

Appendix 2 – Port Health Food Safety Enforcement Plan 2024-25

Service Aims and Objectives

Through this plan, the London Port Health Authority (LPHA) aims to:-

- Ensure compliance with legislation related to imported food and animal feed to protect food safety and animal health
- Deliver a high quality, accessible and responsive service to protect, enhance, and improve public, environmental, and animal health throughout the London Port Health district

This Plan aims to ensure that our enforcement remains targeted, proportionate, consistent and transparent, and sets out the framework for its delivery. It has been prepared as required by the Food Standards Agency (FSA) and the content of this Plan provides the basis upon which the LPHA will be monitored and audited by the FSA.

The LPHA also has responsibility for Animal Feed Stuffs, Shellfish Classification, Infectious Disease Control, Pollution Control and Pest Control.

Food Hygiene and Food Standards Inspections

The Port Health Service undertakes food hygiene and food standards inspections of premises within the Port domain, including Approved Premises. The Port is also responsible for the inspection of some fixed craft and moving vessels serving food and drink on the tidal Thames. Food premises airside at London City Airport are also the regulatory responsibility of the LPHA.

LPHA currently regulates 135 port premises and 12 Logistics Park food premises which are comprised of the following categories:

Table 1. Food Business Food Hygiene Rating Scheme Classifications for Port Premises

Category	Number of Port Premises
New (unrated)	1
5 (hygiene standards are very good)	124
4 (hygiene standards are good)	6
3 (hygiene standards are generally satisfactory)	1
2 (some improvement is necessary)	3
1 (major improvement is necessary)	0
0 (urgent improvement is necessary)	0
TOTAL	135

The number of Food Hygiene/Food Standards inspections undertaken in 2023-24 were 62 for Food Hygiene (including Alternative Enforcement Strategy) and 11 Food Standards.

The City has also entered into a Local Government (Miscellaneous Provisions) Act section 101 agreement with Thurrock Council to exercise Thurrock's functions under the feed and food laws in a section of the Logistics Park which has resulted in another area of responsibility for LPHA.

Table 2. Food Business Food Hygiene Rating Scheme Classifications for Logistics Park Premises

Category	Number of Logistic Park Premises
New (unrated)	1
5 (hygiene standards are very good)	0
4 (hygiene standards are good)	3
3 (hygiene standards are generally satisfactory)	0
2 (some improvement is necessary)	0
1 (major improvement is necessary)	1
0 (urgent improvement is necessary)	0
Excluded from Rating	7
TOTAL	12

Alternative Enforcement Strategy

The LPHA has also exercised the advice in the Food Law Code of Practice (FLCOP) which allows for an alternative enforcement strategy (AES) for low-risk premises, i.e. food hygiene category E based on the FLCOP risk rating.

All new registrations will have an initial formal inspection and if rated as an E they will then come under the AES. Under the AES the premises will be due an intervention every 3 years and the intention is that a physical inspection will be carried out every 9 years.

Premises and vessels under the AES will receive a specific questionnaire which will be scrutinised by a competent officer to assess if enough information has been obtained. A follow up telephone call may be necessary to verify the details provided or obtain further information. Some premises will receive a follow up visit to verify information on the questionnaire and visits. Visits may also take place following complaints, infectious disease notifications, changes of activity/management or the non-return of questionnaire.

It is the intention that the larger E rated premises within the Port, which have comprehensive HACCP documentation, such as large-scale storage facilities and milling plants will still have a visit at each due intervention.

Table 3. Food Business Risk Classifications

Category	Number of Premises
New (unrated)	2
A (due every 6 months)	0
B (due every 12 months)	3
C (due every 18 months)	6
D (due every 2 years)	37
E (due every 3 years)	99
TOTAL	147

Feed and Food Complaints

The Service follows the corporate policy in relation to any complaints. Where matters are time dependant we aim to provide a same day response to consumer complaints relating to food matters.

Home Authority Principle and Primary Authority Scheme

It is our policy to contact the Local Authority and the Primary Authority (where there is a relationship in place) when we become aware of an importer not conforming with the relevant import regulations. We also try to identify and contact inland Local Authorities following adverse sample results.

Before any interventions are undertaken the Primary Authority database is examined to check for any partnerships in relation to any food premises that face interventions.

Food and Feed Sampling

The introduction of the EU imported checks in the second quarter of 2024, will see different products entering through new and existing Ports within the control of the LPHA. The sampling programmes and the surveillance undertaken throughout 2024-25, will need to be agile to reflect emerging issues and evidence.

All samples in respect of imported food are taken in accordance with Port Health's Sampling Plan. Details regarding the selection, procurement and preparation of samples are contained in the Service's Sampling Plan.

The main aim of our sampling programme is to proactively detect foods outside specific regulations which may be a threat to public or animal health. In addition, we monitor and sample on a risk basis having regard to information from a range of sources including Border Notifications, FSA / Defra intelligence, previous adverse sample results, new products and random sampling.

In 2023 - 24 the service undertook the following samples:

Products of Animal Origin (POAO)

- 152 National Monitoring Plan (NMP) samples and 125 Intensified Official Controls (IOC)/Protective measures, excluding Brazil,
- There were no unsatisfactory results for the NMP sampling and just 4 for the IOC/Protective measures, excluding Brazil)

Products Not of Animal Origin (NAO) samples

- 217 Products Not of Animal Origin (NAO) consignments of food and feed were sampled for chemical and bacteriological contamination;
- 121 NAO unsatisfactory results for chemical, biological and product labelling issues

This equates to 98.5% of all POAO and 44.2% of all NAO samples being considered satisfactory.

Formal actions to address the unsatisfactory results have included detention and/or destruction of the consignment, for adverse chemical and biological results.

Where labelling issues are identified, these are referred to the responsible Trading Standards service at the consignment's destination.

Since 30 March 2017, the EU Commission implemented enhanced checks on consignments of meat and meat derived products from Brazil resulting in all consignments being subject to physical examination with 20% of the consignments being also subject to sampling for microbiological standards.

The level of enhanced checks was in response to fraudulent activities in Brazil. This has amounted to 247 samples taken between April 2023 to July 2023 and 246 were found to be satisfactory. This is the equivalent of 99.6% of all consignments determined as satisfactory.

A subsequent audit in 2022 and report published by DEFRA in July 2023, found that the Brazilian competent authorities have made significant progress in correcting the systemic failings in the framework of controls, and the application of those controls, that led to the imposition of enhanced salmonella controls for poultry meat and poultry and beef meat products and preparations and the suspension of pre-listing of beef and poultry establishments. Therefore the enhanced checks of checks on consignments of meat and meat derived products from Brazil ended in July 2023.

Selection of Consignments

The requirement and selection of a consignment for routine sampling is decided by officers either during the documentary check process or at the time of the physical examination of the product.

Officers can subject any consignment at any stage of the checks to any sampling and laboratory tests if it is considered necessary to ascertain that the consignment meets the import requirements. Officers are either a qualified Environmental Health Practitioner or Official Veterinarian.

Information that can be used to help identify and prioritise risks include:

1. Intelligence obtained from different national and international databases, including IPAFFS and Risk Likelihood Dashboard (RLD) from the Food Standards Agency
2. Specific priorities and alerts issued by the different Regulators
3. Local intelligence/professional expertise from sampling results from previous years and type of imports

The risk assessment is likely to be a combination of data, judgement and expert knowledge.

The plan specifies the types of products, origin of the products (if relevant) and the analysis or exam required. The sampling plan aims to proactively detect food or feed which may be a danger to public or animal health and to ensure compliance with food standards and relevant legislation. The sampling plan covers POAO or NAO food and feed. The plan is not fixed, but is reviewed at regular intervals during the year, to adjust it to the fluctuations in trade and the on-going assessment of the existent and emerging risks.

Officers will undertake sampling in accordance with the standards required in the various Codes of Practice, and in compliance with any methodology when specified in the Regulations.

New products will be sampled where possible or where the Inspecting Officer suspects the consignment does not comply with the import conditions.

Products of Animal Origin and Non-Animal Origin (Food & Feed) - Sampling Plan 2024-25

The purpose of the plan is to specify the imported Products of Animal Origin (POAO) and Non-Animal Origin (NAO) food/feed that should be sampled for examination and analysis each year. The plan also includes locally sourced samples of shellfish from the Thames Estuary. The plan is devised using a risk-based approach when deciding which tests and products to be sampled, balanced with the requirement of randomisation in the selection of consignments.

The LPHA Imported Food Sampling Policy allows sampling of food and feed to be decided on a local basis according to product type, local knowledge, seasonal variation and historical import records at each individual port. Deviations from the sampling protocol are permitted to take account of an importer's history of non-compliance with legislative requirements, previous adverse sample results and intelligence received, for example, from inland local authorities, importers and consumer complaints.

The 2024-2025 Food Standards Agency (FSA) National Monitoring Plan (NMP) has not yet been produced to enable the LPHA to produce its local sampling plan for POAO's and NAO's for 2024/2025.

It is proposed that a further update will be provided to the Port Health and Environmental Services Committee at a subsequent meeting, that will detail the LPHA's monitoring plans for POAO including fishery products and NAO products once the National Monitoring Plan has been published.

FSA Food Sampling Survey

The FSA also oversees a food sampling survey, where funding is obtained directly from Central Government. The purpose of this survey is to supplement Local Government food sampling with specific priorities, so foods of national concern can be tested.

Further details are awaited of the proposed 2024-25 plan, to determine if the LPHA will take part.

Sampling Results

When the sampling results are received, they are entered onto the LPHA's database Port Health Interactive Live System (PHILIS) and UK databases, where appropriate.

For unsatisfactory results, officers will instigate further action, which can include the following interventions:

1. Notifying the food/feed business operator of the failure and issue the appropriate notifications to reject the consignment if still not released for import (for instance in the case of suspicious consignments). The possible options will be destruction or re-export, depending on the assessment of the risk posed by the failure.
2. Notifying the Local Authority of the premises of destination when the consignment was released pending the results, to allow them to take appropriate action for the non-compliant product in circulation.
3. Depending on the failure IPAFFS might trigger the issuing of emergency national or localised notifications.

Feed and Food Safety Incidents

LPHA are committed to responding promptly to all food or feed safety incidents. The Service has arrangements in place to ensure that it is able to respond to Food Alerts issued by the FSA. Warnings are received electronically, and all urgent Food Alerts receive immediate attention and action where necessary. Out of hours arrangements are also in place.

Border Notifications issued by the European Commission are sent to a designated officer who is responsible for their distribution amongst LPHA officers involved in Imported Food Enforcement. LPHA's database, Port Health Interactive Live Information System (PHILIS) can be used to issue reminders when specific products are subject to control.

Organisational Structure

The service is currently part way through a consultation period to align the service with the needs, demands and opportunities that will be placed upon the LPHA following the introduction of the EU imported checks. Staffing numbers will be impacted by these changes.

It is proposed that an update will be provided to the Committee later in 2024; once the consultation has concluded and there has been an opportunity to implement and subsequently review the position of the service provision.