

FREEDOM OF INFORMATION REQUEST

Thank you for your email to the Food Standards Agency (FSA) requesting information under the Freedom of Information Act 2000 (the Act).

You requested the following information:

- 1. You were previously asked about the update of your website page about prosecutions in 2017. On visiting the link, it provides an error.**
<https://www.food.gov.uk/enforcement/prosecutions>
- 2. It is now well past the six months you previously stated to update the data.**
- 3. Can you please explain why the data is not publicly available, and when it will be made public?**
- 4. Additionally, can you please state the offences for which you undertake prosecutions?**

Your request has been passed to me for response:

1. Regarding the link to an FSA webpage returning an error, the lists were removed due to the requirements of data protection to ensure accuracy, in the format that was used at the time.
2. Links to point 1.
3. Regarding availability of prosecution data, the FSA holds this in line with statutory obligations under food hygiene, food safety and animal welfare legislation. This information is subject to requirements of GDPR and Data Protection Act 2018, attached is the [privacy notice](#) which explains how this information is held and used.
4. The FSA primarily prosecutes offences under the Food Safety and Hygiene (England) Regulations 2013 and the Food Hygiene (Wales) Regulations 2006. The Regulations provide for the execution and enforcement of the EU Hygiene Regulations, including Regulation (EC) No. 852/2004 on the hygiene of foodstuffs and Regulation (EC) No. 853/2004 laying down specific hygiene rules for food of animal origin. In Wales, the FSA can also prosecute offences under the General Food Regulations 2004. The FSA can also prosecute offences under Schedule 7 of both the Transmissible Spongiform

Encephalopathies (England) Regulations 2018 and the Transmissible Spongiform Encephalopathies (Wales) Regulations 2018

Due to data controls, the FSA does not plan to host this information on www.food.gov.uk now or in future. The information requested on successful prosecutions is publicly available in the courts across England, Wales and Northern Ireland where any specific case was heard. Magistrate and County Courts are overseen by [Her Majesty's Courts and Tribunals Service](#) in England and Wales and in Northern Ireland by [Department of Justice](#), and locating and approaching a specific court can be done from these websites.