

## **Annex**

### **Request**

Your request for information is now as follows:

***I see an FOI was submitted to you in September 2018 about food allergens. Is that the one submitted by my colleague [REDACTED]***

***If so, I would like to get some similar information if possible please. The only difference is, I would like to know the data for the whole of 2018 rather than part of the year. Thank you.***

***1) Number of samples for allergens taken by local authorities over the last three years***

***a) 01/01/16 - 31/12/16***

***b) 01/01/17 - 31/12/17***

***c) 01/01/18 - 31/12/18***

***2) The number of those that failed, broken down by authority and year.***

### **Response**

#### ***Information on how Local Authorities carry out sampling***

The FSA has a statutory function to protect public health and consumers' other interests in relation to food and drink as the central competent authority for food safety. However, the day to day responsibility for enforcement rests with local authorities (LAs).

LAs decide on their local sampling priorities, using a risk based-approach, conduct the sampling, arrange for relevant testing and carry out enforcement activity where required. The number of samples taken will depend on a range of factors including the number and types of businesses, the results of past inspections and other types of intervention.

Food sampling is only one of a number of different approaches that LAs will take to assess compliance with food law. During food hygiene inspections, officers will check that FBOs have controls in place to prevent cross-contamination, including controls to prevent allergen-related contamination in preparing food specifically for consumers with a food allergy or intolerance. Additionally, FBO compliance with the provisions on allergens in the Food Information Regulations 2014 relating to food labelling will be checked during food standards inspections.

#### ***Data held by the FSA***

LAs report their sampling activity through the annual Local Authority Enforcement Monitoring System (LAEMS). However, this system only provides high level

information to the FSA on the total number of samples taken by each LA and does not provide details of the parameters tested or the sample results.

[The FSA's Annual Report on Food Law Enforcement for 2017/18](#) reports that 16,316 visits specifically to take samples England, Wales and Northern Ireland. It also shows that 452,930 food hygiene and food standards interventions were carried out in food businesses, where may also have included sampling (for instance, during a routine inspection).

The only data the FSA holds on the number samples for allergens are reported by LAs through the United Kingdom Food Surveillance System (UKFSS). Unlike LAEMS, this system is not used by all LAs to report their sampling data and the data may appear a period of time after it has been collected by LAs.

Collation of sampling data to analyse national trends through this system is complicated by the fact it is not always recorded and reported in a consistent way. Our ability to 'interrogate' what is a sizeable dataset is reliant upon how information is coded by Local Authorities. As a result, we are unable to collate a full picture of sampling activity without having to manually contact LAs to enquire about large amounts of data. To address these issues, the FSA is looking to modernise and standardise reporting of LA sampling to enable a more comprehensive dataset to be analysed.

The data on the number of samples taken by local authorities for allergens between January 2016 and July 2018 has previously been published by the Agency at <https://s3.eu-west-2.amazonaws.com/fsa-catalogue2/2018-11-19+FOI+2297+Final+response+for+publication.pdf>

UKFSS data for August to December 2018 indicates that 147 samples of food products were analysed for the undeclared presence of allergens, of which 30 were unsatisfactory – see table below. It should be noted that there may be samples that are still being processed in the system that are yet to be reported for 2018. These results, therefore, may not necessarily reflect the full extent of LA sampling for allergens and this would only be confirmed by approaching each individual LA directly.

Local authority	August to December 2018	
	Total allergen samples	No of unsatisfactory samples due presence of undeclared allergenic ingredient
Antrim and Newtownabbey Council	3	1
Belfast City Council	3	0
Brighton and Hove City Council	1	0
Conwy County Borough Council	7	0
Mid Ulster Council	3	0
Cornwall County Council	2	1
Cumbria County Council	9	2

August to December 2018		
Local authority	Total allergen samples	No of unsatisfactory samples due presence of undeclared allergenic ingredient
Derbyshire County Council	4	0
Derry and Strabane Council	1	0
Devon County Council	12	4
Dorset County Council	1	1
Dudley Metropolitan Borough Council	1	0
Durham County Council	4	0
Essex County Council	5	1
Fermanagh and Omagh Council	7	2
Kent County Council	7	1
Lancashire County Council	18	5
Lisburn City and Castlereagh Council	1	0
London Port Heath Authority	1	0
North Down and Ards Council	6	0
North Yorkshire County Council	8	0
Plymouth City Council	1	0
Powys County Council	4	0
Sandwell Metropolitan Borough Council	19	5
Suffolk County Council	14	2
Wigan Council	5	5
<b>Total</b>	<b>147</b>	<b>30</b>