

## AGENDA ITEM No. 9 (a)

## NORTH LANARKSHIRE COUNCIL

## REPORT

To: ENVIRONMENTAL SERVICES COMMITTEE	Subject: Food Safety Act, 1990 Food Safety (General Food Hygiene) Regulations, 1995. Case against Harjinder Kaur Singh, t/a The Indian Sizzler, 3 Sunnyside Road, Coatbridge ML5 3DG.
From: DIRECTOR OF ENVIRONMENTAL SERVICES	
Date: 4th August, 1998. Ref: JB/MC	

**PROPOSED DECISION**

To note the Report.

**REPORT**

- Members will be aware that the Department operates a scheme undertaking evening spot checks and night time inspections of hot food catering and restaurant establishments within the district. This scheme is designed to monitor that appropriate standards of Food Hygiene are being maintained by the proprietors of food businesses at all times when the premises are open to trade. The Department found it necessary to report Mrs. Harjinder Kaur Singh, proprietor of the food business t/a The Indian Sizzler, 3 Sunnyside Road, Coatbridge, ML5 3DG, to the Procurator Fiscal with a view to legal proceedings being instituted in respect of alleged contraventions of the Food Safety Act, 1990 and the Food Safety (General Food Hygiene) Regulations 1995.
- A night time inspection of The Indian Sizzler by Environmental Health Officers on Tuesday, the 10th June, 1997, at 7.00 p.m., revealed the general level of food hygiene within the premises to be of a very poor standard and found a considerable number of contraventions of The Food Safety (General Food Hygiene) Regulations 1995. The premises were found to be dirty and unclean throughout, there was an active infestation of hide beetles and food was being exposed to the risk of contamination. The proprietor of the business Mrs. Harjinder Kaur Singh was advised that the Environmental Health Officers intended to implement emergency enforcement procedures in terms of Section 12 of the Food Safety Act, 1990 to enforce immediate closure of the premises until the imminent risk of injury to health had been removed.  
  
However subsequent agreement was then reached with Mrs. Singh that the premises would be closed voluntarily. The premises were closed immediately and remained closed until Friday the 13th June, 1997, when Environmental Health Officers re-inspected the premises and were satisfied that sufficient measures had been taken to ensure that the condition of the premises no longer involved an imminent risk of injury to health.
- The case was heard at Airdrie Sheriff Court on Friday, the 17th July, 1998 and the following penalties were imposed:-

**Contraventions of:/...**

**Contraventions of:**

1. Regulation 4(1) of the Food Safety (General Food Hygiene) Regulations 1995 regarding failure to ensure that the preparation, processing, storing, handling and offering for sale of food was carried out in a hygienic way in that the premises were dirty and unclean, equipment with which food came into contact was dirty, foods were being stored in conditions that would be liable to cause harmful deterioration and contamination of the foods, there was an insect infestation with the premises, hide beetles, exposing foods to the risk of contamination.

Accused Pled Guilty and was fined £500.00

2. Regulation 4(2) of The Food Safety (General Food Hygiene) Regulations 1995 regarding failure to ensure that the premises were kept clean and maintained in good repair and condition in that the construction of the floor of the premises was of an unsatisfactory and unsound standard throughout; Ceramic floor tiles were rising from the floor and were cracked and broken; Areas of linoleum were cracked and broken; Wall and floor surfaces throughout the premises were dirty and greasy with accumulations of food debris, dirt and spillage; Mould growth was visible on the wall surface behind the double sink unit and the drainage pipes below the sinks were dirty and contaminated by food debris and grease; In addition the pipework was being supported by a dirty construction brick; The drainage facilities were inadequate. A gas cooker, the ventilation canopy and cooking equipment were dirty and stained with carbon, grease and food deposits. Raw materials, ingredients and high risk foods stored in the premises were not being kept in appropriate conditions designed to prevent harmful deterioration and protect them from contamination or were so placed and/or protected as to minimise any risk of contamination, in that foods were being stored at inappropriate temperatures and the premises were infested with insects and larvae.

At the time of inspection a supply of hot and cold (or appropriately mixed) running water was not available at the wash hand basin within the sanitary accommodation.

There was no satisfactory provision for the storage of food waste, dirty containers of grease and fat were being stored within the sanitary accommodation, providing food for insect pests.

Accused Pled Guilty and was fined £500.00

*M'Kenzie L. Hutton*