

Our Reference: FOI 1579/1041/2014

Date: 09 July 2014

By e-mail: [REDACTED]

Dear [REDACTED]

Freedom of Information Act 2000

Thank you for your email dated 11th June 2014 requesting information under the Freedom of Information Act. I would firstly like to apologise for not acknowledging this request sooner, however, I am now in a better position to respond.

You requested the following:

Details of breaches of abattoir regulations over the past three years.

Please could you detail the following:

- 1a) For the 2014 year so far, how many times have regulations been broken at UK abattoirs in 2014? Please list a summary of each breach, the date and location. Please let me know the outcome of any investigation carried out after the incident.*
- b) Same for the calendar year 2013.*
- c) Same for the calendar year 2012.*

Your request is being handled under the terms of the Freedom of Information Act 2000 (the Act).

The Food Standards Agency (FSA) is responsible for the delivery of official controls in approved meat establishments (slaughterhouses, cutting plants and game handling establishments) subject to veterinary control within the UK. These meat establishments are operating under Regulation (EC) No 852/2004, Regulation (EC) No 853/2004 and Regulation (EC) No 882/2004.

The Food Business Operator (FBO) is responsible for the safe production of meat and the welfare of animals at his or her premises. Advice on compliance with the law is available from the Guide to the Food Hygiene & Other Regulations for The Meat Industry (<http://www.food.gov.uk/business-industry/meat/guidehygienemeat>).

The FSA has responsibility for the enforcement of legislation in Great Britain relating to public health, animal welfare at slaughter and animal health controls in approved establishments under veterinary supervision. All other approved and registered meat establishments are the enforcement responsibility of the Local Authority.

FSA officers are authorised to enforce public health, hygiene, animal welfare and animal by-products legislation in approved establishments. Enforcement action will be initiated when the FBO's food safety management systems and standard operating procedures are failing to protect public health, animal health or animal welfare and will typically follow a "Hierarchy of Enforcement". There are various sanctions that authorised officers (typically Official Veterinarians, but, in certain situations trained inspectors) can use to deal with contravention of the legislation. The choice of tool depends on the alleged offence, the severity of non-compliance, the history involved and the willingness of the FBO to comply with the legal requirements.

The aim of enforcement action is to secure compliance through co-operation, advice and persuasion. As part of the enforcement hierarchy, when an authorised officer identifies a non-compliance, they would first provide verbal advice, and where this is ignored, the officer would escalate the issue in various ways depending on the nature of the non-compliance, the legislation and powers available. These may include:

- written warnings
- the service of statutory notices
- detention, formal seizure of what are considered non-conforming foodstuffs
- declaring meat unfit for human consumption, requiring the disposal of unfit food as an animal by-product and in certain cases applying to the courts to have food condemned as unfit.

Continued failure to comply with the legal requirements may result in formal investigations with a view to prosecuting the operator in the Courts, or the suspension / withdrawal of the establishment's approval which will prevent them from operating.

Authorised Officers will take immediate formal enforcement action where FBOs do not adequately control risks to public health, animal health, or animal welfare.

There will be instances where the Authorised Officer refers specific contraventions to other enforcement agencies that have enforcement responsibility for those matters e.g. Local Authority Trading Standards / Environmental Health Departments, Environment Agency, Scottish Environment Protection Agency, Veterinary Medicines Directorate, Animal Health and Veterinary Laboratories Agency, Rural Payments Agency and the Health and Safety Executive.

All instructions on the way in which the enforcement approach should be progressed are detailed within our published Manual for Official Controls (<http://www.food.gov.uk/enforcement/monitoring/meat/manual/>).

You may find it helpful to know that the FSA considered a paper at its June 2014 Board meeting that provided an update on FSA operational activity up to the end of March 2014. The paper includes charts which demonstrate the compliance levels as well as enforcement activity of businesses in Great Britain over the last 12 months. The charts provide information about rates of non-compliance and enforcement action taken within the hierarchy of enforcement explained above.

This can be viewed at:

<http://multimedia.food.gov.uk/multimedia/pdfs/board/board-papers2014/fsa-140611a.pdf>

The relevant board paper is FSA 14/06/11 and this can be found on the FSA website at the following link:

<http://food.gov.uk/about-us/how-we-work/our-board/board-meetings/boardmeetings2014/110614/board-agenda-110614>

Similar reports are considered at the FSA Board meeting on a quarterly basis throughout the year; details of operational activity for 2012/13 were discussed in July 2013 (Paper reference FSA 13/07/07) and can be found at the following link:

<http://food.gov.uk/about-us/how-we-work/our-board/board-meetings/board-meetings-2013/13-07-16/board-agenda-130716>

Details for 2011/12 can be found in the Operations Annual Report at the following link:

<http://multimedia.food.gov.uk/multimedia/pdfs/board/fsa121205-annual-report-2011-12.pdf>

As you can see there is a range of enforcement powers that the FSA can take in response to non-compliance with regulations. I realise on reflection that I should have contacted you earlier to clarify specifically what information you might have

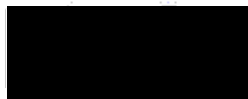
found useful and advised on what we could make available to you. However, I hope you find the data and information in the FSA Board paper contains the information you are seeking. If you wish to submit a further more specific request for information after reading the Board data, please let me know and I will undertake to respond as promptly as possible.

If you have any queries about this letter, please contact me. Please remember to quote the reference number at the top of this letter in any future communications.

If you are not satisfied with the way the Agency has handled your request for information, you should write within two calendar months of the date of this letter to the Openness Team, and ask for an internal review. They will arrange for the Complaints Coordinator to conduct the review. Their address is Food Standards Agency, Room 2C Aviation House, 125 Kingsway, London, WC2B 6NH (email: Openness.team@foodstandards.gsi.gov.uk).

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Agency. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or through the website at: www.ico.gov.uk

Yours sincerely



Private Secretary to Chief Operating Officer