

ARMAGH CITY, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL

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AMENDMENT RECORD SHEET

Remove and destroy old pages. Insert new pages as indicated.

Revision Number	Page Number	Date Revised	Description of Revision
V2.0	Cover Sheet	7.3.23	Updated to new format and policy number issued.
	4	7.2.23	3.1 Updated population statistics – Census 2021 3.2 Updated statistics on Profile of Food Industry
	5		Reference FSA 'Food You Can Trust 2022-2027'

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1. Introduction

This policy deals with sampling of food and for both microbiological and food standards.

In Northern Ireland the responsibility for the enforcement of food safety and hygiene legislation rests with the Food Standards Agency (NI) and the 11 District Councils.

Councils in NI recognise the important contribution food sampling makes to the protection of public health and the food law enforcement functions of District Councils.

The primary legislation governing food sampling includes The Food Safety (NI) Order 1991 and the Food Law Code of Practice, The Food Hygiene Regulations (NI) 2006, The Official Feed and Food Controls Regulations (NI) 2009 and EC Regulation 2073/2005 and 178/2002 (and associated guidance).

This policy is intended to guide us as we develop sampling programmes as part of our food service plan and to help provide a regional focus for microbiological sampling of foodstuffs and sampling for food standards.

When used as part of a suite of food enforcement measures, food sampling can make a very valuable contribution provided it is targeted; risk based and makes the best use of available resources.

This policy should be read in conjunction with LACORS Guidance on Food Sampling for Microbiological Examination Issue 2 January 2006 and Food Standards Agency document Practical Sampling Guidance for Food Standards and Feeding Stuffs, May 2004.

2. Aims and Objectives

This document aims to provide a template for a consistent and effective approach to food sampling within district councils across NI.

The objectives of sampling are to:

- Protect the consumer through enforcement of food hygiene and food standards legislation.
- Verify the effectiveness of a food business's Food Safety Management System. Evaluating temperature control, food handling and processing practices.

- Give advice and guidance, if appropriate, on food hygiene and food standards matters.
- Assess the quality of food manufactured, distributed or retailed in Armagh City Banbridge and Craigavon Borough Council
- Ensure imported food complies with relevant food legislation.
- Giving customers sufficient information to make informed choices
- Detect fraudulent activities
- Ensure consistent and proportionate follow up action is taken upon receipt of sampling results in line with the council's enforcement policy.

3. Setting the Sampling Programme

Issues to be considered when devising a sampling plan could include:

- Size and health of the population – (outbreak investigation issues)
- Profile of the food industry in NI
- National & regional surveys
- Known food safety/hygiene and food standards issues
- Outbreaks and sporadic incidents of food borne illness
- Laboratory provision
- Available resources

Taking these in turn:

3.1 Size and Health of the Population

It is estimated that the NI population is approximately 1.9 million (NISRA 2021). Annual mortality rates can be obtained on the NISRA website at www.nisra.gov.uk

3.2 Profile of the Food Industry in NI

There are a total of 22262 food establishments in NI (data provided by FSA from January 23 Winter Return and has not been subject to any verification checks), they are broken down into the following categories:

Primary Producers	501
Manufacturers and Packers	1248
Importers and Exporters	63
Distribution and Transporters	432

Retailers	4030
Restaurants and other Caterers	15781
Approved Premises	242

While manufacturers and approved premises only account for 6.7% of food businesses, consideration should be given to the volume and type of food they produce, the size and extent of their markets and also consideration given to the operation of the Home Authority Principle and where appropriate the Primary Authority Scheme (PA).

The FSA's Strategy 'Food you can trust 2022-2027' identifies the key strategic outcomes as:

- Food is safe
- Food is what it says it is
- Food is healthier and more sustainable

Sampling therefore plays an important role in ensuring that these strategic outcomes are met.

3.3 Regional and National Surveys

NI Food Managers working groups meet with the Public Health Laboratory representatives and Public Analyst to discuss arising issues and priorities in the coming year with respect to food hygiene and standards matters. Regional surveys from PHE or the FSA are also coordinated through the working groups.

Sampling requirements of the EU Official Control requirements as regards contaminants in food are also required to be included in the sample plan.

Imported food contributes 50% of all the food consumed in the UK, the FSA have asked inland authorities to consider sampling imported foods as part of their routine programmes. This would give some assurance of the safety and quality of food entering the country. Although it is possible to plan for most of an authority's samples, there are circumstances that require additional sampling or a change in priorities such as consumer complaints, Food Alerts or RASFFs. We are aware of the need to instigate contingency arrangements should the need arise.

3.4 Known Food Safety/Hygiene Issues

District Councils may collectively or individually consider initiatives based on local needs and experience to deal with known or recurring issues.

Historically, problems have been identified with substitution in meat products and preparations (meat content, labelling etc) substitution of spirits, high salt levels in locally produced foods (including breads), allergen declaration, quid labelling and misrepresentation and more recently presence of undeclared meat species.

3.5 Outbreaks and sporadic incidents of food borne illness

The nature of food poisoning outbreaks mean that it is very difficult to develop a plan to deal with outbreaks in terms of resourcing. It is understood that each investigation will take priority over other sampling programmes.

3.6 Laboratory Provision

Appointed Public Analyst:

Eurofins Food Testing Ireland Ltd
Clogherane
Dugarven
Co. Waterford
X35 T628

Food Examiner

Belfast City Hospital
Public Health Laboratory
Belfast Health & Social Care Trust
Lisburn Road
Belfast
BT9 7AD

Tel: 028 9026 3588

3.7 Available Resources

Councils are under increasing financial pressure, but it is important that sample budgets are not cut. In order to protect these budgets councils must ensure that samples are targeted to make best use of the available resources and to ensure that the consumer is protected. There is currently no cost for micro sampling.

Historically a level of 1.5 samples were procured however due to budget constraints it has been agreed to reduce this figure to 1.25 samples per 1000 population for chemical analysis. In Armagh City, Banbridge and Craigavon Borough (with a population of approx. 219,000) this equates to 274 chemical samples per year. The number of samples may be increased if and when the need arises for example, to facilitate investigations and detection of any food fraud incidents.

4. Types of Samples

There are two categories of food samples:

4.1 Informal Sampling

Informal samples should be taken in the following circumstances:

- Sampling is not likely to result in formal action being taken.
- Sampling is for monitoring purposes where there is no legislative aspect.
- Sampling is for background surveillance and compliance levels.
- Sampling is to provide advice to businesses regarding hygiene matters.
- Sampling for nutritional analysis against non-legislative standards e.g., FSA salt targets for certain food

4.2 Formal Sampling

Formal samples should be taken in the following circumstances:

- As a follow-up to a 'Potentially injurious to human health/or unfit for human consumption' sample result
- As part of the investigation of a confirmed food poisoning outbreak
- As part of the investigation of an alleged food poisoning outbreak where there is sufficient evidence/suspicion of an offence
- Where an Officer believes samples, results may be required to form evidence for legal proceedings

In all circumstances the officer should discuss the need for formal samples with their line manager. Formal samples must only be taken by officers authorised to do so.

The documents listed at Appendix 1 should be read and considered in detail regarding sampling policies, sampling programmes, preparation and equipment for sampling, sampling approaches and methods.

5. Imported Food

Samples of imported foods should account for a minimum of 10% of the total number of samples taken annually in Northern Ireland. In Armagh City, Banbridge and Craigavon Borough Council we will aim towards this figure where appropriate and relevant sampling is identified.

6. Surveys

It is the intention of the council to participate where there is an apparent public health benefit in food surveillance programmes which are co-ordinated by the following bodies, as part of programmed sampling.

- FSA Surveillance Programmes
- Health Protection Agency
- NIFMG Subgroups
- Public Analyst Scientific Services

7. Reporting of Samples

Results of microbiological and food standards samples should be reported in a timely manner and where appropriate in writing to the Food Business Operator and other interested parties e.g., the manufacturer / Home Authority.

8. Publication of Sampling Policies

The Food Law Code of Practice requires the council to publish food sampling policies.

Appendix 1 Related Documents

Microbiological Sampling

- LACORS Guidance on Food Sampling for Microbiological Examination, Issue 2 January 2006 (G/FC/GUD/066)
- HPA Guidelines for Assessing the Microbiological Safety of Ready-to-Eat Foods Placed on the Market (G/FC/GUD/064)
- HPA 'How to pack a Cool Box'. Version 8, March 2010. (G/FC/GUD/147)
- FSA Food Law Code of Practice (G/FC/COP/014)
- FSA Food Law Practice Guidance (G/FC/GUD/110)
- Follow up on Microbiological Sample Results (G/FC/GUD/013)
- Formal Sampling Flowchart (G/FC/GUD/014)

Food Standards Sampling

- FSA Practical Sampling Guidance for Food Standards & Feeding Stuffs
- Part 1: Overall Objectives of Sampling. May 2004 Version 1 (G/FC/GUD/145)
- FSA Practical Sampling Guidance for Food Standards & Feeding Stuffs Part 2: Food Standards Sampling. May 2004 Version 1 (G/FC/GUD/146)
- Guidance note for sampling food and feed to determine the presence of genetically modified (GM) material, FSA NI, December 2007 (G/FC/GUD/035)
- FSA Food Law Code of Practice (G/FC/COP/014)
- FSA Food Law Practice Guidance (G/FC/GUD/110)
- NIFLG Procedures For Taking Formal Chemical Samples (G/FC/GUD/072)
- Follow up on Chemical Sample Results (G/FC/GUD/004)

Appendix 2 Equality Screening Form

Policy Scoping

Policy Title: Food Sampling Policy

Brief Description of Policy (please attach copy if available). Please state if it is a new, existing or amended policy.

Amended Policy

Intended aims/outcomes. What is the policy trying to achieve?

The policy aims to provide a template for a consistent and effective approach to food sampling within the Council.

Policy Framework

Has the policy been developed in response to statutory requirements, legal advice or on the basis of any other professional advice? Does this affect the discretion available to Council to amend the policy?

This policy deals specifically with food sampling and is a requirement of the Food Standards Agency Food Law Code of Practice to prepare a Food sampling Policy. The policy is reflective of a number of relevant guidance documents issued by the Food Standards Agency.

Are there any Section 75 categories which might be expected to benefit from the policy? If so, please outline.

No. This policy will have no impact on equality.

Who initiated or wrote the policy (if Council decision, please state). Who is responsible for implementing the policy?

Who initiated or wrote the policy?	NI Food managers group
Who is responsible for implementation?	Environmental Health Manager

Are there any factors which might contribute to or detract from the implementation of the policy (e.g. financial, legislative, other)?

In certain circumstances, the Council may derogate from the detail of the policy in terms of sample numbers due to increased demand for example in the course of an in-depth food investigation subject to budget available.

Main stakeholders in relation to the policy

Please list main stakeholders affected by the policy (e.g. staff, service users, other statutory bodies, community or voluntary sector, private sector)

Food Business Operators

Are there any other policies with a bearing on this policy? If so, please identify them and how they impact on this policy.

The General Enforcement Policy

Available Evidence

Council should ensure that its screening decisions are informed by relevant data. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories. For up to date [S75 Borough Statistics](#)

Section 75 category	Evidence
Religious belief	N/A
Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

Needs, experiences and priorities

Taking into account the information gathered above, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy/decision?

Section 75 category	Needs, experiences and priorities
Religious belief	N/A
Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

Screening Questions

1. What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 categories?

Category	Policy Impact	Level of impact (Major/minor/none)
Religious belief		<i>None</i>
Political opinion		None
Racial group		None
Age		None
Marital status		None
Sexual orientation		None
Men and women generally		None
Disability		None
Dependents		None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?

Category	If yes, provide details	If no, provide reasons
Religious belief		N/A
Political opinion		N/A
Racial group		N/A
Age		N/A
Marital status		N/A
Sexual orientation		N/A
Men and women generally		N/A
Disability		N/A
Dependents		N/A

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion, or racial group?

Category	Details of Policy Impact	Level of impact (major/minor/none)
Religious belief		<i>None</i>
Political opinion		<i>None</i>
Racial group		<i>None</i>

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Category	If yes, provide details	If no, provide reasons
Religious belief		N/A
Political opinion		N/A
Racial group		N/A

Multiple Identity

Generally speaking, people fall into more than one Section 75 category (for example: disabled minority ethnic people; disabled women; young Protestant men; young lesbian, gay and bisexual people). Provide details of data on the impact of the policy on people with multiple identities. Specify relevant s75 categories concerned.

N/A

Disability Discrimination (NI) Order 2006

Is there an opportunity for the policy to promote positive attitudes towards disabled people?

N/A

Is there an opportunity for the policy to encourage participation by disabled people in public life?

N/A

Screening Decision

A: NO IMPACT IDENTIFIED ON ANY CATEGORY – EQIA UNNECESSARY

Please identify reasons for this below

This is a technical policy which provides guidance on development of sampling programmes as part of the Council food Service Plan. It has no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

B: MINOR IMPACT IDENTIFIED – EQIA NOT CONSIDERED NECESSARY AS IMPACT CAN BE ELIMINATED OR MITIGATED

Where the impact is likely to be minor, you should consider if the policy can be mitigated or an alternative policy introduced. If so, an EQIA may not be considered necessary. You must indicate the reasons for this decision below, together with details of measures to mitigate the adverse impact or the alternative policy proposed.

C: MAJOR IMPACT IDENTIFIED – EQIA REQUIRED

If the decision is to conduct an equality impact assessment, please provide details of the reasons.

Timetabling and Prioritising

If the policy has been screened in for equality impact assessment, please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3 with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Policy Criterion

Rating (1-3)

Effect on equality of opportunity and good relations
Social need
Effect on people's daily lives

The total rating score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the council in timetabling its EQIAs.

Is the policy affected by timetables established by other relevant public authorities? If yes, please give details.

Monitoring

Effective monitoring will help the authority identify any future adverse impact arising from the policy. It is recommended that where a policy has been amended or an alternative policy introduced to mitigate adverse impact, monitoring be undertaken on a broader basis to identify any impact (positive or adverse).

Further information on monitoring is available in the Equality Commission's guidance on monitoring (www.equalityni.org).

Identify how the impact of the policy is to be monitored

Approval and Authorisation

A copy of the screening form for each policy screened should be signed off by the senior manager responsible for that policy. The screening recommendation should be reported to the relevant Committee/Council when the policy is submitted for approval.

Screened by	Position/Job title	Date
Paula O'Neill	Environmental Health Officer	02/10/23
Approved by	Position/Job Title	Date
Elizabeth Reaney	Head of Environmental Health	22/11/23

Please forward a copy of the completed policy and form to:

equality@armaghbanbridgecraigavon.gov.uk

who will ensure these are made available on the Council's website.

The above officer is also responsible for issuing reports on a quarterly basis on those policies "screened out for EQIA". This allows stakeholders who disagree with this recommendation to submit their views. In the event of any stakeholder disagreeing with the decision to screen out any policy, the screening exercise will be reviewed.

Appendix 3 Rural Needs Impact Assessment (RNIA)

SECTION 1

Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority: Armagh City, Banbridge & Craigavon Borough Council

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

Food Sampling Policy

1C Please indicate which category the activity specified in Section 1B above relates to:

Developing a

Adopting a

Implementing a

Revising a Policy.

Designing a Public Service

Delivering a Public Service

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above

Food Sampling Policy

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service

The policy aims to provide a template for a consistent and effective approach to food sampling within the Council

1F. What definition of 'rural' is the Public Authority using in respect of the Policy,

Strategy, Plan or Public Service?

- Population Settlements of less than 5,000 (Default definition)
- Other Definition (Provide details and the rationale below)
- A definition of 'rural' is not applicable

Details of alternative definition of 'rural' used

Rationale for using alternative definition of 'rural'.

Reasons why a definition of 'rural' is not applicable.

This is an internal staff policy. It will not have a differential impact on people living in rural areas.

SECTION 2

Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?

Yes No If response is No go to 2E

2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas *differently* from people in urban areas, please explain how it is likely to impact on people in rural areas differently.

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.

- Rural Businesses
- Rural Tourism

- Rural Housing
- Jobs or Employment in Rural Areas
- Education or Training in Rural Areas
- Broadband or Mobile Communications in Rural Areas
- Transport Services or Infrastructure in Rural Areas
- Health or Social Care Services in Rural Areas
- Poverty in Rural Areas
- Deprivation in Rural Areas
- Rural Crime or Community Safety
- Rural Development
- Agri-Environment
- Other (Please state)

If the response to Section 2A was YES GO TO Section 3A.

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

This is an internal staff policy. It will not have a differential impact on people living in rural areas.

SECTION 3

Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

Yes No If response is No go to 3E

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.

- Consultation with Rural Stakeholders
- Consultation with Other organisations
- Published Statistics
- Research Papers

- Surveys or Questionnaires
- Other Publications
- Other Methods or Information Sources
- (include details in Question 3C below)

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

If the response to Section 3A was YES GO TO Section 4A.

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

This is a technical policy. It will not have a differential impact on people living in rural areas.

SECTION 4
Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

N/A

SECTION 5
Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

Yes No If response is No go to 5C

5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

If the response to Section 5A was YES go to 6A.

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.

This is a technical policy. It will not have a differential impact on people living in rural areas.

SECTION 6

Documenting and Recording

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.

I confirm that the RNIA Template will be retained, and relevant information compiled.

Rural Needs Impact Assessment undertaken by: Paula O'Neill

Position: Environmental Health Manager

Department / Directorate: Environmental Health

Signature: Paula O'Neill

Date: 03 November 2023

Rural Needs Impact Assessment approved by: Elizabeth Reaney.

Position: Head of Department

Department / Directorate: Environmental Health

Signature: E Reaney

Date: 22 November 2023