



# Norfolk County Council

**Community & Environmental Services**

## **Trading Standards Service**

Food & Feed Law Enforcement Plan  
2019-20



**Produced in accordance with the requirements of the  
Food Standards Agency Framework Agreement**



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### **Food and Feed Sampling Policy**

The Food Standards Agency (FSA) Framework Agreement requires Food & Feed Law Enforcement Plans to be laid out in a common format but recognises that, as local authorities may have corporate service plan templates, they may use the corporate format as long as the information requirements laid out in the Agreement guidance are included and are separately identifiable. Therefore, wherever possible this Annex makes reference to the applicable sections of the Trading Standards Service Plan 2019-20 rather than replicating the information it contains.

## Section One: Trading Standards Service Aims and Objectives

### 1.1 Aims and Objectives

The Trading Standards service vision is to build a safe, fair and legal marketplace for Norfolk, helping businesses succeed and safeguarding communities. The four outcomes we are seeking to achieve are:

- **Enabling economic growth** by providing support to businesses to help them succeed
- **Safeguarding communities and vulnerable people**
- **Protecting public safety**, health and well-being and farmed animal health and welfare
- **Ensuring trading is legal, honest and fair** and securing a level playing field by tackling the most serious illegal trading

### 1.2 Links to Corporate Strategic Ambitions

Our vision and priorities accord with the County Council's vision for Norfolk: **Caring for our County**, in particular:

- Good growth: Building communities we can be proud of: Ensuring Norfolk's economic growth can benefit everyone
- Starting a new relationship with Norfolk families: Helping people to live independent, productive lives where they are healthy, happy and with good access to opportunities
- Helping our population remain independent, resilient and well: Focusing on helping vulnerable adults to live independently

and contribute to and/or are supported by the **Norfolk Futures** strategic priorities of:

- Promoting independence for vulnerable adults: giving people the skills and confidence to live independently and safely, in their own homes, for as long as possible.
- Local service strategy: proactively targeting our services in the places where they are most needed

How Trading Standards helps to deliver the County Council's vision and strategy is captured in our plan on a page on page 10 of the Trading Standards Service Plan 2019–20.

## Section Two: Background

### 2.1 Profile of the Local Authority

The population of Norfolk in 2017 was estimated to be 898,400<sup>1</sup>. The age profile of Norfolk's population is much older than England as a whole with 24% of people being aged 65 and over, compared to 18% for England.

Norfolk is the fifth largest of the 27 two tier (or shire) counties in England with a geographical area of 549,751 hectares. The population density is one of the lowest for any of these counties, giving Norfolk a predominantly rural character.

There are 33,715<sup>2</sup> active enterprises in Norfolk. Nearly two thirds of VAT registered businesses in Norfolk are located in rural locations with 90% of these being small enterprises employing 10 people or less.

Agriculture remains a large employment sector with 11% of all VAT and PAYE registered enterprises being in this sector. The total farm labour force is large with nearly 12,500<sup>3</sup> people employed on commercial holdings. In comparison with other local authority areas the County has one of the largest livestock populations of commercial poultry (15,515,558<sup>3</sup>) and pigs (539,174<sup>3</sup>).

The health and life sciences sector is also an important part of the economy in Norfolk. The Greater Norwich area in particular is home to a cluster of internationally renowned research organisations, such as the Quadram Institute. These organisations employ some 3,000 scientists which is the largest concentration of health, food, plant and bio scientists in Europe. The Greater Norwich area has also been awarded Food Enterprise Zone Status.

### 2.2 Organisational Structure

The structure of the Trading Standards service is set out on page 3 of the Trading Standards Service Plan 2019-20.

The Trading Standards service currently reports, via the Assistant Director of Community, Information & Learning, Ceri Sumner, to the Executive Director of Community and Environmental Services.

The Executive Director of Community and Environmental Services, Tom McCabe, reports to the Communities Committee. The Chairman of the Committee is Councillor Mrs Margaret Dewsbury, [margaret.dewsbury@norfolk.gov.uk](mailto:margaret.dewsbury@norfolk.gov.uk).

The Council has 84 elected Members. The current political make up of the Council is: 54 Conservative council seats, 16 Labour, 11 Liberal Democrat, 2 Independent, and 1 Independent (non-aligned).

<sup>1</sup> 2017 Office of National Statistics figure (estimated)

<sup>2</sup> 2017 Office of National Statistics figure for number of VAT and/or PAYE based enterprises

<sup>3</sup> Defra Farming Statistics 2016

Feed and food law enforcement is the responsibility of the Food and Farming Section. The section's functions are:

- Providing support for Norfolk based businesses in the food and farming sectors, to further economic growth:
  - delivering targeted business information to achieve compliance, promoting self-help
  - providing business advice and support on request, including chargeable advice
  - acting as 'primary authority' for food and farming sector businesses.
- Ensuring the standards of animal health and welfare; the quality, safety and hygiene of the food chain and metrology standards through delivery of intelligence-led compliance programmes, including sampling, inspections, verifications and market surveillance enforcement activities in the following areas:
  - Animal health and welfare, including disease control and licensing
  - Primary food production including fertilizers, animal feeding stuffs and food hygiene
  - Food standards
  - Legal metrology.
- Intelligence-led criminal and civil interventions and investigations, tackling issues emerging from the tasking and coordination process and focusing on the most detrimental offending within the food and farming sectors.

2.2.1 The manager responsible for the delivery of official feed and food controls is:

Jon Peddle  
Food and Farming Manager  
Email: [jon.peddle@norfolk.gov.uk](mailto:jon.peddle@norfolk.gov.uk)  
Tel: (01603) 224380

The Lead Feed Officer is Colin Maxwell and the Lead Food Officers are Paula Crowson and Julie Smith, all of whom are based in the Food and Farming Team. The Food Law Code of Practice lays down the responsibilities and competencies of the Lead Food and Feed role (which may be more than one person) which are shared in the Service between Jon Peddle, Colin Maxwell (feed), Paula Crowson (food) and Julie Smith (food).

2.2.2 The Authority has contracted with Public Analyst Scientific Services Ltd (PASS) to provide the public analyst and agriculture analyst functions for the County.

2.3 Scope of the Animal Feed and Food Service

The Trading Standards service delivers a range of animal feed and food enforcement services. Specific functions are detailed overleaf.

- Programmed inspections at animal feed and high-risk food premises
- Targeted enforcement activities
- Inspections and other enforcement activities arising from complaints and referrals
- Sampling of food and animal feed for analysis and/or examination as part of EU, national, regional and local programmes
- Primary Authority responsibilities
- Responding to food and feed safety incidents
- Provision of information, advice and support for businesses
- Publicity including public awareness campaigns
- Working in partnership with other agencies involved in the protection of the food chain including the Food Standards Agency (FSA); the Department of the Environment, Food and Rural Affairs (Defra); the Department of Health (DH); Public Health (PH); the other ten local Trading Standards authorities who together make up the East of England Trading Standards Authorities (EETSA); the seven District Council Environmental Health Departments in Norfolk and the Meat Hygiene Service.

The animal feed and food law enforcement service is delivered exclusively by officers employed by the County Council, alongside other similar services, for example, the inspection of weighing and measuring equipment.

#### 2.4 Demands on the Animal Feed and Food Service

Using the appropriate risk scoring profile food businesses are scored on a high, medium or low risk basis. There are 68 high-risk, 5,062 medium-risk and 4,104 low-risk food businesses recorded on the Trading Standards service's database, totalling 9,234 food businesses. This represents an increase of 754 businesses or 8%. This increase may be accounted for in part by the improvements we have made in gathering business information from district councils (new registrations for business rates as well as food business registrations).

There are 5,232 agriculture businesses recorded on the Trading Standards service's database. The appropriate risk scoring profile for feed businesses scores them on a frequency of inspection basis from 1 to 5 years with a score of 1 being the highest risk and 5 being the lowest. The inspection programme, based on risk, is agreed with the FSA as part of the grant funded audit and inspection programme.

A number of businesses are designated both food and feed businesses. The Trading Standards Service conducts food standards, feed standards, feed hygiene and food hygiene at primary production inspections or a combination of these interventions at these businesses.

There are 422 food manufacturers in Norfolk, 5% of the sector, ranging from major multinational companies to cottage industries. The majority of food businesses are caterers (5,693 = 62%) such as public houses, restaurants and hotels or retailers (2,244 = 24%) including general stores and bakers.

The County has 37 animal feed, including pet food, manufacturers as well as a very large number of on-farm mixers.

A significant percentage of the companies with which the Trading Standards Service has a Primary Authority relationship are within the food and agriculture sectors.

## 2.5 Enforcement Policy

The Community and Environmental Services (CES) directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety) and Highways (networks, maintenance and blue badge enforcement) and the CES Enforcement Policy has been implemented, having regard to the established legal framework for decision-making, the Code for Crown Prosecutors (CPS) and the “Regulators’ Code” published by the Office of Product Safety and Standards (OPSS) (formerly Regulatory Delivery (RD)).

## Section Three: Service Delivery

### 3.1 Animal Feed and Food Premises Inspections (Interventions)

The Trading Standards Service reviews its policy in relation to inspections (interventions) at business premises on an annual basis in accordance with the principles of better regulation, the Food Law Code of Practice (England) and the Feed Law Code of Practice (England). In relation to farm premises the Service also considers the Animal Health and Welfare Framework Agreement and the Farm Regulators’ Charter.

#### 3.1.1 In relation to feed businesses this service leads the regional approach to feed enforcement with its East of England Trading Standards Authority (EETSA) partners and liaises with National Trading Standards (NTS) and the FSA. At the time of compiling this plan the number of Norfolk feed visits required by the NTS/FSA programme for the forthcoming year, based on a full risk-based inspection programme, is not confirmed but is expected to be the same as that required for the 2018/19 service year, circa 250. This programme is entirely financed by grant funding provided by the FSA and administered by NTS. This proposed programme now takes full account of earned recognition for businesses that are members of an assurance scheme and covers equally the full range of feed businesses. Livestock and arable farms are the main types of premises to be visited; reflecting the importance of having feed controls in place at primary production.

The NTS/FSA programme of interventions and activity is produced using agreed risk models and desktop modelling of our premises database. The programme is agreed by the FSA prior to commencement and funding. As such it is accepted that this programme satisfies the requirements for interventions laid down in the Feed Law Code of Practice (England).

3.1.2 In relation to food businesses, the service will, subject to the matters outlined in Section 3.1.3 below, inspect all food businesses in Norfolk that are deemed to be high-risk by virtue of the previous trading history or the appropriate risk scheme, on at least an annual basis. In addition, intelligence-led inspections or other interventions will be conducted at those business sectors presenting the highest risk to the food chain and consumers/other legitimate businesses. It will also be appropriate, on occasion, to respond with inspections or other interventions where intelligence is received via consumer/trader complaints or referrals from other enforcement agencies about the non-compliance with trading standards of individual businesses. In line with Hampton principles<sup>4</sup> and the resources available the service will not therefore, as a matter of routine, carry out inspections at medium or low risk food businesses unless they are visited as a result of the aforementioned factors.

The above measures are intended to focus our available resources on the areas of greatest risk, using available intelligence, and as such the service will not be able to fulfil a food inspection programme in accordance with the requirements of the Food Law Code of Practice (England). This discrepancy is covered in greater detail under section 4: Resources.

3.1.3 The service is aware of a number of high risk food and feed manufacturing businesses within its local authority area that are partnered with other Trading Standards services through Primary Authority Partnerships. It is the case with these businesses that they are subject to the audit and control of their respective Primary Authority Trading Standards service and that service takes on the responsibility for ensuring the business is compliant. It is also the case that interventions carried out by this service at such businesses, and any post intervention work we would otherwise undertake with that business, can be limited by the scope of controls imposed by any Primary Authority agreement. In such circumstances this Service will not include such businesses in its risk-based intervention programme. We will, however, ensure any intelligence received locally is passed on to the relevant Primary Authority Service to enable them to take the necessary steps to ensure the business for which they have responsibility is legally compliant.

3.1.4 The service has assessed the value of carrying out unannounced inspections as opposed to announced inspections. It applies the following policy on animal feed and food inspections and audits:

- (a) Where official controls take the form of an audit or there is a need to have the feed or food business operator present e.g. so that records can be examined, then such visits will be announced. In these cases, prior notification will be kept to a minimum.
- (b) In all other cases and in particular where previous visits or intelligence suggests that serious non-compliances have occurred, visits will be unannounced. All establishments will be subject to ad hoc visits which will be unannounced.

<sup>4</sup>Reducing administrative burdens: effective inspection and enforcement: Philip Hampton - March 2005



The service will keep this policy under review and, if the policy leads to a disproportionate negative impact on the use of resources of both the service and Feed and Food Business Operators, it will be revised.

3.1.5 The inspection programmes for food and animal feed are shown below:

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2018/19	2019/20
Feed Hygiene & Standards Inspection Programme	To inspect 78 agriculture businesses, e.g. selected feed mills, importers, retailers and farms. To ensure compliance in relation to feed labelling/packaging, stock rotation/storage, feed hygiene, record keeping/traceability and sale or use of prohibited materials.	0.15 FTE	0.15 FTE
Inspection of High-Risk Food Businesses	To carry out inspections at 61 businesses identified as high risk for food (as outlined in 3.1.3 this excludes 7 high risk premises with a Primary Authority agreement with another TS service).	0.8 FTE	0.85 FTE
*Excluding managerial, administrative and legal support but including revisits and follow up action			

Animal feed and food inspections are carried out by suitably qualified, competent and experienced Trading Standards Officers. Some targeted enforcement activities are carried out by Trainee Trading Standards Officers, studying for qualifications under the Trading Standards Qualification Framework, adequately supervised by qualified staff.

Feed/Food Standards Inspections are carried out in accordance with the Feed Law Code of Practice (England) and the Food Law Code of Practice (England).

### 3.2 Animal Feed and Food Complaints

Anticipated resource requirements for handling animal feed and food complaints are based on the complaint/contact numbers received in previous service years, the nature of those complaints/contacts and the level of enforcement response required. The number of food complaints/contacts is anticipated to be 150 and the number of agriculture complaints/contacts is anticipated to be 12.

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2018/19	2019/20
Complaints and Referrals	To undertake reactive enforcement in response to complaints from other enforcement agencies, businesses and the general public in relation to animal health, agriculture and food matters to ensure legal compliance. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.	0.05 FTE (feed)	0.05 FTE (feed)
		0.35 FTE (food)	0.35 FTE (food)
*Excluding managerial, administrative and legal support			

In addition to reactive complaints/referrals work, information and advice is made available to consumers. This is achieved through signposting to the Citizens Advice 'Adviceguide' website via our website [www.norfolk.gov.uk/business/trading-standards](http://www.norfolk.gov.uk/business/trading-standards).

### 3.3 Home Authority Principle and Primary Authority Scheme

Following a change to our Business Services Policy in 2017, this service no longer offers the full range of functions under the Home Authority Principle. In particular, the service no longer offers free bespoke advice to businesses. Bespoke advice tailored to the individual needs of a business is now provided on a chargeable basis. The service supports Primary Authority Partnerships administered by the Office of Product Safety and Standards (OPSS) (formerly Regulatory Delivery (RD)).

The service will provide the following levels of service to Primary Authority businesses:

- Actively promote the benefits of the Primary Authority scheme to businesses within Norfolk and outside of Norfolk
- Designate Primary Authority Officer(s) to each partnered business, with the relevant competencies or access to the necessary expertise to be able to offer advice.
- Respond to requests for advice and guidance
- Issue assured advice, where it is appropriate to do so
- Facilitate a response to enquiries raised by other authorities
- Maintain records of relevant incidents, business policies and diligence procedures, where known
- Maintain confidentiality in relevant circumstances
- Ensure businesses are aware of our procedure for dealing with complaints or disagreements
- Have in place arrangements to notify other authorities of indulgences relevant to "subsequently corrected" errors
- Participate in relevant sector groupings with enforcement partners where our Primary Authority Partners businesses operate in the applicable market sector
- Support national advice and conciliation procedures, where appropriate.

Primary Authority businesses will be inspected/visited or otherwise contacted:

- As part of the inspection programme for high-risk businesses, or
- As part of the planned series of targeted enforcement activities, or
- As a result of a complaint/referral received, or
- To maintain the Primary Authority Partnership relationship.

Currently, the service has Primary Authority Partnerships with two food business and three feed businesses. The resources required to handle complaints and service requests relating to these Primary Authority businesses are included in Sections 3.2 and 3.4.

#### 3.4 Advice to Business

The Trading Standards service works with businesses to help them to comply with trading standards and to encourage the use of good practice. On receipt of business requests for advice we will respond in a number of ways including:

- directing the business to our website or that of a partner organisation, such as the Chartered Institute of Trading Standards' Business Companion
- referring the business to another agency
- providing leaflets produced by partner organisations, our business briefings or standard letters
- providing comprehensive bespoke information or advice via the telephone, email or a letter, on a cost recovery basis and/or
- visiting the business to provide comprehensive advice, on a cost recovery basis.

In each case, our response will be proportionate to:

- the potential risk to consumers caused by a failure on behalf of the business to understand the information/advice provided,
- the experience of the business in question, and
- the impact upon the economic prosperity of the business or its competitors in not achieving compliance in the respective area(s) of the law.

In line with our Business Services Policy, if a business requires more detailed or interpretative advice on trading standards law then we will provide the advice on a cost recovery basis at a pro-rata hourly fee.

In dealing with any requests for advice we will prioritise requests for advice from new businesses, Primary Authority businesses and members of our Norfolk Trusted Trader Scheme.

The Service reviews all information and advice it provides to consumers and businesses on an annual basis. This is with a view to signposting customers to the most appropriate source of online information available to enable self-service and assisted service.

Animal feed and food service requests will be handled by virtue of the projects detailed below and further projects developed during the 2019/20 service year. Anticipated resource requirements are based on the service request numbers received in previous service years, the nature of those service requests and the level of enforcement response required.

The number of food service requests is anticipated to be 100. This is a significant reduction from the previous year; possibly explained by the increased availability of quality online resources along with the introduction of charges for bespoke advice. The number of agriculture service requests is anticipated to be 500.

As outlined in Section 3.3 above the Service currently has Primary Authority Partnerships with three feed businesses and two food businesses. An estimate of billable hours of advice under Primary Authority Partnerships is included in these figures. In the recent past one Primary Authority feed business has required a large amount of resources to satisfy requests for advice and in has amassed over 300 billable hours of advice. The business in question has now employed a former Officer of this Service so the expectation is that the demand from that business will reduce to a minimum. However, it is the case that the Service has committed to doubling its income from chargeable business advice in 2020/21. To do so the Service will need to develop and expand its marketing activities in 2019/20 in order to attract more Primary Authority Partnerships. As this development occurs, given the local business demography, it is likely that further food and feed resources will need to be committed.

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2018/19	2019/20
Business Advice	To provide enforcement and compliance information and advice in relation to agriculture (animal feed, feed hygiene, pet food, fertilisers) and food in response to requests from businesses. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.	0.50 FTE (feed)	0.40 FTE (feed)**
		2.20 FTE (food)	1.0 FTE (food)**
*Excluding managerial, administrative and legal support			
**Includes estimated hours of advice to be delivered under Primary Authority Partnerships			

### 3.5 Animal Feed and Food Sampling

The Trading Standards Service’s Food and Feed Sampling Policy is annexed to this Plan.

The Trading Standards service targets its proactive sampling at locally produced animal feed and foods, those products/ingredients from companies that manufacture in, are based in, or import into Norfolk. In line with a letter from the FSA (ENF/E/08/061) the Service is committed to ensuring that at least 10% of all food samples are of foods imported into the European Union.

In addition, animal feed/foods are targeted which are causing current concerns. These are identified through communication with the Food Standards Agency (FSA) and the Department of the Environment, Food and Rural Affairs (Defra); through local, regional and national intelligence held by local authorities; and through consultation with the Public Analyst. The Service's sampling programmes therefore include projects run in conjunction with the Food Standards Agency (FSA), the Chartered Trading Standards Institute (CTSI) and the East of England Trading Standards Association group of local authorities (EETSA).

Listed overleaf are sampling surveys that will be carried out in 2019-20. This list will be added to as, for example, intelligence identifies other animal feed/food that should be targeted. At the time of writing this plan the service planning cycle for food and feed sampling has not been concluded and further surveys will be added as a result of this process.

Through the examination of available intelligence and data the Service is already aware that compliance with allergen requirements will again be an area of high priority for 2019/20. The Service will continue to develop activities under its long term comprehensive programme of allergen compliance work including sampling, business and consumer engagement and enforcement if need be. The nature of the proposed work for this project will therefore encompass areas mentioned in Sections 3.1, 3.4 and 3.9 as well as sampling work. The estimated resources to deliver all of the work related to the proposed allergen project have been included in the table in this section overleaf.

All sampling by officers is, wherever possible, undertaken in accordance with relevant legislation and all formal animal feed and food samples are taken in accordance with the Feed Law Code of Practice (England) or the Food Law Code of Practice (England) as applicable.

Samples are analysed and/or examined by the Service's nominated Public/Agriculture Analyst in accordance with the procedures laid down in the Food Safety (Sampling and Qualifications) Regulations 2013, the Food Law Code of Practice (England) and the Feed Law Code of Practice (England). Alternatively, some samples are examined/tested in house, if it is appropriate to do so.

The Public/Agriculture Analysts appointed by the Authority are employed by Public Analyst Scientific Services Ltd (PASS).

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2018/19	2019/20
Agricultural Sampling	To undertake animal feed and fertiliser sampling to ensure compliance in relation to composition, safety, hygiene and labelling.	0.80 FTE £12,500 Purchase and analysis costs	0.80 FTE £7,500** Purchase and analysis costs
Surveys under the sampling project will include: <ul style="list-style-type: none"> <li>• Feed materials which are the subject of a complaint to the Service</li> <li>• Imported feeds/ingredients that have been the subject of feed hazard notifications</li> <li>• Finished feed for veterinary medicine carryover and labelling compliance.</li> </ul>			
Food Sampling Programme excluding Allergens Project	Targeting food sampling at areas identified as causing the most harm to consumers in terms of food safety, quality or nutritional standards	1.30 FTE £33,000 Purchase and analysis costs	1.30 FTE £33,000 Purchase and analysis costs
Surveys under the sampling project will include: <ul style="list-style-type: none"> <li>• Sampling during the investigation of complaints</li> <li>• Sampling during the investigation of food fraud</li> <li>• Foods produced in Norfolk or imported by Norfolk based businesses</li> <li>• Foods imported from outside the EU as identified by Food Standards Agency priorities</li> <li>• Foods sold online</li> <li>• Meat speciation in meat products or preparations</li> <li>• Undeclared allergens in non-prepacked foods</li> </ul>			
Allergens project		0.15 FTE	0.25 FTE
* Excluding managerial, administrative and legal support ** The Service's budget has been reduced. The FTE has remained the same as the vast majority of sampling activity is financed by grant funding (provided by FSA and administered by National Trading Standards).			

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease  
 Food poisoning notifications do not usually fall within the remit of the Trading Standards Service. If, however, the Service becomes aware of any incident of food poisoning or infectious disease, the facts will be reported to the appropriate authority.

3.7 Animal Feed/Food Safety Incidents  
 On receipt of any animal feed or food alert, the Trading Standards service will respond as directed and as appropriate and in accordance with the Feed Law Code of Practice (England) or the Food Law Code of Practice (England).

The Food Standards Agency (FSA) issues a "Product Withdrawal Information Notice" or a "Product Recall Information Notice" to let local authorities and consumers know about problems associated with food.

In some cases, a “Food Alert for Action” is issued which requires intervention action by enforcement authorities. 79 food alerts were issued by the FSA in 2018 (January to December), one of which was for action by Local Authorities. The FSA also issued 120 allergy alerts.

The FSA also requires action through the issue of letters to enforcement authorities (ENF letters). This service responded to a variety of food alerts including unsafe Sudan dyes in palm oil, choking hazards in jelly cup and cone type sweets and illegal colours in cake decorations.

During 2018, as a result of sampling activity, the service raised 3 food incidents with the FSA regarding undeclared allergens in prepacked foods as well as a number of food incidents from consumer complaints in relation to undeclared allergens in non-prepacked foods which caused illness/injury.

Feed alerts are far less frequent than food alerts and the service was involved in one feed alert issued by the FSA during 2018. We continue to liaise with the FSA with regard to raising feed incidents relating to businesses in our area. In these instances, we have directed the businesses to raise the incident directly with the FSA. This improves the speed and effectiveness of response given the nature of feed incidents.

It is estimated that, for the coming service year, 0.10 FTE will be required for feed/food safety incident work.

In cases where the service receives reports of chemical contamination of food and there is a subsequent threat to human health, it will liaise with the appropriate district council environmental health department, with a view to taking over responsibility for the case, or for undertaking a joint investigation, as the situation demands.

### 3.8 Liaison with Other Organisations

The Trading Standards Service works with a wide range of organisations, to varying degrees of formality, in carrying out its animal feed and food law enforcement function. These include the Food Standards Agency (FSA), the Department of Health (DH), the Department of Environment, Farming and Rural Affairs (Defra), the Animal Medicines Inspectorate (AMI), National Trading Standards (NTS), the other ten local authority Trading Standards Services in the East of England (EETSA) and District Council Environmental Health Departments.

The Service maintains a strong commitment to the regional work of EETSA and officers from Norfolk contribute to the EETSA Food Group and the EETSA Agriculture Group, with the former group being chaired by a Norfolk officer. Via quarterly meetings and regional Knowledge Hub groups, the Service aims to ensure that local food and feed enforcement activity is consistent with neighbouring authorities. The Service participates in the national Food Focus Group and the National Agriculture Panel, with the latter being chaired by an officer of this Service.

The service also ensures co-ordination with Environmental Health Departments, the Meat Hygiene Service and the Health Protection Agency through the Norfolk Food Liaison Group (NFLG) set up to co-ordinate activities in line with the requirements of the Food Law Code of Practice (England).

The service liaises with Norfolk County Council Public Health to coordinate its food activities in line with Public Health priorities and initiatives.

The service is fully committed to working with the Food Standards Agency on its Regulating Our Future programme, to determine a future delivery model for official food controls. The Head of Trading Standards is a member of the Expert Advisory Panel of Professionals, which has been and will continue to be consulted throughout the programme.

The estimated staffing resource to be allocated to liaison work during the year is 0.30 FTE.

### 3.9 Animal Feed and Food Safety and Standards Promotional Work, other non-official Controls and Interventions

Animal feed and food safety and standards promotional work for the year is linked to the results of our sampling and other enforcement projects, to any relevant prosecutions, and to information provided by our enforcement partners, primarily the Food Standards Agency (FSA). Promotional work consists of postings on our website [www.norfolk.gov.uk/business/trading-standards](http://www.norfolk.gov.uk/business/trading-standards); including scam alerts, postings via our twitter feeds and Facebook pages and regular press releases, locally, regionally and nationally. In addition, we have developed a specific promotional campaign to assist with our consumer and business education work on allergen compliance, through our “@ask for allergens” and #justask social media presence. Resources in relation to allergens promotional work have been accounted for in 3.5.

Information and intelligence gathering work is carried out by feed and food officers as part of their ongoing duties. Information and intelligence is also gathered and analysed by our intelligence analyst and technical support staff in the Intelligence and Enforcement Support Section. Such work informs our control strategy, tasking and coordination function and our service planning cycle.

Resourcing details are provided in the table overleaf.



Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2018/19	2019/20
Promotional Work, Intelligence Gathering	Promotional work including results of market surveillance, enforcement projects, prosecutions and information dissemination. Promotion will include use of our website, social media pages and feeds, local, regional and national press releases and liaison with media organisations.	0.05 FTE (feed)	0.05 FTE (feed)**
	Intelligence gathering work will include complaints and information monitoring, review of local, regional, national and international data to inform market surveillance and enforcement activity.	0.05 FTE (food)	0.05 FTE (food)**
*Excluding managerial, administrative and legal support			
**Intelligence gathering work also undertaken by Intelligence and Enforcement Support Section.			

## Section Four: Resources

### 4.1 Financial Allocation

The net budget for the Trading Standards Service for 2019/20 is £1,781,320. A breakdown of the Trading Standards budget for feed and food enforcement is shown below:

	2018/19 Outturn (tbc)	2019/20 Estimate
Staffing	Total F&F: £658,400 Food & Feed: £298,474 (based on 6.80 FTE)	Total F&F: £646,220 Food & Feed: £248,208 (based on 5.65 FTE)
Sampling budget (Food & agriculture purchase and analysis)	£45,500	£40,500*
Subsistence/travel	Total TS: £43,350 (profiled budget) Food & Feed: £6,753 (based on 6.80 FTE)	Total TS: £32,020 (profiled budget) Food & Feed: £4,145 (based on 5.65 FTE)
*At the time of writing this plan the Service is proposing to apply for grant funding for feed/hygiene audits and feed sampling to supplement the 2019/20 sampling budget. The results of any grant bid will affect surveys proposed in Section 3.5 above. Whilst the overall grant funding is likely to be comparable to the 2018/19 funding, changes to the timing and allocation of these resources means we are unable to confirm at this time.		

The relative amounts allocated to food and feed law enforcement are based on the staff allocation breakdown given in Section 4.2.

4.1.1 The Food Law Code of Practice requires the Service to inspect its food businesses over a prescribed cycle. In addition to the inspection of all high-risk businesses and other interventions detailed in this plan, the expectation is that all medium risk businesses will be inspected every 2 years and that an inspection or alternative enforcement strategy be undertaken at low risk premises once every 5 years.

The Service has determined that, if it were to conduct the routine food inspection programme detailed above, the following resource would have to be redeployed from other enforcement activities, such as fair trading, animal health & welfare or product safety work:

Food Business Inspections:	• Medium risk	5.75 FTE
Food Business Alternative Enforcement Strategies	• Low risk	0.19 FTE

However, mindful of the recommendations of the Hampton<sup>4</sup> and Macdonald<sup>5</sup> Reviews which state the service should only carry out inspections of businesses where there is a clearly identified risk presented by that business, the service will, as in previous years, conduct intelligence-led inspections or other interventions within those business sectors or at those food business operators presenting the highest risk to the food chain and consumers/other legitimate businesses. A flexible approach to resourcing enables us to respond appropriately to incidents and our local approach to risk assessment and effective targeting of resources, rather than the conduct of a routine inspection programme, will provide the necessary protection to the County's food chain.

4.1.2 The service continues to invest in modern ICT systems and provides its annual Local Authority Enforcement Monitoring System (LAEMS) return via a direct download to the FSA. Access to the Internet, to the APP Civica database and to other information systems is seen as a vital resource for operational staff. The Service currently uses the UK FSS iNet database for recording, managing and submitting food and feed sampling data. As a result of withdrawal of funding by the FSA the Service is aware that UK FSS iNet, whilst still in operation, no longer benefits from external ICT support. At the time of writing this plan the Service is awaiting further instruction from the FSA as to how the replacement system for data transfer will operate.

All food and feed law enforcement officers have been issued with laptops computers, mobile telephones and digital cameras. During the service year all officers were given the option of upgrading to a smart mobile 'phone to support them in their work. The service does not have an individual budget for ICT as such matters have now been transferred to corporate funding.

<sup>5</sup>Review of Regulation in Farming: MacDonald – May 2011

4.1.2 No fixed amount is set aside for legal costs with specific regard to food and feed law. However, a general legal cost header is allocated to the budget, the budgeted amount for 2019/20 being £49,000.

#### 4.2 Staffing Allocation

The current staffing allocation to food and feed enforcement has been calculated on the basis of the projects/activities described in Section 3 above as summarised and unless otherwise stated FTE figures quoted relate to competent staff:

Plan Section	Project/Activity	FTE			
		2018/19 Feed	2018/19 Food	2019/20 Feed	2019/20 Food
3.1	Feed Hygiene & Standards Inspection Programme	0.15		0.15	
3.1	Inspection of high-risk food businesses		0.80		0.85
3.2	Complaints and Referrals	0.05	0.35	0.05	0.35
3.4	Business advice	0.50	2.20	0.40	1.00
3.5	Agricultural sampling	0.80		0.80	
3.5	Food Sampling Including Allergens Project		1.45		1.55
3.7	Food/feed alerts		0.10		0.10
3.8	Liaison	0.15	0.15	0.15	0.15
3.9	Promotional Work, Intelligence Gathering (including non-qualified staff)	0.05	0.05	0.05	0.05
	Subtotal:	1.70	5.10	1.60	4.05
	Total:		6.80		5.65

#### 4.3 Staff Development Plan

The Service focuses on the needs of both specialist feed and food law enforcement officers and other staff in terms of their training and continuous professional development (CPD).

The current training arrangements are reflected in the Staff Development Framework and the Learning and Development Plan. The Service has invested in supporting a number of members of staff to study for the Diploma in Consumer Affairs and Trading Standards (DCATS).

Skills and competency are assessed at annual staff appraisals, midyear reviews and 1-2-1 meetings and a programme of continuous professional development is implemented to ensure the maintenance of essential knowledge and skills.

The Food Law Code of Practice England (2015) laid down new competency demonstration requirements for food officers which took effect from 1 April 2016 (which have been further clarified in the Food Law Code of Practice England (2017)). The Service has taken steps, including the provision of additional time and resources, to ensure the new requirements of 20 hours of CPD per annum are met.

## **Section Five: Quality Assessment**

### **5.1 Quality Assessment and Internal Monitoring**

The following arrangements will be used to assess the quality of the Authority's service:

- All procedures and work instructions relating to feed and food law enforcement are subject to established in-house quality improvements and auditing procedures which apply to the whole of the Trading Standards Service
- Evaluation surveys sent out to a sample of businesses following an inspection or request for advice
- Review of a random number of inspections, service requests and complaints by section manager/line managers
- Programme of peer review at inspection for feed/food officers. Areas of good practice and improvement are anonymised, collated and fed back to officers as a group
- Feedback at 1-2-1 meetings, midyear review and appraisal on individual performance
- Feedback at team meetings

## **Section Six: Review**

### **6.1 Review Against the Service Plan**

The Service uses a performance measurement toolkit, "PMR", to collate, report and review performance on a monthly basis.

At monthly intervals the Trading Standards Management Team undertakes a performance review. The meeting includes recognition of any variance from target, the reasons for variance and any appropriate measures to be put in place to address such variance.

At the same meeting the Trading Standards Management Team also reviews progress against our Control Strategy Priority Actions of "Ensuring the standards, quality and safety of the food chain, including food, animal feeds and agricultural fertilisers" and "Providing businesses with access to information and compliance advice to help them succeed; targeting support to start-up, small, high-risk and non-compliant businesses". These actions include the provision of business advice, liaison with regulatory and business partners, intelligence led market surveillance and enforcement activities, including risk-based inspection and sampling.

The allocation of suitable resources to tackle any emerging food or feed issues or trends can be raised for consideration by the Trading Standards Management Team at the monthly Tasking and Coordination meeting.

Information on performance measures and targets is set out on pages 3, 4, 6 and 10 of the Trading Standards Service Plan 2019-20.

6.2 Identification of any Variation from the Service Plan

As outlined in Section 6.1 above the Service, on an ongoing basis, monitors its performance using the above means and takes action to address variance from target throughout the year.

6.3 Areas of Improvement

The Service is committed to addressing areas of improvement highlighted by the ongoing quality assessment and internal monitoring as outlined in Section 5.1 above and the monthly reporting as outlined in Section 6.1 above.

# Food and Feed Sampling Policy

## Background

The four outcomes the Trading Standards Service is seeking to achieve are:

- **Enabling economic growth** by providing support to businesses to help them succeed
- **Safeguarding communities and vulnerable people**
- **Protecting public safety**, health and well-being and farmed animal health and welfare
- **Ensuring trading is legal, honest and fair** and securing a level playing field by tackling the most serious illegal trading

## Introduction

This policy outlines our general approach to the sampling of food and animal feed. This policy is produced in accordance with the Service's obligations under the Framework Agreement on Official Food and Feed Controls and the respective Food and Feed Codes of Practice.

## Policy

This service recognises that sampling and analysis is an essential part of food and feed standards enforcement, which enables authorised officers to assess compliance with food and feed standards, composition, safety and labelling requirements. This includes using sampling and analysis as part of proactive market surveillance and reactive responses to complaints.

The service is committed to maintaining a contract with a suitably qualified Public/Agriculture Analyst for the analysis of formal food and feed samples.

On an annual basis we will formulate and commit resources to a sampling programme for food and animal feed products. This programme will be developed taking into account factors including the nature of the food and feed businesses in the County, our intervention plan, Primary Authority functions, the Food Standards Agency (FSA) food and feed priorities and other available local, regional and national intelligence pointing to areas of most concern. We will also develop our sampling programme in consultation with the Service's appointed Public/Agriculture Analyst.

This service is committed to participation in national and regional sampling surveys where proposed sampling/analysis fits in with the above mentioned factors.

Although developed as an annual programme, this Service will continue to monitor intelligence for emerging issues and will change or amend the sampling programme as necessary.

This service will target its proactive sampling at locally produced animal feed and foods, those products/ingredients from companies that manufacture in, are based in or import into Norfolk. In line with guidance issued by the FSA this Service is also committed to ensuring at least 10% of all food samples are foods imported into the European Union.

All formal food and feed sampling will be taken in accordance with the Food Law Code of Practice (England) or the Feed Law Code of Practice (England), as applicable. All formal samples are analysed and/or examined by the service's nominated Public/Agriculture Analyst in accordance with the applicable legislation. Officers who take formal samples will be suitably qualified and competent to do so in accordance with the respective Food and Feed Codes of Practice.

Where it is the case that informal samples are taken by officers, wherever it is possible, these samples shall be taken in accordance with relevant legislation.

All food/feed samples and the result of examination/analysis will be recorded. Food and Feed Business Operators will be notified of both the samples taken and the results of analysis. Where sample results are considered to be unsatisfactory, the Service will take appropriate action to ensure compliance is achieved. Any action will be carried out in accordance with the CES Enforcement Policy.