FOOD STANDARDS AGENCY

Summary Report on the Focused Audit Programme on Food Sampling in England

October – December 2002

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Burnley Borough Council
City of Lincoln Council
Gateshead Council
Kent County Council
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London Borough of Islington
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Reigate and Banstead Borough Council
Selby District Council
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Section 1 - Introduction

Purpose of Report

1. This report provides a summary of the findings from the focused food sampling audit programme carried out by the Audit Branch of the Agency's Local Authority Enforcement Division. The programme was carried out between October and December 2002. The report also makes recommendations for action relating to food sampling.

2. This summary report on the focused audit programme was prepared in consultation with the participating authorities and laboratories, and the Enforcement Liaison Group (ELG). The report should be read in conjunction with the 15 individual audit reports, which include agreed action plans to address their findings. All the reports are publicly available on the Agency's website at ***www.food.gov.uk*** .

Scope of the Report

3. The audit programme covered the food sampling arrangements in English local authorities (LAs) to verify the compliance of food businesses with food law on the safety, quality, composition and labelling of food. Samples may have been taken as part of a national or regional survey, during the course of food premises inspections or during an investigation into a food complaint. The sampling audit programme did not cover local authority sampling of animal feeding stuffs, nor local authority sampling activity in relation to port health duties. These were excluded from the scope of the audit because of initiatives undertaken elsewhere in the Agency in relation to these areas.

Section 2: Background

The Focused Audit Programme

4. Local authority audits are carried out under the Framework Agreement on Local Authority Food Law Enforcement, which came into effect on 1 April 2001. LAs are audited against the Standard in the Framework Agreement. The inclusion of focused audits in the Agency's audit programme for English LAs in 2002/2003 was agreed by the Agency Board in May 2002. It was envisaged that focused audits would enable the Agency's auditors to carry out a greater number of in-depth audits looking at specific areas of enforcement activity, where inconsistencies in sampling levels and the approach to enforcement had been identified.

5. The Local Authority Enforcement Monitoring Report for 2000, published by the Agency in January 2002 highlighted a continuing decline in the level of food sampling activity being undertaken by LAs. Further investigation revealed that there was also a large variation in the sampling rates (number of food samples taken per 100 food premises) between LAs, including those of a broadly similar profile. Information arising from the first year of the Agency's full audit programme also highlighted variations in the approach to local food sampling arrangements.

6. The Agency carried out one-day audits of 15 LAs to specifically examine their food sampling activity. In addition visits were made to 3 Public Analysts (PAs) and 1 local Public Health Laboratory to consider their arrangements for the analysis and examination of food samples submitted by local authorities.

7. The 15 focused audits assessed the performance of the LAs against relevant areas of the Standard. Whilst the main focus was on the authorities' arrangements for food sampling, other areas of the Standard of relevance were looked at, including the authorisation and training of sampling officers and liaison arrangements with other authorities and the laboratories.

8. Local authorities were selected in order to obtain a cross-section of different types of authority and different levels of food sampling activity, based on data from returns to the Agency from LAs for 2000. Details of the authorities selected for audit are provided in table 1, along with average and individual food sampling rates per 100 premises.

Table 1: Authorities Selected for Audit

Type of LA Average Level of sampling activity	County (17/100)*	District (15/100)*	Unitary (26/100)*	London Borough (10/100)*
HIGH	Leicestershire (42/100)	Lincoln (77/100) Selby (64/100)	Gateshead (60/100) Walsall (65/100)	Brent (32/100)
MEDIUM	Kent (16/100)	Burnley (15/100) Shepway (14/100)	Slough (24/100)	
LOW	Nottinghamshire (7/100)	Reigate (3/100) Stevenage (2/100)	Brighton (6/100)	Islington (4/100)

* Sampling rates expressed per 100 food premises

Audit Process

9. The aims of the audit programme were to:

- assess conformance of individual authorities against the requirements of the Standard in the Framework Agreement;
- provide detailed information to inform discussion on food sampling with a view to identifying any action necessary;
- explore the reasons for the disparities in sampling levels amongst food authorities in England;
- identify any measures which could improve the consistency and effectiveness of LA food sampling activity; and
- identify areas of good practice on food sampling for dissemination to LAs.

10. Conformance with the Standard was assessed by auditing against a set of protocols and checklists specifically developed to explore local authority food sampling activity. These were based upon the standard paperwork used by auditors on full audits.

11. In order to achieve a structured approach to discussion and to obtain views on sampling issues, sets of interview questions were developed and circulated to the LAs prior to audit. Separate question sheets were used for Heads of Service, Team Leaders and sampling officers. The interview questions and audit paperwork were drawn up to reflect discussion at a meeting held by the Agency with representatives from LAs, the Association of Public Analysts (APA), the Public Health Laboratory Service (PHLS) and the Local Authorities Co-ordinators of Regulatory Services (LACORS).

12. Areas of good practice have emerged during the formal audit process at the authorities and through the discussions held with officers.

Section 3: Local Authority Sampling Activity

General

13. During the discussions at the audits of LAs, 11 of the 15 LAs perceived that food sampling levels had either remained static or even increased in the past few years (other than a temporary drop in numbers for specific reasons such as the foot and mouth outbreak). This view was borne out to a large extent by the audited authorities' monitoring returns and by 2001 national monitoring data which shows that total sampling levels have remained relatively static in England. However, this contradicts the trends reported by the laboratories visited as part of the audit programme.

14. In addition, the audits revealed that there appeared to be some differences between the sampling figures provided in the LA returns to the Agency and the authorities' own records. In order to explore these issues further, the 15 authorities were requested to provide the Agency with details of their own records of samples taken from 1999 – 2002.

15. The Official Control Directive (OCD) and local authority figures are compared in table 2. The sampling rates per 1,000 population and per 100 food premises for the individual authorities have also been provided in figure 1. These have been grouped into the different authority types for comparative purposes.

16. Table 2 supports the initial findings from audit and shows significant discrepancies between data provided to the Agency on formal monitoring returns (OCD) and data separately provided by local authorities as part of the audit programme. These discrepancies related to both the numbers of samples taken and the rate of unsatisfactory sample results, across all local authority types. Over the 4 years of statistical monitoring covered by the table there are only 5 occasions where the OCD and LA returns correspond exactly. Consequently, it is difficult to draw firm conclusions about sampling levels from this information.

17. There appear to be a number of reasons for these discrepancies, with cases of both under- and over- reporting of samples taken and unsatisfactory sample results. Further investigation into the discrepancies suggests that many of the audited authorities were unable to complete accurate monitoring returns due in part to their complex nature. Some over-reporting has been explained by local authorities' multiple recording of single samples taken for numerous analysis types. Record keeping and database inadequacies appear to have contributed to under-reporting of sampling levels.

18. The discrepancies highlighted by the table support the need for more extensive checks of all enforcement data submitted for 2002, when this is validated with LAs by the Agency's Monitoring Branch. The validation exercise carried out by the Agency's Monitoring Branch for the 15 audited authorities' 2002 sampling data found that nearly all of the discrepancies were due to LA input errors.

19. Despite the wide variation in sampling levels across the authorities selected for audit, all authorities were found to be carrying out sampling at a level that appeared to reflect the business profile of the area. In the 2 district councils where sampling rates per 100 premises were particularly low, the audit confirmed that the authorities' sampling programmes were focused on sampling from the relatively few high risk premises within their area, including licensed butchers' shops and manufacturers.

20. Table 2 also provides information on the percentages of samples that were found to be unsatisfactory. The table shows a wide variation in the percentage of unsatisfactory samples over the period, ranging from 0% to 95% on the official monitoring returns.

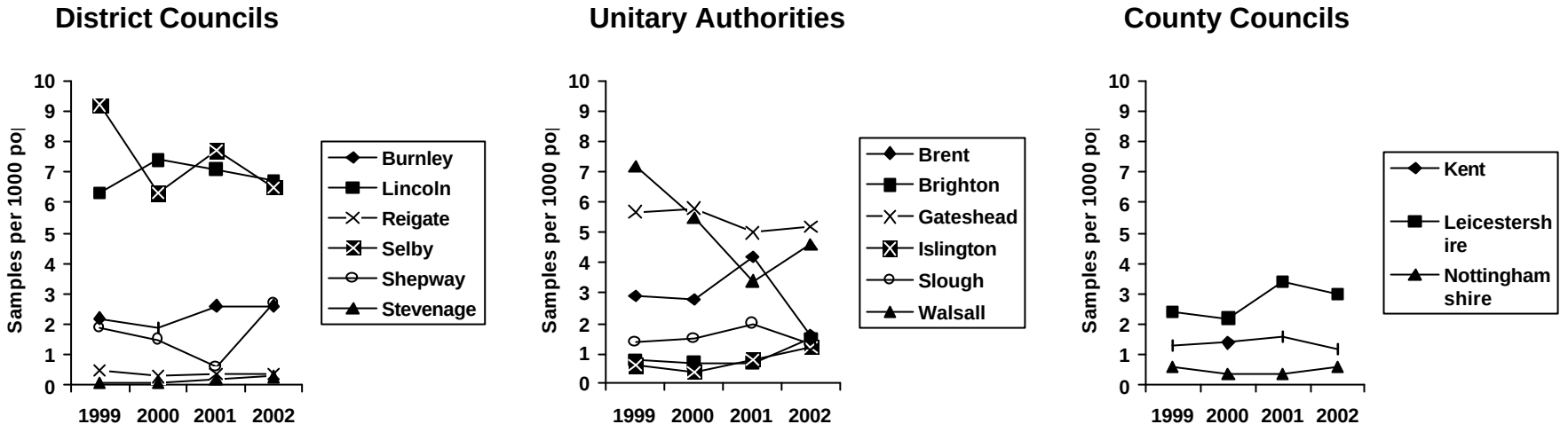
Figures for 2001, where average national data on unsatisfactory sampling results is available, range from 5% to 35% within the official returns, and 0% to 50% in the information provided on audits against a national average of 15%. However, the rates of unsatisfactory sampling results for many of the authorities audited appeared to be consistent with the national average.

Table 2: Sampling Carried Out by Audited Local Authorities (LAs) 1999-2002 – A Comparison of Formal Monitoring (OCD) Returns and Subsequent Information Received from the Local Authorities

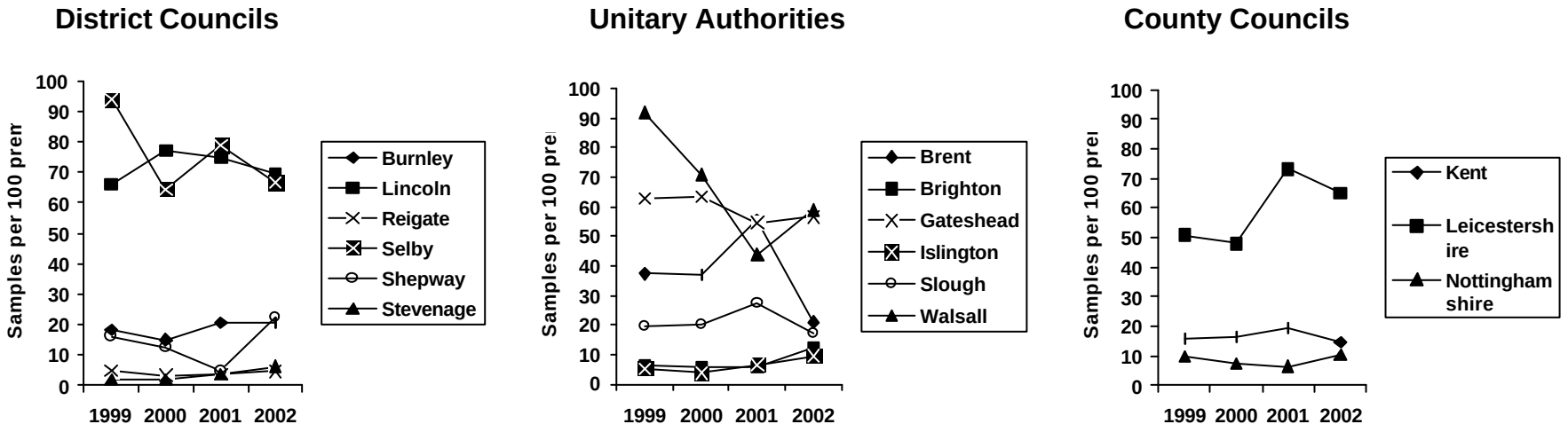
Authority	1999				2000				2001				2002			
	OCD		LA		OCD		LA		OCD		LA		OCD		LA	
	Samp	% U/S	Samp	% U/S	Samp	% U/S	Samp	% U/S	Samp	% U/S	Samp	% U/S	Samp	% U/S	Samp	% U/S
LB of Brent (U)	753	*25*	n/a	*n/a*	750	*20*	n/a	*n/a*	1,118	*10*	707	*16*	423	*7*	431	*16*
Brighton (U)	197	*11*	263	*12*	182	*18*	213	*23*	183	*15*	142	*13*	384	*21*	293	*16*
Burnley (D)	**203**	*31*	**203**	*21*	167	*16*	196	*16*	231	*14*	215	*13*	229	*22*	228	*14*
Gateshead (U)	1,093	*23*	1,114	*18*	1,102	*28*	1,146	*27*	952	*20*	1,151	*15*	985	*21*	n/a	*n/a*
LB of Islington (U)	110	*24*	132	*21*	77	*27*	102	*20*	141	*35*	171	*29*	203	*14*	216	*11*
Kent (C)	**1,754**	***20***	**1,754**	***20***	**1,822**	***29***	**1,822**	***29***	**2,139**	***13***	**2,139**	***13***	**1,618**	***18***	**1,618**	***18***
Leicestershire (C)	1,446	*32*	1,629	*32*	1,364	*45*	1,639	*33*	2,086	*25*	1,259	*24*	1,849	*32*	1,411	*25*
Lincoln City (D)	540	*18*	402	*6*	632	*14*	479	*4*	614	*7*	539	*4*	570	*4*	569	*2*
Nottinghamshire (C)	449	*23*	512	*22*	333	*19*	508	*17*	299	*21*	447	*24*	473	***22***	475	***22***
Reigate & Banstead (D)	59	*83*	n/a	*n/a*	**40**	*95*	**40**	*85*	**48**	***23***	**48**	***23***	**44**	***41***	**44**	***41***
Selby (D)	703	*17*	531	*3*	**483**	*16*	**483**	*17*	590	*13*	566	*13*	498	*15*	453	*10*
Shepway (D)	**187**	***11***	**187**	***11***	158	*6*	148	*0*	54	*20*	103	*50*	258	*20*	283	*21*
Slough (U)	169	*25*	118	*19*	175	*17*	138	*20*	239	*5*	180	*13*	149	*13*	131	*17*
Stevenage (D)	9	*22*	10	*0*	9	*0*	14	*0*	17	*12*	19	*0*	**28**	*0*	**28**	*4*
Walsall (U)	1,814	*11*	1,243	*12*	1,399	*15*	908	*19*	863	*15*	822	*18*	1,166	*13*	828	*12*
TOTAL	**9,486**		**8,098**		**8,693**		**7,836**		**9,574**		**8,508**		**8,877**		**7,008**	

bold indicates identical figures from OCD returns and LA (Kent CC unable to supply any data other than OCD figures)
U/S - unsatisfactory
n/a - unable to supply information (the absence of this data will affect the Total figures)
U - Unitary Authority
D - District Council
C - County Council

Figure 1: Sampling Rates Per 1,000 Population (based on 2001 census)



Sampling Rates Per 100 Food Premises (based on premises numbers from audit report)



NB Sampling data taken from relevant OCD returns.

Audit Findings

21. The on-site audits assessed the individual authority's compliance against the requirements of the Framework Agreement in relation to food sampling activities. Detailed audit findings for the 15 authorities can be found in their respective individual reports. The main audit findings include:

- 7 authorities were noted in the executive summary of their audit report for adopting a risk based approach to sampling and in 3, specific emphasis was also placed on locally manufactured food in their sampling programme. [The Standard – 12.3]
- 2 authorities did not have a documented sampling policy, and 1 authority had a policy that did not cover all aspects of food sampling activity undertaken. Where policies were available, all authorities were noted to be adhering to it. [The Standard – 12.3]
- All authorities had sampling programmes and were able to demonstrate effective arrangements for delivering their programme at the time of the audit. [The Standard – 12.5]
- All authorities had documented sampling procedures in place, however in 4 the procedures needed further development to ensure that they contained all relevant details and applied to all sampling activities carried out by the authority. [The Standard – 12.3]
- All authorities were participating in national and regional sampling surveys. [The Standard - 12.3]
- Follow-up action was in most cases being pursued in response to unsatisfactory sampling results, in line with the Authority's enforcement policy. In addition to informal action, 4 authorities had served improvement notices; 7 had offered formal cautions and 6 had taken prosecutions as a result of sampling findings. Sample results were also used to support the closure of a premises in 1 authority. [The Standard – 12.6]
- All authorities were using accredited laboratories for the formal analysis and examination of food samples. [The Standard – 12.7]
- Effective liaison arrangements were in place on sampling in all authorities, in the main through the local food liaison group. In 5 authorities there was a particularly effective working relationship with their respective laboratories. [The Standard – 18.1]

22. There were a number of common areas identified where improvements were needed to the LAs sampling arrangements. The key areas were:

- 11 authorities needed to ensure that effective internal monitoring arrangements were in place regarding the quality and level of sampling activity, including effective follow up action. [The Standard – 19.1]
- 8 authorities needed to improve the training arrangements for their authorised officers. [The Standard – 5.4 and 5.5]
- 5 authorities needed to develop or expand a documented procedure on the authorisation of sampling officers. [The Standard – 5.1]
- 7 authorities needed to develop or expand their procedures for the calibration and maintenance of equipment used for food sampling. [The Standard – 6.2].
- 5 authorities had not adequately estimated in their Food Service Plan the resources needed to carry out food sampling activities. [The Standard – 3.1]
- 4 authorities reported that staff shortages had meant that they had been unable to achieve their agreed sampling programme in previous years, however they had subsequently been able to recover their performance. [The Standard – 12.5]
- 2 authorities had specific database problems, which affected their ability to provide accurate monitoring returns to the Agency. [The Standard – 6.4]

23. Action plans detailing the improvements necessary have been agreed with each of the 15 authorities audited. The majority of the improvements planned have now been completed and progress on the remaining areas will continue to be monitored by the Agency.

Outcomes from Discussions with Local Authority Officers

24. All 15 LAs saw sampling as an important part of their food law enforcement service. In particular, it was seen as a particularly effective enforcement tool for food standards, i.e. composition and labelling, and an important intelligence gathering mechanism for food hygiene. The comments made at the structured interviews carried out at each authority have been collated and summarised in annex 2.

25. The main issues which emerged from the discussions with LAs were:

General Findings:

(1). There appears to be effective targeting of food sampling locally. Sampling policies and programmes developed by LAs generally reflected the profile of local food businesses, and in the main were risk based. However it was clear that there was a great variation in local authority policy on the level of sampling undertaken at such premises.

(2). There was only limited consumer and business consultation on the development of the local food sampling policies and programmes, and little

Member involvement. Authorities where there had been consultation found it to be beneficial in raising the profile of their food law enforcement service.

(3). The majority of authorities felt that sampling levels had been reasonably static or had increased over the past few years, although this is not necessarily supported by the monitoring returns. Four out of the 5 authorities who were selected for low sampling levels felt that their sampling activity had recently increased, for 2 of these authorities this was attributed to reorganisation of the service into more centralised teams.

(4). Authorities that had carried out a high level of sampling activity saw the benefits as:

- raises the profile of the food service;
- acts as a complementary tool for inspections and enforcement activity;
- improves food safety and quality; and
- is a useful educative tool.

(5). Factors cited by LAs which limited the level of sampling included:

- a lack of finances and trained staff;
- a lack of guidance on acceptable sampling rates;
- the local business profile which did not warrant higher sampling levels; and
- sampling was not seen as a priority regionally.

(6). There were a number of areas that LAs felt could be included in their sampling programmes that were currently not. These included:

- catering premises out of hours;
- imported food/unfit meat;
- ethnic food products;
- environmental swabbing; and
- materials and articles in contact with food.

Reasons cited by LAs for these areas being excluded were:

- the ability of some laboratories to keep up with emerging trends and having the testing facilities and methods needed;
- logistical/practical difficulties, in particular for out of hours sampling, such as access to laboratories;
- engaging the support of the liaison group in sampling surveys, for example environmental swabbing at butchers' shops;
- the lack of national co-ordination and direction, to avoid duplication, waste of resources and confusion; and
- a lack of baseline guidance, or legislative constraints, in particular for compositional offences.

(7). Some authorities reported that where prosecutions were taken in respect of poor sampling results, the penalties imposed by the courts were low.

(8). A number of improvements to the monitoring form were suggested, including the need for enhancements to the software to improve its ease of use.

Co-ordination of sampling activities:

(9). There was an overwhelming view that sampling needs to be better co-ordinated nationally, and that the introduction of a national sampling database would be a step towards achieving this.

(10). The national and regional co-oordinated microbiological surveys appear to be effective, and similar national co-ordination of food standards sampling was seen to be desirable.

(11). It was suggested that LAs would benefit from more sharing of good practice, and experience, particularly in respect of formal enforcement action on food sampling matters.

Provision of guidance:

(12). Because statutory food sampling levels had not been set in England, officers felt it was therefore more vulnerable to cuts in local authority budgets. A number of authorities felt that the provision of central guidance on expected sampling rates would assist in maintaining sampling budgets in LAs. Conversely there was a comment from 1 authority that LAs should be more innovative with sampling and change from a culture of 'figure chasing'.

(13). Authorities would welcome further low cost training on sampling, particularly on:

- sampling procedures and practical sampling techniques;
- the interpretation of results;
- sampling for evidential purposes/legal aspects;
- formal sampling; and
- completion of the monitoring returns.

(14). There was a desire for additional wide-ranging guidance on sampling issues for LAs, which included:

- guidance on microbiological sampling results and their interpretation to assist in decisions on further enforcement action;
- improvements to the existing PHLS guidance on ready to eat (RTE) foods;
- guidance on non RTE foods;
- sampling as part of food poisoning outbreaks;
- sampling of meals in restaurants for food standards purposes;
- completion of the monitoring returns;
- statistical sampling;
- guidance on risks to health from certain contaminants;
- practicality of sampling for mycotoxins;
- guidance on the priorities for sampling and development of the sampling programme;
- instructions for spirit sampling;

- practical techniques on environmental swabbing and the interpretation of results; and
- formal sampling.

Support for local authorities:

(15). Resources were cited as an influence on the ability of LAs to carry out their sampling programme. The lack of trained, qualified staff was said to be a significant influence on levels in 4 authorities. Additional support on resourcing would be welcomed by some LAs. It should be noted however, that where central funding is allocated, as in the case of PHLS microbiological examination, there appears to be significant under use by some LAs.

(16). LAs commented on the need for the provision of greater support from the centre when taking formal enforcement action on sample results. Suggestions included:

- increased powers for Trading Standards Officers (TSOs) in respect of sampling issues, e.g. the ability to seize food and to serve improvement notices;
- shared knowledge of legal cases; and
- financial support and expertise, including formal contacts at the Agency.

Issues concerning laboratories:

(17). In general LAs appeared content with the service provided by their respective laboratories. There were however a number of suggested improvements, which included:

- the need for improved turnaround times for results from some Public Analysts;
- a register of analysts that can carry out unusual or non-standard tests;
- routine reporting of results by email;
- improved access to laboratories out of hours (in particular the PHLS);
- improved information on the costs of individual tests;
- some food examiners would benefit from guidance and training on the legal aspects of sampling results;
- a review of the paperwork used for the submission of samples to the PHLS, to make completion less burdensome and repetitive; and
- reports, or accompanying paperwork from the PHLS and PAs could usefully contain more opinion and interpretation on the results.

(18). Allocations for the examination of samples by the PHLS are historical and felt to be inconsistent and confusing. Some authorities regularly exceed their allocation, whilst others use very little of their allocation. Some LAs would welcome a review of the appropriateness of the authorities' PHLS allocations, where appropriate. This is scheduled to happen with the establishment of the Health Protection Agency (HPA).

(19). There were concerns from a number of relevant authorities regarding the future of PHLS allocations in response to the recommendations of the 'Getting Ahead

of the Curve' strategy. There were also concerns regarding the logistical and practical aspects of the proposed changes.

(20). There was an inconsistent approach to the use of Service Level Agreements between laboratories and LAs.

(21). There was a view, particularly in relation to food standards issues, that some laboratories were not always able to keep up with emerging trends in food technology, so that the equipment and accredited testing methods were not available for certain tests.

(22). The use of screening laboratories by the authorities audited was not widespread (13%), and was mainly used for the analysis of spirit samples (2 authorities).

(23). Where authorities used a PA that had a partnership arrangement with another laboratory, there were perceived benefits for the LA, including increased efficiency.

(24). The Analysts and the PHL visited were seldom requested to accompany officers on visits. Where they had been used, clear benefits were identified, including the provision of additional expertise and a different perspective given to sampling in relation to manufacturing processes.

Areas of Good Practice

26. A number of initiatives adopted by authorities were specifically identified by the auditors as good practice. These included:

- An annual service planning day with Member involvement, where the food sampling policy and programme were discussed.
- Specific presentations to Members on the food sampling policy and programme.
- The use of consultants to examine the best methods for engaging the public on policy issues, including food sampling.
- An annual comparison exercise held by the regional liaison group on completion of the monitoring returns, with the aim of improving consistency.
- Joint PHLS and LA training events to improve food sampling practices.
- Regional development of sampling policies and procedure documents, including the development of a sampling manual in 1 regional liaison group.
- Regular joint visits made with the PA to local food manufacturers.
- Regular review meetings held between the LA and the PA on food sample submissions.
- The incorporation of food sampling and environmental swabbing as an integral part of butchers' shop licensing assessments.

- The use of environmental swabbing as an educative tool to demonstrate the effects of improvements in cleaning methods.
- The use of a series of samples from premises to demonstrate the effect of improvements in food handling and temperature control practices.
- The use of a food technologist added valuable expertise to ensure that the sampling programme was effectively targeted.
- The effective use of publicity, such as the results from food sampling surveys being included in a newsletter sent to food businesses in the authority's area.
- The provision of information leaflets for food businesses explaining the implications of unsatisfactory sampling results.
- The provision of an emergency sampling kit in the event of a food poisoning outbreak.

Section 4: The Laboratories and Food Sampling Activities

General

27. Discussions were held with 1 of the PHLS regional laboratories and 3 Public Analysts, 1 of which was privately owned. In order to achieve a structured approach, a set of interview questions was devised, incorporating the suggestions made by attendees at the planning meeting held by the Agency with LAs, the laboratories, and LACORS.

Outcomes from Discussions at the Laboratories

28. The interviews at the laboratories raised the following issues:

General issues:

(1). At the time of the audit programme, one of the major concerns for the PHLS was the implication of the recommendations from the 'Getting Ahead of the Curve' strategy document.

(2). For the PA laboratories the major concern was a reported ongoing reduction in local authority sampling activity leading to laboratory closures, a loss of expertise and fears for the continued provision of the service. There was a call for further support from the centre for PAs to prevent the service from collapsing. The laboratory serving the largest number of LAs had seen a reduction from around 600 food samples per month in 1999 to around 250 food samples in 2002, i.e. a reduction of 58%.

(3). The PHL reported a 25% reduction in the numbers of samples submitted between 1998/1999 and 2001/2002. There appears to be significant under use of the PHLS sampling allocation. In the laboratory visited, which acts as Food Examiner for 21 LAs, these authorities had on average used only 55% of their allocation in 2001/2002, the highest being 120% and the lowest 4.6%. (45% of the relevant authorities audited stated that they had not used up their PHLS allocation. This however was not too surprising, as a third of the audited authorities were selected for audit specifically because of low sampling levels).

(4). Where PA laboratories had established partnership arrangements with other laboratories, they reported distinct advantages. These included:

- rationalised equipment purchase;
- the development of specialisms;
- ability to share staff resources and expertise;
- flexibilty, effectiveness and efficiency;
- encourages competition between sites to improve performance to the customer;
- ability to offer a regional service;
- ability to share problems and information without losing commercial confidentiality; and
- the arrangement spreads the risk from loss of a contract.

(5). The 2 PA laboratories in LA ownership visited advised that considerable investment in computer software was needed.

(6). There was a divergence of views on the potential for conflict of interest in the provision of analytical services for food businesses.

(7). The PA laboratories identified a number of factors that influenced their ability to meet turnaround times for sample results. These included:

- erratic workloads;
- samples not being submitted on time;
- required equipment not available;
- instrument breakdowns;
- under resourced laboratories; and
- rules and culture of the organisation.

Co-ordination, consultation and the provision of information:

(8). The laboratories felt that there was a need for greater co-ordination of food sampling nationally, including the introduction of a national sampling database and the publication of sample results.

(9). There was support for national co-ordinated food sampling projects for food standards.

(10). The laboratories concurred with the view of LAs that national guidance on acceptable food sampling levels should be issued.

(11). There should be greater consultation on Agency surveillance sampling programmes to avoid duplication with food sampling projects previously undertaken.

(12). Although LAs were of the view that they consulted with laboratories on their food sampling policies and programmes, it was felt by the laboratories that there should be closer consultation.

(13). It would help PAs to plan their work more effectively if LAs were to advise the laboratories when there are changes to the food sampling programme.

(14). It would assist the PHL in the interpretation of results if LAs provided more background information when submitting samples.

(15). The laboratories would welcome early notification of problems emerging nationally on food products.

(16). The PHL visited acknowledged that there needed to be improvements in the provision of legal advice in relation to food sampling results, and had identified the need for further training in this area.

Targeting of sampling activities:

(17). There was a wish for PAs to be more involved in visits to relevant food businesses.

(18). The view was expressed that LAs need to adopt a more risk based approach to food sampling.

(19). It was felt that sampling should become a more integral part of food hygiene inspections.

(20). The PHL visited felt that authorities should consider carrying out more environmental swabbing.

(21). It was noted by the PHL visited that there was a disparity in the level of sampling carried out at Approved Premises by LAs, some sampling more frequently than was probably necessary, whilst others were carrying out none or very little sampling at such premises.

Section 5: Recommendations

29. Recommendations are summarised for ease of reference in the table on the following pages of this section. A number of recommendations are already being addressed by current Agency initiatives on food sampling. Where this is the case they have been identified on the table. Further action for consideration by the Agency and other stakeholders is also indicated in the last column of the table.

Summary of recommendations Arising from the Focused Audit Programme on Food Sampling

	RECOMMENDATION	CURRENT AGENCY INITIATIVES	POSSIBLE FURTHER ACTION
	CO-ORDINATION:		
1.	A sampling database should be introduced to improve co-ordination of sampling activities.	The Agency is funding the development of a national sampling database, and the piloting in Scotland and England is currently taking place.	
2.	There should be increased national co-ordination of food sampling activities, particularly for food standards.	A report, which collates LA sampling from 10 PAs for the last 2 years, was recently commissioned by the Agency from the Association of Public Analysts (APA). The draft report shows levels of sampling against food groups and levels of failure. This report will be published more widely once finalised and together with OCD returns will be considered by a new Agency/LACORS Sampling Co-ordinating Group.	
3.	There should be greater sharing between LAs of good practice and experience, particularly of enforcement issues on food sampling.		Consider, in conjunction with the findings from the formal enforcement focused audit programme and in conjunction with LACORS, measures to publicise legal cases and to provide contact details for the LAs involved.

	RECOMMENDATION	CURRENT AGENCY INITIATIVES	POSSIBLE FURTHER ACTION
	SUPPORT:		
4.	The involvement of Members, consumers and businesses in the planning of sampling activities should be encouraged as good practice by LAs.	New guidance for LAs on sampling is being developed by the Surveillance Sub Group of the ELG. The revised Code of Practice currently out for consultation contains firmer guidance aimed at improving local approaches to sampling.	Include reference within new guidance to the involvement of Members, consumers and business in planning of sampling activities. Consider measures to disseminate useful initiatives and contact points.
5.	The Agency should consider the provision of further support for LAs when taking formal enforcement action on sampling issues.	The Agency has a 'fighting fund' for local authorities and a paper was considered by the Agency Board in April 2003, to consider the criteria and principles that would apply when considering LA requests for financial support. This would apply where there are national implications and/or cases are particularly complex.	
6.	The Agency should consider action to address the view that LAs need additional resources for food sampling activities.	Direct funding has been provided to certain LAs involved in Agency sampling initiatives or to fund sampling arising from specific concerns, e.g. aflatoxins. Further initiatives are being considered in the context of imported food surveillance.	Further investigation is needed on this issue. The individual audits highlighted the need for authorities to evaluate within their annual service plans the resources needed to carry out sampling activities. The programme has also highlighted that LAs are not all using their full PHLS allocations. It is therefore difficult at present to assess the extent of the resourcing problem.

	RECOMMENDATION	CURRENT AGENCY INITIATIVES	POSSIBLE FURTHER ACTION
7.	There should be liaison with representatives from the Magistrates Association to increase awareness in relation to the penalties available for contraventions of food law.	Discussions have already taken place between Agency officials and the Magistrates Association (MA). Officials recently agreed that food law enforcement case studies would appear on the MA's web-based toolkit, designed as a simple training aid. Also have agreed that articles from food law enforcement officers will appear in the MA journal.	Consider inclusion of local liaison with magistrates in guidance being developed by Surveillance Sub Group.
	GUIDANCE AND TRAINING ISSUES:		
8.	The Agency should further consider the need for guidance on sampling levels.	This issue has been considered by the Agency and discussed at the ELG, when it was generally accepted that there is a need for flexibility, which recognises the need for a risk based approach to reflect local circumstances, although specific levels do exist in Northern Ireland and Scotland.	There may be benefit in improving the accuracy of existing data and providing more information on sampling levels by LA type for benchmarking purposes. Benchmark sampling levels by LA type to be issued in July 2003 as part of 2001 LA food law activity report.
9.	The variation in food sampling levels at high risk premises, such as Approved Premises needs to be addressed.		This will be included in the guidance being developed for LAs by the Surveillance Sub Group.
10.	There is a need for further wide-ranging guidance on food sampling issues.	The proposed guidance on food sampling by the Surveillance Sub Group will address the relevant findings of this report.	Consider provision of a model/ template sampling policy / procedures as guidance for LAs
11.	The provision of further low cost training on sampling issues should be considered.	The Agency already has a successful low cost training programme for local authority officers and will consider sampling training for inclusion in the programme.	Development of a training video on sampling by March 2004.

	RECOMMENDATION	CURRENT AGENCY INITIATIVES	POSSIBLE FURTHER ACTION
12.	The provision of legal advice from the PHLS on food sample results should be reviewed.		This recommendation should be passed to the HPA for consideration and action.
13.	Local authorities should ensure that they are adopting a risk based approach to food sampling.		Although the audits of the 15 LAs did not reveal this to be a problem, practical guidance on a risk based food sampling programme will be provided in the guidance being developed by the Surveillance Sub Group.
14.	Food sampling and environmental swabbing should be an integral part of inspections		This will be covered in the guidance being developed for LAs by the Surveillance Sub Group.
	OCD STATISTICS:		
15.	The reasons behind the large disparities between sampling figures submitted by LAs for the OCD returns and the LAs own records of sampling activity should be further explored.		The findings will be investigated in more detail by the Agency's Monitoring Branch when validating 2002 data submitted by LAs.
16.	A further review of the OCD monitoring form should be carried out to improve its ease of use.	There is an established Agency Monitoring Form User Group that includes LA representatives.	Consider re-running the Agency seminar on completion of the monitoring return, and review the need for additional guidance.
	LABORATORIES:		
17.	The suggestions made by LAs in relation to service provided by the laboratories should be forwarded to the appropriate bodies.	There is representation from the APA and HPA on the ELG, and the findings were discussed by this group.	The report should be formally submitted to the APA and HPA.

	RECOMMENDATION	CURRENT AGENCY INITIATIVES	POSSIBLE FURTHER ACTION
18.	The system of allocations for sampling examination by the PHLS should be reviewed.	A review has been undertaken of the allocation system in England by the Agency and the PHLS. The outcome of the review will lead to a more equitable allocation system, with all LAs being provided with an allocation, which is not currently the case.	The perception by some LAs that their local PHLS laboratory could not cope if they used the full allocation needs to be explored with the HPA.
19.	Action should be taken to adopt a more consistent approach to Service Level Agreements between laboratories and LAs.		Consideration could be given to the development of a model SLA for adoption by laboratories and LAs.
20.	The concerns expressed by LAs regarding the implications of the 'Getting Ahead of the Curve' strategy document should be taken on board by the Agency.	The Agency has been involved with cross government discussion on the setting up of the HPA.	The PHLS became part of the HPA on 1 April. The working arrangements will be subsequently reviewed to assess whether the quality of service provided by the PHLS has been affected by the new arrangements.
21.	Authorities should be encouraged to consider the use of expertise from the laboratories on visits to food premises, such as manufacturers.	This is already covered in the existing Code of Practice.	This could also be included in the guidance being developed for LAs by the Surveillance Sub Group.
22.	The Agency should consider the provision of additional support for the Public Analyst service in England.	The APA is represented on the ELG and is fully involved in discussions on strategic food law enforcement issues. The Agency is discussing with, LACORS, the APA and Agency policy divisions ways to improve the co-ordination and involvement of LAs and PAs in agency surveillance exercises.	

	RECOMMENDATION	CURRENT AGENCY INITIATIVES	POSSIBLE FURTHER ACTION
23.	The Agency should consult more effectively with laboratories on surveillance sampling programmes to avoid duplication with previous projects undertaken.	The proposed Agency/LACORS Sampling Co-ordination Group which will involve the APA should help address this recommendation. The national sampling database will also assist with this recommendation.	
24.	LAs should be encouraged to consult more closely with laboratories on the development of sampling policies and programmes, and ensure appropriate notification of any changes to programmes.		This will be included in the guidance being developed for LAs by the Surveillance Sub Group.
25.	LAs should be encouraged to provide more background information on samples submitted to the PHLS.		This should be explored with the HPA and considered for inclusion in the guidance developed for LAs by the Surveillance Sub Group.
26.	Laboratories should receive early notification of emerging national food problems.		Appropriate policy divisions of the Agency can be requested to consider the need for early notification as necessary.
27.	The good practice identified at the audits of LAs should be disseminated nationally.		The most effective means of disseminating good practice should be discussed with LACORS, but could include seminars and the use of the proposed enforcement portal on the Agency's website.

Arrangements for Food Sampling in England

General

1. The Food Safety Act 1990 lays down the provisions for enabling authorised officers of food authorities to procure samples and submit them for analysis or examination. It also sets out requirements for the appointment of Public Analysts and Food Examiners. Food Safety Act Code of Practice No. 7: Sampling for Analysis or Examination, requires LAs to put in place a sampling policy and programme. The Standard in the Framework Agreement on Local Authority Food Law Enforcement requires authorities to carry out sampling in accordance with its documented sampling policy, procedures and programme.

2. There are no statutory targets or central guidance applicable to sampling levels in England. Sampling is undertaken by LAs to support food law enforcement activity in general, and provides important surveillance information on the current chemical, microbiological and compositional status of foods.

3. Under Food Safety Act Code of Practice No. 1: Responsibility for Enforcement of the Food Safety Act 1990, county council trading standards services are responsible for undertaking enforcement in relation to chemical contamination, composition and labelling. District council environmental health services are responsible for microbiological contamination.

4. LAs are provided with guidance on food sampling in Food Safety Act Code of Practice No. 7. This sets out procedures which authorised officers should follow when procuring and handling food samples taken under the Food Safety Act 1990, and the Food Safety (Sampling and Qualifications) Regulations 1990. Samples which could result in formal enforcement action, should be obtained in accordance with the procedures set out in the code (i.e. 'formal samples').

Laboratories

5. Samples taken for the purposes of chemical or compositional analysis are submitted to a Public Analyst. It is a statutory requirement of county councils, London boroughs, metropolitan councils and unitary authorities to appoint a Public Analyst. Many Public Analysts are provided by local authorities, although some are privately owned, including the largest in the country with around 170 local authority clients. Private sector laboratories are funded by fees paid for the analysis of samples, whilst public sector laboratories are funded by a budget from the local authority. This is usually augmented with fees earned by the laboratory from external clients, such as other LAs.

6. Microbiological samples are submitted to Food Examiners, employed at the time of the audit programme by the PHLS. They undertake microbiological testing of food, water and environmental samples in public health laboratories, as well as testing of samples from patients and so contribute to clinical diagnosis and national surveillance. Laboratories are centrally funded, and tend to operate by providing individual authorities with an allocation of samples that will be examined by the laboratory at no cost to the local authority. These allocations have, in the main, been based on historical data on the numbers of samples submitted by authorities in 1992. This has resulted in some LAs not benefiting from an allocation. Any requests for examination which exceed the local authority allocation are normally charged to the

local authority. Discussions are currently taking place between relevant stakeholders to review this system of local authority sample allocation, as it has progressively become subject to local change and consequent national disparity. The allocation system does not apply to samples taken for port health surveillance work, and normally samples taken as part of a food poisoning outbreak investigation do not form part of the allocation and are not charged to the local authority.

7. The Public Health Laboratory Service now forms part of the new national Health Protection Agency, which was established on 1 April 2003. This move forms part of the measures introduced to address the recommendations in the Department of Health strategy document 'Getting Ahead Of The Curve - A strategy for combating infectious diseases'.

8. Public Health and Public Analyst laboratories used by the local authority for either the formal examination or analysis of food samples need to be accredited and appear on the List of Official Food Control Laboratories in the UK as notified to the EC under Council Directive 93/99/EEC.

Liaison Arrangements

9. LAs have well established regional liaison arrangements. Food liaison groups meet regularly to discuss national, regional and sampling programmes and the results, sometimes within a separate sampling sub-group. Often there is representation at the meetings from the local PHLS laboratory and/or the Public Analyst. There are no other formal liaison arrangements between the PHLS and Public Analysts.

Monitoring of local authority sampling activity

10. The Food Standards Act 1999 provided the Agency with powers to monitor, audit and publish information on the performance of enforcement authorities. Data on sampling activity is collected under Article 14 of the Official Control of Foodstuffs Directive (89/397/EEC). The Agency is required to provide an annual report on enforcement activity to the European Commission.

11. The Agency has a key role in working with LAs to ensure the effective enforcement of UK food law. To this end the Agency aims to:

- provide guidance and support for local enforcement officers;
- ensure proportionate and more consistent enforcement;
- provide more information about standards of food safety;
- improve the transparency of enforcement arrangements.

12. In order to strengthen links with LAs, the Framework Agreement on Local Authority Food Law Enforcement was developed with the Local Authority Enforcement Liaison Group (ELG). The Framework Agreement contains the standards and arrangements through which the Agency sets, monitors and audits

local authority food law enforcement services. Authorities provide annual and quarterly returns to the Agency providing detail on a wide range of enforcement activity, including the numbers of samples taken, of which types of food, whether these were taken formally or informally[1], and the proportion that were found to be unsatisfactory.

[1] The guidance on completion of the monitoring form contained in the Framework Agreement on Local Authority Food Law Enforcement, defines **formal** samples as 'samples taken in accordance with the appropriate sampling regulations and submitted to an accredited laboratory on the official list'. **Informal** samples are defined as 'samples not taken in accordance with the appropriate sampling Regulation (e.g. samples for screening purposes and/or not sent to an accredited laboratory).

Discussion Questions for Local Authorities - Summary of Responses

	QUESTION	SUMMARY OF RESPONSES RECEIVED
1.	**Political/Strategic Framework**	
1.1	What do you see as the main objectives of the sampling activities carried out at your authority?	LAs saw sampling as an important part of the food service and an enforcement tool to assist with their duty to protect public health, product safety and consistency, and to reduce the incidence of food borne disease. LAs felt sampling provided a useful surveillance tool for demonstrating trends in food safety and quality over time. Sampling provided useful baseline data to contribute to the inspection programme, to verify that hazard analysis and quality assurance systems were operating effectively in high risk businesses, and as a means of monitoring lower risk premises, which would otherwise be subject to less frequent visits. Sampling was seen by some LAs as a means of raising the profile of the authority, and a contribution to its strategic aims and corporate objectives. Participation in co-ordinated regional and national sampling surveys was seen as an important objective by 5 authorities.
1.2	What does the sampling policy set out to achieve?	The policy was seen as a public document that set out the authority's commitment to sampling as part of the overall food service. Specifically the policy set out the arrangements and priorities for the food sampling programme, which included consumer protection, achieved by a risk based sampling programme, which would underline enforcement action. The policy also ensured that the authority contributed to co-ordinated national and regional sampling surveys.
1.3	What factors inform development of the sampling policy?	There were a wide range of influences, from local concerns and needs, to national policy, direction and trends. On the whole the policy was seen to be intelligence led and risk based. Other factors that informed the policy included Codes of Practice, the views of stakeholders, the Home Authority Principle, the laboratories and the regional liaison group.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
1.4	To what extent were local businesses and the public involved in the development of the sampling policy?	There was only very limited public and business consultation throughout the authorities, although 2 were actively pursuing means of improving communication with stakeholders. There had been some consultation on food service plans, which would include details of the sampling policy, and some individual consultation with businesses during the course of visits.
1.5	How much Member involvement has there been in the sampling policy and programme?	In the main Member involvement was restricted to approval of the Food Service Plan, although 1 authority had Member involvement in a general service planning day which included discussion on the sampling policy. Another authority had made a presentation to Members on the sampling policy.
1.6	Has policy been discussed or agreed regionally?	All environmental health departments had discussed the sampling policy regionally, through the liaison group mechanism, and 3 had adapted a generic liaison group policy. Liaison with regard to food standards sampling policies was less common.
1.7	*If applicable* – Why is the Authority carrying out little/no sampling?	A lack of resources was cited by 3 of the authorities that were carrying out relatively low levels of sampling, although 1 authority had recently increased its sampling activity, and was now average for their authority type. 1 authority said that sampling was not a priority regionally, and the local business profile did not lend itself to high sampling activity. The view was also expressed that there was no official guidance on expected sampling rates.
1.8	*If Authority is carrying out a lot of sampling:* Why do you place such a strong emphasis on sampling? What do you see as the benefits?	Responses here focused on the perceived benefits of food sampling, including its roles in complementing the inspection programme and enforcement activity; raising the profile of the food service and demonstrating that the authority takes its responsibilities seriously; its role in improving food safety and quality, and its effectiveness as an education tool for businesses. The business profile of the area demanded high sampling activity for a few authorities. For a number of authorities sampling traditionally formed an important part of the food service and had benefited from a relatively large internal budget and/or PHLS allocations.
1.9	How effective do you feel sampling is as a food law enforcement tool?	Responses to this question were mixed. On the whole authorities saw sampling as an effective tool for food standards enforcement, however for food hygiene its role was seen as more supportive. It was felt that sampling should be seen as an integral part of the food enforcement service, as "effective as part of a toolkit rather than a tool on its own". Its role as an educative tool was recognised by 5 authorities.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
1.10	What do you think needs to be done to improve sampling as a whole?	Suggestions can be summarised as follows: • clearer direction and guidance from the centre, in particular on sampling rates (4 authorities), priorities for sampling and the development of a risk based sampling programme; • conversely there was a call from 1 officer for sampling generally to be more innovative and to change from a culture of 'figure chasing'; • the provision of a national sampling database (7 authorities); • the provision of further nationally co-ordinated low cost training, in particular on procedural and practical aspects of sampling, the interpretation of results; formal sampling; • the provision of central technical guidance, in particular on the interpretation of environmental sampling results, improvements in the existing PHLS guidance on ready to eat (RTE) foods, sampling as part of food poisoning outbreaks; sampling of meals in restaurants for food standards purposes; • clearer guidance on microbiological sampling results to enable decisions to be made on enforcement action regarding unacceptable and unsatisfactory results; • support for authorities in respect of resources, recruitment and retention of qualified officers. 2 authorities stressed the need for ring fencing of financial allocations for food enforcement; • improvements were needed on the turnaround times for results from public analysts, and the need for speedier reporting generally for survey results; • the paperwork for surveys should be less burdensome and repetitive; • improved access to laboratories (in particular out of hours); • sharing of good practice and experience by LAs. This was felt to be of particular use where formal enforcement action was being considered; • greater co-ordination of sampling, in particular support for national co-ordination of food standards sampling activity; and • improvements to the reports from laboratories, to provide more detail on the implications of the results.
2.	**Planning and Management**	
2.1	Trends within Authority on level and range of sampling activity	Most authorities noted that sampling levels had been reasonably static, although it is of interest to note that 4 out of the 5 authorities who were selected for low sampling levels that sampling activity had recently increased. 2 authorities had undergone recent re-organisation to provide specialist food teams and increased sampling activity as a consequence. Another authority, which was currently multi-functional, had recognised that the creation of a specialist food team would improve their sampling activity.

QUESTION		SUMMARY OF RESPONSES RECEIVED
		1 authority specifically mentioned that its premises profile had changed dramatically, which had led to a need for a different emphasis on the sampling programme. The need to respond to modern trends was noted particularly in respect of food standards. Surprisingly the impact of the foot and mouth disease outbreak was only mentioned by 1 authority as an influence on sampling levels.
2.2	Discussion around sampling budget trends - up, down, static over past 5 years.	Most authorities noted that the budget had been reasonably static, with rises to take account of inflation. 2 authorities' budgets had been significantly cut 2 years ago. Only 2 authorities noted that the budget had increased, and 1 authority mentioned that the sampling budget had been underspent.
2.3	What informs the sampling programme and who was involved in drawing it up?	Responses included: • national, regional and local priorities; • intelligence led, including the use of previous results, complaints and inspections; • officer knowledge; • corporate objectives, e.g. the anti-poverty strategy; • laboratories; and • liaison group.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
2.4	In an ideal world, what would you like to include in the sampling programme, that is not already included?	Ideas included: • catering premises (inc. mobile vehicles), particularly out of hours (3 LAs); • GM foods (3 LAs); • imported food/unfit meat (2 LAs); • environmental sampling/practices (7 LAs); • pesticides; • materials and articles in contact with food (2 LAs); • irradiated food; • nutrition; • dioxins (2 LAs); • veterinary residues; • ethnic products; • Home Authority businesses; and • statistical sampling.
2.5	What is preventing you from doing this?	The main reasons cited were resource/budget issues and conflicting priorities. Other reasons were: • the ability of the laboratories to keep up with emerging trends and having the testing facilities and methods needed; • logistical/practical difficulties, in particular for out of hours sampling, such as access to laboratories; • engaging the support of the liaison group in sampling surveys, for example environmental swabbing at butchers' shops; • the lack of co-ordination and direction from the Food Standards Agency, to avoid duplication, waste of resources and confusion; and • a lack of baseline guidance, or legislative constraints. 2 authorities said that there wasn't anything that prevented them from including what they would like in the sampling programme.
2.6	Do you participate in national or EU sampling programmes?	All authorities stated that they participated to a greater or lesser degree.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
2.7	*If limited activity*, what would encourage you to participate further?	The local relevance of the sampling surveys was an influence on participation, along with logistical difficulties, such as the timing and announcement of EU surveys in relation to the authority's established programme.
2.8	What factors influence the sampling programme?	Staffing was not considered to be an influence in 3 LAs and a significant influence in 4. Three LA programmes were affected by the availability of qualified staff to carry out sampling, which had meant that they were taking more informal samples than they would prefer. Other influencing factors included: • access to equipment, e.g. for environmental swabbing; • the high costs of some tests (e.g. pesticide residues); • the accessibility of the lab, including restrictions posed by the courier service for the PHL; • security of the budget, particularly as there was no recognised sampling level, and a concern by 1 LA that they were overspending; • the provision of PA services, and the lack of local competition in their provision; • conflicting demands and priorities, including emergency situations; • problems with interpreting data, as there area number of 'grey areas'; • turnaround time for PA results; • logistical difficulties such as the geography of the district, seasonal businesses and the location of the laboratory; • practical difficulties for busy urban authorities, such as car parking and carrying equipment; • evidential problems with microbiological samples; • lack of direction from the centre and the need for central co-ordination; • lack of guidance, e.g. on specialist areas such as aflatoxins and pesticide residues; • influence of other authorities' sampling projects; • the time needed for formal action; • lack of specialist knowledge regarding food technology and the tests available at laboratories; • problems with software and compatibility; and • in 1 LA, lack of focus from the management.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
2.9	The Agency is developing some new initiatives on sampling, including the provision of guidance and the development of a sampling database. Would the introduction of such initiatives influence the level/type of sampling carried out?	There was overwhelming support from LAs for the creation of a national sampling database, with perceived benefits of greater co-ordination and targeting of activity, a reduction in duplication, improved communication and a use for research and benchmarking purposes. It appeared unlikely that the database would strongly influence sampling levels, although 2 authorities felt it would be likely to lead to less sampling activity, due to increased targeting and less duplication. There were a few notes of caution, with concerns about potential software conflicts, and the possible need for duplicate data entry. The need for local flexibility on sampling programmes was stressed. There was a call from a number of authorities for increased guidance, including: • interpretative guidelines for non RTE food; • expansion of the RTE guidelines; • guidance on interpretation of results; • statistical sampling; • guidance on risks to health from certain contaminants; • practicality of sampling for mycotoxins; • development of the sampling programme; • instructions for spirit sampling; • environmental swabbing; and • formal sampling. The comment was also made that currently guidance on sampling is found in a range of documentation from a number of bodies, and it would be beneficial to draw it together into 1 guidance document. It was also suggested that guidance on sampling could be included in industry guides to good hygiene practice.
2.10	How do you ensure that the programme has sufficient flexibility to take into account unforeseen sampling demands throughout the year?	All authorities felt the programme had sufficient flexibility, and could be changed depending upon priority. 1 authority felt that projects co-ordinated by the Food Standards Agency were launched with insufficient notice and therefore were difficult to accommodate within the sampling programme.

QUESTION		SUMMARY OF RESPONSES RECEIVED
3.	**Operational Issues**	
3.1	How is the sampling programme monitored?	There was a range of monitoring activity, from very little to scrutiny of paperwork; accompanied visits; peer review exercises; and quantitative reports. Monitoring of sampling activity was a common area for improvement noted by auditors.
3.2	How do you use and publicise the sampling results?	Sampling results were used to inform the inspection programme and future sampling initiatives/programmes. The results were used to demonstrate trends, and were in the main fed back to liaison groups. They were used directly to advise businesses and improve food standards and safety; Home Authority businesses were mentioned in particular. Results were also used as supporting evidence for formal enforcement action. Results had been used to produce advice leaflets for businesses and as the basis of publicity, such as press releases on survey results. However, 7 authorities said that they did not publicise sample results. Others issued press releases following surveys, or included information in their newsletters or on the council's website. Information on sampling could be included in reports to members and would therefore be in the public domain. With new political structures introduced into LAs in 2001/2002, it is likely that the numbers of such information items for Members is likely to have reduced. Results were shared with other LAs, the regional liaison group was the favoured vehicle. Results would also be passed to LACORS and The Food Standards Agency if appropriate. 1 LA noted that it shared results with the Home Authority for larger companies. LAs supported the Home Authority Principle (HAP), and advised that they would pass sample results on when considered necessary, normally in the event of unsatisfactory results. This was generally borne out by the individual audit findings.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
3.3	*(If applicable)* What involvement do you have in your Home Authority role with referrals from Enforcing Authorities regarding sample results?	LAs were prepared to act upon referrals from enforcing authorities as appropriate including visits and further sampling where deemed necessary.
3.4	Who carries out the sampling?	In the main, qualified professional staff were used for sampling activities, and 2 LAs had used contractors. Some authorities used non-qualified staff to take informal samples, with follow-up formal samples being taken by qualified staff if necessary.
3.5	How do you ensure that adequate, relevant training is provided to officers undertaking sampling activities?	Officers received training in house, and a number of authorities benefited from training organised by the liaison group. 1 LA sent officers to an annual training workshop on sampling, organised by the regional sampling group. Officers' training needs were identified either by a formal appraisal process or by informal discussions with officers. In the main sampling officers felt that they had received adequate training on sampling, which included their professional qualifications, on-the-job training, and specific courses.
3.6	Is there any other training on sampling that you feel would be useful?	Although it was felt that training levels were adequate, LAs welcomed the provision of regional low cost training courses. Ideas included: • Practicalities/sampling techniques (5 LAs) • Food Standards update training (2 LAs) • Interpretation of sampling results (2 LAs) • Sampling for evidential purposes (2 LAs) • What, why and when to sample (3 LAs) • Aseptic techniques (2 LAs) Imported meats, unusual foods and central expectations with regard to sampling were also mentioned.

QUESTION		SUMMARY OF RESPONSES RECEIVED
4.	**Access to Information:**	
4.1	What information sources and guidance do you currently use for sampling?	There is clearly a wide range of information sources on sampling that LAs have access to and use. Documented information included the Codes Of Practice, LACORS, PHLS and Food Standards Agency guidance; Campden and Chorleywood Research Association publications; and various paper and software based commercial reference texts. Internal policies, procedures and protocols were also used. Responses also included information gained from colleagues, liaison groups and from the laboratories.
5.	**OCD Monitoring Returns**	
5.1	Who completes the monitoring returns?	Responses varied from the technical officer in the pollution team, to the Principal EHO. In a number of LAs, the returns were completed by administrative officers.
5.2	Are monitoring returns checked/ validated prior to submission?	1 LA advised that the returns are not checked before being submitted to the Agency. 1 LA stated that their regional liaison group carries out an annual comparison exercise of returns as an aid to consistency and accuracy.
5.3	What guidance/training has been given on completion of the returns, inc. definitions?	Most responded that the person completing the returns had attended the Agency course, although it was noted that this had been held some time ago and due to staff changes, a further course would be welcome. The guidance in the Framework Agreement was also used, along with updates and Q&A sheets issued by the Agency. 4 LAs mentioned guidance and training received from their software provider.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
5.4	What improvements would assist you in providing accurate monitoring statistics on sampling?	LAs in general acknowledged that improvements had been made to the software provided by the Agency for the submission of returns, however there was still room for improvement. Suggestions included: • resolution of difficulties between compatibility of Agency and LA software; • further clarification of definitions of formal and informal samples; • more user friendly software; • resolution of printing difficulties; • improved layout and ease of navigation through pages; • collaboration between the OFT and the Agency as the 2 coding systems for consumer complaints are not compatible; • a suggestion that the Agency could provide information on the total numbers of samples taken and expenditure.
6.	**Laboratories:**	
6.1	Are all your samples submitted to a UKAS accredited laboratory?	All LAs submitted samples to accredited laboratories, whilst 2 LAs also submitted some samples to other laboratories.
6.2	If not, why, and under what circumstances? What standard of laboratory is used as an alternative?	1 LA had submitted spirit samples to the manufacturer for authenticity checks. 1 LA used its metrology laboratory for screening checks on alcohol samples.
6.3	To what extent do you use screening tests? i.e. does your Authority carry out its own analytical tests?	The use of screening tests was limited to a few authorities, and in the main consisted of in-house checks on alcohol. 1 LA shared testing with other members of its liaison group on foods such as fats, jam and alcohol.
6.4	If used, why, and where are they submitted, and what are the cost implications?	Screening tests were considered to be cost effective. The metrology laboratory used by 1 LA was already funded by the authority and the screening tests were carried out within that funding.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
6.5	Do you know if your PA has any partnership arrangements with other laboratories? If yes, what do you see as the benefits of this arrangement?	LAs were not always clear if their laboratory had a partnership arrangement. Those that did saw that there were clear benefits to the arrangement, included a wider pool of expertise and equipment, and greater efficiency.
6.6	Have you used external experts (e.g. analyst or examiner) in the last 2 years? What do you see as the benefits?	Most LAs had not engaged the services of the analyst or examiner on visits. 1 LA with a number of manufacturers had its own food technologist and did not consider external expertise necessary. The analyst accompanied officers from another LA on factory visits at least twice per quarter. They felt this had benefits in providing a different perspective, useful expertise and assisted their analyst's knowledge in current practices. LAs used experts on visits to manufacturers or Approved Premises. On the whole, they found the exercise to be of value in providing additional expertise, but 1 LA did not find it to be necessarily cost effective.
6.7	*(Where applicable)* What is your Authority's PHLS allocation? How was it arrived at?	There was a large variation between relevant LAs on allocations. 1 LA had a contract with its PHL, and therefore had no allocation. Others had a sampling budget allocated by the laboratory whilst others operated a credit system, where different tests were attributed different credits. Allocations were either historic, based on sampling activity in the early 1990's, or had been separately negotiated and updated as and when required.
6.8	Does your Authority fully use its PHLS allocation? If not, reasons why.	3 LAs stated that they exceeded their allocation, 6 stated that they had not fully used the allocation (there were some discrepancies in the responses from the Head of Service and Team Leader on this question). The reasons why the allocation had not been used included a feeling that the laboratory would not be able to accommodate additional samples; a lack of resources and a generous allocation.
6.9	How appropriate do you feel the allocation is for your Authority?	Most LAs felt that their allocation was appropriate, although a view was expressed that it was inappropriate to base the allocations on population. Instead it was suggested that risk should form the basis, using an assessment of the numbers of high risk premises, manufacturers, importers and Home and Originating Authority premises.
6.10	Does your Authority have a Service Level Agreement (SLA) with the laboratories used?	3 LAs had a SLA with their PHL, and 2 with their PA, although a further 2 were in discussion with their analyst with regard to an agreement. Whilst a number of LAs did not see the need for a SLA as there were no problems with the service

	QUESTION	SUMMARY OF RESPONSES RECEIVED
		received from their respective laboratories, some LAs were keen to formalise arrangements, particularly with their analyst service.
6.11	If yes, how was it developed? Who were the main drivers - the LA or the lab?	With PHLS SLAs the main driver was the laboratory, although 1 LA 's regional liaison group developed the agreement. For the analysts these were historical agreements, although for 1 LA there was a separate SLA provided when the laboratory modernised.
6.12	Any problems/comments on the SLA?	Most LAs were content with the SLA although 1 would prefer more flexibility on out of hours receipt of samples. Turnaround times were considered a problem in the agreement for 2 LAs.
6.13	What factors influenced your choice of PA?	Tradition and location were major factors, along with the quality of service provided by the laboratories. Three of the district LAs opted to use the same analyst as their county council.
6.14	What checks were made to ensure that the laboratories used are properly accredited?	Most LAs limited checks to ensuring that the laboratories appeared on the Official List. One LA stated that they discuss accreditation for specific tests with their analyst.
6.15	Is there a commitment from you on the level and frequency of samples submitted to the PA?	The majority of LAs did not have any commitment on the level and frequency of sample submission. Those that did tended to be county councils. Sampling officers indicated that in general, discussions were held with the laboratories on numbers of samples to be submitted.
6.16	Do you discuss with the laboratory the planning and submission of samples?	All LAs stated that they discussed the submission of samples with the laboratories. This was often by the liaison group mechanism.
6.17	*(Where applicable)* How do you feel that the proposals for a new Health Protection Agency in 'Getting Ahead of the Curve' and the rationalisation of the laboratories will impact on your Authority?	Only 2 of the relevant district/unitary councils had no concerns. Those that did, mentioned: • practical problems, should the local PHL close down and samples be required to be transported further; • loss of close working relationship with existing laboratory personnel and their valued expertise; • potential loss of food examiner; • the allocation of funding for the laboratories;

	QUESTION	SUMMARY OF RESPONSES RECEIVED
		• possibility of reduction of sample allocation; • lack of co-ordination where clinical and food, water and environmental (FWE) examination is carried out by separate laboratories; • difficulties in ensuring continuity of evidence with samples; • possible deprioritisation of LA samples; and • loss of capacity of the remaining laboratories. The view was expressed by some LAs that there had been poor communication of the proposals, and inadequate opportunity to express concerns or influence the decisions made.
6.18	Do you have any concerns regarding the format of laboratory reports and their ease of interpretation?	LAs were on the whole content with the reports received from the laboratories. One common criticism however was the lack of interpretation of the results, and a perceived unwillingness to offer opinion. One LA stated that the back of the reports from their analyst often contained helpful further information or an opinion.
6.19	Are there any improvements you feel would be beneficial in relation to service provision from the laboratories:	Many LAs were very positive about their relationship with their laboratories and the service provided by them, and did not have suggestions for improvement. Concerns were expressed about the financial constraints that local authority analysts face, and the need for additional investment to ensure that the service survives against an increasing free market approach. The major criticism however was with turnaround times for results from public analysts. Six authorities found that these were unacceptable, some quoted a wait of 6 months for results. Other suggestions included: • a register of analysts that have the facilities to carry out unusual or non-standard tests; • reduction in costs; • accompanied visits; • results being sent electronically; • better legal advice from the PHLS; • more frequent service; • out of hours access; • improvements to the provision of information on costs for tests by the PHLS, either in terms of allocation or money; • provision of a guide to interpretation and opinion (not necessarily within the report); and

QUESTION		SUMMARY OF RESPONSES RECEIVED
		• provision of regional analytical laboratories.
7.	**Liaison arrangements**	
7.1	Please outline the liaison arrangements that are in place on sampling.	Regional liaison groups were the main means of liaison between authorities, with varying degrees of attendance by representatives from the PHLS and public analyst service. Some liaison groups shared information with neighbouring groups. LAs also had ad hoc liaison arrangements with their laboratories.
7.2	If there is a separate sampling sub-group, how effective is this?	Most liaison groups had a separate sampling sub group, if not, sampling issues such as programmes and policies were discussed in detail at the liaison group meetings. Most found the sampling groups to be effective in co-ordinating sampling programmes. For 2 LAs the profile of businesses within the area did not warrant attendance at a specialist sampling group.
7.3	How is information from the liaison groups fed back to the team?	All authorities either circulated minutes from the liaison group and/or discussed issues at regular team meetings. Where it was felt necessary, some LAs had one-off briefing sessions.
7.4	Are joint sampling programmes agreed regionally?	These arrangements were in general found to be effective. Only 1 LA did not agree its programme regionally, due to the perceived low priority afforded to sampling within the region.
7.5	Are ideas/results fed to LACORS/FSA or neighbouring liaison groups?	Most liaison groups fed issues and results back to LACORS, and there was some liaison with other groups.
8.	**Formal enforcement**	
8.1	What formal action has resulted from sampling activities in the last 2 years?	Out of the 15 LAs there was some formal enforcement activity, which mostly related to unsatisfactory food standards samples. Three district authorities reported that there had been no formal enforcement action on samples. In others, sample results had been used to justify the

	QUESTION	SUMMARY OF RESPONSES RECEIVED
		service of notices for improvements to hazard analysis systems or training. 1 LA had used sample results as supporting evidence for a closure. A number of formal cautions had also been offered, particularly in relation to use-by dates.
8.2	How are decisions to take or not to take formal action on sampling arrived at?	Almost all LAs referred to the use of their enforcement policy for guidance. Areas for consideration included the history of the premises and previous sample results, and consideration of advice from the laboratory.
8.3	What problems (If any) were encountered in taking formal action?	Most authorities that had taken formal action did not find considerable difficulties in doing so. Those where problems occurred noted the following: • food investigations are becoming more complex and technical. An investigation into a major food supplier is still ongoing after a year; • court action is perceived as inappropriate for technical offences; • difficulties in deciding whether the results are bad enough to warrant action. A failed sample does not necessarily mean that an offence has occurred; • problems using expert witnesses; • an imbalance of resources – multinational companies v. the LA; • large companies use tactics to delay and frustrate LA investigations; • businesses dispute the analyst findings; • the 'we're not changing until everyone else does' culture; • prosecutions are resource intensive and time consuming; and • disappointing penalties.
8.4	Do you feel that there is a need for further support for formal enforcement on sampling? If so, please give examples of where it would have been/would be useful?	Suggestions included: • a formal contact at the Food Standards Agency; • financial support and expertise, particularly for large complex cases. LAs are reluctant to tackle these because of cost and resource implications; • additional resources for major food problems e.g. unfit meat; • more co-ordination on food standards; • increased powers for trading standards officers, e.g. seizure powers; • consistency of approach with smokies, Specified Risk Material and disposal of meat based food; • guidance on legal aspects of using sample results as evidence;

QUESTION		SUMMARY OF RESPONSES RECEIVED
		• guidance on the contamination of spices, and the definition of RTE foods; • guidance on where it is appropriate to take legal action; and • shared knowledge of similar cases.
8.5	What alternatives would/have you used to formal enforcement on sampling?	Most authorities used informal measures as an alternative, including the provision of advice, the production of guidance, the provision of training and seminars. 3 LAs also mentioned referral to the relevant Home Authority for the business where appropriate.
8.6	Do you routinely take formal samples?	There were mixed responses to this question. Some LAs routinely took formal samples, whereas others routinely took informal samples, unless there would be difficulties in obtaining a repeat sample, or as a follow up to an unsatisfactory informal sample result. Others took both formal and informal depending on the circumstances.

Discussion Questions for Laboratories - Summary of Responses

	QUESTION	SUMMARY OF RESPONSES RECEIVED
1.	**Background**	
1.1	How many LAs use the laboratory?	This varied considerably between the laboratories. The largest served over 170 authorities, the smallest less than 10.
1.2	General discussion about trends in sampling – rise/fall and possible reasons why.	All the laboratories reported a reduction in the numbers of samples submitted over the past few years. The PHLS reported that there has been a 25% reduction between 1998/1999 and 2001/2002. The laboratory serving the largest number of LAs had seen a reduction from around 600 samples per month in 1999 to around 250 samples in 2002, i.e. a reduction of 58%. It was noted by the PHLS that authorities now are doing more formal sampling, but 3 out of the 21 authorities that use the laboratory have not submitted any samples at all in the past year.
1.3	What are you accredited for? Are you seeking further accreditation?	The laboratories are all accredited for the usual range of tests that are currently carried out. Some have partnership arrangements with other laboratories, which are accredited for more unusual tests in the event that these are requested.
1.4	What database management system do you use, does it have any limitations?	The laboratories use different types of database systems. The 2 LA Public Analysts (PAs) advised that their IT needed considerable investment to bring in necessary improvements and allow communication with other software systems.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
1.5	Are you involved in partnership working with other laboratories/LAs?	Two of the PAs had successful partnership arrangements with other laboratories, whilst the other subcontracted work out to other PA laboratories. The PHLS operated differently and therefore partnership arrangements with other laboratories would not apply.
1.6	What do you see as the benefits of this arrangement?	There were considerable benefits to partnership arrangements identified. These included: • equipment purchase can be rationalised; • enables the development of specialisms; • ability to share staff resources and expertise; • it is more flexible, effective and efficient; • develops competition between sites to improve performance to the customer; • ability to offer a regional service; • ability to share problems and information without losing commercial confidentiality; • spreads the risk from loss of a contract, which could be devastating for a laboratory by itself; and • encourages competence status.
1.7	Name 3 things that you feel would improve food sampling.	There were a number of suggestions from the laboratories, including: • the provision of national guidance on sampling levels; • the creation of a national database to allow more directed sampling; • greater dissemination of projects by the Agency and liaison groups and increased co-ordination of project work; • national and regional co-ordination of sampling; • LAs to adopt a more risk based approach to sampling; • sampling to become a more integral part of inspections; • the Agency should co-ordinate the dispersal of sampling allowances within the rate support grant of LAs; • input from the Agency to assist the PA service; • further consideration of Agency surveillance projects as some have reproduced previous work, e.g. on SO_2; • increased liaison between LAs and laboratories on sampling policies

	QUESTION	SUMMARY OF RESPONSES RECEIVED
		and programmes. In addition LAs should liaise more closely when there are changes to the programme to enable the laboratory to plan more effectively; • adequate resourcing of LAs; • more environmental swabbing; and • LAs to provide more background information when submitting samples to assist in examination.
1.8	What sources of information/guidance do you have access to in relation to sampling issues?	Laboratories had access to a variety of information sources, including national guidance and internet websites.
1.9	Are existing guidelines adequate for the range of samples submitted by L.A.s/tests required?	On the whole the laboratories felt that there were adequate guidelines available, although there could be difficulties in obtaining some specific methodologies because of increasing commercialisation. The PHL acknowledged that there was a need for greater guidance on the legal aspects of reports including difficulties in providing opinions. There was a view that rigid standards are not enforceable as there are too many associated variables that require judgements.
1.10	What other guidance or information would be useful to you?	It would be helpful to have early information on problems being found with products nationally.
2.	**Service Level Agreements**	
2.1	Who were the main drivers, laboratories or LAs?	There did not appear to be many formal SLAs in operation, and those that did exist were either driven by the laboratory or the LA. The PA laboratories appeared in favour of SLAs, as they would add an additional level of security.
2.2	How involved was the laboratory in the development of the SLA?	Again there was a mixture of responses to this question, from no involvement to full drafting of the document.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
2.3	How is it monitored?	Responses ranged from a monthly meeting to an annual review.
2.4	Are response times realistic, and what can affect your success in achieving them?	It was noted that jointly developed SLAs contain a more realistic turnaround time, but newly established contracts have attempted to impose unrealistic timescales, with penalty clauses. It was felt that LAs might not have a full understanding of the time and technical requirements involved in analytical methods. Factors that influenced turnaround times included: • erratic workloads; • samples not being submitted on time; • equipment clashes; • instrument breakdowns; • under resourced laboratories; and • rules and culture.
2.5	Any other areas of the SLA which creates logistical/practical difficulties?	It was noted that attendance at liaison group meetings needed to be costed into the SLA, which is often not considered by LAs. Sometimes LA will request a summary report, which is very time consuming to produce.
2.6	Do you provide equipment to LAs for sampling purposes? *If yes*, what is routinely supplied?	The PA laboratories did not provide any equipment to LAs, but the PHLS provided a range of sampling equipment, including sterile swabs, which have a short shelf life and would be difficult for the LA to stock themselves.
2.7	What arrangements are there for the receipt of samples out of hours?	This question was of more relevance to the PHLS, where there was an out of hours contact system in operation. One PA laboratory was able to accept samples out of hours on an ad hoc basis by prior arrangement.
2.8	What arrangements are there for the delivery of samples to the lab?	The laboratories received samples by a variety of means, including by post, by hand and by courier. The largest PA laboratory had its own fleet of refrigerated vans.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
		The PHL provided LAs with the packaging, insulated boxes and temperature loggers required for delivery of samples.
3.	**Commercial interests**	
3.1	Do you carry out commercial contracts involving food analyses?	There was a divergence of views on this question. One laboratory had a definite policy of not undertaking private food work, and felt a conflict of interest would be otherwise unavoidable. Other laboratories did accept private food work.
3.2	In respect of commercial contracts, either falling within or outside an LA area, how do you ensure that there is no possible conflict of interests?	The largest laboratory was able to use a separate division to undertake private food work. Another laboratory used a different analyst to that of the LA concerned.
3.3	Do you have a policy on the notification of results which could affect public health, e.g. positive pathogen results?	There were no strong opinions expressed in response to this question, but in general it was felt that both the LA and the Company would be advised, following prior agreement with the Company at the time that the samples were accepted by the laboratory.
4.	**Communication/liaison**	
4.1	Were you involved in the development of local authority sampling policy and programmes? *If yes*, what % of LAs that you work for, how, and at what level?	The consensus was that on the whole LAs largely determined their own sampling programmes but may seek advice from the laboratory, rather than involvement in a proper consultation process. The largest laboratory estimated that around 30% of LAs involved them in their policies and programmes.

	QUESTION	SUMMARY OF RESPONSES RECEIVED
4.2	Have you been requested to accompany officers as an expert on visits? What do you see as the benefits of these visits?	Only 1 PA laboratory reported regular visits with TSO's, others happened on an ad hoc basis as necessary. There was a consensus that this was an under used service provided by laboratories. There were a number of advantages identified: • useful in updating the PAs technical knowledge of processes; • they assist in the interpretation of results; • PA is also able to give legal advice on visits in addition to analytical expertise; and • it is possible to obtain samples of ingredients, to explore the effect on the results of combining them. The PHL advised that they were most often requested to accompany officers on visits to Approved Premises, particularly dairies. It was felt that there was a huge disparity in the way that LAs dealt with such premises, and that there was a degree of both over- and under-sampling being carried out.
4.3	Have you been requested to act either as a witness of fact or an expert witness in court in respect of formal action on an adverse sampling result?	All but the PHL had been required to act as a witness in court.
4.4	For PHLS – How are allocations arrived at, and do Authorities generally use up their allocation?	At the PHL visited the work is costed, and allocations are based upon population, with an adjustment to take into account the effects of tourism. Funding is taken from a predetermined central allocation, based on sampling figures in 1992. It was noted that some LAs have a large allocation that is not being used, but there is felt to be resistance to it being reduced.
4.5	Do you attend regional liaison meetings or sampling groups?	All the laboratories attended liaison group meetings. The largest laboratory attended 14 different groups.
4.6	What other liaison arrangements are there between LAs and yourselves?	The laboratories held review meetings with LAs and liaised on an ad hoc basis on particular issues.

4.7	Are there any concerns regarding the quality of samples submitted by LA.s or their sampling techniques?	Concerns were expressed about: • the lack of suitable sampling equipment, in particular containers; • insufficient quantity of sample for analysis or examination; and • whether the sample provided a good representation of the whole. It was noted that LAs did on the whole contact the laboratory to discuss sampling techniques if they were unsure.
4.8	Do you feel that there any areas of training that LAs would benefit from on sampling?	The largest PA laboratory and the PHL provided training for LAs. It was felt that LAs might benefit from training on practical sampling techniques.
4.9	Do LAs seek advice before taking samples? – in particular for less routine samples.	It was felt that LAs did seek advice as appropriate. Often uncertainties had been resolved during the planning stage of specific sampling surveys.
4.10	What are your views on how sampling results are used by LAs, do you feel that this could be improved?	There was a general view that there should be more national co-ordination of sampling and the sharing of results.
4.11	Do you feel that you need any further information or guidance to enable you to carry out your work with LAs more effectively?	There were a number of responses to this question, including: • the introduction of a national sampling database to remove unnecessary duplication; • advance information from the Agency on their surveys; • ensure that gaps in sampling are filled; • local and regional enforcement problems have been identified for national involvement but have not been picked up by the Agency; • capital funding for testing; • Agency could encourage some LAs to build up specialisms, and provide capital funds necessary to achieve this; • greater effort should go into analysing all available intelligence to identify areas requiring further monitoring; • greater liaison with LAs on sampling programmes; • a lack of guidance from the FSA on eggs; and • a need to address gradual loss of expertise in laboratories.

4.12	Is there sufficient communication between LAs and the laboratory in respect of planning of the submission of samples?	It was generally felt that there was sufficient communication, but improvements could be made when LAs change their sampling programme.
4.13	Is there any liaison between the PA and the PHL on sampling issues? *If yes*, in what form?	This was restricted to liaison group meetings, but this was felt to be sufficient.