**CHARNWOOD BOROUGH COUNCIL - FOOD SAMPLING POLICY 2023**

Version Control

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| Summary of Changes | Date | Prepared By | Authorised By |
| Review | 01/08/23 | V. Spanovic | G. Harvey |
| Review | 01/08/26 |  |  |

INTRODUCTION

 1.1 Food authorities should prepare and publish a food sampling policy and make it available to businesses and consumers in accordance with the Food Standards Agency (FSA) Code of Practice and Guidance and to meet the standard laid down in the FSA Framework Agreement on Local Authority Food Law Enforcement.

1.2 This policy will set out Charnwood Borough Council's general approach to food sampling and its approach in specific situations such as process monitoring, inspections, complaints, special investigations and national, regional and locally co-ordinated programmes.

1.3 Whilst there is a statutory duty by virtue of Regulation (EC) No 2073/2005 for food businesses to undertake a certain amount of their own sampling work, the Councils recognises that food sampling plays an important role in the protection of public health. It contributes towards its food law enforcement function in helping to ensure that food and drink intended for human consumption is safe. The Councils also recognise that the implementation of its policy by the sampling programme provides benefit and assurance to local businesses about the quality of food they produce.

1.4 Food sampling assists in fulfilling the objectives set out in the Council's Food Safety Service Plan. It also assists the Council's corporate aims of creating the conditions for the growth and maintenance of quality economic activity.

2.0 FOOD SAMPLING - GENERAL

2.1 Sampling makes an important contribution to the protection of public health and the food law enforcement function of the Local Authority. It is a useful tool for:

· Investigating complaints

· Investigating food poisoning or food contamination incidents

· Assisting in measuring compliance with food safety legislation when undertaking food hygiene inspections.

These matters are demand driven and samples will be taken as required.

2.2 Local Authorities have a duty to ensure food meet legally prescribed standards and routine sampling will monitor compliance.

2.3 Charnwood Borough Council will ensure appropriate action on non-compliance with food safety legislation is taken in accordance with the Food Safety legislation, Food Standards Agency Codes of Practice and the Enforcement Policy.

2.4 A procedural document details the method for taking samples, continuity of evidence and preventing deterioration or damage to samples whilst under the Authority's control.

2.5 Samples for examination are sent by courier to UKHSA Food Water and Environmental Microbiology Laboratory UKHSA FW&E Microbiology Laboratory Service, London.Samples for analysis are sent by courier to Public Analyst Scientific Services, i54 Business Park, Valiant Way, Wolverhampton, WV9 5GB. Other accredited laboratories may be used for specialist projects.

2.6 Charnwood Borough Council has been allocated credits by the UKHSA for food sampling and a budget has been set aside for additional samples for analysis or special projects.

3.0 ROUTINE FOOD SAMPLING

3.1 Routine sampling will be undertaken by authorised Environmental Health Officers under the direction of the Food Safety Manager. Environmental Health Officers will take samples as necessary. Only officers competent in accordance with Code of Practice and Guidance will undertake formal food sampling.

3.2 Charnwood Borough Council have a sampling programme which has been devised in consultation with the UKHSA Food Water and Environmental Microbiology Laboratory Porton Down to ensure routine samples are taken which reflect the needs of the area.

3.3 The Leicestershire Food Liaison Group will also be consulted when developing the programme.

3.4 Charnwood Borough Council's sampling programme will reflect the manufacturing, retail and catering premises within the district to ensure locally produced foods meet legal requirements and to assist those businesses in monitoring compliance. This will also reflect our Originating, Home Authority and Primary Authority responsibilities.

3.5 Charnwood Borough Council recognises the merit in participation in co-ordinated sampling programmes which will enable effective use of the Council's resources. The Council therefore will participate as appropriate in European, national, regional and locally co-ordinated programmes. This will include local UKHSA surveys in collaboration with other local authorities in Leicestershire via the Leicestershire Food Liaison Group.

3.6 Figures relating to food sampling undertaken by the Authority will be returned to the Food Standards Agency via the Food Surveillance System and LAEMS returns.

3.7.InformalSampling
The majority of samples taken for microbiological purposes will be informal, and form part of the monitoring/surveillance programme.

3.8.FormalSampling
Formal samples will be purchased or taken in accordance with the Food Standards Agency's Code of Practice and Practice Guidance, by suitably trained, qualified and experienced authorised officers. They will be examined or analysed by the appointed Food Examiner or Public Analyst. Formal samples will be taken where enforcement action may result if an adverse report is received following examination or analysis.

3.9.ProcessMonitoring
Samples may be taken from manufacturers of foods, during the manufacturing process, for the purpose of ensuring the safety of the end product and for assessing the effectiveness of the critical controls in the process. The manufacturer will be notified of the result of any such sample analysis or examination.

3.10.Routine Inspections
Sampling may form part of a routine inspection of a food business. It may take place if, during the inspection, the authorised officer identifies a particular problem that needs further investigation or for obtaining evidence to support investigation. It may also take place during an inspection for process monitoring purposes.

3.11.FoodRelatedComplaints
On receipt of a food complaint, the food may be submitted for analysis, examination, or for expert identification, if this is deemed necessary for the suitable investigation of the complaint.

3.12.FoodborneDiseaseInvestigations
Where a particular premises or food produced in the borough is implicated in a case or cases of foodborne disease, food samples may be taken and submitted for examination. This is for the purposes of identifying any likely source of infection and controlling any risk to public health. These samples are likely to be taken formally. In the event of an outbreak of foodborne disease, relevant samples will be identified in consultation with the Consultant in Communicable Disease Control employed by the UKHSA.

3.13.SpecialInvestigations
Food samples may be taken and submitted as part of a special investigation, e. g. in response to a food hazard warning, or to other intelligence received about potential food safety issues. This may form part of a 'food incident' involving liaison with the Food Standards Agency.

4.0 FOOD EXAMINERS AND FOOD ANALYSTS

4.1 Charnwood Borough Council engage the UKHSA Laboratory, Porton to provide food examiners (microbiological examination).

UKHSA FW&E Microbiology Laboratory Service, London

Telephone: 020 8327 6548 / 6550 / 65

Email: FWEM@phe.gov.uk,

4.2 The Public Analyst recognised by Charnwood Borough Council is:
Public Analyst Scientific Services, Wolverhampton Tel 01902 627421

Email: info@publicanalystservices.co.uk.
Website: [www.publicanalystservices.co.uk](https://www.publicanalystservices.co.uk/)

4.3 The Council has entered into an annual service level agreement with the UKHSA laboratory regarding food examination. This laboratory is recognised as 'Official Control' laboratories for the purpose of food law enforcement. The Council will seek to ensure that the laboratories used are appropriately accredited to process any particular sample or type of sample. The Council will also seek to ensure that their staff are qualified in accordance with the Food Safety (Sampling and Qualifications) Regulations 1990.

4.4 The Council will seek to ensure that the service provided is efficient, fit for purpose and reflects this policy and the Council's sampling programme. This will be accomplished by liaison with the laboratories.

5.0 FOLLOW-UP ACTION

5.1 Charnwood Borough Council will follow documented procedures to ensure consistency following results of sampling and consider the Enforcement Policy before deciding what action to taken.

5.2 During routine sampling if unsatisfactory results are found the manufacturer or if relevant the local retailer/caterer will be notified of the results to discuss the proposed course of action.

5.3 If formal samples are taken in accordance with the FSA Code of Practice the local business will be notified and action taken in accordance with the Code of Practice, the Council documented Food Sampling Procedure and the Enforcement Policy in consultation with the Food Lead Environmental Health Officer.

6.0 REVIEW

6.1 This policy will be reviewed to ensure it complies with FSA and other legal requirements on a 3 yearly basis, unless significant legislative changes are introduced.

6.2 The sampling programme will be reviewed and updated annually and as required to reflect local and national priorities.

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1st August 2023