

Annex A

Request

A breakdown showing how many covid-19 cases there have been at food business operators (FBOs) in England and Wales in 2020.

I would like this data broken down by local authority and company.

Response

As of 29 July, we hold 54 records of incidents relating to COVID-19 cases in individual food business operators (FBOs) in England and Wales of which 50 were in recorded in England and 4 in Wales. It should be stressed that this information only relates to meat plants, abattoirs and food processing plants.

Under our duty to consult, we held consultations with the FBOs that are listed within the data held by the FSA. Following our appraisal of the consultation responses, we are releasing the following information, this being the same information that has already been published via various sources of the media:

Incident Date	Plant Name	LA Area	Total Number conf. COVID-19 cases
26/06/2020	Forza Foods Ltd	Wakefield Council	17

We consider that naming the remaining FBOs would be likely to prejudice their commercial interests including the relationship with their customers and suppliers and especially where the information we hold is not an exact copy of the information which may have already reached the public domain.

We should not ignore the fact that where FBOs have experienced outbreaks, these would have been responded to and most likely with input from public health authorities. Release of this information would likely bring focus to locations at which any issues have now been resolved.

Therefore, the remainder of the information held by the FSA relevant to this request has been withheld under section 43 (Commercial Interests) of the Act. Further details of our use of this exemption can be found in Annex B.

There is public interest in understanding the nature of COVID-19 cases in FBOs. However, the risk of the virus spreading through food or its packaging is considered low. It is unlikely therefore that releasing this information would contribute to public safety and instead could cause confusion and uncertainty. Therefore, there is public interest in withholding this information.

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Annex B

SECTION 43 (COMMERCIAL INTEREST)

Some of the information that you have requested is being withheld from disclosure under section 43 of the Act. This is information which if disclosed would be likely to prejudice the commercial interests of FBOs caught within scope of this request.

As a qualified exemption this requires a public interest test to be carried out to consider whether the balance of public interest in disclosing the information outweighs that in not disclosing.

Whilst there is a general public interest in increasing transparency and openness, there is also a need to protect the legitimate commercial interests of FBO's.

If food producers believe that information about the day to day running of their plant will be disclosed, they might be reluctant in future to co-operate and provide the FSA with all the information it requires to carry out its statutory functions. This could be damaging to the FSA's objective of protecting public health in relation to food. In addition, it is not in the public interest to disclose information that would be likely to be used by competitors and weaken a company's position, in an already competitive market.

We believe, therefore, that the balance of the public interest favours withholding the information.