

In carrying out the above considerations due regard will be had to the guidance and advice provided in LACORS Guidance on Food Sampling for Microbiological Examination January 2002. All food sampling activities will comply with the requirements of the Regulation of Investigatory Powers Act 2000.

8. Follow-up

When the results of a laboratory examination of the sample(s) are received, the Principal Environmental Health Officer will decide appropriate follow-up action. Due regard will be had to the expert advice from the food examiner, this authority's enforcement policy and any liaison with the Home or Originating Authority, if appropriate.

Sampling results will be categorised by the laboratory as being satisfactory, acceptable, unsatisfactory or potentially hazardous. This will result in follow-up action as follows:

Letters and advice: The proprietor will be notified of the results in writing within 7 days of receipt. Where necessary, advice will be given on possible causes of problems and improvements that could be made. Advisory literature may be sent. Advisory visits may be made.

Re-samples: Re-samples may be taken after unacceptable results and will always be taken after unsatisfactory results. Re-samples will normally be carried out within 2 weeks of the original sample.

Potentially hazardous results: In addition to the above action, consideration will be given to taking formal samples. Where a follow-up visit reveals poor practice or compliance, Breckland's Enforcement Policy will be followed.

In those cases where an arrangement exists for Home and Originating Authority referrals, the appropriate authorities will be notified of unsatisfactory results.

Information will be provided on the selection and methodology of the samples, where requested, to enable manufacturers or importers to assess the result or repeat the examination.

9. Complaints and Appeal

Any person wishing to complain about the service they have received or appeal against any decisions that affect them will be provided with information on how to do this in accordance with the Breckland Council Compliments and Complaints Procedure and the Environmental Health and Private Sector Housing Enforcement Policy.

10. Review

This Sampling Policy will be reviewed annually and amended as necessary.
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Breckland Council Food Team

Environmental Health

Sampling Policy for the Microbiological Examination of Food

1. Introduction

Microbiological food sampling makes an important contribution to the protection of public health and food law enforcement functions of Breckland Council.

It is used as part of a planned approach to gather information about the microbiological quality and possible presence of harmful micro-organisms in particular foods which are produced and/or sold/used locally. Based on this information, appropriate action can be taken to protect the consumer.

This policy sets out this authority's general approach to food sampling and its approach to specific situations.

This policy and programme have been prepared in consultation with the food examiner/public analyst via the local food liaison group as required by Food Law Code of Practice and Practice Guidance.

The sampling policy and programme has been prepared with due regard to the guidance provided in the Food Law Code of Practice and LACORS Guidance on Food Sampling for Microbiological Examination (January 2006).

Breckland will provide resources sufficient to carry out its sampling programme.

2. Aims and Objectives

- To protect the consumer through the enforcement of food legislation.
- To identify foods that could pose a hazard to the consumer because they may contain significant levels of pathogenic bacteria and/or associated toxins.
- To identify any contraventions of food safety legislation e.g. Food Safety Act 1990 Section 8 (food which is unfit or food which is so contaminated) or Section 14 (food not of the quality), or The Food Hygiene (England) Regulations 2006.
- To help evaluate temperature control, food handling and processing practices at food premises in relation to HACCP requirements.
- To help determine whether advice or enforcement action would be appropriate where it is suspected that poor practices and procedures exist.
- To give advice and guidance to proprietors of food businesses.
- To assess the microbiological quality of food manufactured, distributed or retailed in Breckland's area.
- To assess the microbiological quality of imported food.

3. General

Officers undertaking formal and informal sampling, as laid down in Food Law Code of Practice, will be qualified and trained in accordance with that code.

Formal and informal microbiology samples will be examined by the Microbiology Department, Norfolk and Norwich University Trust, Bowthorpe Road, Norwich. This establishment is a UKAS accredited laboratory for microbiological tests on foodstuffs. There is a Service Level Agreement between Breckland and the Trust.

4. Informal Samples for Examination

Informal samples are taken for the purpose of surveillance, monitoring and providing advice to food business operators.

4.1 Sampling Programme

This authority will prepare an annual sampling programme having regard to the factors listed in Section 2. This programme will consist of the following components:

- Product specific approved premises sampling. Approved premises will be sampled for routine monitoring and surveillance purposes.
- LACORS Co-ordinated Food Liaison Group Sampling Programme. This nationally organised programme requires sampling of food from a variety of premises.
- Other National and EU programmes. From time to time, we are invited to participate in special surveys co-ordinated by the Food Standards Agency and the European Union.
- Eastern Region Survey Sampling Programme. This locally organised programme focuses on issues of importance to Norfolk Food Authorities.
- Monitoring and surveillance sampling of high risk food businesses in Breckland.

4.2 Other informal samples

Sampling will also take place:

- as a result of a food complaint or suspected food poisoning outbreak;
- to assist food businesses where particular problems arise.
- by officers when there is any need to check the safety of food.

5. Formal samples for examination are taken with a view to pursuing legal action under The Food Hygiene (England) Regulations 2006.

Formal samples will be taken where food is found to be, or is suspected to be, unsafe and informal means have not remedied the situation.

6. Sample Numbers

Samples will be taken to meet 100% of the above requirements.

Each sampling programme will be documented and included in the sampling register.

7. Sampling Procedures

Sampling will take place in accordance with Breckland's formal or informal sampling protocol.

The owner of the food, the proprietor of the premises, or their representative will be given the opportunity to observe the sampling process unless a sample is taken anonymously as required by a particular protocol.

During routine informal sampling the Sampling Officer will offer to purchase a sample and provide the proprietor with a receipt and record of samples taken. In other cases the offer to purchase will be made at the discretion of the Sampling Officer. Where samples are not purchased and the quantity or frequency of sampling gives rise to significant financial consequences for the owner of the food, Breckland will offer an ex-gratia payment.

A copy of Breckland Council's Food Sampling Policy leaflet will be provided to every business at the time of sampling.