

To: District Council Chief EHO's
Group Chief EHO's
District Council Lead Food Officers

cc: NIFLG Members
CIEH NI Centre
LACORS

20th August 2008

Reference: ENF/NI/08/041

Dear Colleague

Food Law Code of Practice (Northern Ireland)

I have enclosed for your information an electronic copy of the revised Food Law Code of Practice (Northern Ireland) which is being published by the Agency today - see link below. I should be grateful if you would bring this to the attention of relevant colleagues and also ensure that copies of the Code issued in 2006 are disposed of.

<http://www.food.gov.uk/enforcement/foodlaw/foodlawcop/copni>

The Code has been revised following the consultation which took place late last year. We have, where appropriate, reflected the comments that we received in the revised Code. A summary of the comments received is available on the Agency's website at:

<http://www.food.gov.uk/consultations/consultni/2007/copreviewni2007>

The Appendix to this letter outlines the main changes that have been made to the 2006 Code. As you know, the principal reason of revising the Code was to replace the inspection-focussed approach to food law enforcement with a more flexible one



whereby district councils can use a wider range of interventions to monitor, support and increase business compliance. This is reflected in Section 4 of the revised Code (and elsewhere as appropriate). The aim is to ensure that resources are directed at those food businesses that present the greatest risk to public health and consumer protection.

The Agency will be monitoring the impact of the introduction of this interventions policy and the effect that it has on business compliance and on district council resource levels.

We will be providing a training course, in partnership with NIFLG, on the concept of interventions and further details on this will be provided to you in the near future.

As regards the Food Law Practice Guidance (Northern Ireland), we are now in the process of updating this to reflect the revised Code, and will publish a revised document in due course. This may necessitate some changes to references made within the Code to Sections of the Practice Guidance.

We are very grateful to colleagues for their patience during the development of the revised Code of Practice and for the helpful feedback that we received during the consultation process.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Michael Jackson', written in a cursive style.

Michael Jackson

Head of Food Safety and Enforcement

APPENDIX - SUMMARY OF MAIN CHANGES BETWEEN 2006 FOOD LAW CODE OF PRACTICE AND 2008 FOOD LAW CODE OF PRACTICE

The table below outlines the main changes that have been made to the Code.

Section/Chapter/Annex	Issue
Chapter 1.2	<ul style="list-style-type: none">• Qualification requirements for district council officers have been updated in line with changes to recognised professional qualifications, and to reflect the changes to Chapter 4 on interventions.
Chapter 1.7	<ul style="list-style-type: none">• Food incidents - the definition of a 'food incident' has been revised in line with that agreed by the Agency's Food Incident Task Force.
Chapter 3.7	<ul style="list-style-type: none">• Quick-frozen foodstuffs - minor amendments have been made to reflect the updating of the relevant legislation and its requirements.
Chapter 3.9	<ul style="list-style-type: none">• Food safety and general food law - this is a new Chapter which gives direction to district councils in relation to Regulation (EC) No. 178/2002 on general food law (this includes traceability).
Section 4 Annex 5	<ul style="list-style-type: none">• Replacement of the inspection-focussed approach to food law enforcement whereby district councils can use a wider range of interventions to monitor, support and increase business compliance
Chapter 4.3 Annex 5	<ul style="list-style-type: none">• The prescribed inspection frequencies for food establishments that require approval under Regulation (EC) No. 853/2004 (on hygiene rules for food of animal origin) no longer apply. Instead the frequency of intervention at these establishments should be determined by means of the food hygiene intervention rating scheme at Annex 5

Section/Chapter/Annex	Issue
Section 4.4	<ul style="list-style-type: none">• References to a de-ratting certificate have been removed, and contact details for the Home Authorities of the armed services have been updated.
Chapter 5.3	<ul style="list-style-type: none">• Permanent transport authorisation in relation to live bivalve molluscs - a provision has been included to allow district councils to issue a permanent transport authorisation to gatherers that operate the purification centre, relaying area or processing establishment to which their harvested live bivalve molluscs are being delivered as an alternative to separate movement documents.
Annex 5	<ul style="list-style-type: none">• Text has been updated to reflect the revisions to Chapter 4 on interventions and to update the terminology used such that it reflects that in the European Community Legislation on food hygiene.
Annex 8	<ul style="list-style-type: none">• Registration form - this has been simplified in order to contribute to a reduction in the administrative burdens on business.
