

Brief Illustrative Food and Safety Case Studies from 2017/18

1. Unfit Private Water Supply

The tenants of a farmhouse with a private water supply contacted the food and safety team. They were concerned that the water they were drinking was not fit for human consumption and therefore requested the water be sampled and advice be provided as their water was often cloudy with an orange tinge.

Under the Private Water Supply Regulations BMSDC does not routinely monitor or regulate single dwelling private water supplies, unless requested to do so by the owner or occupier.

Following this request, a visit of the property took place and some samples were taken. It was clear during the visit that the water supply was not fit for purpose; the water had a very strong smell and taste of iron, water storage tanks were not suitable protected and there were evidence of pests around some of the storage tanks.



Water supply with inadequate filtration system



Uncovered storage tank



Dead body of rat by the water tank

The samples of water failed for excess iron concentrations and bacteriological contamination. Following legislative requirements, improvement notices were served on the owner of the supply. Based on the requirements of the notices and advice given by BMSDC the owner undertook some extensive works on the supply. The supply route was simplified, the supply protected from the ingress of contaminants and a new treatment plant was fitted to address the inherent iron issue.

Now deemed a commercial supply BMSDC will continue to regularly monitor the quality of the water provided by the supply.

2. Pest Control Problem in a Food Business

An employee of an outside catering company contacted the Food and Safety team concerned that a rodent problem where they worked was not being dealt with. Officers visited the same day and found a serious rodent infestation which posed an imminent risk to health. The food business operator undertook to voluntarily close the premises and over the following week carried out improvements under the guidance and supervision of Food and Safety Officers and a pest control company. Officers of the Food and Safety team advised the food business operator on the use of temporary

alternative premises, allowing them to cater for some events whilst improvements were underway at their base. The business was rated 0 under the Food Hygiene Rating Scheme because of the infestation.

After a week the officers were satisfied that the premises could re-open, although the food business operator chose to remain closed for a further three weeks to review management systems and staff training. In the meantime, the food business operator was interviewed under caution and admitted a number of food safety offences. Although the offences were very serious, a combination of the previous good level of compliance of the business and cooperation with the Food and Safety team in resolving the issues lead to the food business operator being offered a Simple Caution, rather than facing a prosecution which would very likely have resulted in the business closing.

The food business operator subsequently requested a visit for the score to be re-assessed and achieved a rating of '4 – Good'.

3. Start Up Advice and Guidance for a Community Pub

Prior to the opening of a Community Pub, the Food and Safety team provided considerable advice and guidance. Initially, the operators wanted advice on food hygiene matters as they were new to that kind of operation and meetings were held on site. A pre-inspection was made in anticipation of the bar opening in the summer 2017 and subsequently much advice was given in relation to such things as pest control and staff training.

The kitchen opened at the end of 2017 and after an inspection at the beginning of 2018 a food hygiene rating of 5 was awarded.

4. Legionella Investigation in an Hotel

Towards the end of 2017 Public Health England (PHE) reported three legionella infection cases to BMSDC which, although the individuals concerned were geographically dispersed, were linked by visits to a hotel within the BMSDC districts.

An investigation was carried out at the hotel to ensure that management systems were in place and being implemented for the control of legionella and, with the assistance of the PHE, water samples were taken for analysis.

The investigation found that the business did have management systems in place but as a precautionary measure, some flushing of systems and replacement of old taps was carried out by the business.

Contact with the HSE was made to obtain information about registered cooling towers near the hotel that could have been the source of infection. The HSE were satisfied that the owners of relevant cooling towers had suitable legionella management in place.

None of the 17 samples taken were found to be positive for legionella and the source of infection remains a mystery.

5. Prosecution of a Food Business for Repeated Food Safety Failures

In September 2016 a routine food hygiene inspection of a restaurant was carried out. The inspecting officer found a number of serious contraventions of food hygiene legislation and being aware that the premises had had a poor history of compliance, invited the company director to an interview under caution. The director admitted the offences and subsequently accepted a Simple Caution on behalf of the limited company, thereby avoiding a court appearance and further damage to the business.

Almost exactly a year later the Food and Safety team received a complaint of poor hygiene standards at the same restaurant. An officer visited the same day and found the premises and equipment to be dirty and in poor repair, food at risk of contamination and failure to implement a food safety management system. Of particular concern was the failure to store potentially allergenic foods such as flour and nuts safely, which could have caused a dangerous allergic reaction in a susceptible individual.

Further interviews under caution were carried out and as a result the matter was referred to the legal team. The restaurant subsequently ceased trading but the decision was made to proceed with a prosecution as there was no guarantee that it would not re-open and should it do so, the Food and Safety Manager had very little confidence that the required improvements would be made. In March 2018 the company director pleaded guilty to four charges under the Food Hygiene (England) Regulations 2013. The limited company was fined £2200 and ordered to pay over £600 in costs as well as a £100 victim surcharge.