

Author: Steve Allen

DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER – HEALTH AND COMMUNITIES

5 December 2019

Report of the Executive Director Commissioning, Communities and Policy

Food and Feed Service Plan 2019/20

1 Purpose of Report

To seek approval from the Cabinet Member, Health and Communities for the Food and Feed Service Plan 2019/20

2 Information and Analysis

In accordance with the Food Standards Agency's (FSA) 'Framework Agreement on Official Feed and Food Controls by Local Authorities' (the Framework Agreement), the Trading Standards Division produces a Service Plan for Food and Feed. The Plan sets out a proposed programme of activity to seek compliance with food and feed requirements.

The Framework Agreement was developed by the FSA in consultation with local authorities, the local government associations and professional bodies. It sets out what the Food Standards Agency expects from local authorities in their delivery of official controls on feed and food law. It also seeks to ensure that the UK fulfils its obligations with regards to current European legislative requirements. The Agreement sets out the planning and delivery requirements of feed and food official controls, based on the existing statutory Codes of Practice.

There is a close link between the food we eat and our health. The local authority has a duty to enforce food safety legislation that is intended to ensure that food is safe to eat and that it complies with a wide range of standards and labelling requirements. In general, district and borough council Environmental Health Services are responsible for enforcing food hygiene whereas the county council is responsible for ensuring that businesses trading in Derbyshire comply with food labelling and compositional standards requirements. The county council is also responsible for ensuring feed businesses throughout the feed chain from farms through to manufacturers comply with legal requirements on feed labelling, safety and hygiene.

The Trading Standards Service provides advice and information to local businesses on the requirements of the law and how best to comply. Advice may be reactive – in response to a request from a local business or a referral from

another authority – or proactive following a change in legislation or as a result of an inspection. To check compliance with food and feed standards and feed hygiene requirements, the service undertakes inspections or visits to local businesses. The complexity and size of the business and the type of food or feed produced or sold will determine the frequency of visit in accordance with nationally agreed ‘risk assessment’ policies.

As well as ‘routine’ inspections or business advisory visits, the Division also undertakes project work to test compliance within a particular trade sector or food and feed products. Details of projects planned are contained within the Food and Feed Service Plan.

In today’s society the majority of food we buy is manufactured and pre- packed. To ensure that food is appropriately labelled and that it complies with food standards requirements, the Division also has a food sampling programme. Food on sale in Derbyshire is sent for analysis by a food laboratory (Public Analyst) to examine the composition and compare it to the labelling. Breaches of food labelling and standards constitute an offence and, depending on the severity of any non-compliance, the Division will advise or consider enforcement action as appropriate. The majority of breaches are referred to the relevant ‘Home Authority’ – i.e. the trading standards department local to where the head office of the company is located. More serious breaches are investigated and, in a minority of cases, legal proceedings are instigated.

The draft Plan is attached to the report as appendix 1 and it is proposed to publish it on the county council website when approved.

3 Financial Considerations

The cost of the food and feed sampling programme for 2019/20 is up to £10,000. The Division works with its appointed Public Analyst service and agrees a programme of food and feed sampling for the year within this budget.

4 Other considerations

In preparing this report the relevance of the following factors has been considered; human resources, legal, prevention of crime and disorder, equality of opportunity; environmental, health, human resources, property and transport considerations.

5 Key Decision

No.

6 Call-In

Is it required that call-in be waived for any decision on this report?

No.

7 Background Papers Held on file within the Commissioning, Communities and Policy Department. Officer contact details – Steve Allen, extension 39837.

8 OFFICER’S RECOMMENDATION

That the Cabinet Member Health and Communities approves the Food and Feed Service Plan 2019/20.

**Emma Alexander
Executive Director
Commissioning, Communities and Policy**

**Derbyshire County Council
Commissioning, Communities and Policy
Department
Trading Standards Division**

**Food and Feed Service
Plan
2019/2020**

Contents

Section One: Service Aims and Objectives

- 1.1 [Aims and Objectives](#)
- 1.2 [Service Priorities](#)

Section Two: Background

- 2.1 [Profile of the Local Authority](#)
- 2.2 [Organisational Structure](#)

Section Three: The Trading Standards Service

- 3.1 [Access to the service](#)
- 3.2 [Scope of the Trading Standards Service](#)
- 3.3 [The prioritisation of demands](#)
- 3.4 [Bringing businesses into compliance](#)

Section Four: The Food and Feed Service

- 4.1 [Scope of the food and feed service](#)
- 4.2 [Officer competencies](#)
- 4.3 [Food and Feed Risk Assessment schemes](#)
- 4.4 [Demands on the Food and Feed Service](#)
- 4.5 [Food and Feed Safety Incidents](#)
- 4.6 [Public Analyst](#)
- 4.7 [Control and Investigation of Outbreaks of Food Related Infectious Disease](#)
- 4.8 [Liaisons with other organisations](#)

Section Five: Review of the 2018/19 Food and Feed Service delivery

- 5.1 [Inspections and other controls](#)
- 5.2 [Complaints and requests for service](#)
- 5.3 [Requests for business advice](#)
- 5.4 [Requests for Primary Authority advice](#)
- 5.5 [Food and feed sampling and analysis](#)
- 5.6 [Food and feed project activity](#)
- 5.7 [Updating and verifying the food and feed premises database](#)

Section Six: Food and Feed Service delivery 2019/20

- 6.1 [Planned Food and Feed inspections and resources](#)
- 6.2 [Food and feed complaints and requests for service](#)
- 6.3 [Requests for business advice](#)
- 6.4 [Requests for Primary Authority advice](#)
- 6.5 [Food and feed sampling and analysis](#)
- 6.6 [Food and feed project activity](#)
- 6.7 [Updating and verifying the food and feed premises database](#)
- 6.8 [Summary of committed resources](#)

Section 7: Equipment, data management & staff development

- 7.1 [Equipment](#)
- 7.2 [Data management](#)
- 7.3 [Quality assurance](#)

7.4 [Staff development](#)

Section 8: Reviews & areas for improvement

8.1 [Reviews of allocated and scheduled work](#)

8.2 [Areas for improvement in 2018/19](#)

Appendix 1 [Commissioning Communities and Policy Departmental management structure](#)

Appendix 2 [Trading Standards Service structure](#)

Appendix 3 [Summary of results of analysis for 2018/19](#)

Introduction

This plan has been produced having had regard to the [Food Standards Agency Framework Agreement](#).

As described by the departmental [Service Plan](#) Derbyshire Trading Standards Service (DTSS) is part of the Community Services division of the Commissioning, Communities and Policy Department. The [Derbyshire County Council Plan 2019 - 2021](#) sets out the future direction of the council.

This Food and Feed Service Plan sets out how Derbyshire County Council through its Trading Standards Service delivers its food and feed service with the aim of ensuring that food standards and feed law is complied with. The plan describes the structure, policy and operational activities of DTSS; in respect of its food and feed law activities.

Food Standards and animal feed work are statutory functions of the service, EC regulations require consistent effective, risk-based and intelligence led controls at all stages of production, distribution, use, storage, transport, import and export. The details of what is expected of the service can be found in the [Food and Feed Law Codes of Practice](#). Both codes of practice are statutory and the Food Standards Agency (FSA) can, after consulting with the Secretary of State, give a Local Authority a direction requiring them to take any specified steps in order to comply with the codes.

The FSA has an audit role in respect of food and feed law enforcement and as such this Food and Feed Service Plan is intended to assist auditors to understand the authority's approach to seeking compliance with food and feed law.

1 Service aims and objectives

1.1 Aims and Objectives

The work of Derbyshire County Council's Trading Standards Service is aimed at delivering its mission statement:

**Supporting local business, helping consumers and tackling
unfair and unsafe trading practices**

1.2 Service Priorities

The priorities of DTSS are described in the [Consumer Advice](#) and [Business Advice](#) policies, they include, "helping to ensure the safety and security of the food chain".

2 Background

2.1 Profile of the Local Authority

The current political administration of Derbyshire County Council took office in May 2017.

The Trading Standards Service is based in Matlock which is also the home to the County Council's administrative centre.

Derbyshire has a population of 791966 and has an area of around 1,000 square miles. It lies within the centre of England in the north west of the East Midlands region.

Derbyshire is largely rural and has no major urban centres, there are 28 market towns which play a significant role in the local economy, both as employment hubs and as providers of valuable services to residents in out-lying rural areas. Chesterfield is Derbyshire's largest town and sits in the North East of the county.

The major cities of Derby, Manchester, Sheffield, Nottingham and Leicester lie in close proximity to Derbyshire's border. The M1 runs through eastern Derbyshire and a direct rail link connects Derbyshire to London in just under two hours. Manchester, Birmingham, East Midlands and Doncaster Sheffield airports are also nearby. Derbyshire is still reliant upon manufacturing, whereas the economy of the north west of the county along with the Peak District is largely based on traditional quarrying and agriculture.

As part of the two-tier arrangements for local government, Derbyshire County Council works with eight District and Borough councils, who have responsibility for food hygiene enforcement as part of their Environmental Health functions.

2.2 Organisational Structure

DTSS was restructured in 2018/19 to make savings of £0.493m. As a consequence, the number of full time equivalent (FTE) staff employed in the service reduced from 40.16 to 30. A further highly experienced food officer retired in January 2109 leaving the service with 29 FTE (this post is being filled – October 2019).

[Appendix 1](#) shows how DTSS fits into the structure of the Commissioning, Communities and Policy Department. The Head of Trading Standards has delegated responsibility for all trading standards functions including food and feed enforcement and reports to the Director of Community Services who in turn reports to the Executive Director for Commissioning, Communities and Policy.

[Appendix 2](#) shows the current structure of DTSS. The Trading Standards Manager for Standards and Animal Health Team has responsibility for the day to day delivery of food and feed enforcement activity.

As required by the [Food and Feed Law Codes of Practice](#) officers enforcing food and feed controls require specific qualifications and must demonstrate their ongoing competency through continued professional development. **Appendix 2 also** depicts the number of qualified and competent officers, authorised to enforce the official food and feed controls.

It is important to note that these officers carry out other duties over and above food and feed work, such as animal health and welfare, weights and measures, product safety and licencing work.

3 The Trading Standards Service

3.1 Access to the service

DTSS is based at The Co-op Building, Smedley Street, Matlock, Derbyshire DE4 3AG, close to the Council's main County Offices. The service is open for personal callers between 9:00am and 5:00pm (Monday – Thursday) and 9:00am – 4:30pm on a Friday.

The County Council's contact centre '[Call Derbyshire](#)' is open between 8am to 8pm Monday to Friday and 9.30am to 4pm Saturdays. 24 hour out of hour emergency contact is available via Call Derbyshire.

Members of the public are able to contact the service via, a national call centre [Citizens Advice Consumer Service \(CACS\)](#). CACS provide advice on consumer issues and share data automatically with individual Trading Standards services.

DTSS provides advice on Trading Standards law to businesses, who can access this service via the council's [website](#). The service charges businesses for bespoke advice, however it will signpost a business to general self-help advice at no cost.

Alternatively, a business may choose to enter into a [Primary Authority partnership](#) with the service. Primary Authority is a legally backed partnership between a business and a regulator. Businesses that enter into a partnership can take advantage of 'assured advice'. Complying with such advice means that a business's products or services should be free from any possible legal challenges by another regulator. This guarantee gives the business confidence to invest and grow. Regulators are able to charge for this service on a cost recovery basis and DTSS does so at £65 per hour.

3.2 Scope of the Trading Standards Service

DTSS has a very broad remit and examples of the areas of work it has a responsibility for are identified below.

Responsibilities of DTSS

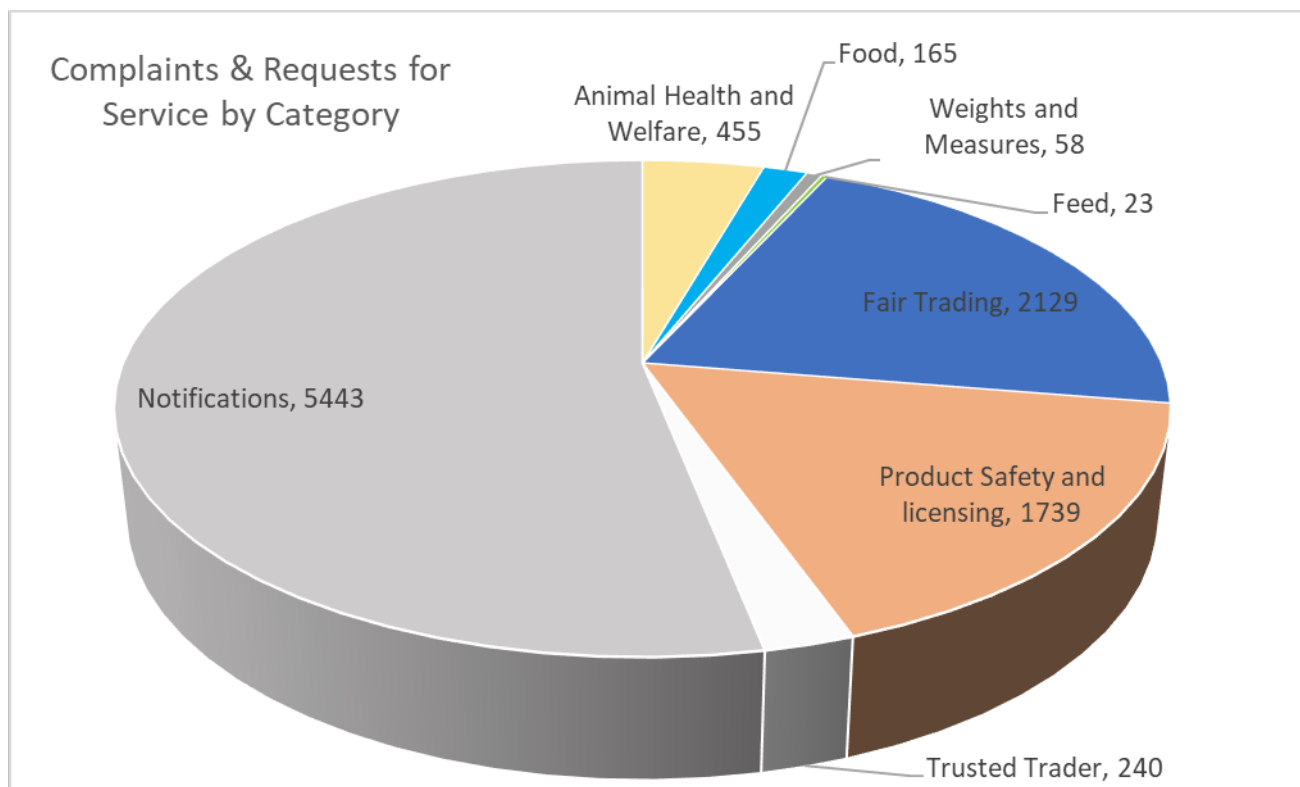


3.3 The prioritisation of demands

DTSS does not have the resources to deal with all of the enquiries it receives and has a prioritisation process in place whereby experienced officers assess demand across the whole service before deciding on a response.

Responses can range from simply recording the information received, through to a criminal investigation and potential prosecution. The criteria used to decide an appropriate level of response are published on the services [webpages](#), and form part of the [consumer advice and enquires policy](#).

During 2018/19, excluding requests for business advice the service received 10308 complaints and requests for service. The chart below depicts the numbers and categories of complaints and requests for service received. Similar numbers are expected during 2019/20.



3.4 Bringing businesses into compliance

One of the priorities of the service is to bring non-compliant businesses into compliance. A whole range of options from working with the business, through to prosecution are used in order to do this.

The service believes that by following its [compliance policy](#), it can protect consumers without imposing unnecessary burdens on legitimate businesses and so help to promote a thriving local economy. The service recognises that most businesses want to comply with the law and tries to help them meet their legal obligations without unnecessary expense.

The Compliance Policy takes account of '[The Code for Crown Prosecutors](#)' and has been developed to provide a framework to ensure that the service complies with the [Regulators' Code](#).

4 The Food and Feed Service

4.1 Scope of the Food and Feed Service

DTSS is responsible for implementing food standards (including labelling, compositional standards and fraud) and animal feed controls at businesses such as manufacturers, transporters and farms. The service is also responsible for ensuring hygiene controls are implemented at businesses that grow food, such as fruit, vegetables and other ready to eat produce.

Food and feed controls are broadly implemented by the service, using five different methods, as depicted here:



4.2 Officer competencies

Officers carrying out food and feed work, generally require a qualification and ongoing maintenance of their competency to enable continued authorisation. The service is able to use non-qualified officers for some aspects of this work and where it is efficient will continue to do so.

At the start of April 2019, 4.81 (FTE) officers were authorised to enforce food law – one of these is the manager of the team. Of those, 2.81 FTE are also authorised to enforce feed law. There is an additional officer who can enforce only feed law, bringing the total to 3.81 FTE (again, one of these is the team manager).

It's important to bear in mind that these officers are not exclusively working in enforcing food and feed law. They are part of multi-disciplinary teams and as such are required to undertake other duties relevant to their role.

4.3 Food and Feed Risk Assessment schemes

In order to ensure that our limited inspection resources are targeted at food and feed business that pose the greatest risk, all premises are risk assessed. Both the [Food and Feed Law Codes of Practice](#), include a risk assessment scheme, but allow the use of an alternative scheme, providing the inspection frequencies are not reduced. This service uses the Trading Standards Risk Assessment Scheme for food businesses. The same scheme is used for feed businesses, but has been adapted to mirror the inspection frequencies in the revised Feed Law Code of Practice. The schemes assess food and feed businesses on the basis of the type of business, the geographical area in which their products are distributed and their level of compliance.

Food risk assessment scheme. The required inspection frequencies within the food risk assessment scheme are depicted below.

Food businesses – required inspection frequencies



* Although the Trading Standards Risk Assessment Scheme recommends no inspection frequency, the Food Law Code of Practice requires that these premises are subject to some activity at least every 5 years. The activity required here may be less detailed than an inspection.

Feed risk assessment scheme. The feed risk assessment scheme has 8 separate inspection frequencies, ranging from National Targeted Monitoring Strategy (NTMS) at the lowest risk premises through to an annual inspection at the premises which present the greatest risk. The numbers of premises which are subject to an NTMS are set by the FSA on an annual basis. The NTMS will usually consist of a full or partial inspection.

Where there is no history of noncompliance, feed business that are members of industry assurance schemes, approved by the FSA are subject to reduced inspection frequencies. The minimum inspection frequency here is a requirement to inspect 1% of businesses at certain categories of premises.

The required frequency for a feed inspection is dictated by the type of business, their history of compliance and whether they are a member of an assurance scheme approved by the FSA. The required inspection frequencies within the feed risk assessment scheme are depicted below.

Feed Businesses – required inspection frequency

Inspection Frequency	Business Type
1 yearly	Manufacturers, Importers, Manufacturers of Former Food Stuffs
2 yearly	Manufacturers, Importers, Manufacturers of Former Food Stuffs, Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
3 yearly	Manufacturers, Stores, Livestock Farms (that do not mix), Arable Farms (that grow feed)
4 yearly	Manufacturers, Importers, Manufacturers of Former Food Stuffs, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use, Livestock Farms (that do not mix), Arable Farms (that grow feed)
5 yearly	Importers, Manufacturers of Former Food Stuffs, Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
10 yearly	Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
1%	Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
NTMS	Livestock Farms (that do not mix), Arable Farms (that grow feed)

4.4 Demands on the Food and Feed Service

The work of the service can be split into two areas, proactive demand, such as inspections and the taking of samples and reactive demand, such as responding to complaints and requests for advice.

4.5 Food and Feed Safety Incidents

The Food Standards Agency notifies local authorities of issues with food and feed through a national food and feed alert system. There are 3 types of alerts which are explained below:

- [Food Alert For Action](#) (FAFA) – this is the most serious type of alert and requires local authorities to take specific action to deal with unsafe food or feed
- [Product Recall Information Notice](#) (PRIN) – advises of a recall of particular food or feed by a manufacturer or retailer, but where no specific action is required to be undertaken by the local authority
- [Allergy Alert](#) – is issued by the FSA to advise of specific allergen risks with a particular food

Part of the service's documented quality system includes instructions about receiving and dealing with food and feed alerts which require action.

The majority of alerts do not require any further action by the service, however there is always a possibility that the service will need to commit resources to dealing with a major food or feed incident such as the scandal involving horse meat.

4.6 Public Analyst

The service takes samples of food and feed which are tested by a Public Analyst. The Public Analyst is able to carry out a variety of different tests, such as testing for undeclared allergens or additives and checking for the presence of undeclared species of meat such as horse meat. The appointed Public and Agricultural Analyst for the service is:

Public Analyst Scientific Services
i54 Business Park
Valiant Way
Wolverhampton
WV9 5GB

4.7 Control and Investigation of Outbreaks of Food Related Infectious Disease

This remains the responsibility of the District and Borough Councils in Derbyshire. Where necessary and appropriate, DTSS will provide all reasonable assistance.

4.8 Liaison with other Organisations

The Service recognises the benefits of working with other organisations and law enforcement bodies, at a national, regional and local level. This helps share best practice, information and intelligence

Examples of organisations and law enforcement bodies the service liaises with:

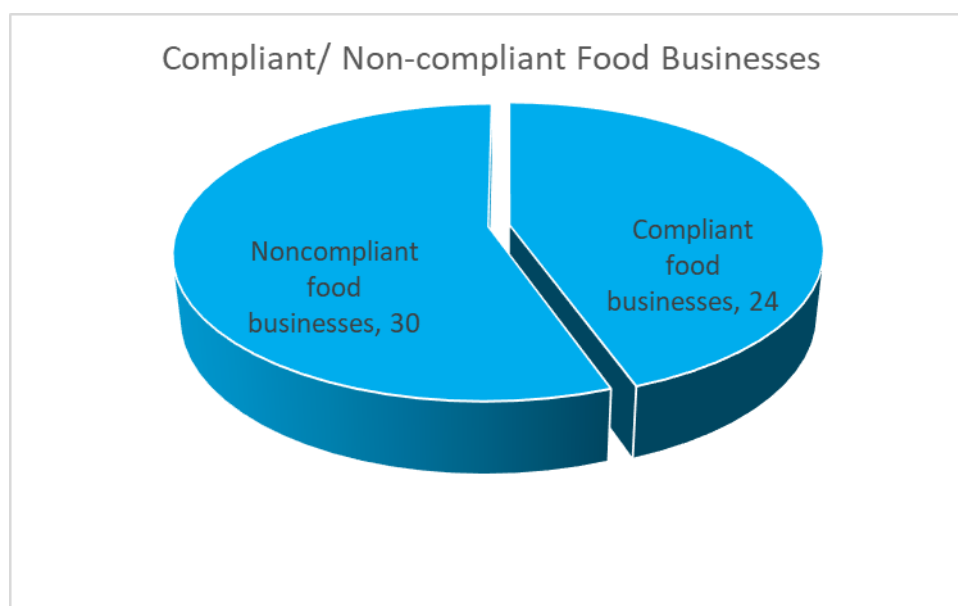
- Regional and National Trading Standards and Environmental Health colleagues
- RSPCA
- Advertising Standards Authority
- Association of Chief Trading Standards Officers (ACTSO) and National Trading Standards (NTS).
- Medicines and Healthcare Products Regulatory Agency;
- HM Revenue and Customs
- International Federation of Spirits Producers Ltd (IFSP)
- Derbyshire Police
- The Veterinary Medicines Directorate
- The National Food Crime Unit
- The Food Standards Agency

5 Review of the 2018/19 Food and Feed Service delivery

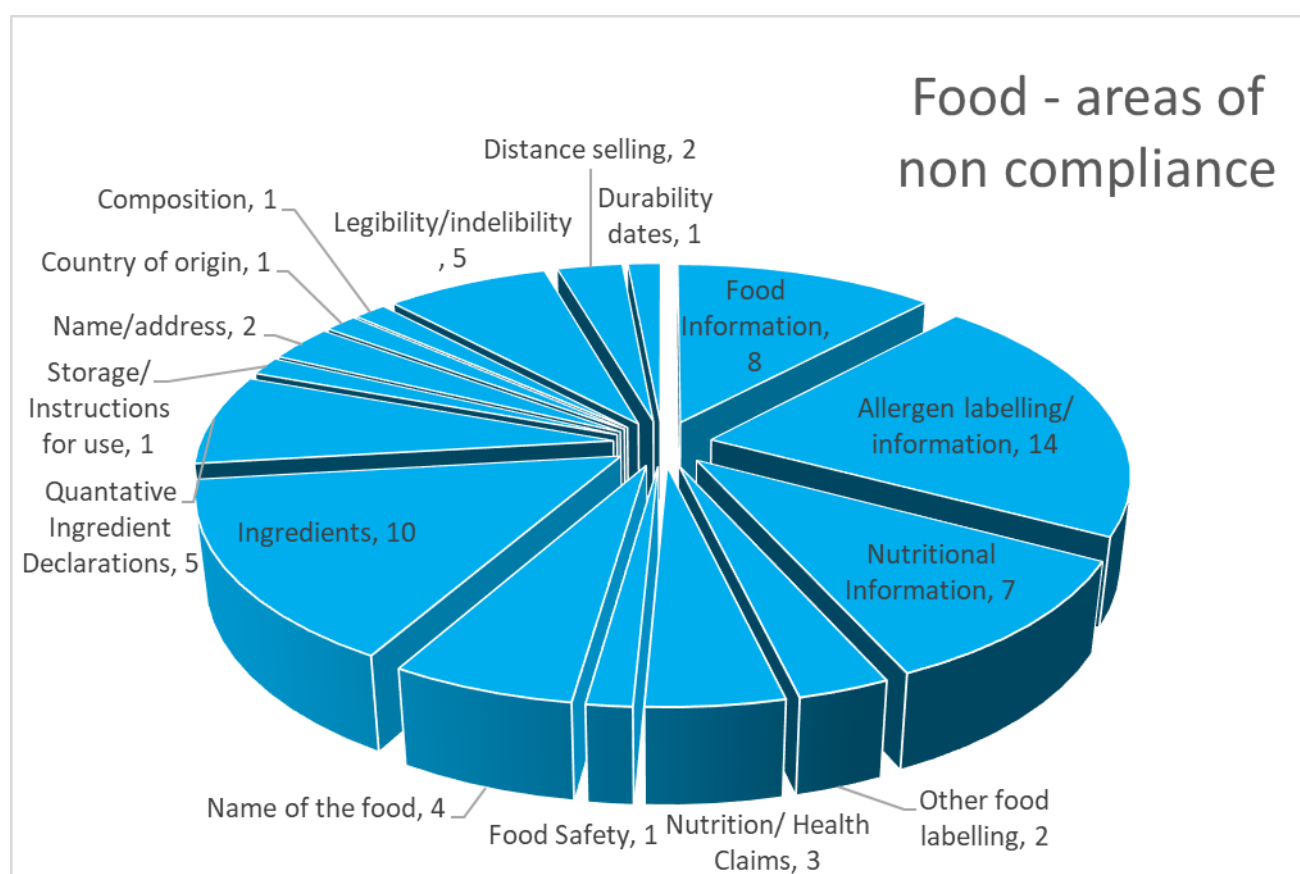
5.1 Inspections and other controls

Food inspections. Inspection activity was targeted at businesses who created the greatest risk, namely manufacturers, packers and importers. The service planned to carry out 78 inspections, however due to an experienced food officer retiring part way through the year 67 inspections were completed. 13 of the 67 businesses were found to be no longer trading and 54 of the business received an inspection.

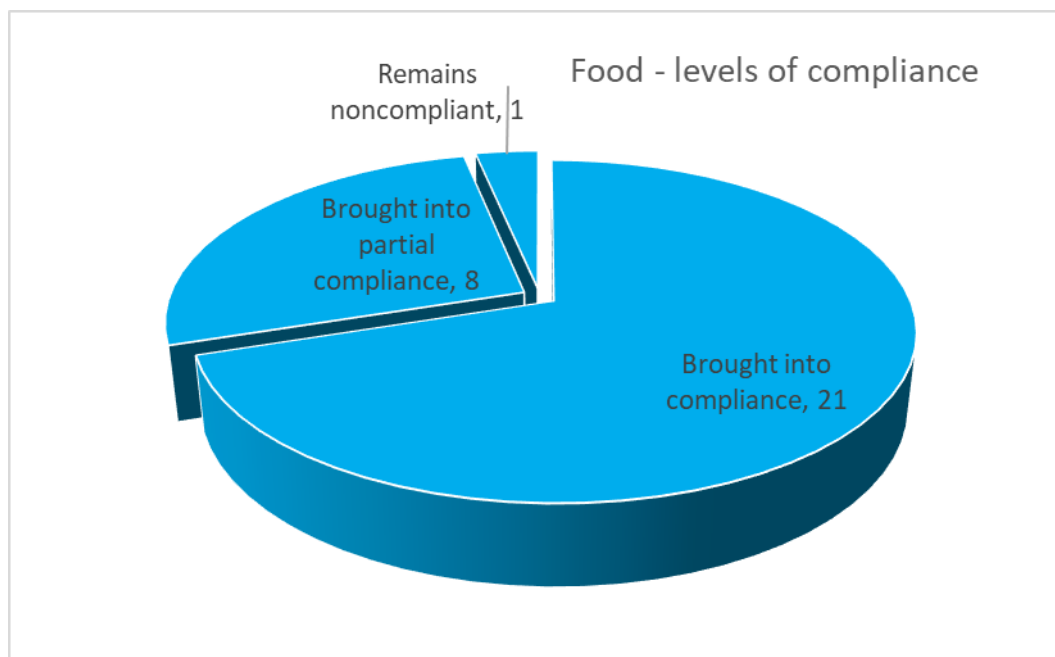
As depicted below 30 of the 54 food businesses were found to be noncompliant with food law.



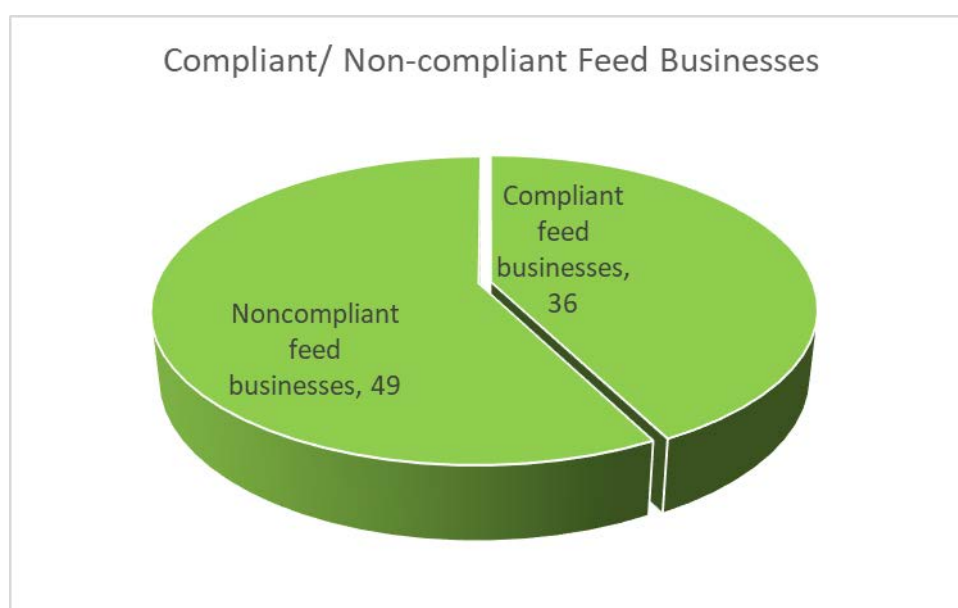
The service records the details of a business's noncompliance, using a series of codes. The businesses that were found to be noncompliant were noncompliant for the reasons identified below.



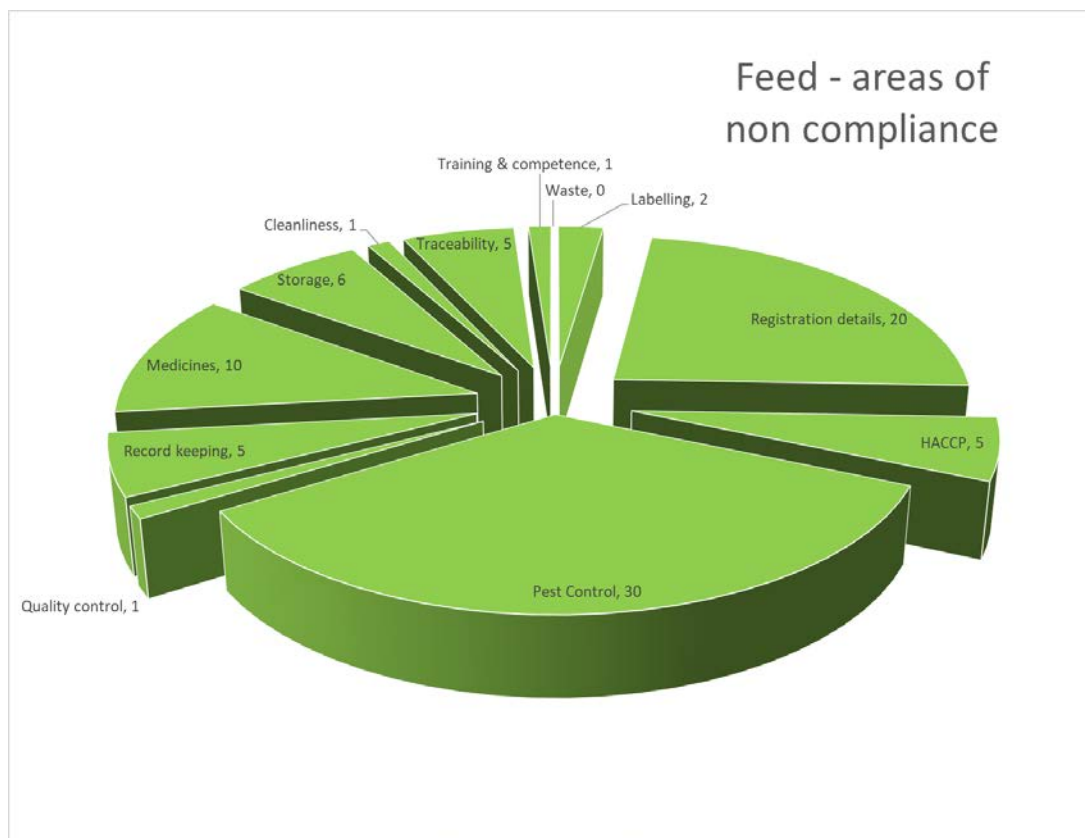
Once a non-compliant food business is identified, the service uses a number of different methods to bring a business into compliance. The number of the noncompliant food businesses that were subsequently brought into compliance, those that were brought into partial compliance and those that remain noncompliant is depicted below.



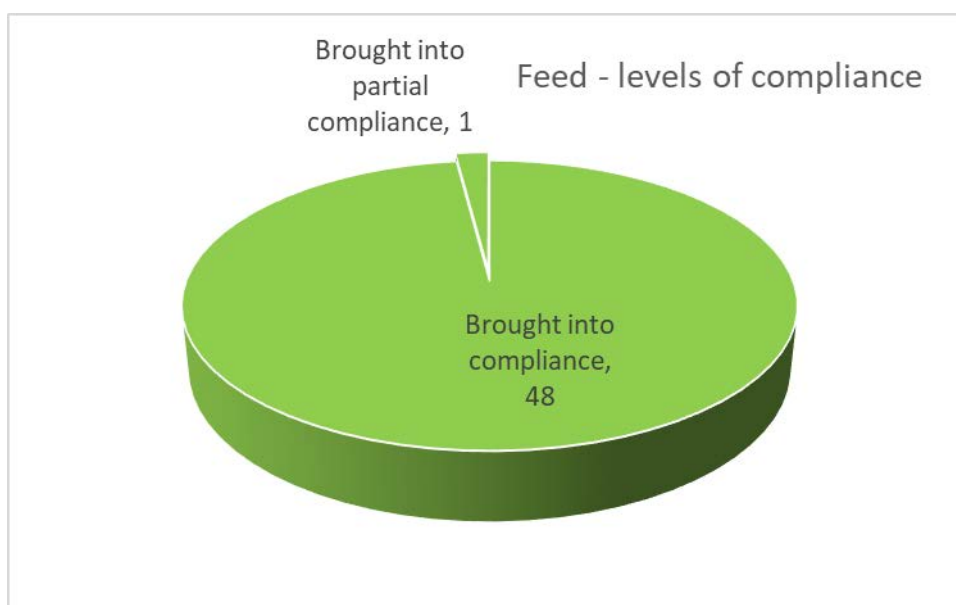
Feed inspections. 85 feed inspections were carried out across the feed chain, including farms, manufacturers, transports and wholesalers. As depicted below 49 of the 85 feed businesses were found to be noncompliant with feed law.



The service records the details of a business's noncompliance, using a series of codes. The businesses that were found to be noncompliant were noncompliant for the reasons identified below.



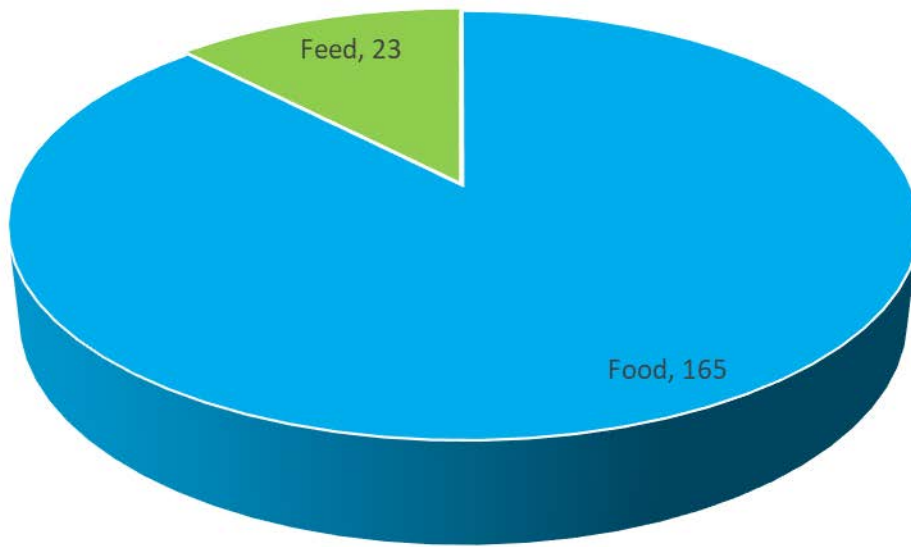
Once a non-compliant feed business is identified, the service uses a number of different methods to bring a business into compliance. The number of the noncompliant feed businesses that were subsequently brought into compliance and those brought into partial compliance are depicted below. None of these businesses remain noncompliant.



5.2 Complaints and requests for service

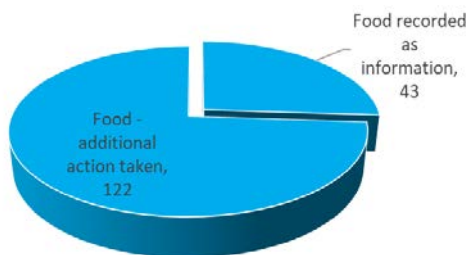
During 2018/19, excluding requests for business advice the service received 188 food and feed complaints and requests for service. This is broken down as follows.

Food and feed complaints and requests for service 2018/19

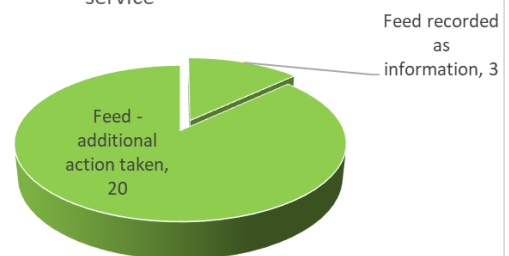


The actions that resulted from these complaints and requests for service, ranged from recording the information on the database through to more detailed and time consuming enquiries and investigations. On 43 occasions for food and on 3 occasions for feed, these were recorded on the services database and no other action was taken. This is depicted here.

Responses - food complaints and requests for service

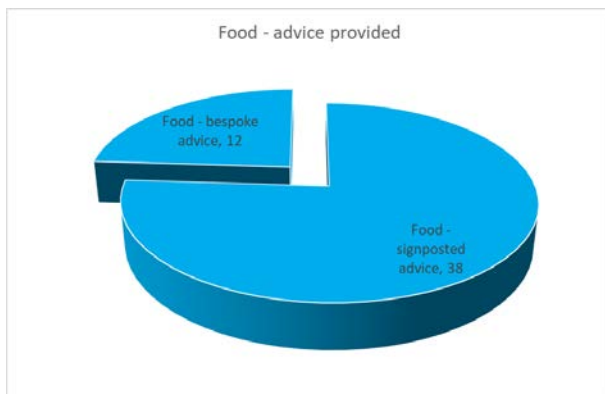


Responses - feed complaints and requests for service



5.3 Requests for Business Advice

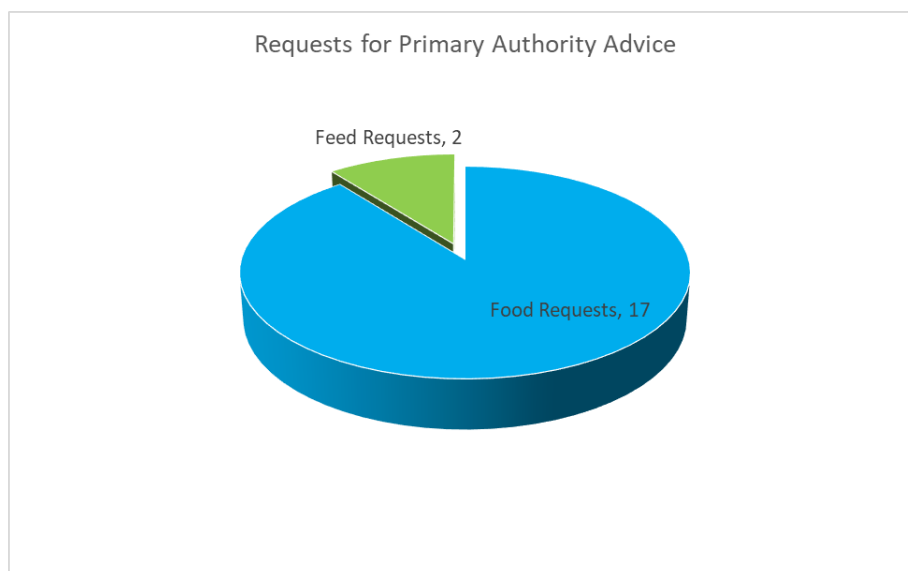
During 2018/19 the service received 50 requests for food and 11 requests for feed related advice from business. As depicted below the advice provided was a mixture of signposted self-help advice and bespoke advice tailored to a business's needs.



In addition to this the service supported 517 new food businesses by signposting them to appropriate advice.

5.4 Requests for Primary Authority Advice

As depicted below, during 2018/19 the service received 17 food requests and 2 feed requests for [Primary](#) Authority advice.



5.5 Food and feed sampling and analysis

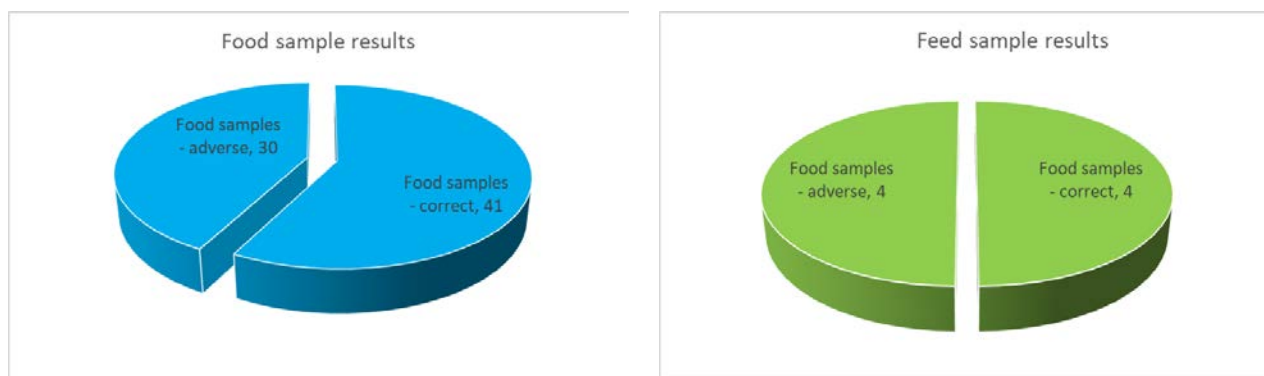
The [Food and Feed Sampling Policy](#) is published on the website.

Food and feed legislation requires samples to be split into three or four representative portions. Should the sample be non-compliant the manufacturer may wish to have a portion tested. Where there are disputes about the analysis, a court may order the final portion to be analysed by the Government Chemist.

Samples are taken to help verify whether a businesses is compliant with food and feed law or to survey the broader market place. Samples are subject to a variety of different tests, such as for the presence/ levels of undeclared additives or allergens, the substitution of more expensive products with cheaper ones or the substitution or contamination of organic products with non-organic material.

During 2018/19, 71 food and 8 feed samples were taken and submitted for analysis,

costing £8,860.45. As depicted below 30 of the food samples and 4 of the feed samples were found to be noncompliant.



[Appendix 3](#) gives a summary of the results of analysis for the samples taken in 2018/19, along with the action taken by the service.

5.6 Food and feed project activity

Catering businesses, such as takeaways and restaurants are required to make consumers aware of the presence of any of 14 different [allergens](#). Currently a catering business is able to make a consumer aware via a menu, or alternatively they may inform consumers verbally.

The presence of undeclared allergens, including food which has been cross contaminated with allergens can cause some consumers to have an anaphylactic shock. This can be fatal and many recent examples of this have been reported in the national press.

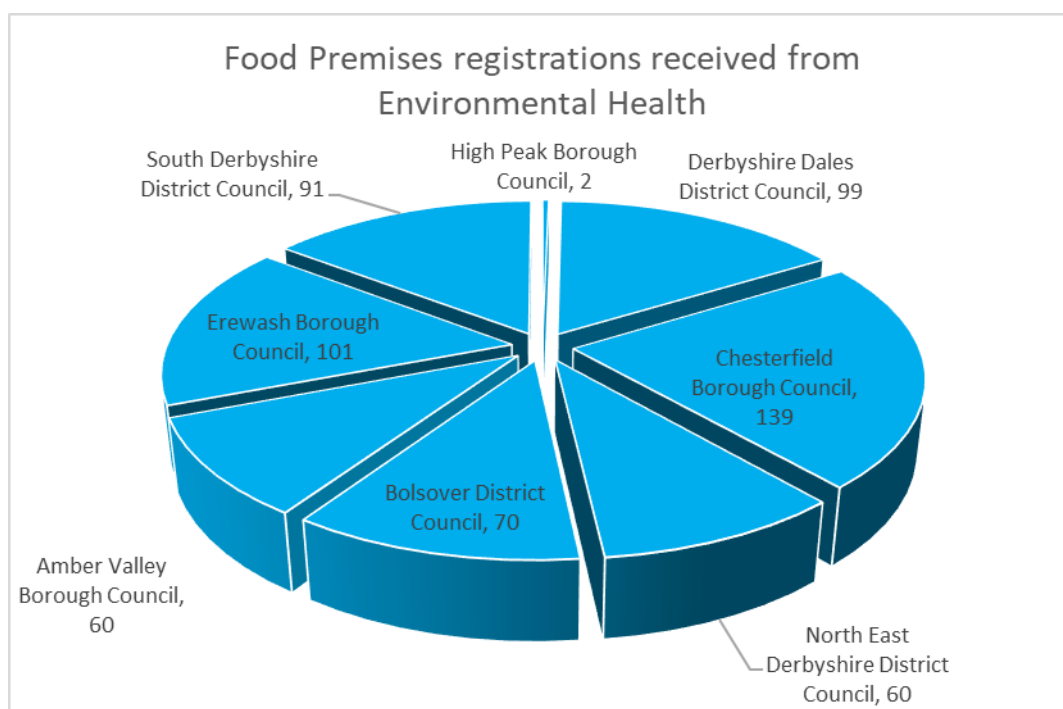
Samples of food taken from Derbyshire catering establishments in 2017, along with an assessment of the complaints made to the service identified a county wide issue with allergen controls at catering businesses. As a result of this, the service has been working with Environmental Health colleagues to produce focused materials, with the aim of the reducing the risks to consumers of poor allergen controls. The material, including a video, poster and other guidance is aimed at supporting businesses to improve their allergen controls and advise them of the consequences of getting them wrong.

5.7 Updating and verifying the food and feed premises database

Updating the food premises database

Food businesses are not required to inform DTSS when they start trading or change what they manufacture or sell. They are, however, required to register their business with their local Environmental Health service who may pass on the details to DTSS. When these registrations are received, DTSS verifies the activities of the business, adds them to the database and risk assesses the business.

As depicted below, during 2018/19, 622 new/changes to existing premises were notified to the service by Environmental Health. Although Environmental Health are encouraged to provide this information there is no compulsion on them to do so.



Updating the feed premises database

Any Derbyshire based businesses that deal in, or uses animal feed, such as manufacturers, wholesalers' transporters and farmers are required to register their business with DTSS and inform the service when they change the way they operate.

Upon receipt of a feed registration, the service verifies the activities of the business, before adding to or amending the database and assessing the risk of the business. During 2018/19, the service received 56 such registrations.

Feed business that are members of a trade assurance scheme approved by the FSA may be subject to a significantly reduced inspection frequency (known as 'Earned Recognition'). In some cases, this means that a business will be due for less frequent inspection rather than inspection every 5 years.

The Earned Recognition process requires assurance schemes to notify DTSS when a business joins, leaves or is removed from the relevant scheme for noncompliance. Once notified, DTSS is required to update the database to reflect the business's membership status or inspect the business where they have been removed.

Although the service made numerous changes to its database following notifications from assurance schemes during 2018/19 it is not possible to provide accurate figures of the numbers but it is estimated to be around 300.

The service is periodically made aware of new business or changes to existing businesses by the Veterinary Medicines Directorate or the Animal Plant Health Agency. Both of these organisations have a role to play in the enforcement of animal feed controls.

6 Food and Feed Service delivery 2019/20

6.1 Planned Food and Feed inspections and resources

The [Food and Feed Law Codes of Practice](#) set the required inspection frequencies at food and feed businesses. However, local availability of competent staff means that these frequencies, in relation to food work, cannot always be met.

Following the restructure of DTSS in 2018, the number of planned food inspections have been reduced to 69, a further reduction on the numbers required by the Food Law Code of Practice.

Inspections will be carried out at 100% of selected high risk food manufacturers, packers, importers and brokers and 50% of the selected upper medium risk manufacturers, packers, importers and brokers. At 22 of the 69 premises a 'physical check' on an aspect of the business rather than an inspection is planned. A physical check is a targeted way of checking compliance, for example by checking food label(s), a business's website or the submission of a product for analysis. In some instances, this work will be done without making a physical visit to the premises.

The number of planned feed inspections are in line with the numbers required by the feed law code of practice.

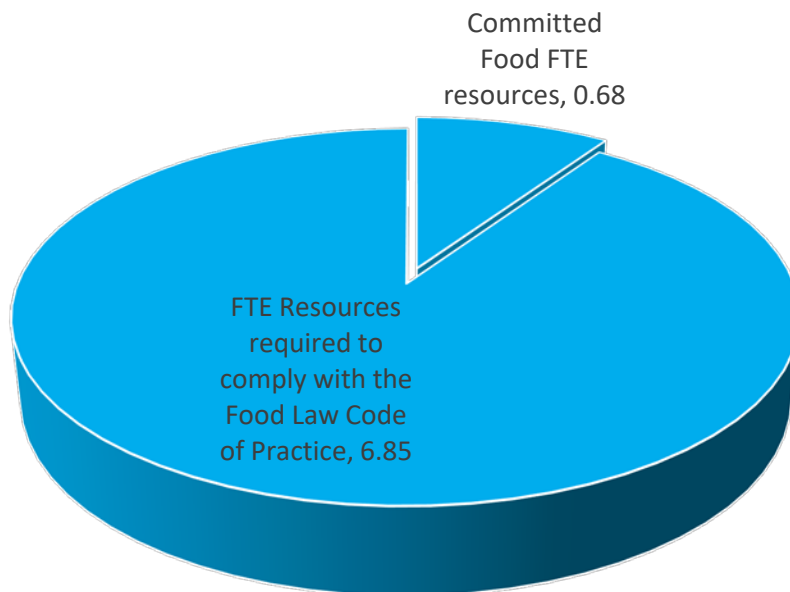
Food inspections. Depicted below are the inspection frequency required by the [Food Law Code of Practice](#), the number of premises on the database and the number of inspections planned by the service.

Risk band	Required inspection frequency	Number of premises	Number of inspections due per year	Number of inspections/ physical checks planned
High	1 yearly	135	135	24
Upper medium	2 yearly	1759	879	45
Lower medium	5 yearly	4695	939	-
Low	5 yearly*	2943	588*	-
Unrated	Not yet assessed	303		-
Total		9835	2541	69

* The activity required here may be less detailed than an inspection.

An estimate of the number of officers dedicated to this work during 2019/20 along with the number of officers required to carry out this activity in line with the [Food Law Code of Practice](#) are depicted below. This estimate includes the hours spent planning, recording and managing the work, along with the hours spent bringing noncompliant businesses into compliance.

Food inspections -resources committed/ required



Feed inspections. Depicted below is the type of feed premises, the number of those premises and the number of planned inspections.

Type of feed premise	Number of premises on database	Number of inspections planned
Manufactures of feed and co-products	60	13
Mobile mixes	1	0
Stores	7	1
Distributors	34	4
Transporters	31	2
Pet food Manufacturers	20	5
Suppliers of feed materials	80	13
Farms	3872	35
Total	4105	73

It is estimated that 0.74 FTE officers will be required to conduct the planned feed inspections during 2019/20. This estimate includes the hours spent planning, recording and managing the work, along with the hours spent bringing non-compliant businesses into compliance.

6.2 Food and feed complaints and requests for service

DTSS expects to receive a similar number of food and feed complaints and requests during 2019/20 as it did in 2018/19. As a result of reduced resources, the numbers that the service will be able to respond to is likely to decrease. It is estimated that 0.2 FTE officers will be dedicated to this work. This estimate includes the hours investigating,

recording and managing the work, along with the time spent bringing non-compliant businesses into compliance.

6.3 Requests for business advice

DTSS expects to receive a similar number of requests for food and feed advice in 2019/20 as it did in 2018/19. It is estimated that 0.15 FTE officers will be dedicated to this work. This estimate includes the hours researching, recording, providing and managing this aspect of the service.

It is likely that the United Kingdom's exit from Europe will have an impact on the demand for advice services over the forthcoming years and may require additional support and training for staff.

6.4 Requests for Primary Authority advice

As the benefits of Primary Authority and the assured advice it offers are recognised by businesses, it is likely that a small increase in demand for this service will be seen. It is estimated that 0.25 FTE officers will be dedicated to this work.

Details about [DTSS Primary Authority services](#) can be viewed on the website.

6.5 Food and feed sampling and analysis

Following the reduction in DTSS's budget, the number of food and feed samples that are taken will be reduced. Although the number of samples will be reduced, the samples that are taken will be more focused on supporting the service's inspection programme and hence Derbyshire businesses.

Based on an estimated reduction of 25% samples, the service will take approximately 64 samples. It is estimated that 0.15 FTE officers will be dedicated to this work. This estimate includes the hours spent planning, recording and managing the work, along with the hours spent bringing non-compliant businesses into compliance.

6.6 Food and feed project activity

The work started in 2018 to improve [allergen controls](#) at catering establishments within Derbyshire will conclude during 2019/20. It is estimated that 0.10 FTE officers will be dedicated to this work.

6.7 Updating and verifying the food and feed premises database

Updating the food premises database

DTSS expects to add or update a similar number of food premises during 2019/20 as it did in 2018/19. It is estimated that 0.1 FTE officers will be dedicated to this work.

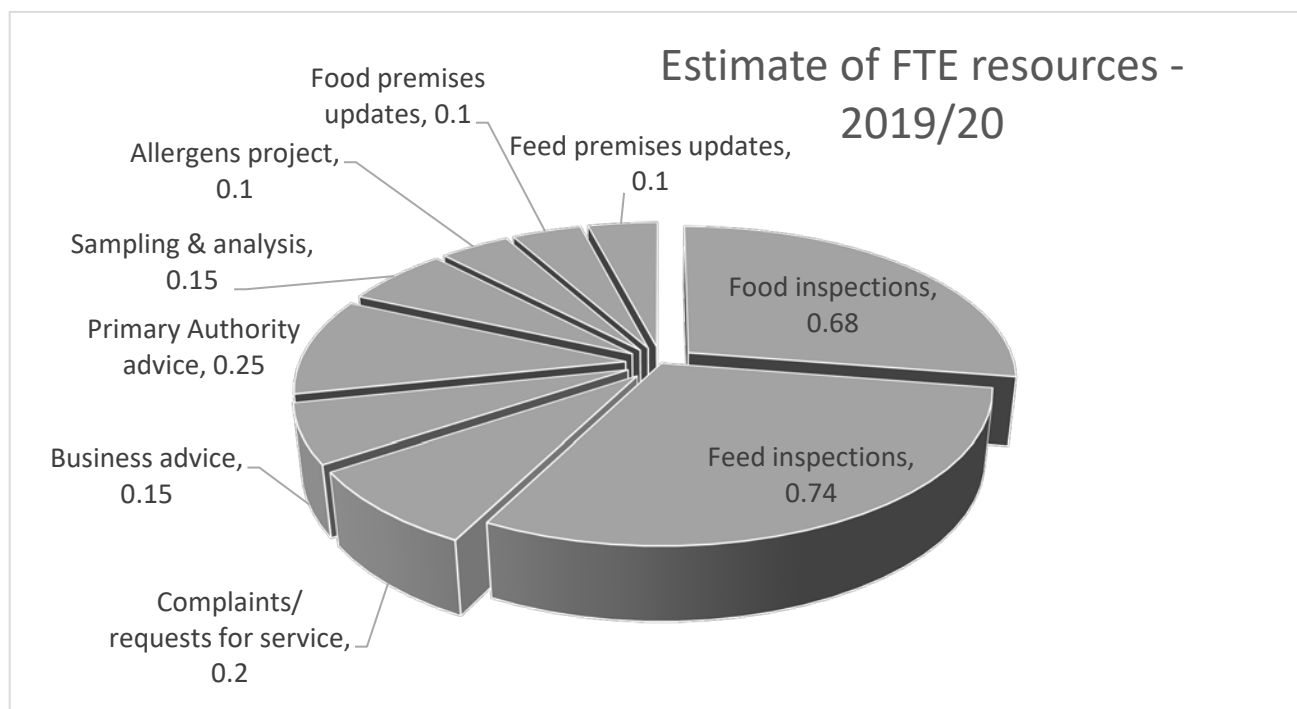
Updating the feed premises database

DTSS expects to add or update a similar number of feed premises during 2019/20 as it did in 2018/19. It is estimated that 0.1 FTE officers will be dedicated to this work.

6.8 Summary of committed resources

The chart below estimates the FTE resources which the service plans to dedicate to the different areas of food and feed work during 2019/20. In total it is estimated that the service will commit 2.47 FTE posts to this work. This does not include the time spent on reviewing and improving the service. As indicated in 6.1, the service does not have the officers to carry out all of the inspections required by the [Food Law Code of Practice](#). To

fully comply with the statutory requirements of the [Food Law Code of Practice](#) the service would need to have a further 6.8 FTE staff dedicated to this work.



7 Equipment, data management & staff development

7.1 Equipment

All operational staff are supported with appropriate equipment to facilitate their enforcement activities, including personal protective equipment, mobile telephones and computers. Staff are able to access emails, the internet and data management systems via any secure wireless network and can access emails via their mobile phones.

7.2 Data management

The service is supported by the Authority Public Protection (Flare) database, which is used for planning, recording and monitoring its activities. This system is supported and developed on an on-going basis by the suppliers CIVICA as part of an annual maintenance contract.

7.3 Quality assurance

The service has a bespoke documented quality management system which is part of the council's data management system, "EDRM". All of the food and feed policies, procedures and guidance documents are stored here and are subject to a process of review.

7.4 Staff Development

All members of staff participate in an annual "My Plan". The process is objective based and ensures that staff are equipped to meet the priorities of the service and this Food and Feed Plan.

8 Reviews & areas for improvement

8.1 Reviews of allocated and scheduled work

DTSS's scheduled food and feed inspection targets are regularly reviewed.

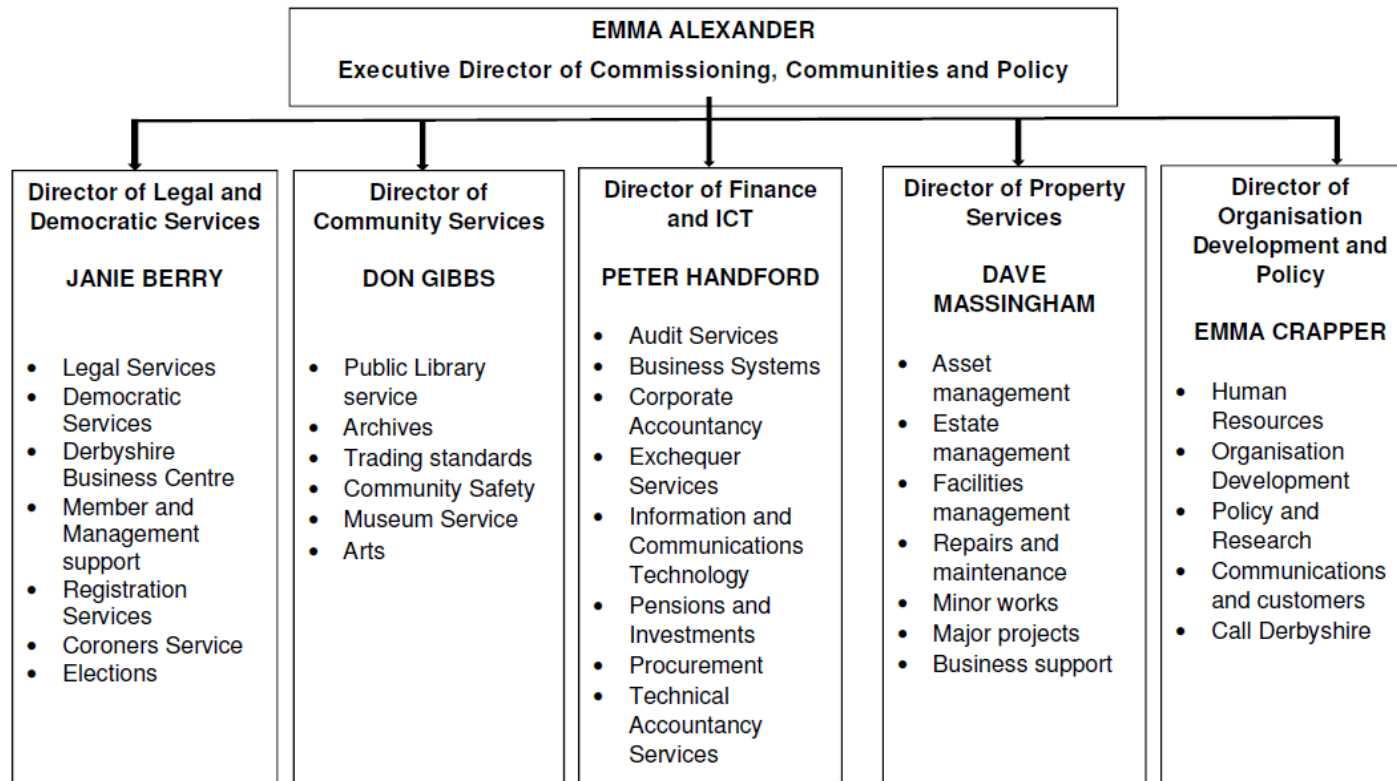
In line with internal guidance, officers are subject to regular reviews of their scheduled and allocated work.

8.2 Areas for Improvement in 2019/20

In addition to the work identified in section 6 of this plan, the service will:

- Improve the recording and constancy of how changes notified by approved feed assurance schemes are applied to the database.
- Encourage High Peak Borough Council Environmental Health to share food premises registrations with the service.
- Improve the efficiency of how the database is updated, following the receipt of food premises registrations from Environmental Health services.
- Document the process for recording 'physical checks' at food businesses.
- Review how identified noncompliance's are recorded, chased up and closed off.

Appendix 1



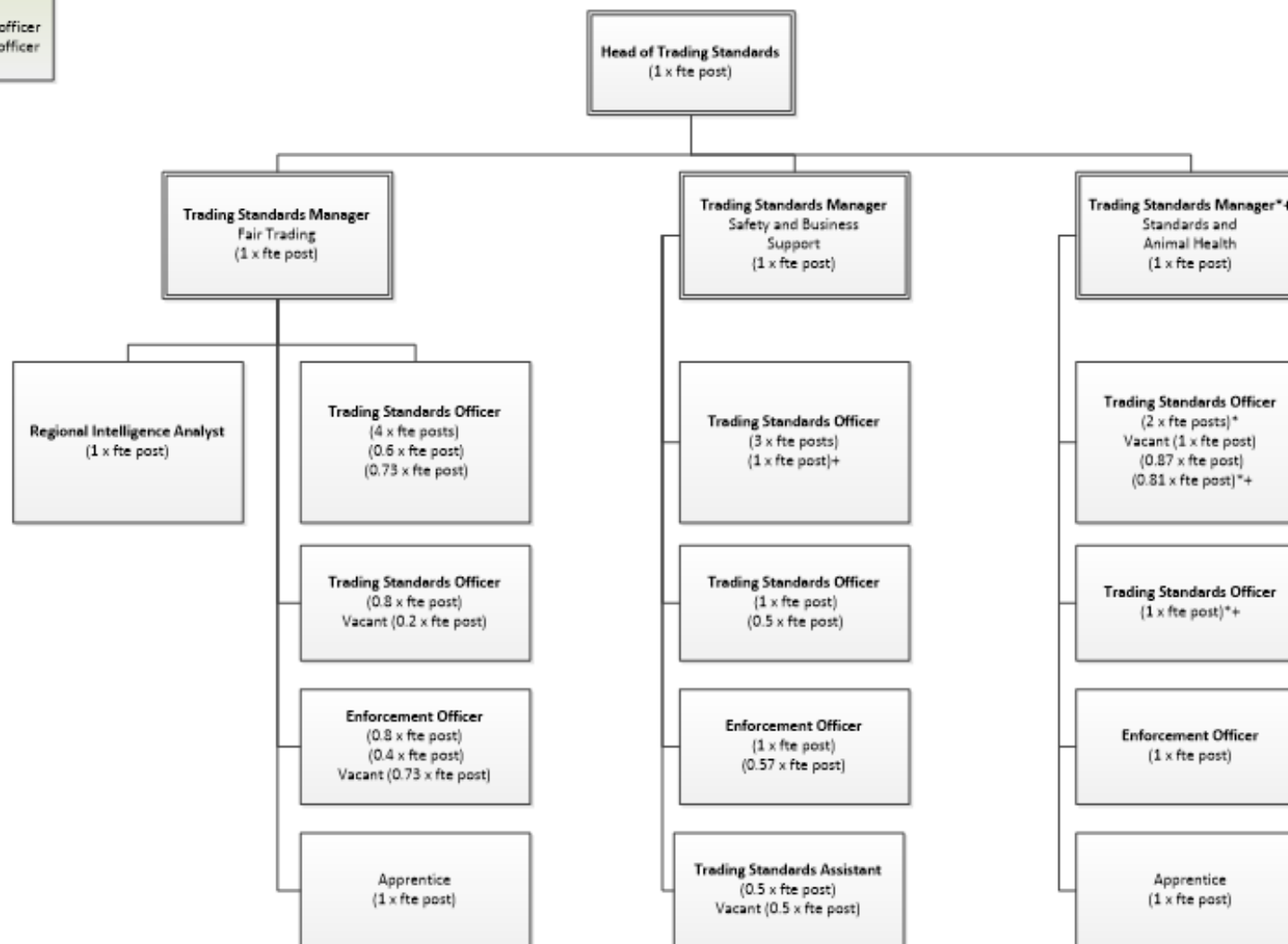
Appendix 2

Trading Standards Structure

CONTROLLED

Key:

*Authorised food officer
+Authorised feed officer



Appendix 3

Quarter 1 Sampling Results of Analysis

Survey	Brief explanation/rationale for sampling activity	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
Initiative/ Complaint/ Follow-up and non-retail samples			7	6	86%	<p>1. Sample of fresh whole milk taken as a result of a complaint that products were potentially being watered down: small amount of extraneous water found.</p> <p>2. Sample of pressed beef taken from a local manufacturer as a result of a complaint: found to contain 5-30% pork.</p> <p>3. Complaint sample of almond tart (supplied by a market trader with no allergen information displayed) which caused an allergic reaction in a peanut allergy sufferer: found to contain 0.6% peanut protein. This was followed up by a formal sample of the same product purchased directly from the retailer - found to contain 0.05% peanut protein.</p> <p>4. Pre-packed Chicken chipolata with labelling issues under the Food Information Regulations and Nutrition & Health Claims Regulations.</p> <p>5. Pre-packed ham produced by a local manufacturer, found to contain excess fat compared with the declaration</p>	<p>1. Referred to HA's for the distributor and processor.</p> <p>2. Letter of warning issued to manufacturer.</p> <p>3. Full formal investigation started.</p> <p>4. Referred to HA for the manufacturer.</p> <p>5. Manufacturer advised</p>
Samples submitted on behalf of DCC School Meals Service			5	2	40%	<p>2 samples of minced meat found to contain less fat than declared in the specification (although not considered prejudicial to the purchaser); and with labelling issues under the Food Information Regulations</p>	Referred to HA's

Quarter 2 Sampling Results of Analysis

Survey	Brief explanation/rationale for sampling activity	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
Rice and soya based products to check for the undeclared presence of genetically modified ingredients or use of unauthorised GM varieties.	Certain food crops may be subject to genetic modification to improve characteristics such as yield, disease resistance etc. but foods in which they are used must be labelled as such, so that consumers can make an informed choice about the products they purchase. Only GM varieties which have undergone a safety assessment and are authorised for use in the EU may be incorporated into foods sold in the UK. There are currently no varieties of genetically modified rice authorised in the EU.	10	10	3	30%	Three products with labelling issues under Nutrition and Health Claims Regulations and/or Food Information Regulations. One of these and 2 other products also contained potential GM material at the limit of quantification, but less than the threshold of 0.9% below which GM material present through adventitious contamination does not need to be declared.	Referred to HA/PA
'Gluten free' products from local bakeries to check for the presence of gluten.	Products described as 'gluten free' must legally contain no more than 20ppm gluten.	10	10	0	0%		
Initiative/ Complaint/ Follow-up and non-retail samples		10	4	3	75%	Two chocolate products with labelling issues under Food Information Regulations and/or Cocoa and Chocolate Products Regulations. One beer with labelling issues under Food Information Regulations	All products from local manufacturers - advised accordingly

Quarter 3 Sampling Results of Analysis

Survey	Brief explanation/rationale for sampling activity	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
Nuts, including nuts in shell, to check for the presence of aflatoxins	Aflatoxins are a family of potentially carcinogenic mycotoxins produced as a result of mould growth on agricultural crops such as nuts and cereals. Maximum limits are prescribed by legislation.	12	12	3	25%	None of the products sampled were found to contain aflatoxins at levels above the maximum legal limit. However, one product had labelling issues under the Nutrition and Health Claims Regulations; and 2 products had labelling issues under the Food Information Regulations.	Referred to HA/PA
'Gluten free' fish and chips from local fish and chip shops to check for the presence of gluten.	Products described as 'gluten free' must legally contain no more than 20ppm gluten. Products supplied non pre-packed e.g. from takeaway establishments may be susceptible to cross contamination when supplied alongside equivalent gluten-containing meals. Fried foods in particular may be a potential issue if the same cooking oil/fryer is used.	10	4	0	0%	Although internet research suggested several takeaway establishments in Derbyshire were offering gluten free fish and chips, the number doing so in practice was found to be quite limited. However no issues were found with any of the products sampled	
Initiative/ Complaint/ Follow-up and non-retail samples		10	7	5	71%	Five products from local manufacturers -all with labelling issues under the Food Information Regulations (oatcakes, sorbet, a vegan pie, Derbyshire honey and a gluten free cake)	Manufacturers advised accordingly

Quarter 4 Sampling Results of Analysis

Survey	Brief explanation/rationale for sampling activity	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
FSA funded feed samples	For FSA national sampling priorities including levels of added copper, selenium, urea, vitamin A and Vitamin D	7	7	4	57%	4 feedingstuffs with labelling issues, one of which also contained less vitamin A than declared on the statutory statement	Manufacturers advised (through HA/PA if not based in Derbyshire)
Initiative/ Complaint/ Follow-up and non-retail samples			8	4	50%	Minced beef from a local butcher containing very small amount (<1%) sheep DNA. (Level detected more likely to be indicative of cross contamination rather than deliberate substitution). Meat pie from a local manufacturer with labelling issues under Food Information Regulations. Pork sausage from a local catering butcher with labelling issues under Food Information Regulations and very small amounts (<1%) sheep and beef DNA detected. Minced beef from a local catering butcher containing 5-30% sheep DNA and collagen/meat protein ratio in excess of the maximum permitted level.	Manufacturers advised accordingly