

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-0470 - The Happy Uncle
Date: 11 April 2017 13:24:13
Attachments: [Further Information - Right to Review & Appeal.pdf](#)
[EIR-17-0470 - Inspection Letter 10-08-16 Redacted.pdf](#)

Dear [REDACTED],

Thank you for your information request of 17 March 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

We would be grateful if your department (Protective Services) could supply to us any records, documentation or information you may have in regards to the below property:

**The Happy Uncle
367 North Deeside Road
Cults
Aberdeen
AB15 9SX**

We as mentioned are specifically interested in enforcement records.

Please see the most recent food inspection report attached. Information regarding an existing enforcement notice has been redacted. The enforcement action only relates to the existing food business operator.

ACC is unable to provide you with information on **an ongoing enforcement notice** as it is exempted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are refusing your request under the terms of Regulation 10(5)(b) – Course of Justice – of the EIRs.

In making this decision ACC considered the following points:

Where an officer has assessed that a food business has not complied with enforcement notices, this is routinely reported to the Procurator Fiscal Service for consideration for prosecution. Therefore disclosure of notices that have not been complied with may impact upon the administration of justice. Notices which are still within the time period for compliance, may not be complied with and therefore disclosure may impact on the administration of justice as above.

An official appeals mechanism exists for enforcement notices. An appeal may result in the notice being overturned or amended. Disclosure of this information at this time may impact upon the actions of the Procurator Fiscal, on the defendant and upon the courts, causing harm to the judicial system and the ability for all parties to receive a fair trial.

The likelihood of these notices going to the Procurator Fiscal if not complied with is high. As such, the potential for harm to be caused by premature release is also high

Whilst ACC recognises that releasing information regarding establishments that have not complied with enforcement notices may assist consumers making an informed choice of where to eat/buy food, information regarding non-compliant businesses is routinely published through

the Food Hygiene Information Scheme, where non-compliant businesses are classified as 'Improvement Required'. Therefore information permitting consumers to make an informed choice is already available without the potential to impact on the administration of justice.

On this basis, ACC considers that information regarding ongoing enforcement notices is excepted from release into the public domain under the Environmental Information (Scotland) Regulations 2004 (EIRs).

Please note that third party names and personal details, as well as the names of ACC Officers who are below Head of Service level have been redacted (blacked out) from the attached document. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with 11(3)(a)(i) – Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). These individuals would not expect ACC to release information about them into the public domain under the Environmental Information (Scotland) Regulations 2004 (EIRs) (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

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*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.

Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

www.aberdeencity.gov.uk

Our Ref. 1086 [REDACTED]/FH/FS
Your Ref. [REDACTED]
Contact [REDACTED]
Email Commercial@aberdeencity.gov.uk
Direct Dial 01224 52 [REDACTED]
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24 August 2016

The Company Secretary
R & N Catering Ltd
9 Royal Crescent
Glasgow
G3 7SP

Environmental Health and
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Dear Sir/Madam

Food Safety Act 1990
The Food Hygiene (Scotland) Regulations 2006
Regulation (EC) 852/2004 on the Hygiene of Foodstuffs
Food Information (Scotland) Regulations 2014
Regulation (EU) 1169/2011 on the Provision of Food Information to Consumers
The General Food Regulations 2004
Happy Uncle Takeaway, 367 North Deeside Road, Cults, AB15 9SX

On 10th August 2016, I visited your premises at the above address in order to carry out a routine food hygiene and food standards inspection at which time [REDACTED], Authorised Officer, accompanied me. At the time of the visit I was very concerned to note serious and significant concerns in relation to food safety and practices in the kitchen. Due to these concerns, I was joined on site by [REDACTED], Commercial Team Leader. We were informed that the owner was unavailable however once called, [REDACTED] arrived at the premises. Due to communication difficulties, we availed of a telephone interpretation service to discuss our concerns with [REDACTED]. Through discussion we were informed that [REDACTED] was the owner of the business and was a sole trader. The contraventions we had witnessed and our serious concerns were discussed at length and it was decided that the business would voluntarily close. Arrangements were made to revisit the following day, with an interpreter from Aberdeen City Councils Interpreter Service if available or with [REDACTED] nephew of [REDACTED] if unavailable.

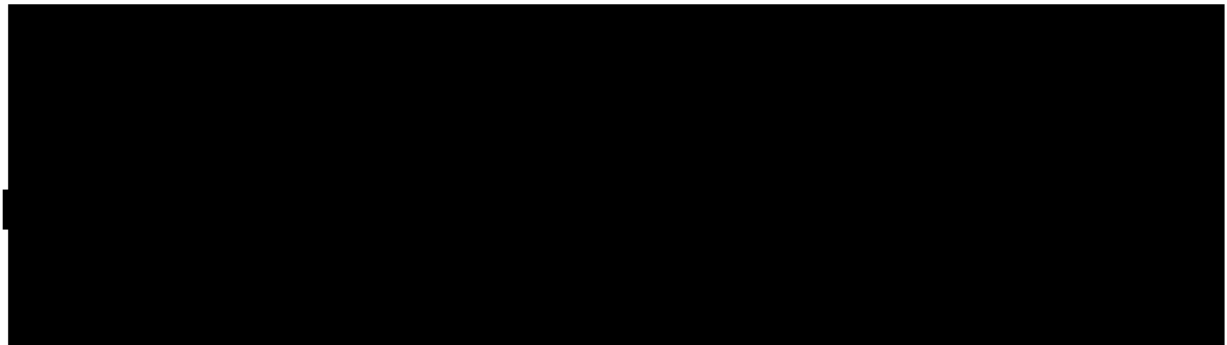
On 11th August 2016, I revisited the premises with [REDACTED], Authorised Officer to meet with [REDACTED] and [REDACTED] for the purposes of interpretation. At this time the concerns from the inspection were discussed in detail, particularly in relation to cross contamination of which there was very little understanding. I took this opportunity to talk through explicitly and also demonstrate cross contamination controls. As very little remedial action had been done since the previous night and significant training was required with staff in relation to cross contamination controls,

PETE LEONARD - DIRECTOR



the business remained closed for an additional night. Arrangements were made to revisit the following day with an interpreter to assess staff comprehension of the controls discussed and demonstrated, and to assess cleanliness and hygiene levels in the kitchen.

On 12th August 2016, I revisited the premises with [REDACTED] Environmental Health Officer and [REDACTED], Interpreter, to meet with [REDACTED] and staff to assess conditions in the kitchen and staff comprehension. It was apparent that only superficial cleaning had been carried out and there was no understanding of the cross contamination controls that had been discussed and demonstrated in detail the previous day. This was extremely disappointing to find considering a significant portion of the previous revisit had been to educate and provide guidance and advice. [REDACTED] and I then discussed and demonstrated in detail the cross contamination controls required.



In relation to the Food Hygiene Information Scheme I have assessed the hygiene conditions and procedures in place for food safety management within your business; as some contraventions of food hygiene legislation were noted an '**Improvement Required**' certificate is being issued to you at this time.

Although in this instance you have not attained a '**Pass**' certificate, you do have the opportunity to do so, as follows: -

- Once your food business has fully dealt with all of the items detailed in the enclosed hygiene inspection report, please let us know and we will arrange to re-inspect your premises within seven days of your notification. Please contact the Commercial Team on 01224 523800 should you wish to arrange a re-inspection of your premises.
- Provided there is clear evidence that all items have been addressed and that compliance with the food hygiene regulations has been achieved we would be in a position to issue a '**Pass**' certificate. However, if items of non-compliance are noted then the '**Improvement Required**' status would remain.

I would also advise you that as part of the Food Hygiene Information Scheme, Aberdeen City Council is now making all inspection reports available for viewing on the Council Website.

The enclosed report details the requirements and recommendations made in respect of the above legislation.

I trust that these points will receive your prompt attention.

Happy Uncle Takeaway, 367 North Deeside Road, Cults, AB15 9SX

Please complete the food hygiene/food standards reply slip and return it to us in the stamped address envelope provided.

Should you have any queries or require further information, please do not hesitate to contact me.

Yours faithfully

A black rectangular redaction box covering the signature of the Environmental Health Officer.

Environmental Health Officer

Enc

cc R & N Catering Ltd, Happy Uncle Takeaway, 367 North Deeside Road, Cults, AB15 9SX

As from the 1st January 2016 if your business produces more than 5kg of food waste per week you are required to separate this for recycling.

Advice on how to comply with this requirement can be obtained by contacting Aberdeen City Council Business Waste and Recycling Services on 08456 080919.

Alternatively, contact the Commercial Team at Environmental Health on 01224 523800.

Additionally, where food collections are available, it is illegal to dispose of food into a public drain or sewer, for example by using a macerator.

Name and Address of Premises: Happy Uncle Takeaway 367 North Deeside Road Cults AB15 9SX	Premises Type: Chinese Takeaway
	Date of Inspection: 10 August 2016
	Ref No: 1086
	Officer[s] Attended: [REDACTED]
	Person[s] Interviewed: [REDACTED]

FOOD HYGIENE INSPECTION - [See Schedule 1]

Areas, Procedures and Documents Inspected: ALL	Areas not Inspected: N/A
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FOOD STANDARDS INSPECTION - [See Schedule 2]

Areas, Procedures and Documents Inspected: ALL	Areas not Inspected: N/A
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Notes on Interpretation

Requirements:

- 1) These items relate to matters that are required in terms of the above-mentioned legislation. In order to allow you to make informed choices each item below indicates:
 - a) What requirement has to be met
 - b) The respects in which it has not been met, and
 - c) Where appropriate a course of action which in my opinion would satisfy the requirement

In most cases there will be more than one course of action which could satisfy a given requirement. In these cases it is open to you to take any such other course of action which meets the requirements. It may be advisable to discuss alternative proposals with me so that I can advise you whether there are other requirements which might have to be taken into account when considering an alternative course of action.

Where the word **must** is used, it also indicates a requirement.

- 2) This is not a Notice requiring works to be carried out, however, any breach of a requirement could, at a future date, be the subject of an Improvement Notice. The purpose of this report is to advise you of such matters so that you can attend to them without the need for such Notices.
- 3) The items contained in the attached schedule[s] relate to matters as found at the time of inspection and cover[s] only the areas inspected. Where a practice, etc. is not explicitly mentioned in this report it should not be taken as an indication of compliance with any provision of the Food Safety Act or any regulations made under it.

SCHEDULE 1

REPORT ON FOOD HYGIENE INSPECTION IN TERMS OF THE FOOD SAFETY ACT 1990, THE FOOD HYGIENE (SCOTLAND) REGULATIONS 2006, REGULATION (EC) 852/2004 ON THE HYGIENE OF FOODSTUFFS

Overview

The purpose of a food hygiene inspection is to assess whether a business complies with food safety requirements. My assessment was based on a physical inspection of the premises, observation of food handling practices, and discussion with [REDACTED], [REDACTED], [REDACTED] and [REDACTED].

The focus of my inspection was on the control of cross contamination between raw and ready-to-eat foods in line with Food Standards Agency Guidance on the control of *E. coli* O157. I was very concerned to note that there was no understanding of this risk and overall a lack of control was observed. These points are detailed further below.

I was disappointed to find that a documented food safety management system based on the principals of HACCP (Hazard Analysis and Critical Control Point) as required by all food businesses was not in place. This point is detailed below.

Items

1 Food Safety Management System

Regulation (EC) 852/2004, Article 5

While a CookSafe folder was on site, it has not been fully completed and the information included was not reflective of the practices and procedures on site. All food businesses are required to have a Food Safety Management System in place. This involves assessing the hazards of the business, such as cross contamination of raw and ready-to-eat foods; and applying control measures to prevent or limit these hazards from occurring, such as separate storage and preparation of raw and ready-to-eat foods. These hazards and controls must be written as 'House Rules' and you must ensure all food handlers read, understand and follow these rules. Any monitoring, recording and verification procedures that are identified in your system must be implemented and kept up-to-date at all times. If any changes occur in practice, your written system must be updated to reflect this. You must complete this folder and ensure that all staff are trained and conversant with it.

Timescale: 8 weeks from the date of this letter

2 Cross Contamination

Regulation (EC) 852/2004, Article 5

a) Storage

Raw poultry was found stored above ready-to-eat prawns and pancakes in the chest freezer. Raw foods must never be stored above or next to ready-to-eat foods as this puts the ready to eat items at risk of becoming contaminated. It was also noted that none of the containers were lidded and as such were open to potential contamination. You must rearrange your storage of raw and ready-to-eat foods and clearly designate clean areas for the storage of ready-to-eat foods in a manner that ensures they do not become contaminated by raw foods i.e. raw unwashed at the bottom of the fridge and washed ready-to-eat at the top. You must also provide lids for all containers to protect the contents against potential contamination. You must ensure that staff are appropriately trained and conversant with this storage arrangement.

Timescale: Immediately

b) Preparation

Currently there is no separation of raw preparation surfaces or equipment and raw meat is prepared at the double sink which is used for the cleaning of all equipment including ready-to-eat equipment. During revisit the layout of the premises was debated in detail and it was decided that the rear section of the premises would be designated the raw preparation area. As there are two chest freezers, one will be dedicated for raw meat preparation and the other for raw vegetable preparation. All raw equipment must be stored in this area when not in use. The chest freezer lids must also be subject to a 2-stage clean and disinfection after use. With regard to raw vegetables which are to be eaten raw i.e. cucumber, lettuce and spring onion; these are to first be prepared on the 'raw vegetable' chest freezer using the 'raw' knife and chopping board, before being brought up to the sink in a colander to be washed, with any further preparation to be carried out in the main kitchen on the 'ready-to-eat' chopping board.

Timescale: Immediately

c) Equipment

Currently the same chopping board is used for raw and ready-to-eat preparation of vegetables and knives and chopping boards used for both raw and ready-to-eat preparation are stored together without disinfection. Equipment which has come into contact with raw foods must not be used for ready-to-eat activities and must be stored separately. You must store your raw meat, raw fish and raw/dirty vegetable chopping boards and knives in the rear preparation area. You must store your cooked meat and washed/ready-to-eat vegetable chopping boards and knives in the main kitchen. You must ensure that the same chopping board and knife is not used for both raw and ready-to-eat activities.

Timescale: Immediately

2 Contd

d) Aprons

Currently the same apron is worn throughout the working day. When preparing raw, unwashed vegetables or raw meat, clothing is likely to become contaminated and this contamination can then be spread to cooked or ready-to-eat foods prepared thereafter. You must provide separate aprons for raw and ready-to-eat preparation. I recommend that you obtain plastic disposable aprons that must be worn over clean protective clothing when preparing raw foods. Alternatively you must provide a supply of clean, full-length cotton aprons that must be changed after preparing raw foods. These cotton aprons must be washed within a washing machine on a boil wash.

Timescale: Immediately

e) Sinks

You have a double sink which is used for all food washing and equipment washing activities. Therefore it is likely to become contaminated from contact with raw equipment and foods and as such you must implement effective cross contamination controls. Therefore a 2-stage clean and disinfection procedure must be implemented when washing raw equipment as follows:

- Sink 1: Fill up with hot water and detergent and using either a colour coded cloth or a disposable cloth, clean the equipment to remove grease and food debris.
- Sink 2: Fill up with hot water and the correct dilution of Evans Esteem disinfectant and leave the equipment to soak for the required contact time of 30 seconds.

The correct dilution of Evans Esteem is critical. You have purchased a ready-to-use spray bottle and a 5 litre bottle which can be diluted. The 5 litre bottle has instructions relating to a pump dispenser; therefore you must purchase a pump to ensure that the dilution instructions are followed as intended.

I recommend that using a measuring jug, you measure out how much water is required to fill the sink. The waterline on the sink when adequately filled should be marked with a permanent marker; this will then require staff to fill to the line rather than measuring out each time. Then the required number of pumps of disinfectant should be added to the sink.

f) 2-stage clean

When cleaning surfaces that are used to prepare both raw and ready-to-eat foods, you are not carrying out a 2-stage clean and disinfection. Surfaces including sinks which have been used to prepare raw foods are a source of potential contamination to ready-to-eat foods and as such, must be not only cleaned, but disinfected. For your information, a 2-stage clean is:

2 Contd

- Stage 1: This involves the physical removal of visible dirt, food particles and debris from surfaces and equipment using a detergent/degreaser, followed by a thorough rinse to ensure the removal of all residues from the surface.
- Stage 2: This involves the use of a disinfectant following the manufacturer's instructions for its dilution rate and contact time. Disinfectants will not be effective if used on dirty surfaces, or if applied at the incorrect dilution or for the insufficient contact time or the incorrect temperature.

When using a sanitiser the 2 stage cleaning process as described above is still required. Therefore apply the sanitiser first for general cleaning, rinse and then apply the sanitiser again for the disinfection stage. You must commence carrying out a 2 stage clean of all equipment and preparation surfaces used for both raw and ready-to-eat preparation, including sinks.

Timescale: Immediately

g) Cleaning Materials

At the time of the visit there was no disinfectant available on site which reached the required British Standard BS EN 1276 or BS EN 13697 despite a significant amount of raw meat being prepared in the kitchen. At the revisit you had purchased Evans Esteem which is a BS EN 1276 sanitiser, you must ensure that an adequate supply of this sanitiser is onsite at all times.

Similar to food preparation equipment, the same cleaning materials and equipment must not be used for both raw and ready-to-eat activities. I recommend that only paper towels are used for cleaning preparation surfaces, as these can be discarded after use and do not pose a contamination risk. Should you wish to use cloths for washing equipment in the sink, you must either use disposable cloths which may be discarded after use, or else implement a colour coded system e.g. red cloths for raw activities, blue cloths for ready-to-eat activities etc. I also recommend that you purchase another Evans Esteem spray bottle which can be labelled as the 'raw' spray bottle; this bottle should be kept in the rear raw preparation area only.

Timescale: Immediately

3 Temperature Control

Regulation (EC) No 852/2004, Article 5

Regulation (EC) 852/2004, Annex II, Chapter IX, Paragraph 5

Regulation (EC) 852/2004, Annex II, Chapter V, Paragraph 1(b)

3 Contd

a) Temperature Records

While some temperature records were available for review, these were not fully comprehensive. As a food business operator you are required to provide evidence that you are complying with the requirements to manage food safety, this would include temperature records. You must commence monitoring and recording the temperatures of deliveries; foods cooked, hot held, cooled and reheated; and the temperatures of fridges and freezers. You must also record any corrective action taken when these temperatures are found to be outwith the set critical limits. These records must be available for inspection.

For your information the temperatures required are as below:

- Deliveries: 0 – 8°C (chill) and -18°C (frozen)
- Fridges: 0 – 8°C (preferably below 5°C)
- Freezers: -18°C
- Cooking: above 75°C
- Hot holding: above 63°C (legal requirement)
- Cooling: within 90 mins
- Re-heating: 82°C or above (legal requirement)

Timescale: Immediately

b) Rice

I was concerned to find that a large pot of cooked rice was sitting in the kitchen at room temperature for over 2 hours during the visit and it was indicated to me that this is the usual manner in which the cooked rice is stored. This is a dangerous and unacceptable practice which facilitates the growth of harmful pathogenic bacteria. Uncooked rice frequently contains bacteria called *Bacillus cereus*. These bacteria can form protective spores that survive the cooking process. If cooled slowly, these spores can germinate, grow and produce an emetic (vomit inducing) toxin. Reheating rice before serving will not inactivate the toxin or kill all the bacterial cells, so the rice may not be safe for consumption.

To ensure that cooked rice is safe for eating, appropriate controls are needed to reduce the risk of illness as follows:

- If rice is to be cooked in advance, do not cook too much at one time as large amounts take too long to cool
- Either, keep cooked rice hot (>63°C) or cool rice as quickly as possible (within 90 minutes) before placing into the fridge
- Rice will cool more quickly if removed from the hot container and divided into clean shallow containers (<10cm deep) that are placed in the coolest part of the kitchen or in containers of ice water
- Remove smaller batches more frequently from the fridge as and when required during service

3 Contd

You must not leave a large pot of rice to cool slowly at room temperature and use throughout the evening. You must monitor and record the start time and temperature and the finish time and temperature of rice cooled via your temperature record book.

Timescale: Immediately

c) Defrosting

I was concerned to note that a basin of meat was being defrosted at the back door, which was open, for over 2 hours at room temperature. Defrosting at room temperature places the food in the danger zone for pathogenic bacterial growth and can increase the risk of food poisoning. Cold temperatures such as those achieved in the fridge, slow the growth of pathogenic bacteria on food and will keep it safe and fresh. You must cease defrosting foods at room temperature and commence defrosting overnight, in a container to hold any thawing juices, and place it at the bottom of the fridge to avoid cross-contamination.

Timescale: Immediately

4 **Stock Control**

Regulation (EC) No 852/2004, Article 5

I was concerned to find that there is an inadequate stock control system in place and serious stock control concerns were noted as follows:

- The majority of containers in the walk-in chill and in the freezers had a no date label affixed
- A container of Marie Rose sauce was found to be past its best before date of June 2016
- I was informed that items such as cooked duck are kept in the chill for up to one week, which is an unacceptably long period.
- Large containers of sauce which are cooked on site are left out in containers at room temperature for one week

Stock control is vital as high risk food if kept too long, even under favourable conditions, may develop harmful bacteria. Therefore you must implement an effective stock control system which should include the following controls:

- Food must not be used if its 'use by' date has expired
- In terms of best practice, food should not be used if its 'best before' date has expired
- High risk food which has been removed from its packaging should be re-labelled with a new suitable 'use by' date, based on manufacturer's instructions
- High risk foods prepared on the premises and then stored for later use should be labelled with an appropriate 'use by' date which must be no greater than 3 days including the day of production

4 Contd

- Foods which have been frozen and are being defrosted should be labelled with a 'defrosted on...' label and a 'use by' label

Timescale: Immediately

5 **Hand Washing**

Regulation (EC) No 852/2004, Article 5

Regulation (EC) 852/2004, Annex II, Chapter I, Paragraph 4

Regulation (EC) 852/2004, Annex II, Chapter VIII, Paragraph 1

a) Handwashing

There was an overall concerning lack of handwashing observed. Food handlers were not seen to be washing their hands between activities, prior to entering the kitchen or after touching the bin; and during the one occasion that handwashing was carried out, the staff member washed their hands at the double sink and poor technique was observed. Handwashing is critical to food safety and must be carried with correct and effective technique. When a tap is turned on with 'dirty' hands it is potentially contaminated, and by turning that tap off with a 'clean' washed hand, there is a possibility of re-contamination of that hand. As you are carrying out both raw and ready-to-eat preparation and have conventional taps you must turn off the tap using a paper towel. You must ensure that food handlers are frequently and effectively washing their hands and demonstrate good technique when turning off the tap.

Timescale: Immediately

b) Wash Hand Basin

The wash hand basin was obstructed by colanders, pots and other equipment stored on the floor adjacent to it. Food businesses are to have an adequate number of wash hand basins available which are suitably located and designated for cleaning hands. Equipment must not be stored on the ground in a dirty area. You must store equipment appropriately on the shelves available and ensure that the wash hand basin is accessible for use.

The hot water of the wash hand basin was extremely hot, creating a scalding risk of staff and deterring staff from handwashing. In order to enable effective handwashing, the hot water of this wash hand basin must be regulated to a temperature of no greater than 43°C. This can be achieved by either by installing a mixer tap or installing a thermostatic valve.

Timescale: Immediately

6 Personal Hygiene

Regulation (EC) 852/2204, Article 5

Regulation (EC) 852/2004, Annex II, Chapter VIII, Paragraph 1 &2

a) Uniforms & Aprons

The uniforms and aprons worn by the staff members were in a filthy and deteriorating condition. When I asked how aprons were washed I was informed that they are left to soak in a basin of water and bleach. Soaking in water and bleach is an unacceptable practice and will not clean the aprons. All staff working in the food preparation area should wear suitable, clean protective clothing, which should be changed and laundered in a washing machine regularly at a suitably high temperature, in order to protect the food you are preparing.

Timescale: Immediately

b) Illness Exclusion

It was unclear if an exclusion policy was in place if a staff member is suffering from vomiting and diarrhoea. The recommended period for exclusion from handling foods is 48 hours. Forthwith if a staff member is ill with vomiting and diarrhoea, they must remain off work until they are 48 hours symptom free, i.e. return to work 48 hours after their last bout of symptoms. I recommend that you include this in your Cook Safe.

Timescale: Immediately

7 Pest Control

Regulation (EC) 852/2004, Annex II, Chapter II, Paragraph 1(d)

Regulation (EC) 852/2004, Annex II, Chapter IX, Paragraph 4

The back door was open to the external environment at the time of the visit. Openings to the external environment facilitate the access of pests to areas where food is prepared, handled or stored and as such should remain closed or be fitted with an insect proof screen. While there is a secondary door on the external door, it does not sit flush to the frame and significant gaps through which a mouse could gain entry are notable. You must either keep the external door closed at all times or fit the door with an insect screen which does not allow the entry of pests.

Timescale: 4 weeks from the date of this letter

8 Cleaning

Regulation (EC) 852/2004, Annex II, Chapter I, Paragraph 1

Regulation (EC) 852/2004, Annex II, Chapter V, Paragraph 1(a)

8 Contd

The level of cleanliness throughout the premises was of an unacceptably poor standard and was obviously long standing, indicating that inadequate and superficial cleaning, if any, is carried out. There was a significant build-up of food debris, grease and black mould on walls, floors, light fittings, externally and internally on equipment. The following are examples, but not an exhaustive list of areas requiring cleaning:

- Walk-in chill (ceiling, walls, floors, door, door seals, door handle, fan and shelving)
- Chest freezers x2 & standing freezer (external, door/lid, door/lid handle, door/lid seals, shelves, internal compartments)
- All plastic food containers, chopping boards and utensils
- Extraction canopy, wok/fryer area and all equipment in this area
- Double sink including the splashback tiles, shelves above and below, and the floor beneath
- All walls and floors of the kitchen, WC, and rear preparation area

A thorough deep clean and disinfection, where required, of both structure and equipment must be carried out which will involve pulling out equipment and cleaning behind and beneath. You must ensure that long standing and engrained dirt and debris is removed.

Timescale: 1 week from the date of this letter

9 Repair

Regulation (EC) 852/2004, Annex II, Chapter II, Paragraph 1
Regulation (EC) 852/2004, Annex II, Chapter V, Paragraph 1(a)

Several areas of the structure and pieces of equipment were found to be in poor repair and condition, for example:

- The blades of several knives were visibly rusting and damaged with pieces of metal missing
- The shelves of the walk-in chill were visibly rusting and require repainting or sealing
- Several plastic containers used for storing food were visibly damaged
- The chopping boards were visibly scored and worn
- There was an old wooden pallet in the back preparation room

All damaged equipment must be repaired or replaced to ensure that it a sound condition which can be effectively cleaned and does not pose a contamination risk is achieved. Unsealed wood cannot be effectively cleaned and is not suitable in a food room; you must dispose of the wooden pallet.

Timescale: 2 weeks from the date of this letter

Housekeeping

There was an accumulation of miscellaneous equipment in the back

10 Training

Regulation (EC) 852/2004, Annex II, Chapter XII, Paragraph 1 & 2

From discussion with the chefs and [REDACTED], and from observation of practices in the kitchen, it was apparent that there is a concerning lack of food hygiene training and a disappointing lack of appreciation of the hazards. When queries were made about the food safety management system on site, management did not know what we were talking about and when the Cook Safe folder was found, obviously had no knowledge of it.

Those responsible for the development and maintenance of the food safety management system are to have received adequate training in the application of the HACCP principles. All food handlers are to be instructed and trained in food hygiene matters commensurate with their work. Those completing the Cook Safe folder must obtain HACCP training and all food handlers are to receive food hygiene training. I strongly recommend that formal training be obtained from a training centre listed on the REHIS website:

<http://www.rehis.com/community-training/training-centres/north-east-scotland>

Timescale: 6 weeks from the date of this letter

11 Grease Trap

Regulation (EC) 852/2004, Annex II, Chapter I, Paragraph 8

This Service has received a complaint alleging that you are disposing of oil and grease down the sink which is blocking the drains and creating a nuisance for residents further down the drains. On a professional cleaning of the blocked drain, a build-up of old grease and food debris was noted, indicated that it came from a commercial premises further up the drain i.e. your business,. Drainage facilities are to be adequate for the purpose intended and are to be designed and constructed to avoid the risk of contamination. You must cease disposing of oil and grease down the drain and I strongly recommend that a grease trap be installed beneath the sink. This grease trap will collect oil and debris from both sinks and can be regularly cleaned to remove what has been caught in the trap.

SCHEDULE 2

REPORT ON THE FOOD STANDARDS INSPECTION IN TERMS THE FOOD SAFETY ACT 1990, FOOD INFORMATION (SCOTLAND) REGULATIONS 2014, REGULATION (EU) 1169/2011 ON THE PROVISION OF FOOD INFORMATION TO CONSUMERS AND GENERAL FOOD REGULATIONS 2004

Overview

A food standards inspection was carried out at this time to assess compliance with the above legislation and to ensure that all food is described in a way that would not mislead the consumer and that it is of the quality demanded. The following was noted.

1 Food Storage Bags

The Materials and Articles in Contact with Food (Scotland) Regulations 2012

Raw meat was found stored in plastic carrier bags in the freezer and flour and potato starch was found stored in non-food grade plastic bins. Potentially harmful chemicals in plastics can migrate into food therefore materials in direct contact with food must be 'food grade'. Food grade materials are marked with a symbol of a fork and cup:



You must ensure that materials in direct contact with food are suitably food grade, or else keep these foods in their original packaging and place these into the containers.

Timescale: Immediately

2 Allergens

Regulation (EC) 1169/2011 on the provision of food information to consumers, Chapter IV, Section I, Article 9, paragraph 1(c)

You are required to provide allergen information on the dishes provided to your consumers. This will involve going through your menu and assessing the labels on all ingredients. This will be particularly important for stocks, sauces and pastes which are likely to have hidden allergens e.g. celery, mustard, soya. As your cooking oil is formed from soya, all foods cooked in it must be identified as having a 'soya' allergen present. You may provide this information in written form, via menus, menu chalkboards, food order tickets, ticket labels or else orally via members of staff.

If you choose to relay this information orally, you must have a prominent legible sign informing customers where they can obtain information on allergens, for example

'Please ask a member of staff for information about allergens in our products'

You must provide your staff with up to date and correct allergen information for all the products served at your business. It is recommended that if information is to be provided orally, there is a written document that staff can refer to such as a copy of the product label or a visual chart. These blank templates can be downloaded from:

<http://www.food.gov.uk/business-industry/allergy-guide/allergen-resources>

Further guidance is available on the Food Standards Agency website. If you have any queries relating to this, please do not hesitate to contact me.

<http://www.food.gov.uk/business-industry/allergy-guide>

Timescale: 6 weeks from the date of this letter

3 **Genetically Modified Oil**

The GM Food and Feed Regulation (EC) No. 1829/2003

The ingredients of the vegetable oil you are using to cook foods state that it is formed from refined soybean oil produced from Genetically Modified (GM) Soya. In the EU, if a food contains ingredients produced from GMOs, information must be displayed immediately next to the food to indicate that it is GM for example via a notice in store declaring:

'We use cooking oil that it is formed from refined soybean oil produced from Genetically Modified (GM) Soya'

Alternatively you can source different cooking oil that is free from GMOs.

Timescale: Immediately

Environmental Health and Trading Standards
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 15
Third Floor South
Marischal College
Broad Street
Aberdeen AB10 1AB

FOOD HYGIENE/FOOD STANDARDS REPLY SLIP

Note:- If you do not agree with the **requirements** set out in the report then please refer to the covering letter and leaflet entitled Food Law Inspections and Your Business, which will explain what to do and who to contact.

If you do accept the **requirements** set out in the report, please help us by completing this reply slip.

Report Reference 1086/ [REDACTED] /FH/FS

Date of Inspection: 10 August 2016

Name of Inspecting Officer: [REDACTED]

Address of Premises: Happy Uncle Takeaway, 367 North Deeside Road, Cults, AB15 9SX

I accept the requirements set out in the report. Yes No* (Please tick)

*If you have ticked No, and wish to discuss timescales to complete the required actions, please detail the items below and I will contact you.

If there are other aspects of the report that you would like to discuss, please do not hesitate to contact me, or my line manager [REDACTED]

I feel that the compliance timescales for the following items are too short and wish to propose alternative dates for completion.

Item No.	My proposed date for completion	Comments

Name Telephone no

Signature Date

* This reply only relates to **requirements** and not to recommendations

