

PEC/09/07

Committee Planning, Environment & Commerce Policy Development Group

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Essex County Council Trading Standards
Essex County Council Food Safety Service Plan 2007 – 2008

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1. Purpose

- 1.1** To seek PDG members approval for the Essex County Council Food Safety Plan 2007 – 2008 (Appendix A). The Plan sets out, specifically in relation to food and feeding stuffs, the Trading Standards aims for 2007 – 2008. This includes targeted inspections, sampling programmes, response to complaints and education campaigns.

2. Background

- 2.1** The Food Standards Agency Framework developed in partnership with the Local Authorities Co-ordinators of Regulatory Services (LACORS) and the Local Government Association (LGA) has four elements:

- The food law enforcement standard
- Service planning guidance
- A monitoring scheme
- An audit scheme

- 2.2** The enforcement standard and the service planning guidance set out the Food Standards Agency's expectations on the planning and delivery of food law enforcement. They reflect recognised good practice and existing requirements under the statutory Food Safety Act Codes of Practice.

2.3 Local authorities are monitored on both their planning and on their statutory returns and may be selected for audit against the criteria in the standard.

2.4 The Food Standards Agency provides local authorities with a service plan template to ensure all the areas of the food and feeding stuffs enforcement service covered by the standard are included. The template allows for the inclusion of any locally defined objectives. The common format enables the Food Standards Agency to assess local authorities' delivery of service.

3. The Essex County Council Food Safety Service Plan 2007 - 2008 rationale

3.1 The Plan contributes to the Essex County Council Corporate plan 2006 – 2009 - Strengthening community leadership – 18. A healthier Essex specifically in relation to health inequalities and obesity in adults and children.

3.2 A Food Standards Agency consumer attitudes survey in 2006 found that the amount of salt, fat and sugar in food, food poisoning and foods aimed at children were the top five issues. The Food Safety Service Plan 2007 – 2008 specifically addresses these issues in our proposed sampling projects (Appendix 1 to the plan).

3.3 The plan also includes resources for sampling animal feeding stuffs reflecting the “plough to plate” principle of food enforcement.

3.4 The County Council has recently been given responsibility for food hygiene enforcement at primary producers – the first link in the food chain. Officers are to receive specific training in this area of work. This will be directly funded by the Food Standards Agency for the first two years. All other food hygiene enforcement work is the responsibility of the District Environmental Health Services.

4. Resource implications

4.1 £125,000 has been allocated for sampling and analysis costs. The Trading Standards Service Plan 2007 -2008 identifies further staff costs allocated to deliver this programme of food safety work.

5. Area(s) of the County affected

5.1 This is a County wide plan.

6. Food law enforcement staff competence

6.1 No individual Trading Standards officers are wholly dedicated to Food Safety or Feeding Stuffs enforcement. Across the six operational teams within the Trading Standards Service there are currently 20

competent officers. Each officer is appropriately qualified in accordance with the Food Standards Agency Code of Practice holding either the Diploma in Trading Standards or the Diploma in Consumer Affairs. All food enforcement staff also receives a minimum of ten hours of continuous professional development per year.

7. Recommendations

7.1 That members approve the Essex County Council Food Safety Service Plan for 2007 -2008.

7.2 That members agree that the Essex County Council Food Safety Service Plan for 2007 -2008 is submitted to the Food Standards Agency as required by the Food Standards Agency Framework Agreement under the Food Safety Act 1999.

ECC Trading Standards

ECC Food Safety Service Plan 2007-2008



Essex County Council
Trading Standards

Contents

Service Aims and Objectives

- 1.1 Aims and Objectives
- 1.2 Links to Corporate Objectives and Plans

Background

- 2.1 Profile of the Local Authority
- 2.2 Organisational Structure
- 2.3 Scope of the Food Service
- 2.4 Demands on the Food Service
- 2.5 Enforcement Policy

Service Delivery

- 3.1 Food and Feeding Stuffs Premises Inspection
- 3.2 Food and Feeding Stuffs Complaints
- 3.3 Home Authority Principle
- 3.4 Advice to Business
- 3.5 Food and Feeding Stuffs Inspection and Sampling
- 3.6 Control & Investigation of outbreaks and Food related infectious disease
- 3.7 Food Safety Incidents
- 3.8 Liaison with other Organisations
- 3.9 Food and Feeding Stuffs and Standards promotion

Resources

- 4.1 Financial allocation
- 4.2 Staffing Allocation
- 4.3 Staff development plan

Quality Assessment

- 5.1 Quality Assessment

Review

- 6.1 Review against the Service Plan
- 6.2 Identification of any variation from the Service plan
- 6.3 Areas of Improvement

Appendices

- 1 Organisation charts for Essex County Council and Trading Standards
- 2 Project plans for food safety and agriculture for year 2007-08.

SERVICE AIMS AND OBJECTIVES

1.1 Aims and Objectives

The Essex County Council Trading Standards Service aims to

- Ensure a fair and safe trading environment
- Reduce anti-social behaviour
- Reduce crime and the fear of crime
- Improve the health and wellbeing of local people
- Improve and protect the environment
- Guaranteeing value for money

This is achieved by investigating complaints and enquiries, educating consumers and businesses on their rights and responsibilities, giving advice, making test purchases and taking samples, undertaking targeted projects, carrying out inspections, and disrupting and stopping rogue traders.

Specifically in relation to food safety and feeding stuffs this will include targeted inspections, sampling programmes, response to complaints and education campaigns.

Each year the Service Plan for Trading Standards is reviewed to achieve the aims of the County Council as established in the Essex Corporate Plan and to meet both national and local performance indicators.

1.2 Links to Corporate Objectives and Plans

The Trading Standards Service Plan links directly to the Essex Corporate plan

As with last year, the 2007-08 Trading Standards plan has also been written to meet the National Performance Indicators for Trading Standards as developed by the DTi.

The Food Plan is a key component of the Service plan. The detail of the Food Plan is included in the Service Plan.

BACKGROUND

2.1 Profile of the Local Authority

Essex lies in the South East of the Country. It borders East Anglia to the North of the County and London Boroughs to the South.

It covers an area of 345,619 hectares.

There are 12 district/borough councils in Essex. These vary enormously in nature from rural Uttlesford to the new towns of Harlow and Basildon.

There is a population of approximately 1.4 million concentrated around the major districts of Basildon, Chelmsford, Colchester and Braintree.

There are over 60,000 traders in the County with over 15,000 of these dealing in food or feeding stuffs. Details are maintained on a new computer database – APP Flare at Trading Standards Service, 2 Beaufort Road, Dukes Park Industrial Estate, Chelmsford CM2 6PS.

2.2 Organisational Structure

Please see attached Organisation Chart for Trading Standards at Appendix 2

Trading Standards is a service within Environment & Commerce, with the Head of Trading Standards reporting directly to the Service Director for Environment and Commerce.

Overall responsibility for delivering food enforcement lies with the Head of Trading Standards although it is the responsibility of all the Operational Managers to ensure that the food plan is delivered through the staff in the 6 operational teams within the Service.

The Service has a Specialist Food Officer who is supported by a Deputy Specialist Food Officer. These officers deal with the most complex food related matters, training staff, acting as FSA Food Liaison Officer, dealing with Food Alerts and providing strategic and forward planning support to the Head of Service, Strategic Management Team and elected members. Whilst specialising in food they are not solely engaged in food activities and take an active role in delivery of other aspects of the Service's responsibilities.

Food and agriculture enforcement work is undertaken by a number of authorised officers in each area.

The key drivers for service delivery in Essex include:

- The need for ECC to deliver flexible and innovative services focused on “putting our customers first”

- A commitment to the joined up approach
- The need to join up thinking and action in partnership with others and to jointly provide services which are seamless to the end user
- Achieving the political direction and priorities of the Authority as set out in the Corporate Plan.
- The need for a more strategic approach and better performance management so that we know what we need to achieve and how well we are doing
- The need to maximise our efficiency and to deliver value for money in all that we do.

The whole of the Trading Standards service seeks to contribute to the delivery of the Service Plan and thus the Food Plan. 'High Risk' food businesses are managed by the dedicated officers of the Business & Education Team. Project teams have responsibility for food-related project work and the Rural and Public Protection team provides support to all other operational teams. Food complaints and enquiries are dealt with by the Complaints & Enquiries team.

Each of these teams is led by an Operational Manager with direct responsibility and accountability for the delivery of frontline Trading Standards services and compliance with legal and quality standards. The Operational Managers report to the Strategic Management Team, the 4 members of which (including the Head of Service) have cross service responsibility for Operational Standards, Customer Standards and Policy and Business Development.

Each member of Trading Standards staff currently engaged in Food Standards work is appropriately qualified in accordance with the Food Standards Agency Code of Practice. Each individual will carry out both food standards and feeding stuff inspections as required. To date the Service has 20 qualified food officers.

The appointed Public Analysts (Worcester Scientific Services and Hampshire and Kent Scientific Services) provide specialist services, including training. These were selected as a result of a procurement process which included an inspection of the facilities and assessment of their capability and value for money. These contracts were renewed in April 2005. There are regular meetings with these Analysts to ensure that these services continue to meet the requirements of the Trading Standards Service.

2.3 Scope of the Food Service

Food Standards Inspections, sampling of foods, investigations of complaints and enquiries and targeted education and project work form the basis of the

food service delivered by Essex County Council. The work may be routine inspection of premises based on the LACORS / FSA national risk assessment scheme, or may form part of a project.

Essex County Council is seeking above all to have an impact and make a difference for local people with the resources at its disposal. The County Council is therefore committed to an intelligence-led approach to Trading Standards and food work, with projects arising from analysis of complaints and enquiries, previous sampling and project work, consumer and business surveys, our own expert observations of areas that require a more in depth examination, and from the regional sampling plans. As a committed member of EETSA (East of England Trading Standards Authorities) Essex Trading Standards regularly participates in regional sampling programmes. . Above all, Essex County Council is driven by the priorities of the Corporate Plan which this year will see Trading Standards continue to have a focus on foods targeted at children and young people, healthy eating to help reduce obesity levels and reducing health inequalities.

The Service will also participate in national sampling projects as developed by LACORS and FSA (Food Standards Agency). In particular, during 2007-08 we will continue our investigations into the levels of salt, fat and sugar in prepacked foods. We will also participate in local and regional projects looking into the nutritional value of food supplied at catering establishments and institutions.

In addition to this we will continue with the monitoring of food alerts and carry out investigations where necessary.

It should be noted that the County Council has recently been given responsibility for food hygiene enforcement at primary producer level. Therefore a percentage of the work undertaken this year will relate to training food officers in this area. We will also develop our systems and the skills required to undertake this area of work in a effective and competent manner. All other food hygiene enforcement work is the responsibility of the District Council Environmental Health Services with whom we liaise regularly via the Essex Food Group. This year we will continue our partnership working with these districts to ascertain the nutritional values of food supplied at catering establishments with an aim of raising standards.

Where appropriate, safety, fair trading and/or weights and measures inspections may be carried out at the time of the food standards inspection. This will depend upon the premise type and the risk assessment attached to that premise.

2.4 Demands on the Food Service

The table below indicates the estimated number and type of risked food premises in Essex.

Table 1

Code	Risk	High	Med	Low	Total
	Primary producers		1	6200*	6201
A	Food Producers	5	48	56	109
B	Slaughterhouses	0	3	10	13
C	Food Manufacturers/processors	82	68	30	180
D	Food packers	13	14	12	39
E	Food Importers/ Exporters	16	0	4	20
F	Food Distributors/ W/sale /trans	0	18	102	120
G	Food retailers	4	1092	948	2044
H	Restaurants and caterers	2	2465	2485	4952
I	Food mats and arts manu/supp	2	7	33	42
J	Food Manufacturing retailers	0	49	2	51
Totals		118	3717	3637	7489

- data provided by FSA

There are no Home Authority Companies for which we have identified the need for specialist knowledge as a result of complex processes.

2.5 Enforcement Policy

The Service currently has both an enforcement policy and a prosecution policy, endorsed by elected members, both of which are subject to at least an annual review. Each and every member of the enforcement staff has access to the updated editions of these policies via the Service's electronic information management system. There is also an investigation protocol that all enforcement staff are required to adhere to when conducting such work. This is to ensure a consistent and proportionate approach to enforcement activity.

The prosecution policy adheres to the principles of the Enforcement Concordat and sets out the matters that will be addressed when considering enforcement action.

Both policies are available via the Essex County Council website at www.essexcc.gov.uk/vip8/ecc/ECCWebsite/dis/gui.jsp?channelOid=16786&guideOid=18266

The Service receives referrals from the DTi Consumer Direct call centre on a daily basis. Food matters are assessed and investigated by qualified food officers in the Complaints and Enquiries Team.

SERVICE DELIVERY

3.1 Food and Feeding Stuffs Premises Inspections

Programmed enforcement activity is divided into two main areas:

- Pre-planned inspections activity with specific targets for High Risk visits (100%)
- Enforcement activity which includes projects focusing on particular food sectors products. These projects may be local or county wide depending on the focus and scale. Each is lead by a project officer who co-ordinates the project. This approach provides flexibility to introduce new areas of work at relatively short notice, in response to national and local trends and demands. Such activity will result in some premises being fully inspected but it is impossible to lay down a numerical target.

Some food businesses, typically catering establishments, have limited or unusual opening hours. It is recognised that these may not coincide with the standard working hours of officers. Inspections will therefore be conducted on occasions outside the Service's regular hours through specific projects activity which may involve multi-agency operations.

The Food Safety Act Code of Practice requires inspections at food premises to be carried out at the following minimum frequency:

High Risk Traders – once a year
Medium Risk Traders – once every two years
Low Risk Traders – once every five years

In February 2005, Essex elected members agreed an inspection policy for Trading Standards that included a commitment to an intelligence-led approach to our work. As a result, only high-risk food premises will be routinely inspected during 2007-08. A copy of this policy is available on the Essex County Council website at www.essexcc.gov.uk/vip8/ecc/ECCWebsite/dis/gui.jsp?channelOid=16786&guideOid=18266

Additional inspections will be conducted, if appropriate, in response to:

- Complaints
- Projects – internal, regional and national
- Business enquiries
- New legislation
- Food Alerts

Projects identified

See attached service plan at *Appendix 1*

NB New legislation to be identified and actioned as appropriate. This may result in changes to the project plan.

Resources for Food / Feeding stuffs

Premise Risk	Nos of Premises	Nos of Inspections	Officer Days
High	118	118	295
Total	118	118	295

The High Risk visits will only be conducted by those officers meeting the criteria set out in the Code of Practice, Section 1, chapter 1.2. 11 officers currently hold the relevant qualifications to meet these requirements.

295 officer days equates approximately to 2.5 officers.

Estimates for other Food Standards Work:

Activity	Officer Days
County and Regional Projects	400
Complaints / Reactive	400
Investigation and reporting	200
Total	1000

1000 Officer days equates to approximately to 8 officers

3.2 Food and Feeding Stuff Complaints

In accordance with the Code of Practice, procedures have been agreed and implemented through the Essex Food Group for the transfer of complaints between the Service and the relevant Environmental Health Department.

The number of food/feeding stuff complaints received by Essex Trading Standards in 2006-2007 was 258. During 2005-2006 we received 322. The number of food/feeding stuffs enquiries received by Essex Trading Standards in 2006-2007 was 87. During 2005-2006 we received 119.

Resources for Food/Feeding Stuffs Complaints & Enquiries

Time spent on food/feeding stuffs complaint work is equivalent to 3 full time food officers.

3.3 Home Authority Principle

The Service is committed to the LACORS Home Authority Principle and will respond accordingly.

We currently have 20 food and feeding stuff companies for whom we act as Home Authority; these are incorporated into our High and Medium risk premises, as appropriate.

Resources for Home Authority Food/Feeding Stuff Work

Approximately 25 Officer days will be assigned for Home Authority Visits.

Additional resources are given as required to the businesses in response to requests for advice, or requests for information from other Local Authorities. It is estimated that this will equate to 40 Officer days.

3.4 Advice to Business

In addition to Home Authority commitment, Essex County Council provides advice and information to businesses on a reactive and proactive basis. This is achieved through:

- A Business & Education team
- A highly-successful and nationally-respected Local Business Partnership (the Essex Business Partnership) that sees Trading Standards and other regulators work with local businesses, Business Link / SBS and Chambers of Commerce and Business Support organisations
- Advice during routine inspections and visits
- A dedicated advice line
- Advice given following enquiries from business
- Production and distribution of guidance notes for particular legislation or product areas. These may be produced in different formats and languages as required by the businesses concerned.
- Dialogue with business through the Business Support Network.
- Partnership with district council's who disseminate relevant information to food business in response to relevant 'For Action' food alerts
- Continued development of the Essex Trading Standards website.

3.5 Food and Feeding Stuffs Sampling

Sampling will be conducted where appropriate

- As a feature of food and feeding stuffs premises inspections including Home Authority businesses
- During the approval process of feeding stuffs establishments and intermediaries
- In response to complaints
- For identified internal, regional and national projects

Routine sampling will be conducted by taking informal samples. Formal samples will be taken where an officer believes that the product may receive an adverse result on analysis and this may lead to formal follow up action. Where appropriate, officers will follow up adverse results on informal samples with formal samples. Sampling will be conducted in accordance with Code of Practice, to determine compliance with food standards, feeding stuffs standards and to monitor the effectiveness of manufacturing processes and any linked quality system.

Through an open tender process, required by European Union procurement controls the Service has awarded two contracts for Public Analyst's services for a three-year period. Further analysts are appointed under Section 27 of the Food Safety Act 1990 to draw on as required.

Resources for Food / Feeding stuff Sampling

10.5 Officers (equivalent full time).

£125,000 for sampling and analysis. Allowance has been made in the Trading Standards Service Area 2007/08 original budget for the staff costs and sampling and analysis fees to satisfy this programme of food safety work.

Details of sample numbers allocated to the two separate Public Analysts are attached in Appendix 1

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

Whilst recognizing that Essex County Council has no direct responsibility in relation to outbreaks and food related infectious diseases, where appropriate ECC Trading Standards will liaise with and assist those authorities with which such responsibility lies.

3.7 Food Safety Incidents

The Service will act in accordance with the Code of Practice to

- Identify and report food hazards
- Respond to notifications issued by central government

The Service receives food alerts through liaison arrangements with local District Council's and via electronic links with the FSA and TSi. The Specialist Food Officer/ Deputy Specialist Food Officer review food alerts and advise an allocated Trading Standards Strategic Manager on the impact for the Service. The Strategic Manager has the authority to commit all necessary staff and resource to deal with any Food Alerts – For Action.

For alerts where it is appropriate for Trading Standards to take the lead the relevant information is sent out to all food officers, indicating the agreed course of action.

Examples of where Trading Standards has had to take action in recent years would include Sudan Dye contamination of spices and aflatoxin contamination of chilli powders.

3.8 Liaison with Other Organisations

The Service adheres to the principles of the Enforcement Concordat and this is reflected in the Service's enforcement policy and prosecution policy. Both policies have been established following discussion with other Trading Standards Services in the region.

The service actively participates in all the EETSA Strategic Delivery Groups.

EETSA's objectives include

- To ensure consistent enforcement, and
- To deliver training and development across the region to ensure the continued professional development of Officers engaged in Food Safety work

The service is represented at the Essex Food Group. The Group comprises of representatives of the District Council Environmental Health Departments in the County, two neighbouring Unitary Authorities, PHLS (Public Health Laboratory Service) and the Health Authority.

Examples of Essex Trading Standards partnership working with the Essex Food Group include;

- Food Safety week – jointly manned stalls in prominent locations advising members of the public on issues such as food labelling, healthy eating and food hygiene

- Catering establishment sampling – joint project to take samples of meals provided at catering establishments across the county to ascertain the nutritional value of the meals with an aim to raising standards. Feedback to the businesses will be undertaken to advise on the results of the survey.

Regular meetings are held with the Public Analysts. Discussions include performance measurement, training matters and future project work.

Officer Time – EETSA T&D Group - Strategic Manager (Policy) – 8 days

Food Task Group – Specialist Food Officer – 15 days

EETSA SDMG – Strategic Manager (Customer Services) – 8 days

Public Analyst meetings – Strategic Manager (Operations) and Specialist Officer (Food) – 8 days

3.9 Food and Feeding Stuffs and Standards Promotion

Guidance notes for businesses, covering a range of food and agriculture matters are available via the Trading Standards Institute website at www.tradingstandards.gov.uk/cgi-bin/bgllist.cgi. On an 'as required' basis information may also be sent by mail shot to businesses advising of new requirements. Where necessary press releases relating to food investigations and food alerts will also be issued.

Results from retail surveillance and other activity is used to inform other council services and agencies e.g. PCTs. Particular 'national' theme days and weeks are identified and reflected in our work. For instance, we will be contributing to National Food Safety Week by participating with healthy eating initiatives in conjunction with our local District Council's Environmental Health Services.

Press releases aimed at both businesses and consumers are also produced to highlight sample findings and relevant court results.

RESOURCES

4.1 Financial Allocation

The Trading Standards Management Team is responsible for the budget allocated to all aspects of Trading Standards work, including food and feeding stuff work.

The sampling and analysis budget allocated to Food and Feeding Stuffs is £125,000.

IT investment comes from the Capital programme/BT partnership.

4.2 Staffing Allocation

None of the Trading Standards staff are wholly dedicated to Food Safety or feeding stuffs work alone. Across the six operational teams of Essex County Council Trading Standards Service there are currently 20 competent officers. This is equivalent to 6.5 full time staff.

Each officer is appropriately qualified in accordance the Code of Practice. (In practice this means either DTS or equivalent, or DCA qualified).

4.3 Staff Development Plan

The Service is a recognised Investor in People – first recognised in 1997 and re-recognised in December 2006.

Each individual member of staff has a My Performance review meeting with their Line Manager. Training and Development needs will be assessed at this time and throughout the year as the interim reviews are carried out. In addition, the Service will establish team training needs arising out of the team plan and new legislation.

Training must be approved before it is undertaken and it is evaluated after the event.

How the training needs of the food officers are met will vary. There has been a significant amount of training planned by the EETSA Food task group and administered by the Training and Development Delivery Group.

In addition to this the contracts with our Public Analysts include a requirement for each to provide our food officers with five hours CPD a year. These training sessions focus on new legislation and current food topics requested by the food officers.

The Service will hold internal, quarterly food meetings each of which includes food training.

QUALITY ASSESSMENT

5.1 Quality Assessment

Food Standards Inspection records are reviewed on a monthly basis when the officer undertakes their Work Load Review with their line manager.

A document audit is underway and will be completed by end of July 2007, , where all food officers will have an aspect of their food work reviewed by the Food Specialist. A report will then be sent to the Management Team.

The Service Plan, Food Plans and Project protocols are reviewed regularly by Senior Management Team.

The service is committed to maintaining its liP status. Recognition was achieved in 1997 and following audits, retained in January 2000 and in December 2003. The whole of the County Council is now recognised as an Investor in People – with this status being retained following audit in December 2006.

REVIEW

6.1 Review against the Service Plan

There are performance measures set in the Service plan against which the Authority is measured.

The food plan is subject to regular review where an assessment is made as to progress.

The review will be used as the means by which we measure improvement in future years.

6.2 Identification of any variation from the Service Plan

At the review meetings any variance in the plan will be examined and the reason considered. These variances will be documented and where additional 'non – planned' work has met the desired objective this will be recorded.

6.3 Areas of Improvement

Where the review process has identified areas for improvement or development these shall be set out in a plan and action taken.

Appendix 1

Worcestershire 07/08

Project Title	Sample numbers	Lead Officer	Time period	Estimated cost per sample	Total for project
LACORS/ EETSA Salt/Sugar/fat reduction in prepacked foods	20 20	Project team – SS to provide protocol from EETSA	May 07 Nov 07	£100.00	£4,000
Irradiated food supplements	10	Project team / REK to Mentor	May / June 07	£60.00	£600
LACORS/ EETSA Children's meals at leisure centres	20	. Project team/ AC to mentor	Aug 07	£320.00	£6,400
High Risk Trader samples	300	BCE team	April 07- April 08	£110.00	£33,000
Cereal bars	20	Dave Green	March – May 07	£125.00	£2,500
					£46,500

Kent/Hampshire

Project Title	Sample numbers	Lead Officer	Time period	Estimated cost per sample	Total
EETSA School meals / old peoples homes meals	20	Projects team	Nov 07	£320.00	£6,400
Pick your own – pesticides - mirco	20 (2 from each district)	SS to write protocol and mentor sampling / hygiene insp	Aug / Sept	£104.00 £100.00	£2,080 £2,000
EETSA Omega 3 project	15	SS	June 07	£78.00	£1,170
Raising nutritional standards at catering establishments	100	SS/ District EH Depts	April 07 – March 08	£208.00	£20,800
Transfats in cakes	20	Projects team. AC to write protocol and mentor project team staff	Oct 07	£130.00	£2,600
Complaint samples	100	Complaints and Enquiries	April 07 – March 08	£100.00	£10,000
Deli foods	20	Gareth Miller	March – May 07	£150.00	£3,000
Total					£49,050

Appendix 2

