



Derby City Council

The Company Secretary  
Asda Stores Ltd  
Asda House  
Southbank  
Great Wilson Street  
Leeds  
LS11 5AD

Your ref  
Our ref 220513 Letter/JH/NMH  
Contact [REDACTED]  
email [REDACTED]@derby.gov.uk  
Tel 01332 [REDACTED]  
Fax 01332 [REDACTED]  
Minicom 01332 [REDACTED]  
Date 16 May 2022

Dear Sir / Madam

**Food Safety and Hygiene (England) Regulations 2013, Retained EC Regulation 852/2004 and Retained EC Regulation 178/2002**

**Asda Stores, Derby Road, Spondon, Derby, DE21 7LW**

I refer to my visit of the above premises on 28 April 2022 accompanied by my colleague [REDACTED], and my discussions with [REDACTED], Operations Manager and other food handlers working at that time.

The purpose of my visit was to carry out a food hygiene inspection. The inspection focused upon the items detailed in your Primary Authority Inspection Plan. This required time observing practices and discussing your current procedures.

The following areas were inspected at the time of my visit:

- Shop Floor
- Rotisserie
- Warehouse
- Bakery
- Back up chillers
- Rear yard
- Pizza Counter
- Back up freezers

**Inspection Report**

I have enclosed a copy of your inspection report. Schedule A lists legal requirements, which must be completed. Schedule B lists recommendations of good practice, intended to improve working practices. Schedule C includes photographs taken at the time of my visit.

Continued



This inspection report contains only those issues identified at the time of the inspection. It is your responsibility to ensure that your business complies with all relevant legal requirements on an ongoing basis.

### Food Hygiene Rating

Derby City Council operates the national Food Hygiene Rating Scheme. Your rating has been calculated as follows, based on the standards found at the time of inspection:

Compliance with food hygiene and safety procedures	5
Compliance with structural requirements	10
Confidence in management/control procedures	10
Total score	25
Food hygiene rating	<b>3</b> <b>Generally Satisfactory</b>

Details of how your rating was calculated are contained on our website, [www.derby.gov.uk/food-safeguards](http://www.derby.gov.uk/food-safeguards) . Paper copies can be provided on request.

A sticker showing your rating is enclosed. Please destroy the sticker showing your previous rating as only the most recent rating should be displayed. To continue to display a previous rating may constitute an offence under the Consumer Protection from Unfair Trading Regulations 2008.

Your rating will also be published on the Food Standards Agency's website at [www.ratings.food.gov.uk](http://www.ratings.food.gov.uk) approximately five weeks from receiving this letter.

You may request that the rating is published before this time. A form to make the request is available on the Council's website, [www.derby.gov.uk/food-safeguards](http://www.derby.gov.uk/food-safeguards).

Derby City Council is a public body for the purposes of the Freedom of Information Act 2000 and information may be disclosed in accordance with the provisions of that Act or its statutory Publication Scheme. Please note that regular requests are made to this Department for copies of the inspection letters relating to food premises that have been rated as a 0, 1 and 2 under the scheme.

### Safeguards

Forms and further information is available on the Council's website, [www.derby.gov.uk/food-safeguards](http://www.derby.gov.uk/food-safeguards) . Paper copies of forms can be provided on request.

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## Appeal

If you feel that the rating is unjust you have 21 days to appeal. An appeal may be lodged by submitting a completed Business Appeal form.

I recommend that you contact me first so that I may explain your rating scores.

## Re-score

If you make improvements, you can request a re-visit to generate a new food hygiene rating. There is a charge of £173 for each re-score visit. Payment must be made online at [www.derby.gov.uk/food-pay](http://www.derby.gov.uk/food-pay) and the Business Revisit Request form submitted.

## Right to Reply

Your comments can be published online, alongside your rating, to explain unusual circumstances or action taken since the inspection. You must complete and return the 'Business Right to Reply' form.

You must implement the work relating to a change in working practices and cleaning immediately and all other items by 10 June 2022. These items will be checked during the next programmed food hygiene visit.

Please contact me If you have any questions or concerns about your inspection report or about your food hygiene rating.

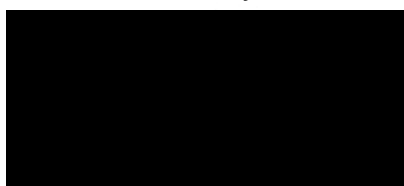
My manager, [REDACTED] would welcome any feedback about the inspection, please email [REDACTED]@[derby.gov.uk](mailto:derby.gov.uk). Any information will be treated in confidence and used solely for performance monitoring and improving our services.

## Data Protection

The Food and Safety Team is committed to protecting and respecting your privacy when you use our services. Please visit <https://www.derby.gov.uk/privacy-notice/> for further information, printed copies are available on request.

If you choose to release your letter to others, please ensure that that name and contact details of the inspecting officer(s) is not disclosed to third parties without prior authorisation from the Council.

Yours faithfully



Environmental Health Officer

Continued

**Encls:** Inspection Report - Schedules A and B  
Premises' Sticker

**Copy to:** [REDACTED], Store Manager, Asda Stores, Derby Road, Spondon,  
Derby, DE21 7LW

## **Inspection Report For: Asda Stores, Derby Road, Spondon, Derby, DE21 7LW**

**Date of Inspection: 28 April 2022**

### **Schedule A (Legal Requirements)**

#### **Food Hygiene and Safety Procedures**

1. Access to one of the wash basins in the rotisserie preparation area was blocked due to the position of a shelving unit used to store packaging and a bin which had been placed directly in front of it (see photograph 1 in Schedule C). Whilst there was another wash basin in the raw section of the area and another one in the pizza counter, when asked, food handlers did say they used this wash basin. In addition, the wash basin in the bakery was being used to store utensils (see photograph 2 in Schedule C).

You must ensure the wash basin is kept clear for easy access and is only used for hand washing to ensure food handlers can hygienically wash their hands.

*Retained Regulation (EC) No. 852/2004, Annex II, Chapter I, Paragraph 4*

2. Bread products being stored in the back up freezer were uncovered, leaving them open to contamination. All food must be covered before putting it into the freezer. (See Photographs 9 & 10 within Schedule C)

*Retained Regulation (EC) No. 852/2004, Annex II, Chapter IX, Paragraph 3*

3. There were 2 crates of chilled food in the back-up chiller which had been removed from the shopfloor to be reduced before being put back on display. The crates contained a mixture of raw and ready to eat food with no clear separation (please see photographs 7 and 8 within Schedule C). Whilst I appreciate the food was packaged, this is poor practice, ready to eat food must be stored separately and above raw food.

*Retained Regulation (EC) No. 852/2004, Annex II, Chapter IX, Paragraph 3*

#### **Structural Requirements**

4. Whilst cleaning on the shop floor was very good, greater attention to cleaning is required in the non-customer storage areas. Within ambient storage areas there was general debris, dirt, and dust on the floor and behind fixtures and fittings such as racking / shelving units. Within the back up chillers there was food spillages which had not been cleaned along with food debris and general dirt on storage shelves as well as low areas such as behind and under racking (please see photographs 3 – 6 within Schedule C showing some of the cleaning issues found). I was told these areas were cleaned daily, however looking at the accumulation of debris and dirt, it appeared this was not the case. You must ensure these areas are contained within your cleaning schedule and that they are maintained in a clean condition.

*Retained Regulation (EC) No. 852/2004, Annex II, Chapter 1, Paragraph 1*

Continued

5. Throughout the chilled / frozen storage areas there were a number of the PVC slats to the strip curtains which were damaged and were difficult to maintain in a clean condition. These slats / curtains will need to be repaired / replaced so that they can be maintained in a clean condition.  
*Retained Regulation (EC) No. 852/2004, Annex II, Chapter I, Paragraph 1*
6. The seal to the door of the cold room at the back of the bakery was damaged. This needs to be repaired / replaced.  
*Retained Regulation (EC) No. 852/2004, Annex II, Chapter V, Paragraph 1(c)*

### **Confidence in Management / Control Procedures**

7. At the visit hot held food within one of the Rotisserie grab and go counters were found to be stored below your critical hot hold limit of 65°C. This was despite food handlers ensuring they were following Asda's procedures and the display of the unit all showing temperatures in excess of the 80°C critical limit. Cooked chicken products were found to measure between 50.1°C and 57.9°C, with some of the chicken being in the counter over 4 hours. I understand a service call was raised for the unit to be checked and it was agreed until the unit could be trusted to keep food at the correct temperature staff on the section would probe chicken in each corner of the unit when carrying out the Sparks check. I also suggested the store manager contacts Asda's compliance team for further guidance.

I am concerned as this is the third visit to the store where hot held food has been found outside of temperature control. As this food is high risk and will support the growth of food poisoning bacteria you must implement adequate controls to ensure food is stored at or above your critical limit. If issues around the temperature of hot holding are found at future inspections, this may have a negative impact on your future food hygiene ratings. Please see points 1, 2 and 3 in Schedule B below.

*Retained Regulation (EC) No. 852/2004, Article 5*

8. Although food handlers were carrying out the necessary SPARKs checks, the handheld device that connects to the temperature probe was struggling to connect. This meant staff were often writing down the temperatures on a scrap of paper and then going back to complete the records retrospectively, throwing the paper away. I am concerned that this may lead to mistakes being made and as these records will help to form your due diligence defence in the event of a problem, this could weaken your defence. Please see point 4 in Schedule B.  
*Retained Regulation (EC) No. 852/2004, Article 5*

As part of the Primary Authority Inspection Plan, I needed to check weekly compliance checks were being completed by the store manager focusing on the SPARK weekly checklist. Unfortunately, the system was down at the time of my visit therefore this item was not checked as part of the inspection, however I was told at the visit these checks are being completed.

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## Health and Safety

Although you were not due a health and safety inspection, the following issues were identified during the inspection which will require your attention:

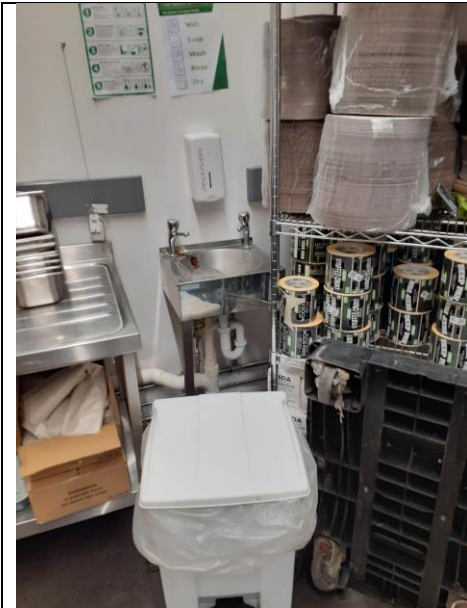
- There were areas of the warehouse and back up chillers where the floor had started to deteriorate. As roll cages are often used in these areas, I am concerned a wheel may get caught on the damaged part of the floor as the roll cage is pushed / pulled and could result in injury. You will need to ensure these floor areas are repaired.  
*The Workplace (Health, Safety and Welfare) Regulations 1992, Regulation 12*
- There was plastic wrap around which had been left on the floor of the warehouse, although I appreciate this may have been left by a contractor, this could result in a trip hazard.  
*The Workplace (Health, Safety and Welfare) Regulations 1992, Regulation 12*

## Schedule B (Recommendations)

1. Although one of the hot hold grab and go counters was adequately keeping the correct temperature, this was facing an ambient stand whereas the unit which was struggling was facing a chiller. It is a possibility the unit is not effective as it is struggling due to the cold air from the chillers. It may be worth moving the unit to see if it performs better in an area away from the chillers.
2. I would strongly recommend instead of relying on the display of the hot hold counters, you probe the food within the counter or a food simulant stored within the units to ensure food is being kept within your critical limits.
3. If you find that the grab and go counter is not capable of keeping food at or above your critical limit of 65°C, I would recommend you operate the 2 hour rule and reduce the amount of food stored within the unit. Any food placed into this counter should only be left for a maximum of 2 hours and should be wasted if it is not sold during this time.
4. Although staff told me they were checking the temperatures of the free-standing fridges on the pizza counter, they were not recording these checks. I would recommend these checks are recorded as part of your Sparks system.

Continued

## Schedule C (Photographs)



1. Blocked access to the wash basin in the Rotisserie preparation area



2. Utensil left in the wash basin in the bakery

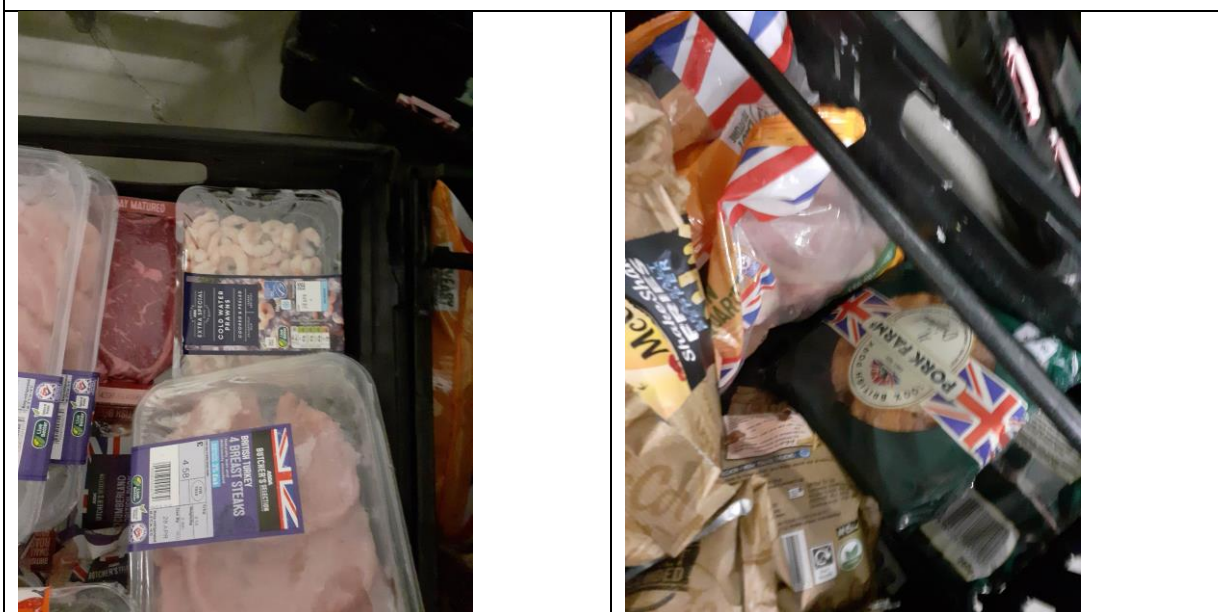


3 & 4 Dirty Shelves in the back up chillers





5 & 6 Dirty shelves in the back up chillers



7. Cooked ready to eat prawns mixed with raw meat

8. Ready to eat pork pies amongst raw food



9 & 10 uncovered bread products in the back up freezer