Food and Agriculture Organization of the United Nations

Milan Urban Food Policy Pact Monitoring Framework

Draft version, July 2018

Indicator 39: Presence of food safety legislation and implementation and enforcement procedures

MUFPP framework of actions' category: Food supply and distribution

The indicator allows for (self) assessment of the presence, implementation and enforcement procedures for food safety legislation

Overview table

MUFFP Work stream	Food supply and distribution
MUFFP action	**Assess, review and/or strengthen food control systems** by implementing local food safety legislation and regulations that (1) ensure that food producers and suppliers throughout the food chain operate responsibly; (2) eliminate barriers to market access for family farmers and smallholder producers; and (3) integrate food safety, health and environmental dimensions.
What the indicator measures	The indicator allows for (self) assessment of the presence, implementation and enforcement procedures for food safety legislation
Unit of measurement *(i.e. Percentages, averages, number, etc.)*	This will be a qualitative assessment. There may be some metrics that could be used to give an indication of how food safety is improving (or not). These could include: frequency within which the business comes up for inspection; reduction/increase in number of non-compliance reports; reduction/increase in reported food poisoning incidents; level of public confidence in food safety measures
Unit(s) of Analysis *(i.e people under 5 years old, etc.)*	N/A
Which variables need to be measured / what data are needed	Information is collected on type of legislation; nature of implementation; consequences of non-compliance
Possible sources of information of such data	-Environmental Health Department; -Food Safety inspection team or agency; -Ministry or Department of Agriculture; -National Control Authority; Ministry or Department for Public Health;

	-Audit reports on local government food safety procedures
Possible methods/tools for data-collection	Existing documents, audit reports, food safety team records and annual reports, interviews with key experts, Public opinion survey
Expertise required	Research, data analysis, interviewing, survey design and analysis
Resources required/ estimated costs	
Specific observations	In some countries this area of work is well developed and in others it is not. If there is very little information available then a proxy indicator could be to test public confidence in food safety using a public survey. This would at least give an indication of perception and confidence. It is an important area for cities to address with national support, so some examples of well-developed systems have been included in these guidelines. Each city will need to decide if there are other possible metrics that could be used in this assessment.
Examples of application	The city and county of Swansea, Wales: Audit Report 2014 https://www.food.gov.uk/enforcement/auditandmonitoring/2014/auditreports/swansea/city-and-county-of-swansea

Rationale/evidence

The overarching purpose of this area of work is to ensure that the food processing, retail and catering sectors comply with sanitation and food safety regulations. This is an area of both national and local government/municipal responsibility in many countries and the area of action is to assess, review and/or strengthen food control systems.

National agencies: The regulations and enforcement procedures with vary from country to country.
In the US, Government agencies are responsible for setting food safety standards, conducting inspections, ensuring that standards are met, and maintaining a strong enforcement program to deal with those who do not comply with standards. In the US there are three different Federal Agencies, each with a different role in food safety. In summary, one deals with ensuring the nation's commercial supply of meat, poultry and egg products are safe, and correctly packaged. Another regulates other foods with a focus on protecting consumers against impure unsafe and fraudulently labelled products. A third focuses on foodborne illnesses, outbreaks, prevention and control.[1]

European Union: EU Rules regarding Food Hygiene cover all stages of the production, processing, distribution and placing on the market of food intended for human consumption. The European Commission, the European Parliament, the Council of the European Union and the national authorities in each Member State are responsible for decisions on EU food safety legislation. The European Food Safety Authority's role is as risk assessor is to provide independent scientific advice on risks linked to food and feed safety to help EU risk managers make their final decisions. The Directorate-General Sante is the EU Commission department responsible for EU policy of food safety and health, and for monitoring the implementation of related laws.[2]

Glossary/concepts/definitions used

Food safety legislation: This is most likely established by the national government and overseen by a national agency. In the UK, the national Food Standards Agency (FSA) is directly responsible for The Food Standards Agency is responsible for meat inspection duties in approved meat establishments in England, Scotland and Wales. It is the role of the Agency to help ensure that the meat industry safeguards the health of the public, and the health and welfare of animals at slaughter. Local government audits the local authorities' enforcement services and provides a report that outlines

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[1] Selected Federal Agencies with a role in food safety, US
https://www.foodsafety.gov/about/federal/index.html
[2] European Food Safety Authority (EFSA) https://www.efsa.europa.eu/en/askefsa/EU-food-legislation

areas where the authority can focus its efforts on improvements (focussing on service organisation, management and internal monitoring arrangements), while also celebrating good practice. These audit reports are publically available on their website.[3]

Food safety implementation and enforcement procedures – municipal role: In the UK the local authorities (municipalities) have a statutory duty to enforce relevant food law. The Food Law Code of Practice gives statutory guidance to which local authorities must have regard when engaged in the enforcement of food law. The role of the local government (municipality) is to provide local enforcement officers who have wide powers to inspect any stage of the production, manufacturing, distribution and retail chain. Food premises are inspected at a frequency dependent upon risk. Frequency of physical inspections can vary from once every six months to once every two years. Enforcement officers also have the power to take samples of food for testing to ensure compliance with food legislation. Local authorities have a responsibility to investigate any food complaints passed on to them by consumers. Enforcement officers have powers to take action against a food premises which does not comply with food law. This enforcement action can range from issuing warnings and improvement or prohibition notices, to instigating prosecutions. The courts can inflict heavy penalties for non-compliance, including the closure of a business where conditions are particularly bad.

Presence, implementation and enforcement procedures for food safety legislation

- Presence of food safety legislation – most likely set at a national level
- Implementation – most likely implemented at the local government level by specialist food safety or public health inspection teams teams; may be subject to regular national government agency checks/audits
- Enforcement – ways in which the food safety law enforced.

Preparations
The team responsible for monitoring this indicator should agree on:
1. Clear research questions and type of data that will be used (see further below)
2. Data collection method (analysis of records, interviews, public opinion survey)
3. Key experts to interview to help understand data or fill in gaps, and with whom to discuss possible additional metrics relevant to the city
4. If a public opinion survey is to be used, survey questions and instrument have to be designed. Training of survey enumerators may be needed.

Sampling
The purpose of a public opinion survey would be to assess confidence in food safety measures. In case data are collected by means of a public opinion survey, a randomised sample is the simplest – e.g. a street survey. Depending on policy or monitoring priorities, a more in depth stratified random sample would give a clearer indication of perceptions from different sub populations. This could be done by communities of interest; e.g. in workplaces, in schools, in market places or shopping centres, women, or in specific areas of the city, etc.

Data collection and data disaggregation
Assessment research questions: presence, implementation and enforcement

- Presence – most likely set at a national level; what is the legislation?
- Implementation – most likely implemented at the local government level by specialist food safety or public health teams; who is responsible for doing what, when?

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[3] UK Food Standards Agency, national food safety standards enforcement and regulation
https://www.food.gov.uk/enforcement

- Enforcement – how is the food safety law enforced and what are the consequences for non-compliance?

Measuring effectiveness of food safety implementation and enforcement procedures

National audit: In some countries, there may be national audits carried out on all local authorities/municipalities which could provide a useful baseline or starting point.

Local data: The team responsible for food safety legislation enforcement will hold most of the data needed for this indicator. Interviews with these experts are likely to be needed.

Possible additional metrics: Procedures are not very visible, so there could be a number of additional metrics that help to assess the degree to which implementation and enforcement procedures are happening.

- Most countries will have a national (or at least a local) measure of standard for food safety in food businesses. A measure could be the number of food businesses or establishments achieving different levels of food hygiene rating. For example in the UK, for catering businesses, the Food Hygiene Rating Scheme (FHRS) at 4 or 5 star would be best. 3 star means the establishment has achieved general compliance but can still be below required standard in some elements
- Reduced number of reported food poisoning incidents would be some kind of measure of whether food safety standards are being applied, but is likely to be inaccurate because a lot of incidents don't get reported.
- Every country is different but it may be possible, if the jurisdiction operates a prioritisation system for the highest food safety risk, that frequency of the intervention could be a kind of indicator of compliance, even if there is no published scoring system.

    For example, the system in the UK:
    Municipal food safety inspectors rate the food premises against 8 criteria which are a mix of hazard and risk. The risk rating is increased as the compliance with the legal requirements falls. These are the three criteria which the business has under its direct control (and are the ones used to calculate the food hygiene rating). The higher the total overall score against the 8 criteria the more frequently the business comes up for inspection. So:

Category A	>91	inspection interval = 6 months
Category B	72 – 91	12 months
Category C	52 – 71	18 months
Category D	31 -51	24 months
Category E	0 -30	36 months

Public opinion survey: This is another option, of particular value if none of the above information is available. The public could be asked about their confidence in food safety measures. The illustration below is from the UK. (Prepared by the Food Standards Agency for the Department of Food and Rural Affairs). [4] The same question, or similar could be asked in a street survey or more a more in-depth survey (see notes on sampling).

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[4] Indicators for a Sustainable Food System: Statistics (DEFRA, UK, 2009)
http://webarchive.nationalarchives.gov.uk/20130124175737/http://www.defra.gov.uk/statistics/foodfarm/cross-cutting/foodsystemindicators/

Example of a public survey approach (Food Standards Agency, UK)

Headline indicator

Enabling and encouraging people to eat a healthy, sustainable diet – Consumer confidence in food safety

Rationale:

Consumer confidence is dependent upon the availability of healthy and safe food. Public confidence in food safety can be affected by: animal health incidents; statistics on cases of food related illnesses; research linking types of foods with long term illnesses; perceived hygiene standards in food businesses; and perceived vigilance taken with imported foods. If consumer confidence in food safety and availability collapses, panic buying and other socially disruptive behaviour can occur. This could lead to localised shortages of food.

Desired outcomes:
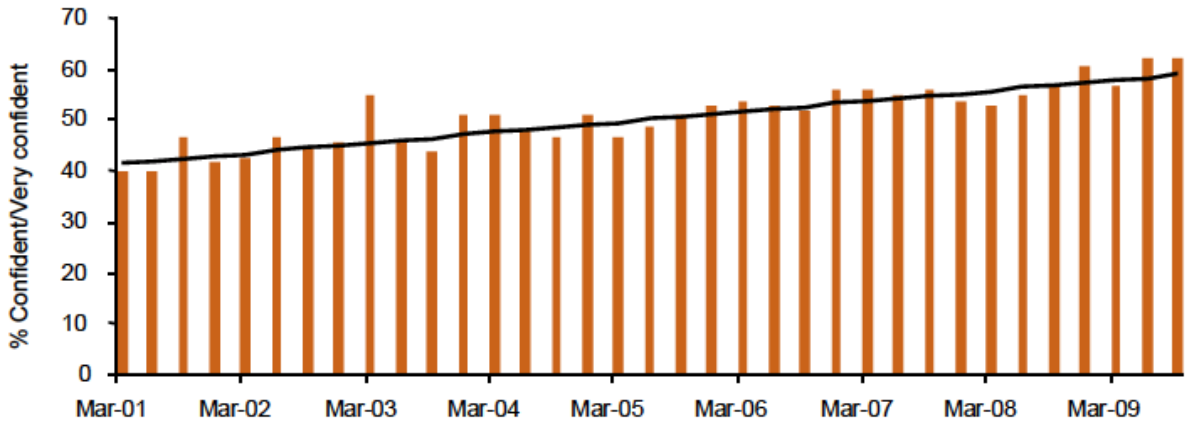
- Consumers are confidence in the safety of food

Indicator:

Public confidence in food safety measures

This indicator shows:

- Public confidence in food safety measures. The question asked was: How confident are you about the current measures taken by all organisations involved in protecting your health with regards to food safety? This graph shows those answering confident or very confident as a percentage of all answers.

Public confidence in current food safety measures

Source: FSA

Data analysis/calculation of the indicator

This will be in the form of an assessment report, ideally using national and local data. In some countries, there may be nationally coordinated annual or regular audits carried out on all local authorities/municipalities, which could provide useful baseline data and a starting point from which to draw comparisons and build up the assessment information.

If it has been possible to find relevant metrics (possibly ones used by the food safety inspection team) then they could be usefully included as part of the assessment.

References and links to reports/tools

For a useful source of food safety information, see resources on the UK's Food Standards Agency website https://www.food.gov.uk/enforcement/approved-establishments-official-controls

Also the work of the FSA in Europe https://www.food.gov.uk/about-us/agencyandeurope