

# Annual report on UK local authority food law enforcement

1 April 2013 to 31 March 2014

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## Data summary – Scotland

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## 1. INTRODUCTION

- 1.1 This report, which covers the period 1 April 2013 to 31 March 2014, provides a summary of local authority (LA) food law enforcement activity within food businesses in Scotland and on the Food Standards Agency's (FSA) audit of Scottish LAs. The UK-wide report and further data by individual LA is available on the FSA website at <http://www.food.gov.uk/enforcement/monitoring/laems/mondatabyyear/> Data for previous years are also available from this weblink.

## 2. ESTABLISHMENT PROFILES

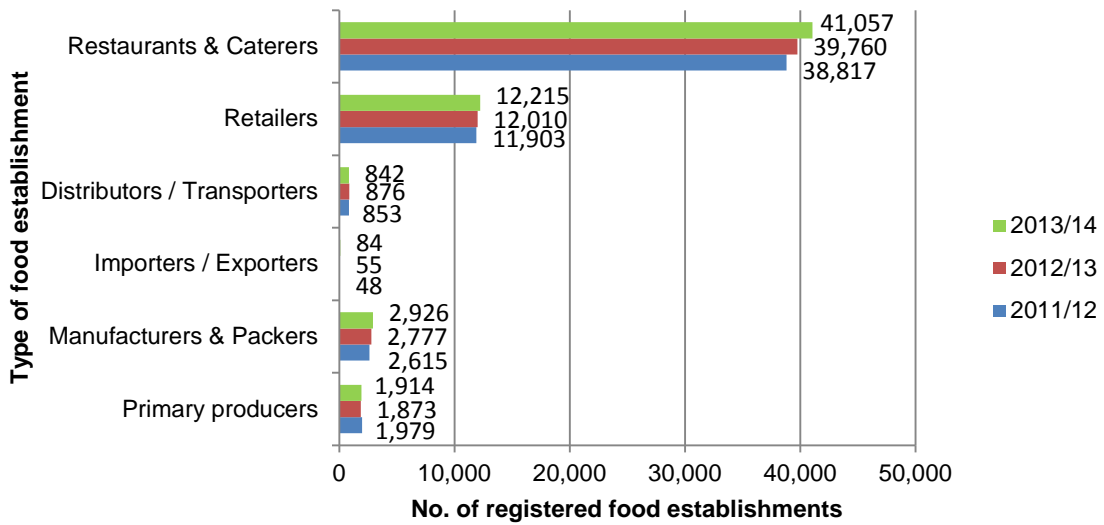
- 2.1 As at 31 March 2014 a total of 59,038 food establishments were registered with LAs in Scotland, an increase of 2.9% on 2012/13 (57,351).

**Figure 2.1: 2012/13 registered food establishments profiles in Scotland by food hygiene risk and premises type as at 31 March 2014**

	Primary producers	Manufacturers and Packers	Importers/ Exporters	Distributors/ Transporters	Retailers	Restaurants and Caterers	Total
A	1	147	0	1	46	477	<b>672</b>
B	9	510	2	15	395	4,780	<b>5,711</b>
C	82	748	9	139	3,933	18,230	<b>23,141</b>
D	403	480	17	189	2,489	4,786	<b>8,364</b>
E	1,031	683	39	373	4,449	8,564	<b>15,139</b>
NYR	322	342	15	110	799	3,831	<b>5,419</b>
Outside	66	16	2	15	104	389	<b>592</b>
<b>Total</b>	<b>1,914</b>	<b>2,926</b>	<b>84</b>	<b>842</b>	<b>12,215</b>	<b>41,057</b>	<b>59,038</b>

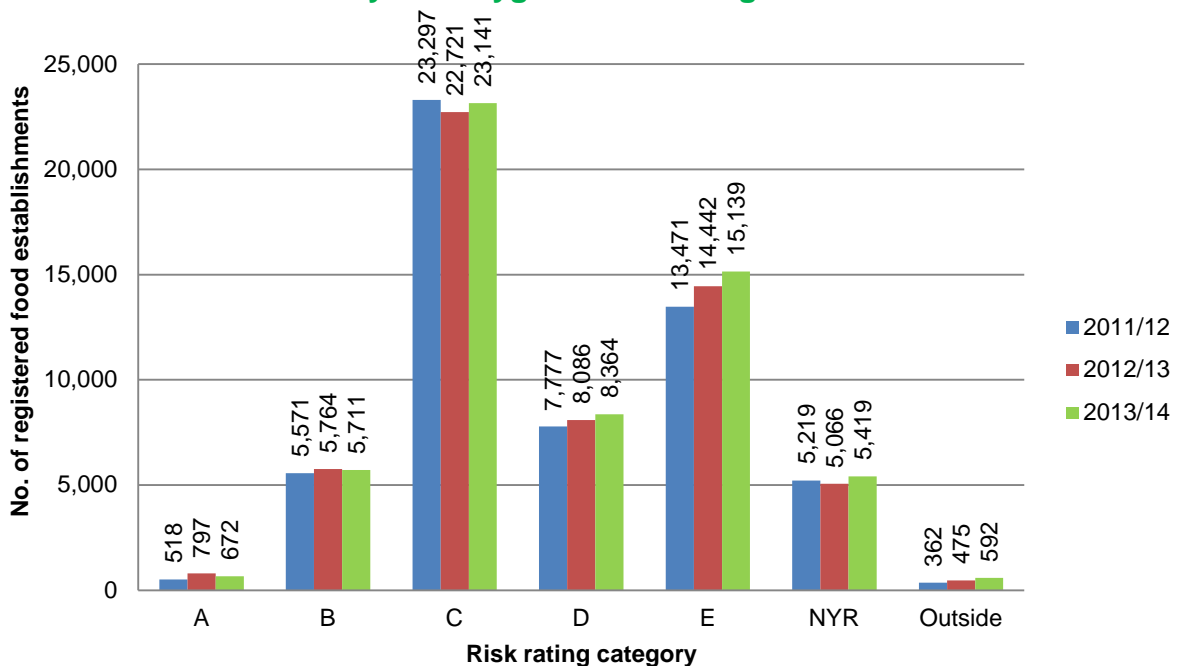
- 2.2 A comparison of establishment types over the past three years indicates a slight reduction in the number of registered primary producers and distributors / transporters; whilst the number of registered premises for all other establishment types have risen year on year.

**Figure 2.2: Comparison of registered food establishments in Scotland by type of establishment from 2011/12**



2.3 A comparison of the split between risk ratings in food establishments indicates a reduction of 0.8% in premises rated A to C (from 29,282 in 2012/13 to 29,524 in 2013/14) and an increase of 4.3% in premises rated D and E (from 22,528 in 2012/13 to 23,503 in 2013/14).

**Figure 2.3: Comparison of food establishments profiles in Scotland by food hygiene risk rating from 2011/12**



## Establishments Not Yet Rated<sup>1</sup>

- 2.4 In Scotland, 9.2% of registered food establishments were not yet rated (NYR) for food hygiene risk as at 31 March 2013 (5,419 out of 59,088).

<b>Figure 2.4: Comparison of percentage of registered establishments in Scotland NYR for food hygiene from 2011/12</b>			
	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>
Total number of establishments	56,215	57,351	59,088
Number of NYR establishments	5,219	5,066	5,419
Percentage NYR:			
<b>Scotland</b>	<b>9.3%</b>	<b>8.8%</b>	<b>9.2%</b>
UK	6.2%	5.9%	5.6%

- 2.5 This is an increase on the 2012/13 figure of 8.8% (5,066 out of 57,351) for Scotland and is not consistent with the downward trend in NYR establishments seen elsewhere in the UK.

<b>Figure 2.1: Comparison of percentage of Scottish / UK LAs, by level of registered establishments NYR for food hygiene as at 31 March 2014</b>						
	<b>0 - 4.99%</b>	<b>5 - 9.99%</b>	<b>10 - 14.99%</b>	<b>15 - 19.99%</b>	<b>20 - 24.99%</b>	<b>25%+</b>
<b>Scotland</b>	<b>46.9%</b>	<b>25.0%</b>	<b>15.6%</b>	<b>9.4%</b>	<b>3.1%</b>	<b>0%</b>
UK	62.1%	28.0%	6.9%	2.5%	0.5%	0%

<sup>1</sup> Not yet rated (NYR) – those establishments yet to be assessed for a risk rating i.e. not inspected by LA.

### 3 LOCAL AUTHORITY INTERVENTIONS

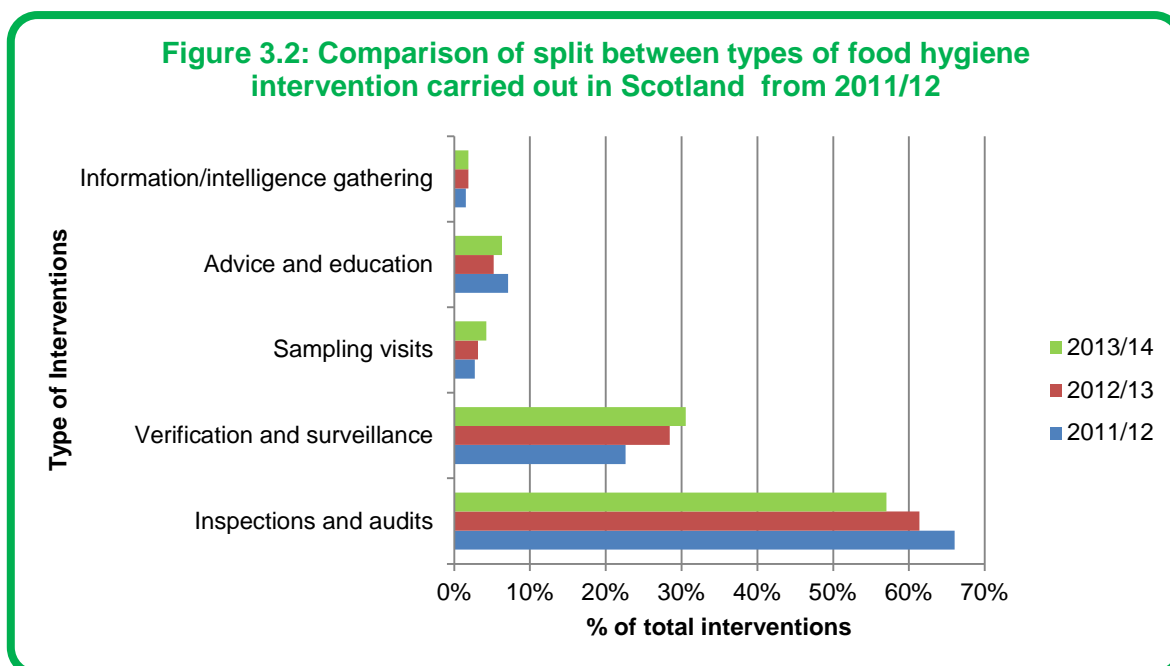
#### Food hygiene interventions

3.1 During 2013/14, 41,635 food hygiene interventions were carried out in Scotland, a 2.5% decrease on the reported number in 2012/13 (43,879).

**Figure 3.1: Food hygiene interventions carried out in Scotland 2013/14**

	Inspections and audits	Verification and surveillance	Sampling visits	Advice and education	Information/intelligence gathering	Total
<b>Scotland</b>	<b>23,744</b>	<b>12,725</b>	<b>1,764</b>	<b>2,625</b>	<b>777</b>	<b>41,635</b>
UK	267,154	77,758	20,053	23,932	22,180	411,077
<b>Intervention types as a % of total food hygiene interventions</b>						
<b>Scotland</b>	<b>57.0%</b>	<b>30.6%</b>	<b>4.2%</b>	<b>6.3%</b>	<b>1.9%</b>	<b>100.0%</b>
UK	65.0%	18.9%	4.9%	5.8%	5.4%	100.0%

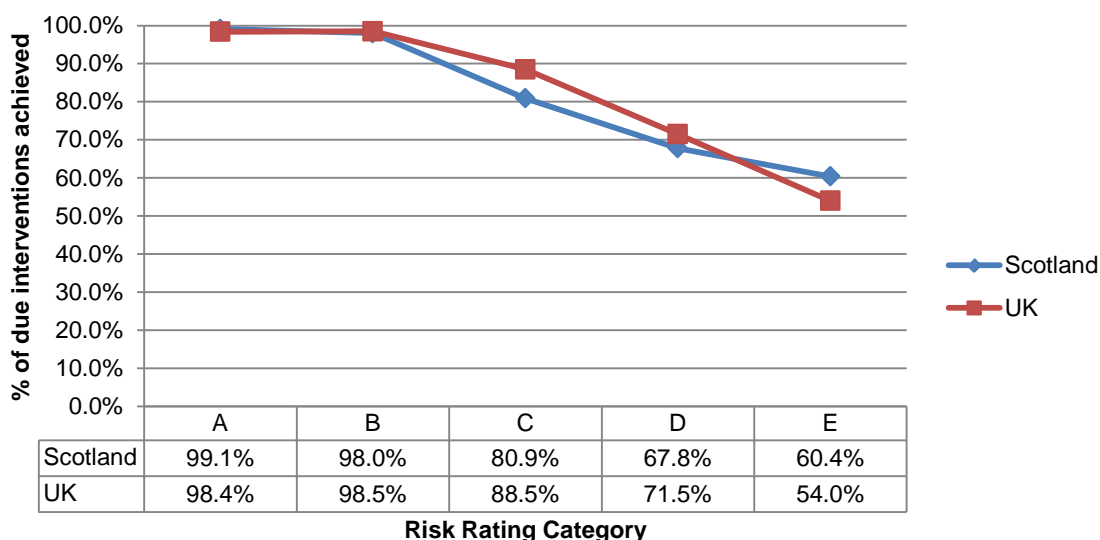
3.2 Inspections and audits remain the most frequent food hygiene intervention type, although the percentage rate has decreased this year (57.0%, compared with 61.4% in 2012/13). The levels of verification and surveillance; sampling visits; and information/intelligence gathering have each seen a slight increase.



3.3 The trend for LAs to target higher risk establishments (Category A to C) for food hygiene intervention, at the expense of due interventions at lower risk

establishments has continued, although the figures for Category C in Scotland were lower than elsewhere in the UK.

**Figure 3.3: Percentage of food hygiene due interventions achieved in Scotland in 2013/14**



### Food standards interventions

3.4 During 2013/14, 17,414 food standards interventions were carried out in Scotland, a 10% decrease on the reported number in 2012/13 (19,345). In comparison, the UK average has increased by 2.8% in the same period.

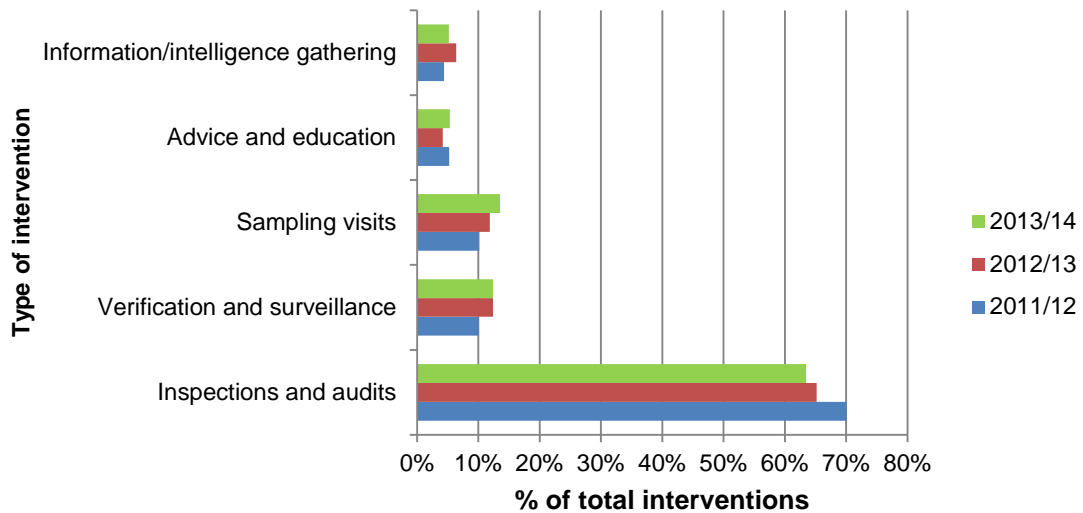
**Figure 3.4: Food standards interventions carried out in Scotland 2013/14**

	Inspections and audits	Verification and surveillance	Sampling visits	Advice and education	Information/intelligence gathering	Total
<b>Scotland</b>	<b>11,055</b>	<b>2,162</b>	<b>2,360</b>	<b>931</b>	<b>906</b>	<b>17,414</b>
UK	81,887	10,829	9,588	4,657	6,453	113,414
<b>Intervention types as a % of total food standards interventions</b>						
<b>Scotland</b>	<b>63.5%</b>	<b>12.4%</b>	<b>13.6%</b>	<b>5.3%</b>	<b>5.2%</b>	<b>100.0%</b>
UK	72.2%	9.5%	8.5%	4.1%	5.7%	100.0%

3.5 As in previous years, food standards inspections and audits were the most prevalent food standards intervention type in 2013/14, despite a decrease of 12.3% on 2012/13 data. The level of information/intelligence gathering activity was lower than 2012/13 (906 compared with 1,235 last year) but still

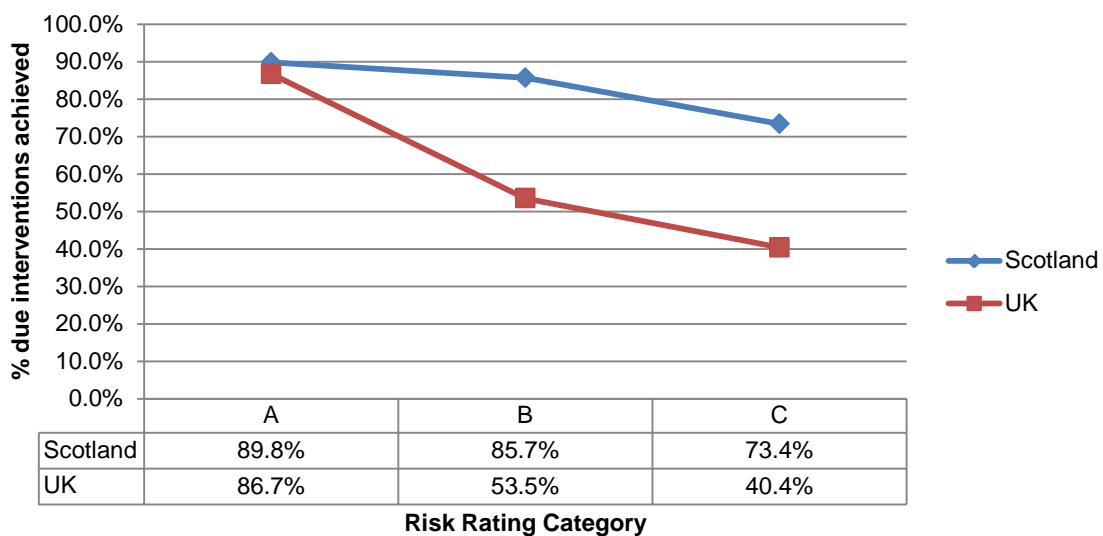
remains higher than that seen in previous years. The number of sampling visits is continuing to rise year on year.

**Figure 3.5: Comparison of split between types of food standards intervention carried out in Scotland from 2011/12**



3.6 The levels of food standards due interventions achieved in Scotland have decreased slightly on 2012/13 levels, but still remain higher than the UK average.

**Figure 3.6: Percentage of food standards due interventions achieved in Scotland in 2013/14**





## 4 ENFORCEMENT ACTIONS

### Food hygiene enforcement actions

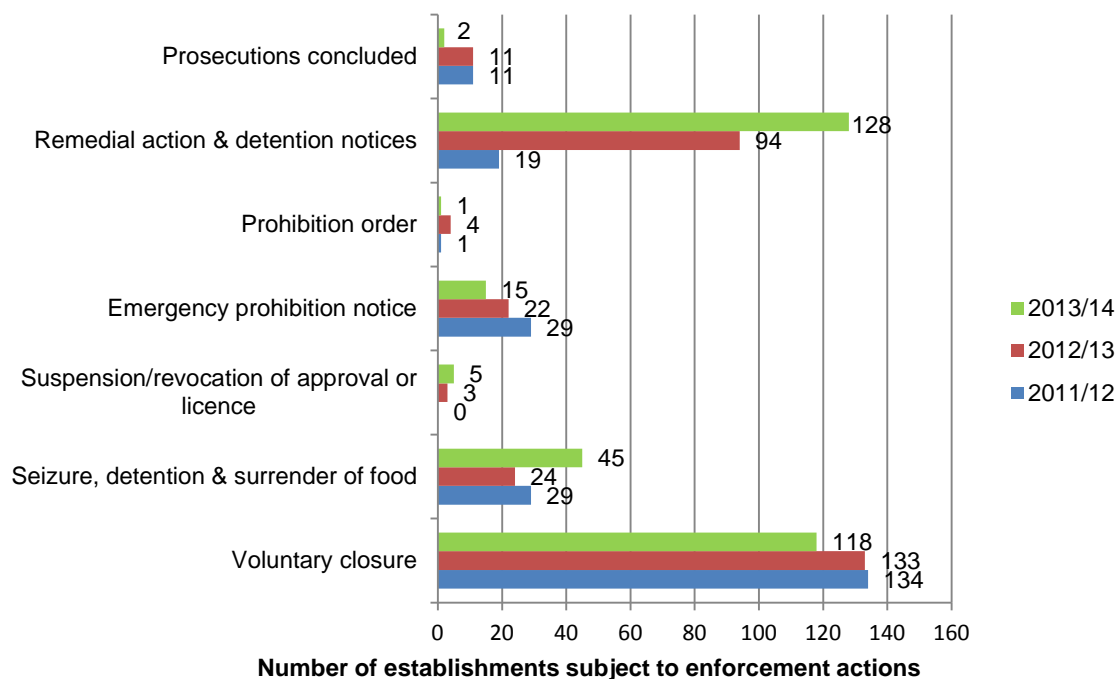
4.1 In 2013/14, 13,569 food hygiene enforcement actions were reported in Scotland, 12,896 written warnings and 673 other 'official' enforcement actions.

**Figure 4.1: Number of establishments subject to food hygiene enforcement actions in Scotland 2013/14**

	Voluntary closure	Seizure, detention & surrender of food	Suspension / revocation of approval or licence	Emergency Prohibition Notice	Prohibition Order	Simple caution <sup>2</sup>	Improvement notice	Remedial action and detention notices	Written warnings	Prosecutions concluded	Totals
<b>Scotland</b>	<b>118</b>	<b>45</b>	<b>5</b>	<b>15</b>	<b>1</b>	<b>0</b>	<b>359</b>	<b>128</b>	<b>12,896</b>	<b>2</b>	<b>13,569</b>
UK	969	576	14	278	80	258	4,513	252	162,624	350	169,914

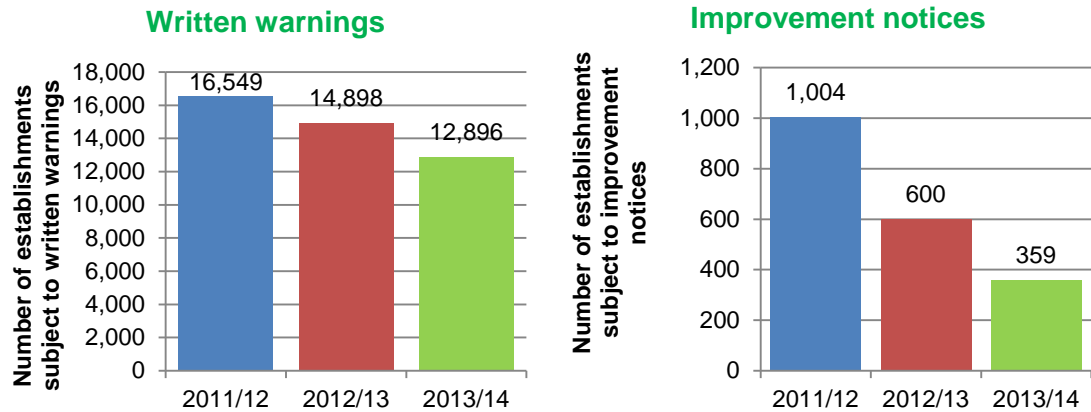
4.2 This is a decrease of 14.1% on 2012/13 (15,789), although numbers of some types of enforcement action have increased.

**Figure 4.2: Comparison of food hygiene enforcement actions in Scotland from 2011/12**



<sup>2</sup> Simple cautions do not apply in Scotland

**Figure 4.2 (cont.)**



Note: to achieve adequate resolution, the scale does not begin at zero.

### Food standards enforcement actions

4.3 In total 2,235 food standards enforcement actions were reported in Scotland in 2013/14, 2,231 written warnings and 4 seizure, detention and surrender of food.

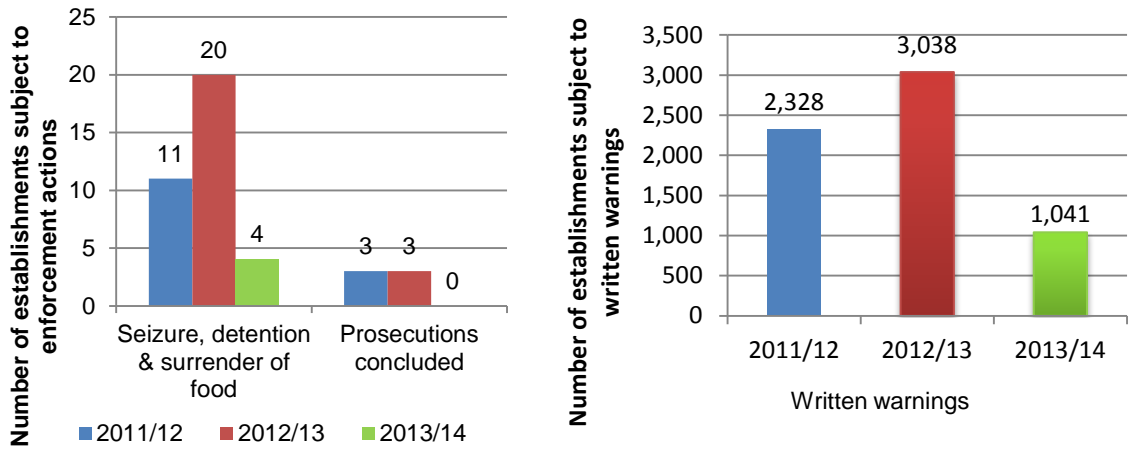
**Figure 4.3: Number of establishments subject to food standards enforcement actions in Scotland 2013/14**

	Seizure, detention & surrender of food	Simple caution <sup>3</sup>	Written warnings	Prosecutions concluded	Totals
<b>Scotland</b>	<b>20</b>	<b>0</b>	<b>3,038</b>	<b>3</b>	<b>3,061</b>
UK	136	143	13,903	78	14,260

4.4 This is a decrease of 27.0% on 2012/13 (3,061).

<sup>3</sup>) Simple cautions do not apply in Scotland

**Figure 4.4: Comparison of food standards enforcement actions in Scotland from 2011/12**

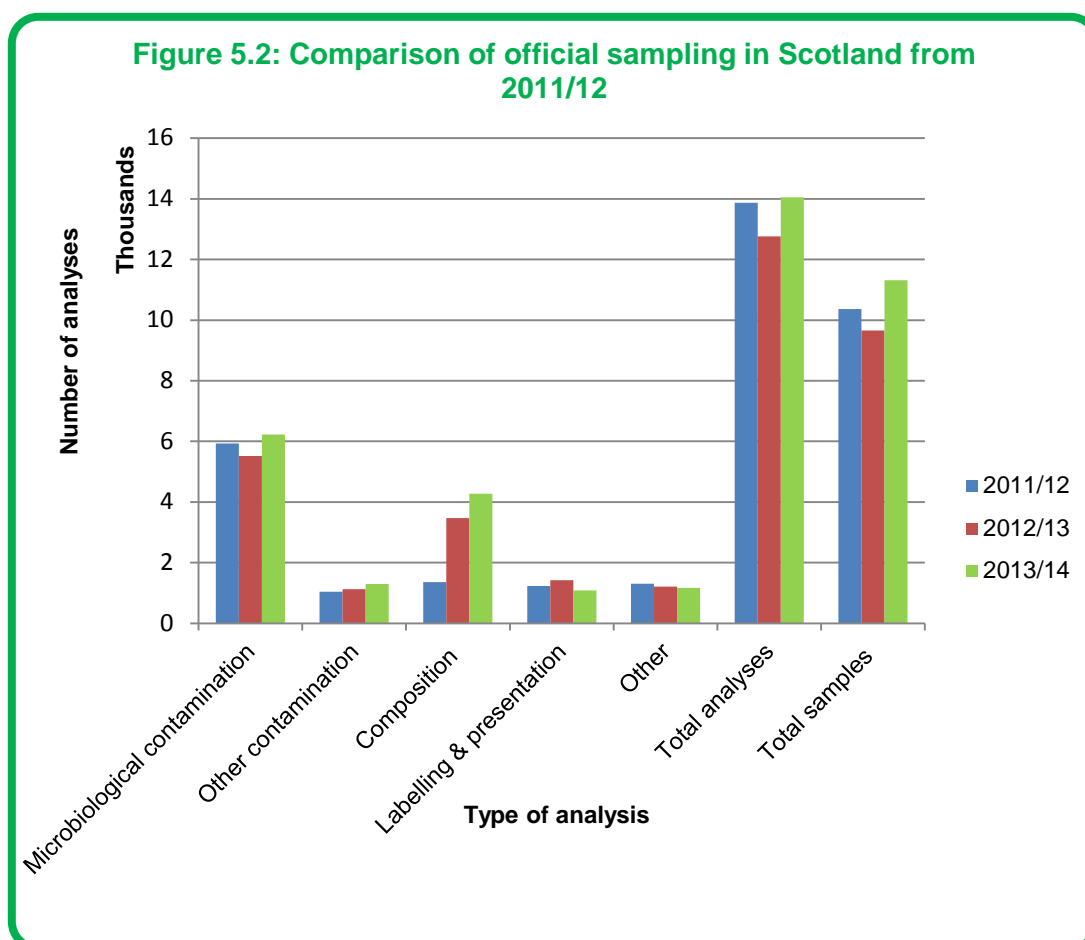


## 5 OFFICIAL FOOD SAMPLES

- 5.1 A total of 11,313 official food samples were taken in Scotland in 2013/14, an increase of 17.1% from 2012/13, compared with a UK wide increase of 3.0%.

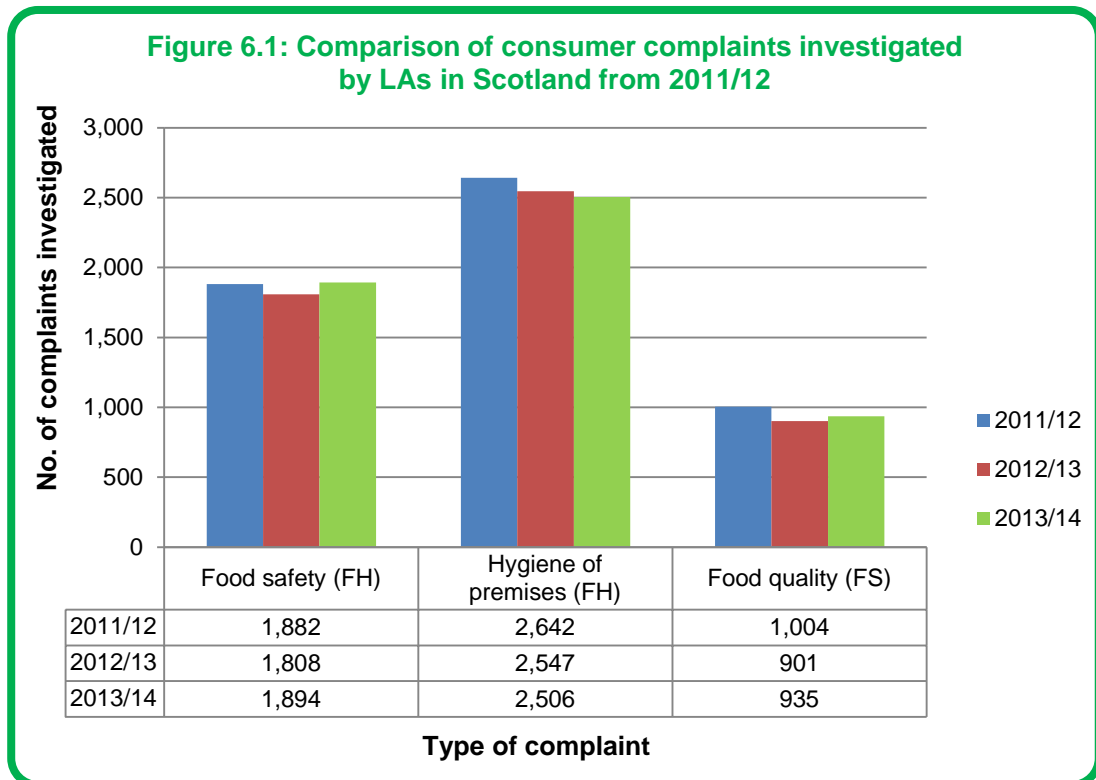
**Figure 5.1: Official Samples in Scotland from 2011/12**

	2011/12	2012/13	2013/14
Microbiological contamination	5,928	5,523	6,224
Other contamination	1,037	1,127	1,293
Composition	1,359	3,471	4,275
Labelling & presentation	1,236	1,427	1,088
Other	1,306	1,210	1,168
<b>Total analyses</b>	<b>13,866</b>	<b>12,758</b>	<b>14,048</b>
<b>Total samples</b>	<b>10,365</b>	<b>9,661</b>	<b>11,313</b>



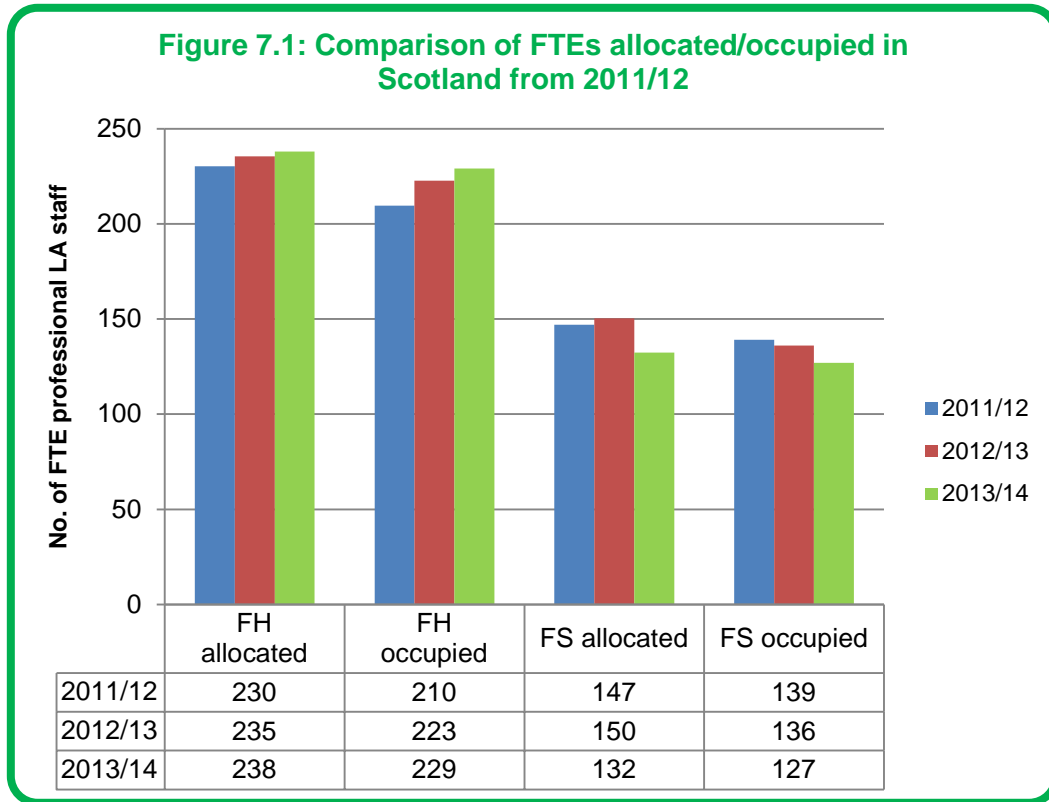
## 6 CONSUMER COMPLAINTS ABOUT FOOD AND FOOD ESTABLISHMENTS

6.1 Scottish LAs dealt with a total of consumer complaints about food and food establishments during 2013/14, an increase of 1.5% (from 5,256) on 2012/13. There was an increase of 4.8% in food safety complaints in Scotland, compared with an over decrease of 0.2% across the UK as a whole.



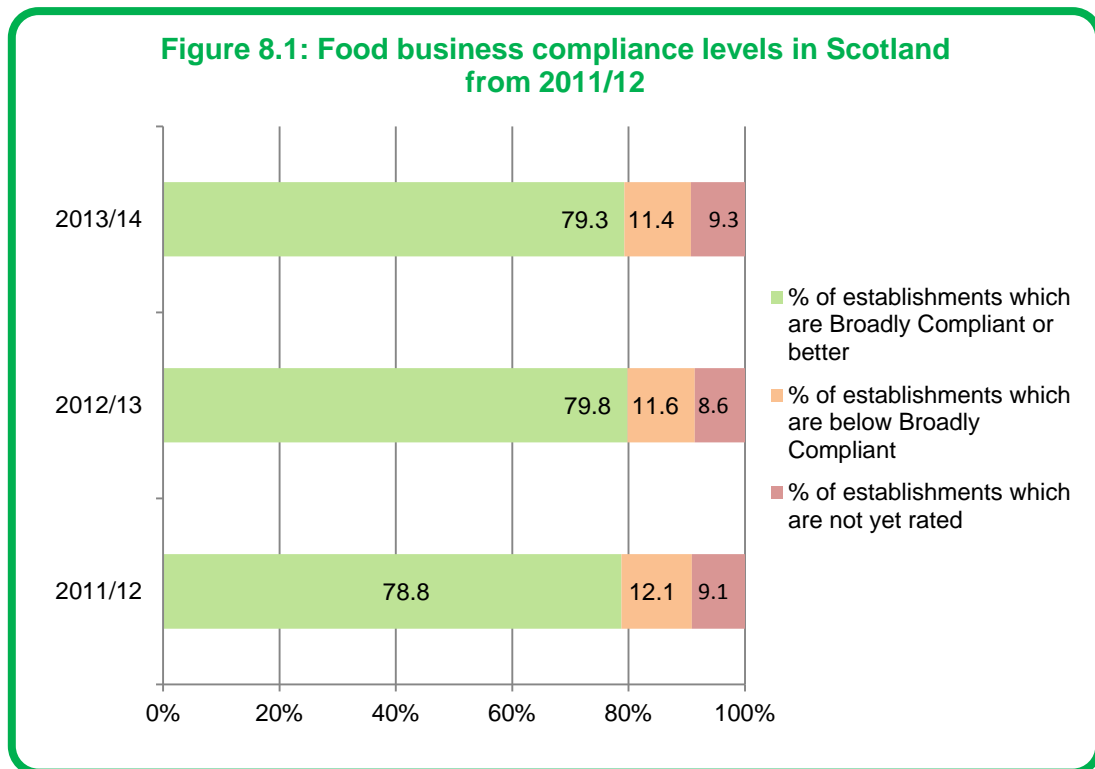
## 7 FULL TIME EQUIVALENT (FTE) PROFESSIONAL LA STAFF

7.1 Scottish LAs reported a total of 356 FTE professional LA staff was reported as being in post at 31 March 2014. This represents a 0.8% decrease on 2012/13 figures (359).



## 8 FOOD HYGIENE COMPLIANCE

8.1 The level of Broad Compliance in Scotland as at 31 March 2014 was 87.5% of rated establishments (79.3% of all establishments), compared with a 91.7% level across the UK. This is an increase on the 2012/13 level in Scotland of 87.3% of rated establishments (79.8% of all establishments).



## 9 AUDIT OF COMPETENT AUTHORITIES

9.1 FSA auditors carried out the following programme of audits of Competent Authorities in Scotland during the period 1 April 2013 and 31 March 2014:

**Figure 9.1: Audits of Competent Authorities in Scotland during 2013/14**

Audit programme	Dates	Number of LAs	Number of related 'reality checks'	Final report(s) issued/published/due
Food standards enforcement controls	April to June 2013	3	3	Final reports published at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>
Shellfish sampling activities in accordance with the contract between the FSA and the LA	July to August 2013	2	11	Final reports published at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>
Implementation of FSA Guidance on controlling the risk of cross-contamination from E.coli O157	September to December 2013	4	11	Final reports published at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>



Establishments approved under Regulation (EC) No 853/2004 for fishery establishments	January to March 2014	4	6	Final reports published at: <a href="http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/">http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/</a>
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