



food law news

Earned Recognition

A report published by the Food Standards Agency (FSA) this month concludes that consumers are generally in favour of targeted food safety inspections. Under current legislation, officers from local authority environmental health departments, the FSA, and other agencies are responsible for ensuring that businesses comply with the relevant food hygiene rules. This is achieved by undertaking regular inspections of all food businesses.

The FSA commissioned a series of citizens' forums to explore consumers' views about proposed changes to the regulation of food businesses under the principle of 'Earned Recognition'. This principle aims to decrease the regulatory burden on compliant food businesses by reducing the frequency and type of interventions they receive, such as the number and type of regulatory topics covered by an inspection. This is achieved by focussing intervention activity so that resources are concentrated on those businesses that are less compliant and/or pose a higher risk and where improvement is most needed.

Recognition can be earned in a number of ways:

- taking account of the compliance performance history of individual business premises
- taking account of a businesses' own internal assurance, data and management systems for those businesses with multiple premises which are part of a Primary Authority Scheme, and
- third-party assurance schemes which would verify, through regular independent inspections, that businesses are meeting stated standards, which standards satisfy the requirements of the relevant food law.

The principle of Earned Recognition was generally supported by participants, and perceived to be a sensible approach for improving the efficiency of the current system of food regulation for both the regulators and food businesses. However, it was considered that the adoption of this more targeted risk-based scheme should be contingent on a number of factors. It would be necessary to ensure that there was sufficient on-going regulatory oversight including regulators maintaining contact with businesses through light touch inspections, random and unannounced spot checks, and responding to 'trigger points', such as the outbreak of food-borne illnesses or substantial business changes. It would also be important to ensure that whatever scheme was adopted it would allow Earned Recognition to be applied fairly across the food industry. Providing information to consumers about food business regulation was also considered to be important to the success of Earned Recognition.

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