



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,  
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*This matter is being dealt with by:*

██████████  
Telephone: 01353 665555  
E-mail: ██████████@eastcambs.gov.uk  
My Ref: 19/00065/MIXED

1st July 2019

Dear ██████████

**Food Safety Act 1990 (As Amended)  
General Food Regulations 2004; Food Safety and Hygiene (England) Regulations 2013  
Regulation (EC) No 178/2002 and 852/2004  
Re: Lunchbox Ely City Of Ely Bowls Club Nutholt Lane Ely Cambridgeshire**

I refer to my food hygiene inspection of the above premises carried out on the 27th June 2019 and my conversations with yourself and your chef at that time.

The matters detailed below require your attention. This letter confirms the things you need to do to comply with the law and the relevant legislation is listed under each item. Some items may be listed as recommendations and these are included to give you advice in support of your business, but they are not requirements in law.

## **Food hygiene and safety:**

1. It was noted at the visit that in-house made butter cream was in-house labelled made on 17.6.19 with a Use by date of 25 June 2019. You said that the chef had incorrectly labelled these products, and that you give some products a longer shelf life giving this product a shelf life in excess of ten days. It is unacceptable to have foods in the refrigerator which are past their dates. . You must ensure that food is used within an acceptable time period to ensure that food is safe.

(Regulation (EC) No 852/2004 Annex II Chapter IX Para 3)

2. At the time of the visit two 'Iceberg' lettuce were found with a 'Best Before' date of 24 June, a punnet of strawberries with a 'Best Before' date of 26 June. These products may not be at their optimum quality after a best before date.

3. Used Tesco British Salad Cress were seen on the windowsill within the kitchen, one of which had a best before date of 14 June, three of which had a best before date of 24 June and one had a best before date of 28 June which is indicative of poor stock rotation. These products were 'spent' / used and should have been discarded on the original day of use as they pose a risk of contamination.

(Regulation (EC) No 852/2004 Annex II Chapter IX Para 3)

4. Some foods were found in the freezer that had been frozen in-house were not date labelled as to when they were prepared, cooked or opened or when they had to be used by or thrown away. You must ensure that you date code food. Appropriate date labelling of foods will ensure stock is rotated and is not used beyond its shelf-life.

(Regulation (EC) No 852/2004 Annex II Chapter IX Para 3)

5. At the time of the inspection blue plastic food containers were observed and some of these were badly damaged such that pieces could break off and contaminate food and they cannot be adequately cleaned due to their complex nature of design. All plastic food containers in poor condition must be disposed of to prevent contamination of food.

(Regulation (EC) 852/2004 Annex II Chapter V Para 1(b) and (c))

6. Cease the practice of storing these containers at height above the microwave. At the time of the visit seven blue plastic containers were stacked on top of the microwave in a precarious manner which became unstable when the microwave door was opened.

(The Workplace (Health, Safety and Welfare) Regulations 1992)

#### **Structure:**

7. Those windows and other openings which can be opened to the outside environment are, where necessary, to be fitted with insect-proof screens which can be easily removed for cleaning.

The window to the kitchen and the door to the kitchen require fly screens to prevent access to flying insects and pests. Flies were seen in the kitchen at the time of the visit.

Regulation (EC) No 852/2004 Annex II Chapter II Para 1(d).

#### **Confidence in management/control procedures:**

8. After the "use by" date a food shall be deemed to be unsafe. Stock must be checked daily (verification) and any out of date or unfit food must be disposed of.

(Regulation (EU) No 1169/2011 Article 24 (1) and Regulation (EC) No 178/2002 Article 14)

9. Formal enforcement action has previously been taken against you as a food business operator for having out of date foods on two separate occasions.

During the inspection 2 bags of leaf salad were seen to be in the refrigerator with a Use by date of 25 June, It is unacceptable to have foods in the refrigerator which are past their dates. . You must ensure that food is used within an acceptable time period to ensure that food is safe.

(Regulation (EC) No 852/2004 Annex II Chapter IX Para 3)

10. It is also important that all food handlers are familiar with, understand and implement *your* Food Safety Management Procedures i.e. the Safer Food Better Business (SFBB) pack.

You must ensure that your chef and (food handlers) are trained in the Safe Methods appropriate to their role in the food operation. You must then record this training in the training section of the SFBB pack.

Whilst the chef who was preparing high risk foods at the inspection has a level 2 in hygiene he did not appear to have been trained in your own in-house food safety management systems.

There were two different food labelling systems in place, no opening checks appeared to have been carried out for days resulting in out of date foods, incorrect labelling and no labelling of in house frozen foods.

(Regulation (EC) 852/2004 Chapter XII Para 1)

Your business has been rated **30** for confidence in management/control procedures. The confidence in management score is based on your food safety management system not being followed, food handler's training, supervision and instruction. The confidence in management score is also based on whether the hazards have been identified and appropriate controls are in place, your ability to comply in the future and given the fact that you have received one to one coaching from this department within the last year. In my opinion the significant hazards associated with your operation have not been fully understood and controls were not in place at the time of the inspection.

**Significant improvements in food safety procedures and implementation of controls are required.**

Any legal requirements relating to cleaning, temperature control and practices require your attention immediately. Other items should be completed within the next two months.

A re-visit will take place in approximately four weeks when it is expected that all legal requirements will have been attended to. Should you fail to attend to these items within this period formal action will be considered. Please be aware that your business will not be issued with a new food hygiene rating after this re-visit.

### Your Food Hygiene Rating

Confidence in management/ control procedures	30
Compliance with food hygiene and safety procedures	10
Compliance with structural requirements	5
Food hygiene rating	<b>0</b>
<b>URGENT IMPROVEMENT NECESSARY</b>	

Please find enclosed your sticker for display. Your rating will be published after the appeal period of 21 days or if you have not appealed, within 28 days of your receiving your rating at [www.food.gov.uk/ratings](http://www.food.gov.uk/ratings).

If you consider that the rating given is unjust, you may appeal by submitting the appropriate appeal form to the Senior Environmental Health Officer (Commercial) within 21 days of the day you are informed of your rating.

A web link to information on the scheme including template forms for lodging an appeal, 'right to reply' or requesting a re-visit (re-rating visit) is available at <http://www.eastcambs.gov.uk/food-safety/national-food-hygiene-rating-scheme>

Note: From 01 April 2018 re-rating visits will no longer be free. You will be charged a fee before the re rating visit.

Should you require any further information or advice or wish to discuss these matters, please do not hesitate to contact me on the details at the head of this letter. If you have any comments regarding the inspection or advice issued, please contact [REDACTED], Senior Environmental Health Officer, on 01353 665555.

Yours sincerely

[REDACTED]  
Food & Safety Officer  
Enc : photos taken at the visit.