



Trading Standards

**Official Feed and
Food Controls
Service Plan 2022-
2023**

**Regulatory Services
Economy & Infrastructure Directorate**

Cumbria County Council Trading Standards Official Feed and Food Controls Service Plan 2022-2023

1.0 Service Aims and Objectives

- 1.1 Cumbria Trading Standards is responsible for the enforcement of a wide range of legislation controlling the advertising, marketing, distribution and supply of goods and services throughout the manufacturing, importation, distribution and service delivery chain. Its remit covers criminal and contract law and includes food standards, product safety, fraud, consumer credit, animal health and welfare, weights and measures, trademark protection, e-commerce and unfair trading practices.
- 1.2 The aims for food and feed standards are:
- To ensure food meets quality standards, is correctly labelled and is honestly described so that consumers can have confidence in the food they buy.
 - To ensure food is safe by preventing contamination and protecting consumers with food allergies
 - To ensure that food is traceable from farm to fork to prevent fraud and enable swift action to be taken in the event of any food safety issue.
 - To promote healthier food choices
 - To ensure that feeding stuffs are produced, transported, stored and used appropriately to prevent the outbreak of disease and ensure the safety of the food chain

2.0 Background

- 2.1 Cumbria is the second largest county in England but less than 500,000 people live here (498,375, 2017 *Mid-Year Population Estimates*, ONS) and over 50% of these people live in rural communities, resulting in diverse and unique challenges. Cumbria joins the North West of England with the North East and Scotland, with road and rail networks north, south and east.
- 2.2 Cumbria is made up of six districts: [Allerdale](#), [Copeland](#), [Carlisle](#), [Eden](#), [South Lakeland](#), [Barrow](#).
- 2.3 Its largest urban areas are Barrow, in the South West of the county, and Carlisle in the North of the county. There are high levels of deprivation within some parts of the county particularly in Barrow and in West Cumbria. 11 wards in Barrow, 7 in Allerdale, 6 in Copeland and 5 in Carlisle fall within the 10% most deprived nationally. There are also smaller pockets of significant deprivation in some of the rural communities.
- 2.4 Agriculture, farming and manufacturing contribute significantly to the local economy and with around 38 million visitors every year the food, drink and hospitality sector are very important to the Cumbrian economy.

2.5 Details of population, area and population density for the county and for each of the 6 districts are as follows:

Local Authority	Area (hectares) 100 hectares= 1 sq. km	Population	Population Density	% in Urban Areas	% in Sparse settings
Allerdale	124158.29	96,422	0.8	28.1	23.7
Barrow	7796.05	69,087	8.9	66.4	0.0
Carlisle	103929.92	107,524	1.0	73.0	3.3
Copeland	73173.94	70,603	0.9	35.3	10.0
Eden	214235.65	52,564	0.2	28.9	64.5
South Lakeland	153362.00	103,658	0.7	39.1	21.7
Cumbria	676655.85	499,858	0.7	46.4	18.0

2.6 Compared with the other 33 English counties, Cumbria:

- is the second largest in area (average = 309,935) in hectares (676655.85)
- is 26th in population (average = 662,836) Ranks 142 (out of 174 Counties/Unitaries) in terms of population (total population 499858)
- has the third lowest population density (average = 2.1) and ranks 5th (out of 174) with a population density of 0.7 persons per hectare

3.0 Scope of the Feed and Food Service

3.1 The Authority undertakes the normal range of food standards and feed activities within a County Council. The Service is responsible for the enforcement of a wide range of consumer legislation controlling the advertising, marketing, production, distribution and supply of goods and services throughout the manufacturing, importation, distribution and service delivery chain.

3.2 Bharathi Reddy BSc(Hons), MChemA, MRSC of Lancashire County Scientific Services, Pedders Way, Riversway Docklands, Ashton on Ribble, Preston has been appointed Public Analyst for Cumbria County Council in accordance with Section 27 of the Food Safety Act 1990 and Section 67 of the Agriculture Act 1970

3.3 In terms of food and feed enforcement this plan reflects the enforcement programme for food standards (including materials and articles in contact with food), animal feeding-stuffs and on farm medicine records legislation. District Councils have responsibility for food hygiene and some health and safety enforcement. Liaison and referral arrangements are in place with the District Councils to ensure good co-ordination, exchange of information and referrals on relevant matters.

4.0 Demands on the Food/Feed Service

4.1 There is a typical spread of businesses for a county ranging from small, self-employed sole traders to large multi-national food manufacturers.

4.2 The profile of businesses recorded on the Trading Standards database is outlined in table 1:

Total Number of Businesses	19069
Total Number of Food Businesses	5764
Number of Food Businesses that are Manufacturers/Importers	274
Number of registered feeding stuffs premises	5024
Number of livestock holders	5340
Non Food businesses	13293

Table 1: Business Profile Data

4.3 Table 2 and 3 below further breakdown the businesses by food type and feed type.

Food Premises	No of Premises
Food Producer	50
Slaughterhouse	4
Manufacturer/Processor/Packer	236
Importer/Exporter	5
Distributor/Transporter	48
Retailers	1869
Restaurant/Caterers	3547
Others	5
Total	5764

Table 2: Food businesses by type

Feed Premises	No of Premises
Manufacturer	18
Distributors and Feed Businesses	65
Other Feed Premises	36
Pet Food Retailer and Surplus Food into Feed Premises.	63
Pet Food Manufacturer	8
On Farm Mixer with HACCP	239
On Farm Mixer	745
Livestock Farms (not mixing)	2575
Feed Intermediaries, Stores and Transporters	59
Importer of Feed Material	3
Arable Farm	21
Food Business sell / produce Co -Products as Feed	62
Unregistered	360

Table 3 Feed businesses by type

5.0 Enforcement Policy

5.1 The Service adheres to good enforcement practices and is signed up to the Regulators Code and Enforcement Concordat agreed between local and central government. The Services Enforcement Policy is available via the website at www.cumbria.gov.uk. In all enforcement decisions we abide by the County Council's Enforcement Policy which has been agreed by elected members and is available on request. It reflects the principles of the Enforcement Concordat and recognises that most businesses and traders want to comply with the law. It is also in accordance with the statutory Regulators Code issued by the Minister of State under section 22(1) of the Legislative and Regulatory Reform Act 2006. However, if stronger action is necessary, investigations are undertaken in accordance with legal requirements and Home Office guidelines. Before instituting legal proceedings the County Council applies the Code for Crown Prosecutors to ensure decisions about prosecutions are made in a fair and consistent manner.

6.0 Food and Feeding Stuffs Interventions

- 6.1 The Code of Practice states that each Food Authority should document, maintain and implement a Food Standards and Food Safety Intervention Programme for which the Food Authority has food law enforcement responsibility. Interventions should be applied in a risk based manner so that intensive regulation is directed at food businesses that present the greatest risk to public health.
- 6.2 The intervention programme and intervention frequencies are based on the National Trading Standards Board (NTSB) risk assessment scheme, where the scores are based on a national hazard element for the type of activity and the likelihood of compliance. See tables 4 and 5 which detail the inspection frequency and types of interventions.

Category	Intervention rating	Minimum Intervention rating
A - High	121-180	At least every 12 months
B1 - Upper Medium	96-120	At least every 24 months
B2 - Lower Medium	71-95	At least every 60 months
C Lo Low	15-70	Alternative Enforcement Strategy or intervention every 60 months.

Table 4: National Trading Standards Board risk rating scheme

Intervention Type (official controls)	Definition
Intervention	Examination of any aspect of feed, food and animal health and welfare in order to verify that such aspects comply with the legal requirements of food and feed law and animal health and welfare rules
Monitoring	Conducting a planned sequence of observations or measurements with a view to obtaining an overview of the state of compliance
Surveillance	Careful observation of one or more food businesses or food business operators
Verification	Checking by examination and consideration of objective evidence where specific requirements have been fulfilled
Audit	Systematic and independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively.
Sampling	Food or feed or other substance in order to verify through analysis compliance with food or feed law

Table 5 Approved types of Food and Feed Interventions

Category	Minimum Intervention rating	Intervention type	Number of Premises	Targeted
A - High	At least every 12 months	Intervention, partial intervention or audit	1	100% planned intervention
B1 - Upper Medium and B2 Lower Medium	At least every 24 months	Intervention, partial intervention or audit	109 Upper Medium and 264 Lower Medium	252 interventions planned (61 Upper Medium and 191 Lower Medium)
C - Low	Alternative enforcement strategy or intervention every 5 years	Alternative enforcement strategy (AES) Intelligence led approach non-planned interventions	5382	Alternative enforcement strategy (AES) questionnaire will be sent to 791 premises. Businesses who do not return them will be individually contacted. 90 visits through project work plus visits to PGI producers of Traditional Cumberland Sausage (at least 21 further visits)
Unrated	Unknown	Likelihood of Compliance Assessment Required	21	Alternative enforcement strategy (AES) questionnaire will be sent

Table 6: Number of Targeted Food Inspections

6.3 Other interventions which do not constitute official controls are:

- Education, advice and coaching
- Information and intelligence gathering
- Training

7.0 Food Standards Interventions 2022-2023

7.1 The inspection frequency of businesses is risk-assessed for Trading Standards purposes based upon the NTSB risk assessment scheme. This allows enforcement activities to be targeted towards appropriate businesses and trade sectors. In 2022-2023 the NTSB risk assessment criteria of low, lower medium, upper medium and high will continue to be used, the inspection frequency of the code is detailed in table 6:

7.2 In accordance with the Code of Practice, the type of intervention for Category A 'high risk premises' will be intervention, partial intervention or audit at least every 12 months.

- 7.3 For Category B1 ‘upper medium and category’, B2 ‘lower medium risk premises’, the type of intervention will be intervention, partial intervention or audit at least every 24 months until the business is judged as “broadly compliant”, then planned interventions can alternate between intervention, partial intervention or audit and other official controlled interventions.
- 7.4 7.4 Planned interventions at Category A high risk establishments will take preference over lower risk premises. Category C premises will be subject to alternative enforcement activity intelligence-led interventions and project work.
- 7.5 7.5 Revisits to check that matters identified during the intervention have been rectified will be undertaken as appropriate.

8.0 Feeding stuffs intervention programme 2022-2023

- 8.1 All feeding stuff manufacturers based in Cumbria will be inspected according to risk as indicated in table 7. A low level of registered on-farm feeding stuffs mixers will be also inspected, usually as part of a joint Animal Health audit.

Category	Minimum Intervention rating	Intervention type	Number of Premises	Targeted
A - High	At least every 12 months	Intervention, partial intervention or audit	69	As per FSA funding.
B - Upper-Medium	At least every 24 months	Intervention, partial intervention or audit	40	As per FSA funding.
C - Lower-Medium	At least every 36 months	Intervention, partial intervention or audit	84	As per FSA funding.
D - Low	At least every 48 months	Intervention, partial intervention or audit	763	As per FSA funding.
E – NTMS -A	At least every 60 months	Intervention, partial intervention or audit	4072	As per FSA funding.

Table 7: Number of targeted Feed Interventions

9.0 Food Hygiene - Primary Production

- 9.1 The EU Food Hygiene Regulations extended the general principles of food hygiene legislation to all farms engaged in the primary production of food. Although there are some very limited exclusions, this includes stock farms where any food crops are grown.
- 9.2 All Primary producers subject to an Animal Health intervention will receive a Food Hygiene intervention at the same time unless the premises have had such a visit within the last 2 years.

10.0 Feed and Food Complaints

- 10.1 Trading Standards receive enquiries and complaints relating to food labelling, food standards, claims and descriptions. The team also receive complaints relating to feeding stuffs composition, standards and labelling.

- 10.2 In 2021-2022 Trading Standards received 45 food standards complaints and 0 feed complaints. All complaints are responded too and acted upon in accordance with the Services complaints procedure. Based on this, it is expected that the Service will receive a similar number of complaints in 2022-23.
- 10.3 As a result of the sampling programmes two businesses are being investigated and reports being submitted with a view to enforcement action being taken
- 1) A restaurant where an informal lamb curry sample was found to consist entirely of beef and a follow up formal sample was found to consist of approximately half beef and half lamb. A sample of raw lamb from the kitchen was found to consist entirely of beef. The restaurant did not have any beef dishes on the menu
 - 2) 2) An informal sample of minced lamb from a butcher was found to consist of 64% pork DNA, 8% beef and the rest lamb and a follow up formal sample was found to consist of approximately half lamb and half beef with a trace of pork

Complaint information is recorded for intelligence purposes and is used to monitor and identify problem traders, consumer trends or assist future investigations. The information may also be used to determine intervention intervals and target sampling programmes.

11.0 Primary Authority Partnerships and Business Advice

- 11.1 The Service is now offering Primary Authority agreements to appropriate Cumbrian businesses. Currently there are a total of 19 agreements in place, 9 of them with food businesses and 2 with feed businesses. The Primary Authority scheme is overseen by the Office for Product Safety and Standards, part of the Department for Business, Energy & Industrial Strategy. The scheme provides member businesses with assured advice on compliance with their legal requirements for which the service charges on a cost recovery basis.
- 11.2 For businesses not in a Primary Authority Partnership, Trading Standards will continue to provide advice, guidance and support to food and feed businesses to encourage legislative compliance and to promote a fair-trading environment.

12.0 Feed and Food Projects and Sampling

- 12.1 Cumbria Trading Standards carries out a programme of feed and food sampling as follows:
- **Local Manufacturers/Producers.** Sampling is targeted towards local producers and manufacturers. Samples of ingredients and finished products are taken throughout the year, dependent on an assessment of risk including the controls in place at individual businesses.
 - **Complaint Investigation.** Where appropriate complaint items are submitted for analysis and further formal samples may be taken if necessary.
 - **Projects/Surveys.** Participation in national, regional and local sampling projects are considered for food standards and feed as appropriate and where the necessary funding is available. These are detailed in tables 8, 9 and 10.
- 12.2 Priorities and areas of concern are identified through communication with the Food Standards Agency, the Department of the Environment, Food and Rural Affairs, the Department of Health, through local, regional and national intelligence held by local authorities and through consultation with the Public Analyst. The Service's project and sampling programmes have in the past included projects run in conjunction with the Food Standards Agency and Trading Standards North West (TSNW) and we will participate in such projects in future should funding

become available. Table 8 identifies the project plans, table 9 identifies feed samples and table 10 the food samples. Additional sampling will be carried out as necessary for example, if intelligence identifies other food/feed that should become a priority.

Project	Work to be undertaken	Number of Interventions	Timescale
Allergen free food	Visits to premises to check compliance with allergen requirements in EU1169/2011. The focus to be on all of the 14 allergens. A total of 50 samples to be taken including meals ordered by telephone.	50 visits and samples county wide.	From 1/4/22
Cumbria County Council Food Contract Monitoring	Ensuring foods procured by CCC meet both contractual and statutory requirements.	40 samples	From 1/4/22
Meat Species Testing	Informal samples of meals from takeaways including kebabs and minced meat, minced meat products and diced meat from butchers, the primary focus to be on foods described as lamb.	42 samples	From 1/4/22
Licensed Premises	Interventions will be carried out in pubs and restaurants to ensure that drinks are not being substituted /watered down or are counterfeit or illicit. Menu descriptions will be checked at the same time for any local claims as will compliance with allergen information requirements.	100 visits	1/4/22-31/3/23
Traditional Cumberland Sausage PGI	As requested by Defra, visit any producers of Traditional Cumberland Sausage and check production is to the PGI using a questionnaire.	samples to be taken as appropriate	ongoing
Milk Fat	Informal samples of full fat, semi skimmed and skimmed milk to test those levels of milk fat are within the prescribed limits	20 samples	From 1/4/22

Table 8: Food Projects for 2022-2023

Sample Type	Target	No of samples
Sampling at Cumbrian based manufacturers	Locally manufactured or imported feedingstuffs and ingredients to ensure compliance in relation to composition, safety, hygiene and labelling.	Up to 50
Feed materials or Compound Feed which are the subject of a complaint or feed hazard notification	Sampling of feed materials subject to complaint & sampling of imported feeds/ingredients that have been the subject of feed hazard notification	Not expected to be more than 10

Table 9: Feed Samples for 2022 -2023

Sample Type	Target	No of samples
Trading Standards North West or Food Standards Agency Sampling Project	If funding becomes available through TSNW or the FSA for a food sampling project we will participate	
Sampling at Cumbrian based manufacturers	Locally produced and locally imported foods. Ensuring foods produced by Cumbrian businesses comply with statutory requirements relating to composition, labelling and description. Samples to be taken when carrying out routine interventions at food manufacturers. Officers should be mindful of the areas of concern identified by the FSA the National Food Crime Unit and all other intelligence sources when carrying out interventions	Approximately 20
Cumbria County Council Food Contract Monitoring	Ensuring foods procured by Cumbria County Council meet both contractual and statutory requirements.	40 informal samples from 1/4/22
Food complaints and investigations	Sampling in response to complaints and issues as they arise	Not expected to be more than 10
Allergen free food		50 samples
Meat species testing	Ensuring no substitution of meat species at takeaways and butchers	42 samples
Milk Fat		20 samples

Table 10: Food Samples for 2022 - 2023

13.0 Feed/Food Safety Incidents

- 13.1 All Food and Feed Alerts are received from the Food Standards Agency via e-mail and text alert. Regular checks are also made on the Food Standards Agency website. Action will depend on the nature of the incident and will be dealt with in accordance with the FSA Code of Practice.
- 13.2 The majority of Food and Feed Alerts are for information only but Food and Feed Alerts for action may require immediate action to remove the food hazard from the food chain. These Food and Feed Alerts can potentially have an impact on programmed interventions.

14.0 Liaison with other organisations

- 14.1 Cumbria Trading Standards has liaison arrangements with the police and other council services on community safety, diet and nutrition and crime and disorder strategies. The Service works closely with the Food Standards Agency (FSA), Public Health service in the County Council, Department of the Environment, Food and Rural Affairs (DEFRA), the Department of Health and the National Farmers Union on animal health and welfare issues. Other arrangements exist with anti-counterfeiting groups and HM Revenue and Customs.
- 14.2 Coordination of activities between authorities is undertaken via the Trading Standards North West Group, which is a partnership of the 23 local authorities that cover the North West Region including Cumbria. The Association of Chief Trading Standards Officers maintain a master list of endorsed food standards and labelling opinions and supports a national Food Standards and Labelling Focus Group to resolve complex issues. Nationwide coordination on

an informal level takes place by means of the Knowledge Hub, which provides web based professional networks for public sector organisations including a national food standards and labelling group used by local authorities and government agencies such as Defra and the FSA. This currently has approximately 1700 members

- 14.3 Food enforcement liaison exists with the six district councils, Public Health England and other relevant local, regional and national organisations via the Cumbria Food Liaison Group which meets approximately bimonthly.

15.0 Sampling

- 15.1 The overall budget contains specific sums for the costs associated with sampling and testing of goods and services. Table 11 identifies the budgets:

	2022 - 2023 Budget
Food Testing & Analysis	£16,000
Livestock Feedstuffs & Fertilizers Testing and Analysis	£16,000

Table 11: Sampling budgets

16.0 Organisational Structure and Resources

- 16.1 The Trading Standards Service Manager has overall responsibility for the delivery of official feed and food controls.

Stuart Killip has been appointed Food Lead Officer, stuart.killip@cumbria.gov.uk
 Mark Chambers has been appointed Feed Lead Officer, mark.chambers@cumbria.gov.uk

- 16.2 Staffing – Trading Standards currently employ 7 officers who hold the statutory Trading Standards Qualification which includes the food and feed qualification. All 7 are qualified to enforce the Food Safety Act in relation to high-risk businesses. An additional 2 officers hold the DCATS food module and 1 officers is authorised at level 2 for feed enforcement.

There are 2.4 FTE (full time equivalent) officers engaged on food standards work.

- 16.3 Staff Learning and Development Plan - A mixture of formal courses, short courses, e-learning and in-house training is undertaken, and a review of training undertaken ensures that the right training is chosen for any given situation. A programme of qualification training is delivered in respect of the Trading Standards Institute’s qualification framework for all Trading Standards professionals. Officers who are suitably qualified, experienced and competent to carry out the range of tasks and duties they are required to perform are authorised officers for the purposes of enforcing the provisions of the Food Safety Act, Feed Hygiene and Enforcement Regulations and the Official Feed and Food Controls Regulations. Authorisation of Food and Feed Law Enforcement Officers is controlled and audited. The Competency Framework required under the Food Code of Practice has been implemented.

- 16.4 Continuous Professional Development - All officers engaged in Food and Feed Standards enforcement complete their mandatory 10 hours of “core” CPD relating to Food and Feed, and the additional 10 hours “other professional matters CPD” each year through a variety of different training processes. Officers will attend any training sessions run by Trading Standards North West and the Food Standards Agency

17.0 Quality Assessment

17.1 Cumbria Trading Standards will continue to have a quality system which will be regularly reviewed. All procedures and work instructions for food/feed were reviewed and updated where necessary in 2020 Performance management and monitoring arrangements were also reviewed and formalised.

18.0 Food and Feed Plan 2021 - 2022 Review

18.1 The table below details the services performance during 2021-22 against the targets identified in the Food and Feed Plan 2021/22.

	Target number of interventions/samples 2021/22	Actual Interventions/Samples 2021/22	Performance
Food Standards	A High - all	H – all premises inspected	100%
	B1 Upper Medium and B2 lower Medium – (180 in all)	B1 Upper Medium and B2 Lower Medium All premises inspected	100%
	Low and Unrated- 90 project visits were undertaken and 833 self-assessment questionnaires sent out	Low and Unrated. A total of 90 project visits were undertaken. and 644 businesses responded to the questionnaire	100%
Sampling	No overall target set	138 samples taken for analysis. 105 samples reported on during the year. 31 results were unsatisfactory	

Table 12: 2021/22 Food Official Controls

18.2 Food Projects 2021-22

Project	Target	Actual	Comments	Performance
Meat Species	40 samples	40 samples	Samples of 18 lamb curries and lamb kebabs from takeaways and 15 meat products such as burgers and koftas, 3 meats and 4 lamb minces were taken. One lamb curry was found to consist entirely of beef. One sample of minced lamb was found to consist of 90% beef DNA and another 64% pork A further 8 samples contained meat of other species at levels which suggested careless preparation and cross contamination	100%

Cumbria County Council Food Contract Monitoring	Ensuring foods procured by Cumbria County Council meet both contractual and statutory requirements. Foods sampled included raw meat and fish, meat and fish products. Samples were tested for compositional standards, allergens and authenticity.	39 samples taken	Some results still awaited from the laboratory. So far of the 27 results returned there has been only 1 unsatisfactory report for a product deficient in meat content	
Targeted sampling through routine interventions	20 samples budgeted for	23 samples taken		
Allergen free food	Visits to premises to check compliance with allergen requirements in EU1169/2011. The focus to be on allergens other than peanut and gluten which have been extensively sampled in previous years projects. A total of 50 samples to be taken including meals ordered by telephone.	50 samples were taken and sent for analysis	22 analyses were carried out for the presence of gluten, 18 for peanuts, 9 for egg and 1 for sesame. Of the 22 foods described as gluten free 2 were found to contain gluten above the level where such a description is permissible. Of the 18 takeaway meals served in response to a request for a peanut free meal two were found to contain peanut protein at levels of 8.6 and 20 mg/kg. Of the nine takeaway dishes tested for the presence of egg four were found to contain it at levels suggesting cross contamination. In all cases advice was given	100%

Table 13: 2021-2022 Food Projects

18.3 Review against the planned official controls for Feed 2021-2022

	Target number of interventions/samples 2020/21	Actual Interventions/Samples 2020-2021	Performance
Feed Standards	High - 4 (all)	High - 19	100%
	Medium / Low – At least 200	Medium / Low - 224	>100%

Table 14: 2021-2022 Feed Official Controls

18.4 Feed Projects 2021-2022

Project	Target	Actual	Comments
Cumbrian based manufacturers/packers	Up to 50	38	21 Analyst results have been reported to date of which 9 were unsatisfactory and FeB0 advised.

Table 15: 2021-2022 Feed Projects

19.0 Conclusions

- 19.1 2021/22 has seen a return to normality following significant disruption due to covid and as a consequence the service was able to carry out its full work programme. Ongoing sampling programmes indicate that problems remain regarding non declared allergens and meat species substitution. 2022-23 will see a focus on preparing for the new local government structure

