

FSA RESPONSE TO THE E.COLI PUBLIC INQUIRY REPORT & RELATED ISSUES**EXECUTIVE SUMMARY**

1. The Report of the Public Inquiry into the outbreak of *E.coli* O157 in Wales in 2005 was published in March 2009, and the Board discussed the Agency's initial response in April 2009. The Board attached the greatest importance to identifying where improvements can be made and ensuring that the Agency utilises all available resources to meet the key objectives.
2. This paper presents both a review of developments since the outbreak and the work being proposed to address issues raised in the Inquiry Report. The Food Hygiene Delivery Programme Board will direct, establish priorities and measure progress in an ambitious comprehensive programme of work covering all foodborne pathogens, and all food groups across the UK.
3. The Agency will be highlighting the significance and prominence of this work in its revised Strategic Plan 2010-2015. The Strategic Plan will identify the resource required to deliver the programme over the next five years.
4. The Board is asked to:
 - **comment** on the review of the measures taken by the FSA since 2005 and the outcomes to date (Annex 1);
 - **endorse** the establishment of the Food Hygiene Delivery Programme Board (para 12) and **agree** the programme purpose, critical success factors and key performance indicators so far identified (paras 13, 14 &15);
 - **comment** on the projects being established by the Programme Board and the priority work areas that have been identified (paras 16-38 and Annex 3);
 - **note** that quarterly reports on progress will be given to the Board in the Chief Executive's regular reports, and in the Director of Food Safety's annual report on progress in food safety (para 39). Formal Board papers will be submitted where decisions are required.

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FSA RESPONSE TO THE E.COLI PUBLIC INQUIRY REPORT & RELATED ISSUES**Issue & Strategic Aims**

1. To take action to address the issues raised in the report of the Public Inquiry into the outbreak of *E.coli* O157 in Wales in 2005¹ in the context of our strategy to continuously improve the safety of food.
2. To recognise the Board's firm commitment to respond to the report of the Public Inquiry through active review of current measures, and directing work to secure outcomes which improve food safety.

Previous Board consideration

3. On 25 March 2009 the Chief Executive reported on the publication of the Inquiry Report on 19 March. On 21 April the Board considered the FSA's initial response to the Inquiry Report and agreed the Executive's broad programme of work, but requested further detail to be presented at the July meeting².

Background

4. The 2005 outbreak, the largest outbreak of *E. coli* O157 in Wales, was of such scale that it remains at the top of the public and political agenda in Wales. The First Minister for Wales commissioned a public inquiry into the outbreak and Professor Pennington delivered his report on 19 March 2009.
5. The Welsh Assembly Government intends to announce its response to the Inquiry Report on 7 July 2009. The Chief Executive will give an oral report on this to the FSA Board at the meeting on 14 July.
6. While the Report covers the outbreak in Wales, the Food Standards Agency recognises that it should look at the recommendations and matters raised from a UK perspective, and has set up the Food Hygiene Delivery Programme Board (Delivery Board) to act on a UK basis.
7. The Agency has achieved a great deal since it was established in 2000. However, to achieve greater food safety compliance and accompanying reductions in food

¹ The full *E.coli* Report is available at <http://wales.gov.uk/ecolidocs/3008707/reporten.pdf>

² The Board paper is available at <http://www.food.gov.uk/multimedia/pdfs/board/fsa090404.pdf>

poisoning, we need to work more effectively with food enforcement bodies to ensure higher levels of compliance. This will require guidance and training to be better directed, and to encourage more effective, rigorous and sustained interventions by enforcement officers.

8. This understanding of 'food safety issues' culture and 'what works' are core to the Food Hygiene Delivery Programme. This will be a particular challenge as local authorities' regulatory services are facing declining resources, and increasing demands for their services. We must push more effectively in all appropriate national forums for food safety to be given more prominence by local political bodies and their officials. Our own project-based approach to delivering responses to this Inquiry, coupled with the restructuring of the Agency's Food Safety Group, is designed to concentrate on a coordinated set of actions to achieve the desired outcomes in a holistic rather than piecemeal way.

Action taken since 2005

9. The Inquiry focused on the circumstances that contributed to the outbreak in 2005 and the risk to public health in Wales within the meat supply chain. At **Annex 1** we have reviewed key areas criticised in the Inquiry Report and the changes made by the FSA since the outbreak in relation to:
 - Implementation of the Hazard Analysis Critical Control Point (HACCP) approach;
 - Official controls by local authorities;
 - Official controls by the Meat Hygiene Service;
 - FSA's audits of local authorities;
 - Cleaning and use of biocides;
 - Food safety aspects of food procurement.
10. The review identifies that a range of activities have combined to produce a number of significant outcomes. For example:
 - Embedding HACCP: 450,000 Safer Food Better Business (SFBB) packs have been provided for Food Business Operators (FBOs) since 2005 (parallel approaches have been applied in Scotland and Northern Ireland). The outcome has been increased levels of understanding and use of food safety management systems. We await the latest local authority data on compliance levels (see LA enforcement monitoring below). The Chief Executive has noted "that the Board

needs to be aware that data to show that food hygiene compliance has improved remains patchy and in some cases unavailable. This highlights that our new outcome based approach has to provide effective measures which demonstrate the impact on public health that our actions have had. This will pose a considerable challenge but one we must address”

- Procedures for LA Audit of Food Businesses: The statutory Food Law Codes of Practice set out how local authority enforcement officers must carry out their inspections. The 2008 revisions addressed the Inquiry Report concerns about unannounced visits, records kept on files, competence requirements for officials who undertake specified activities, such as audit of HACCP.
- FSA audits of Local Authorities: These now concentrate on more detailed and effective assessments of inspection approaches and techniques to deal with non-compliance, including the use of on-site “reality checks”.
- LA enforcement monitoring: A new electronic monitoring system (“LAEMS”) is currently being used by LAs to collect and provide more outcome-focused data to the Agency for the financial year 2008/9. This data will include comprehensive information on business compliance levels in addition to LA enforcement activity. The first set of complete data will be made available to the Board early in 2010.
- FSA training of food enforcement officers: In responding to LA needs for skills development, the Agency has continued to expand the range and capacity of training courses, from HACCP to investigation skills. Qualitative feedback from line managers has shown that staff who have attended training have developed knowledge and skills which are actively applied and used in enforcement.
- Meat Hygiene Service: The organisation has been comprehensively reconfigured. In the new structure, Lead Veterinarians are responsible for ensuring that, within a “cluster” of plants, a consistent and robust approach is applied to compliance, with HACCP and other requirements using the “hierarchy of enforcement”. They are required to pay particular attention to businesses that are termed ‘persistently non-compliant’.
- Official Veterinarians are trained in HACCP and how to audit HACCP systems. The MHS is now audited by the FSA audit team.
- Approval/review of approval of meat establishments: this process has had a significant impact on standards, forcing operators to decide whether to invest to comply or to cease trading. Since January 2006, 45 plants have had to make this

choice, of which 11 have closed, 24 have made the required changes, usually with significant capital investment, and subsequently achieved full or conditional approval, and 10 are subject to appeal. Two approvals have been withdrawn, of which one is subject to appeal.

11. As part of the review of FSA developments since 2005 set out at Annex 1 we have drawn some conclusions and proposed further actions. These form a major part of the Food Hygiene Delivery Programme work plan described below.

Food Hygiene Delivery Programme

Programme Board

12. The Food Hygiene Delivery Programme Board, chaired by the Head of Food Safety Group Andrew Wadge, has been established. Members include the Directors of FSA Wales, Scotland and Northern Ireland and the MHS Chief Executive. At its first meeting on 21 May, a programme management structure and outline project portfolio were agreed. Food safety management systems, guidance, training, audit and enforcement are generic tools for managing food safety risks, which allows the work to cover all foodborne pathogens and all food groups across the UK and delivery through local authorities, the Meat Hygiene Service and DARD.
13. The Programme Board has proposed an overall **Purpose** for the Programme:

To reduce the level of foodborne disease through:

- **Improved awareness and control of food safety hazards by food businesses, food law enforcers and consumers; and**
- **Reliable assurance that compliance with legal standards is maintained, using timely, effective and proportionate enforcement where necessary.**

Critical Success Factors

14. The following elements are necessary to the achievement of the desired outcomes from the Programme;
 - Culture change, in all of the relevant parts of the food supply chain to boost FBO compliance and the pursuit of enforcement action by food enforcement bodies;
 - Partnership, between all interested public and private sector organisations and agents;

- Data collection and high quality analysis, to monitor levels of compliance and enforcement outcomes to target corrective actions and to make clear what action has worked effectively to improve public health.

Programme Outcomes and Key Performance Indicators

15. We are determined to improve compliance with food hygiene law over the next five years, with key performance indicators reflecting successful outcomes including:
- Reduction in the number of cases of food poisoning;
 - Increase in the % of food businesses compliant with food law;
 - Reduction in the number of unsatisfactory/non-compliant food samples identified in microbiological surveys;
 - Reduction in levels of significant or major non-compliances found at FSA audits of Local Authorities, MHS and DARD;
 - Evaluation of enforcement officers training to show the positive cost benefit in relation to food business compliance.

Future Work Plan

16. There have been three key inputs to the work plan:
- The review of FSA activities and outcomes since 2005 (detailed in Annex 1 and discussed at paragraphs 9 – 11 above).
 - The Inquiry Report's recommendations (see Annex 2 and paragraph 17).
 - Early outputs from the Future Meat Controls Programme (see paragraph 18).

- ***Inquiry Report Recommendations***

17. As the Government department responsible for food safety policy across the UK, the Agency has a clear interest in a large majority of the Inquiry Report's 24 recommendations (**see Annex 2**). Three of the recommendations are directed at the Agency, namely the provision of guidance (Rec.5), cleaning and use of biocides (Rec.6), and FSA audits of local authorities (Rec.15). These are mentioned at paragraph 10 above and in Annex 1. The work programme covers the rest of recommendations, excluding Recs.17, 18, 23 that are for other organisations to lead on. Monitoring progress (Rec.20) in relation to work on these remaining 17 recommendations will be part of the programme management process.

▪ **Future Meat Controls**

18. A stakeholder workshop held in September 2008 as part of the Future Meat Controls Programme described a desired future state based on risk-based auditing, a robust attitude to non-compliance based on the principles of unannounced visits and stiffer penalties; and better education of stakeholder groups, particularly consumers. These are areas where policy and guidance, applying to veterinary-controlled plants in particular and all food businesses in general, need to be transparent, effective and consistent. They clearly link with the work described in this paper and are therefore being incorporated in the Food Hygiene Delivery Programme. A paper on the Future Meat Controls Programme will be brought to the Board in September which will make recommendations for future action.

Partnership working

19. The Programme's work plan has been grouped under the seven themes endorsed by the FSA Board in April, with the eighth, "joined up working between organisations in the food safety system", being key to successful delivery. With that in mind, the Programme Board agreed the principle of active involvement of key stakeholder representatives as "Project Partners". For example, project teams will make use of existing stakeholder networks where appropriate, including our regional and devolved country teams, to link particularly with the enforcement community and industry.

Food Hygiene Delivery Programme: Priority Work Plan

20. The work plan concentrates on (a) the food safety culture of both businesses and enforcement bodies, (b) science, (c) FBO guidance; (d) enforcement, (e) FSA audit, (f) legal and (g) procurement. The way these areas cut across the Inquiry Report recommendations is highlighted in the Table of Projects at **Annex 3**. In the following paragraphs, references to specific projects are to those listed in Annex 3.

(a) Food Safety Culture

21. In the Inquiry Report, food safety organisational culture is described as "*a manifestation of the values and beliefs and attitudes within a workforce. Its formation is dependent upon the knowledge, standards, motivation and leadership of the person in charge, how they communicate with, and are trusted by, the staff*". Professor Chris

Griffith's conclusion was that "*Tudor's food safety culture ... was one of little regard for the importance of food safety but where making and saving money was the priority*".³

22. The two main challenges presented by the Inquiry are to tackle businesses that share Tudor's attitude *and* to engender a proactive, inquisitorial approach by those who inspect and audit those operators' procedures, with the confidence to enforce compliance where necessary – in other words, a culture that is interested in achieving an outcome rather than fulfilling a task. Factors that affect communications between FBOs and food enforcement officers need to be better understood. (*Project 1D*)
23. **Priority Work Area**: The FSA's Social Science Research Unit will commission a review of the literature, including development of SFBB, and other enforcement models. We will discuss other potential benefits to be derived from social science approaches at the next meeting of the Social Science Research Committee⁴ in October 2009.

(b) Science

24. Five pathogens, including *E.coli* O157, are targeted by the FSA under its current Foodborne Disease Strategy and work will continue with renewed vigour and commitment under the Agency's Strategic Plan for 2010-2015. This will ensure that guidance on hazards and pathogen reduction measures is underpinned by science. (*Project 1A*).
25. The Inquiry Report suggests that control measures targeted at cattle "supershedders" could be very effective in reducing prevalence of *E.coli* O157⁵, while noting that delivery of meat uncontaminated by *E.coli* O157 cannot be guaranteed⁶. The number of cattle slaughtered in GB (over 2 million in 2008⁷) also indicates the scale of the issue. The majority of human cases are sporadic (isolated) rather than associated with outbreaks (two or more linked cases). Not all cases are foodborne, other potential sources are animal /environmental contact, person-to-person transmission, or water. Sporadic cases will arise from occasional contamination events coupled

³ *E.coli* Report Chapter 6 paragraphs 6.111/2

⁴ The SSRC was established in 2008 to strengthen the Agency's access to internal and external social science expertise <http://www.food.gov.uk/science/socsci/>

⁵ *E.coli* Report Conclusions Chapter 17 Paragraph 17.48

⁶ *E.coli* Report Conclusions Chapter 17 Paragraph 17.6

⁷ Table 3 of 'A pocketful of meat facts 2009' ISBN 978-1-904437-42-0

with lapses in hygiene but outbreaks are most likely to occur when there are multiple or repeated breaches of controls on a significant scale as in the 2005 outbreak.

26. In recent years the FSA has funded VTEC⁸ research, particularly focused on analysis of frequency and shedding patterns in cattle and sheep in Scotland. The research has established the prevalence of VTEC in animals destined for the food chain, and allowed seasonal and regional comparisons to be made between the concentration and prevalence of VTEC shed by animals. It has also helped refine risk assessments for infection in humans and future intervention and education strategies.
27. **Priority Work Area:** We will lead work with the scientific community, including the Advisory Committee on the Microbiological Safety of Food (ACMSF)⁹ and the Microbiological Safety of Food Funders Group (MSFFG)¹⁰, to review the science on *E.coli* O157 and, in particular, research into “super-shedders”.

(c) FBO guidance

28. While guidance has been issued in various forms for small retailers, caterers and meat producers, the Agency needs to clarify what it considers to be an appropriate approach to food safety management systems in relation to the size, complexity and level of risk of operations in food businesses. The Inquiry Report recommends that we review and evaluate the material that the Agency has produced, and assess the need to improve or expand it, or to develop new guidance targeted at particular audiences. Two priority areas have been identified by the Report; one is to clarify “what HACCP looks like” for butchers, the other concerns cleaning. (*Project 1B/1C*).
29. **Priority Work Area:** We must provide clear advice and direction on compliance for FBOs. This work, carried out through national and regional networks, will include guidance on the practical requirements of HACCP for butchers and guidance on effective cleaning and disinfection procedures and products. Guidance will also be updated to ensure consistent enforcement across sectors to secure compliance with food law.

(d) Enforcement

30. The role of Official Veterinarians differs from that of Local Authority food enforcement officers while the daily presence of veterinarians to carry out inspections of animals

⁸ Verocytotoxin producing Escherichia coli (VTEC)

⁹ <http://acmsf.food.gov.uk/>

¹⁰ <http://www.food.gov.uk/science/research/researchinfo/foodborneillness/microfunders/msffg/>

and meat continues to be a legal requirement. However, their statutory verification and audit responsibilities are the same and it is essential that both have reliable systems that provide sound evidence of compliance, and professional, competent staff that have the support of management to take timely and appropriate enforcement action when non-compliance is identified. (*Projects 2A/B*)

31. **Priority Work Area:** We will ensure that, working with enforcement and training communities, we identify knowledge and skills required by enforcement officers in order to inspect and audit food businesses more effectively to achieve safer food for consumers and protect public health. Then we shall develop mechanisms to provide these through formally assessed training and guidance.
32. **Priority Work Area:** The Agency must ensure that Local Authorities provide their local consumers with the proper level of enforcement resources to ensure the best possible level of both compliance with food law and measurable improvements in outcomes related to food safety.

(e) FSA Audit of Local Authorities

33. FSA audits play an important role in assessing and supporting local authority performance across the range of food enforcement activities, including competence, inspection and enforcement, to identify and address weaknesses and promote best practice. (*Project 2C*)
34. **Priority Work Area:** We will further improve FSA audit protocols to ensure more outcome-focussed assessment of the way inspections are carried out by LA officers, their assessment of food business' food safety management systems and the identification of effective enforcement approaches.

(f) Legal

35. Publication of the Report gave the impression that light touch regulation has overtaken protection of public health and that more aggressive legal measures are needed. We need to dispel the view held by some, that the legal framework is inadequate. In fact, a wide range of measures are available to deal with non-compliance with food hygiene legislation. We need to be clear whether they are suitable for all the circumstances with which food enforcement officers are faced or whether clearer

guidance on their use would help achieve more consistent, risk-based enforcement. This includes consideration of the allowances and timescales that are appropriate for food businesses implementing food safety management systems and procedures; how to deal with persistent non compliance and the review, suspension or withdrawal of approval where applicable. In particular we will consider the potential introduction of civil sanctions (Macrory) under the 2008 Regulatory Enforcement and Sanctions Act in England and Wales. Following this analysis, we will consider what changes, if any, may be sought to the hygiene legislation itself or relevant enforcement powers.

(Project 3A/B)

36. **Priority Work Area:** We will work with the enforcement community, lawyers and others to examine the currently available powers and penalties, as well as guidance on their use, in order to identify any gaps or changes needed and to inform consideration of what, if any, changes to legislation may be sought.

(g) Food safety aspects of food procurement

37. Although the Agency does not have policy responsibility for public sector food procurement, we should take the lead in providing practical guidance on food safety aspects. This should include the use of outcomes of official controls at prospective suppliers' establishments and the role of third party audits and acting on complaints.

(Project 4)

38. **Priority Work Area:** We will give the providers of public sector food procurement clear guidance with the aim of providing a clear food safety framework that addresses the issues raised in the Inquiry Report in a single reference document.

Timelines

39. The priority work areas listed above will be carried out in parallel over the next 4-12 months. Once initial reviews of each area have been undertaken by Project Managers, more specific timetables will be submitted to the Programme Board for consideration, together with resource implications, particularly of any significant new pieces of work, such as commissioning of research. Quarterly update reports on progress will be provided to the FSA Board in the Chief Executive's regular reports and in the Director of Food Safety's annual report on progress in food safety. Where decisions are required we will submit formal Board papers.

Five-year Review

40. At present, the Programme timeline runs until April 2014. This reflects Recommendation 21: that there should be a substantial review of hygiene enforcement after approximately five years to ensure the lessons from the outbreak are not forgotten. We will take account of the key performance indicators referred to at paragraph 15 above and will include the review in our Strategic Plan for 2010-15.

Impact

41. The work identified will be key in delivering the FSA strategic aim to improve food safety. By focusing on addressing aspects of culture in relation to food safety management and food enforcement, we have the opportunity to tackle issues which will influence profoundly how food safety is delivered in the UK. In doing so we will have to engage actively and over a number of years with enforcement delivery partners, industry bodies, food business operators and consumers.

Board Action Required

42. The Board is asked to:

- **comment** on the review of the measures taken by the FSA since 2005 and the outcomes to date (Annex 1)
- **endorse** the establishment of the Food Hygiene Delivery Programme Board (para 12) and **agree** the programme purpose, critical success factors and key performance indicators so far identified (paras 13, 14 &15);
- **comment** on the projects being established by the Programme Board and the priority work areas that have been identified (paras 16-38 and Annex 3);
- **note** that quarterly reports on progress will be given to the Board in the Chief Executive's regular reports, and in the Director of Food Safety's annual report on progress in food safety (para 39). Formal Board papers will be submitted where decisions are required.

ANNEX 1

(Ref. paragraph 9)

REVIEW OF FSA DEVELOPMENTS SINCE THE OUTBREAK

1. The Public Inquiry focussed on the situation in 2005 and the risk to public health in Wales within the meat supply chain. The Report noted that *“A fundamental principle underlying the prevention of food poisoning is the establishment of and implementation of defences in depth”*.¹¹
2. Preventive action is required at all stages of the supply chain, at slaughterhouses, at premises that prepare food and by those who procure food, using HACCP-based procedures to protect consumers. Audits and inspections should aim to establish whether those ‘defences’ are effective.
3. As well as criticising the HACCP-based procedures and cleaning in both premises; the Report was highly critical of both the Local Authority and the Meat Hygiene Service and the FSA’s audit of local authorities. We have reviewed developments in these areas since the outbreak and summarise the position and our conclusions below under the following headings:
 - A)** Implementation of the Hazard Analysis Critical Control Point (HACCP) approach;
 - B)** Official controls by Local Authorities;
 - C)** Official controls by the Meat Hygiene Service (MHS);
 - D)** FSA’s audits of local authorities;
 - E)** Cleaning & use of biocides;
 - F)** Food safety aspects of food procurement.

A) HACCP Implementation

4. The Report records serious failings with regard to HACCP implementation in both premises, for example *“Failures around the HACCP approach were the most important”*¹² and notes that *“Wherever HACCP should have applied there was insufficient appreciation of its power to deliver safe food. Understanding of it was imperfect. Organisational commitment to it was lacking.”*¹³ Six recommendations

¹¹ *E.coli* Report Conclusions Chapter 17 paragraph 17.3

¹² *E.coli* Report Summary paragraph 29

¹³ *E.coli* Report Conclusions Chapter 17 Paragraph 17.50

mention HACCP specifically (2, 3, 8, 9, 10, 15) but the Report also notes that “Constructing a HACCP plan is a big challenge for the operator of a small business”¹⁴ and that “successful application... requires the full commitment of management and the workforce”.¹⁵

5. As of 1 January 2006, all food business operators other than primary producers have been required to maintain a food safety management system based on the principles of HACCP. Although the legislation for licensing butchers was superseded by this requirement, the guidance material and training is still available¹⁶. Guidance on HACCP implementation for slaughterhouse and cutting plant operators and Official Veterinarians was agreed and circulated in 2006. By employing an “exception reporting” approach, the food safety management diary for meat producers can help the smaller businesses with record keeping¹⁷.
6. Significant effort has gone into the development of the “Safer Food Better Business” (SFBB) approach in England and Wales and over 450,000 SFBB packs have been distributed since 2005. More recently, “An introduction to food hygiene”; a DVD guide in 16 different languages; and an SFBB supplement for small residential care homes; have been produced¹⁸. To coincide with the launch of SFBB a coaching skills programme was created to assist LA food enforcement officers in supporting SFBB implementation by including sessions on listening skills, motivation of businesses and evaluation; 1400 have been trained to date. In 2008 the Agency awarded its third annual tranche of grants to local authorities in England to provide small businesses with face-to-face support on SFBB.¹⁹ Schemes similar to SFBB operate in Scotland with “Cooksafe” for caterers and “RetailSafe” for retailers handling unwrapped high risk food²⁰ and “Safe Catering” in Northern Ireland.²¹ FSA/NI has recently started a project with LAs to revise and update the HACCP Guidance Pack for Butchers that was developed at the time of butchers’ licensing.

¹⁴ *E.coli* Report Conclusions Chapter 17 paragraph 17.28

¹⁵ *E.coli* Report Chapter 4 paragraph 4.38

¹⁶ <http://unix3.nildram.co.uk/~mtcunix/fticourses.htm>

¹⁷ <http://www.food.gov.uk/foodindustry/meat/haccpmeatplants/>

¹⁸ <http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/sfbb/>

¹⁹ <http://www.food.gov.uk/news/newsarchive/2008/sep/sfbbawardsep08>

²⁰ <http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/cookretailsotland/>

²¹ <http://www.food.gov.uk/northernireland/safetyhygieneni/safecateringni/>

7. The evaluation of the SFBB programme was reported to the Board in December 2007²² and concluded that it was improving consumer protection by helping micro and small businesses move to compliance in a way that has also helped them be better businesses. Our target for compliance, currently 75%, takes account of several factors, such as:
 - small and medium enterprises (SMEs) account for most businesses, for whom the documentation and record keeping aspects of compliance are particularly difficult and they may not be fully compliant;
 - the turnover – up to 25% a year and perhaps higher because of the recession;
 - businesses that are having enforcement action taken against them.
8. An initiative that should have a positive effect on future compliance levels is Scores on the Doors.²³ Compliance levels, as assessed by food enforcers, were reported as having moved from 30% in 2002 to 48% in April 2007. We are awaiting the new Local Authority Enforcement Monitoring System data (see section ‘E’ below) for the next update on compliance. This data will be used to report to the Board on current levels of compliance; and what further action, either by the Agency or by local authorities could be pursued.

Conclusions on HACCP Implementation

9. The evaluation of the SFBB programme concluded that, for smaller retailers and caterers, it can be a very business-friendly way of complying with the requirement to apply HACCP-based procedures. However from discussions with local authorities it is evident that there is, in places, confusion about whether the guidance produced for the butcher’s licensing scheme is still entirely valid in the context of the more flexible SFBB-style approach. SFBB was built on evidence of the approach and material that would be effective, and there is growing interest in the food safety culture of businesses and how that impacts on compliance.

Further Action

10. The Agency will continue to provide support and guidance material to promote compliance with food safety management systems and to develop the capability of food enforcement officers to help operators use them. The Agency will clarify the

²² <http://www.food.gov.uk/multimedia/pdfs/board/fsa071204.pdf>

²³ <http://www.food.gov.uk/news/newsarchive/2008/dec/scores>

HACCP guidance for butchers; and consider the “food safety culture” issues that may affect communications and compliance.

B) Official Controls by Local Authorities

11. In the summary on the local authority’s inspections at the butcher’s premises, the Report notes that: “*The inspections did not assess or monitor the business’s management of food safety as well as they could, or should, have done. Clues were missed. Those that were spotted were lost in the system. The fundamental flaws in John Tudor & Son’s HACCP plan could, and should, have been picked up.*”²⁴
12. In response to the issues arising from the outbreak in Wales, the Food Law Codes of Practice (CoPs)²⁵ were revised and published in 2008. These set out the statutory framework for food law enforcement by local authorities. The CoPs specify requirements for the competence of officials who audit HACCP and on auditing HACCP implementation, and require lead officers to ensure that all officers undertaking food hygiene inspections are suitably qualified and competent. Other issues covered include: that visits should be unannounced except where an operators’ presence is required e.g. audit; awareness of the enforcement history of food businesses being inspected (either 'red flagging', or other means that achieve the same end); and the prioritisation of high risk businesses and persistent offenders.
13. The Report recommended²⁶ that local authorities in Wales should review their policies procedures and systems to identify weaknesses, areas needing improvement, areas of confusion or uncertainty and to share good practice, and suggested that they discuss them with the FSA. Letters were sent in May 2009²⁷ suggesting all LAs conduct such a review against issues raised by the Report.

Enforcement

14. While the Report itself acknowledges there is a place for a ‘light touch’ enforcement regime, it also states that “*Authorities must come down hard on businesses that*

²⁴ *E.coli* Report Summary paragraphs 27 to 29

²⁵ <http://www.food.gov.uk/enforcement/enforcement/foodlawcop/>

²⁶ *E.coli* Report Recommendations Chapter 18 paragraphs 18.49-51 & Recommendation 19

²⁷ England: <http://www.food.gov.uk/multimedia/pdfs/enforcement/enfe09026.pdf>

N. Ireland: <http://www.food.gov.uk/multimedia/pdfs/enforcement/enfni09023.pdf>

Scotland: <http://www.food.gov.uk/multimedia/pdfs/enforcement/enfs09023.pdf>

Wales: <http://www.food.gov.uk/multimedia/pdfs/enforcement/enfw09024.pdf>

present serious risks to health and those that persistently fail to comply with food hygiene requirements.”²⁸

15. EU food law regulations apply directly in Member States and cannot be changed unilaterally, but each EU Member State (and all four countries of the UK) has domestic legislation that prescribes measures to deal with non-compliance²⁹. The Food Law Codes of Practice were strengthened in 2008 and explain to LA enforcement officers the approach they are required to take, using the graduated approach (referred to as the “hierarchy of enforcement”) starting from education, advice, and informal action; moving to formal action such as sampling, detaining and seizing food, serving Remedial Action Notices (in approved establishments), Hygiene Improvement Notices, Hygiene Emergency Prohibition Procedures and prosecution, are required where informal action does not achieve compliance.
16. Withdrawal or suspension of approval is also possible for establishments where there is a serious deficiency or repeated stoppage of production by an authorised officer³⁰ (see Section C below). Taking enforcement action that affects a food business operator's ability to run his business engages Article 1 of the First Protocol to the European Convention on Human Rights.³¹ In 2006/7 (the last full year for which we have data) there were 29 suspensions or revocations of LA approval in the UK and 611 voluntary closures. In the nine months to 31/12/07 there were 21 suspensions or revocations and 624 voluntary closures. To meet our outcome based objectives we now have systems set up to ensure we have the robust data required.
17. If an authorised officer is satisfied that certain factors at a food business present an imminent risk of injury to health, an Emergency Hygiene Prohibition Notice can be served to prohibit certain activities, such as the use of processes, equipment or premises. Where a food business operator is convicted of an offence under the Food Hygiene Regulations 2006, the court may prohibit him from participating in the management of a food business, as was the case with the butcher at the centre of the outbreak. In 2006/7 266 establishments were subject to Emergency Prohibition

²⁸ E.coli Report Recommendations Chapter 18 paragraph 18.23

²⁹ The Food Hygiene (England) Regulations 2006 <http://www.opsi.gov.uk/si/si2006/20060014.htm> and parallel statutory instruments in Scotland, Wales and Northern Ireland.

³⁰ The Official Feed and Food Controls (England) Regulations 2006 <http://www.opsi.gov.uk/si/si2006/20060015.htm>

³¹ A summary of legal powers and sanctions is at Annex 4 of the previous Board paper (see footnote 2)

Notices or Orders and 433 were subject to prosecution. In the nine months to 31/12/07, 158 establishments were subject to EPNs/EPOs and 368 to prosecution.

18. The FSA wrote to Enforcement Authorities in May 2009³² in relation to dual use of equipment for raw meat and unwrapped ready-to-eat foods. The letter explained the legal requirement for equipment with which food comes into contact is that it is to be effectively cleaned to avoid any risk of contamination and that, where the legal requirements are breached, the appropriate enforcement action should be taken.

FSA Training for Enforcement Officers

19. The Agency continues to work actively with local authorities to provide affordable update training for food enforcement officers³³ on, for example:
 - Auditing food safety activities and processes;
 - HACCP assessment for enforcement officers;
 - Investigation skills;
 - Lead auditor/assessor skills; and
 - Vacuum packing, modified atmosphere packing and cooking and chilling of meat products.

The Agency undertakes assessments and evaluations of course material and amends the content in line with current policy. Qualitative feedback from line managers has shown that staff who have attended training have developed knowledge and skills which are actively applied and used in enforcement. This training is highly regarded by the representative bodies for both Environmental Health Practitioners and Trading Standards Officers.

20. In May 2009 the FSA announced a new training course on social marketing and behavioural change for food enforcement officers³⁴. It aims to develop skills to acquire an insight into the behaviours of food business operators and consumers in order to successfully disseminate food safety messages.

Conclusions on Official Controls by Local Authorities

21. The Food Law Codes of Practice address the issues raised by the Report and national legislation provides a range of enforcement measures in respect of failures to comply with EU hygiene legislation. However, LAs and others remain concerned that enforcement powers are not sufficient for all circumstances and that hygiene

³² See footnote 27

³³ <http://www.food.gov.uk/enforcement/enforcetrainfund/officertraining/>

³⁴ <http://www.food.gov.uk/news/newsarchive/2009/may/enforcementcourse>

legislation should be more prescriptive on some issues. For example, LAs have asked that food hygiene legislation is amended to enable Remedial Action Notices to be served in non-approved establishments in appropriate circumstances. Additional training for food enforcement officers has been provided by the FSA in areas highlighted by the Report e.g. HACCP, auditing. There is also a new course on social marketing and behavioural change. However, more could be done, particularly in the area of validating HACCP-based procedures and adding outbreak-related case studies³⁵.

Further Action

22. A planned FSA review of food law enforcement is being widened to cover issues raised by the Report including food enforcement officer competence and training, risk rating, audit procedures, and implementation of HACCP principles. The currently available legal powers, sanctions and guidance to food enforcement officers will be reviewed to determine their suitability for the circumstances that are met in practice, as well as the potential for civil (Macrory) sanctions in England and Wales. “Cultural” issues that can affect how officers operate and communicate with businesses should also be examined. The scope and content of FSA training courses will be reviewed and revised now and then again in the light of changes to guidance etc.

C) Official Controls by the Meat Hygiene Service (MHS)

23. The Inquiry Report states that: *“Over a prolonged period, the MHS failed to perform effectively its overall enforcement function in relation to the Abattoir... it was allowed to continue in business without significant improvement. For J.E. Tudor & Sons Ltd, the “light touch” enforcement was wrong”*.³⁶ Later, the Report states that *“The signals that the premises and practices in it were unsafe were strong. There was in effect a “normalisation of deviance”*.³⁷
24. The new MHS operational management structure³⁸ and contracts with approved suppliers are now fully in place. By putting substantially more veterinary management closer to frontline inspection teams, the aim is to ensure a consistent and robust approach to FBO compliance and to ensure that escalation of enforcement is appropriately robust. Lead Veterinarians, who supervise the OV, focus on the

³⁵ *E.coli* Report Recommendations Chapter paragraph 18.31

³⁶ *E.coli* Report Summary paragraphs 44 and 45

³⁷ *E.coli* Report Conclusions Chapter 17 paragraph 17.26

³⁸ Two Business Directors manage 12 Business Managers who in turn manage the Lead Veterinarians who are each responsible for a “Cluster” of establishments and the plant-based OV in GB.

enforcement programmes within a geographical cluster of plants and ensure the hierarchy of enforcement (see paragraph 15) is progressed at a pace that is proportionate to the nature of the offence and/or risk. Case conferences are held at MHS HQ to review recommendations for prosecution. OV's carry out audits of approved establishments and unannounced visits are now carried out to cutting plants between audits. Recently, internal audit arrangements have changed so that internal audit of the MHS will now be carried out by the FSA HQ audit team.

25. All vets learn the principles of HACCP in their degree courses and the Official Veterinarian (OV) qualification is a post-graduate modular MSc course that includes testing knowledge to introductory level for HACCP. All Lead Veterinarians (LVs) have an Intermediate Level HACCP qualification and training in assessment of FBO controls for high risk ready to eat product. Novice OV's are assessed by an LV before being permitted to audit food safety management systems. OV's must have training in auditing skills and the MHS Manual of Official Controls (MOC) provides guidance on audit documentation and following up requirements for corrective action.³⁹ The audit process is currently being reviewed. From April 2009 MHS implemented a technical competency framework for staff undertaking official controls. Later this year a HACCP refresher project will deliver training to LVs, OV's and MHIs and provide new MOC guidance on HACCP compliance and enforcement.
26. If in the past a "light touch" approach to HACCP enforcement had been taken where abattoirs or cutting plants were making progress with their HACCP implementation to full compliance, this is no longer the case because the hierarchy of enforcement is now applied. Recent analysis of all FBO audits of the "confidence in FBO food safety management" for slaughterhouses, which includes the operator's application of HACCP-based procedures, showed that 24% were judged to be "weak". The 5% of establishments assessed as "poor" have had a further visit to ensure the relevant enforcement action is being carried out. These assessments do not mean that an FBO cannot operate, but are used with other information to identify a non compliant FBO as a "cause for concern" or requiring "heavy intervention". Industry representatives are currently being consulted on MHS plans for improving compliance or for treating an FBO as a persistently non compliant business and the FSA has begun the review of approval at such premises.

³⁹ <http://www.food.gov.uk/foodindustry/meat/mhservice/mhsmanual2006/>

Approval / Review of Approval

27. The Agency has been working to approve all previously licensed slaughterhouses, cutting plants and game handling establishments against the standards set out in the EU hygiene regulations. Since January 2006, 45 UK establishments have been refused approval of which 11 have ceased operating, 24 have made the required changes, usually with significant capital investment, and have subsequently achieved full or conditional approval, and 10 are appealing against refusal.
28. Once granted, approvals are kept under review and may be withdrawn or suspended if a failure in an FBO's controls is identified and there is a serious deficiency or repeated stoppage of production⁴⁰. Where an operator is able to guarantee that the identified deficiencies will be rectified permanently and within a reasonable time, the Agency may suspend the approval as an alternative to withdrawal. Persistently non-compliant businesses are referred by MHS (or DARD) to the Agency for formal review of their approval. To date, the Agency has used these procedures to withdraw the approval of two establishments⁴¹, of which one is subject to appeal.

Conclusions on Official Controls by MHS

29. The changes to MHS' management structures are complete. MHS senior management are focussed on the issues raised in the Report, particularly in relation to HACCP-based controls, training, enforcement and management controls. The approval/review process has had a significant impact on standards, with operator's having to decide whether to invest or to cease operating.

Further Action

30. MHS will be part of all relevant reviews within the work programme. Where there are no referrals from MHS or DARD the Agency will proactively review the approval of establishments selected on a risk basis.

D) Food Standards Agency's Audit of Local Authorities

31. On the FSA's audit, the Report says: "*The audit found little systemically wrong with Bridgend's team and methods of working. The audit was not designed to examine the techniques of an effective inspection.*"⁴²

⁴⁰ Article 31 of Reg.(EC) No 882/2004

⁴¹ One establishment in Wales and one in England

⁴² *E.coli* Report Summary paragraphs 34 and 35

32. The FSA's audit scheme is implemented on a UK basis, with the Agency in England, Scotland, Wales and Northern Ireland each co-ordinating their own audit programme under the same 'Standard' in the Framework Agreement on Local Authority Food Law Enforcement.⁴³ The Agreement brings together all the obligations on LA food law enforcement services arising from existing legislation and related guidance, and sets out the requirements for the planning, management and effective delivery of those services. It includes timelines for completing each step, from prior notification of audit through to the issue and publication of the final report and LA action plan. The majority of UK audit reports are issued on time – a particular criticism in the Inquiry Report. Exceptionally, report deadlines may be extended by a week or two, for example to allow a local authority more time to respond.
33. No FSA audits have ever been merely "tick-box exercises". Since 2005, we have been revising audit protocols and methodologies to assess LA enforcement practices through more detailed interviews with staff, improved analysis of enforcement records and statistics, and greater on site interrogation of LA enforcement databases. Since 2007, it has been the norm to include at least one 'reality check' in food businesses in each audit to better assess the effectiveness of inspections/checks undertaken by local authorities in practice, including their assessment of HACCP based food safety management systems and their approach to enforcement to deal with non-compliance.
34. Over 380 UK local authorities and Port Health Authorities have been audited since 2001. All individual LA audit reports and audit programme summary reports are available to the public and are published on the FSA website.⁴⁴ Good practice information is also published⁴⁵ and the Agency is working with LACORS on better ways to promote and disseminate good enforcement practice among local authorities.

Monitoring of LA Enforcement Activity

35. This year the Local Authority Enforcement Monitoring System (LAEMS)⁴⁶ will replace the existing system used to report local authority food enforcement activities to the Agency in categories including 'interventions', 'sampling' and 'enforcement'. For the first time, the monitoring data will also include comprehensive details of business

⁴³ <http://www.food.gov.uk/enforcement/enforcework/frameagree/>

⁴⁴ <http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/>

⁴⁵ http://www.food.gov.uk/enforcement/workwithenforcers/goodpractice/frmwrk_agrmnt/

⁴⁶ <http://www.food.gov.uk/enforcement/auditandmonitoring/laems/>

compliance levels. Data for 2008/09 is being collected now for analysis. It will provide more detailed information on food enforcement than has been available before, and this will be reported to the Board in February 2010 and published.

Conclusions on FSA Audit of LAs

36. FSA audit protocols now include more detailed and effective assessments of LA inspection techniques, and 'reality checks' in food businesses. A new monitoring system should provide a more useful tool for overseeing LA food law activity and its impact on food business compliance levels.

Further Action

37. The FSA's audit approach will be revisited again to ensure we are concentrating sufficiently on the way inspections are carried out and their assessment of food business' HACCP-based plans in light of the Report and our commitment to basing our work on outcomes.

E) Cleaning & Use of Biocides

38. The Report states that "*Effective cleaning requires robust procedures and the use of appropriate solutions. In the case of the Outbreak, the former was lacking and there was confusion about the latter.*"⁴⁷ Guidance about cleaning has been produced, particularly linked to the new legislation that has applied since January 2006, such as SFBB, in the guide for veterinary controlled meat establishments⁴⁸; and in a booklet for milk producers on dairy farms⁴⁹.
39. The Health & Safety Executive evaluates and processes applications for approval of active substances permitted for use in biocidal products, including disinfectants,⁵⁰ and will be responsible for the authorisation and registration of biocidal products containing these active substances. Current FSA advice to businesses is to source disinfectants from a reputable supplier who will provide information and technical advice for the intended application.
40. The FSA has worked closely with the relevant sector skills council and in 2008 new national occupational standards for cleaning were approved and apply across the UK. They now include a specific unit on cleaning food areas and one on deep cleaning of

⁴⁷ *E.coli* Report Recommendations Chapter 18 paragraph 18.20

⁴⁸ Meat Industry Guide Cleaning Chapter <http://www.food.gov.uk/multimedia/pdfs/migparttwo.pdf>)

⁴⁹ <http://www.defra.gov.uk/animalhealth/publications/Dairy/GuideSpring06.pdf>

⁵⁰ The Biocidal Products Directive (98/8/EC) and UK Biocidal Products Regulations

equipment and surfaces. As a result, a nationally accredited one day qualification in cleaning in food premises has been available since January 2009.

Conclusions and Further Action on Cleaning & Use of Biocides

41. There has been insufficient progress in relation to guidance on cleaning procedures and products. Given the importance of effective cleaning within food safety management programmes, the FSA will review existing material on cleaning procedures and products and the need for more or clearer guidance, and to hold discussions with chemical and equipment manufacturers about the issue.

F) Food safety aspects of food procurement

42. The Report states that “*Purchasers of foods for susceptible people must ensure their suppliers are delivering safe food.*”⁵¹ Policy responsibility for public sector food procurement is shared among several departments. There has been a great deal of activity in this area, particularly linked to sustainability and support for local businesses. Many guides are currently available⁵² including one produced by the Office of Government Commerce on Food Quality Standards with FSA involvement⁵³. This has some information on food law, including food safety management, assurance schemes and 3rd party accreditation. Would-be purchasers should make use of available reports of the outcomes of official controls at the prospective suppliers’ establishment(s).

Conclusions on Food Procurement

43. There is a danger that food safety may be taken for granted by those responsible for procuring food, rather than being seen as the “*fundamental criterion in the evaluation of tenders for food contracts*”⁵⁴. Under the hygiene legislation they are “*food business operators*”, and are obliged to “*ensure that all stages of production, processing and distribution of food under their control satisfy the relevant requirements*” of the regulation⁵⁵.

Further Action

44. The FSA will produce a single reference document on food safety that can be included or referred to in existing or new guides to public sector food procurement.

⁵¹ *E.coli* Report Conclusions Chapter 17 paragraph 17.17

⁵² <http://www.defra.gov.uk/farm/policy/sustain/procurement/pdf/psfpi-useful.pdf>

⁵³ http://www.ogc.gov.uk/documents/FoodStandards_aw8_Main.pdf

⁵⁴ *E.coli* Report Chapter 18 Recommendations paragraph 18.42

⁵⁵ Reg.(EC) No 852/2004 Article 3

ANNEX 2

(Ref. paragraph 14)

RECOMMENDATIONS OF THE PUBLIC INQUIRY INTO THE OUTBREAK OF *E. COLI* O157 IN SOUTH WALES IN SEPTEMBER 2005

The requirements for food hygiene that were in place at the time of the Outbreak should have been sufficient to prevent it. The recommendations therefore reflect what needs to be improved, tightened up or reinforced.

Food Safety Practice

Recommendation 1: All food businesses must ensure that their systems and procedures are capable of preventing the contamination or cross-contamination of food with *E.coli* O157.

Recommendation 2: Food businesses must get to grips with food safety management based very clearly on the seven key HACCP principles, ensuring it is a core part of the way they run their business.

Recommendation 3: Additional resources should be made available to ensure that all food businesses in Wales understand and use the HACCP approach and have in place an effective, documented, food safety management system which is embedded in working culture and practice.

Recommendation 4: The principles underpinning the Butchers' Licensing Scheme, which was introduced in response to the 1996 *E.coli* O157 outbreak, should guide food hygiene measures in businesses processing raw meat and unwrapped ready-to-eat foods.

Recommendation 5: The Food Standards Agency should review its current guidance and should be proactive in generating new guidance where needs are identified.

Recommendation 6: The Food Standards Agency should remove the confusion that exists among food business operators about what solution(s) should be used to prevent cross-contamination from surfaces and equipment.

Recommendation 7: Regulatory and enforcement bodies should keep the choice of "light touch" enforcement for individual food businesses under constant review.

Food Hygiene Inspections

Recommendation 8: The inspection of HACCP plans must be audit-based.

Recommendation 9: Training provision should be developed to ensure that all officers in Wales who check HACCP and HACCP-based plans, including those responsible for overseeing the work of those officers, have the necessary knowledge and skills.

Recommendation 10: Environmental Health Officers should obtain a copy of a business's HACCP/food safety management plan at each inspection, which should be held on the business's inspection file.

Recommendation 11: A system of logging issues, concerns or potential problems, whether by "red flagging" specific documents or by file notes, should be standard practice.

Recommendation 12: Decisions about confidence in a business's management of food safety should be evidence-based.

Recommendation 13: All inspections, primary and secondary, must be unannounced unless, exceptionally, there are specific and justifiable circumstances or reasons why a pre-arranged visit is necessary.

Recommendation 14: Discussion with employees must be a standard part of food hygiene inspection visits.

Recommendation 15: The Food Standards Agency should develop, as part of its Audit Scheme or as an adjunct to it, a means of assessing how food hygiene inspections are undertaken by local authorities, including assessment of HACCP and HACCP-based plans.

Procurement

Recommendation 16: Businesses contracting for the supply of high-risk foods, such as raw and cooked meats, to public sector organisations must be subject to independent food hygiene audits.

Health & Care Services

*Recommendation 17: All health and care organisations should have an effective means of contacting key personnel during and outside normal working hours and for disseminating important information. - **For health & care organisations (FSA to check own position)***

School and hygiene

*Recommendation 18: Every local authority should have a programme of audits to ensure that all schools have adequate toilet and hand washing facilities. – **For Local Authorities***

Learning Lessons

Recommendation 19: All local authorities in Wales should review their policies, procedures and systems against issues raised by this report.

Recommendation 20: The National Assembly for Wales should consider my recommendations and monitor and report progress on implementation.

Recommendation 21: A substantial review of food hygiene enforcement in Wales should take place approximately five years after the publication of this report.

Recommendation 22: Good practice advice and guidance issued by public bodies should be subject to follow-up and/or more detailed evaluation.

Learning More

*Recommendation 23: Variable Number Tandem Repeat (VNTR) should be validated as a standard method for the typing of *E.coli* O157. **For the Health Protection Agency***

Recommendation 24: The feasibility of identifying “supershedder” cattle on farms should be explored as a potential means of reducing the likelihood of spreading *E.coli* O157 to other cattle.

ANNEX 3

(Ref paragraph 18)

FOOD HYGIENE DELIVERY PROGRAMME

The table on the following page sets out the proposed projects and how they cover the Report recommendations and the Public Inquiry Report themes agreed by the FSA Board, highlighting areas of focus (a-g), which are described in the main paper.

TABLE OF PROPOSED PROJECTS & AREAS OF FOCUS

Key: X – main interest x – some interest

Project No.	Proposed Projects	Public Inquiry Report (PIR) Themes & Recommendations	Areas of Focus:					
			(a) Culture	(b) Science	(c) FBOs	(d) Enforcement	(e) FSA Audit	(f) Legal
PIR 1: IMPROVING OUR UNDERSTANDING OF SCIENCE								
PIR 2: UPTAKE OF HACCP BASED PROCEDURES & GOOD HYGIENE PRACTICE								
1A	Hazard & pathogen reduction (i) E.coli controls on farm (ii) pathogens farm/retail (iii) Consumers	(1) Preventing contamination (24) Research – super-shedding cattle (5) FSA Guides (22) Good practice guides evaluation	X	X	X	x		
1B	GHP: (i) Cleaning/ biocides GHP: (ii) Technology	(5) FSA guide on decontamination /lists? (4) Separation of raw meat /RTE	X	X	X	x		x
1C	Embedding HACCP	(2) Food Safety Management systems (FSMS) (3) Resources to embed FSMS (5) (22) Guides	X	X	X	x		x
1D	Food Safety Culture	(2) (3) Embedding FSMS (9) (14) Competence of Enf Officers	X		X	x		
			X		x	X		
PIR THEME 3 CONSISTENT AND APPROPRIATE RISK BASED ENFORCEMENT								
2A	FBO audit process	(7) Risk-rating of premises (8) Audit of HACCP (10) HACCP Plans (copies) (11) Red flagging (procedure/ records) (12) Confidence in FBO food safety management (trust based on evidence) (13) Unannounced visits/ spot checks (14) Questioning staff			x	X	x	x
PIR THEME 4 KNOWLEDGE, TRAINING AND SKILLS OF ENFORCEMENT OFFICIALS								
2B	Enforcement Officer Training	(9) Competence (HACCP/ assessment) (8) Audit of HACCP (Inquisitorial approach, outcome based) (12) Confidence in management (14) Questioning staff	X	x	x	X	x	x
PIR THEME 5 AUDIT AND MONITORING OF ENFORCEMENT								
2C	FSA Audit	(15) FSA Audit of Local Authorities (19) LAs to review their policies, procedures, systems				X	X	
PIR THEME 6 EVALUATION								
2D	Effectiveness of Enforcement	(21) 5 year review (20) Monitor progress (Programme B'd)	x	x	x	x	x	x
PIR THEME 7 ADEQUACY OF LEGAL POWERS /								
PIR THEME 3 CONSISTENT AND APPROPRIATE RISK BASED ENFORCEMENT								
3A	Use of Current legal powers	(7) Timely & robust enforcement (gap analysis) (5) (22) Guides	X		x	X	x	X
3B	Adequacy of Legal Requirements	(4) Separation of raw meat /RTE	X		X	x		X
PUBLIC SECTOR FOOD PROCUREMENT (g)								
4	Food Procurement	(16) Food contracts (Food safety aspects)						x