

Annual Report of Incidents 2012

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Executive summary

In 2012¹, we were notified of and investigated 1604 food and environmental contamination incidents in the UK. This was 110 fewer than the number of incidents notified the previous year, but still higher than in any year prior to 2011. Where appropriate, action was taken to ensure consumers' interests in relation to food safety and standards were protected.

Notification of an incident can be received from a variety of sources, including Government departments, organisations and a wide range of businesses. The top three reporters of incidents to us in 2012 were border inspection points (397), local authorities (346) and fire services (179).

In addition to the incidents that get reported to us, we will also regularly receive food complaints from consumers who believe they may have suffered food poisoning, or have concerns about food businesses, such as finding food on sale past its 'use by' date. Investigation of isolated complaints of this kind is the responsibility of local authority food enforcement officials and we will forward the complaint promptly to the relevant local authority to investigate. In contrast, where a foodborne illness outbreak has occurred, we will be heavily involved, working with key stakeholders to isolate the source of the outbreak and ensure that contaminated food is seized and taken promptly out of the food supply chain.

The three largest contributors to the total number of recorded incidents in 2012 were:

- microbiological contamination – 20%

¹ This report covers the 2012 calendar year.

- environmental contamination – 15%
- natural chemical contamination – 13%

One of the valuable roles played by this report is providing insight into how certain types of incident have increased. In the microbiological contamination category, for example, incidents involving strains of salmonella had averaged out at 45 a year during 2006-2009. In 2010 they rose steeply to 118 and fell only to 98 in 2012. Our investigations suggest that this increase was mostly the result of paan leaves imported from Bangladesh.

Similarly, the number of allergen-related incidents appears to have risen by more than half since 2010. Our analysis suggests, however, that legislative changes relating to gluten may have been a major contributory factor.

In 2012 we investigated six 'high' level incidents. We define high level incidents as severe, complex, widespread and likely to generate a high level of concern in public and media perception of the issue. The full list of the high level incidents in 2012 is included within the statistics section (appendix 1 refers).

Risk assessment, management and communication lie at the heart of the Agency's incident response protocol. The Agency works in partnership with enforcement authorities, food business operators and other key stakeholders in order to manage incidents consistently and proportionately. As a principle, our decisions are science and evidence-based, putting the consumer first.

Action taken by us to protect consumers in relation to food safety included issuing 72 alerts and 35 information notices to local authorities. All our alerts and information notices are published on our website. We also sent 517 notifications to the European Commission, via the Rapid Alert System for Food and Feed (RASFF). The RASFF is an effective tool to exchange information about measures taken when responding to food and feed incidents.

We continue to receive a large amount of food fraud intelligence supplied to us by local authorities and others. In 2012 our Food Fraud Team entered approximately 1,380 records into our Food Fraud Database (FFDB). This intelligence helps us to build up a picture of fraudulent activity across the UK, which is then fed back to food enforcers to assist them with their ongoing investigations.

To test our incident procedures, we routinely participate in cross-government emergency exercises. Outputs from our incident/exercise reviews may result in revisions to our incident procedures, in order to deliver a more efficient and consistent approach. In the run up to the London Olympics in 2012, we took part in a number of Olympic related emergency exercises (including Acanthus, Apollo and Green Altius) to test our levels of preparedness and our communications networks with the London Organising Committee of the Olympic and Paralympic Games (LOCOG), food businesses, local

authorities and other Government departments to ensure that we were ready for the unique food safety challenge that the Games represented. Partly as a result of this preparation, only 22 minor food safety incidents occurred during the Games. This number was far less than anticipated and there were no major incidents.

During 2012, our systems for the detection of potential new and re-emerging risks to food safety were strengthened and are now operational. These systems will build our knowledge of the strengths and weaknesses within the complex web of global food chains that exists today. By targeting our research and surveillance activities at these weaknesses, we will develop a better understanding of when, why and how incidents occur. This will in turn support our policy making and enforcement activities while helping us to identify more effective ways of preventing future food safety issues.

We are always looking to improve our incident response capability. Planned developments to our incident response systems in 2013 include a review of our incident response protocol and the roll out to port health authorities of our iRASFF eLearning module. In addition, we will continue to analyse our incidents data and food fraud intelligence to help us identify new and re-emerging food safety risks. We will also be looking more widely, working with industry, researchers and other stakeholders, at how we can improve the ways we capture, share and use intelligence on potential issues that might affect food safety or quality, or confidence in the food chain and its control.

What is an incident?

An incident is defined by the FSA as:

'Any event where, based on the information available, there are concerns about actual or suspected threats to the safety or quality of food and feed that could require intervention to protect consumers' interests.'

Incidents fall broadly into two categories

- Incidents involving accidental and deliberate contamination of food or animal feed in the processing, distribution, retail and catering chains. These incidents may result in action to withdraw the food from sale and, in certain circumstances, to issue a recall, alerting the public not to consume potentially contaminated food.
- Environmental pollution incidents, for example, fires, chemical/oil spills, radiation leaks, which may involve voluntary or statutory action (such as orders made under the Food and Environment Protection Act 1985).

What is our role?

Our role is to protect consumers from eating unsafe food and to otherwise protect the interests of consumers in relation to food. A key part of this work involves investigating food and environmental contamination incidents to determine whether there are any food safety implications and then, where appropriate, take action to safeguard the public.

Our incidents work, which aims to ensure that food produced and sold in the UK and imported food is safe to eat, is reflected in our five-year strategy, drawn up, in consultation with our stakeholders and refreshed annually. Our strategy is publicly available, and a link to the latest version is available at:

www.food.gov.uk/about-us/publications/busreps/strategicplan

Where the scale and complexity of an incident is such that some degree of Government co-ordination and support is necessary, a designated 'lead' Government department will be responsible for the overall management of the response. FSA is the lead Government department for widespread accidental or deliberate contamination of food and feed. In addition, we have a key supporting role providing food safety advice in relation to a range of other environmental incidents, such as chemical spills, oil leaks and large fires. We also have a responsibility for ensuring that any clean-up operation following an environmental contamination incident takes account of food safety issues.

We have incident teams operating from our offices in Aberdeen, Belfast, Cardiff and London, to deal with incidents in Scotland, Northern Ireland, Wales and England respectively. Our offices work together closely and this is especially important during UK-wide incidents where a joined-up response is essential to ensure the incident is rapidly investigated and action is taken promptly to protect consumers. Our incident response may also involve partnership working with a range of other Government departments, agencies and trade bodies in the UK and elsewhere.

Where the severity of the incident has led the police to set up a strategic co-ordinating centre or gold command², we may send staff to that centre, or act through another organisation present at that centre. We may also provide representation at outbreak control team (OCT) meetings, during a foodborne illness outbreak.

² For major emergencies an off-site gold command will normally be set up, for example at the local police headquarters. The group will comprise senior officers from the emergency services, senior managers from local authorities and other organisations involved in the response.

Why and how should you report an incident?

By reporting incidents to us at the earliest opportunity, we can work together to minimise their impact. Food business operators have a statutory obligation to report incidents. European legislation³ specifies the general principles and requirements of food law, establishing the European Food Safety Authority and lays down procedures in matters of food safety.

Food business operators are required, under Article 19 of Regulation No. 178/2002, to inform the competent authorities where they have reason to believe that a foodstuff that they have imported, produced, manufactured or distributed is not in compliance with food safety requirements. In the case of the UK, the competent authorities are the Food Standards Agency and the food authorities (local and port health authorities).

Under the Food Law Code of Practice, local authorities have a requirement to notify us of food incidents. The code of practice provides instructions and criteria that food authorities should have regard to when engaged in the enforcement of food law. Food authorities must follow and implement the provisions of the code that applies to them.

Local authorities undertake regular inspections of food premises and sample products from manufacturers, wholesalers and retail outlets. Where breaches of food safety requirements are identified that involve concerns about food in the food chain, the authority concerned will, where appropriate, contact the relevant Incidents Team⁴.

Both industry and local authorities can report incidents to us online. The online report form is available on our website at:

www.food.gov.uk/foodindustry/regulation/foodfeedform

³ Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002 ('the Regulation')

⁴ There are four FSA incident teams in the UK (in London, Cardiff, Belfast and Aberdeen). For further details please see Appendix 4

Other organisations (for example, the European Commission, UK agricultural departments and environmental agencies) also have procedures in place for notifying us in the event of an incident. Likewise, when we find an issue that affects or could affect other Member States or third (non-EU) countries we notify the Commission through the RASFF system.

The investigation of isolated complaints from consumers who may have suffered food poisoning, or found food on sale past its 'use by' date, is the responsibility of local authority food enforcement officials and we promptly forward any complaints we receive to the relevant local authority to investigate.

In addition, our food fraud team receives information on issues relating to standards in the food industry. When this information originates from someone working within industry it is considered to be 'whistleblowing'. Further details regarding our whistleblowing policy are contained within the 'Key work areas' section.

Key work areas

Data Analysis Project

Work on the Data Analysis Project (DAP) continues. This project was set up to carry out a detailed examination of all the incidents data we hold, going back to our inception in April 2000. In addition to enabling us to produce this report and all our annual reports of incidents since 2006, the data collected from this project are used to inform policy and delivery and feed into our emerging risks work.

Database Integration Project

In March 2012 we successfully completed a project to link four FSA databases that record incidents, food fraud intelligence, imported food and emerging risks respectively, to create a single 'intelligence network'. This will improve our capability to store, manage and search incidents data and food fraud intelligence in future.

As part of this work, we transferred across all our historical incidents data (approximately 13,000 incident records) stretching back to April 2000 when the FSA was created. This provides us with a valuable corporate memory, in terms of information, that we can access relating to our risk assessments and risk management action for each incident we have dealt with over the years.

Emerging risks

Following a period of method development in the previous year, our Emerging Risks Programme came on stream in January 2012. The completion of the Database Integration Project (see above) enables us to monitor and analyse data identifying signals pertaining to unusual events that may be the precursors of future food safety issues.

We have involved our stakeholders in the detection and assessment of future food safety risks and established a larger number of formal and informal networks at local, national and international levels. These networks provide opportunities for intelligence gathering through collaborative working with industry, enforcement authorities and

trade associations, such as the Emerging Risks Consultative Forum (ERCF). We are the UK representative in the European Food Safety Authority's (EFSA) Emerging Risks Exchange Network (EREN). We are continually reviewing and looking to expand these networks, to increase our capability in this area.

Food fraud work programme

Food fraud is the deliberate placing on the market, for financial gain, of foods that are falsely described or otherwise intended to deceive the consumer. It includes the substitution and adulteration of foods with cheaper, often inferior, ingredients and the sale of foods that may have public health implications, such as foods that are unfit for human consumption or are knowingly contaminated.

Our prevention of food fraud programme seeks to improve the assistance we are able to give to local authorities, through raising awareness and take-up of the existing resources (both advisory and financial) that are available to assist local authorities in their investigations into food fraud activity. As part of this work, in 2012, fighting fund money⁵ totalling £251,684 was awarded to 13 UK local authorities involved in food fraud investigations⁶.

Another key aspect of our work in this area is our Food Fraud Database. This system relies on local authorities, industry and consumers providing information on known or suspected food fraud, which could include any illegal activity relating to food, to our dedicated mailbox foodfraud@foodstandards.gsi.gov.uk or calling our answer phone: 020 7276 8527.

In 2012, our Food Fraud Team entered approximately 1,380 records on the Food Fraud Database (FFDB), a very similar volume to 2011. New items of information are checked against data already on the system to see if they complement existing intelligence and provide sufficient cause for investigation. The unit disseminates intelligence to the relevant enforcement authorities, and mechanisms (including coordination, expertise, resources and training) are in place to provide support for significant local authority investigations of potential national concern. This continued level of intelligence reporting demonstrates clearly the success of the awareness raising work undertaken by our staff and the success of joint collaborative enforcement action and publicity from acting on shared intelligence.

We continued to run our two-day Evidence Gathering and Interview Skills (EGIS) training course during 2012. This course is designed for enforcement officers to assist them during food fraud investigations. During the year, eight courses took place at seven venues across England and these were attended by 96 food law enforcement officers

5 The 'fighting fund' refers to financial support that the FSA offers to local authorities to assist them with their enforcement work. Applications from local authorities are assessed on a case-by-case basis.

6 Support to LAs in Wales is provided by the Welsh Food Fraud Co-Ordination Unit.

(trading standards, environmental health and port health), representing 60 local authorities. The course continues to receive positive delegate feedback.

Emergency response programme

In order to maintain resilience and ensure our incident response protocols are suitably robust, we have continued our involvement in the cross-government emergency exercises programme. During 2012 we regularly participated in a range of exercises addressing scenarios where food safety was of concern.

Also, in advance of the London Olympics we organised and took part in several workshops and exercises involving other Government departments and local authorities. These Games-specific exercises focused on ensuring that all partners were aware of each other's procedures and protocols in the event of a food safety incident. For instance, Exercise Acanthus gathered together the FSA and local authorities responsible for Olympic venues to rehearse inter-communication requirements in a Games context. Exercise Apollo was a five-day exercise with the Health Protection Agency (HPA) testing laboratory and results-reporting.

Looking ahead, alongside continued participation in the regular programme of nuclear exercises, we plan to review our exercise programme in the light of lessons learned from exercises held during the year and the learning points taken from the Olympics and incidents. We will also be involved in a major cross-government business continuity exercise currently being planned by the Department of Energy and Climate Change (DECC) and a recovery exercise with the Department for Environment, Food and Rural Affairs (Defra).

International work

We have been supporting the European Commission in a range of international initiatives to promote and enhance the use and understanding of the Rapid Alert System for Food and Feed (RASFF) and the application of Regulation (EC) No. 178/2002 laying down the general principles and requirements of food law and procedures in matters of food safety. These activities have included UK representation at the following workshops:

- Food Safety Emergency: Procedures and Management Workshop – Cremona, Italy (May 2012)
- Mycotoxins Workshop – Valencia, Spain (Sept 2012)
- EFSA Crisis Management Workshop – Parma (October 2012)
- Workshop on stakeholder engagement during incidents – Washington DC (December 2012)

In addition, we represent the UK at the Working Group meetings for the RASFF System, which are held twice a year. All Member States meet to discuss the working and continued improvement of the system.

Another example of our international work was Operation Opson II. Operation Opson was a week of action that took place in December 2011 targeting fake and substandard food and drinks across 10 European countries. The operation was coordinated by Europol, the European law enforcement agency. Due to the success of Operation "Opsion" it was agreed that Operation "Opsion II" should take place from Monday 3 December to Sunday 9 December 2012. The number of participating countries increased from 10 to 29; Europol widened the net to include non-EU countries, including the USA, Burkina Faso, Nigeria, Togo, South Africa, Benin, Jordan, Morocco, Thailand, Hong Kong, Bangladesh and India. Europol managed the exchange of EU data and Interpol the non EU.

The Agency's Food Fraud Team participated in both of these exercises by disseminating intelligence relating to the seizure of fake food and drinks by local authorities (and other agencies) to the UK's co-ordinating body, the Intellectual Property Office (IPO).

During Opsion II, Europol/Interpol received, as part of the exercise, intelligence relating to the seizure of 135 tonnes of potentially harmful goods ranging from everyday products of coffee, soup cubes and olive oil, to luxury goods such as truffles and caviar. A further 100 tonnes of misdeclared and/or potentially hazardous food was confiscated during investigations linked to Operation Opsion II. Recovery of more than 385,000 litres of counterfeit liquids including vodka, wine, soy sauce and orange juice, in addition to fish, seafood and meat declared unfit for human consumption, as well as fake candy bars and condiments also took place.

London Olympics and Paralympics 2012 – food safety response

As the Government department responsible for food safety issues, one of our key priorities in 2012 involved planning for and, as and when they occurred, responding to food safety incidents during the London Olympic and Paralympic Games. By working in close partnership with the London Organising Committee of the Olympic and Paralympic Games (LOCOG), the Health Protection Agency⁷, host local authorities, Joint Local Authority Regulatory Service (JLARS) and food business operators, we helped ensure that food safety at the Games venues was enforced rigorously.

Following the Games, we were pleased to report that, despite the huge volume of food served during its duration (estimated at 14 million meals), the FSA dealt with just 22 food safety incidents with potential links to the Games. For further details regarding our Olympics-related work, please refer to case study 1.

⁷ Now part of Public Health England.

On-line incident report form

As part of our policy of continuous improvement, we regularly review and refine our procedures. Following a review of our online report form, which is used by food business operators and local authority officials to notify us of food incidents, we made a number of enhancements to our form in 2012, including the introduction of a new 'supporting documents' tab, which allows users to attach any relevant documents to the form (e.g. certificates of analysis and product distribution details). The revised form will be launched in 2013.

Root Cause Analysis

During 2012 we continued to promote the use of Root Cause Analysis (RCA) methodology, using this technique to look at the events leading up to a food safety incident (asking why things happened at each stage). This enables us to identify the chain of events, as well as the specific step or series of steps within that chain where action could be taken to prevent similar food safety incidents in the future.

Whistleblowing

As the lead competent authority in the UK for food safety, we do on occasion receive information on issues relating to standards in the food industry. When this information originates from someone working within industry it is considered to be 'whistleblowing'.

Whistleblowing procedures, which are managed by our Food Fraud Team, allow those who work in the food industry to report concerns about malpractice in a safe and confidential environment. Any reports we receive via this route will be passed immediately to the relevant local authority for investigation, as appropriate, while protecting the whistleblower's identity.

Specific information provided by stakeholders, including 'whistleblowers', continues to be a valuable and growing source of intelligence, enabling us to detect potential new food safety risks. Our whistleblowing policy is available at: food.gov.uk/whistleblowing. The policy explains the procedures undertaken to protect the whistleblower from detrimental treatment or victimisation from their employer under the Public Interest Disclosures Act 1998. Whistleblowers can provide information to us in person, by telephone, in writing or by email.

Our Food Fraud Team will provide advice and guidance to whistleblowers, as necessary, for example to communicate our policy on handling any qualifying disclosure. In such a case, we would tell them that we are acting on the information provided, provide assurances that we will protect their identity and any potential links to the company in question, and refer them to sources of further information and advice.

By operating these procedures, the Food Fraud Team ensures appropriate investigations and enforcement actions are taken by local authority food law enforcement officers, while protecting the identity of the whistleblower.

In 2012, the Food Fraud Team handled a record 81 cases originating from whistleblowers, a marked increase from the 54 cases received in 2011, which was largely due to improved call handling procedures.

The following table provides a breakdown by category of the cases received:

2012	
CATEGORY	Number of whistleblowing cases received
Adulteration	1
Illegal re-dating of food	3
Illegal re-labelling of food	1
General hygiene issues	23
Malpractice by EHO	1
Misdescription	8
Prohibited persons	1
Sale of non-organic as organic	1
Sale of unfit food	41
Unapproved/unregistered premises	1
TOTAL	81

There are a small number of ongoing investigations that may possibly lead to prosecutions. However, in the majority of cases, enforcement action focuses on establishing the existence of malpractice, appropriate intervention and the swift rectification of the issues discovered.

Case study 1

Olympic and Paralympic Games 2012

Background

The Olympic and Paralympic Games in London 2012 was the largest peacetime catering operation in the world, serving 14 million meals during the Games period. As the UK central competent authority for food safety and consumer protection, the Food Standards Agency worked with a range of stakeholders to ensure food safety measures were in place and that all food sold, cooked and eaten during the Games was safe.



From a food safety perspective, the Games went extremely well and one reason for this was that the FSA had prepared well: training up staff, putting in place robust and effective emergency procedures and allocating sufficient resources. Despite the huge volume of food served during the Games, there were just 22 food safety incidents. These included minor cases of suspected food poisoning and food contamination, as well as a fire near the Olympic Park that could have ended up contaminating food. The number of incidents reported was fewer than anticipated and there were no major incidents.

Risk to consumers

The importance of high standards of food safety during the Games period should not be underestimated and the Incidents Unit continues to play an increasingly larger role in the cross-Government planning and response to wider national incidents and events that call for advice on food safety.

With regards to food safety, the main risk to consumers attending the Games was food served to spectators and athletes during the London Olympic and Paralympics Games 2012 being unsafe, resulting from the FSA and its delivery partners failing to make adequate preparations. A major food incident occurring during the Games, such as a foodborne disease outbreak, would have posed a significant threat to public health and reputational risk to the UK.

Action taken

The FSA's preparations for the Games focused on developing and maintaining our excellent working relationships with other Government departments, enforcement officers, and food industry representatives to ensure that the risks to consumers, athletes and visitors to the Games events were kept to a minimum. Some of the specific Olympic-related actions undertaken by the FSA in the run up to, and throughout the period of the Olympic and Paralympic Games, were as follows:

- We worked alongside delivery partners, including LOCOG, to strengthen existing incident notification protocols.
- We established and operated close reporting arrangements with, in particular, HPA and Department of Health, feeding into national reporting arrangements.
- We ensured that the contract caterers operating within all Olympic venues were linked into our food alert system and were fully aware of their statutory responsibility to notify us, should any food safety incident occur.
- The FSA Incidents unit made a number of presentations to the contract caterers and to the managers of the Olympic and Paralympic Games venues, to highlight the protocols and procedures that the FSA had in place to deal with any food safety incidents.
- The FSA co-hosted an event with the Chartered Institute of Environmental Health (CIEH) exercise Elderflower, on 15 July 2011. This was attended by a wide range of local authority participants and representatives from the HPA and catering firms.

The aim of the workshop was to rehearse the response to a high level microbiological incident and have a clear understanding of incident response procedures; the objectives were:

- to demonstrate that all host boroughs can respond effectively to a food incident
- to rehearse communications between host boroughs and the FSA during a food incident
- to familiarise host borough staff with procedures and processes for handling a food incident
- to rehearse collaborative working and communication lines between a number of local authorities dealing with a widespread food incident.

- The Incidents unit attended and had input in regular multi-agency cross government departmental meetings to ensure that every Government department was aware of our role and the details of the preparations being made for London 2012.
- In January 2012, we held Exercise Acanthus, a one-day event comprising training and simulated scenarios, to address the issue of communication with local authority partners.
- We also took part in several cross-departmental Olympic related exercises to rehearse response arrangements in an Olympic context.
- Ahead of the Games, the Incidents teams across the UK trialled their Games-time shift working patterns and reporting processes to ensure procedures, response and resources were effective and robust. These operated effectively throughout the Games, ensuring sufficient cover to deal with emerging incidents.

Case study 2

Investigation/Prosecution – Illegal cutting plant

Background

In 2011, Bristol City Council investigated a complaint regarding a foreign body found in a piece of chicken sold in a takeaway. The local authority's investigations uncovered invoices and anecdotal evidence that the poultry supplier was a company based in Bristol. Internal checks by Bristol City Council revealed that no such business was, or had ever been, registered with them, nor was it an approved cold store. Further checks with the Food Standards Agency confirmed that the business was not approved under Regulation (EC) 853/2004 as a cutting plant.



Further investigations led enforcement officers to an industrial unit in the Clay Hall area of Bristol. On visiting the premises, officers were unable to gain entry, but an external search of the unit revealed poultry packing from two approved poultry production businesses and other waste, including poultry trimmings and fat. Fans could be heard from inside the unit, suggesting a refrigeration plant was in use and there was a quantity of off-cuts of refrigerator walling, suggesting that cold rooms had been built inside the unit.

Desktop research of Companies House records revealed that the implicated company had a registered address in Bristol and provided details of the sole director and secretary of the limited company. Despite the implicated person's mobile phone details appearing on receipts obtained by officers and proof that they answered calls made to the given number, they denied any involvement in the business.

Action taken

Following meetings with trading standards colleagues and consultations with the Agency's Food Fraud Team, warrants sworn out under the Food Hygiene (England) Regulations 2006, were executed by Bristol City Council on 17 May 2011, with assistance from the Police, at both the factory site and the registered office, a domestic premises.

Risk to consumers

On visiting the unlicensed processing plant, food law enforcement officers found that the premises had none of the necessary food hygiene approvals or licences required to work with meat. Additionally, work tables, saws, knives, a chainmail glove – used by butchers to prevent accidental injuries while cutting meat – open wheelie bins containing meat debris and bones were also discovered during the inspection. The premises lacked washbasins by work areas, a knife steriliser and any kind of safety management system.

Officers found hygiene defects such as pairs of underpants in use as wiping cloths, toilets in the same room as equipment washing facilities and car tyres stored in the cutting rooms. Seized financial records revealed that the business, which the owner had run since 2009, had a turnover of around £5m a year. The meat was sold to a wide range of businesses. Bristol City Council estimated that the unit processed 'in excess of 20–30 tonnes of chicken per week'; this equates to a turnover figure of £350,000 over a six week period.

Bristol City Council successfully applied for an order from magistrates to destroy more than 4 tonnes of chicken seized following the raid on the unit.

Support

The investigation undertaken by Bristol City Council received financial support from the Food Standards Agency's Fighting Fund. Bristol City Council was also assisted by colleagues in South Wales and other West Country local authorities who helped to confirm both the distribution and the value of the business by visiting the company's customers and obtaining records. The Food Standards Authority in Ireland (FSAI) also assisted in the investigation by sending veterinary officers to obtain statements from the company's biggest poultry suppliers.

Outcome

In September 2012, Bristol City Council successfully undertook a prosecution against the sole director and secretary of the company, who pleaded guilty to 18 charges of failing to comply with food hygiene regulations between June 2010 and May 2011 and of failing to register the premises as a poultry processing plant under EC Regulation 853/2004. At the time of going to press sentencing had not been carried out. The company in question has, however, been put into liquidation.

We hope that this case sends a clear message to others, who are involved in similar activities or are considering becoming involved, that Government will not tolerate such behaviour and will ensure that appropriate enforcement action is taken in each instance.

Case study 3

Allergen incidents involving undeclared peanuts in curries

Background

During 2012, the Agency investigated several incidents involving severe allergic reactions in consumers following the consumption of curry dishes purchased from Indian restaurants and take-aways. Some of these incidents resulted in fatalities.

The finding from our investigations with the local authorities suggested that a number of these incidents were caused by the use of a ground almond ingredient, which also contained ground peanut. We identified a number of potential weaknesses in the food chain where the contamination and loss of clear information occurred. These included:



- poor understanding of the significance of substituting peanuts for almonds and incorrect allergen information provided at a point of sale
- unclear labelling and confusion between peanuts and tree nuts (almonds) leading to the potential for accidental substitution.
- possible economically motivated adulteration, driven by the financial incentive to substitute ground almonds with ground peanut

Risk assessment

The undeclared presence of peanuts poses a public health risk to those with an allergy to peanuts. Peanut allergy is distinct from tree nut allergy, in that some individuals who are peanut allergic are able to tolerate tree nuts such as almonds.

Action taken

- we issued a web story to inform consumers to be aware of the risks involved with allergens in foods when eating out:
<http://www.food.gov.uk/news-updates/news/2013/jan/allergyremind>

- we have provided risk assessments on the individual incidents to local authorities, to enable appropriate action to be taken.
- successful prosecution of a UK distributor by the local authorities, for the failure to maintain the integrity of food information when re-packing ground almond.
- we have and are encouraging local authorities to identify underlying trends responsible for recurring allergen incidents.
- we continue to work with catering trade associations to raise awareness that allergen information will need to be provided for unpackaged foods from December 2014.

Looking ahead

Annual Report of Incidents 2013

We aim, as part of our policy of openness and transparency, to publish an Annual Report of Incidents in 2014 covering the calendar year 2013.

To feed into this process, we would be grateful for your views regarding what you thought about the 2012 report and what additional information, if any, you would like to see included in future. Our contact details can be found in Appendix 4.

E-learning

In 2012, work continued on the development of an e-learning module for port health authorities to train their staff on the new iRASFF system. Under this system, which we have been trialling alongside other Member States, port health authorities (PHAs) will be able to notify the FSA and other Member States (via the European Commission) rapidly regarding rejections of food consignments at point of entry following unsatisfactory sampling results. At the time of going to press, the new module was subject to user acceptance testing prior to roll-out in 2013.

Emerging risks

Looking ahead, we plan to continue to use the methods that have been developed to facilitate the detection of potential emerging issues, thereby increasing available knowledge of when, why and how food safety incidents develop.

We are looking to further develop our intelligence network by considering the linking of various other databases. We will be extending our information technology (IT) capability with the addition of Geographical Information System (GIS) to the emerging risks database to enhance our data analyses.

We will be continuing to promote the use of root cause analysis (RCA) and global chain analysis (GCA) techniques to encourage improved investigations of food safety issues. GCA enables us to assess and map potential weaknesses associated with specific foods.

Formation of Public Health England

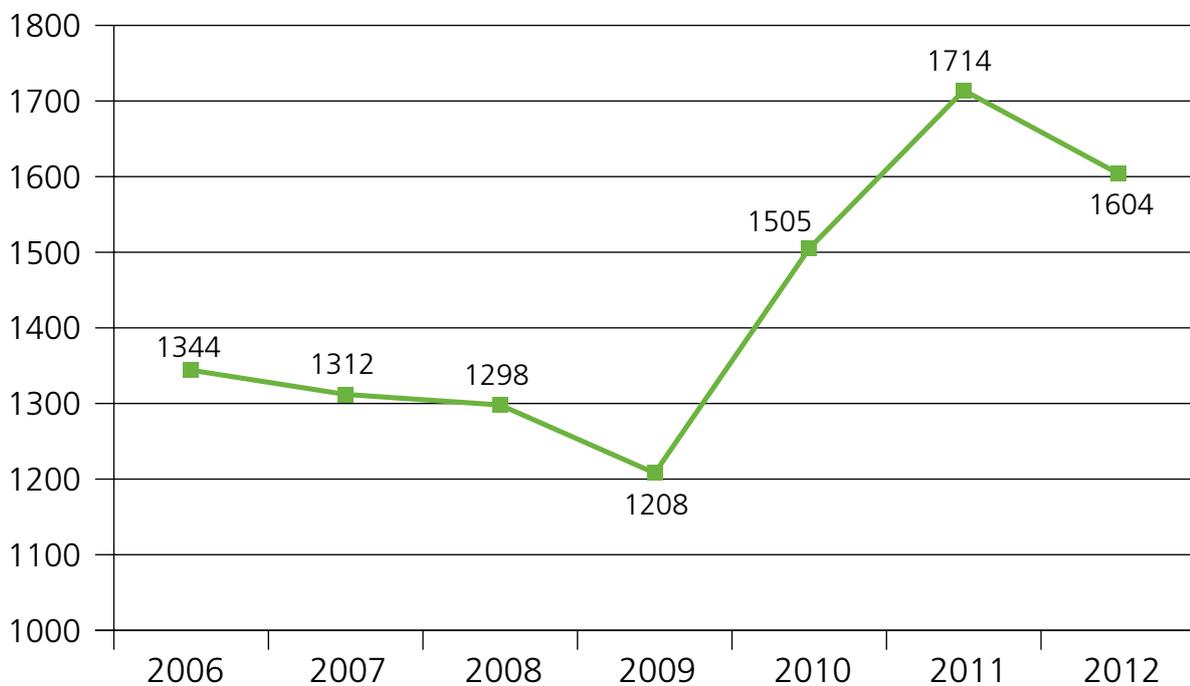
During 2012, the FSA carried out a considerable amount of planning with health officials in preparation for the formation of Public Health England (PHE), which began operating on 1 April 2013. PHE is an executive agency of the Department of Health in the UK. Its formation came as a result of the reorganisation of the National Health Service, outlined in the Health and Social Care Act 2012. PHE has taken on the role of the Health Protection Agency, the National Treatment Agency for Substance Misuse and a number of other health bodies. The FSA will be working closely in partnership with PHE, and its equivalent bodies in devolved countries and local authorities, to ensure that foodborne illness outbreaks in the UK continue to be managed effectively.

Appendix 1 Statistics

Total number of incidents

In 2012, 1,604 incidents were investigated by the Agency. This represents a decrease of 110 from the 2011 figure of 1,714.

Figure 1: Number of incidents that have been recorded each year since 2006



The number of high-level incidents handled during 2012 was fairly similar to that in preceding years. However, the number of medium incidents dropped considerably from previous years.

Table 1 details the classification composition of incidents recorded since 2006.

Table 1: Low, medium and high level incidents, 2006 – 2012

Year	Low	Medium	High	Total
2006	1,166 (86.8%)	167 (12.4%)	11 (0.8%)	1,344
2007	1,185 (90.3%)	111 (8.5%)	16 (1.2%)	1,312
2008	1,176 (90.6%)	108 (8.3%)	14 (1.1%)	1,298
2009	1,135 (94.0%)	72 (5.9%)	1 (0.1%)	1,208
2010	1,437 (95.5%)	65 (4.3%)	3 (0.2%)	1,505
2011	1,644 (95.9%)	63 (3.7%)	7 (0.4%)	1,714
2012	1,587 (98.9%)	11 (0.7%)	6 (0.4%)	1,604

The six high level incidents in 2012 related to the following:

- the contamination of a batch of sorbitol with sodium nitrite
- an outbreak of *Listeria monocytogenes* in hospitals in Northern Ireland
- fraudulent export of fish by-products
- an outbreak of botulism linked to olives from Italy
- an outbreak of *Escherichia coli* in Northern Ireland
- the recall of peanut butter and other peanut-products from the United States due to contamination with strains of salmonella.

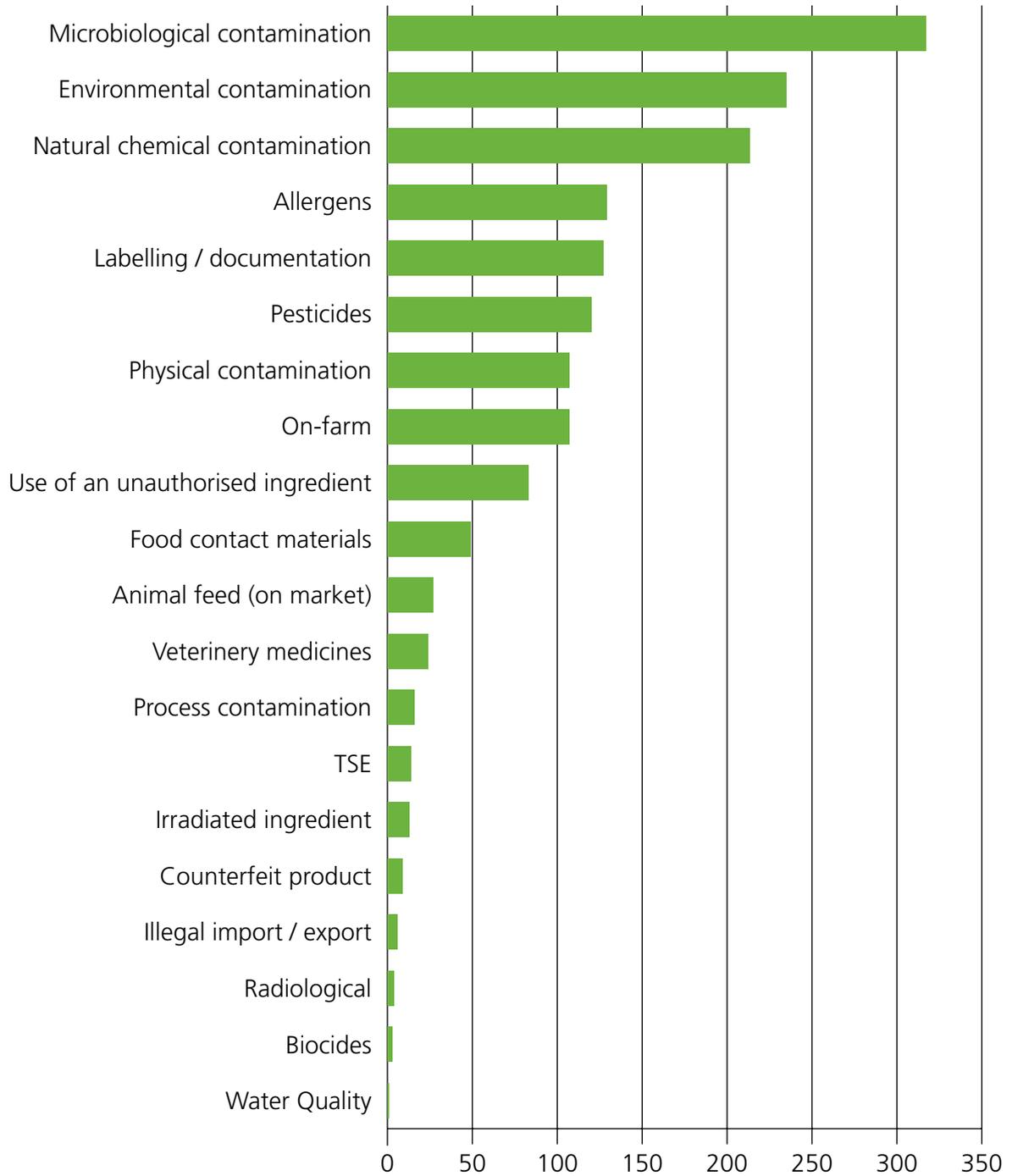
Table 2: Incidents by category, 2006 – 2012*

Category	2006	2007	2008	2009	2010	2011	2012
Allergens	61	86	84	86	79	114	129
Animal feed (on market)	9	10	13	10	8	28	27
Biocides	2	0	1	2	2	0	3
Counterfeit product	6	3	6	7	11	11	9
Environmental contamination	376	226	186	211	342	356	235
Food contact materials	15	26	35	50	37	40	49
Illegal import / export	16	17	7	14	16	9	6
Irradiated ingredient	14	23	10	6	7	4	13
Labelling / documentation	93	82	126	77	95	120	127
Microbiological contamination	147	163	186	218	271	281	317
Natural chemical contamination	169	215	230	150	228	285	213
On-farm	99	160	139	144	122	134	107
Pesticides	20	35	16	28	55	102	120
Physical contamination	139	123	110	56	116	93	107
Process contamination	15	21	14	19	9	4	16
Radiological	11	14	6	7	4	7	4
TSE	10	8	4	9	9	10	14
Use of an unauthorised ingredient	52	46	66	70	59	67	83
Veterinary medicines	78	45	47	36	31	47	24
Water quality	12	9	12	8	4	2	1
Total	1,344	1,312	1,298	1,208	1,505	1,714	1,604

* In total, 13,910 incidents have been notified to the Agency since April 2000.

Microbiological contamination incidents contributed the most to incidents recorded in 2012 (see figure 2)

Figure 2: Incidents by category, 2012



Food alerts and information notices

If there is a problem with a food product that means it should not be sold, then it might be 'withdrawn' (taken off the shelves) or 'recalled' (when customers are asked to return the product). The FSA issues information about product withdrawals and recalls to let consumers and local authorities know about problems associated with food. In some cases, a 'Food Alert for Action' is issued. This alert provides local authorities with details of specific action to be taken on behalf of consumers.

In 2012, the Agency issued a total of 118 alerts and information notices including 11 updates. This compares to 106 alerts and information notices (including one update) recorded in 2011.

Table 3 shows the breakdown of the 107 original alerts and information notices issued in 2012.

Table 3: Categories of food alert and information notices 2012

Category	Food Alert for Action (FAFA)	Allergy Alerts (AA)	Recall Information Notice (RIN)	Withdrawal Information Notice (WIN)	Total
Allergens	–	66	–	–	66
Labelling/documentation	2	–	4	1	7
Microbiological contamination	3	–	9	1	13
Natural chemical contamination	–	–	1	–	1
Physical contamination	–	–	14	2	16
TSE	1	–	-	-	1
Use of unauthorised ingredients	–	–	2	-	2
Water contamination	–	–	-	1	1
* Excludes updates				Total	107*

The FSA also passes on information about certain food incidents to the European Commission's RASFF system. The UK issued a total of 517 RASFF notifications during 2012 including 37 alert notifications, 360 border rejection notifications and 120 information notifications (for more details, see Appendix 3).

Detailed analysis of incident categories

Allergens

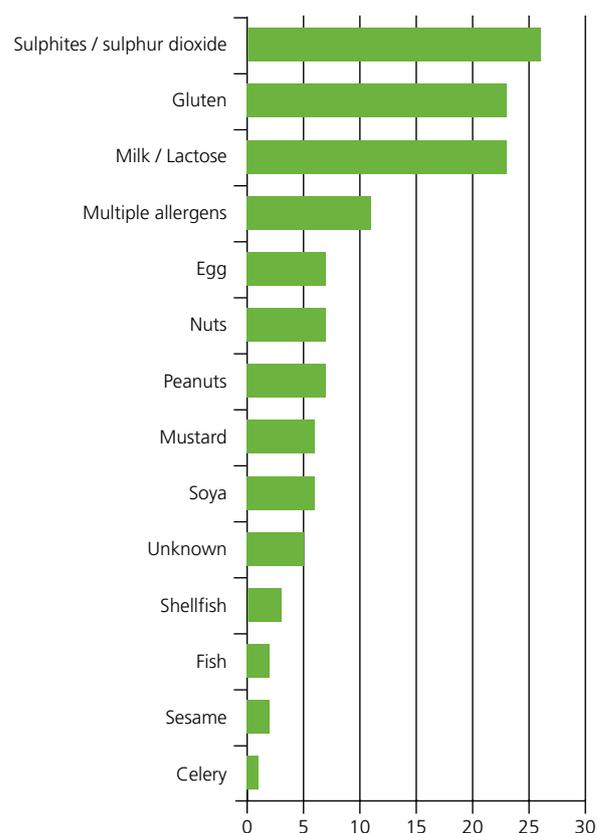
The total number of allergen incidents increased from 114 in 2011 to 129 in 2012 and are sub-categorised by allergen type in Table 4.

The number of incidents relating to gluten in 2012 was 23 compared to 14 in 2011 and 7 in 2010. This increase may be due to legislative changes occurring in 2011.

Another increase was observed for incidents relating to sulphites and sulphur dioxide (19 reports in 2011 and 26 in 2012). Again, this may be due to recent legislative changes.

Table 4: Allergen incidents by sub-category 2012

Allergen sub-category	Number of incidents
Sulphites / sulphur dioxide	26
Gluten	23
Milk / lactose	23
Multiple allergens	11
Egg	7
Nuts	7
Peanuts	7
Mustard	6
Soya	6
Unknown	5
Shellfish	3
Fish	2
Sesame	2
Celery	1
Total	129



Animal feed contamination

A total of 27 incidents relating to animal feed contamination were reported to the Agency during 2012. Table 5 shows these incidents by sub-category indicating that issues involving microbiological contamination (particularly contamination with strains of salmonella) were the most predominant.

Table 5: Animal feed contamination incidents by sub-category 2012

Animal feed contamination sub-category	No of incidents
Microbiological	11
Heavy metals	4
Unauthorised ingredients	4
Veterinary medicines	4
Dioxins and polychlorinated biphenyls (PCBs)	2
Mycotoxins	1
Other	1
Total	27

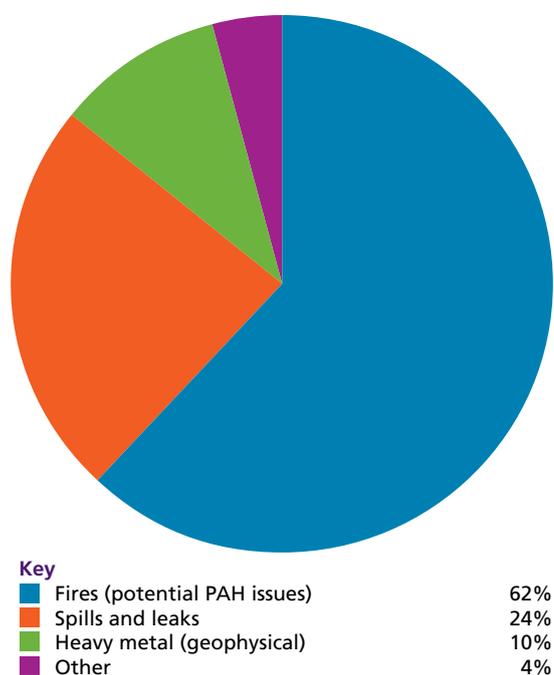
Environmental contamination

A total of 235 environmental contamination incidents were recorded during 2012 compared to 356 incidents documented in 2011. Table 6 shows the environmental contamination incidents recorded in 2012 by sub-category.

The number of incidents involving fires decreased from 235 in 2011 to 146 in 2012 and may be the result of lower summer temperatures in 2012. Such incidents may represent potential risks to food safety through contamination to crops or food stores by exposure to polycyclic aromatic hydrocarbons (PAHs). PAHs are produced as by-products of the combustion of organic and fossil fuels and are potentially carcinogenic.

Table 6: Environmental contamination incidents by sub-category 2012

Environmental contamination sub-category	Number of incidents
Fires (potential PAH issues)	146
Chemical leaks and spills	29
Heavy metal (geophysical)	23
Gas leaks	16
Sewage	7
Oil spills	3
Storm discharge	3
Dioxins and polychlorinated biphenyls (PCB's)	2
Diesel spills	1
Other	5
Total	235



Contamination from food contact materials

A total of 49 incidents involving food contact materials were reported in 2012 compared to 40 in 2011. A total of 32 of these incidents involved issues with cooking utensils and plates originating from China. As in previous years, incidents relating to formaldehyde and primary aromatic amines (PAAs) (18 and 16 incidents respectively) were the largest contributors to this category.

Non-permitted use of irradiated ingredients

Thirteen incidents involving the supply of irradiated ingredients or foods were reported to the Agency during 2012. These issues predominantly involved foods such as soups, seasonings and noodles that had been imported from China and the Philippines.

Incidents relating to incorrect labelling and documentation

The number of reported food safety incidents relating to incorrect labelling and documentation increased slightly from 120 in 2011 to 127 in 2012. As in previous years, general labelling violations accounted for the greatest proportion of incidents in this category (see Table 7 for breakdown by sub-category).

Table 7: Incidents relating to incorrect labelling and documentation by sub-category 2012

Incorrect labelling / documentation sub-category	No of incidents
General labelling violations	42
Documentation incorrect	40
Unauthorised premises	21
Date coding incorrect	12
Fraud	9
Other	3
Total	127

Microbiological contamination

A total of 317 microbiological contamination incidents were recorded during 2012, compared to the 281 incidents documented in 2011. Figure 3 shows that the numbers of incidents relating to this type of contamination have increased steadily since 2006.

Figure 3: Microbiological containment incidents January 2006 – December 2012

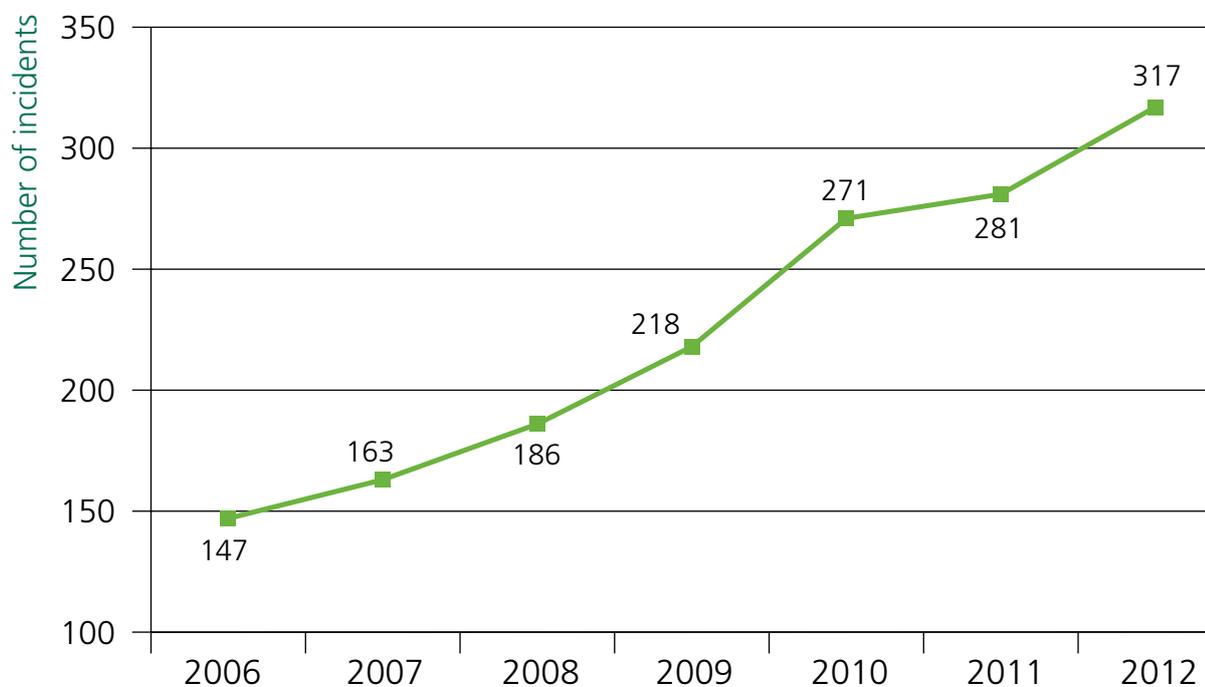


Table 8 details the microbiological contamination incidents reported to the Agency during 2012 by sub-category.

Table 8: Microbiological contamination incidents by sub-category 2012

Microbiological sub-category	No of incidents
Specified bacterial contamination	234
Yeasts and moulds	25
Viruses	7
Parasites	4
Other (includes incidents involving poor hygienic state and high colony counts)	47
Total	317

The number of incidents relating to specified bacterial contamination increased from 202 in 2011 to 234 in 2012 (see Table 8). Incidents associated with contamination by strains of salmonella averaged 45 a year between 2006 and 2009. However, this number has more than doubled to 118 incidents in 2011 and 98 in 2012. The increase appears to be largely due to paan leaves originating from Bangladesh. Border inspection posts reported 79 such incidents in 2011 and 61 in 2012.

Natural chemical contamination

The number of incidents relating to natural chemical contamination in 2012 was 213, compared to 285 in 2011.

Table 9: Natural chemical contamination incidents by sub-category 2012

Natural chemical contamination sub-category	No of incidents
Aflatoxins	142
Ochratoxins	15
Other mycotoxins	3
Algal toxins	41
Histamine	8
Scrombotoxin	2
Other	2
Total	213

Numbers of incidents relating to aflatoxin contamination decreased from 182 in 2011 to 142 in 2012. Aflatoxin continues to account for about two-thirds of this category. A

total of 77 incidents related to the contamination of peanuts from India associated with testing at border inspection points.

Numbers of algal toxin incidents also showed a decrease, declining from 76 in 2011 to 41 in 2012. Again this may be due to lower environmental temperatures during the summer of 2012 caused by poor weather. Incidents involving lipophilic toxins, including those responsible for diarrhetic shellfish poisoning (DSP), were the principal contributor to this sub-category, accounting for 28 of the 41 incidents reported.

On-farm contamination

The number of on-farm incidents in 2012 decreased from 134 in 2011 to 107 in 2012 (see Table 10). Animal poisoning from heavy metals remains the main contributor, with issues relating to lead and copper responsible for the majority (58 and 15 incidents respectively). Lead poisoning appears to be mainly associated with the ingestion of paint and the consumption of pieces of old car batteries resulting from fly tipping. Copper poisoning incidents seem to be largely caused by mistakes in the preparation of feed mixtures produced 'on-farm'.

Table 10: On-farm contamination incidents by sub-category 2012

On-farm contamination sub-category	No of incidents
Heavy metal poisoning	74
Botulism	23
Other	10
Total	107

Pesticide residues

Numbers of incidents falling into this category have continued to increase when compared to previous years, with 120 issues being reported in 2012 compared to 55 in 2010 and 102 in 2011. The range of pesticides involved remains very diverse, with over 30 agents being detected.

As in 2011, the most common type of incident in 2012 involved okra from India that was contaminated with pesticide residues such as the insecticides acephate and monocrotophos. This is believed to be the result of targeted surveillance at our border inspection posts (46 incidents). A total of 12 incidents were also reported, that involved residues of the insecticide dichlorvos in beans from Nigeria.

Physical contamination

Numbers of incidents falling into this category increased from 93 in 2011 to 107 in 2012. In particular, incidents relating to metal contamination increased from 19 incidents in 2011 to 34 in 2012.

Table 11: Physical contamination incidents by sub-category 2012

Physical contamination sub-category	No of incidents
Metal	34
Pests	23
Plastic	10
Glass	10
Animal origin	3
Wood	3
Stone	3
Rubber	1
Other	20
Total	107

Use of unauthorised ingredients

A total of 83 incidents were reported to the Agency during 2012, compared to 67 in 2011. In particular, there were more incidents associated with dietetic food supplements and preservatives.

Table 12: Use of unauthorised ingredients by sub-category 2012

Use of unauthorised ingredients sub-category	No of incidents
Genetic modification	16
Dietetic food supplements	14
Novel foods	13
Preservatives	12
Colours	8
Carbon monoxide	3
Other	17
Total	83

Incidents by notifier

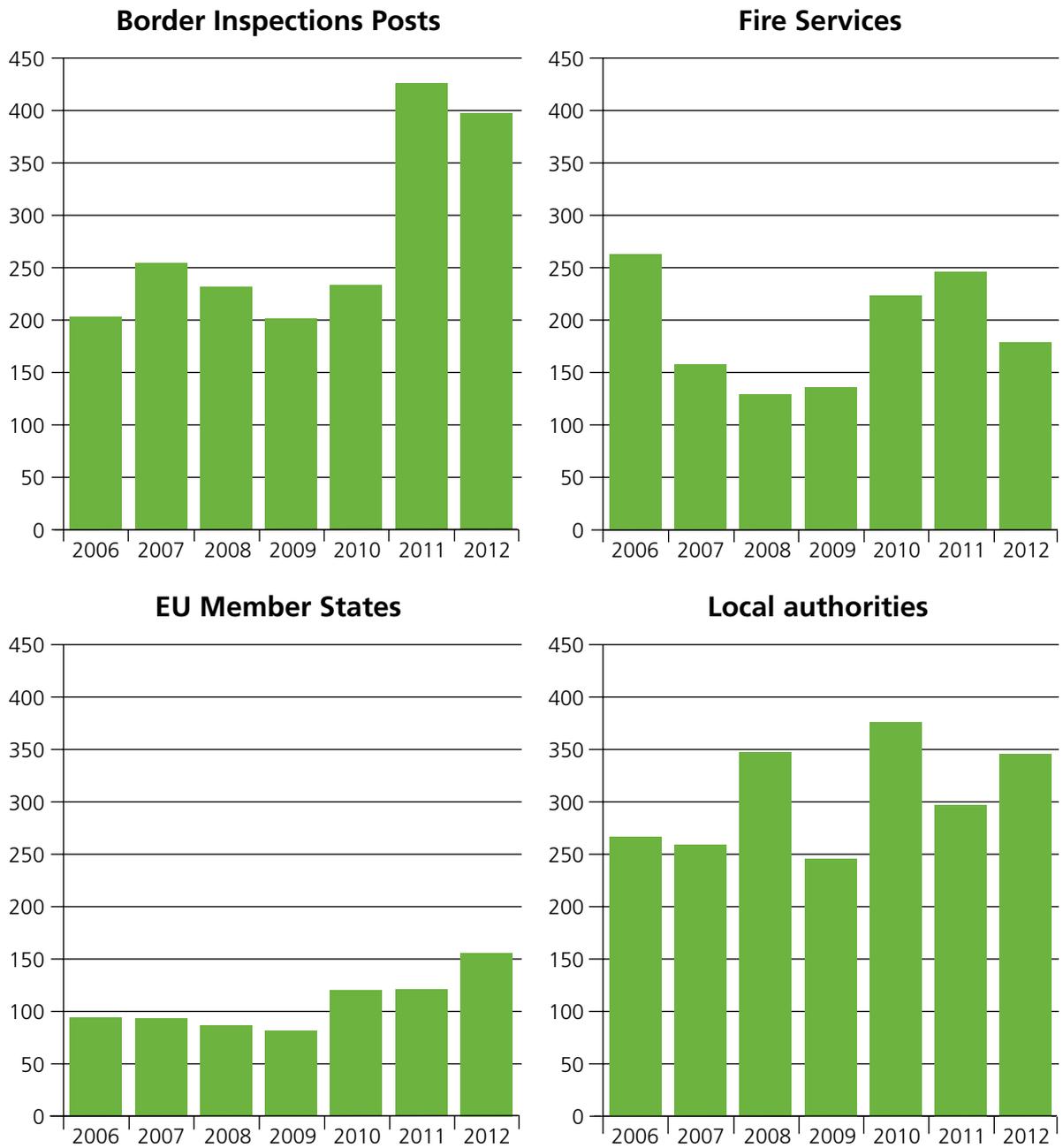
Table 13 lists the notifiers of the incidents recorded by the Agency since 2006.

Table 13: Incidents by notifier 2006 – 2012

Notifier	2006	2007	2008	2009	2010	2011	2012
Agency Survey	5	4	7	16	14	7	4
Ambulance Service	0	0	0	0	0	2	0
Animal Health / Veterinary Laboratories Agency	79	110	93	82	68	115	80
Border Inspections Posts	203	254	232	201	233	426	397
Customs & Excise	1	1	1	2	0	0	1
DARD	6	39	33	34	6	7	25
DEFRA	26	19	22	27	35	28	5
Environment Agency	26	23	20	20	20	15	10
EU Member States	94	93	87	82	120	121	156
European Commission	4	5	40	44	46	34	7
Fire Services	263	158	129	136	223	246	179
FSA Operations Group	3	5	3	7	5	12	15
General Public	14	12	9	5	13	14	16
Government Offices of the Regions	3	0	0	0	0	7	1
Health Protection Agency	18	20	0	15	26	21	15
Health and Safety Executive	0	0	0	0	0	8	10
Industry	104	132	163	109	95	113	139
Laboratories	7	8	19	42	97	91	93
Local authority	267	259	347	246	376	297	346
Maritime & Coastguard Agency	5	4	4	0	4	3	0
NHS	5	1	2	2	5	1	2
Nuclear Power Stations	5	6	4	1	3	1	1
Police	12	10	8	7	7	7	2
Scottish Agricultural College	21	15	13	8	12	5	6
Single Liaison Body	121	103	28	69	83	85	71
Third country	0	0	0	0	3	1	6
Veterinary Medicines Directorate	46	26	12	7	9	5	8
Water authorities	0	0	0	0	0	28	5
Other	6	5	22	46	2	14	4
Total	1,344	1,312	1,298	1,208	1,505	1,714	1,604

Figure 5 shows the trends in the four largest notifier categories in 2012. The number of incidents reported by Border Inspection Posts and EU Member States appears to have increased in the past few years. In contrast, incident numbers from Fire Services vary from year to year with no obvious trend. Incidents notified by local authorities seem to be increasing overall.

Figure 5: Incidents by four notifier groups 2006 – 2012



Incidents by country of origin

Incidents recorded by category and origin are presented in Table 14. Imported foods account for 39% of incidents reported in 2012 compared to 36% in 2011. Incidents involving foods from EU Member States represent 11% of the total with the remaining 50% originating from within the UK.

Some categories such as 'on-farm' and 'environmental contamination' are predominantly of UK origin, while others, such as pesticide incidents, are caused mainly by imported foods.

Table 14: Incidents by origin 2012

Category	UK origin	EU origin	Imported origin	Total
Allergens	82	27	20	129
Animal feed (on market)	14	9	4	27
Biocides	1	0	2	3
Counterfeit product	6	3	0	9
Environmental contamination	214	3	18	235
Food contact materials	6	1	42	49
Illegal import / export	2	0	4	6
Irradiated ingredient	0	0	13	13
Labelling / documentation	46	41	40	127
Microbiological contamination	168	39	110	317
Natural chemical contamination	47	8	158	213
On-farm	107	0	0	107
Pesticides	4	3	113	120
Physical contamination	55	41	11	107
Process contamination	4	1	11	16
Radiological	2	0	2	4
TSE	13	1	0	14
Use of an unauthorised ingredient	14	4	65	83
Veterinary medicines	10	0	14	24
Water quality	1	0	0	1
Total	796	181	627	1,604

Table 15 shows the number of incidents by country of origin. India was the largest contributor (162 incidents) followed by China (95 incidents) and Bangladesh (61 incidents). These three countries were also the top three contributors in 2011.

Table 15: Incidents by country of origin 2012

Non EU origin		EU origin	
India	162	Switzerland	3
China	95	Iceland	2
Bangladesh	61	South Africa	2
Turkey	54	Argentina	2
United States	40	Indonesia	2
Nigeria	24	Hong Kong	2
Thailand	16	Jamaica	2
Brazil	14	South Korea	2
Egypt	12	Uzbekistan	2
Philippines	11	Yemen	2
Ghana	9	Malaysia	1
Japan	9	Chile	1
Pakistan	8	New Zealand	1
Sierra Leone	8	Kenya	1
Sri Lanka	6	Costa Rica	1
Vietnam	6	Ecuador	1
Canada	5	Ethiopia	1
Dominican Republic	4	Lebanon	1
Taiwan	4	Namibia	1
Gambia	4	Peru	1
Nepal	4	Republic of Korea	1
Nicaragua	4	Russia	1
Iran	3	Senegal	1
Australia	3	UAE	1
Israel	3	Tuvalu	1
Ukraine	3	West Indies	1
Colombia	3	Singapore	1
Mauritius	3	Total imported	627
		Total EU origin	181

Incidents by food type

Table 16: Incidents by food type 2012

Food type	No of incidents
Fruit and vegetables	249
Meat and meat products other than poultry	206
Nuts, nut products and seeds	119
Prepared foods and snacks	115
Cereals and bakery products	95
Molluscs	92
Confectionery, honey and royal jelly	74
Dietetic foods and food supplements	60
Fish and fish products	57
Milk and milk products	41
Herbs and spices	35
Soups, broths and sauces	34
Animal feed	31
Non-alcoholic beverages	28
Poultry and poultry meat products	28
Crustaceans	21
Alcoholic beverages (other than wine)	12
Cocoa preparations, coffee and tea	12
Fats and oils	8
Eggs and egg products	7
Water	4
Wine	2
Other foods	12
Incidents not related to a specific food type ⁸	262
All incidents	1,604

⁸ Including food contact materials and environmental issues.

Key movements in 2012 compared to recent years

The numbers of incidents in most categories varies considerably from year to year. There are a number of factors influencing this. For instance, many types of incidents occur sporadically and so tend not to spread evenly across time. In addition, the frequency of some of the underlying problems that cause incidents may have changed. Moreover, as many possible incidents go unreported, the numbers will reflect differences in reporting and investigation. Therefore, the incidents rates can reflect much more than just the level of risk.

Table 17 summarises the key changes in incident numbers. (Further explanation of these trends is in the 'Detailed analysis of incident categories' section.) Although most of the key movements are increases, the overall number of incidents fell slightly in 2012. This reflects a drop in the number of fire-related incidents, which vary considerably between years.

Table 17: Key movements in incidents in 2012 compared to recent years

Category	Key movement
Allergens	Since 2010, the number of allergen incidents has increased by more than half. Recent legislative changes relating to gluten may have contributed to this increase.
Animal feed (on market)	The number of animal feed incidents in 2012 was very close to that in 2011. However, this is more than double the levels seen between 2006 and 2010.
Microbiological contamination	The numbers of microbiological incidents have been increasing steadily since 2006, but the causes vary between years. There was more reported non-verocytotoxin producing <i>Escherichia coli</i> contamination in shellfish in 2012, together with many incidents of paan leaves from Bangladesh contaminated with strains of salmonella.
Pesticide residue contamination	Since 2009, the number of pesticide residue incidents has increased substantially. In 2011 and 2012, this was due partly to increased testing of okra at border inspection posts.

Appendix 2

Who tells us about Incidents?

The list below shows the wide range of organisations that notify us of incidents:

Food business operators	Local authorities	Fire service
European Commission	Environment Agency	Other Member States
Members of the public	British Nuclear Group	Police
Maritime and Coastguard Agency	Department of Health	Laboratories
Scottish Agricultural College	National Health Service	Public Health England
AHVLA	Border Inspection Posts	Defra
DARD		

Notifying organisations

Local authorities

Local authorities undertake regular inspections of premises and sample products from wholesale or retail outlets. Where breaches of food safety requirements are identified, the authority will contact the Incidents Branch using our incident report form. Local authorities provide information to us under the Single Liaison Body (SLB) system. We are the SLB for the UK as designated under Article 35 of Regulation (EC) No. 882/2004.

The Single Liaison Body

- assists and coordinates communication between EU Member States on food issues
- forwards complaints and requests for information to Member States
- receives incoming requests for assistance and directs these to the appropriate originating authority (local authority)
- resolves difficulties in communication and liaison.

Food business operators

Food business operators are required by law (Article 19 of Regulation (EC) No. 178/2002) to inform the competent authorities where they consider or have reason to believe that a foodstuff is not in compliance with food safety requirements. In the case of the UK, enforcement authorities (local and port health authorities) and the FSA are the competent authorities.

The European Commission

The European Commission operates the Rapid Alert System for Food and Feed (RASFF). The RASFF is a network of Member States, the European Commission and the European Food Safety Authority. Whenever a member of the network has any information relating to the existence of a serious direct or indirect risk to human health, this information is forwarded immediately to the Commission using a rapid alert form. The Commission then immediately transmits this information to the members of the network.

Members of the public

Occasionally, we will receive notification of food incidents and quality issues from members of the general public, although we stress that the public should always contact their local authority first. To find your nearest food enforcer, use the search facility on our website at:

www.food.gov.uk/enforcement/enforceessential/yourarea/

Emergency services

Notifications are received regularly from the Police, Fire Service and the Maritime and Coastguard Agency. These notifications usually relate to fires, oil or sewage spills or chemical leaks where there is the potential for contamination in the food chain.

Other Government departments/agencies

Notifications may be received from many Government departments or agencies; for example, the Department for Environment, Food and Rural Affairs, the Environment Agency, Public Health England and the Animal Health and Veterinary Laboratories Agency.

Organisations in devolved countries

We receive notifications from Public Health Wales, Health Protection Scotland, the Scottish Agricultural College and the Department of Agriculture and Rural Development for Northern Ireland.

Border Inspection Posts (BIPs)

BIPs are EU-approved entry points for products of animal origin, originating in countries outside the EU. UK BIPs routinely sample incoming consignments of foodstuffs to ensure compliance with legislation. Adverse results are notified to us and action is taken to ensure that the incoming consignment is destroyed or re-exported where permissible. Border Rejection Notifications are sent by us to the European Commission via RASFF for circulation to all Member States. Information circulated in this manner is used by BIPs to determine which incoming consignments to sample. Following the rejection of a consignment at a BIP, the responsible manufacturer or exporter can expect to have further consignments sampled to ensure compliance with legislation.

Miscellaneous organisations and facilities

Groups such as the Anaphylaxis Campaign, Coeliac UK and Allergy UK will notify us if they become aware of any issues relating to food allergies. Nuclear power stations and independent laboratories will also notify the Agency of incidents.

Appendix 3

How do we manage an incident and what action do we take to protect consumers?

How do we classify an incident?

We classify all incidents using a combination of the severity of the incident and the complexity of the investigation. A number of factors contribute to these criteria, but the overall assessment or output is simply 'high', 'medium' or 'low level'.

Severity

Extent of health effects

Numbers and/or groups of consumers affected

Public health risk assessment

Perceived risk by consumers

Perceived risk by the media

Complexity

Numbers of reports received

Numbers of products/locations

Number of agencies involved

Traceability

Each heading contains a range of scores and is weighted to produce a final score that equates to high, medium or low. The system enables rapid and consistent categorisation of incidents, once notified, and as they develop. This allows incidents to be scoped, resourced and managed effectively. The system is not designed as a risk assessment tool, but as a means to aid us in planning and management decisions.

Low

These are minor incidents, with localised effects and few, if any, food safety implications. Examples of such incidents include barn fires, vehicles in rivers, or minor oil spills.

Medium

These include incidents involving evidence of illness, impact on vulnerable groups (babies, pregnant women or older people) and breaches of statutory limits (for example, for mycotoxins). In some cases the public or the media are likely to express some concerns.

High

These are severe incidents with the potential to cause serious illness or deaths. They are complex, with a large number of products affected and a high level of resources required to manage. They are widespread and likely to generate a high level of concern among the public and the media.

How do we manage incidents?

We have set procedures contained in our Incident Response Protocol (IRP) that we follow for all incidents. The protocol covers, among other things, incident notification, the roles and responsibilities of our staff during an incident, incident classification, record-keeping procedures, incident closure and review procedures. The protocol is reviewed on a regular basis and, where appropriate, updated in the light of review findings.

All incidents are recorded on our incidents database. The incidents statistics included within the annual report come from this database. Once an incidents notification is received by us, it is immediately circulated to the relevant internal policy division for a risk assessment.

Risk assessment

We have a wide range of scientific and policy experts at our disposal during incidents. These experts provide advice on risks to human health, risk to the food chain and applicable legislation during incidents. This advice is used to formulate risk management options and determine a risk management strategy during each incident.

We also have access to various independent scientific committees that comprise individuals with recognised expertise within their field. These committees provide independent, expert advice to the Agency on research and policy when requested. Further details regarding the work of the committees are available via our website: www.food.gov.uk/science/ouradvisors/

In 2012, as part of a wider review of the FSA's science governance led by the FSA's Chief Scientist, we developed and adopted two checklists that set out the issues that a risk assessment in an incident may need to consider. These help to ensure a consistent approach across different incidents, building on existing good practice, and support the FSA Chief Scientist in his role of providing assurance and challenge on risk assessment in incidents.

Risk management

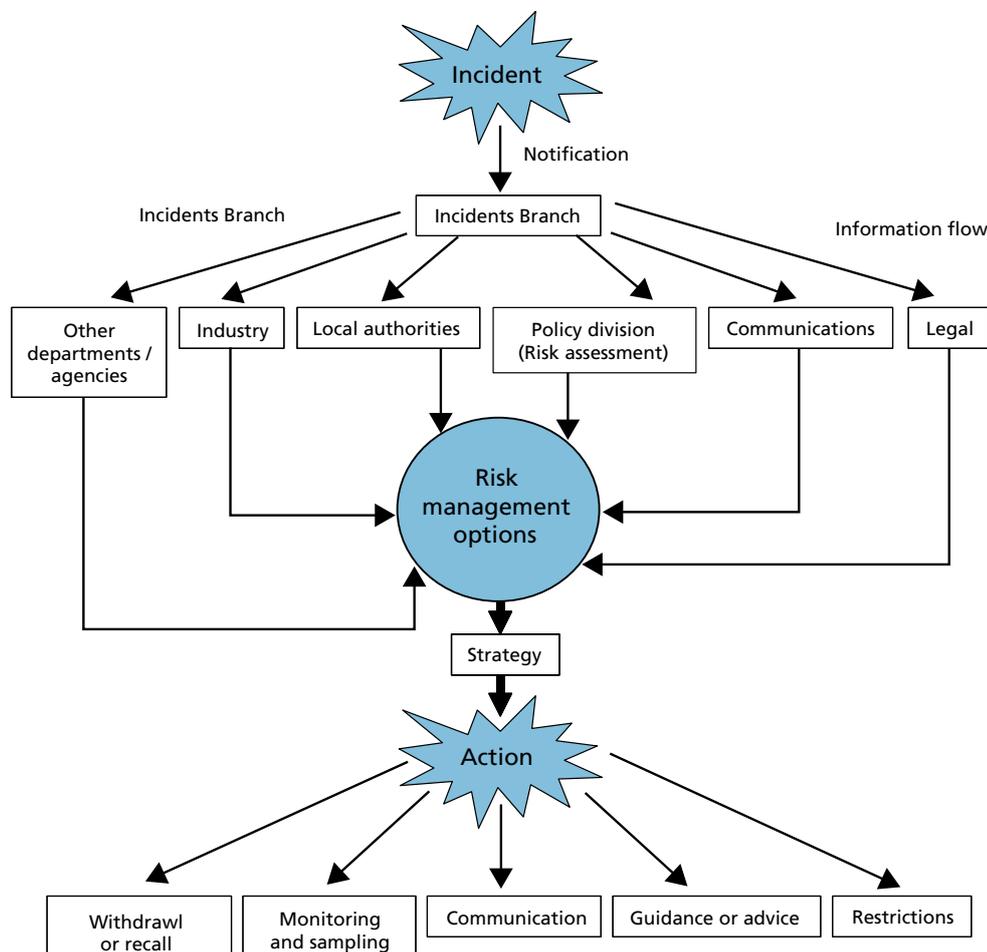
Risk assessment is used to inform the risk management options during each incident. The Agency will liaise with the relevant local authorities, industry, other Government departments and agencies in order to arrive at an appropriate risk management strategy.

The strategy will take into account

- risk assessment
- risk communication
- proportionality
- legislation
- the precautionary approach

Once a strategy is decided upon by the Agency in consultation with key external stakeholders, it will be disseminated to teams within the Agency, local authorities, industry and others as appropriate. Ensuring that food safety is protected and food standards are maintained during incidents will always be paramount.

Our incident handling strategy is illustrated in the following process diagram.



What will we do with the information once received?

We will use the information received to inform our risk assessment, which, in turn will be taken into account when considering our risk management and risk communication options. Dialogue with industry and local authorities is encouraged at all stages to ensure our risk management advice is proportionate and practical.

We may, in the light of the information received, issue a food alert to local authorities, which enforce food law. These alerts are used during incidents where, for example, the distribution of a product is wide and will potentially involve many local authorities.

These alerts are also published simultaneously on our website to alert consumers and may be picked up by the national media. However, we only issue food alerts for a fraction of the incidents we deal with – in 2012, there were 72 alerts and 35 information notices arising from a total of 1,604 incidents. The following section provides further information regarding food alerts.

What actions can we take to protect consumers' interests?

There are a number of different actions that we can take to protect food safety and consumers.

Food alerts, allergy alerts and information notices

Alerts are our method of informing local authorities and others about problems associated with food, and in some cases they provide details of specific action to be taken.

The different categories of food alert and information notices we issue are detailed below:

- Food Alerts for Action (FAFA) are issued when an incident requires enforcement action by local authorities.
- Product Withdrawal Information Notices (WINs) and Product Recall Information Notices (RINs) are issued to bring an incident to the attention of local authorities
- Allergy Alerts are issued in cases where foods have to be withdrawn or recalled, if there is a risk to consumers, because the allergy labelling is missing or incorrect or if there is any other food allergy risk.

Food Alerts, RINs, WINs and Allergy Alerts are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor. Alerts are also copied to Consultants in Communicable Disease Control, other Government departments and food trade organisations, to alert them to current food issues. During 2012 we issued 6 Food Alerts for Action, in addition to the 30 RINs, 5 WINs, and 66 Allergy Alerts.

Rapid Alert System for Food and Feed

The purpose of the Rapid Alert System for Food and Feed (RASFF), established in 1979, is to provide EU Member States with an effective tool for the exchange of information on measures taken to ensure food safety.

We use the European Commission's RASFF system to:

- obtain information about matters that we need to act on;
- inform the Commission and other Member States of matters that they need to act on.

RASFFs are divided into 'border rejections', 'market notifications' and 'news' notifications. This system automatically alerts border inspection posts (sea ports and airports) enabling them to target their checks on imported food. The Commission also has a procedure in place to alert third countries (outside the EU) about problems affecting food and will, where appropriate, contact third countries via their embassies. In 2009 the Commission introduced the RASFF portal, which is a publicly available online searchable database of RASFF notifications.

Publish advice and guidance

We issue statements and precautionary advice, where necessary, to consumers and industry, informing them about issues affecting the human food chain and advising of action they should take. We aim to issue advice, where necessary, within hours of being notified of an incident. However, in some cases we may need to seek further advice, for example from our scientific advisory committees, which may add some extra time to the process. The precautionary advice is published on food.gov.uk and is reviewed as new information comes to light. During a high-level incident, we may also decide to open a hotline to deal with calls from the general public about the emergency.

Where food is imported, the Agency will issue advice and instructions to local authorities and port health authorities at sea ports, airports and border inspection posts, and will work with Customs to identify consignments. The Agency's web-based GRAIL (Guidance and Regulatory Advice on Import Legislation) database also provides enforcement officers with a searchable up-to-date database of:

- all imported food guidance and legislation relating to products not of animal origin and fish and fishery products
- a summary of import controls on specific products/countries
- an A-Z of relevant contacts
- useful web-links on imported food.

GRAIL is available to all free-of-charge at: <https://grail.foodapps.co.uk/grail/general/home.aspx>

A temporary closure notice to close shellfish harvesting areas may be issued by local authorities, on our recommendation. This measure is applicable where an incident is localised.

We also issue guidance. For example, we issue guidance to farmers outlining the risks and how to avoid lead poisoning cases in their livestock.

In relation to remedial issues (for example the clear-up operation following environmental contamination incidents), where lead responsibility rests jointly with Defra and the Environment Agency, we will participate in the process and provide advice. This ensures that any remedial strategy takes full account of food safety issues.

Voluntary restrictions

These are measures agreed verbally and in writing with a producer or product purchaser. For example, 16 week movement restrictions may be placed on potentially affected livestock following an on-farm lead poisoning incident.

Statutory restrictions

Subject to Ministerial approval, we may implement an Order under the Food and Environment Protection Act (FEPA) 1985 to 'ring-fence' an area. This restricts the sale or movement of food or agricultural produce. This order will be reviewed periodically as new details come to light. The FEPA Order itself will contain prohibitions regarding the use of affected food throughout the UK. A FEPA could be activated, for example following a large-scale oil spill. One FEPA order relating to radiological contamination at Dalgety Bay was issued by us in 2012.

In contrast to those powers under FEPA, provisions in the Food Safety Act 1990⁹ will be used to deal with emergencies on a narrower scale in relation to a particular class of food.

The Food Safety Act 1990 empowers the designating authority to make emergency control orders in relation to commercial operations regarding food, food sources (including imported food) or contact materials of any class or description that involves or may involve imminent risk of injury to health. Powers under the Food Safety Act 1990 are different to the powers under the FEPA, in that it is not necessary under FEPA for there to be an imminent risk of injury to health before an order can be made.

By notifying us promptly of an incident, external stakeholders can ensure that, where necessary, action will be taken by us to protect food safety.

⁹ Parallel legislation applies in Northern Ireland – The Food Safety (Northern Ireland) Order 1991.

Sampling and analysis

We may decide to initiate a sampling and analysis programme to complement any sampling and analysis being carried out by other departments/agencies. Analysis will be carried out by the relevant accredited laboratory. Our sampling programme will be reviewed as new information comes to light.

Following an incident, emergency safeguard measures may be issued at EU level where there is a potentially serious risk to health involving a food product from a non-EU country. These can impose stricter import conditions and require additional controls at EU borders, including additional sampling and analysis. A list of products subject to safeguard measures follows:

1. Melamine contamination of certain products from China.
2. Guar gum from India due to contamination risks for PCP and dioxins.
3. Products covered by Commission Regulation (EC) No.1152/2009, which provides safeguard controls on certain food products due to aflatoxins.
4. Fishery products from Albania for histamines.
5. Farmed fishery products from Indonesia for pharmacologically active substances, in particular: chloramphenicol, metabolites of nitrofurans and tetracyclines (at least tetracycline, oxytetracycline and chlortetracycline)¹⁰.
6. Aquaculture fishery products from India for the presence of chloramphenicol, tetracycline, oxytetracycline, chlortetracycline and of metabolites of nitrofurans.
7. Crustaceans from Bangladesh for the presence of residues of pharmacologically active substances and in particular: chloramphenicol, tetracycline, oxytetracycline and chlortetracycline, metabolites of nitrofurans, as well as malachite green, crystal violet and their respective leuco-metabolites.
8. Sunflower oil from the Ukraine due to contaminated risks by mineral oil.
9. Certain products of animal origin from China for the presence of chloramphenicol and metabolites of nitrofurans, and in addition for aquaculture fishery products the presence of malachite green and crystal violet and their metabolites.
10. Prawns from Myanmar for the presence of chloramphenicol.
11. Certain bivalve mollusc from Peru, due to hepatitis A.
12. Feed and food from Japan following the accident at the Fukushima nuclear power station.
13. Rice products from China for unauthorised genetically modified rice.

¹⁰ Repealed in November 2012.

14. Prohibition of imports of fenugreek seeds and certain other seeds and beans from Egypt¹¹.

Where a known or emerging risk to health is identified, feed and food products may be subject to additional import controls under Commission Regulation (EC) No. 669/2009 (as amended).

How do we learn from experience?

All incidents notified to us are reviewed. Routine reviews of incidents may generate lessons learnt, which will be recorded and shared within our department. Lessons are recorded on a rolling basis and combined, where appropriate, with lessons learnt from exercises carried out to test our responses to emergency scenarios.

A number of incidents, a maximum of six each year, are selected for a wider, formal internal and/or external review. As part of this process we will seek the views of key stakeholders involved in the incident, looking at key issues such as communications, roles and responsibilities, overall management, proportionality and root cause, to establish best practice and learn lessons for the future. We revisit our procedures in the light of these reviews to ensure that lessons are embedded into our Incident Response Protocol.

Further details of our incident review procedures and of specific reviews the FSA has carried out over the years are available at:

www.food.gov.uk/foodindustry/incidents/monitorprevent/reportsreviews/

¹¹ Applied up until 31 March 2012.

Appendix 4

How can you get in touch with us?

Incidents Unit

Incidents Branch

The Incidents Branch acts as the central hub for our food and feed incidents work. It maintains the official audit trail for the investigation, co-ordinating the logging, collation and distribution of information required during the investigation. The branch arranges the issue of food alerts to local authorities, other government departments, trade organisations and other interested parties and RASFF notifications to the Commission.

Contact details for the Incidents Branch:

Incidents Branch
Food Standards Agency
Aviation House
125 Kingsway,
London WC2B 6NH

tel: 020 7276 8448

fax: 020 7276 8788

email (all incidents): foodincidents@foodstandards.gsi.gov.uk

Food incidents should be reported using an incident report form located at:
www.food.gov.uk/foodindustry/regulation/foodfeedform

Out of office hours contact should be made through the Defra Duty Room:

tel: 0845 051 8486

fax: 0845 051 8487

The Defra Duty Room will contact the appropriate officer 'on-call' in the Incidents Branch.

Food Fraud Team

The Food Fraud team is committed to providing local authorities with support when tackling food fraud, which includes any deliberate illegal activity relating to the supply of food or feed. The team provides the resources to all UK local authorities when tackling known or suspected food fraud:

Contact details for the Food Fraud Team:

Food Fraud
Food Standards Agency
Aviation House
125 Kingsway,
London WC2B 6NH

tel: 020 7276 8242

fax: 020 7276 8788

email: foodfraud@foodstandards.gsi.gov.uk

Local authorities are asked to submit intelligence on a '5x5x5' Information/Intelligence Report form. This is a standard format used by enforcement agencies for managing the evaluation, the source and the origin of information, and the way in which it should be handled and disseminated. The form can be found at: www.food.gov.uk/multimedia/worddocs/nffdintelligencereportform.doc

Out of office hours contact should be made via the Food Fraud Hotline (answerphone) on 020 7276 8527.

Radiological team

email: radiation@foodstandards.gsi.gov.uk

Devolved offices

We have offices in Scotland, Wales and Northern Ireland that take responsibility for co-ordinating incidents and food fraud investigations in their areas. Any issues relating to food in these areas will be led by the devolved office concerned.

FSA in Scotland

6th Floor, St Magnus House
25 Guild Street,
Aberdeen AB11 6NJ

tel: (01224) 285 138/196

email:

scottishincidents@foodstandards.gsi.gov.uk

Out of hours telephone: 07881 1516867

FSA in Wales

11th Floor, Southgate House
Wood Street,
Cardiff CF10 1EW

tel: 029 20 678961

email: wales.foodincidents@foodstandards.gsi.gov.uk

Out of hours telephone: 07789 926573

FSA in Northern Ireland

10a–10c Clarendon Road
Belfast BT1 3BG

tel: 028 9041 7700

email:
incidents.ni@foodstandards.gsi.gov.uk

Out of hours telephone: 07884 473022

Appendix 5

Glossary of terms

BIP	Border Inspection Post
DAP	Data Analysis Project
DECC	Department of Energy and Climate Change
Defra	Department for Environment, Food and Rural Affairs
EC	European Commission
EFSA	European Food Safety Authority
ER	Emerging Risks
EU	European Union
FAFA	Food Alert – For Action
FBO	Food Business Operator
FEPA	Food and Environment Protection Act (1985)
FSA	Food Standards Agency
GRAIL	Guidance and Regulatory Advice on Import Legislation
HPA	Health Protection Agency
IRP	Incident Response Protocol
JLARS	Joint Local Authority Regulatory Service
LA	Local Authority
LOCOG	London Organising Committee of the Olympic and Paralympic Games
OCT	Outbreak Control Team
PAA	Primary aromatic amines
PAH	Polycyclic aromatic hydrocarbons
PHA	Port Health Authority
PHE	Public Health England
RASFF	Rapid Alert System for Food and Feed
RCA	Root Cause Analysis
RIN	Recall Information Notice
SLB	Single Liaison Body
WIN	Withdrawal Information Notice

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food.gov.uk

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