

Minutes of Meeting held on 4 November 2009
 City of London offices, Walbrook Wharf, EC4

| Food authority | Officer attending | Sent apologies |
|-----------------------|----------------------------------|-----------------------|
| Meat Hygiene Service | Lawson Wood | |
| Food Standards Agency | Joaquim Ferre | |
| City of London | Mike Seton | |
| Barking & Dagenham | Glen Mark | |
| City of London | James Smith | |
| Croydon | Brian Griffiths | |
| Enfield | Rob Bartlett | |
| Greenwich | Eunan Baird | |
| Hackney | Nigel Whiteley (Chair & Minutes) | |
| Haringey | | Simon Thomas |
| Havering | Andy Bourlet | |
| Hounslow | | Juliet Isitt |
| Islington | | Carole Milligan |
| Kensington & Chelsea | Matthew Morris | |
| Kingston | | Keith Fowler |
| Lambeth | Carol Stewart-Williams | |
| Lewisham | Nigel Watson | |
| Merton | Pip Barnes (PB) | |
| Newham | Matthew Collins | |
| Redbridge | Henry Katsande | |
| Sutton | | Jenny Winslet |
| Tower Hamlets | | Ben Milligan |
| " | Eleni Vasilopoulou | |
| Waltham Forest | Pip Broad (PBr) | |
| Wandsworth | Peter Reddell | |
| Westminster | Laura Parrott | |
| Chelmsford B C | Roy Perry | |
| Tendring D C | | Diane Thorpe |

Items:

- 1 - Liaison meeting with Veterinary Officers on dealing with meat establishments subject to approval
 - 1.1 - The Veterinary Officers
 - 1.2 - The approval of catering butchers' establishments by the FSA as meat cutting plants
 - 1.3 - The standards for Conditional Approval used by VMHAs
 - 1.4 - Smithfield Market and its approved meat cutting plants
 - 1.5 - Vans delivering meat from Smithfield Market
 - 1.6 - Miscellaneous questions from food officers about meat establishments subject to approval
- 2 - Approvals Group's web-page
- 3 - Approvals Group meeting on 3 September - matters arising
- 4 - Questionnaires on food hygiene for food handlers in various languages
- 5 - Training on the Approval of food establishments - update

1 - Liaison meeting with Veterinary Officers on dealing with meat establishments subject to approval

1.1 - The Veterinary Officers

The three Veterinary Officers who came were:

- Lawson Wood, Meat Hygiene Service (MHS), Lead Veterinarian, who manages the VMHAs and the Veterinary Officers. lawson.wood@mhs.gov.uk
- Mike Seton, City of London, Veterinary Officer, responsible for Smithfield Market. michael.seton@cityoflondon.gov.uk
- Mr Joaquim Ferre, the Veterinary Meat Hygiene Advisor (VMHA) who is now responsible for approval visits within the M25. Joaquim.Ferre@foodstandards.gsi.gov.uk

NW introduced LW, MS & JF, and thanked them for taking the initiative to hold a second liaison meeting.

The first liaison meeting

NW said that our first liaison meeting with Veterinary Officers was on 19 November last year, when Lawson Wood and Charlie MacLean (VMHA) gave us a useful presentation and answered many of our questions. (Their presentation and the minutes of that meeting are now on our group's web-page). LW was keen to liaise with us on how to deal with meat cutting plants subject to approval, etc, and to continue this dialogue.

NW said that the two surprises for many of the food officers present last year were to learn that:

- i – for the enforcement of food hygiene, we are responsible for meat establishments until the FSA has approved them.
- ii – for Conditional Approval, VMHAs focus more on structure and equipment, whereas food officers focus more on the HACCP procedures.

1.2 - The approval of catering butchers establishments by the FSA as meat cutting plants

1.2.i - Presentation by Joaquim Ferre, VMHA

Officers' concerns over cutting plants subject to approval. Several of the officers present said that their main concern was over butchers shops which are now mainly catering butchers. Which ones require approval and which are still exempt?

JF gave a presentation, in answer to some of the questions that NW had collated from officers in the group and forwarded to him.

[The two PowerPoint documents were sent to all in the group on 05/11/2009 by NW].

JF focussed on the following determinations. (They are not reproduced in these minutes):

- Flow chart, 'Catering butchers exemption flow chart'

See JF's presentation 'Catering butchers exemption', slides 6-7.

- Exercises on determining whether six catering butchers' establishments require approval by the FSA as cutting plants, or are exempt

See JF's presentation 'Catering butchers exemption', slides 9-19.

We attempted as a group to answer the questions in these exercises.

'A genuine retail element'. Officers asked what it is, in the context of determining whether a mainly wholesale catering butcher's establishment is 'retail' and so may be exempt from the requirement for approval. JF replied that the rule of thumb used by VMHAs is 10% or more of sales to the final consumer.

1.2.ii - The numbers of catering butchers and wholesale butchers shops now approved as cutting plants

JF said that about 70 wholesale butchers establishments in London were referred to the FSA for approval. Out of them the consultants CMi found that 8 were exempt, and JF determined that a further 5 were exempt. However there were another 8 which he had not been able to make contact with.

The CMi consultants had acted for the FSA, and made 'advisory visits' to many catering butchers, to coach the FBOs in good hygiene practice. They have now finished their work. Catering butchers plants are the last remaining category of meat establishments which JF has to visit and appraise for approval or refusal.

Liaison with the VMHA about existing catering butchers' establishments. JF wanted us to contact him about existing catering butchers which we have queries or concerns over.

1.2.iii - Catering butchers establishments which the FSA has refused to approve

BG asked JF about one poorly-run poultry cutting plant in Croydon which he had referred to the FSA for their appraisal for approval. JF replied that only last week he had refused to approve it. (The FSA Admin team will write to confirm this soon). BG said that this cutting plant supplies cut poultry meat to many take-away establishments, so this refusal will damage the business considerably. To actually stop it operating he said would probably have to serve a remedial action notice.

AB said that he would like the VMHA to write a Statement of Witness stating that he had inspected, and that he had refused to grant approval, giving his reasons, to provide evidence for the food authority before AB served a remedial action notice.

1.3 - The standards for Conditional Approval used by VMHAs

NW and JI (in an e-mail) asked why the standards for Conditional Approval were different between VMHAs and food officers. JF replied he was unaware of any difference. He said that VMHAs primarily use the FSA 'Meat Industry Guide' to interpret the standards, (supplemented by a FSA policy document 'Approvals Strategy ...').

FSA 'Meat Industry Guide', (full title: 'Guide to food hygiene and other regulations for the UK meat industry') <http://www.food.gov.uk/foodindustry/meat/guidehygienemeat>

He then showed us two slides in his presentation: 'Aide memoir', (slides 9-10), reproduced below.

When conditional approval may be granted?

If the plant does not have a recognisable HACCP plan, as long as controls are in place to manage risks to public health whilst such a plan is implemented

When there are structural, equipment or operational deficiencies, if deficiencies are being managed such that risk to public health are being effectively controlled. In relation to structural/ equipment deficiencies, this will particularly be the case when the deficiencies are being temporarily and sufficiently managed and are due to be corrected through appropriate maintenance. This is subject to the condition than on granting conditional approval, the FSA will inform the operators of deficiencies in areas of structure, equipment or operation

FSA will advise operators that:

1. Effective temporary controls must be maintained to control risk to public health
2. Measures must be taken to remedy deficiencies on a permanent basis.
3. Initial CA period of 3 month may only be extended for further 3 month if progress is made.
4. At the end of the CA period, all aspects of compliance will be reassessed.

NW said that, in contrast to the VMHAs, food officers should use the Food Law Practice Guidance in their interpretation of the standards for conditional approval, and he quoted part of section A.3.4:

'Regulation 882/2004 permits the granting of conditional approval to an establishment ... only if the establishment meets all the infrastructure and equipment requirements. In this context, Food Authorities should consider 'infrastructure' to relate not only to the physical structure of the establishment, but also to the systems and services necessary for the food business to be able to produce safe food. Such systems would include a procedure or procedures based on the HACCP principles'.

NW said that food officers, accustomed to inspecting catering establishments, regard raw meat on its own as low risk, and so concentrate on the controls over cooked food, which is high risk. So why do VMHAs require high standards for plants handling only raw meat, which is a low risk food?

LW answered that VMHAs aim to reduce cross-contamination in kitchens (eg, at home) from raw meat removed from its wrapping. This is especially important for poultry at Christmas time.

LW added that he set higher standards for larger plants with high throughputs, than for very small cutting plants in rural areas with only two operators.

1.4 - Smithfield Market and its approved meat cutting plants

1.4.i - The market and the owner

MS told us about this wholesale meat market. It operates at night, and has finished by 10.30 hrs.

Its official name is London Central Markets. The landlord is the City of London, and is the FBO responsible for the communal parts, (the corridors, changing facilities, etc), and for the removal of waste.

1.4.ii - The types of meat handled in the market

Smithfield is an 'intervention market', which sells any excess production from the cutting plants that directly supply the supermarkets. This excess amounts to 600 tonnes per week. The market mainly sells carcasses and boxed meat. It also sells some big and damaged poultry carcasses, and some dubious meat. A small amount of meat is sold vacuum packed.

Cooked meat is sold, but only pre-wrapped, eg, smoked cooked chicken from France. (However some traders might in the future handle unwrapped cooked meat, which would introduce considerably greater risks to food safety).

1.4.iii - The types of meat businesses operating in the market

The ground floor contains the stalls where the meat is handled, and the first floor contains the offices, mostly of the traders at the stalls, and some of the food brokers.

The 43 establishments in the market are all approved as meat 'cutting plants', (even though some are actually stand-alone cold stores). The approval number of the market is 5102, with a suffix number for each of the cutting plants in it.

The traders are mainly small ethnic minority businesses, and they sell a lot of their meat retail. However the six biggest businesses carry on most of their trade outside London. Some establishments are well run, but others need constant checking.

The food brokers (in the first floor offices) trade by phone, buying meat 'to order', from, eg, Spain, and arranging for it to be delivered to businesses in the UK (including to cold stores), without the meat entering Smithfield. The throughput of meat supplied in this way is about 5000 tonnes per week.

1.4.iv - Tracing meat leaving the market

Tracing meat leaving Smithfield is difficult. Most drivers buy meat 'to order' and pay by cash, called 'ready money'. However invoices are provided by bona fide traders.

All traders give a 'Sales Ticket' for all the meat that they sell, which bears their identification mark. Anyone found with meat without a Sales Ticket is deemed to have stolen it.

Estimating the throughput of Smithfield Market is difficult. MS had to threaten prosecution to get some FBOs to provide this information. The throughput from the stalls is about 2000 tonnes per week of boxed meat, and 1000 tonnes of carcasses.

1.4.v - The enforcement authority

The enforcement officers consist of an Official Veterinarian, an EHO, and four meat inspectors. They are all employed by the City of London, but are contracted to work for the MHS, (which is a unique arrangement). However when inspecting delivery vans the officers work for the food authority.

What MS wants from food authorities is better communication with the City of London over any issues concerning meat from Smithfield. The officers to contact are: Nick Lee or James Smith, (at JamesM.Smith@cityoflondon.gov.uk)

1.5 - Vans delivering meat from Smithfield Market

1.5.i - The distributors associated with the market

There are a lot of other businesses associated with the market, mainly the distributors. These include employees working in the market: porters, managers, etc, who supply meat to pubs, clubs, restaurants, etc. They start by supplying small quantities which they transport in their car. If their trade grows they buy a van, and then set up their own business. One driver conducts his business by mobile phone, making all his phone calls on the pavement. He has eight vans.

1.5.ii - Registration of establishments where the vans are normally kept

Many drivers operate from a garage or from home, so the City of London sends a letter to the food authority where the van is normally kept, stating that the meat inspectors at Smithfield Market have found that the 'establishment' is not registered. (The City of London staff at Smithfield would like food authorities to inform them of what they have done in response to the letter).

The meat inspectors advise many van drivers to register their establishments with the City of London, because Smithfield Market is their main business location.

MS said that many vans are not even registered with the Driver and Vehicle Licensing Agency (DVLA), (so the Police should be interested in pursuing this).

1.5.iii - Inspection of delivery vans

MS said the hygiene of vans has increased dramatically now that the meat inspectors at Smithfield inspect them.

1.6 - Miscellaneous questions from food officers about meat establishments subject to approval

1.6.i - Meat cold stores, and trading poor quality meat

NW asked the veterinary officers about meat cold stores, and what they advise us to look out for.

MS told us about his experience of, amongst others, a large cold store which used to operate in Stratford. He said that it is easy for a FBO to lose or hide poor quality meat in a cold store, particularly when the cold store is at the same premises as a cutting plant.

One simple check, MS said, is to look at some identification marks on the packaging and to check them against the spreadsheets of approved establishments. However at the Eurofreeze cold store a few years ago the cold store operator re-packaged meat and fraudulently applied the identification marks used by other establishments.

MM said that in Ireland a specialist team of enforcement officers had traced Brazilian beef along the food chain and found it had ended up labelled as Irish beef.

MS said that enforcement officers used to use a bandsaw for cutting open boxes of meat and finding out what was packed inside. He found this was a useful deterrent to deceitful traders.

The FSA enforcement letter ENF/E/09/024 is highly relevant to this question. 'Stand-alone cold stores for storage of meat - an aide memoire for local authority enforcement officers'

1.6.ii - Mechanically separated meat

JF told us that there are no establishments producing this in London.

1.6.iii - The division of enforcement responsibility in establishments handling both meat and other products of animal origin

NWh & PBa asked this question. JF showed us two slides in his presentation: 'Aide memoir', (slides 11-12), copied below (and abbreviated).

Sylvie Sadowski [of the FSA wrote in] July 2007:

Dual enforcement in the same area must be avoided. If ready to eat products containing meat, fish and dairy are all made in the same room, enforcement in that room should exceptionally remain with the LA.

In a case where a [meat] cutting plant is co-located with a meat products plant, the room for processing RTE products containing meat, fish and dairy will remain under LA enforcement but the main meat products room will move to MHS enforcement. (An agreement will need to be reached between the VMHA, LA and MHS over the division of responsibility in this instance).

In order to avoid the allocation of dual approval numbers to the co-located establishment by FSA and LA, the FSA should issue the approval to the establishment as a whole, the approval covering letter should however spell out the areas of responsibility and a list of all activities in the establishment should be included in the approval letter, whether meat or not.

[Take for example,] an establishment that cuts poultry and fish [in separate] cutting rooms. The FSA will approve the whole site and the local authority will remain controlling the fish areas.

[The FSA does] not have an 'Approval Aide-Memoire' for fishery products. [So VMHAs should] follow the legal requirements [in Reg 853/2004, Annex III, Section VIII] and comment as appropriate.

1.6.iv - Plants operating without approval

LW said that FBOs of cutting plants 'grass each other up', and, added JF, especially Turkish FBOs along one particular street in Waltham Forest. They inform the veterinary officers of the cutting plants which are not approved.

Information on cutting plants operating without approval. JF advised food officers to contact the MHS head office (in York) about any new plants we discover.

E-mail: mhs.enquiries@mhs.gov.uk Tel: 01904 455501.

MM expressed the opinion was that any food authority finding an establishment operating without approval should stop it operating, and not let the operations continue until it was approved.

1.6.v - Slaughterhouses delivering warm carcasses

NW asked about slaughterhouses delivering carcasses to Halal butchers shops far away, possibly un-refrigerated, and sometimes with smudged health marks. He had nearly prosecuted one butchers shop in Hackney for having carcasses in their chiller that had just been delivered, several of which had illegible health marks. (He presumed that the carcasses had not been chilled before being delivered.

LW replied that the MHS Official Veterinarian (OV) for the slaughterhouse may authorise the transporting of warm meat to a receiving establishment, by agreement with the OV or food authority for that establishment. The transport must take no more than two hours.

Reg 853/2004, Ann III, Sec I, Ch VII, para 3.

1.6.vi - Pest control

LW prefers the term 'pest prevention'. EB asked why the VMHAs appeared to require a higher standard of pest control (before granting Conditional Approval) than is required by the regulations. LW replied that a FBO may carry out the pest control himself, provided he does it in a properly organised way. In his experience this was rare, so VMHAs require FBOs to use the services of a pest control contractor before they grant conditional approval.

1.6.vii - Disinfection of equipment used for cutting raw meat

NW asked about alternatives to hot water knife disinfection facilities, which could be used in the cutting areas of central cook-chill kitchens, (some of which require approval as meat products establishments). Knife disinfection is required in Reg 853/2004, (eg, in Ann III, Sec I, Ch III, para 5). LW strongly favours using hot water at 82 C for disinfection, (ie, knife disinfectors with hinged lids and thermal cut-offs). He asked how could a FBO demonstrate to an officer that a chemical disinfectant is still effective after it had been used for a couple of hours?

1.6.xiii - Aide memoir used by VMHAs for the approval of cutting plants

PB asked what checklists or forms the VMHAs use for appraising establishments for approval. JF showed us the VMHA's aide memoir in his presentation. See JF's presentation 'Aide memoir', (slides 2-8).

2 - Approvals Group's web-page

NW told officers that this web-page now contains the minutes of our meetings, and our 'Flow diagram to determine if approval is required'. (See the title on page 1 of these minutes).

3 - Approvals Group meeting on 3 September - matters arising

NW apologised for not finishing them in time for this meeting.
[The minutes were sent to all on 22/12/2009 by NW].

(Item 4.5.iii) 'Next inspection' form. PB said that she had revised her 'Inspection form for Manufacturing and/or approved establishments after the first inspection'. See her e-mail forwarded to all on 03/11/2009 by NW.

4 - Questionnaires on food hygiene for food handlers in various languages

Fiona Inston told us about these at our meeting on 19 May, (Item 1, Recommendation 14), and recently sent us copies. The officers present were impressed by them. (See the series of five e-mails forwarded to all on 03/11/2009 by NW).

NW had included an introduction to the questionnaires -

How can we tell whether the food handlers we come across in our inspections have a basic knowledge of food hygiene if they cannot speak English clearly enough? Fiona Inston came up with an answer when she worked in Salford City Council - Hand a selection of food handlers a questionnaire in their own language, get them to fill in the multiple-choice answers, and mark the papers using an Answers sheet.

JF said that some of the butchers he comes across in cutting plants come from Ukraine and Lithuania, who cannot speak English. The plants display useful notices in their languages, eg, reading: 'Wash your hands'.

5 - Training on the Approval of food establishments - update

NW said that he has been permitted by his managers to hold one more seminar (as a Hackney employee). It will be in Norfolk.

Next meeting

26 January 2010