

Food and Health & Safety Team

Food Sampling Policy 2016 –2017

1. Introduction

- 1.1 Food sampling is an important activity within the Food and Health & Safety Team (the Team). The Food Standards Agency (FSA) has identified effective routine sampling as an “essential part of a well balanced enforcement service” ⁽¹⁾. The level of food sampling carried out in Bolton is monitored by the Food Standards Agency using FSSNet and the Local Authority Enforcement Monitoring System (LAEMS) to which all Local Authorities are required to submit data. Previously, under-performing local authorities have been subject to a FSA focused audit of their sampling activity.
- 1.2 The Team is responsible for the enforcement of Food Hygiene and Food Standards within the Borough, but not animal feeding-stuffs: therefore this policy does not include feeding-stuffs samples.
- 1.3 Food sampling is undertaken by appropriately qualified, competent and authorised Officers within the Team.
- 1.4 Food samples for microbiological examination are currently sent to the Food Examiner at Public Health England, Food Water and Environmental Microbiology Laboratory at Preston. However, this laboratory is due to close and from 2017, food samples will be sent to the Public Health England Laboratory at York. Food samples for chemical or compositional analysis are sent to the Public Analyst at Lancashire County Council County Scientific Services. These contracts are arranged at Greater Manchester level.
- 1.5 Food samples for microbiological examination are included within Public Health England’s credit allocation system and do not attract an additional cost for examination. Food samples sent to the Public Analyst are charged per sample for analysis as per the agreed AGMA contract.
- 1.6 Factors affecting the level of sampling carried out include resources and prioritisation of work within the Team. The number of samples taken recently has reduced.

2. Food Sampling Activities

- 2.1 Food sampling activities have been reviewed in light of staffing changes within Regulatory Services and there will be a reduction in participation in routine sampling programmes. The team will focus on those samples determined a priority within the Unit as well as sampling in connection to outbreaks or incidents. The team will also participate in externally funded sampling surveys. Sampling activities will therefore include:

¹ Food Law Code of Practice (England)

- Participation in national, regional and local co-ordinated microbiological surveys or programmes only if this would represent a priority for the team.
- Participation in FSA or other externally funded food standards sampling programmes.
- Sampling as part of / following inspections or investigations, particularly at higher risk establishments
- Special investigations
- Sampling in relation to confirmed or suspected outbreaks or specific incidents, including where requested by the FSA.

Sampling of imported foods may be included as part of the above activities

2.2 Microbiological Surveys

These may be EC, FSA (Food Standards Agency), LGR (Local Government Regulation), PHE (Public Health England) or regional co-ordinated surveys. The surveys may cover a wide range of foodstuffs. Samples in relation to these surveys will only be taken if they fit with a specific priority identified by the team.

2.3 Funded Food Standards Sampling Surveys

The FSA currently funds a national co-ordinated food standards sampling programme which is co-ordinated regionally by Trading Standards North West (TSNW). This programme covers issues regarding composition and labelling of food and the presence of contaminants. The team will participate in such sampling programmes. Occasionally, the FSA may fund a specific sampling survey and where, appropriate, the team will participate.

2.4 Approved Establishments Sampling

There are a number of establishments within the Borough approved to prepare / handle products of animal origin under Regulation (EC) 853/2004 ie. premises preparing / handling meat products, meat preparations, dairy products and animal fats. Foods produced in these establishments may be sampled occasionally as per the above criteria.

2.5 Inspection / Complaint Sampling

Samples may be taken where deemed appropriate by the Authorised Officer, especially in higher risk establishments. This may be as a result of a complaint, allegations of illness, where food hygiene inspections reveal practices which are a cause for concern or as part of a food standards investigation. This type of sampling can be tied in with a co-ordinated microbiological survey. Food complaint samples received by the Unit may be submitted to the Public Analyst or to the Food Examiner.

2.6 Special Investigations

From time to time, the Team may undertake targeted project work. A sampling programme drawn up and agreed with either the Food Examiner or Public Analyst may form part of the project. Alternatively, special circumstances such as a food poisoning outbreak may require a number of food and environmental samples to be undertaken.

2.7 Imported Food Sampling

Samples of imported foods may be taken as part of the sampling activities outlined above. There is an expectation by the FSA that 10% of all food samples taken are imported foods. In this context, imported foods are those from outside of the EU.

2.8 Risk based Approach

The sampling programme is risk based in that higher risk food businesses, approved establishments, premises subject to complaints and those establishments forming part of a targeted project will be a priority for sampling. High risk or ready to eat foods will also be targeted where possible. Other establishments may also fall within the sampling programme.

2.9 Home, Originating and Primary Authority Agreements

The Team currently has no agreements under the Home Authority Principle with companies within the Borough. Whilst the Authority acts as Originating Authority for a number of manufacturing establishments, routine samples will not normally be taken at these premises other than in the situations specified above. The Authority currently has two Primary Authority Agreements covering food safety. It is not anticipated that this will require any additional sampling.

2.10 Process monitoring

Routine process monitoring samples will not normally be taken by the Authority.

3. Control and administration

3.1 Sampling Officers will follow defined sampling protocols and / or published guidance whether carrying out informal or formal sampling. Where appropriate, advice on the taking of samples, sampling technique or the storage or transport of samples will be sought from the Food Examiner or Public Analyst.

3.2 Sampling equipment will be provided and maintained within the Team.

3.3 Samples will be handled appropriately with all relevant details recorded on the samples database and sample documentation. Results of individual samples and survey reports will be kept within the Team. The Team uses the FSA's FSSNet administration system for the logging of samples for analysis and results.

3.4 Where results of sampling are unsatisfactory, the operator of the establishment from which the sample was taken will be informed of the

result and given relevant advice where necessary. Further samples may be taken as appropriate. Any food business operator requesting the results of samples taken from their establishment will be informed of those results.

- 3.5 Where appropriate, sample results and copies of any associated correspondence will be forwarded to the Primary, Home or Originating Authority for the Company concerned.

4. Relevant Guidance

Food Safety (Sampling and Qualifications) (England) Regulations 2013
Food Safety and Hygiene (England) Regulations 2013
Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs
Food Law Code of Practice (England)
Food Law Practice Guidance (England)
LACORS Guidance on Food Sampling for Microbiological Examination,
January 2006
Guidelines for Assessing the Microbiological Safety of Ready to Eat
Foods Placed on the Market (Health Protection Agency)
Individual survey instructions or protocols
Food Sampling Procedure Note

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Sampling Programme 2016 - 2017

Microbiological Surveys

Co-ordinated sampling schedules are produced and issued 3 times per year and detail the surveys to be carried out with a protocol for each survey. The team will participate in national, regional and local co-ordinated microbiological surveys or programmes only if such samples would represent a priority.

Funded Foods Standards Sampling surveys

The Team is once again, participating in a successful regional bid with Trading Standards North West and funding has been obtained from the Food Standards Agency as part of its National Co-Ordinated Food Sampling Programme.

We have been allocated funding for 11 samples to be analysed by the Public Analyst. The cost of analysis for these samples is significant and this work would not be carried out without having secured external funding. The samples to be taken comprise the following:

- Allergens and gluten in non-prepacked food sold retail and from a takeaway
- Meat speciation from a retailer or takeaway
- Arsenic in a range of foods sold from retailers

Appropriate action will be taken in relation to any unsatisfactory samples and the outcome of the sampling programme will be reported back to the Food Standards Agency.

Approved Establishments Sampling

Sampling from approved establishments may be carried out occasionally as per the list at paragraph 2.1 above. From time to time, these samples may be taken at the point of sale eg from a retail establishment

Inspection / Complaint Sampling

Samples taken as part of inspections or as a result of complaints or referrals from other Local Authorities are included in the Sampling Policy but cannot be programmed. These samples are taken as appropriate and when required.

Special Investigations

Special investigations sampling cannot be programmed but such sampling will be undertaken when the need arises

Imported Foods

Imported foodstuffs may be sampled as per the list at paragraph 2.1 above. Some of the samples taken as part of the Food Standards Agency funded sampling programme as outlined will be imported foods.

Action on receipt of results

Where samples are taken directly from an approved establishment or manufacturer, all results will be notified to the Company. In cases where approved establishment sampling is undertaken at the point of sale, satisfactory results do not then need to be notified to the Company unless requested.

For other samples taken from the point of sale, satisfactory results do not need to be notified to the operator unless requested.

Suitable and timely follow up action will be taken where results are reported as unsatisfactory or unacceptable / potentially hazardous. This will involve informing the operator, the provision of advice and may also involve contacting the Primary, Home or Originating Authority, the taking of further samples or other action deemed appropriate. Where required, steps to ensure products are withdrawn or recalled and contact with the Food Standards Agency must be taken. In such cases this action must be discussed with the Principal Environmental Health Officer (Food) and / or Regulatory Services Manager.

The results referred to above are those contained in the Health Protection Agency "Guidelines for Assessing the Microbiological Safety of Ready- to- Eat Foods Placed on the Market" and Regulation (EC) No 2073 /2005 on microbiological criteria for foodstuffs.

Sampling will be undertaken either by the Generic Technical Assistants or other officers within the team, depending on the circumstances.