

Midlothian Council

Food and Safety Service Plan 2024-2025

Food and Safety Service Plan 2024-2025

Summary

Food Standards Scotland (FSS) require each local Food Authority to produce a periodic plan showing how it will meet the duty of the Authority to regulate and enforce food law in its area. This plan is produced following the Framework Agreement on Official Feed and Food Controls by Local Authorities, issued by Food Standards Agency (FSA).

The coronavirus pandemic caused the cessation of almost all routine on-site food inspection work from March 2020 until October 2021. This Food Service Plan is a continuation of the restart of the Food Law Intervention Programme, which began in April 2022.

This plan covers the Protective Services, Business Regulation Team's food and safety related activities, planned from April 2024 – March 2025. It has been prepared using risk rating data held for each food premises on our Management Information System and following the Local Authority Recovery Process Guidance produced by Food Standards Scotland and Scottish Food Enforcement Liaison Committee (SFELC).

With 990 registered food premises within Midlothian, the Business Regulation Food and Safety Team will require to carry out around 300 inspections each year to stay on target and meet the expectations of Food Standards Scotland. Within this Food Service Plan, between April 2024 to March 2025, 474 registered food businesses are due to receive a food law intervention.

In addition, Midlothian has 12 approved food manufacturers that require significant staff resource to ensure we meet the required standards through Official Control Verification. As these businesses are seen as our highest risk, the Business Regulation Food and Safety Team will be focusing on delivering these official controls.

Midlothian Council Food Service has committed to fully engaging with Food Standards Scotland's SAFER project to develop a new approach to food law delivery in Scotland that is fit for the future. Until we receive guidance about this project the Food Service will continue with their planned food law intervention programme. If the SAFER project is initiated within this year, the Food Service will be unable to complete this Food Service Plan in its' entirety.

Using the FSS Local Authority Resource Calculation Guidance, dated August 2022, it is estimated that 4.2 FTE qualified food officers would be required to deliver the full range of food law-related activities for this year. The Food Service currently has an actual 2.5 FTE Authorised Officers for food activities.

As at 1 April 2024 the team had a 1 FTE vacancy with a second FTE vacancy imminent. There is hoped that the current recruitment drive will acquire suitably qualified candidates to fill the posts, however the national shortage of EHOs remains a serious concern for all Local Authorities.

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At full complement with all posts filled, the Business Regulation, Food and Safety Team will have a 0.1 FTE shortfall between the calculated FTE required and the establishment FTE. This would mean the Food Service would be able to fulfil our statutory duties planned in 24/25. However, this would not be the case if there was any unforeseen emergency work, as no contingency is available.

Through this period of uncertainty, with ongoing staff vacancies and our commitment to the SAFER project, the Food Service will continue to prioritise our highest risk premises. All planned official controls at our approved premises will be prioritised. All Group 1, Group 2 Band D & E and Group 3 Band D & E food businesses will be inspected within the required timescales (See Annex 2 for additional information on risk groupings). Requests for service that are deemed to be significant will be investigated.

Introduction

Assimilated EU law sets out the obligations that apply to the delivery of Official Food Controls by Local Authorities (also known as Food Authorities), ensuring:

- The effectiveness and appropriateness of Official Controls,
- That controls are applied at appropriate risk-based frequency,
- That they have a sufficient number of suitable qualified and experienced, competent staff and adequate facilities and equipment to carry out their duties properly,
- That staff are free from conflicts of interest.

Local Authorities must have regard to Codes of Practice issued by Ministers on the execution and enforcement of the applicable food laws; and regulations and orders made under it. Food Standards Scotland oversees that Local Authorities have in place arrangements for the delivery of the required Official Food Controls. This Service Plan is developed in line with The Framework Agreement on Official Feed and Food Controls by Local Authorities 2010 and also takes recognition of the draft Administration and Service Planning, Food Law Code Practice (Scotland) 2020, provided by FSS.

The coronavirus pandemic caused all planned food law intervention work to cease on 20 March 2020 when the Council moved into Category 1 responder mode. Environmental Health Officers (EHO's) were classed as key workers and ceased normal duties to concentrate work on public health control measures.

The requirements of the Health Protection (Coronavirus)(Restrictions)(Scotland) Regulations 2020, which were regulated by local authorities, have been removed and officers are no longer dealing with COVID-19 related requests. However, the continuing impact of the pandemic on the Food Service is still evident two years into the restart programme.

Food Service Officers resumed unannounced inspections, in accordance with the Interventions Food Law Code of Practice (Scotland), in April 2022. Since then the Food Service Plans have been prepared following the 'Local Authority Recovery Project,

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Recovery Process Guidance' developed by Food Standards Scotland and Scottish Food Enforcement Liaison Committee, issued in December 2020.

This guidance set maximum time periods, within which every food business must have a planned intervention. Between April 2022 and March 2026, all food premises in Midlothian have been allocated a scheduled intervention. If the Food Service could have stayed on track with the proposed restart programme, based on our reset date of April 2022, then all Midlothian food businesses would have had a food law intervention by the end of March 2026. However, due to vacancies and staff absences within the team and additional unplanned inspections, the restart plan is off course. As of 1 April 2024, 143 planned inspections had not been completed for years 2022/2023 and 2023/2024.

This plan covers the period from 1 April 2024 to 31 March 2025.

1.1 Service Aims and Objectives

The aims of the Food Service, delivered by the Business Regulation Team within Protective Services, are to:

- Protect public health by ensuring that food (including drink), intended for sale for human consumption; produced, stored, distributed, handled, traded and/or consumed in Midlothian, is safe to eat and is described accurately to the consumer,
- Carry out the statutory duties required of Midlothian Council as a Food Authority.

To achieve these aims the following objectives, have been set to;

- Complete the food law interventions programme planned for April 2024 - March 2025,
- Carry out approved premises interventions following the Official Control Verification (OCV) framework,
- Undertake a programme of food sampling from manufacturing premises in Midlothian,
- Contribute to national sampling surveys set by Food Standards Scotland,
- Investigate food related complaints and respond to requests for service,
- Investigate instances of food and water borne disease within Midlothian in a co-ordinated approach with the relevant Health Authorities,
- Respond appropriately to relevant food alerts as required by Food Standards Scotland,

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- Ensure all Authorised Officers receive a minimum of 10 hours food related training to maintain competency.

1.2 Link to corporate objectives and plans

Midlothian Council has developed a Single Midlothian Plan with a stated vision that;

- *Individuals and communities in Midlothian have improved health and skills for learning, life and work*
- *No child or household need live in poverty.*
- *Significant progress is made towards net zero carbon emissions by 2030*

Annex 1 shows the mapping of Food Service activity to the Single Midlothian Plan outcomes.

In June 2023 Council approved the Transformation Blueprint and supporting Medium Term Financial Strategy to help bridge a projected five-year funding gap of more than £29m. Whilst recognising that there will be difficult choices to be made as the council defines what services it will provide, where these services will be delivered and how, the blueprint maps the journey to be undertaken. It is intended to steer the Authority towards greater financial sustainability whilst seeking to ensure we have the technology, assets, skilled staff and multi-agency working to create more efficient and effective services for local people.

Food Authorities have a duty under the Regulatory Reform (Scotland) Act 2014 to contribute to sustainable economic growth. Food Service Officers have regard to the principles of Better Regulation helping businesses to comply and grow sustainably, as outlined in the Scottish Regulators' Strategic Code of Practice. This is in line with the Single Midlothian Plan. However, exceptions are in place where this would be inconsistent with the execution of their function to protect public health. Food Officers take the appropriate action where required in line with the approved Midlothian Council Food Law Enforcement Policy.

2. Background

2.1 Profile of Local Authority

Midlothian Council is located to the south of Scotland's capital city Edinburgh and serves a growing population of about 94,680, 1.6% increase from 2020. Midlothian is pro rata, the fastest expanding area of Scotland for population growth and housing development, with a projected population increase to 103,945 by 2028, an increase of 13.8%. This is compared to 1.8% increase for Scotland as a whole. This brings with it consequent pressures on council services.

Reference: National Records of Scotland - [Midlothian Council Area Profile \(nrscotland.gov.uk\)](https://nrs.scot.nhs.uk/midlothian-council-area-profile)

The Council is one of the smallest in Scotland covering a geographical area of 354km². It shares its borders with East Lothian, City of Edinburgh and Scottish Borders. The

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main centres of population are currently around Dalkeith, Bonnyrigg and Penicuik with much of the area rural in nature with small towns and villages.

2.2 Organisational Structure

An organisational review of Protective Services was completed in 2022. The new organisational structure is seen in Figure 1 and shows the current full-time equivalent (FTE) within the Business Regulation Team, as at 1 April 2024.

The Senior Manager Protective Services has been in post since October 2021. The post of Team Manager Business Regulation was created with responsibility for regulatory compliance within Midlothian. From April 2023 this incorporates the Food and Safety Team and Trading Standards Team. The appointed person started in March 2022 and has taken on the role of Lead Food Officer for Midlothian Council. A Principal Officer supports the Team Manager and Enforcement Officers. The Principal Officer within Food and Safety has been in post since March 2023. The Business Regulation Team has allocated Business Support, 0.4 FTE is dedicated to food related administration.

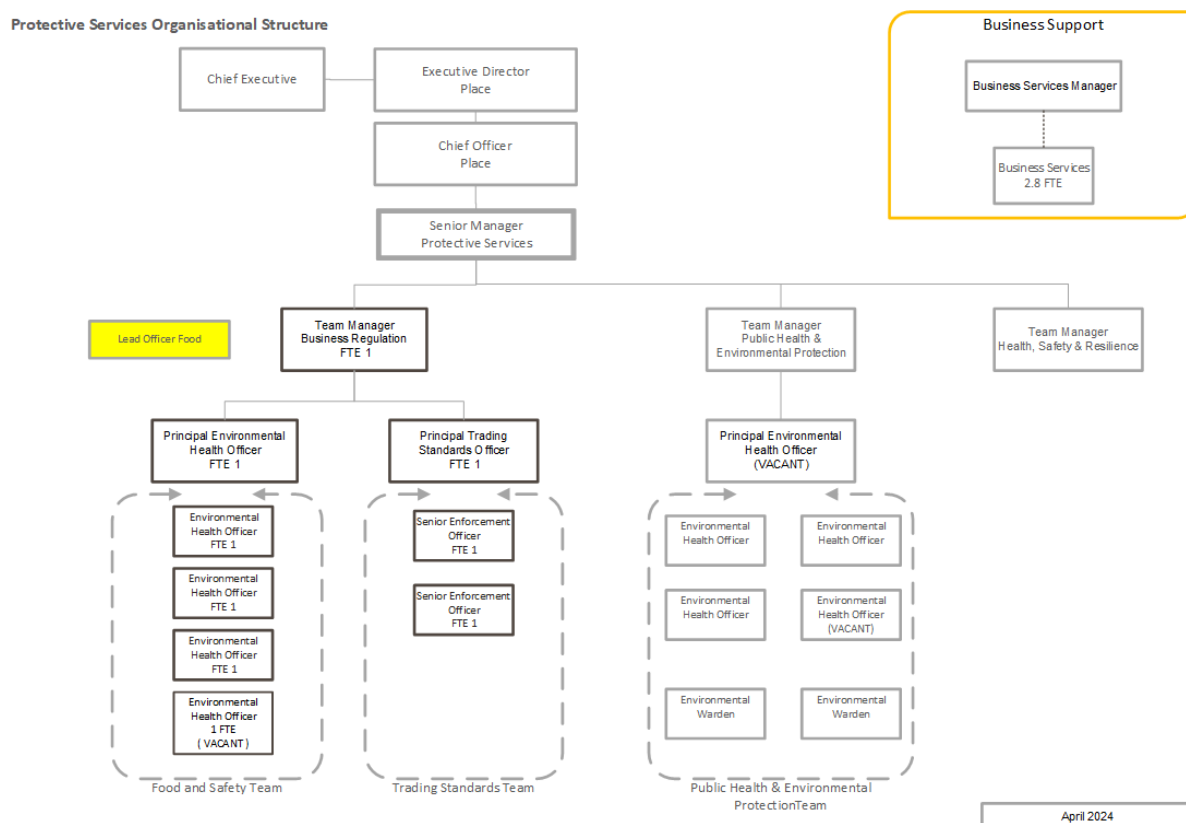


Figure 1. Organisational Structure of Place with current Business Regulation Team Full Time Equivalent (FTE) as at 1 April 2024.

2.3 Scope of the Food Service

The Food Service is delivered by the Business Regulation Team of the Environmental Health Service, part of Protective Services in the Place Directorate. The Service is

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based at Fairfield House, 8 Lothian Road, Dalkeith, EH22 3AA - Tel. 0131 271 3559, email: foodandsafety@midlothian.gov.uk.

The Service generally operates during Midlothian Council office hours, 9-5pm Monday to Thursday and 9-3.45pm Friday. However, a certain amount of inspection and reactive work is done out with these hours in order to access businesses that open in the early mornings, evenings or at weekends or to respond to public health concerns.

Outwith core hours, contact for emergency purposes is on an ad-hoc "whom-failing" basis via the Midlothian Contact Centre - Telephone number 0131 663 7211.

The organisational structure, lines of responsibility and establishment of the Environmental Health Service are shown in Figure 1 above.

The range of food activities involved in regulating businesses in Midlothian include;

- Regular interventions with food business to check compliance with food law including safety, hygiene, food composition and labelling.
- Approval of our highest risk businesses handling products of animal origin.
- Licensing of certain premises i.e. mobile street traders, licensed premises.
- Sampling of food to check on hygiene, composition and labelling.
- Investigation of complaints from the public about food, food labelling and food premises.
- Investigation of food and water related cases of infectious diseases.
- Detection and investigation of food related fraud and food crime.
- Enforcement of the legislation in relation to the above activities.
- Providing advice and assistance to new or existing food business operators and to the public.
- Scrutiny of planning and building warrant applications relating to matters of food safety.

The Food and Safety team is also responsible for;

- Enforcement of Health and Safety legislation in many workplaces in the Midlothian area, including the investigation of workplace accidents and incidents in those premises,
- Environmental Health Officers contribute to the Council's Safety Advisory Group providing advice to event organisers,
- Enforcement of the Public Health (Scotland) Act and in partnership with NHS Lothian, the investigation and control of certain infectious diseases and other public health concerns,
- Licensing and regulation of residential caravan sites, certain activities covered by Civic Government licencing and zoos.

Enforcement Officers are authorised by the Council to enter premises, inspect and take samples, serve legal notices and make reports to the Crown Office Procurator Fiscal

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Service (COPFS). Any formal action taken is in line with our Food Law Enforcement Policy.

City of Edinburgh, Scientific Services are contracted by Midlothian Council to provide services of examination and analysis of samples with specific appointment of the Public Analyst and Food Examiner.

2.4 Demands on Food Service

Service User Profile

As at 1 April 2024, 990 food business were registered and operating in Midlothian.

From 2007 – 2024 there had been a net year on year rise in food businesses, see figure 2. The rate of increase has slowed since the pandemic. Within the year from April 2023 to March 2024, 92 food businesses ceased trading and 96 new food businesses registered.

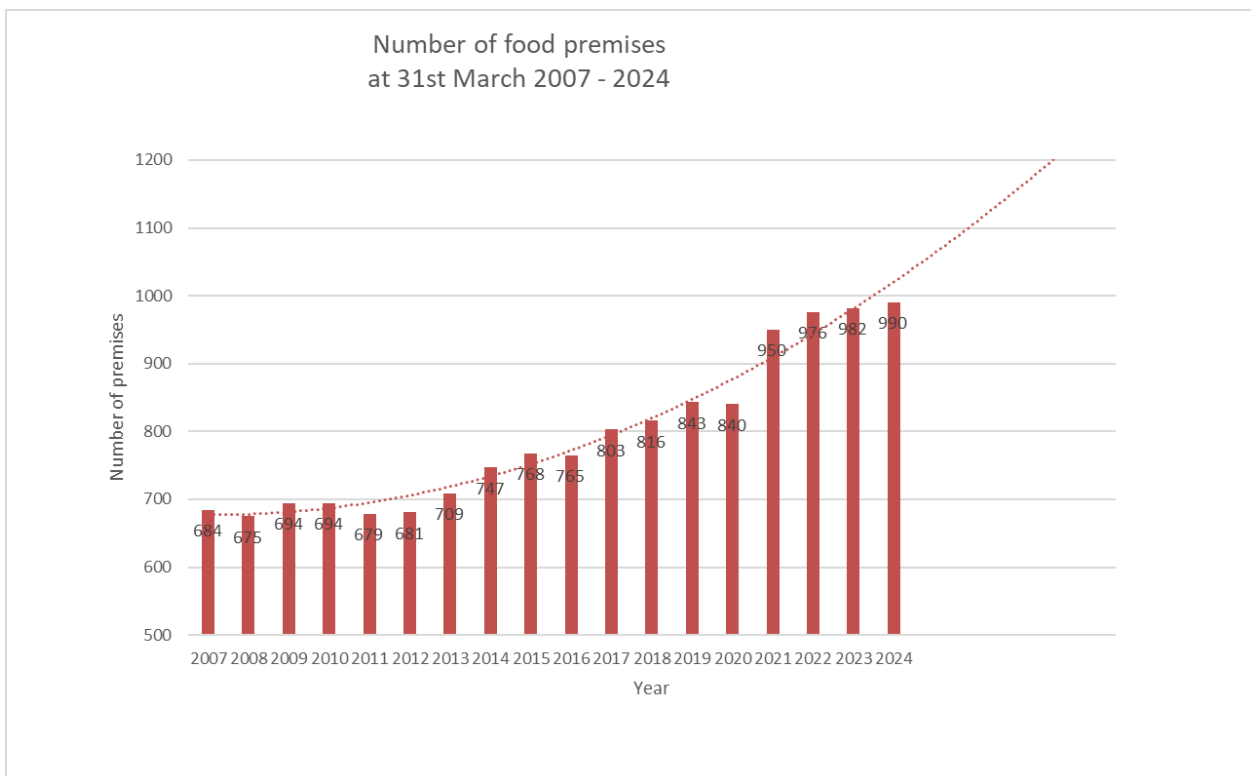


Figure 2 Number of food businesses registered with Midlothian Council from 2007 – 2024

The majority of the food premises in the area are small to medium enterprises. Most of these businesses rely on regular contact from the Business Regulation Team for advice and guidance on the legal requirements for food and safety.

There are 12 premises located in the area approved for the manufacture and/or supply of high-risk products of animal origin to other food businesses and potentially national

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and international markets. A small number of food businesses export to non-EU countries.

Changes to Enforcement Practice

The Interventions Food Law Code on Practice (Scotland) introduced the new Food Law Rating System (FLRS) in April 2019 and changed the way in which food businesses are risk rated after an inspection. A Grouping and Banding are given to each food business that determines the risk rating and the frequency at which it is inspected, see Annex 2 Food Law Rating System Performance Ladder. All food businesses are now assessed on a wider range of aspects of food law covering hygiene, composition, labelling requirements and the risk of fraud. This new risk rating scheme has resulted in increased frequency of inspections for the higher risk businesses. Businesses deemed to be of the highest risk at their programmed inspection, due to serious non-compliance, will receive intensive interventions, with further full inspections within 1 month and 3 months.

FSS Local Authority Recovery Process Guidance sets out 6 risk-based priorities from highest to lowest risk (see Annex 3). The Food Service will monitor and report on the highest risk of these, i.e. Priority 1 and Priority 2 at the end of the 12-month plan. The Food Service will also monitor the progress, quarterly by the cumulative percentage of planned food premises inspections achieved in each month, for all priority categories.

These changes have required updates to the Management Information System (MIS) used by the Food Service (UNiform - IDOX) to cope with this and there will be a transitional period as food businesses are moved from one assessment regime to another. It was anticipated that all food businesses would be risk rated under the new FLRS system within 48 months of restarting the Food Law Intervention Programme, however this has been set back and may take another 24 months to be achieved.

The way in which official controls are applied to approved premises has changed with more frequent, in-depth interventions now required. Each premises will require numerous visits within an annual cycle known as Official Control Verification (OCV). A record of the annual start date, interventions carried out and cycle completion date are made on our MIS. A notional risk rating of Group1 Band B under the Food Law Rating Scheme is given to each premises to ensure the annual cycle continues. A significant amount of officer time is needed to continue the implementation of this new process, with 2 officers required for each of these interventions. At present there are 12 approved premises within Midlothian, with a further business requiring assessment.

Future Demands

Regulation of businesses is regularly changing and with it the demands on ensuring compliance. Midlothian Council Food Service will prioritise any national or local driven outcomes, including compliance with new legislation or improved compliance with existing legislation. The acceptance of this will be risk based and will take account of any additional burden and/or additional resource required.

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A consultation on the provision of mandatory calorie information within the 'out-of-home' sector is ongoing. This is being considered to help reduce diet-related health inequalities. As Food Officers are already visiting food premises on a regular basis and enforcing existing food law they are seen by Scottish Government as best placed to provide support and guidance to business to fulfil this requirement. This will need further time resource to ensure officers are trained and competent before then spending time with businesses to help them apply any new legislation.

Central Government Initiatives

Midlothian Council Food Service will prioritise central government initiatives in compliance with the Food Law Code of Practice, based on risk assessment and where resources allow.

With the pressures facing Scottish Food Authorities, FSS has proposed SAFER, Scottish Authorities Food Enforcement Rebuild, a collaborative approach to implement a new model of Food Law delivery in Scotland. This will be a comprehensive overhaul of the way in which the Food Service operates.

Midlothian Council Food Service will participate in central government initiatives proposed by Food Standards Scotland in regard to SAFER.

It had been intimated that this work would begin in Q3/Q4 of 2023. So far this work has not started and a new start date has not yet been proposed by FSS. Once started this will be a significant project, involving considerable officer time. Given the scale of the work proposed, when this project is initiated, it is anticipated that the Food Service will be unable to complete this Food Service Plan in its entirety. A temporary relaxation of the current food enforcement regime will be required. To ensure the safety of food provided in Midlothian, the Food Service will continue to prioritise planned interventions of the highest risk food businesses; approved premises, priority 1 and 2 category premises and serious food related incidents.

Although this work will pose a short-term reduction in food law enforcement in lower risk premises and cases, it will ensure a more robust long-term solution designed to protect individuals and communities in Midlothian which will enable them to lead healthier and safer lives.

There was agreement at the meeting of SoLACE on 16 December 2022 to endorse the participation of Environmental Health colleagues in this work and the related temporary relaxations that can be introduced on a risk basis to create the capacity for this work.

2.5 Enforcement Policy

The Authority has a documented Food Law Enforcement Policy which has been reviewed and is due to be approved by Council, along with this plan, in May 2024. This sets out how the Food Service will deal with non-compliance with food law and how we intervene to bring businesses back into compliance. Authorised Officers make enforcement decisions in line with Midlothian Council's Food Law Enforcement Policy.

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3. Service Delivery

3.1 Interventions at Food Business Establishments

This plan covers the period from 1 April 2024 until 31 March 2025.

There are a total of 474 food law interventions due between 1 April 2024 to 31 March 2025. This includes planned interventions at premises; risk rated under the Food Law Rating Scheme (FLRS), those classed as 'missed' during the Coronavirus pandemic and newly registered food businesses. Table 1 shows the breakdown of the number of interventions due in each priority category.

Planned Food Interventions April 2024 – March 2025	
Priority Category	Number of planned interventions
Highest Risk Premises Priority 1	18
High Risk Priority 2	37
Medium Risk Priority 3, 4 and 5	378
Lowest Risk Priority 6	41
Total	474

Table 1, Breakdown of Priority Category and Number of Interventions Planned

Prior to the Coronavirus pandemic restrictions, the Food Service had good quality, up to date risk ratings for the majority of the food businesses in Midlothian. To restart the intervention programme after covid restrictions the Food Service followed the 'Local Authority Recovery Project: Recovery Process Guidance' December 2020, provided by Food Standards Scotland and Scottish Food Enforcement Liaison Committee. This identified priority categories and set proposed timescales (see Annex 2) by which premises in each category must receive an intervention. Rescheduled dates were set, within Midlothian Council's Management Information System, for any premises that 'missed' their inspection, to schedule a planned intervention within proposed timescales. If the intervention restart programme remained on track, with the Food Service at full complement of staff, all the food businesses (registered with Midlothian Council by April 2022) would have received a food law intervention by end March 2026.

Due to an ongoing vacancy and long-term absences within the Food Service, as at 1 April 2024, 143 planned food law interventions had been missed between April 2022 and March 2024. In 2024/2025, the Food Service will prioritise the highest risk premises that have been missed during this time. These premises were missed due to no access, not operating at time of visit or issues with the MIS system.

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In 2024/2025 the Food Service plans to carry out 8 priority interventions at the businesses that missed inspection between 1 April 23 and 31 March 24.

In the third year of the restart, from 1 April 2024 - 31 March 2025, the Food Service will again prioritise the known highest risk food businesses that operate within Midlothian. This includes priority 1 and priority 2 category businesses. As at 01 April 2024 there are 55 of these businesses in these categories that will receive a planned intervention in 2024/2025.

It is anticipated that the number of unplanned interventions will increase throughout this year due to the identification of serious non-compliances, as evidenced in years 2022 – 2024. These non-compliant businesses will thereafter need to receive 'intensive' interventions at specified intervals, namely within 1 month of the initial inspection followed by a further full inspection after 3 months. The worst, highest risk premises will have an additional intervention after a further 6-month period. The number of premises with serious non-compliances has increased over the last 2 years, thought to be due to a decline in standards as a result of the legacy of the pandemic coupled with the increased cost of living. It is predicted that 14 additional high-risk premises could be identified within the year.

Priority 3, 4 and 5 category businesses have been allocated an intervention date within the proposed time periods set out in the FSS recovery guidance. These are spread evenly throughout 12, 18, 24, 36 and 48 months in line with the guidance. Within the current year's plan, 378 medium risk premises (priority 3, 4 and 5) would receive an intervention.

Priority 6 category businesses are the lowest risk, they include small retailers selling pre-packed foods and childminders and home caterers preparing and selling low-risk ambient foods. It is anticipated that these businesses will not be allocated for intervention.

If resources allow and staff levels increase, due to a successful recruitment campaign, interventions at these lower risk businesses would be initiated. With a full complement of staff it would be possible to complete the full programme of interventions.

As previously shown, the number of new food businesses registering with Midlothian Council is increasing year on year. Newly registered food businesses require a full inspection to allow them to be risk rated under the new system. The Food Service plan allocates resource to inspect 24 higher risk (Group 1 & 2) and 26 lower risk (Group 3) businesses within this year. Depending on the type of food business, officer resource to bring them in line with regulatory compliance can be significant. In the last 12 months Food Officers have been supporting new manufacturing establishments, an application for a new approved premises and food producers using complex processes.

Approved premises who supply products of animal origin are classified as Midlothian Council's highest risk food establishments. Year 2024 – 2025 will see Midlothian Food Service implement phase 3 of the OCV process. This will include detailed review of businesses documented procedures, reality check inspections and focused audits. The Food Service will prioritise these planned interventions over other planned work.

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All approved premises will receive interventions in line with the Official Control Verification (OCV) Guidance, produced by FSS. This is a methodical approach of auditing the highest risk food businesses to secure high level public health protection and protects the reputation of Scottish food businesses. Implementation of this new process significantly increases the time spent on Official Controls at approved establishments. Utilising the FSS provided resource calculator it has been estimated that approximately 80 days of officer's time will need to be allocated to these 12 premises, this year alone.

For the Food & Safety Service to complete all planned work for 24/25 the Food & Safety Team would require 5.6 FTE, with 4.2 FTE officers dedicated to food work alone. The organisational structure of Business Regulation provides 5.5 FTE officer positions within the Food and Safety team, including management, 4.1 FTE dedicated to the Food Service.

As at 1 April 2024 the Food Service had 4.5 FTE positions filled, 1 FTE was vacant with an additional 1 FTE vacancy imminent due to a resignation.

To account for the 50% vacancy in EHO posts within the Food and Safety team, at the time of writing this plan, the work for 24/25 will be reduced and allocated based on risk. The Food Service will prioritise the 55 planned highest risk premises FLRS interventions, the 8 missed high risk FLRS interventions, Official Control Verification interventions at approved premises and requests for service. All planned proactive Health and Safety work would cease and only reactive work would continue e.g. investigation of accidents and requests for service. However, if a serious and complex accident or infectious disease outbreak requires investigation this would take priority.

Recruitment is currently underway to fill the 2 vacant posts. If this is successful the team, at full complement of staffing, would be able to fulfill all the required work for 24/25. However, this is only possible if there are no unforeseen emergencies or priorities within the year. No allowance for contingency has been used to produce these figures. In the case of an emergency situation it is calculated a minimum of an additional 20% FTE may be required to complete all the work activities.

Mindful of the national shortage of Environmental Health Officers Midlothian Council Environmental Health have adopted "a grow our own" approach. The Service have indicated, to the Society of Chief Officers of Environmental Health Scotland, that they would be able to support a new Environmental Health student through their professional training from September 2024.

3.2 Food Complaints and Requests for Service

A proportion of the Service's work relates to dealing with requests for service about food related matters. The team receives approximately 450 service requests each year, of which about 50% are food related.

Food service requests include;

- Complaints about food that people have bought or consumed e.g. foreign bodies in food or alleged food poisoning,

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- Complaints about food premises which appear to be being run unhygienically,
- Requests for advice about starting food businesses, legal requirements, food hygiene training, labelling or the layout and fittings of proposed premises,
- Applications for Certificates of Compliance and Licensing of mobile food street traders,
- Scrutinising planning applications and building warrants received by the Council relating to food premises and offering advice to applicants regarding premises layout and appropriate facilities etc.,
- Investigating cases and outbreaks of infectious disease, in partnership with NHS East Region Health Protection Team associated with the consumption of food or water,
- Responding to intelligence concerning food incidents or food fraud from Food Standards Scotland and other local authorities, instigating food alerts for action, product recalls and allergy alerts.

All service requests, where we have a statutory function, must receive a response to determine the extent to which further action is needed. Therefore, this work must take priority over planned inspection work.

Response times are specified for some reactive work. For requests of service received Authorised Officers should make first contact within 5 working days. It has been agreed with NHS Lothian that cases of gastrointestinal infection should be contacted within 2 days of notification, more serious cases of typhoid/paratyphoid, *E.coli* O157/STEC, Cholera 01, Shigella Dysenteries, Listeria, Legionella and Non-Sonnei Shigellas should be contacted on the day of notification. Mandatory health and safety investigations take priority and would be initiated on the day of notification. This would include fatalities or multiple serious injuries in a workplace.

Some requests may result in significant amounts of work being required to resolve them. For example, a complaint about an unhygienic premises which leads to enforcement action and a subsequent report to the Crown Office Procurator Fiscal Service (COPFS); a new food manufacturer requiring significant research into the processes involved; a fatal or serious workplace accident; a major infection control or public health incident.

3.3 Home Authority

Midlothian Council has agreed to act as Home Authority to a large food manufacturer with the Head Office and decision-making base in Bonnyrigg and as such expects to receive communication from Local Authorities.

Where Home Authority agreements exist with other UK local authorities the Food Service will liaise with those authorities where appropriate when investigating food safety or food standards matters.

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3.4 Advice to Businesses

The Food Service currently provides advice freely to Midlothian businesses. Advice and guidance is given during routine food law interventions and in response to service requests from food businesses.

Where new legislation and associated guidance has been produced, the Food Service may plan a targeted intervention to advise affected businesses. For example, In recent changes were introduced to the labelling requirements of food pre-packed for direct sale – that is food packed on the premises for sale to walk in customers. This followed a number of deaths across the country involving allergic reactions to food constituents and high-profile coverage in the UK media. This was a significant change for businesses such as takeaways and sandwich shops. Targeted information was sent out to 371 identified businesses in Midlothian that would be affected by this change. Social media posts were sent out on the Midlothian Council twitter feed and the Midlothian Council website was updated to include these changes.

3.5 Food Sampling

The sampling of food is an integral part of the work of the Food Service. The sampling plan can cover local outlets, approved premises, manufacturers and also nationally organised campaigns. Unplanned food samples are taken for investigatory purposes often relating to food complaints from members of the public. In 24/25, 34 samples are planned from approved premises, 46 samples from Midlothian manufacturers and approximately 50 samples for FSS survey sampling.

Food sample examination involves assessing the microbiology of both ingredients and final products. It can give an indication of the conditions under which it is produced and the levels of hygiene controls during processing and handling both in the environment of the premises and the practices of the people producing it.

Food sample analysis can determine; what a food is made of, whether the ingredients meet legal requirements e.g. % meat, if foodstuffs are contaminated or adulterated and if labelled or described accurately.

Food samples are submitted to Edinburgh Scientific Services who employ the Authority's appointed Food Examiner, Public Analyst and Agricultural Analyst. Authorised Officers from the Business Regulation team take samples from approved premises, see table 2, and manufacturers during food law interventions and purchase samples as part of the FSS national survey.

Annual Sampling from Approved Premises		
Food Sampled	Samples for Microbiological Examination	Samples for Analysis
Processed Milk	3	3
Cream	1	1
Meat Products	3	3
Pizzas and Ready Made Meals	3	3

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Haggis/Savoury Puddings	4	4
Dairy products	1	1
Fish	1	1
Total	16	16

Table 2 – Annual Sampling Plan for Approved Premises in Midlothian

The Food Service participates in sampling surveys organised by Food Standards Scotland, Lothian and Borders Food Liaison Group and the Scottish Food Enforcement Liaison Committee (SFELC).

These sampling programmes and priorities aim to identify trends in the food supply where intelligence data suggests more information is required or a problem may already exist. Sampling is carried out by Local Authority Authorised Officers across Scotland and the results collated centrally. This work is resourced by FSS and is coordinated by SFELC in collaboration with the Public Analyst. The Food Service is awaiting the FSS funded Local Authority National Sampling Programme for 2024 – 2025. An example sampling survey for Midlothian Council can be seen in Annex 4.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

Authorised Officers of the Business Regulation Team investigate cases of infectious gastrointestinal illness. The policy is agreed between NHS East Region Health Protection Team (HPT) and Environmental Health services of the local authorities, City of Edinburgh Council, West Lothian, East Lothian and Midlothian Councils. The standard procedures for the investigation and management of sporadic cases and incidents of gastrointestinal infection are set out in the ‘Sporadic GI Policy’, updated December 2022.

On average Midlothian Food Service receives approximately 22 reported cases of infectious disease per year.

The Service has an agreed ‘Major Outbreak Plan for Lothian’ with NHS Lothian which confirms agreed procedures for the investigation and control of disease outbreak situations. The Joint Health Protection Plan for the Lothian area has been developed with multiple agencies and is an important document which acts as a reference point for assisting in the investigation and control of public health outbreaks and incidents. Authorised Officers work with the Director of Public Health and Consultants in Public Health Medicine to determine control measures to manage the outbreak.

3.7 Food Law Incidents

Food incidents are events where there are concerns about actual or suspected threats to safety, quality or integrity of food that could require intervention to protect consumers’ interests. They are dealt with in accordance with the procedures detailed in the Food Law Code of Practice (Scotland).

The Food Service acts in partnership with FSS during food incidents. Responding to ‘Food Alerts for Action’ where food, produced and distributed regionally or nationally,

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may need to be removed from sale by businesses in Midlothian. The majority of incidents notified to the Food Service by FSS are Food Alerts for Information, providing details on product recalls and allergy alerts.

3.8 Liaison with other Organisations

The Food Service meets at quarterly intervals with representatives of other local authority food enforcement teams at the Lothian and Borders Food Liaison Group. The group is also attended by representatives from Food Standards Scotland and the Public Analyst. Local liaison groups support the work of the national Scottish Food Enforcement Liaison Committee (SFELC). The Scottish Food Enforcement Liaison Committee supports the work of FSS by providing information and expert advice in relation to food law enforcement. SFELC contributes to the development and implementation of FSS strategies and policies. It also provides a forum for the discussion of relevant topics, sharing best practice guidance, initiating surveys or projects.

Regular liaison meetings also take place with NHS East Region Health Protection Team and Scottish Water on matters of public health including infection control. (A similar liaison group arrangement exists with attendance by the Health and Safety Executive)

3.9 EU Exit

Following the UK exit from the EU at the end of 2019 existing EU law relating to food enforcement, which comprised the majority of food safety legislation, was relabelled as “Retained EU Legislation”. From January 2024 these laws have become assimilated law and continue to be in place with minor variations in Scottish legislation. This assimilated Food Law and the obligations it places in the local authority remain matters devolved to the Scottish Parliament.

Unlike other food authorities Midlothian has not been impacted by the export related consequences of the UK becoming a “third country” in relation to the EU. For local authority areas which host businesses dealing in fish and fish products for export the demand for the signing of export health certificates by Environmental Health Officers has been considerable.

However, it is possible that the inspection of imported food could become a requirement where the increased requirement for regulatory food safety checks are deferred to inland authorities rather than dealt with at the point of entry e.g. a sea or airport. This was due to start in July 2022 but has been delayed. There has been no further update on when this may happen or the impacts on the Food Service.

3.10 Food Law promotional work, and other Non-Official Controls interventions.

Staffing levels and increased demands on the Food Service have meant that the service must prioritise the statutory requirements. Much of the promotional work, including education, awareness campaigns etc. are now limited. However, if staffing

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levels improve to full complement, the Food Service would look to restarting some food safety promotional activities.

The Health and Safety Executive (HSE) determine priority areas for Local Authorities to target interventions that improve health, safety and welfare within workplaces. As part of these targeted interventions the Business Regulation Team plan awareness raising campaigns targeted at Midlothian's highest risk businesses. Increasing compliance in one area e.g., Health & Safety, can often have a positive impact in other areas including food safety.

3.11 Food Crime and Fraudulent Activities

Food fraud is a dishonest act or omission, relating to the sale or preparation of food, which is intended for personal gain or to cause loss to another party. Food crime (serious food fraud) is considered to be serious or complex fraud or serious and dishonest regulatory non-compliance in relation to food, drink and animal feed. The Scottish Food Crime and Incidents Unit (SFCIU) exists within FSS to prevent, investigate and detect fraud and deliberate non-compliance within the food and animal food chain.

The Food Service cooperate with and will inform SFCIU at the earliest opportunity of any suspicions they have regarding food crime or food fraud. There is a nationally anticipated increase in food crime and fraudulent activities as a result of our exit from the EU.

4. Finance and Staffing

4.1 Financial Allocation

Indicative financial allocation for the Food and Safety Team within Business Regulation for all aspects of work. The budget for the provision of scientific services includes all sampling and services provided to the Environmental Health Service and other services within Midlothian Council.

Direct Staffing costs	277,148
Inspection Services equipment and maintenance costs	4163
Provision for scientific services	41,615
Transport costs	1624
Total	324,550

4.2 Staffing Allocation

Historically, the fulfilment of the annual food safety plan has required a minimum of 3.5 full time staff (FTE) working on food enforcement out of a team complement of six (based on data from 2008 to 2018). In 2018, Council financial saving requirements made of Environmental Health resulted in a 33% reduction in the number of officers in

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the Food Service. The risks that could arise from this reduction were brought to Members attention in the reports presented in June 2018 and June 2019.

In 2022 a reorganisation of the Service Area, to Protective Services under Place Directorate, was agreed and initiated. At the inception of this new service Business Regulation, Food and Safety Team comprised of 6 FTE, including a Team Manager and Principal Officer. From April 2023 the Trading Standards Team now sits within Business Regulation. This has effectively reduced the FTE for the Food and Safety Team to 5.5 FTE.

It is projected that to manage and achieve the full range of food law interventions, within this annual plan, would take 4.2 FTE Authorised Officers working on food related matters alone. At the time of creating this plan there will be a shortfall of 1.7 FTE for food related matters unless our current recruitment drive is successful.

Due to the recent changes in the way the Food Service carries out their Official Controls at all food establishments, the time required to fulfil these requirements will need to be reviewed at the end of each year. A time measurement exercise is being carried out at present, coordinated by FSS, to provide a more accurate estimate of staffing resource needed. It is possible that the required FTE for food activities will increase.

In addition to conducting planned work the Business Regulation Team must maintain capability to deal with matters which are not food safety related but require a priority response. Existing staffing levels have meant there is no “spare” capacity for contingencies and time has to be taken from food inspection work to deal with serious health and safety accidents, public health or environmental incidents, preparing prosecution reports, implementing changes to legal requirements and updating operational procedures.

The current vacant EHO position in the Business Regulation Team was previously advertised but there were no suitably qualified candidates. A second recruitment drive has been initiated - with the hope to bring the Business Regulation Team up to full complement. However, the Environmental Health profession suffers from a succession crisis and recruitment of suitably qualified staff is an issue for all local authorities in Scotland.

With a longer-term view, Midlothian Council will continue to support student EHO's where possible. In addition, exploration of the recently formed Regulatory Services Modern Apprenticeship is ongoing.

It should also be noted that the directing of available resources to food law intervention work has meant that health and safety interventions, arguably as important for wellbeing, have been increasingly sacrificed. Lower risk food premises inspections have ceased altogether. No non-statutory food related activities are carried out.

4.3 Staff Development

The Food Law Code of Practice requires that all Authorised Food Officers obtain at least 10 hours of update training in food related matters during the year to maintain their

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competency. Use is made of on-line courses, many of them free through FSS. Regular training courses are organised through Royal Environmental Health Institute for Scotland (REHIS) and Scottish Food Safety Officers Association, for a small fee. Research by officers in matters that are unfamiliar to them is also considered Continuous Professional Development.

Compliance with this matter is imperative and will be achieved.

At present the Business Regulation Team have a training budget of £1250 for 2024-2025.

Regular Food and Safety team meetings will be organised throughout the year 2024-2025, on a bi-weekly basis where possible. Arranged by the Lead Food Officer, these meetings help to impart relevant updates and aid consistency. On a monthly basis the Principal EHO plans to arrange in-house training sessions on relevant subject areas to increase confidence and improve consistency amongst the team.

Food Service staff are subject to the Council's appraisal process – Making Performance Matter. This sets and monitors individual performance targets and identifies training and development needs.

5 Monitoring

5.1 Quality assessment and internal monitoring

The Service relies on the professional skills of its Authorised Officers for the delivery of the service plan. In order to maintain the quality of the work we do, we;

- Continually review our operational procedures to improve our service delivery and to take into account legislative and procedural changes.
- Evaluate the consistency of our inspections through activities such as accompanied inspections by senior officers, team meetings, in-house training sessions and review of inspection recording to ensure consistency in the work of the Service.
- Ensure that Officers appointed as food inspectors complete at least 10 hours food related training each year as part of the maintaining of their competency.
- Are subject to periodic independent audit by Food Standards Scotland.
- Report our performance on a number of our planned objectives to elected members at regular intervals.

6 Review

6.1 Review against the Service Plan

The Food Service Plan will be reviewed annually.

6.2 Areas of Improvement

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Any areas identified as requiring action will be detailed as part of the audit and review process. These will be addressed by the Protective Services Manager and the Team Manager Business Regulation as part of the review process and action taken shall range from immediate action to inclusion in the Operational Plan for future years.

Currently in 2024-2025, the Food Service plan to make the following improvements;

- Food Service Policies and Procedures will be reviewed in line with new/updated Codes of Practice and Guidance provided by FSS. This will be on a priority basis based on risk.
- With the review of procedures, potential efficiencies will be considered to reduce Food Officers administrative burdens
- The procedure of managing, recording and monitoring Official Controls carried out at Approved Premises will be further improved upon.
- Further work will be carried out to verify the data upload from our MIS to SND. This will reduce the burden on the Service to produce performance reports to FSS.
- Work with Digital Services to develop a mobile app for use by officers on-site to reduce administrative burdens.

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Annex 1: Mapping of Food Service activity to the Single Midlothian Plan outcome

	Single Plan Outcome		
Food Service activity	<i>Individuals and communities in Midlothian will be able to lead healthier, safer, greener and successful lives by 2030.</i>	No child or household need live in poverty	<i>Midlothian will be a Great Green Place to Grow by achieving our net zero carbon ambitions.</i>
The regular inspection of food premises for food hygiene and food standards	✓		
The sampling of food and animal feedstuffs to check on microbiological quality and composition	✓		
Investigation of food related cases of infectious diseases	✓		
Investigation of food related fraud		✓	✓
Investigation of complaints from the public about food, food labelling and food premises.	✓		
Enforcement of the legislation in relation to the above activities	✓		✓
Providing advice and assistance to new or existing food business operators and to the public.	✓	✓	✓

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Annex 2: Food Law Rating System Performance Ladder



5. Food Law Rating System

5.1 The Ladder

Group 1 Business	Performance Levels	Band	Intervention Frequency
<ul style="list-style-type: none"> Manufacturer of High Risk Foods. Manufacturer, Caterer, Processor or Retailer that undertakes a specific method of processing that has the potential to increase the risk to public health beyond that of normal preparation, storage or cooking. Manufacturers of Foods for Specific Groups. All Exporters. Manufacturers, Processors, Importers, Wholesaler, Distributor, Food Broker, Packers of Food at enhanced risk of food fraud, substitution, adulteration or contamination. 	Sustained Compliance	1A	18 Months
	Compliant and confident in compliance going forward	1B	12 Months
	Minor Non-compliance and/or gaps in confidence in compliance going forward	1C	6 Months
	Significant Non-Compliance and/or no confidence in compliance going forward	1D	3 Months
	Sustained non-compliance and/or Issues of Public Health Significance or Fraudulent Activity	1E	Intensive Intervention. 1 Month.
Group 2 Business	Performance Levels	Band	Intervention Frequency
<ul style="list-style-type: none"> All other Manufacturers, Processors, and Caterers. Importers, packers, wholesalers and distributors of high-risk foods not in Group 1. Head Office Business that undertakes a regional/national decision making function. Retailers handling open high-risk foods. 	Sustained Compliance	2A	24 Months
	Compliant and confident in compliance going forward	2B	18 Months
	Minor Non-compliance and/or gaps in confidence in compliance going forward	2C	12 Months
	Significant Non-Compliance and/or no confidence in compliance going forward	2D	3 Months
	Sustained non-compliance and/or Issues of Public Health Significance or Fraudulent Activity	2E	Intensive Intervention. 1 Month.
Group 3 Business	Performance Levels	Band	Intervention Frequency
<ul style="list-style-type: none"> All other retailers, Food Brokers, Importers, packers, wholesalers and distributors. Public Houses and similar Licenced Business not providing catering. Business providing limited refreshments (e.g. tea, coffee, soft drinks) as an adjunct to main activity. Child minders. Supported Living Business. Business producing low risk food based from a domestic dwelling. Bed & Breakfasts. 	Sustained Compliance or Businesses where information available at point of registration, indicates there is minimal inherent risk	3A	No proactive Intervention or 60 months.
	Compliant and confident in compliance going forward	3B	36 Months
	Minor Non-Compliance and/or gaps in confidence in compliance going forward	3C	24 Months
	Significant Non-Compliance and/or no confidence in compliance going forward	3D	3 Months.
	Sustained Non-Compliance and/or Issues of Public Health Significance or Fraudulent Activity	3E	Intensive Intervention. 1 month.

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Annex 3 - FSS Priority Category for Food Law Intervention Restart

	Annex 5 Food Hygiene	Annex 5 Food Standards	FLRS	Approved Premises
Priority 1			<p>a) All Group 1 premises following the timescales in the Interventions Food Law CoP,</p> <p>b) Group 2 and 3 Band Es deal with within 1 month of start date.</p> <p>c) Spread all Group 1 Unrated businesses throughout a 6-month period.</p>	<p>LAs which have already implemented OCV – continue/restart the programme and schedule each premises within 12-month period.</p> <p>LAs which have not implemented OCV – start the implementation of OCV for Approved Premises and spread evenly over 12-month period.</p>
Priority 2	Category As spread over 6 months.	Food Standards only premises Category As spread over 6 months.	<p>(a) Group 2 and 3 Band Ds spread over a 6-month period.</p> <p>(b) Spread all Group 2 Unrated businesses throughout a 12-month period.</p>	
Priority 3	Category Bs spread evenly over 18-month period.	Category As spread throughout 12 months.	<p>(a) Group 2, Band C over 18 months and Group 3 Band C over 36 months.</p> <p>(b) Spread all Group 3 Unrated businesses throughout a 24-month period.</p> <p>(c)</p>	
Priority 4	Category Cs spread over 24 months.	Category Bs that are Category Es for Food Hygiene	Group 2 Band B over 24 months and Group 3	

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		spread over 24-month period.	Band B over 48 months.	
Priority 5	Category Ds spread over 36 months	Food Standards only Category Bs spread over 36 months.	Group 2 Band As over the period of up to 48 months.	
Priority 6	Category E premises spread over 48 months	Food Standards only Category Cs spread over 60 months.	Group 3 Band As -decide if they need inspections, if so, spread over 60 months or are no proactive intervention.	

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Annex 4 – Example of an FSS Funded Local Authority National Sampling Survey

Priority No./ Survey Code	Food Type	Premises Type	Testing parameters	Rationale for sampling	Additional Information	Number of Samples	Minimum Pack size	Sample Schedule (Q2/Q3/Q4)
MICROBIOLOGICAL EXAMINATION								
1. FSS222301	Reconstituted frozen raw coated chicken products	Retailers	Salmonella, generic E.coli	Recent outbreak linked to such products, horizon scanning activities indicate issues with imported poultry meat and products	<ul style="list-style-type: none"> All size retailers (including supermarkets) Sample frozen coated chicken products, such as nuggets, poppets, poppers, goujons, dippers, etc. Must be reconstituted product, do not sample whole cuts of meat Do not sample cooked products intended for re-heating 	• 2	• 100g	• Q2
2. FSS222302	Soft and semi-soft ripened unpasteurised cheese	Retailers, Caterers	Listeria monocytogenes detection and enumeration, STEC, generic E.coli	Issues continue to be detected through horizon scanning. Continued surveillance to monitor compliance	<ul style="list-style-type: none"> For retail setting - sampling should be targeted at delicatessens, cheesemongers, but can include supermarkets, with focus on cheese counters where possible. For catering setting - sampling should be targeted at cheeseboards, focusing on unpacked cheeses and cheeseboards Sampling should focus on soft and semi-soft ripened cheeses, (blue cheeses, surface-ripened cheeses, etc.) 	• 2	• 100g	• Q3
3. FSS222303	Soft and semi-soft ripened pasteurised cheese	Retailers, Caterers	Listeria monocytogenes detection and enumeration, STEC, generic E.coli,	Issues continue to be detected through horizon scanning. Continued surveillance to monitor compliance	<ul style="list-style-type: none"> For retail setting - sampling should be targeted at delicatessens, cheesemongers, but can include supermarkets, with focus on cheese counters where possible. For catering setting - sampling should be targeted at cheeseboards, focusing on unpacked cheeses and cheeseboards 	• 2	• 100g	• Q4

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					<ul style="list-style-type: none"> Sampling should focus on soft and semi-soft ripened cheeses, (blue cheeses, surface-ripened cheeses, etc.) 			
4. FSS222304	Imported ready-to-eat cured meats	Retailers	Salmonella, Listeria monocytogenes detection and enumeration, generic E. coli	Issues continue to be detected through horizon scanning. Gathering data for the PATH-Safe project	<ul style="list-style-type: none"> Sampling should focus on small retailers, delicatessens Sampling to include imported RTE cured meat, charcuterie style products, biltong, etc. 	• 2	• 100g	• Q2
5. FSS222305	Imported (non-EU) melon and papaya - whole	Retailers	Salmonella, generic E. coli	Issues detected through horizon scanning. Recent outbreak linked to imported melons. Gathering data for the PATH-Safe project	<ul style="list-style-type: none"> All size retailers Target whole fruit, any melon variety (but especially Galia and cantaloupe) and papaya imported from non-EU countries Testing procedure to follow this protocol: 25 g cut-offs from both ends of the fruit (melon/papaya) – the fruit to be then submerged in broth for ~ 30 min and this broth-rinse to be then combined with the 25 g cut-off for incubation of the sample – thus the resulting isolate can come from the end-peels and/or just the surface of the fruit. There was no central fruit flesh used. 	• 1	• 100g	• Q3
6. FSS222306	Imported (non-EU) melon and papaya - pre-cut	Retailers	Salmonella, Listeria monocytogenes detection and	Issues detected through horizon scanning. Recent outbreak linked to imported melons	<ul style="list-style-type: none"> All size retailers Sample pre-cut fruit, any melon variety (but especially Galia and cantaloupe) and papaya imported from non-EU countries 	• 2	• 100g	• Q4

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			enumeration, generic E. coli	Gathering data for the PATH-Safe project	<ul style="list-style-type: none"> Preference for fresh fruit, but frozen can be sampled if required due to availability. Do not sample dried fruit. 			
7. FSS222307	Flour	Manufacturers Retailers Bake houses	STEC, generic E. coli	Issues detected through horizon scanning. Gathering data for the PATH-Safe project	<ul style="list-style-type: none"> All retailers, manufacturers and bake houses/bakeries 	• 2	• 100g	• Q2
8. FSS222308	Soft berries	Retailers	Generic E. coli	Gathering data for the PATH-SAFE project	<ul style="list-style-type: none"> All size retailers, farmer markets, farm shops. Sample raspberries, strawberries, blueberries of both domestic and imported origin Test samples as received – without washing 	• 2	• 100g	• Q3
9. FSS222309	Salad leaves	Retailers	Generic E. coli	Gathering data for the PATH-SAFE project	<ul style="list-style-type: none"> Sample bagged or un-bagged products, domestic or imported Preference for unwashed products, but washed can be sampled if required due to availability; please include in product description when uploading sample 	• 2	• 100g	• Q4
10. FSS222310	Cooked, sliced ham and beef	Retailers	Generic E. coli	Gathering data for the PATH-SAFE project	<ul style="list-style-type: none"> All size retailers, domestic or imported origin 	• 2	• 100g	• Q2
11. FSS222311	Raw venison sausages and burgers	Retailers	Generic E. coli	Gathering data for the PATH-SAFE project	<ul style="list-style-type: none"> Sampling should be at both small retailers (including butchers) and larger retailers including supermarket, to try to in- 	• 2	• 100g	• Q3

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					clude varied suppliers, but it is understood the number of suppliers of these products may be limited			
12. FSS222312	Raw lamb mince	Retailers	Generic E. coli	Gathering data for the PATH-SAFE project	<ul style="list-style-type: none"> All size retailers, including butchers and supermarkets Domestic or imported samples are acceptable 	• 2	• 100g	• Q4
CHEMICAL ANALYSIS								
13. FSS222313	Imported (non-EU) fishery products	Importers Retailers	Heavy metals (lead, cadmium, mercury) and arsenic	Issues detected through horizon scanning	<ul style="list-style-type: none"> All size retailers, including fish mongers – imported, non-EU products only. Sampling focus on fresh and frozen product. Do not sample tinned, canned, smoked or process products Targeting products such as tuna, swordfish, squid, bivalve mollusc; farmed prawn and shrimp; when sampling crabs and lobster do not collect whole, live animals. 	• 2	• 150g	• Q2
14. FSS222314	Kombucha	Manufacturers Retailers Caterers	Alcohol content	Issues detected through horizon scanning	<ul style="list-style-type: none"> Sampling targeted to smaller producers, independent shops, but can also sample at larger retailers and catering establishments 	• 2	• 500ml	• Q3
15. FSS222315	Fish/shellfish oil based supplements	Retailers	Heavy metals (lead, cadmium, mercury, arsenic) and FAME	Issues detected through horizon scanning	<ul style="list-style-type: none"> All fish (or shellfish if applicable) oil supplements, such as cod liver oil, in either liquid or capsule/tablet form All size retailers 	• 2	• 150g	• Q4

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AUTHENTICITY TESTING								
16. FSS222316	Battered, breaded fin-fish products	Retailers	Fish Speciation	To check that labelling of species is accurate and detect substitution with alternative species.	<ul style="list-style-type: none"> All size retailers. Sampling targeted to fin-fish products with clear specification of species on the label to allow for assessment of compliance. Do not sample shellfish products (e.g. do not sample scampi) Samples should be tested for presence of other fish species 	• 2	• 150g	• Q2
ALLERGEN TESTING								
17. FSS222317	Pre-packed for direct sale (PPDS) products	Retailers and caterers	Milk, Gluten, Almond and Cashew	Previous failures and to assess compliance with new legislation covering PPDS products	<ul style="list-style-type: none"> Sample products with no indication of the presence of the allergens being tested (i.e. do not sample products specifically labelled “gluten-free”, we are looking to sample products with no allergen mentioned and test for its presence) Target “on-the-go” foods (sandwiches, salads, baked goods), the products that the PPDS legislation was intended for 	• 1	• 200g	• Q3