

Food Safety Act 1990

The Food Hygiene (England) Regulations 2006 and related statutes

LACORS (formerly LACOTS) Guidance on the Retention of Sample Meals

Many food businesses retain “sample meals” as part of their food safety system. This means that they save small portions of each meal, usually sufficient to fill a section of an ice-cube tray, which is kept for three days in the refrigerator. Three days is the time in which most food borne illnesses show symptoms after eating contaminated food.

Our advice to caterers (based on government guidance : LACORS - Local Authorities Coordinators of Regulatory Services), is that the retention of sample meals, as practiced above, is of no statistical significance and therefore of dubious value.

If samples were taken in accordance with LACORS guidance, then the following will have relevance (this list is neither definitive nor exhaustive):

- the person sampling would require suitable training
- the amount of sample would need to be a minimum of 100g per meal component
- the samples would have to be taken aseptically
- the refrigerator temperature would need to be monitored (maintained below 8°C and ideally between 3 to 5°C)
- the refrigerator (and samples) should be secured against unauthorised access/tampering and from contamination
- samples should be properly labelled with accompanying written records

In conclusion, unless sampling is carried out using the appropriate protocol, then it is of little or no value as a tool towards ensuring food safety. Instead, as is required by law, caterers should undertake a hazard analysis to identify appropriate controls against food poisoning. These controls should be fully implemented and regularly monitored (eg thorough cooking, avoiding cross-contamination etc).

For further information, contact the Food Safety Team on 01225 776655 ext 594 or email environmentalhealth@westwiltshire.gov.uk

Retention of Sample Meals by Catering Enterprises - 08 June 95

1. LACOTS has been asked by a number of Food Liaison Groups to provide guidance on the advice enforcement officers might give to catering enterprises regarding the retention of meal samples. LACOTS is aware that there is a divergence of views amongst some environmental health and public health professionals on this issue. The following advice has been drawn up following discussion with LACOTS advisers and consultation with the Department of Health and the Public Health laboratory Service. Both the latter support the paper's detail.

NOTE: This paper does not address the retention of the third portion of formal food samples taken for analysis under the Food Safety Act 1990.

2. In 1988 a working group of the Department of Health and Public Health Laboratory Service published the attached statement in Appendix I of "Health Service Catering – Hygiene" (Second Edition). The working group could not find any evidence to suggest that the retention of food samples was likely to assist in the investigation of food poisoning outbreaks in hospitals (no other catering premises were considered). Reasons for this opinion were stated in the Appendix. LACOTS is not aware of any significant developments relating to hospital catering since that conclusion was reached which necessitate reconsideration of the working group's opinion. LACOTS would welcome receiving any substantiated evidence from local authorities which might suggest that this issue should be revisited.

3. Given the apparent lack of positive evidence that the retention of sample meals in hospital catering is beneficial, LACOTS considers it undesirable for local authority officers, particularly in an enforcement context, to recommend that caterers, either in hospitals or elsewhere, routinely retain sample meals.

4. LACOTS accepts, however, that some catering enterprises consider that there are particular merits in retaining sample meals. In these circumstances, local authorities should not discourage the practice.

5. It has also been suggested that the retention of sample meals might be considered an important aspect of due diligence. LACOTS is not convinced that the practice has any "preventive" purpose in achieving food safety and does not, therefore, consider it important for due diligence purposes since the retention of unexamined meals will not contribute to the "avoidance" of an offence.

6. To conclude, LACOTS considers that:

unless there is a demonstrable case for retention of samples, it is inappropriate for local authority officers to recommend that catering enterprises retain sample meals; but

if a catering enterprise itself is of the view that there is merit in retaining sample meals, local authority officers should not discourage the practice.

Updated March 2008