

Committee(s):	Date(s):	Item no.
Markets Committee	22 July 2015	
Subject: Enforcement Activity at Smithfield Market		Public
Report of: Director of Markets & Consumer Protection		For Information
<p style="text-align: center;"><u>Summary</u></p> <p>This report advises your Committee of Enforcement Activity carried out by the Smithfield Enforcement Team within my Department during the four month period 1 February 2015 to 31 May 2015.</p> <p>It provides information on the Food Standards Agency's (FSA) National Co-ordinated Food Sampling Programme 2014/15, the FSA funded food standards and traceability project carried out at Smithfield between October 2014 and January 2015 and the training developed for Smithfield traders to assist them in complying with their legal obligations in respect of the new Food Information Regulations 2014.</p> <p>In respect of enforcement under the Health & Safety at Work etc Act 1974, it should be noted that there has been a slight increase over the last quarter in the level of verbal advice given to traders, market customers and self-employed persons.</p> <p>Recommendations</p> <p>I recommend that your Committee notes the content of this report.</p>		

Main Report

Background

1. This is the thirty sixth report submitted to your Committee detailing the activities of the Smithfield Enforcement Team.
2. The table at Appendix 1 provides a breakdown of Health and Safety enforcement activity for the four month period 1st February 2015 to 31st May 2015. The names of tenants in respect of which warnings were issued have not been included. The table at Appendix 2 shows Health and Safety enforcement activity during the last sixteen months. The report provided to the FSA on the findings of the food standards and traceability project is included at Appendix 3.

Current Position

3. Members will recall that following a successful bid, the FSA provided funding of £1,590 to the City of London Corporation for the purpose of food sampling at Smithfield Market as part of their 2014/15 National Co-ordinated Sampling Programme. The funding was provided to cover officer costs in obtaining samples. A total of 53 samples were obtained and submitted for analysis during the period August 2014 to December 2014 comprising minced meat (37 samples) and uncooked chicken (16 samples). Public analyst costs were funded directly by the FSA. Results in all but 13 samples were reported to the last Committee. Results of the final 13 samples have now been received. Ten of these were satisfactory whilst 3 were unsatisfactory. The unsatisfactory samples were minced meat, of which 2 contained excess water not indicated on the label contrary to the requirements of the Food Information Regulations 2014, and 1 was incorrectly labelled in respect of the % fat content and collagen/meat protein ratio content contrary to the requirement of the Food Information Regulation 2014.
4. The manufacturers of the unsatisfactory samples have been notified of the results and provided with advice on how they can comply with the legislation.
5. Members will recall that a further successful bid for funding was made to the FSA in August 2014 for £ 26,000. This was to undertake a 3 month project (October 2014 – January 2015) focusing on food standards and traceability at Smithfield market, and the development of guidance and training on new EU labelling rules to enable Smithfield traders to meet their legal obligations in respect of The Food Information Regulations 2014. Work on any other areas of specific concern to the City of London was also agreed, including continuation of the joint initiative assessing compliance by food delivery vehicles, food labelling compliance and animal by-product controls.
6. A report was provided to the FSA in March 2015 detailing the outcomes of the project. This is included for information at Appendix 3.

7. Members will recall that all market traders were provided with detailed guidance produced in conjunction with a consultant from Campden BRI Group to assist them in complying with the new Food Information Regulations 2014. Training took place on 6 and 13 May which was offered to all traders, some of whom sent more than one representative.
8. Proposals are currently being considered for a further bid to participate in the FSAs 2015/16 National Co-ordinated Food Sampling Programme and other project work at Smithfield. Once details have been finalised an update will be provided to your Committee.
9. The Committee was previously advised of the consultation issued by the FSA in November 2014 on amendments to the Food Law Code of Practice. Following the consultation the revised Code of Practice was published in April 2015. The changes to the Code included revised arrangements for food establishment registration and inspection of mobile food establishments, ships and aircrafts, and revised competency and qualification requirement for authorised officers. These changes will not impact on the day to day enforcement activities carried out at Smithfield.
10. Regular liaison meetings continue to take place between City of London Corporation officers and the FSA. Further, City of London Corporation officers and FSA officials meet with the Smithfield Market Traders Association on a regular basis.
11. During the four month period from February 2015 to May 2015 advice has continued to be provided to traders, customers and self-employed persons under the Health and Safety at Work etc. Act 1974 with verbal advice being provided on 187 occasions for contraventions such as not wearing personal protective equipment. This is a slight increase on the previous reporting period when advice was provided on 180 occasions. It should be noted that of the 187 occasions this period, 9 involved traders, the remainder involved customers (173) and self- employed persons (5).
12. Health and safety enforcement is delivered having regard to the Compliance Code for Regulators and the Port Health and Public Protection Service Enforcement Policy.

Conclusion

13. My officers in the Smithfield Enforcement team continue to work collaboratively with the FSA and are currently working with them to identify priorities for further work in 2015/16.

Background Papers:

- Appendix 1: Table showing breakdown of health and safety enforcement activity during the four month period 1 February 2015 – 31 May 2015.

Appendix 2: Comparison table showing health and safety enforcement activity summary for the 16 month period 1 February 2014 -31 May 2015.

Appendix 3: Report to FSA- *Food Standards Agency Funded Interventions at Food Businesses on Smithfield Market.*

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