

TRADING STANDARDS SERVICE

***FOOD & FEED LAW ENFORCEMENT
SERVICE PLAN 2013-14***

1. SERVICE AIMS & OBJECTIVES

1.1 Aims and Objectives

Our Purpose is to:

To give Nottinghamshire a better Trading Environment

What Matters to our Customers:

Help me solve my problem quickly and stop problems happening to others

Our key strategic aims are:

- ***Tackle the areas of most consumer detriment***
- ***Target the most serious rogue traders***
- ***Protect the most vulnerable consumers***
- ***Help legitimate businesses to trade well***
- ***Tackle the areas compromising consumer safety***
- ***Manage the health and welfare of animal livestock***

1.2 Links to Corporate Objectives & Plan

In 2011, the County Council underwent a reorganisation in which the Trading Standards Service moved into the newly created Adult Social Care, Health and Public Protection Department. The Service sits in the Promoting Independence and Public Protection Division within the Department. The purpose of the Adult Social Care, Health & Public Protection Department is to maximise people's independence, keep people safe and support the wellbeing of vulnerable adults.

In 2012, the Authority moved from a Cabinet to a Committee System in respect of political governance. Food and feeding stuffs work is now the direct responsibility of the Community Safety Committee, and regular reports are provided to it on food and feeding stuffs work as appropriate. The current Committee Chair is Councillor Murphy.

The key policies and drivers for the County Council are set-out in the Corporate Business Plan. Food and Feeding Stuffs activity links to this through the Adult Social Care, Health and Public Protection Business Plan 1/4/11 – 30/3/14.

2. BACKGROUND

2.1 Profile of Nottinghamshire

Nottinghamshire is a shire county and covers an area of 2,085 sq km (805 sq miles). It has a population of 785,800 people and a workforce of 375,195. The largest concentration of people is found in the Nottingham City conurbation, the suburbs of which lie mostly in the County. The other main towns of the County are Mansfield (99,600), Kirkby-in-Ashfield (20,180) Sutton-in-Ashfield (46,065), Newark-on-Trent (33,850), Worksop (44,055) and Retford (21,755).

About a fifth of the population live outside these areas, mostly in small (under 10,000 population) towns and villages.

2.2 Organisational Structure

See **Annex 1** attached.

2.3 Scope of the Feed and Food Service

Nottinghamshire County Council is part of the two-tier system of local government in the County which divides responsibilities between the County Council and seven District Councils. As part of this division, Food Standards work is the responsibility of the County Council's Trading Standards Service, whilst Food Hygiene work is the responsibility of the District Councils.

The Service adopts an intelligence led approach to enforcement in line with our purpose and key strategic aims. We also give a commitment to conduct annual enforcement visits at all of our High Risk premises.

Analytical services are provided by an external Public and Agricultural analyst service.

2.3 Demands on the Food and Feed Service

As at 31st January 2013, there were 5666 known registered food businesses in Nottinghamshire, 2 approved feed hygiene premises, and 557 Feed Hygiene Registered Premises categorised as shown in the table below:

	<i>High Risk</i>	<i>Medium Risk</i>	<i>Low Risk</i>	<i>Total</i>
<i>Registered Food Businesses</i>	58	2456	3152	5666
<i>Approved Feed Hygiene Premises</i>	n/a	n/a	n/a	2
<i>Feed Hygiene Registered Premises</i>	7	167	383	557

Our Service delivery contacts are as follows:

***Trading Standards Service
County House
100 Chesterfield Road South
Mansfield
Nottinghamshire
NG19 7AQ***

(Opening hours: Mon-Thurs 8.30am-5.00pm, Friday 8.30am-4.30pm)

Tel: 01623 452005 or 0300 5008080 (Businesses and Enforcement Agencies)
08454 040506 (Citizens Advice Consumer Services for Consumers)

Fax: 01623 452059

Website: www.nottinghamshire.gov.uk
Email: trading.standards@nottscc.gov.uk

2.4 Enforcement Policy

Where we find problems, we will consider all formal action options, including prosecution. All enforcement action is taken in accordance with the Service's documented Enforcement Policy.

3. SERVICE DELIVERY

3.1 Interventions at Food and Feeding Stuffs Premises

In 2013/14 the Service will;

- Carry out programmed inspections in accordance with a risk based approach;
- Conduct an inspection during the year at all food and feed premises rated as *High Risk*;
- Verify that the risk rating of other premises is appropriate, by undertaking a sample of inspections to check compliance at low and medium risk rated premises;
- Move the premise risk rating approach used from the Local Authorities Coordinators of Regulatory Services (LACORS) one, to the new National Trading Standards Board (NTSB) scheme;
- Target businesses as a result of appropriate intelligence from complaints received, local and national food audits, food alerts and advice from the FSA;
- Conduct inspections in accordance with the Code of Practice issued under Section 40 of the Food Safety Act 1990, and the Food Standards Agency Feed Law Code of Practice; and
- Carry out appropriate revisits to ensure compliance following problems identified in first inspections.

Where difficulties in interpretation of legislation occur, our officers can seek assistance from a number of internal and external sources, as detailed in our procedures relating to food and feed interventions (OP521 and OP527).

The introduction of the Food Information Regulations is likely to have an extensive impact on the Service over the next couple of years. This is due to the staged transitional periods for various requirements, and because it is the most far reaching codification of labelling for some time.

The level of demand is uncertain, although many of the County's large manufacturers/importers have already sought advice from this Service. In order to ease this impact, the Service will

- Undertake a series of premise specific interventions; and
- Communicate the new requirements regarding loose foods to the retail sector.

3.2 *Food and Feeding Stuffs Complaints*

In 2013/14 the Service will;

- Consider complaints as part of the Service's intelligence-led approach to enforcement in line with our purpose and key strategic aims; and
- Where a complaint is regarding foreign bodies or food safety, officers will promptly refer the complaint to the relevant Environmental Health Department.

In 2012-13 (until end of January), the Service had received 74 Food Standards complaints, 19 feeding stuffs complaints, 22 Home Authority referrals and 35 Trade Enquiries relating to food/feed matters.

Complaints received during the current year have included issues such as alcohol authenticity and contamination, out of date food being sold, and mis-described or mislabelled products.

3.3 *Home Authority and Primary Authority Scheme*

The Service traditionally committed significant resource to the Home Authority Scheme. During 2011, the Service ceased offering Home Authority relationships to Nottinghamshire businesses, and moved to offering Primary Authority Partnerships. As well as providing business with binding compliance advice on other enforcers, the Service is able to recover the costs to the Authority of providing this support.

The Authority currently has entered into Primary Authority Partnerships that cover food matters with 6 businesses, whilst 3 partnerships also cover feeding stuffs.

In 2013/14 we will;

- Request enforcement colleagues to inform us of any issues relating to Nottinghamshire businesses to discharge our duties either as an enforcing authority or to provide basic advice under the Regulator's Compliance Code where appropriate; and
- Inform the originating authority of our actions, and where it is inappropriate for this Authority to take action, will provide relevant information to colleagues to assist them in resolving the matter themselves.

In 2012-13, the Service dealt with enquiries from both Primary Authority Companies and other Nottinghamshire based businesses regarding a wide range of technical issues. Issues included nutritional claims, allergen advice, food incident

management advice, and queries regarding emerging legislation such as the Food Information Regulations.

The Service also dealt with enquiries from feed businesses in areas including labelling requirements, and the importation of feed materials.

3.4 *Advice to Business*

In 2013/14, the Service will:

- Provide Nottinghamshire businesses with free basic legal compliance advice, either verbally, by email or by way of signposting to our web-based business information sheets;
- Confirm verbal advice in a written form; and
- Offer businesses more in-depth bespoke support, charged for on a cost recovery basis.

3.5 *Feed and Food Sampling*

In 2013/14, the Service will;

- Ensure that all sampling activity is intelligence-led, based on an assessment of most harm, and in line with the Service's purpose and key strategic aims;
- Develop a sampling program aligned with the national priorities on Food and Feed once published by the FSA;
- Follow documented procedure for all for food standards and animal feeding stuffs sampling; and
- Continue to source analytical services by the Authority's appointed external Public and Agricultural analyst;

Worcestershire Scientific Services, Worcester WR4 9FA.

In 2012/13, the Service sampled a range of food and feed materials. Some samples were taken following complaints, for example counterfeit alcohol which was tested for toxicity as well as brand authenticity, whilst others were taken during interventions including food past use-by dates tested for safety.

Samples were also taken following nationally agreed priorities identified by the FSA based on known and emerging intelligence, and based on the national priorities. These included:

- Imported feed additives which were tested for contamination;
- Food tested for undeclared allergens, and
- Foods for contamination from dioxins and mycotoxins.

3.6 *Control and Investigation of Outbreaks and Food Related Infectious Disease*

This function is the responsibility of District Councils within Nottinghamshire.

3.7 *Feed/Food Safety Incidents*

In 2013/14, the Service will:

- Follow its documented procedures for any feed and food safety incidents and feed and food hazard warnings;
- Allocate sufficient resources to effectively deal with such incidents; and
- Take any action in accordance with the relevant Codes of Practice.

The Service receives all appropriate food and feed safety alerts, and action those that directly impact on Nottinghamshire Food and Feed Business Operators.

In 2012-13, the Authority has responded to a number of alerts. One involved ascertaining whether prohibited human food waste had been unlawfully put into animal feeds, which had the potential for affecting the human food chain. Officers also instigated an allergen alert and product recall following an intervention which highlighted a number of labelling inconsistencies which posed potential health risks.

3.8 *Liaison with Other Organisations*

In 2013-14, the Service will:

- Ensure that enforcement action is consistent with that of its neighbouring authorities; and
- Liaise with a range of organisations to appropriate levels in carrying out its food and feed law enforcement function. These include:
 - **Food Standards Agency;**
 - **Public Analyst - Worcestershire Scientific Services;**
 - **District Authorities' Environmental Health Services;**
 - **Environmental Health Food Group;**
 - **Trading Standards East Midlands (TSEM), and the TSEM Food Group;**
 - **Medicines and Healthcare Products Regulatory Agency;**
 - **HM Revenue and Customs;**
 - **Department of Environment, Food and Rural Affairs (DEFRA);**
 - **Veterinary Medicines Directorate;**
 - **Health Protection Agency (East Midlands);**
 - **International Federation of Spirits Producers Ltd (IFSP);**
 - **Animal Health - Egg Inspectorate; and**
 - **Nottinghamshire Police.**

3.9 *Food and Feeding Stuffs Safety and Standards Promotion*

In 2013-14, the Service will:

- Ensure all promotional work supports the intelligence-led approach to enforcement;
- Ensure it effectively raises awareness of key issues;
- Employ a variety of channels, including;

- Content on our website (information for businesses and consumers etc);
- Media campaigns and press releases;
- Use of social networking media;
- Expansion of our Nottinghamshire web-based Neighbourhood Alert system.

During 2012-13, the Service targeted the issue of counterfeit and illicit alcohol through a campaign of press releases and media interviews. This helped to raise the understanding of the public on the issue, and helped to generate reports from the public on where such alcohol could be found. In a campaign of visits in the run up to Christmas 2012, the incidence of counterfeit alcohol was found to be significantly lower than in the previous year following these interventions.

We have taken prosecutions regarding 4 premises offering for supply counterfeit alcohol since September 2011. 2 more prosecutions are currently pending.

4. RESOURCES

4.1 *Financial Allocation*

In 2013-14, the Service will:

- Invest approximately £155k in food and feeding stuffs enforcement; and
- Vary this level according to a dynamic analysis of emerging needs during the year.

In 2012-13, a similar investment has been made.

4.2 *Staffing Allocation*

In 2013-14, the Service will:

- Authorise it's officers for Feed and Food enforcement following a documented procedure, OP520; and
- Bring in appropriately qualified staff from other agencies or authorities to plug any short term staff resource pressures.

The Service currently employs 7.6FTE food & feed qualified officers, and 3FTE food only qualified officers.

4.3 *Staff Development Plan*

In 2013-14, the Service will:

- Undertake an annual employee performance and development review (EPDR) where training needs and developments needs are established;
- Compile an annual Service Training and Development plan from these needs; and

- Maintain a lead specialist for Food and Feed who will be tasked with dynamically identifying training needs arising from legislative or enforcement practices changes.

The Service has a career scheme based around the national Trading Standards Qualification Framework. Officers are supported to complete relevant modules within the framework. The Service prioritises the attainment of relevant food and feeding stuffs qualifications to ensure discharge of its duties.

In 2012, the Service used the specialist feeding stuffs expertise to support Leicestershire County Council's feed controls work.

5. QUALITY ASSESSMENT

In 2013-14, the Service will:

- Follow its documented procedure OP401 to ensure a programme of internal audits of our Food & Feed delivery are undertaken;
- Support the principle of peer review with neighbouring authorities within Trading Standards East Midlands; and
- Implement any corrective actions agreed with the FSA following the Feeding Stuffs audit revisit on 27th February 2013.

In September 2011, the Authority was audited by the Food Standards Agency regarding feeding stuffs work. An action plan was developed between the Agency and Service, which has been implemented. A further revisit by the Agency is due to take place on 27th February 2013.

6. REVIEW

6.1 *Review against the Service Plan*

In 2013-14, the Authority will;

- Monitor progress against the plan in accordance with Adult Social Health, Care and Public Protection Department's guidelines;
- Ensure the plan is regularly reviewed by Trading Standards Managers;
- Update the Service's Business Action Plan template with a Current Position and Status colour;
- Provide progress updates to the Performance Improvement Team for monitoring at a Departmental Management level; and
- Report food and feeding stuffs matters to the Community Safety Committee as appropriate for political scrutiny.

In 2012-13, information reports were provided to all Community Safety Committee Meetings outlining relevant food and feeding stuffs work. Copies of these public reports can be viewed at www.nottinghamshire.gov.uk.

6.2 *Identification of any variation from the Service Plan*

In 2013-14, the Service will;

- Identify variations from the plan;
- Analyse the reasons for the variations;
- Develop corrective actions;
- Document these on the Service's Business Action Plan; and
- Review the content of the plan to ensure it continues to meet the needs of our stakeholders.

6.3 *Areas of Improvement*

In 2013-14, the Service will;

- Identify areas for improvement; and
- Incorporate in the 2014-15 food and feed law enforcement plan if appropriate, or deal with immediately if required.

Annex 1:

