



MINUTES OF LONDON FOOD CO-ORDINATING GROUP MEETING

Wednesday 4th February 2009 at 10.00 am

CIEH, Chadwick Court, 15 Hatfields, London, SE1 8DJ

Present			
Rick Mason	(RM)	LB Barnet	Chair
Peter Scott	(PS)	LB Havering	Vice-Chair / For NE Sector
Chris Carabine	(CJC)	LB Barnet	For NW Sector
Krishna Pathak	(KP)	HPA	
Mina Mistry	(MM)	HPA	
Duncan Arthur	(DA)	Eurofins	Public Analyst
David Lock	(DL)	LACORS	
Tay Potier	(TP)	CIEH	London Region Policy Officer
Carole Zelenka	(CZ)	LB Greenwich	For SE Sector
Peter Kemp	(PK)		Minute Taker

1. Apologies for absence / Introductions

Apologies were received from John Barnes (FSA) and Helen Clark (LB Wandsworth – For SW Sector).

RM thanked PS for the work he had done in organising and chairing the meetings of the LFCG during his absence.

Changes to the order of agenda items to be considered at today's meeting were agreed.

2. Minutes of the Meeting held 10th December 2008

On Matters of Accuracy, Matters Arising & Action Points not covered elsewhere on the Agenda

Page 2 (Item 4) – DL asked for clarification on the remarks made by JB (FSA) where he confirmed that inspections of a newly registered premises should be carried out within 28 days of the authority receiving the food registration application form. In some authorities this had been interpreted as 28 days from the date newly registered premises had been added to the inspection programme.

PS said that JB had indicated that local authorities should not have premises operating in their areas that had not been looked at. DL asked how this matter had been left and PS replied that it was likely to be clarified in further revisions required to the Code of Practice in connection with the introduction of the national Scores on the Doors (SotD) scheme. PS added that he believed that when a new premises was added to a database it ought to be inspected within 28 days particularly if it was likely to be high risk.

CJC pointed out that newly registered premises do not have a “due date” and he questioned which “date” should be used. PS thought that this date should be calculated from, for example, the date the premises were added to the database. RM said that in his previous experience such premises were included in the following years inspection programme and not added to a current programme.

TP thought that the lack of clarity across London on how newly registered premises were dealt with probably indicated a similar position across the country.

The meeting then discussed annual targets as opposed to three-year targets and PS reinforced the importance for local authorities in ensuring their reports using the Local Authority Enforcement Monitoring System (LAEMS) currently being rolled out were correct.

DL suggested that some of the issues that had been raised could be highlighted on the LACORS website with links to appropriate references for further guidance.

Page 3 (Item 4) – Paragraph 3, penultimate line. Correction years in brackets should read (2008 – 09).

Page 4 (Item 5a) – PK informed the meeting that he had received an email from Helen Clark (HC – LB Wandsworth) with some further information concerning the LFCG / CASH Salt Levels in Pub Meals Project. This was that Jeremy Wooten (Eurofins) had agreed a reduced examination rate of £125 per sample taken in connection with this project. RM reported that HC had also emailed him. There had been some interest from the London Boroughs generally particularly in the South-East Sector. LB's of Bromley and Tower Hamlets had indicated that they would not be participating and four authorities had yet to reply.

All To Note

3. Updates from the Sectors NW / NE / SW / SE

- **NW Sector** – CJC reported that the last meeting of the Sector had taken place a couple of weeks ago. The LB Hammersmith and Fulham had been welcomed as a new member of this sector. Sampling issues were discussed and the results of LACORS deliberation on what could be achieved. The Sector had agreed to participate in the entire LACORS programme and also undertake their own project on allergens looking in particular at the nut content in meals served in Chinese, Indian and Thai restaurants. The project will target specific types of nuts in each particular cuisine. Food business operators will be asked to declare if their dishes are nut free and then these will be sampled formally.

The meeting discussed the legal position if a declaration was subsequently found to be false, had an offence been committed? PS cited a case he had dealt with where a product was purchased that was allegedly nut-free but which subsequently caused a severe allergic reaction in the consumer.

CJC thought it was up to the Courts to decide if the manufacturer / supplier could plead a due diligence defence. He was also concerned that the public may not be aware of the proper questions to ask to discover if a product was nut-free. RM thought it would be useful to identify a contact point to find out what specific questions should be asked and in this respect TP mentioned that an organisation "Allergy Action" might be able to assist. TP thought that when taking samples, it was important to obtain confirmation that the item supplied was the nut-free example that had been requested.

TP said that current indicators suggested that despite the economic situation, lower income families were in fact eating out more as this could be a cheaper option than purchasing food from a supermarket

In concluding his report, CJC said that the Sector meeting had also generally discussed counterfeit foods, including continuing problems with counterfeit vodka, the FSA Board decision to adopt the "five-star" SotD scheme, and working with Transparency Data. The Sector authorities were totally opposed to rescoring premises on revisits.

CZ to circulate a recent dissertation written by a student EHO on allergen awareness in food premises

TP to circulate information concerning the increase in eating out in restaurants etc noted in lower-income families

- **NE Sector** – PS said the Sector at its next meeting would be discussing the FSA's guidance on the registration of food premises. The work plan was also to be set and Nigel Whiteley had been asked to deliver his Approvals training. The Sector had questioned the effectiveness of official controls that did not allow a scoreable intervention. It was suggested that the last score should be used. PS reported that most authorities in the NE Sector currently didn't have the capacity to employ the other interventions due to the pressure of work in inspecting Cat A, B and Non-compliant "C" premises. CJC confirmed that this situation was also being found in the NW Sector as well.

The meeting thought that the roll-out of SotD would likely throw up a number of issues relating to resources that will need to be addressed and concern was expressed that the impact of the recession might result in food business operators cutting back on important aids to operating safely such as pest control, maintenance and repairs.

The LB Waltham Forest currently had the BBC filming in their area for a new "Dishing the Dirt" series.

Mention was also made of a recent food hygiene prosecution taken by the LB Islington where Magistrates only imposed a fine totalling £400 for four serious offences. It was suggested that perhaps prior to the Olympics the LFCG could draft a leaflet for Magistrates on food law so they could be better informed when such cases came before them.

The problems in getting Emergency Prohibition Notices raised at previous meetings of the LFCG were mentioned and that the offer of funding from the FSA to LB Tower Hamlets to enable them to pursue a particular case had been declined.

DL asked if anybody had heard of a publication entitled “Guiding Light” which he believed was circulated to Magistrates? He thought that this might be used to publicise food hygiene and food safety issues.

In discussing enforcement matters, PS asked DL if LACORS might be able to approach the FSA and support the introduction of a Food Standards Improvement Notice. DL replied that LACORS had raised this matter with the FSA and there had been some interest. He thought this was definitely worth pursuing and it would be very useful if we could cite a number of good concrete examples where such a notice would have been advantageous.

It was known that Trading Standards Officers (TSO’s) tended to prosecute on serious food standards matters immediately and possibly would not find the need for a notice procedure but we might be able to sell the idea via the Local Better Regulation Office (LBRO) as it could be a route to reducing bureaucracy.

DL to make further enquiries on the Guiding Light publication circulated to Magistrates

- **SW Sector** – Report deferred. Apologies tendered by HC who was unable to attend this meeting.
- **SE Sector** – CZ said that at the last Sector meeting, SotD had been discussed and the objections to rescoring had been expressed. Feedback from the recently completed auditing exercise had been requested and RM said that the first session did involve feedback to individual local authorities. The second session had been delayed by work required in connection with SotD but this had now been arranged for 30th April and the next Implementation Group would be on 13th February. The Sector had suggested further consistency training and RM replied that this had been promised by the FSA and that he now had a list of probably 70 officers who had requested this. He had hoped that this training would have been included in the FSA’s next programme of free training for LA officers but he was not certain if this would be going ahead.

TP thought that this training might be funded from the existing budget available to the LFCG and she could approach Andy Bowles to organise a suitable course. She also informed the meeting that the FSA had now agreed that agency staff working on local authority contracts could attend their free enforcement officer courses.

CZ said that the sector was considering undertaking one sector sampling project in the coming year and that this may focus on sushi bars as these appeared to be increasing in number. The FSA had agreed to produce some basic guidance on dealing with this type of premises but this had still not been produced. CZ concluded her report by saying that Nigel Whiteley would be delivering his Approvals training course to the Sector during March and there may be an opportunity for authorities from the other Sectors to attend. LB Bexley would be hosting a training course covering labelling on 23rd March.

TP to speak with Andy Bowles about organising a consistency training course

4. CIEH Update

TP spoke to this item and commenced by saying that a Healthy Eating Workshop had recently been held at Chadwick Court.

This was a national event with 70 attendees including representatives from LACORS and TSO's. A variety of healthy eating awards were currently being promoted by Scotland and Wales and other were being funded by PCT's. The FSA had attended the event but had indicated that at present they thought they would be unable to fund any similar awards for England. TP said the LB Tower Hamlets were launching their own scheme with their local PCT within a Fast Food and Schools project

It was agreed that the CIEH and LACORS would lobby the FSA for guidelines as to what was considered as "healthy eating". DL said that further information on healthy eating initiatives including details of the Welsh scheme and a Q and A section had been posted on the LACORS website. The Welsh scheme had a lot going for it with a tiered approach and good guidance. He thought that focussed lobbying of, for example the Department of Health, might help promote such schemes.

RM said that at the very first meeting of the Olympics Group, the FSA had asked that it begin working on a healthy eating strategy.

DL was surprised that over the country a number of authorities were working on separate but similar healthy eating award schemes and he said that LACORS would be prepared to produce some guidelines. He asked whether the meeting thought a rigid award scheme or something more flexible would be required. RM believed that there was more scope for some degree of flexibility with this type of award scheme than others but this might prompt criticism from the multi-nationals that everybody was doing something different.

TP said she was not aware of the number of schemes that might be developed but she did not think that it would be that many. PS pointed out that one of the obstacles to partnerships in developing such schemes was that PCT boundaries did not coincide with those of local authorities. TP suggested we needed to find out what work was currently going on in London.

DL asked if there was a strategic PCT body that could be encouraged to draw all these issues together. Was it possible for something to be incorporated within SF-BB? The meeting agreed that the implementation of SF-BB had been variable so this might not be the best vehicle for an award scheme, however PS thought that something linked to SotD would have a greater impact.

TP said that in working up the details of any award scheme you needed to have a good plan of what you wanted to achieve and use this information to try and attract funding. She said she would look closely at the current Welsh scheme including the costs involved.

PS said that once a scheme was developed, LA's could join up and contribute as they saw fit. If there was enough interest it might be possible to adopt the Welsh scheme.

TP mentioned that in connection with healthy eating generally, a number of LA's were looking at fast food and its relationship to schools and this was an area of research that could be expanded. She referred to the current LB Tower Hamlets project and that LB Waltham Forest was controlling the proliferation of fast food outlets near schools by means of planning controls. A future London Local Authorities Bill might be used to control the growth of fast food outlets.

TP said that she was organising a Food Champions event with Richard Block (Westminster CC) which will be held on 27th March at Chadwick Court. It would include input relating to other projects outside the Food Champions award scheme.

All To Note

Sector Co-ordinators to investigate what healthy eating award schemes their sector authorities may be developing (if any) with a view to drafting suitable guidelines

Sector Co-ordinators to discuss this issue at their respective Sector Meetings and ask their sector authorities what would encourage them to participate in a healthy eating award scheme.

DL to forward information on the Welsh scheme to TP who will draft a note to be circulated to the Sectors (in connection with the previous AP's above)

5. FSA Update

Deferred – No FSA representative was able to attend the meeting.

CZ informed the meeting that ALEHM had written to the FSA concerning the roll out of the FSA's regional organisation but she thought that so far no reply had been received.

The importance of FSA representation at meetings of the LFCG was discussed and it was agreed that Sarah Appleby, Head of Profession – Environmental Health at the FSA should be asked to attend or to nominate a FSA representative to attend in her place

RM to write to the FSA regarding FSA representation at meetings of the LFCG

6. Sampling 2009/10 bacteriological / compositional

RM welcomed Krishna Pathak (KP) and Mina Mistry (MM) representing the HPA to the meeting of the LFCG and introduced this item and said that previously in deciding what projects to undertake, the national programme had been reviewed and one compositional project and one bacteriological project had been chosen to be undertaken by London authorities. He had also asked for suggestions in the past and had done so again this year. PS added that last year we had also written in a provision to incorporate emerging issues identified during the year by the HPA and funding was reserved to resource any project that might need to be included.

CJC said the Sectors want to know what they will be expected to do although he thought that they were not opposed to making provision for unexpected problems that might arise with particular foods where additional work might need to be carried out. CJC added that a sampling project had been suggested to the HPA but this had been rejected.

MM informed the meeting that the LACORS / HPA sampling projects for 2009 / 2010 had been agreed and were:

- Butchers Shops (Samples and Swabs) - April to June
- Large Scale Events - July to September
- Markets etc operating at weekends - To test the laboratory's response to out of hours incidents
- Pre-packed Sandwiches (Institutions and Retail) - October to March

PS thought it might also be useful to look at foods displayed and offered for sale in markets that ought to be refrigerated but were not.

DL said that the LACORS Food Standards projects were:

Nutritional Standards in Nurseries
Salt, Sugar and Fat content of Foods
Minced Beef

CZ asked if there was a possibility to link the projects together, for example, Salt, Sugar and Fat content of Pre-packed Sandwiches. The meeting discussed a number of areas which might be suitable as the basis of future projects linked to the current recession.

DA said that current problem areas he was investigating involved contamination of food and the presence of mycotoxins in foods such as Palm Sugar, Thai rice, Basmati rice and Thai Fragrant rice.

TP mentioned again the LB Tower Hamlets fast foods / schools project and offered to forward to the Sector Co-ordinators information on exactly what the samples taken were examined for and CZ spoke to the meeting about the project LB Greenwich had planned to conduct, resources permitting, investigating fast food being purchased by school pupils and its poor nutritional value. CZ thought that perhaps the results from this project could be linked into future sampling projects and it would be useful to incorporate a microbiological element into any future survey.

MM mentioned that the FSA had suggested that investigating the presence of Listeria in cooked chicken and she also asked if the Sectors would undertake a project looking at end of shelf life again, targeted towards smaller retail shops or the “reduced” shelves in larger retailers in view of the current recession. MM also suggested smoked fish and / or cream cakes as alternative sampling topics.

PS thought that mail order foods was an area that had not been fully investigated but he acknowledged that there were problems in being able to purchase the food items to be samples. Counterfeit vodka was still a potentially serious problem and an on-going project would keep the pressure on.

DL asked if the LFCG had ever approached business and asked them what areas gave the greatest concern. He believed it worthwhile to inviting reputable businesses to voice their opinion.

All To Note

Agreed additional sampling project to be undertaken will be:

First-half of the year – the nutritional content of take-away foods (with microbiological examination as well)

Second-half of the year – Vodka from retailers

TP to circulate further information to Sector Co-ordinators on the LB Tower Hamlets / PCT Schools project

7. HPA Update

KP spoke to this item and introduced MM. KP informed the meeting of the current progress in the national reorganisation of the FEW laboratory services and said that saving realised from reducing the number of FEW laboratories would be re-invested in the service to improve transport and develop better analytical techniques.

Concerning transport, KP confirmed that the contract had been awarded to Royal Mail / Parcellforce.

They have previously undertaken this work and the initial contract would be for one year and subject to review. A meeting with Royal Mail is due to take place next week. Cool boxes and data loggers will be supplied under the terms of the contract and parcel post drop off points will be identified.

MM then continued and said that training days had been set aside for May, June, September and October and she invited topic areas for training to be suggested. Sampling and outbreak management had already been identified as subjects to be covered and this also included the management of Nora virus outbreaks.

CJC asked about progress with the Ready To Eat Guide and suggested that when ready it be given widespread publicity via a launch event. MM replied that the consultation process was due to close soon. It was proposed that publication would take place in June.

Turning to information on outbreaks, MM said that since April 2008 26 outbreaks had been investigated. A significant number have been large outbreaks involving Nora virus and imported food issues particularly in the SE and NE Sectors. Listeria problems had been identified in a number of food factories as well.

The number of outbreaks investigated by Sector were:

South – East	4
South – West	5
North – West	6
North – East	11

All To Note

Sector Co-ordinators to canvass Sector authorities on possible topics to be covered on the HPA's allocated training days

Current training opportunities being offered by the HPA to be circulated. Training offered by the HPA in connection with the MSc courses they run can be extended to any EHO's who might be interested

8. Public Analyst (Eurofins) Update

DA reported on the UK Food Surveillance System (FSS) which is currently being piloted by one authority (Port Health – City of London Corporation). A number of problems have been encountered which are being worked on.

Details of the training in connection with the survey protocols will be emailed next week. Food Standards for London was of particular interest.

DA spoke next on the FSA imported food sampling bid. Historically a bid on behalf of all the London Boroughs has been submitted in the past but he was in two minds how to approach the bid process this year. This year individual authorities have to submit their own bids but the applications are relatively simple to complete.

He thought that if it was indicated that the results of any proposed projects would be submitted using the FSS system the bid might be given priority. He thought that the admin costs involved in doing this could be included within the bid and that might also encourage authorities to participate. The deadline date for the submission of bids was 23rd February.

CJC remarked that the on-off costs of becoming familiar with the FSS system have to be considered

All To Note

Sector Authorities to be canvassed for interest in submitting individual FSA imported food sampling bids that will utilise the FSS system and the additional funding that might be available to cover the administration costs

11. Olympics (Sharon Smith)

This agenda item taken next. Sharon Smith (SS) Special Projects (CIEH) joined the meeting via a conference telephone link.

SS said that her initial meeting looking at the food safety issues connected with the 2012 Olympics had concentrated on London's capacity and capability to handle the scale of the work involved. Risk Assessments had been drafted covering a number of key issues that will need to be addressed.

One particular potential problem area identified was mobile food vendors operating outside of the main Olympic Park. Food activities within the Park will be tightly controlled via the contract process and the stakeholder groups, ODA, LOCOG, etc.

SS suggested that the LFCG should concentrate their efforts on what is likely to go on outside the Park and other venues and LOCOG have shown some interest in supporting food safety work here but have not so far said how this would be done.

SS thought of two areas of work she considered high risk that needed to be worked on right now Mobile vendors – Richard Block (Westminster CC) might lead on this as his authority had many years experience in tackling these unauthorised traders. Bringing existing premises up to "Broadly Compliant" standard. SS thought the LFCG could take the lead here

SS suggested that the LFCG might wish to consider creating two sub-groups, one to deal with mobile vendors and the other to devise a management strategy. SS said that there was a need to get these established and up and running promptly, working up protocols, management systems and producing guidance that might benefit local authorities outside London.

In opening up the item for discussion, PS said that we needed to ascertain the level of interest across the sectors and determine the time scales involved. SS replied that the groups should be set up this year and the protocols produced for mobile vendors with a view to testing them in the field in 2010. She believed that participation should be extended across the whole of London taking on-board as many local authorities as possible and becoming more focused at the Olympics approached.

PS thought the strategy for non-compliance should be based on SotD and hopefully, with the national scheme in place by then what should be happening already unless a zero tolerance approach is called for. He believed that many authorities were already considering the coming

“Olympics Year” and developing community events. SS said that community events were already being incorporated within the strategies being developed.

CZ said that one of the things that would be apparent was that mobile vendors will be attracted to the area from all areas with many from outside London. CJC added that this would include criminal elements and in response SS wondered if the issue then required the CIEH to lead.

SS said that the question she was asking was did the LFCG wish to take on the lead for mobile vendors and RM replied that he thought it should. SS added that the system developed for London for dealing with them could be translated for the rest of the country

DL offered to raise this matter at the next meeting of the Food Hygiene Focus Group on the 24th February.

It was agreed that the LFCG should take the lead on mobile vendors and RM said he would approach Richard Block or ask him to identify a WCC nominee to chair the Sub-group. One member of the LFCG should attend the meetings as necessary.

It was suggested that the sub-group should have five members (similar to the original SotD group). These need not necessarily be EHO's but ought to be persons who could influence management strategy although SS suggested that this aspect was better approached via ALEHM.

SS said that another area that needed to be addressed was the development of a compliance strategy for the group looking at community events and hospitality, specifically Bed and Breakfast premises. Protocols, a strategy for compliance audits and information packs for circulation needed to be produced.

Progress depended to some extent on what LOCOG would be doing then the focus would concentrate more on the venues, healthy eating initiatives, emergency planning and the testing of the protocols due to take place in 2011.

SS said she was looking at capacity issues with the FSA and she would welcome LFCG input. As the CIEH representative, she would be leading a separate group to specifically investigate capacity issues and the impact of the Olympics on the maintenance of normal day to day local authority services.

PS thought it important that those authorities not directly involved were kept informed of what was happening and SS said that a series of “brain-storming” sessions had been arranged with the first to be held on 12th March. The CIEH would be taking a very active role in ensuring that information was widely disseminated.

RM thanked SS for her contribution to the meeting

All To Note

Agreed – LFCG to lead on Mobile Vendors

RM will approach Richard Block or WCC nominee to Chair the Mobile Vendors Sub-group

One member of the LFCG to attend meetings as necessary

RM to draft and circulate a Briefing Note on current Olympic issues and to canvass interest among the LFCG authorities.

DL to forward protocols in connection with the HPA/LACORS Large Scale Events project to SS when these are available

9. LACORS Update

DL spoke to this item and mentioned two FSA groups dealing with Low-cost training and Qualifications. He had posted information concerning these on the LACORS website and he asked Sectors to let him know of any issues surrounding these two subject areas and he will feed them back to the respective groups.

DL said he had responded to a number of consultation documents that had been issued. These included "Fitness for Work" and the Control of Diseases Act 1984 where various changes in the law were being proposed.

The next meeting of the Food Hygiene Focus Group was due to be held on 24th February. Any items for the agenda should be notified to him by 12th February.

DL mentioned a couple of areas for improvement. Some updating of the LACORS website is to be carried out to improve accessibility and to introduce better internal links. DL also spoke about the opportunity to share good practice via the specific area for this on the website. Individual submissions from authorities will now be accepted, for example, Hull Council has produced a video on their work.

DL asked if the LFCG or the London Boroughs maintained a list of "experts" in food matters and he was informed that as such no "list" or register was maintained.

DL said he had previously mentioned the Councillors Handbook which described the role and work of LACORS. A survey of Members and Senior Officers was currently being undertaken to ascertain if they had ever seen this. The result would be used to improve the publication.

All To Note

DL to email the Sector Authorities and confirm the matters he had raised

10. Scores on Doors (Rick Mason)

RM said that he was delighted at the result and at the decision made by the FSA Board at its meeting on the 10th December 2008. He still had not officially been asked to sit on the proposed FSA SotD Steering Group but he had been invited to a meeting of a special FSA panel on the 10th February and to give a 15 minute presentation on the London pilot. DL will also be attending this meeting as have representatives from a number of other local authorities that piloted similar schemes.

RM said that in his presentation he will explain how the London pilot was marked and branded and that this work already carried out could now be used to roll out the national scheme.

LB Bexley was said to be now interested in joining the London pilot but RM said that he had received no response so far to the information he had sent them.

DL said that he understood that the FSA would be writing to all local authorities shortly explaining what would be happening in connection with the decisions made concerning a national SotD scheme

All To Note

12. Any Other Business

There being no other business the LFCG meeting closed at 14.14 hrs

The date of the next meeting of the LFCG will be Tuesday 31st March 2009. This will again be held at the CIEH's Chadwick Court offices, 15 Hatfields, London SE1 4DJ commencing at 10.00 hrs.