

## Ensuring the Safety and Security of the UK's Food

### The Public Analyst Service in the UK

*"In some cases the food fraudster can apply highly sophisticated techniques and make it very difficult, if not impossible, for the public to detect that food fraud has occurred. Thus, as part of food fraud control enforcement, there must be an equally sophisticated analytical service to support the food enforcement officer in the field."* (FSA 2008<sup>1</sup>)

#### Executive Summary

- The Public Analyst Service is a vital resource for society, providing reliable analytical results and expert legal opinion on the quality, safety and probity of food, water and animal feeding stuffs, identifying fraud and thereby helping to maintain the public's confidence in its food supply.
- Complex labelling and persuasive advertising are increasing the number and variety of claims being made about foodstuffs. These claims, together with increasing commodity prices and lengthening supply chains, are all serving to make the work of the Public Analyst as essential into the future as it has been since 1860.
- The Food Standards Agency is the UK competent authority for the implementation and monitoring of feed and food law. However, it has no direct control over many aspects of food law enforcement, including sampling activities or the provision of laboratory testing services, as these are delegated in practice to the Local Authorities and private companies.
- Local Authorities are required to *appoint* a Public Analyst and an Agricultural Analyst<sup>2</sup> to help discharge the authority's food and feed control enforcement duties. There is, however, no requirement in law for Local Authorities either to *employ* a Public Analyst or to provide the appointed Public Analyst with laboratories, equipment or other facilities with which to carry out these duties.
- Between 2003/04 and 2006/07 Local Authority sampling activity fell by 16% across the UK as a whole.
- The UK food industry is worth about £150bn annually, yet only £8m is spent on ensuring the safety of that food through enforcement analysis. Furthermore, this amount is falling annually in real terms as Local Authorities focus reducing resources on central Government-led political priorities.
- Nationally, Local Authority spend on analysis is ~10p per person per year. (In some areas it is only 2p.)
- A 1% tax levy on the amount spent on food & drink advertising would yield<sup>3</sup> £8.38m – sufficient to fund centrally-coordinated, strategically planned UK-wide food inspection and sampling activity to supplement the current local initiatives.
- In the absence of any strategic direction or dedicated funding of official control laboratories, one of the greatest strengths of the UK's safe and secure food supply (its regulatory system backed by sound scientific expertise) could soon become its Achilles Heel.
- The uncontrolled and potentially terminal decline in the Public Analyst Service is not being addressed adequately by the Food Standards Agency and the UK is in danger of risking the long-term sustainability of its food supply.



The Association of Public Analysts

<sup>1</sup> The Final Report of the Food Fraud Task Force, September 2007 <http://www.food.gov.uk/multimedia/pdfs/board/fsa070907.pdf>

<sup>2</sup> Although separate appointments are made under different legislation, most if not all, Public Analysts are also Agricultural Analysts or Deputy Agricultural Analysts. For simplicity, only the term Public Analyst is used throughout.

<sup>3</sup> Changes in food and drink advertising and promotion to children. A report outlining the changes in the nature and balance of food and drink advertising and promotion to children, from January 2003 to December 2007. *Department of Health, October 2008.*

Section 1 - Overall food and drink advertising. *See* [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_089129](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_089129)

## **A: The Public Analyst Service**

Public Analysts are highly-skilled independent and experienced scientists whose statutory role is to protect the safety of the public's food supply and, similarly, that of animal feeding stuffs, through the monitoring for and identification of contaminants, illegal additives and misleading or fraudulent labelling. They provide the expert scientific evidence in the legal context necessary for the prosecution of fraud and related cases involving food and animal feeding stuffs. Their primary focus is on the chemical analysis of food (see D2 below), an aspect of food law enforcement which is often overlooked. For example, a recent report by the Strategy Unit of the Cabinet Office<sup>4</sup> fails to mention it, despite the fact that the majority of criminal breaches of food law are only detectable by analysis<sup>5</sup>. In spite of the importance to the human food chain of ensuring the probity of animal feeding stuffs, this area of work receives even less attention.

Recent years have seen an increase in the instances of both deliberate and accidental contamination of food. Melamine in milk products of Chinese origin and dioxin in pork and beef from Ireland are among the most recent and both are potentially injurious to health. Without adequate enforcement activity, contaminated food can find its way into many different food products. In addition to the danger to public health, such contamination can have severe economic consequences. For example the cost to UK industry, of recalling the 600 different foods containing Worcester sauce contaminated with Sudan I from chilli powder, has been estimated at between £100m and £200m. The contamination was discovered in Italy, not in Rochdale where the sauce was manufactured.

Diet influences health. Food-related ill health costs the NHS £6bn (2002<sup>6</sup> figures) and most of this burden is attributable to unhealthy diets, rather than to food-borne diseases. Increasingly, Public Analysts are carrying out analyses to check the accuracy of nutritional labelling and claims, to assess school and other institutional food against standards and taking part in surveys of food sold through catering establishments<sup>7</sup>. Some restaurant chains are now publishing nutritional information on their menus<sup>8</sup>. It is essential that adequate checks are made on any claims about the nutritional content of these foods.

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<sup>4</sup> Food Matters Towards a Strategy for the 21st Century (The Strategy Unit July 2008)  
[http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/food/food\\_matters1.pdf](http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/food/food_matters1.pdf)

<sup>5</sup> Dr David Dukes, University of Reading

<sup>6</sup> Rayner *et al* The burden of ill health in the UK, BMJ, 2005 <http://jech.bmj.com/cgi/content/full/59/12/1054>

<sup>7</sup> Salt in restaurant meals [http://www.publicanalyst.com/News/CASH\\_SALT\\_media\\_release.pdf](http://www.publicanalyst.com/News/CASH_SALT_media_release.pdf) ; Doner kebabs  
<http://www.lacors.gov.uk/lacors/NewsArticleDetails.aspx?N=0&Ne=0+2000+3000+4000+5000+6000+7000+8000+9000+10000+11000&id=21002>

<sup>8</sup> FSA press release April 2009 <http://www.food.gov.uk/news/newsarchive/2009/apr/catercalorie>

## **B: Enforcement of Food & Feedstuffs Law in Practice in the UK**

### **B1. The Food Standards Agency**

In the UK the FSA is the competent authority for the implementation and monitoring of feed and food law, "from farm to fork". European legislation requires it to ensure that:

- there is adequate provision of accredited laboratory testing services
- there are sufficient qualified and experienced staff to ensure that official controls are carried out efficiently and effectively
- the staff have appropriate and properly-maintained facilities and equipment to ensure that they can perform official controls efficiently and effectively.

Member States are required to ensure that adequate financial resources are available to provide the necessary staff and other resources for official controls.

The FSA has no direct control over many aspects of food law enforcement, including the sampling activities of Local Authorities (LAs) and the provision of laboratory testing services.

In practice, the FSA delegates inspection and sampling to the (459) LAs throughout England, Northern Ireland, Scotland and Wales. When the Food Safety Act 1990 came into effect, an extra £30m per annum was added to the Revenue Support Grant to help finance the extra enforcement activity that this Act required. However, this money is not ring-fenced. Inspection, sampling and analysis are viewed as being the *financial* responsibility of the LAs.

### **B2. Local Authorities**

Shire counties and single-tier LAs are required to appoint a Public Analyst and an Agricultural Analyst<sup>9</sup> to help discharge the authority's food and feed control enforcement duties. There is, however, no requirement for LAs either to *employ* a Public Analyst or to provide the appointed Public Analyst with laboratories, equipment or other facilities with which to carry out these duties.

Some LAs maintain appropriately-accredited laboratories and, in them, Public Analysts and their staff are LA employees. Other LAs, usually through a tendering process, award contracts to one or more laboratories in the public or private sector, which may or may not be geographically 'close'. There is competition between laboratories for ever-diminishing LA budgets. There are currently two private-sector providers (Eurofins and Minton, Treharne & Davies Ltd) and both are privately-owned companies operating a number of laboratories. Laboratory closures have occurred in both the public and private sectors. The most recent closure was a private-sector facility in Birkenhead, with the redundancy of two Public Analysts<sup>10</sup>. For several months, Aberdeen City Council postponed a decision on the future of its laboratory<sup>11</sup>, before deciding that, for the time being, it should continue. The future of a public-sector laboratory in England is now also uncertain.

There are neither nationally-agreed guideline budgets (for example, per head of population or per food premises) for sampling and analysis, nor targets set for risk-assessed sampling levels, to support this essential food control work. The LAs view sampling and analysis as an effective tool for food standards enforcement; however, lack of resources is often cited as a reason for them carrying out little or no sampling activity<sup>12</sup>.

FSA data show a continued decline in LA sampling rates. Although data presented to the FSA Board in February 2009<sup>13</sup> include an element of double counting<sup>14</sup>, the total number of 'samples' for the nine months to December 2007 was 113,968 – equivalent to just under 152,000 for the whole year. These figures include both samples taken for microbiological examination<sup>15</sup> and for chemical analysis<sup>16</sup> and

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<sup>9</sup> Although separate appointments are made under different legislation, most if not all, Public Analysts are also Agricultural Analysts or Deputy Agricultural Analysts. For simplicity, only the term Public Analyst is used throughout.

<sup>10</sup> See <http://www.liverpoolecho.co.uk/liverpool-news/local-news/2008/08/23/100-jobs-go-from-factory-100252-21590182/>

<sup>11</sup> See <http://www.pressandjournal.co.uk/Article.aspx/848908>.

<sup>12</sup> Summary Report on the Focused Audit Programme on Food Sampling in England October – December 2002, FSA 2003 see <http://www.food.gov.uk/multimedia/pdfs/samplingsummaryreport.pdf>

<sup>13</sup> See <http://www.food.gov.uk/multimedia/pdfs/board/info090201.pdf>

<sup>14</sup> Paper presented to the FSA Board, March 2008 <http://www.food.gov.uk/multimedia/pdfs/board/info080302.pdf>

<sup>15</sup> Examination is the term given to assessing the microbiological safety of food by selective culturing of viable bacteria, both pathogenic and non-pathogenic

<sup>16</sup> In England and Wales samples for microbiological examination are tested in Health Protection Agency Laboratories, a service that is free at the point of use. In Scotland Public Analyst laboratories carry out both chemical analysis and microbiological examination.

compare with 181,000 in 2003, representing a fall of more than 16% over the four years. On a *per capita* basis, this is half the number taken in Germany<sup>17</sup>. Eight LAs reported taking no samples during the year 2007-08 and two had not indicated whether they were taking any samples in 2008-09. Expenditure in the UK on the analysis of food samples by Public Analysts is not more than 10p per head; compared with ~46p<sup>18</sup> in the Republic of Ireland.

### B3. Public Analysts

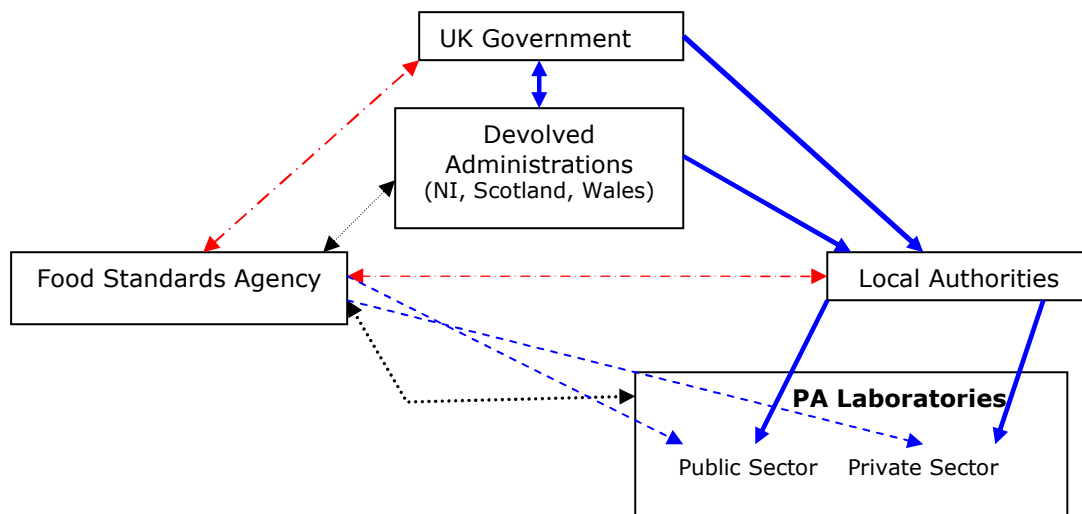
As the law stands at the moment, only individuals possessing the Mastership in Chemical Analysis (MChemA) are eligible for appointment as a Public Analyst. There is provision for such other qualifications as the Ministers may approve to allow others to be appointed<sup>19</sup>. Under this provision, EU nationals with relevant experience and qualifications could be appointed.

Before embarking on study for this postgraduate qualification, individuals must be professional members of the Royal Society of Chemistry<sup>20</sup>. As such they are subject to a rigorous code of conduct and are required to maintain high standards of competence and ethical behaviour<sup>21</sup>: their primary function is to protect the consumer.

There are currently only 41 qualified practising Public Analysts employed in 21 laboratories throughout the UK. The age profile of the profession demonstrates that a 'demographic time bomb' is imminent – more than 60% of those currently employed as Public Analysts are over 50 years of age.

The number of laboratories has decreased by a third since 1997<sup>22</sup> – partly as a result of falling sampling levels. Under EU legislation Public Analyst Laboratories are designated Official Food Control Laboratories and must meet stringent requirements in terms of scope of accreditation and ongoing successful participation in external proficiency schemes

**Figure 1 Relationships between parties responsible for food and feed law sampling and testing**



**Key:**

- Dot and dashed red line = devolved legal responsibility
- Solid wide blue line = direct financial link
- Dashed blue line = limited direct funding of some work on imported foods
- Dotted line black = limited/no links

<sup>17</sup>Second FAO/WHO Global Forum Of Food Safety Regulators <http://www.fao.org/docrep/meeting/008/ae167e.htm>

<sup>18</sup> Based on data obtained following a Freedom of Information request (April 2008).

<sup>19</sup> Section 27 of the Food Safety Act [http://www.opsi.gov.uk/acts/acts1990/ukpga\\_19900016\\_en\\_5#pt3-pb2-l1q30](http://www.opsi.gov.uk/acts/acts1990/ukpga_19900016_en_5#pt3-pb2-l1q30)

<sup>20</sup> The RSC is the largest organisation in Europe for advancing the chemical sciences.

<sup>21</sup> The code of conduct can be downloaded from [http://www.rsc.org/images/Code\\_of\\_Conduct\\_tcm18-5101.pdf](http://www.rsc.org/images/Code_of_Conduct_tcm18-5101.pdf)

<sup>22</sup> House of Commons Written Answers [http://www.publications.parliament.uk/cgi-bin/newhtml\\_hl?DB=semukparl&STEMMER=en&WORDS=public%20analyst&ALL=&ANY=&PHRASE=%22public%20analyst%20%2&CATEGORIES=&SIMPLE=&SPEAKER=&COLOUR=red&STYLE=s&ANCHOR=90126w0051.htm\\_snew6](http://www.publications.parliament.uk/cgi-bin/newhtml_hl?DB=semukparl&STEMMER=en&WORDS=public%20analyst&ALL=&ANY=&PHRASE=%22public%20analyst%20%2&CATEGORIES=&SIMPLE=&SPEAKER=&COLOUR=red&STYLE=s&ANCHOR=90126w0051.htm_snew6&URL=/pa/cm200809/cmha_nsr/c090126/text/90126w0051.htm#90126w0051.htm_snew6) and [http://www.publications.parliament.uk/cgi-bin/newhtml\\_hl?DB=semukparl&STEMMER=en&WORDS=public%20analyst&ALL=&ANY=&PHRASE=%22public%20analyst%20%2&CATEGORIES=&SIMPLE=&SPEAKER=&COLOUR=red&STYLE=s&ANCHOR=90112w0039.htm\\_snew1&URL=/pa/cm200809/cmha\\_nsr/c090112/text/90112w0039.htm#90112w0039.htm\\_snew1](http://www.publications.parliament.uk/cgi-bin/newhtml_hl?DB=semukparl&STEMMER=en&WORDS=public%20analyst&ALL=&ANY=&PHRASE=%22public%20analyst%20%2&CATEGORIES=&SIMPLE=&SPEAKER=&COLOUR=red&STYLE=s&ANCHOR=90112w0039.htm_snew1&URL=/pa/cm200809/cmha_nsr/c090112/text/90112w0039.htm#90112w0039.htm_snew1)

## **C: A Resource Vital to Public Safety**

Public Analysts direct the chemical analysis of samples of food, feeding stuffs and water submitted to them by Trading Standards Officers, Environmental Health Officers and members of the public. They are required by law to analyse samples of food submitted to them<sup>23</sup>. More importantly, as well as being responsible for deciding on the analytes and methods of analysis appropriate for each sample, they put the results into a legal context and provide a certificate of analysis which is admissible as evidence in criminal proceedings. In view of the variety of foods now available, including genetically-modified and irradiated foods, with varied compositional requirements, additives, contaminants, ever-changing labelling requirements and rising concerns about authenticity, the Public Analyst Service is increasingly crucial to public health and safety.

- On average, one in five food samples tested each year attracts an adverse report as a result of either labelling or compositional faults<sup>24,25</sup>.
- The decline in the Public Analyst Service in the UK by 2003 meant that it was a real challenge for it to respond appropriately to the Sudan I incident<sup>26</sup>.
- One large Port Health Authority was recently forced to contact laboratories throughout the country in order to find one able to carry out analysis for melamine in Chinese foods in a timely manner.
- As currently resourced (staffing and equipment) it could prove impossible for the UK to react appropriately to any major new food scare.
- Budget restrictions mean that samples undergo simpler, cheaper, less sophisticated analysis.

The following provides an indication of just some examples of the types of chemical food analysis and other work which is carried out in Public Analyst laboratories:

### **C1. Chemical Analysis of Food & Drink (*Statutory Function*)**

- Nutrient analyses for energy (calories), proteins, fat, saturated fat, carbohydrates, minerals and vitamins
- Measurements of additives including, for example, sweeteners, preservatives, colours, antioxidants
- Identification of illegal use of otherwise permitted additives (e.g. artificial colours in noodles)
- Nutrition and health claims (e.g. omega 3 fatty acids)
- Testing for the presence of illegal ingredients (e.g. Sudan, Melamine)
- Authenticity of premium foods (e.g. Heather Honey, Extra Virgin Olive Oil, Wild Salmon)
- Undeclared addition of water to meats, milk etc.
- Counterfeit foods (e.g. diluted industrial alcohol sold as vodka)
- Identification and measurement of allergenic ingredients (e.g. nuts, milk, soya)
- Detection and measurement of toxic metal contaminants, inc. lead, mercury, tin, cadmium etc.
- Measurement of the amount of meat and fish in complex foods (e.g. meat content of sausages)
- Identification of meat and fish species
- Detection of mycotoxins<sup>27</sup> in nuts, dried fruit, grain etc.
- Testing of food contact materials (e.g. toxic substances from plastic utensils)
- Microbiological and bacteriological analyses for pathogens (in Scotland)

### **C2. Chemical Analysis of Feed & Fertilisers (*Statutory Function*)**

- Levels of nutrients, vitamins, minerals, contaminants and additives in feed
- Analyses of major and trace nutrients in fertilisers

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<sup>23</sup> See Regulation 36 of The Official Feed and Food Controls (England) Regulations 2006  
<http://www.opsi.gov.uk/si/si2006/20060015.htm>

<sup>24</sup> A summary of samples reported in West Yorkshire in the quarter to December 2008 can be found on the WYJS website:  
<http://www.wyjs.org.uk/wyjs%20committee%20reports/aats/020209/final-agenda-public.pdf>, page three onwards

<sup>25</sup> The FSA published a study of samples submitted to Public Analysts in 2000-1  
<http://www.food.gov.uk/multimedia/pdfs/samplesanalysts.pdf>

<sup>26</sup> Report of the Sudan I Review Panel. FSA, July 2007 (Recommendation 5)  
<http://www.food.gov.uk/multimedia/pdfs/sudanreview.pdf>

<sup>27</sup> Mycotoxins are fungal metabolites which are toxic and often carcinogenic

### **C3. Other (*non-statutory*) types of Analysis and/or Products**

- Independent analyses in drink/driving cases
- Cosmetics
- Safety and authenticity of consumer goods
- Asbestos surveying & analysis
- Monitoring for *Legionella* spp.
- Specialist support for fire & rescue services
- Microbiological and bacteriological analyses for pathogens (in England and Wales)
- Forensic toxicology for Her Majesty's Coroners

## D: A Highly-Skilled Workforce

The qualifications needed to become a Public Analyst are rightly challenging to achieve. They provide robust evidence of the essential skill set and experience required to ensure that the expertise is appropriate to meet the safety levels necessary to provide the consumer with confidence in the food supply. This includes ensuring the wholesomeness of feeding stuffs for animals in the human food chain. (Although not chemical analysis, some PA labs in the UK, notably in Scotland, also carry out microbiological and bacteriological examination – *E. coli* 157; *Salmonella* spp.; etc.)

The syllabus for the MChemA (last substantially reviewed in 2000) covers the core statutory areas of PA work<sup>28</sup> and ensures its achievement is a measure of both knowledge and competence. It demonstrates that, *inter alia*, holders have a critical understanding of analytical chemistry, are able to understand and apply UK and EU food law *and* are able to draft effective certificates.

A review carried out by stakeholders and the Food Standards Agency in 2007 concluded that the qualification was fit for purpose. However, the Agency is now promoting a view that the requirement in legislation for the MChemA qualification is contrary to EU rules, as it restricts access to the post of Public Analyst by nationals of other Member States (this is not the case, see B3 above). In consequence, the FSA proposes that the Food Safety (Sampling and Qualifications) Regulations should be amended to delete reference to the MChemA. To date, it has not presented any proposals for how the competence of Public Analysts would be assessed in the future, simply stating that the changes will “... ensure that the capacity and skill for analysis of food is maintained and enhanced”<sup>29</sup>. However, as sampling activity continues to fall, capacity, capability and skills will fall with it. If, as the Agency seems to be suggesting, other laboratories become able to carry out enforcement analysis, the ever-decreasing numbers of samples will be spread more thinly, expertise will be lost and there is a real danger of conflict of interest occurring.

The Government did not respond to a shortage of maths and science teachers by removing the need for them to have any background knowledge or understanding in the subjects – it provided incentives to undertake the necessary training. Would the public be content if the response to a shortage of Public Analysts was to remove the requirement that they are adequately qualified to carry out the necessary analytical work?

The current shortage of PAs has arisen because of a combination of the severely reduced employment openings – fewer laboratories with diminishing budgets – and the resultant lack of long-term career opportunities. In recent years, early retirements have further exacerbated the situation when the affected LAs have sought to restructure their scientific services provision by ‘resizing’ (downgrading) staff posts, reducing sampling levels or simply closing their laboratories – all in the face of increasing regulation and monitoring requirements. A revitalisation of the service would reverse this trend.

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<sup>28</sup> The syllabus and other details are available from the RSC website:  
<http://www.rsc.org/Education/Qualifications/MChemA/Index.asp>

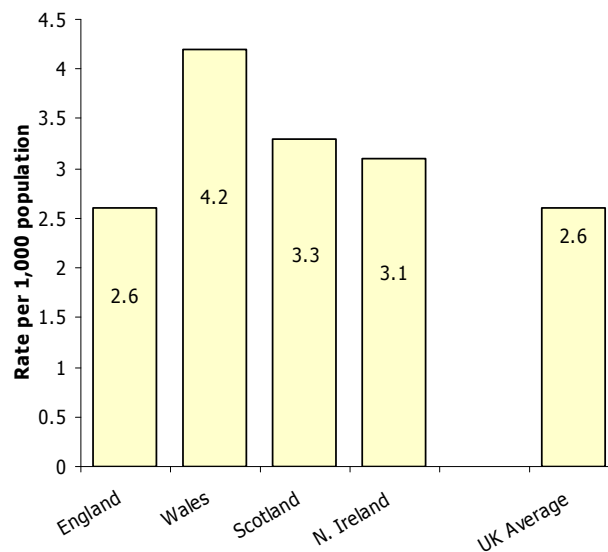
<sup>29</sup> Letter from the Rt Hon Dawn Primarolo to Sir Robert Smith MP dated 11<sup>th</sup> February 2009 *and* from Jim Thomson, Acting Director FSA Scotland to Liam McArthur MSP dated 10<sup>th</sup> March 2009

## E: Some Statistics

Until the late 1990s, most LAs in Scotland based their sampling activities on an annual target of 3 samples per 1,000 population. Although a crude measure, this target did ensure a consistent level of sampling. Further, this assurance of a steady flow of work enabled the laboratories to invest in staff development and, importantly, new equipment such as that to detect genetically-modified organisms and allergen contamination. This performance indicator is no longer in place, leaving LAs free to do as much or as little sampling as they choose in pursuit of 'local accountability and discretion'.

Although acknowledging that sampling rates are falling overall on a UK-wide basis, the FSA has stated that there are no significant differences in various parts of the country<sup>30</sup>. The diagram below indicates that there is wide variation across constituent parts of the UK.

**Figure 2 Food Control Sampling in the UK 2006/07**



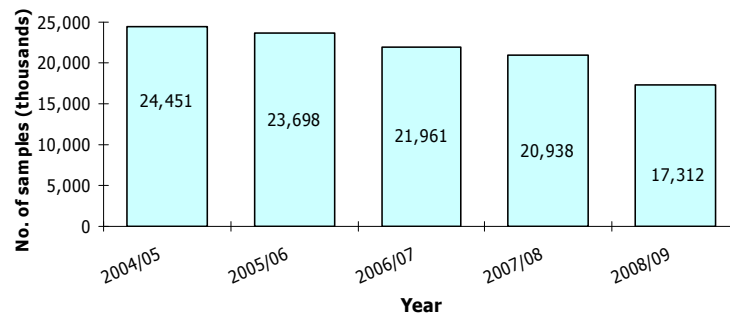
In theory there is now a stronger focus within the LAs on targeted, intelligence-based sampling as a result of a recommendation<sup>31</sup>, that *inter alia*, "... comprehensive risk assessment should be the foundation of all regulators' enforcement programmes". There is little evidence to show this has happened. Cuts in sampling are due to financial pressures. The FSA's own trigger for identifying "low levels of sampling activity" is when an authority takes *no* samples – a situation which occurred in eight English LAs during 2007/08 and is also likely to have pertained to at least one in the year 2008/09. There is no evidence that the FSA has carried out any interventions with these LAs.

In Scotland, which seems from the above to be in a reasonably favourable position, one of the four LA-funded laboratories was under threat of closure from September 2008 until March 2009 (in part due to severe financial difficulties in that LA) and sample numbers are on a steep downward trend, having fallen by more than 21% since 2006/07 (and almost 30% since 2004/05) [see Figure 3 overleaf].

<sup>30</sup> Paper presented to the FSA Board, March 2008 <http://www.food.gov.uk/multimedia/pdfs/board/info080302.pdf>

<sup>31</sup> Reducing administrative burdens: effective inspection and enforcement, Philip Hampton, March 2005: see <http://www.berr.gov.uk/files/file22988.pdf>

**Figure 3 All Scottish samples 2004/05 – 2008/09**



Local Authority spending on analysis is falling throughout the UK as they focus resources on meeting UK Government political priorities (education, social work etc.). The average for England & Wales (excluding London) is 10p per head per year; in some areas it is as little as 2p. In one large English authority, spending has fallen by 30% in real terms over the past decade and York City Council cut its spending by a third between 2007/08 and 2008/09. This cut was due entirely to financial pressures<sup>32</sup>.

The UK food industry is worth about £150 **billion** annually, yet only £8 million is spent on ensuring the safety of that food through routine food analysis by Public Analysts.

The average UK household spends £2,300 on food and non-alcoholic drink each year for home consumption.

Spending on food & drink advertising and promotion increased by 19% between 2003 and 2007 (from £704m to £838m)<sup>33</sup>. A 1% tax levy on this would yield £8.38m – which would be sufficient to fund centrally-coordinated, strategically planned UK-wide food inspection and sampling activity. This central funding (in addition to current local budgets) would have the additional benefit of enabling LAs to spend their own revenue on locally-accountable work in, for example, small manufacturers and suppliers, pubs, restaurants etc.

<sup>32</sup> York City Council Budget Papers *see*

[http://democracy.york.gov.uk/Published/C00000102/M00002606/AI00007558/\\$Annex4RevenueBudget.xlsA.ps.pdf](http://democracy.york.gov.uk/Published/C00000102/M00002606/AI00007558/$Annex4RevenueBudget.xlsA.ps.pdf)

<sup>33</sup> Changes in food and drink advertising and promotion to children. A report outlining the changes in the nature and balance of food and drink advertising and promotion to children, from January 2003 to December 2007. *Department of Health, October 2008.* Section 1 - Overall food and drink advertising. *See*

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_089129](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_089129)

## **F: In Conclusion**

The UK's Public Analysts provide a service that benefits everyone. Its potentially terminal decline must be regarded by all MPs as 'constituency business' – it is not simply a matter of whether or not there is a Food Control Laboratory within their constituency.

Neither is it simply a matter best left to the autonomy of the Local Authorities. As demonstrated by the wide variation in spending and sampling levels across the country, while there are some LAs which continue to afford protection to both the consumer and honest food businesses, by doing sufficient sampling, they are in the minority and significantly constrained by many conflicting demands on their resources.

Official Food Control laboratories are closing as a result of local political or commercial decisions, not national strategic ones. Reducing employment and promotion opportunities have led to the numbers of qualified and practising Public Analysts reaching critically-low levels.

In the absence of any strategic direction or dedicated funding of Official Food Control laboratories, the UK is in danger of risking the long-term sustainability of a safe and secure food supply. In this time of global financial problems there is an increased threat to food safety and a higher risk of food fraud. Previously reputable food businesses may cut corners to remain solvent and, without adequate enforcement activity, many such practices may not come to light.

For too long now, the Food Standards Agency has failed to address this issue. Making changes to the qualifications required to act as a Public Analyst will not affect the continuing decline in enforcement activity. If it does not do so in the near future, the FSA will be in danger of failing to fulfil its statutory duties with respect to the safety of the country's food supply.



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