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Food Standards Agency
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Consultation response: Guidance on food traceability, withdrawals and recalls within the UK food industry

General Comments:

- IFST welcomes the production of this comprehensive and useful document and finds the mix of guidance, regulatory requirements and the templates etc provided in the annexes to be well laid out and clear.
- The document would be enhanced by a couple of real examples where a set of paperwork was filled in and best practice followed
- The document is however too long for FBOs to be familiar with it all in an urgent situation; IFST therefore supports the intent to produce a more concise 'Quick Reference Guide'. This guide should include the key decision making and action steps required in the face of a potential incident (including a flow chart/diagram).
- Regardless of a separate guide the document could be reduced in places, to remove basic management/manufacturing/retail advice that would be well known to FBOs (e.g. Annex J: a description of how to write a communication!), and to remove duplication (e.g. FBO Guidance p.53, effectively previously covered).
- FSA could consider if covering the needs of two target audiences (FBO and enforcement authorities) has contributed to the length of the document.
- Determining whether a food is safe or unsafe is easier where a legal limit for a contaminant is exceeded or a product is incorrectly labelled e.g. no allergen warning); however in many situations this is more complex. Particularly for these cases IFST would like to see local authorities being provided with sufficient resources to be able to provide consistent and robust advice to FBOs "to assist in risk assessment and control measures regarding the food safety incident". Our members have reported that in some instances advice can deviate from that given by experienced independent food safety experts.
- Guidelines should emphasise the need for all FBOs to have access to appropriate testing programmes for the common chemical or microbiological contaminants in their products i.e. show due diligence. FBOs should also know who to consult in the advent of unexpected findings.
- The legal reasons to recall/withdraw are good and clear but obviously based on EU Law; what would be the situation when the UK leaves the EU?
- It should be acknowledged that many FBO, even the smaller ones will have independent QMS inspections (e.g. BRC/SALSA) to standards that will include challenging the ability to recall/withdraw.

Specific comments:

- Page 8

The point made in para 8 that the withdrawal process may also be applied to non-food safety withdrawals should be given greater prominence, e.g. through the use of examples.
- Page 10 – Definitions

Definition of "food business operator" (FBO) contains all possible sectors except primary producer, unless there is scope under the "retail" or "wholesaler" groups.

- Page 11 – Definitions

“Unsafe Food” definition is limited; physical contamination is not included.

- Page 12 – Traceability

Many retail businesses and caterers purchase food products from supermarkets that they then use in their own businesses and some bulk products may be aimed at these customers. Records are not made by supermarkets and by law they should. This is explained on page 15, but does any supermarket ever ask? How will the FSA address this?

- Page 13 - Best Practice

This now includes packing materials, which are not mentioned before.

- Page 13

“Quickly” is undefined in Best Practice, and therefore not useful.

- Page 14 - Best Practice

A very useful section which is split between two pages; it would be much better as a single table.

- Page 15 and elsewhere

There is the assumption that "the enforcement authority" will assist; in many two tier authorities there will be several "enforcement authorities" involved and many small businesses are confused by local arrangements. It would be more useful to state "appropriate Environmental Health or Trading Standards Departments" although in many areas the business would be expected to pay for the assistance.

- Page 17 - Making a decision to withdraw

Para 17 is under-emphasised

- Page 34

Some abbreviations used in text, e.g. “POAO” on p.34, before definition on p.42.

- Page 40.

A contradiction that “Traceability; means through all stages” (Definitions), as opposed to one step back and one forward (Definitions 14; Legal).

- Page 43 44

The section on identifying unsafe food does raise difficult questions regarding the evidence needed to make judgements. Annex F Risk assessment considers only microbiological risk assessments. Surely there needs to be also risk assessments for chemical and physical hazards and particularly allergens as that is the area that seems to initiate most withdrawals and recalls.