prescribed codes. Codes should be updated appropriately which they have not. Is this reference relevant as they were brought in to support the Food Safety (General Food Hygiene) Regulations 1995 which will no doubt be repealed as guidance takes over to meet new European Regulations on Hygiene?*

### **3.1.4 Food Law Enforcement Policies**

*Could not the FSA sign off policies as part of auditing or for consistency purposes?*

#### **3.1.5.1.2 Informal Approach**

*Again advice on good practice should be kept within the existing codes unless asked for specifically. SOFHT recognise it is a way to raise standards without resorting to more formal means. However, there is concern that it could involve members in unnecessary cost or inappropriate remedy.*

### **3.3.4 Action When a Prohibition Order has Been Made Against a Person**

*CIEH is listed as having to be notified which SOFHT supports. In addition SOFHT would not want its members to be prohibited and therefore should be notified as to prohibited persons.*

### **3.4.6 Dealing with Batches, Lots or Consignments of Food**

*SOFHT refers to its earlier comments on batches, lots or consignments.*

### **3.4.7 Destruction or Disposal of Food**

*Deep burial is an option that refuse companies offer.*

## **SECTION 4: INSPECTIONS**

### **Section 4.2**

*Without prejudice to the generality of the section there are concerns amongst members as to what constitutes a premises inspection, how this is scored and how this determines future visits. In the scenario of a supermarket, some authorities break them down into different departments and inspect separately with generic inspections, such as Health & Safety, being additional. Will this be reviewed or included for within the code?*

#### **4.3.2. Inspections – General**

*SOFHT members have raised a concern regarding matters which are not mentioned at the time of the visit but subsequently appear in correspondence or Notices etc. It is important that officers bring to the attention of proprietors anything they will later include in writing.*

*Again SOFHT supports clear differentiation between good practice and compliance. However, as already stated, it is important that good practice should not be referred to on a whim but either by reference to the Section 40 guides or LACORS advice. As many companies operate across multiple sites, loose interpretation of advice might involve significant and unnecessary cost.*

#### **4.3.5 Intermediate Inspections – Food Hygiene and Standards**

*At the bottom of page 65 reference could also be made to SOFHT Hygiene in Focus Technical Manual which gives comprehensive information on HACCP and all areas of food hygiene. A copy of which has been sent by post for your perusal.*

#### **4.4.5 Egg Products**

##### **4.4.5.2 Denatured Egg**

*What is the frequency of sampling? What tests are to be carried out? Is there a minimum sampling frequency or as and when? Who will carry out the sampling and what techniques will be employed?*

#### **4.5.2 Post-inspection Reports**

*A number of comments were received with regard to clarity of comments and basic handwriting, and issues appearing in letters which did not appear on reports.*

#### **4.5.3 Retention of Inspection Reports**

*There should be a timescale considered for when inspection reports have to be filed - by hardcopy or by computer.*

#### **5.3.1.1.7 Temporary Prohibition Orders (temporarily prohibiting the harvesting of shellfish)**

*There have been concerns raised regarding shellfish classifications and shellfish that require cleansing potentially having less risk than shellfish not requiring cleansing. There are also issues regarding self-regulation particularly with regard to the authenticity of movement permits and the stretch on resources of officers to effectively enforce this area. However, the Society fully supports Shellfish Liaison Group meetings and, as with all food liaison groups, encourage representatives from the food industry to attend.*

## **SECTION 6 SAMPLING**

#### **6.1.2 Sampling Policy and Sampling Programme**

*Should Food Authorities be guided to put their sampling plans on the web to further facilitate best practice?*

## **SECTION 7 MONITORING OF INSPECTIONS**

#### **7.1.2 What Needs to be Monitored**

*The Society feels it would be beneficial if Authorities could publish the results of their own monitoring programmes in accordance with the 'Framework Agreement' rather than waiting to be audited. This would increase transparency in this increasingly publicised arena.*

## **SECTION 8 ANNEXES**

### **Annexe 1 Glossary of Terms**

*Please include SOFHT - The Society of Food Hygiene Technology - in the above.*

### **HACCP Evaluation Competencies**

#### **Standards of Competence for Food Authority Officers in Relation to HACCP Based Management Control Systems**

*Will this advice be affected by EU regulations? What about the advice regarding the 4'Cs which is different from the Hazard Analysis requirement?*

### **Annexe 3**

*This is supported by the Society except that out of hours contacts should be provided.*

### **Annexe 5**

*The Society supports the Inspection Rating Scheme. However, changing the regime or scores due to outbreaks etc (e.g. additional 20 for VTEC/young and older groups), should be avoided otherwise inspections will ultimately revolve around those businesses with the greater potential to cause high profile food poisoning as opposed to ensuring that inspections are targeted at poor management rather than high risk foods. Furthermore, the Annexe will ultimately reflect the thoughts of the proposer's rather than addressing risk.*

*This also affects the activity of officers and the food sector.*

*We note that low risk premises should now be inspected every 3 years instead of 5 years. We also believe that this part of the code should be made as objective as possible, especially when referring to the quality of management employed or encountered, particularly as management changes continually. However, we agree with the general thrust of looking as to what systems are in place when making such a judgement.*

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