

HACCP & Demonstrably Safe Working Procedures

Hazard Analysis & Critical Control Point ([HACCP](#) or *hass-up*) is a food management safety system based on risk assessment analysis with process based controls over food borne hazards developed by NASA during the Gemini and Apollo space missions⁵⁸ The HACCP system is based on *documented* evidence of safe control procedures designed to *minimise risk* of food poisoning or contamination which would support a *due diligence defence* if you were investigated and prosecuted.

The Law

[Environmental Health Officers](#) in 434 Local Authorities are legally bound to investigate complaints made anonymously by the public or otherwise. The defence against *criminal prosecution*⁵⁹ for health and safety offences relies on proving that safe procedures were implemented in event of Environmental Health or [Food Standards Agency](#) investigation or civil action over food poisoning.

It is a legal requirement of any food producer or food business to comply with Food Hygiene Regulation (EC) 852/2004, Food Safety Act 1990, Environmental Health orders and [at least 95 other Acts](#) in addition to food safety or workplace health and safety legislation - the largest body of English law.

The Food Safety Act 1990, affects everyone who works in the production, processing, storage, distribution and sale of food. This includes self employed people and non profit making organisations as well as farmers, growers and caterers.

In other words, you *and your staff* can be prosecuted so a successful prosecution would also give you and them a *criminal* record!

You are legally obliged to inform your local authority if you run a food business and have your premises inspected and licensed as appropriate. You will be prosecuted if you don't and you would not have a defence.

Similarly, you are legally obliged to inform your local authority if you run a food business 28 days before starting. There is a difference between registering and having your business approved. Businesses that use products derived from animals including honey cannot, unless certain conditions apply, trade until approval is granted. Those conditions are in general terms about who you supply to, the distribution and who the end consumer is.

⁵⁸ [“From Farm to Fork”: How Space Food Standards Impacted the Food Industry and Changed Food Safety Standards](#) by Jennifer Ross-Nazzal.

⁵⁹ Magistrates courts may impose a fine of up to £20,000 per offence and a prison sentence of up to six months. For most offences Crown courts may send offenders to prison for up to two years and /or impose unlimited fines.

Risk Categories

Raw meat is a *'low risk' product*. In fact there is no legal requirement to keep meat at a low temperature⁶⁰ which is bad news for butchers and sausage makers since 80% of all food poisoning occurs in the home and FSA rules don't apply to Jo Public - even if he/she keeps a chicken breast in a bag for week then poisons his/her family.

High Risk foods include [Ready To Eat Meals](#) (e.g precooked food like sausage rolls, tinned baked beans or anything prepared ready to eat or ready to cook), cooked meats and poultry, dairy and egg products plus seafood but *not* fresh sausages.

With the move to once-a-week shopping there is a higher risk of food poisoning at home since meat is rarely kept in a refrigerator at the correct temperature (0°C-5°C) and will often be kept bagged rather than allowed to breath and dry. Increasingly, children are not taught to wash their hands⁶¹ the moment they walk in the door as my generation were.

Because so many convenience foods contain preservatives and have been packed using gas or irradiated to inhibit natural decay consumers forget 'fresh' food deteriorates naturally and fresh food is generally best eaten within three days or less.

Although a smallholder presents a lower risk in terms of the size of a food poisoning outbreak he can cause compared to and industrial conglomerate⁶² the *risk* of contamination from serious pathogens is intuitively higher because of the producer's proximity to farms. More often that not the producer rears or is in contact with animals in the field e.g. there is a direct transfer of organisms⁶³.

Similarly, the changing pattern of retail with butchers and supermarkets selling and handling ready to eat items in proximity to fresh meat and meat products also increases the risk of cross-contamination and is specifically mentioned in FSA [E. COLI O157 CONTROL OF CROSS-CONTAMINATION Guidance](#).

HACCP regulations⁶⁴ apply equally to the big conglomerate as to the small producer since they deal with *risk* and improving or maintaining safety through [Critical Control Points](#) (CCPs). The risk of the system is that the cost of regulation and barriers to startup discourages

⁶⁰ Source: Paul Bache, MBE, author of the [Meat & Livestock Commission's HACCP Manual For Butchers](#)

⁶¹ [Whether we're suffering from guilt or not – we should all be washing our hands](#), Dr Thomas Stuttford from The Times, September 15, 2006

⁶² in 2007 [United States Dept of Agriculture and Food Safety and Inspection Service](#) (FSIS) recalled of 9.85 million tonnes of frozen beef burgers over one [incident](#) which is part of a [catalogue of recalls by the FSIS](#)

⁶³ interestingly, there is no recorded case of a farmer, slaughterman or person directly involved in the cutting of meat suffering from Escherichia coli O157:H7 poisoning so there is academic interest whether high risk groups develop a natural immunity through low level exposure to other organisms or better diet. See [Asymptomatic Carriage of Verocytotoxin-Producing Escherichia coli O157 in Farm Workers in Northern Italy](#), Authors L. Silvestro, M. Caputo, S. Blancato, L. Decastelli, A. Fioravanti, R. Tozzoli, S. Morabito and A. Caprioli *Epidemiology and Infection* Vol. 132, No. 5 (Oct., 2004), pp. 915-919 "*which seems to confirm the hypothesis that farm residents often develop immunity to VTEC O157 infection, possibly due to recurrent exposure to less virulent strains of VTEC.*" In other words E. coli O157:H7 poses more risk of causing "*serious illness or death in the elderly, the very young or the immunocompromised.*"^{[5][31]}" Also [Vero cytotoxigenic Escherichia coli infection in dairy farm families](#)

⁶⁴ [Regulation \(EC\) 852/2004](#) to have HACCP-based procedures in place.