

FACTFILE: GCSE HOME ECONOMICS: Food and Nutrition



Food Safety

Learning outcome

Students should be able to:

- Outline the protection that the following offer to the consumer in relation to food safety:
 - the environmental health practitioner;
 - the Food Standards Agency's Food Hygiene Rating Scheme;
 - the Food Safety (Northern Ireland) Order 1991; and – the Food Hygiene Regulations (Northern Ireland) 2006.

www.food.gov.uk

www.nationalcareersservice.direct.gov.uk

http://www.cieh.org/professional_development/becoming_an_ehp.html

There is so much protection to support consumers in relation to food safety. The different types of protection help give us confidence in the food we are eating and the standards of hygiene and safety. It is important to learn how each type of protection protects the consumer in keeping food safe.

Environmental Health Practitioner

Environmental health professionals work to ensure that the food we eat is safe and of good quality, to improve housing conditions, to safeguard standards of workplace health and safety, and to create a better environment.

They might be employed by a major supermarket chain to manage food safety and hygiene, by a housing association to advise on housing standards, or by a local authority to deal with noise nuisance or environmental pollution or a number of varied roles.

The Environmental Health Practitioner is authorised by the relevant council to enforce food safety legislation. They deal specifically with health matters in relation to food and drink that is unfit for human consumption. Food premises can be inspected at any time without warning and may be given improvement notice or closed. S/he will provide advice to assist food businesses in complying with food safety legislation.

Taking action

When they think it is necessary, inspectors can take 'enforcement action', to protect the public. For example:

- inspecting records;
- taking samples and photographs of food;

- writing informally, asking to put right any problems;
- detain or seize suspect foods.

They can also serve a **notice**.

There are three main types of notice:

1. **'Hygiene improvement notice' or 'food labelling improvement notice'** – Sets out certain things that must be done to comply, if the business is breaking the law.
2. **'Hygiene emergency prohibition notice'** – Forbids the use of certain processes, premises or equipment and must be confirmed by a court.
3. **'Remedial action notice'** – Forbids the use of certain processes, premises or equipment, or imposes conditions on how a process is carried out. It's similar to a hygiene emergency prohibition notice, but it does not need to be confirmed by a court. (This type of notice applies to approved establishments only in England, and can be used for any food establishment in Wales, Northern Ireland and Scotland.)

<https://www.food.gov.uk/business-industry/hygieneratings/food-law-inspections>

The Food Standards Agency's Food Hygiene Rating Scheme

Source: <http://www.food.gov.uk/multimedia/hygiene-rating-schemes/ratings-find-out-more-en>

Background Information

The Food Hygiene Rating Scheme (FHRS) in England, Wales and Northern Ireland helps consumers choose where to eat out or shop for food by giving them information about the hygiene standards in restaurants, takeaways and food shops.

The scheme helps consumers choose where to eat out or shop for food by giving information about the hygiene standards in restaurants, pubs, cafés, takeaways, hotels and other places they eat, as well as supermarkets and other food shops.

It may be difficult to judge hygiene standards on appearance alone and therefore the rating helps to “give us an idea” of what's going on in the kitchen, or behind closed doors. The scheme also encourages businesses to improve hygiene standards.

How is a hygiene rating worked out?

A food safety officer inspects a business to check that it meets the requirements of food hygiene law. The officer is from the local authority where the business is located. The food safety officer inspecting the business checks how well the business is meeting the law by investigating:

- **how hygienically the food is handled** – how it is prepared, cooked, re-heated, cooled and stored.
- **the condition of the structure of the buildings** – the cleanliness, layout, lighting, ventilation and other facilities.
- **how the business manages and records what it does to make sure food is safe.**

Each of these three elements is essential for making sure that food hygiene standards meet requirements and the food served or sold is safe to eat.

The hygiene standards found at the time of inspection are then rated on a scale. At the bottom of the scale is '0' – this means urgent improvement is required. At the top of the scale is '5' – this means the hygiene standards are very good. Any business should be able to reach this top rating.

What do the different ratings mean?



The rating given shows how well the business is doing overall but also takes account of the element or elements most in need of improving and also the level of risk to people's health that these issues pose. This is because some businesses will do well in some areas and less well in others but each of the three elements checked is essential for making sure that food hygiene standards meet requirements and the food served or sold is safe to eat.

To get the top rating of '5', businesses must do well in all three elements.

Those with ratings of '0' are very likely to be performing poorly in all three elements and are likely to have a history of serious problems. There may, for example, be a lack of sufficient cleaning and disinfection, and there may not be a good enough system of management in place to check and record what the business does to make sure the food is safe.

Research the food hygiene rating score by typing in this link: <http://ratings.food.gov.uk> and entering the name of the business, place/postcode.

The Food Safety (Northern Ireland) Order 1991

<https://www.food.gov.uk/sites/default/files/multimedia/pdfs/nifoodbusinessguide.pdf>

What is the Food Safety (Northern Ireland) Order 1991?

The Food Safety (Northern Ireland) Order 1991 is wide-ranging legislation on food safety and consumer protection in relation to food throughout Northern Ireland.

What does the Order aim to achieve?

The main aims of the Order are:

- to ensure that all food meets consumers' expectations in terms of nature, substance and quality and is not misleadingly presented;
- to provide legal powers and specify offences in relation to public health and consumers' interest; and
- to enable Northern Ireland to fulfil its part of the United Kingdom's responsibilities in the European Union.

What is the scope of the Order?

The Order covers activities throughout the food distribution chain, from primary production through distribution to retail and catering.

What does the Order require food businesses to do?

In summary, food businesses must ensure that they comply with the Order by not:

- rendering food injurious to health;
- selling food which is not of the nature or substance or quality demanded to the purchaser's prejudice;
- falsely describing or presenting food.

Main offences

What is meant by 'rendering food injurious to health'?

If a person renders (which means "makes") a food injurious to health:

- by adding an article or substance to it;
- using an article or substance as an ingredient in its preparation;
- abstracting (which means "taking away") any constituent from it;
- or subjecting it to any other process or treatment then they are guilty of an offence.

When is food 'not of the nature or substance or quality demanded'?

Any person who sells to the purchaser's prejudice any food which is not of the nature, or substance, or quality demanded by the purchaser is guilty of an offence. The "purchaser" of food can range from a customer at a shop, to one company buying from another. A person may be considered to be a "purchaser" even if no money actually changes hands directly, e.g. winning prizes in a raffle.

In practice:

- "nature" covers a product sold as one thing, but which is in fact another, e.g. haddock sold as cod;
- "substance" covers situations where the food contains foreign bodies (e.g. an insect) or damaging residues or where there is a statutory or other standard for a food and the substance falls below it, for example milk powder with below the minimum milk protein level. The necessary substance for particular products is set through compositional standards in commodity regulations for which separate guidance exists;
- "quality" covers commercial quality, having regard to any statutory standards of composition in the food, so an example of food which would not be of the quality demanded would be a stale cake.

How can food be 'falsely or misleadingly described or presented'?

This Article says that any person who labels or advertises food in a way that falsely describes it, or labels, advertises or presents food in a way which misleads as to its nature, substance or quality, is guilty of an offence. The offence can occur when statements are untrue or pictures of food are presented in a misleading way. The offence also covers material that is correct but given such emphasis that the purchaser is led to the wrong conclusion.

An example of where food might be misleadingly presented would be products which are not cream but which are presented in traditional cream cartons and displayed amongst them.

What penalties can be imposed under the Order?

The courts decide the level of penalties depending on the circumstances of each case, but the Order sets the maximum penalties available to the courts.

Magistrates' courts may impose a fine of up to £5,000 per offence and/or a prison sentence of up to six months.

For offences under Article 6 and 14 of the Order, the maximum fine a magistrates' court may set for each offence is £20,000. There are also penalties for obstructing an authorised officer.

The Food Hygiene Regulations (Northern Ireland) 2006

The legislation:

- modernised, consolidated and simplified the previous EU food hygiene legislation;
- applies effective and proportionate controls throughout the food chain, from primary production to sale or supply to the final consumer (from 'farm to fork');
- focuses controls on what is necessary for public health protection;
- clarifies that it is the primary responsibility of food business operators to produce food safely.

Main Provisions

1. Hygiene improvement notices.
2. Hygiene prohibition orders.
3. Hygiene emergency prohibition notices and orders.
4. Remedial action notices and detention notices.
5. Offences due to fault of another person.
6. Defence to due diligence.

Further information available from: http://www.legislation.gov.uk/nisr/2006/3/pdfs/nisr_20060003_en.pdf

<https://www.food.gov.uk/sites/default/files/multimedia/pdfs/publication/hygieneguidebooklet.pdf>

<https://www.food.gov.uk/business-industry/hygieneratings>

<http://tna.europarchive.org/20120419000433/>

<http://www.food.gov.uk/foodindustry/regulation/europeleg/eufoodhygieneleg/>

www.food.gov.uk

www.nationalcareersservice.direct.gov.uk

http://www.cieh.org/professional_development/becoming_an_ehp.html

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