

# WARWICKSHIRE FOOD SAMPLING POLICY

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## 2. INTRODUCTION

- 2.1 This county-wide sampling policy has been developed by food authorities in Warwickshire, together with the Health Protection Agency (HPA) laboratory at Coventry. It revises and replaces previous versions and is intended to secure compliance with Food Standards Agency (FSA) requirements and LACORS guidance.
- 2.2 The FSA Code of Practice/Practice Guidance requires food authorities to prepare and publish a **sampling policy** and make it available to businesses and consumers. The policy should detail both the general approach to sampling and the approach in specific situations, such as process monitoring, complaints, inspections etc. The Code also requires food authorities to prepare a **sampling programme** that details more specifically the Authority's intended food sampling priorities. In January 2002 LACORS published its 'Guidance on Food Sampling for Microbiological Examination. This policy has been prepared with the above documents as the main references.
- 2.3 All Officers undertaking 'formal' sampling will be qualified and trained in accordance with the FSA Code of Practice/Practice Guidance. Any officers who do not possess relevant qualifications will only sample on an 'informal' basis.
- 2.4 Definitions:

**Adverse Result:** One which after comparison with relevant microbiological standards/guidelines and discussion with the food examiner may show or indicate that an offence has been committed. **Aseptic techniques:** Handling in a manner that prevents the introduction of microbial contamination.

**Sampling Officer:** An authorised officer properly trained and competent to carry out sampling duties.

**Examine:** Section 28 (2) of the Food Safety Act 1990 defines 'examination' as a microbiological examination and 'examine' should be construed accordingly.

**Food Examiner:** Is defined as a person with appropriate qualification and experience in an appropriate laboratory as detailed in the Food Safety (Sampling and Qualifications) Regulations 1990. A representative of the HPA may be called to act as a witness of fact in a court case to give evidence as to what was done and what happened, and to act as an expert witness for limited purposes i.e. to justify their opinion / interpretation of the test results.

**Formal samples for Food Standards Agency Statistical Returns:** Samples taken in accordance with the appropriate sampling Regulations and submitted to an accredited laboratory on the official list posted on the Food Standards Agency's website, irrespective of whether they would be used for legal action in the event of an adverse result being obtained. The 'formal and informal' terminology currently used by the HPA to describe a sample on receipt at the laboratory is irrelevant for the purposes of statistical sampling returns to the Food Standards Agency. Such samples are identified as official samples for statistical returns made to the EU.

**Sample:** A portion of the whole from which it was taken.

### **3.0 RATIONALE AND SCOPE OF FOOD SAMPLING**

3.1 The main aims and objectives of food sampling in Warwickshire are to:

- § Assess the microbiological quality of food manufactured, distributed or retailed in an authority's area.
- § Protect the consumer through the enforcement of food legislation and the encouragement of fair trading;
- § Address both local and national food safety concerns
- § Identify foods that could pose a hazard to the consumer because they may contain significant levels of pathogenic bacteria and/or associated toxins;
- § Identify any contraventions of food safety legislation, e.g. Food Safety Act 1990 Section 8 (food which is unfit or food which is 'so contaminated') or Section 14 (food 'not of the quality');

- š` Help evaluate temperature control, food handling and processing practices at food premises in relation to hazard analysis (and where relevant HACCP) requirements;
- š` Assist in the investigation of food complaints or food poisoning incidents to determine any contravention of food safety legislation.
- š` Help determine whether advice or enforcement action would be appropriate where it is suspected that poor practices and procedures exist;
- š` Act as an educative tool for giving advice and guidance, if appropriate, on food hygiene matters to food businesses

- 3.2 Consequently, food authorities in Warwickshire will sample food for the following purposes:
- Surveillance** e.g. in association with local, national and international sampling programmes and initiatives
- Verification** e.g. to verify matters noted during inspections of good or poor practices
- Compliance** e.g. to ensure compliance with product specific legislation
- Investigative** e.g. following an outbreak of food poisoning

- 3.3 This sampling policy will define the co-ordinated approach to the first of these, surveillance. Each food authority should also prepare the details of it's specific approach on sampling policy with respect to the other three criteria listed above. The sampling programme referred to in this policy is that established on a county-wide basis for the purposes of surveillance. Each food authority may also prepare it's own sampling programme which, although based to a large extent on the co-ordinated sampling programme, may also include other aspects of sampling activity, including environmental swabbing.

#### 4.0 **WARWICKSHIRE FOOD SAMPLING LIAISON GROUP**

- 4.1 The terms of reference of the Warwickshire Food Sampling Liaison Group (WFSLG), first established in November 1988, are to:
- i) on an annual basis, put forward proposals to the Warwickshire Food Liaison Group for foods considered to be appropriate for sampling as part of a co-ordinated county-wide programme,
  - ii) make reference to any available national guidelines for the microbiological quality of foods, as part of the process of assessing food quality and safety,
  - iii) support an information network for the co-ordination of food sampling activity, and the collation, dissemination and publicising of results. The Group will be responsible for maintaining a database of all samples taken, capable of being analysed for trends etc.
  - iv) report back to the Warwickshire Food Liaison Group on sampling activity and the results obtained.

- v) produce an annual report. The outgoing Chair of the Group for the year in question will be responsible for the drafting, circulation and final production of the report.
  - vi) where warranted by significant results, the Sampling Group may wish to produce interim reports, detailing any press releases or other outcomes.
- 4.2 The WFSLG comprises representatives of all food authorities in Warwickshire (i.e. the 5 districts and the county) and a representative of the HPA at Coventry. The Group meets at least on a six monthly basis, and is chaired and minuted by Officers in rotation. Copies of the minutes are forwarded to the secretary of the WFLG.

## 5.0 **ANNUAL SAMPLING PROGRAMME**

### 5.1 **Preparation/consultation/confirmation**

- 5.1.1 In general, the focus of the annual sampling programme will be the routine monitoring of high risk ready-to-eat foods at the point of sale. The annual food sampling programme will comprise monthly components, made up primarily of the following:

- ## Suggestions from WFSLG members. These suggestions will be informed, for example, by reference to nationally-identified concerns about particular foodstuffs or particular food pathogens, or poor results from previous sampling in the county. These will usually comprise the majority of the monthly projects chosen.
- ## Programmed voluntary co-ordinated sampling programmes organised by LACORS/HPA, of which there are usually 2 per year.
- ## Reactive/responsive sampling subsequent to national concerns identified by the FSA.

- 5.1.2 The draft sampling programme will be prepared in a standard format (Appendix 1) by the WFSLG no later than the end of February for commencement in April. It will be submitted to the WFLG for discussion and confirmation as necessary before the end of March.

### 5.2 **Carrying out the programme**

- 5.2.1 Local authorities should each aim to submit a minimum of 10 samples for examination monthly. However, variations in numbers submitted may occur due to local availability of the food to be sampled. The total number of submitted samples may also vary due to the necessary re-sampling for previous unsatisfactory or unacceptable results.
- 5.2.2 All samples taken as part of the monthly co-ordinated sampling programme will be taken initially as an 'informal' sample, except in circumstances where the sampling protocol demands a formal sample – this may arise for national LACORS or FSA surveys.

5.2.3 Samples which may result in formal action (as part of follow up action, for example), should be obtained in accordance with the procedures set out in the FSA Code of Practice/Practice Guidance.

5.2.4 Every month each authority shall carry out its contribution to the co-ordinated food sampling programme in accordance with its own food sampling protocol/Standard Operating Procedure (SOP), or that prescribed by LACORS/FSA. At least 100g of the sample food should be obtained, purchased as the consumer would receive it. All samples will be maintained throughout storage and transportation in conditions that minimise microbial change, in particular unfrozen non-ambient stable samples should be maintained at, or brought towards, a temperature of 5<sup>0</sup>C or below. Samples should be submitted to the HPA laboratory at Coventry within four hours and the temperature on receipt at the laboratory should be recorded.

5.2.2 Each food item shall be accompanied by a completed copy of the form 'Request for Microbiological Examination of Food' (HPA Midlands).

### 5.3 **Follow Up Action**

5.3.1 The HPA laboratory will report the results of the examination in a standard format to the authority submitting the sample. On receipt, the results should be compared to guidance levels found in 'Guidelines for the Microbiological Quality of Some Ready to Eat Foods Sampled at Point of Sale' (**Communicable Disease and Public Health**, 2000) or other specifically agreed standard (e.g. water, dairy). Appropriate follow up action should then be taken by the authority, in accordance with their relevant SOP.

5.3.2 An Officer who has taken a follow up sample for examination and who has evidence that an alleged offence has been committed should refer to, and implement, any relevant provisions of FSA Code of Practice/Practice Guidance and the Home Authority Principle. Except in the case of imported food, the Officer should also notify the manufacturer of the food, if known, giving details of the alleged offence and of the circumstances in which the sample was taken. If the alleged offence is thought to be related to the manufacturer, the company should be informed immediately by the fastest possible means (e.g. fax or telephone, subsequently confirmed in writing). In the case of imported food, the importer, or their agent, may be notified. Any person who has been so notified is entitled on request to a copy of the certificate of examination, as is the owner of the food.

### 5.4 **Collating the data**

5.4.1 The results for all the samples for each month will be forwarded to the nominated Officer responsible for collating the results for Warwickshire for the year in question using the proforma in Appendix 2. All results will be entered in a spreadsheet (format given in Appendix 3) so as to facilitate data interrogation, trend analysis and the provision of information for the Annual Report on Food Sampling in Warwickshire.

5.4.2 The nominated collating Officer will forward, on an approximately quarterly basis, a copy of the current spreadsheet to the Secretary of the WFLG as an update on the progress of the food sampling programme. This will include details of outcomes e.g. resampling, county guidance notes, press releases etc, or indicate if there were any significant problems or issues arising. As regards press releases, the WFSLG will draft the press release and circulate it by email to the members of the WFLG for comments within five days. The subsequent issue of the press release will be co-ordinated by members of the WFSLG.

## 5.5 **Annual Report**

5.5.1 The WFSLG will prepare, by the end of May every year, a report on the group's activities and performance in relation to the Warwickshire Food Sampling Programme for the previous year. This Annual Report will provide summary details of all the results obtained from routine surveillance within the county and any specific outputs from the year's work. It will be accompanied by any press release which has been agreed which will further promote the important role food sampling plays in protecting the health of consumers.

5.5.2 All authorities will disseminate and publicise the report in their respective areas.

## 6.0 **CONSULTATION AND REVIEW**

6.1 The food sampling policy will be subject to periodic review, in the light of changing technology or regional/national initiatives or developing areas of concern. As part of the review process there may be consultation with interested parties such as food businesses, local food trade associations/groups and consumer groups/members of the public.



**DRAFT SAMPLING PROGRAMME FOR PERIOD: April [Year] to March [Year]**

MONTH	ITEM	REASON FOR SAMPLING	MICROBIOLOGICAL STANDARD	FOLLOW-UP ACTIVITY	LEAD OFFICER (If applicable)	COMMENTS
APR						
MAY						
JUN						
JUL						
AUG						
SEP						
OCT						
NOV						
DEC						
JAN						
FEB						
MAR						

**Possible Reasons for Sampling:** 1. Identified/potential problem 2. Poor previous results 3. Interval since last sampling 4. Other

**Possible Follow-up Activities:** 1. Revisit/resample and advise as necessary 2. Business Guidance Note 3. Press Release 4. Other



WARWICKSHIRE CO-ORDINATED FOOD SAMPLING PROGRAMME (YEAR : \_\_\_\_\_ )

MONTHLY DATA COLLATION SHEET

**ITEM SAMPLED:**

	No. of Samples Taken	Satisfactory		Acceptable		Unsatisfactory		Unacceptable	
		No.	%	No.	%	No.	%	No.	%
North Warwickshire									
Nuneaton									
Rugby									
Stratford-u-Avon									
Warwick									
<b>TOTAL</b>									