

Food Hygiene Ratings Scheme:



One rotten egg could spoil your score

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Executive Summary

The Food Standards Agency's (FSA) Food Hygiene Rating Scheme (FHRS) is used by local authority enforcement officers to rate a business according to the condition of its premises, its hygiene practices and whether the local authority is confident that its management of hygiene is effective.

Display of the stickers is mandatory in Wales and Northern Ireland, but not in England, where stickers tend to be displayed only if a business has received a high score, either 4 or 5.

Poor practices relating to egg hygiene, if there are risks to public health, could cause a business to receive a lower rating even if the premises are otherwise in good condition.

Public perceptions of a poor rating are likely to be detrimental to business' trade. Furthermore, third party delivery platforms are changing their requirements to drive up standards. Just Eat, for example, require all new businesses joining the platform to have a minimum rating of 3 so a poor score could have a significant impact on business, and even result in them being removed from the platform.

Introduction

Maintaining good hygiene is essential for food businesses and those that take it seriously will want to show consumers their commitment to hygiene by displaying a 4 or 5 Food Hygiene Rating (FHR). While in England it is not mandatory to display a rating at present, it is in Wales and Northern Ireland, and eventually it will be in England too. In the meantime, it is common for businesses in England to display their FHR 4 or 5 sticker, but not anything lower – so canny consumers will realise that no sticker may mean a lower score. The information can be accessed nevertheless on the FSA website¹ or via one of the many available apps.^{2,3} A recent survey by the Food Standards Agency⁴ showed that 60% of consumers said they assessed hygiene standards in a business by looking at the FHRS stickers, so consumers are becoming more aware of the FHRS and this may influence their decision about where to eat out or buy food, choosing those with higher ratings.

Food Safety Management Systems

Under current legislation, all food businesses must have some form of Food Safety Management System (FSMS).⁵ Briefly, this means food business operators (FBOs) have to first identify possible hazards in their business. Hazards could be physical, chemical, biological or allergenic. The FBO then needs to determine, implement, verify and document controls and records to demonstrate compliance, particularly at critical control points (CCPs). CCPs are where no later step will prevent harm from a food hazard; for example, that could be at the cooking stage for microbiologically contaminated foods, but it could also be as far back in the business process as the purchase stage for ready-to-eat foods. For chemical contamination, such as fipronil, which was found in Dutch eggs, then the CCP would also be from purchase stage.

Many smaller businesses will use some form of "off the shelf" Food Safety Management Systems such as the FSA's "Safer Food Better Business"⁶ or there are many other generic systems which can be adapted for a particular business. Whatever system is used, it is essential that it is accurate, and it reflects what actually happens in the business. The enforcement officers will be judging a business as much on compliance with the particulars of the hygiene regulations as for their conformance with their own in-house policies. Details of what is expected during an inspection, and how to secure compliance and a good hygiene rating can be found in the UK Hospitality's Industry Guide to Good Hygiene Practice.⁷

Egg Safety

Until relatively recently all eggs were considered to have the potential hazard of Salmonella, both inside the egg and on the outside, but the Advisory Committee for the Microbiological Safety of Foods (ACMSF)⁸ stated:

'...there has been a major reduction in the microbiological risk from salmonella in UK hen shell eggs since the 2001 ACMSF report. This is especially the case for those eggs produced under the Lion Code quality assurance scheme, which comprises a suite of measures including vaccination for Salmonella Enteritidis and Typhimurium, a cool chain from farm to retail outlets, enhanced testing for salmonella, improved hygiene, effective rodent control, independent auditing, date stamping on each individual egg and traceability.'

Subsequently, in 2017, new advice about egg handling and hygiene practices was sent to local authorities by the FSA. The advice stated that for vulnerable groups, such as pregnant women, infants and the elderly, Lion eggs could be used in lightly cooked or even raw dishes as the risk was so low. However, the report did say that care still needed to be taken in catering settings to ensure that eggs did not become contaminated. Particular care was advised in relation to pooled eggs which are subsequently stored and are at a higher risk of cross contamination.

1 <https://ratings.food.gov.uk>

2 <https://apps.apple.com/gb/app/uk-food-hygiene-ratings/id1017702924>

3 https://play.google.com/store/apps/details?id=com.pigdogbay.foodhygieneratings&hl=en_GB

4 https://www.food.gov.uk/sites/default/files/media/document/attitudes-tracker-wave-17-november-2018-report_5.pdf

Many businesses now stipulate in their FSMS that they only use Lion eggs because that is one less hazard being brought into the kitchen. Eggs can be contaminated with Salmonella, and the risk may increase with eggs from other countries, for example Poland and Spain. Contaminated eggs can spread Salmonella via contaminated hands, surfaces and other foods in a busy kitchen. In pooled eggs or mixes containing contaminated eggs, Salmonella can grow if the food is not kept refrigerated.

If shell eggs are to be lightly cooked or served without cooking, then either Lion or pasteurised eggs must be specified to control the hazard. Otherwise, eggs must be cooked to 75°C for 30 seconds for safety.

Pasteurised Egg

For many years pasteurised liquid egg was used mainly when businesses wanted to serve undercooked or lightly cooked egg dishes, but many have found this to be more convenient, especially when catering on a large scale, so although it is now safe to serve undercooked Lion eggs, they still use pasteurised eggs. There are still important controls which need to be implemented to protect this product from contamination and temperature abuse. It must be kept chilled and not left out of the chiller for long periods during preparation and cooking and the product should be used within its use-by date.

The Lion Quality Scheme is important for pasteurised eggs as well as shell eggs. There is a common misconception that non-UK processed eggs can offer similar guarantees of food safety to those produced within the British Lion scheme. When you move away from the controls and guaranteed standards of the British Lion mark, the risk becomes greater.

There is a further misunderstanding that pasteurised egg is always safe. Feed contamination, eggs contaminated with insecticide, and inadequate heat treatment have been linked to a number of food safety issues involving non-UK pasteurised egg in the past few years.

The Government's Advisory Committee on the Microbiological Safety of Food (ACMSF) has raised concerns about non-UK egg products, noting that pasteurised egg can carry a food safety risk, and highlighting three separate cases involving Salmonella in imported egg products. It confirmed that the risk from domestically produced egg products will be lower.

The Food Hygiene Rating Scheme (FHRS)

When food businesses are inspected, they are given a food hygiene rating under the Food Standards Agency Scheme in England, Wales and Northern Ireland.

In Scotland there is a different scheme which rates businesses as "Pass" or "Improvement needed". This paper discusses egg safety in relation to the FHR system in England, Wales and Northern Ireland, where businesses are given a rating from 5 (top rating) to 0 (bottom rating) which is calculated by a system of giving scores for hygiene categories (the higher the points the lower the score). It is these ratings which are used for the green FSA stickers which may be displayed on the premises or on a website.

Within the FHR scheme, there are three categories where points are given as shown in Table 1 below:

Table 1: Food Hygiene Rating Categories

| Category | What EHOs look for | Points |
|------------------------------|--|-----------------|
| Food hygiene of the premises | Maintenance of structure, cleanliness | Up to 25 points |
| Food hygiene practices | Handling of food storing food preparation and cooking | Up to 25 points |
| Confidence in Management | Appreciation of hazards in the business and effective controls in place Food safety management system in place How well the food safety is managed (i.e. implementation of the system) | Up to 30 points |

The scores are added up to form a Food Hygiene Rating, which is made slightly complicated because there is another factor involved: the score is influenced by the highest individual score in any of the three categories, as shown in Table 2 overleaf.

5 EC 852/2004 On the Hygiene of Foodstuffs, Article 5. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32004R0852&from=EN>

6 https://www.food.gov.uk/sites/default/files/media/document/sfbb-catering-2019_0.pdf

Currently the latest SFBB does not contain the latest advice from the FSA about Lion eggs being safe for less than thoroughly cooked dishes, so it would need to be amended by the operator to reflect actual practices.

7 <https://www.ukhospitality.org.uk/page/GuidesandToolkits>

8 https://acmsf.food.gov.uk/sites/default/files/acm_1219_eggs.pdf

Table 2: Scores associated with the Food Hygiene Ratings

| Rating | What it means | Score | |
|--------|--|---------|------------------------------------|
| 5 | Hygiene standards are very good | 0-15 | (no individual score more than 5) |
| 4 | Hygiene standards are good | 20 | (no individual score more than 10) |
| 3 | Hygiene standards are generally satisfactory | 25-30 | (no individual score more than 15) |
| 2 | Some improvement is necessary | 35-40 | (no individual score more than 15) |
| 1 | Some improvement is necessary | 45-50 | (no individual score more than 20) |
| 0 | Urgent improvement is required | Over 50 | |

In practice, this means that the rating will reflect the total score and the maximum individual score. For example:

A business scoring:

Premises: 5
Practices: 5
Confidence in Management: 5

Would get an **FHR of 5** because they have 15 points and no individual score above 5.

A business with:

Premises: 0
Practices: 5
Confidence in Management: 10

Would get an **FHR of 4** because whilst their overall score is 15, they have dropped a grade because of the 10 score for confidence in Management

A business with:

Premises: 5
Practices: 5
Confidence in Management: 20

Would have a total score of 30 but would be given an **FHR of 1**.

In this case, the business is in good condition, and practices are good, but possibly they have failings in their FSMS which means the local authority may not be confident that the business would be well run every day, or perhaps when the owner was not there.

These examples demonstrate that what may appear to be a small non-compliance can have a disastrous effect on the score, which in turn could lead to loss of revenue, not only from customers visiting the premises, but also those purchasing on-line. For those businesses using third party delivery platforms, the consequences of a poor score could mean visibility to customers ordering, as some are now displaying ratings or removal from the platform altogether, potentially losing a large revenue stream not only short-term, but also with long-term consequences as customers go elsewhere.

How Egg Safety Affects the Food Hygiene Rating

It is easy to understand that poor condition of a food premises, or a pest infestation could lead to a poor FHR. But the practices and confidence in management scores are also critical for the overall rating. If a business cannot demonstrate appreciation and controls of hazards, they could get a very poor score, as the EHO may have little confidence in their management. This could mean they get an FHR of 1 very easily, even though physically the structure of the food business is satisfactory. Whilst many factors would contribute to a poor overall assessment of the business, in Table 4 there are some possible non-conformances listed with relevant potential scores.

Table 4: Practices in Kitchens relating to eggs and how this can affect scores.

| Practice | Risk to public Health | Hygiene practices | Confidence in Management |
|--|---|-------------------|--------------------------|
| Not using Lion eggs and undercooking / using eggs raw in dishes that will not be cooked – effectively for vulnerable groups | Some significant risks | 15 | |
| Not using Lion eggs and putting other foods at risk of cross-contamination (eggs stored next to RTE foods) | Some significant risks | 15 | |
| Using out of date eggs | Some significant risks | 15 | |
| Pooling eggs (e.g. for scrambled egg dishes or for batter mixes) and leaving at room temperature | Some significant risks | 15 | |
| In the FSMS not identifying the risk of Salmonella in eggs and failure to put into place controls for example where Lion eggs are not used, undercooking egg dishes or not using non-Lion for raw egg dishes for vulnerable groups, such as mousses or tiramisu. Staff not understanding the risks of Salmonella, and not being trained effectively. | Significant hazards not understood and no effective controls in place | | 20 |
| Specifying Lion and not having Lion – not implementing the FSMS controls. Documentation not matching up with practices. Staff not trained adequately. | Some significant risks | | 20 |

The above examples show how uncontrolled use of eggs could have a detrimental effect on a business' FHR. The enforcement assessment will take account of the way the business as a whole operates, but failure to control a major hazard is likely to, at least, give a score of 15 in the "practices" category, which itself would lead to a rating of 3 even if there were no other issues. Even with some other minor issues, this could soon become a score of 2, which if there were mandatory display, would have to be shown in the business, potentially discouraging customers from eating there. Even without display, the score is visible on many apps.

Putting things right

Where a business has received a poor score because of failure to understand hazards or implement controls, it is a relatively easy fix.

- Review the FSMS and ensure that it considers hazards from eggs
- Determine controls – cross-contamination and / or cooking of non-Lion eggs, or provision of only Lion eggs in the business especially where vulnerable groups are served
- Document any changes
- Train staff on changes and document these

Once changes have been made, the local authority can be contacted to let them know, and to provide evidence. The business can then apply for a reassessment. It is likely that there would be a fee to pay for any reinspection (charged on a cost-recovery basis).

Due Diligence

The issues discussed here relating to failures to control the hazards could also be damaging in any due diligence defence in the eventuality of legal action being taken following a Salmonella outbreak, and in civil cases would render the business very vulnerable to claims. The simple controls discussed would not only protect the business from civil or criminal action and help maintain a good FHR, but would also protect the public from risk of illness, which is what food safety is all about.



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