

# Trading Standards Annual Report

2016/17



Protecting Cumbria's consumers and businesses to maintain a fair trading environment where local businesses and consumers can thrive

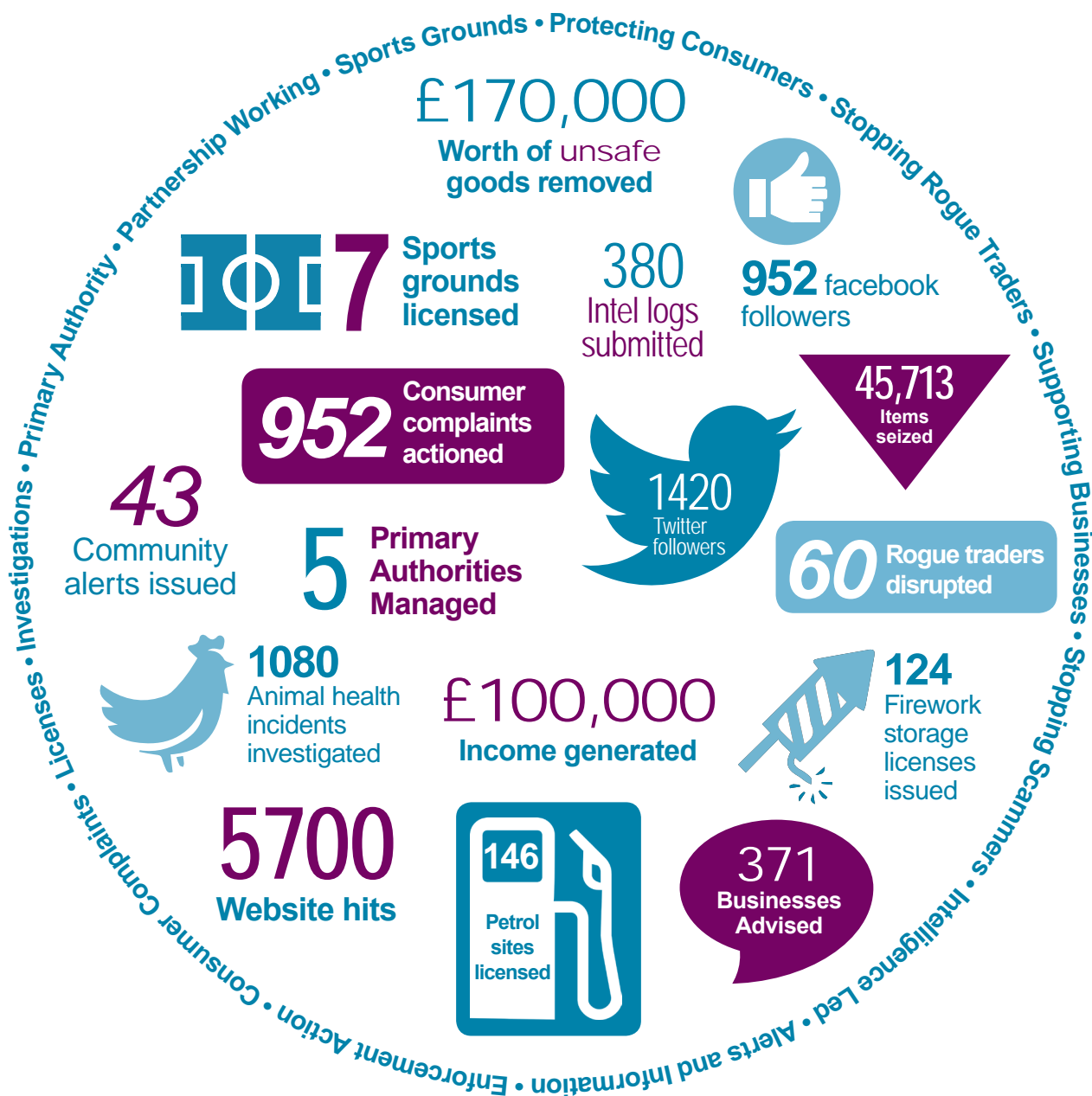
## Our Aim

To promote a fair, healthy and safe environment in Cumbria by ensuring compliance with statutory regulatory legislation, protecting consumers and supporting local businesses.

## Trading Standards Service Objectives

- **Rogue Trading** – Protect consumers and businesses from the adverse effects of rogue trading. To work with partner agencies and investigate all reported incidents of rogue trading immediately. To take a proactive approach to drive down levels of these sorts of crimes locally and nationally.
- **Public Health** – Restrict access to tobacco and alcohol by children and young people. Disrupt the supply of counterfeit tobacco and alcohol. Restrict the supply of unsafe and mis-described food. Disrupt unlawful trading in relation to the high street supply of new psychoactive substances.
- **Public Protection** – Restrict the supply of unsafe goods to Cumbrian residents and UK consumers and ensure regulated goods are compliant with UK legislation. Identify unsafe goods and remove them from the market place. Ensure explosives stores and premises storing petroleum are doing so safely through licensing and inspection. Ensure the seven major Cumbrian sports grounds are operated in such a manner that guarantees the safety of spectators.
- **Supporting Business** – Provide a fair and equitable trading environment for Cumbrian businesses to thrive and grow and give confidence in Cumbrian businesses. To encourage Cumbrian businesses to become members of the Primary Authority Scheme.
- **Animal Health** – Protect the farming and tourist economy from the disastrous effects of an outbreak of disease, such as Foot and Mouth or Avian Influenza in farm animals. Protect the welfare of animals at farms, markets and during commercial transport. Ensure farmed animals are traceable from farm to fork.
- **Compliance Visits** - Pro-active, intelligence led market surveillance work to ensure legal requirements are met and consumers can shop with confidence. This includes sampling and testing of goods and carrying out business inspections to identify problems before they cause harm.

# Summary of Cumbria Trading Standards Work in the 2016/17 Period



## Operational Performance

### Doorstep Crime

We have continued to work in partnership with local communities and the police to raise awareness of rogue trading and encourage the reporting of it by the public. Our social media regularly contains warnings of current rogue trading activity. During 2016/17 we attended 60 Doorstep crime incidents, saving Cumbrian residents tens of thousands of pounds as well as bringing rogue traders to book.

Recently a self-help toolkit for establishing 'No Cold Calling Zones' has been launched. The toolkit has been produced to assist residents and local communities set up their own zones, without which no further zones would have been established. There has been an excellent take up of the toolkit, already several new zones have been established to add to the 40 zones already existing in the county. NCCZ give confidence to residents with reports of significantly less cold calling from rogue traders.



### Explosives Storage

During the year our procedures for dealing with explosives were audited by an external expert which resulted in a complete overhaul in relation to licensing and inspection of stores. All initial visits to new premises are now carried out with fire safety experts from Cumbria Fire and Rescue Service. As well as a documentary review our officers received extensive training and will continue to do so. All the 124 premises that are licensed to store explosives, that were due a visit, were thoroughly audited during the year and found to be compliant.



### Metrology

Providing a legal metrology service has always been a core responsibility for local authority Trading Standards. It is easy to overlook the importance of weights and measures but fair and accurate measurement is vital to allow consumers and businesses to make informed choices with confidence. Public perceptions of the profession tend to be dominated by images of inspectors checking the accuracy of grocers' scales, petrol stations' pumps and other calibrated equipment used in trading goods that are sold by volume or weight. While the typical pattern of work in this





regard has developed over time, as well as testing the accuracy of the aforementioned equipment, much more of this work is now carried out in manufacturing premises, ensuring the goods they pack by weight or volume is done so accurately, thus avoiding potential market failure and consumer detriment.

During the year we visited 350 premises and either tested or examined equipment/goods, these can be broken down as follows:-

<b>Weighbridges</b>	<b>63</b>
<b>Licensed premises</b>	<b>131</b>
<b>Petrol retailers</b>	<b>77</b>
<b>Manufacturers/Packers</b>	<b>79</b>



## Primary Authority Partnerships/ Business Advice

Four new primary authority partnerships were developed. Primary Authority Partnerships offer a single point of contact for business with interest across the UK. It enables a business to form a legally recognised partnership with a single local authority. They receive robust and reliable regulatory advice which is recognised nationally, allows them to make appropriate business decisions, and provides cost recovery for the council.



## Feed Hygiene/Animal Health

### Feed Hygiene

The feed hygiene controls are primarily intended to safeguard animal and human health and apply to all businesses that make, use or market animal feeds. As well as feed mills, this also includes most livestock farms and arable farms that grow, use or sell crops for feed use. Protecting the integrity of the feed chain is key to the economy of Cumbria.



Once again we participated in a Food Standards Agency funded initiative which saw 330 premises, ranging from farms to feed manufacturers inspected for compliance with feed hygiene legislation. This generated an income of over £70,000.

49 feed samples were submitted to the public analyst to ensure they were as described, 2 samples were found to be unsatisfactory; investigations are continuing.

4 complaints were investigated regarding the alleged non-performance of animal feed, samples were submitted to the analyst all of which were found to be satisfactory.



### Animal Health

We minimise the risks and effects of diseases and infestations among livestock, helping to limit avoidable pain and suffering by animals. Our officers continually adapt and modernise the ways in which they deal with animal health issues.

They have had a busy year:-

- advising keepers of livestock to ensure they are complying with disease control rules, particularly Avian Flu, Foot & Mouth and Tuberculosis
- investigating allegations of livestock welfare abuse
- investigating breaches of animal by-products disposal rules
- Checking animal movements for compliance with legislation
- A complete overhaul of our disease contingency plans was completed



## Safety of Sports Grounds

The service developed its capability in respect of Safety at Sports Grounds work as it has responsibility for issuing safety certificates for these premises.

This responsibility covers designated grounds which are sports grounds with a capacity of over 10,000 (5,000 for football). We have 2 grounds which fall into this category

- Brunton Park, Carlisle
- Derwent Park, Workington



Other sports stadiums with a covered stand with a capacity of over 500 standing or seated spectators also require a safety certificate, granted by the local authority.

- Carlisle Racecourse – horse racing
- Workington AFC – football
- Whitehaven Rugby League Football Club – rugby
- Barrow AFC - football
- Barrow Rugby League Club – rugby

All 7 grounds received two visits during the year, a paper based audit of the systems in place plus a during event inspection, all grounds were found to be operating in a safe manner ensuring spectator safety.

Where stadiums are used for alternative entertainment such as pop concerts they require special safety certificates again issued by the local authority. Three such events occurred during 2016/17, the County Council charges for these on a cost recovery basis.

## Safety of Goods

Trading Standards officers are responsible for ensuring that the products businesses sell are safe.

We use a number of different methods to ensure that products manufactured or imported by Cumbria based businesses meet legal requirements, and participate in nationally coordinated sampling projects in which 'higher risk' products are 'test purchased' and sent for testing.

Recent issues reflect problems nationally and involve safety of hover boards, mobile phone chargers, tumble driers, teeth whitening products, illicit tobacco and alcohol.



Last year:

- 50,000 cigarettes and 110kg of illicit tobacco seized
- 100 bottles of counterfeit vodka seized
- Unsafe Nutri bullet food blenders recalled
- Refunds for unsafe hover boards
- Unsafe mobile phone chargers removed from the market place
- Unsafe teeth whitening products removed from the market place

Routine visits are regularly made to local manufacturers and retailers to offer general advice and ensure that their products are compliant.

During 2016/17 unsafe goods to the value of £170,000 were removed from the market place by Trading Standards Officers.

### Food law Enforcement

One of our key responsibilities is the enforcement of food law throughout the food chain on behalf of the Food Standards Agency (FSA). Appropriate application of food law will ensure that food supplied in Cumbria is safe to eat, meets compositional requirements and is accurately described.



The FSA require that we publish a food enforcement plan which reflects the enforcement programme for food standards. The plan details statutory visits which must be completed along with details of projects undertaken, samples taken and complaints investigated.

During the year all 236 statutory inspections were completed. With a further 1065 self-assessment questionnaires sent out to low risk premises. All premises who didn't return the questionnaire were subsequently contacted.

Advice on allergen information was given to a significant number of premises, however there is still a minority of premises not supplying required information, putting the health of Cumbrian residents at risk. This area of work will continue to be a priority.

One food business, a takeaway restaurant was convicted under Food Safety legislation for selling a meal described as "nut free", which was subsequently found to contain peanuts, this resulted in the purchaser having a severe allergenic reaction and being admitted to hospital. The restaurant was fined £10,000 and ordered to pay £1585 costs.

118 samples were taken throughout the year, 18 of these were taken from suppliers to CCC, and 2 of the samples were incorrect. Satisfactory follow up samples were taken.

64 complaints were received about food these were mainly dealt with by advice or warning the trader concerned, however one has resulted in a report being submitted for consideration of legal proceedings.



## Enforcement Action

Formal enforcement action is generally only taken as a last resort when a trader has refused to remedy a contravention of the law or where there is evidence of fraud or reckless practice or in cases of significant economic detriment.

During 2016/17 the service prosecuted two businesses, a farmer who persistently and recklessly breached legislation regarding disease control. This resulted in fines and costs in excess of £27,000. And as already mentioned a restaurant for selling a “nut free” takeaway meal which was found to contain nuts, this resulted in a £10,000 fine.

Two businesses received an official caution. These cautions remain on file and are an admission of guilt by the trader; they may be cited in a court of law should further contraventions occur. The 2 cases concerned related to a trader who repeatedly sold alcohol to an underage volunteer, the second related to a farmer who persistently breached disease control measures.

30 businesses were issued warning letters, these included contraventions of Food Safety legislation, the sale of Illicit tobacco, false claims regarding trade association membership, Animal Health disease control breaches, breaches of age restricted product legislation and mis-described land.

41 businesses were issued cease and desist notices. These were issued to mainly small scale sellers of counterfeit merchandise.

## Contact details

e: [trading.standards@cumbria.gov.uk](mailto:trading.standards@cumbria.gov.uk)  
 w: [cumbria.gov.uk/tradingstandards](http://cumbria.gov.uk/tradingstandards)  
 t: 01539 713594



/cumbriats



@cumbriats



