



Derby City Council

[Redacted]

The Malt Shovel
Potter Street
Spondon
Derby
DE21 7LH

Your ref

Our ref 230228 [Redacted]

Contact [Redacted]

email [Redacted]

Tel 01332 [Redacted]

Fax 01332 [Redacted]

Minicom 01332 [Redacted]

Date 28 February 2023

Dear [Redacted]

**Food Safety and Hygiene (England) Regulations 2013, Retained EC Regulation 852/2004 and Retained EC Regulation 178/2002
Health and Safety at Work etc. Act 1974 and Associated Regulations**

The Malt Shovel, Potter Street, Spondon, Derby, DE21 7LH

I refer to my visit of the above premises on 21 February 2022, accompanied by my colleague [Redacted] Senior Environmental Health Officer and my discussions with you and [Redacted] Chef. The purpose of my visit was to carry out a food hygiene inspection and health and safety education awareness raising visit.

I based my food hygiene inspection upon potential food poisoning hazards, contamination risks and control measures.

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

- Kitchen
- Bar area
- Cellar
- Beer garden

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.

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	10
Compliance with structural requirements	5
Confidence in management/control procedures	10
Total score	25
Food hygiene rating	3 – Satisfactory

Details of how your rating was calculated are contained on our website, 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 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.

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. Paper copies of forms can be provided on request.

Continued

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 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.

Items in Schedule A must be addressed without delay and will be checked at the next programmed inspection.

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

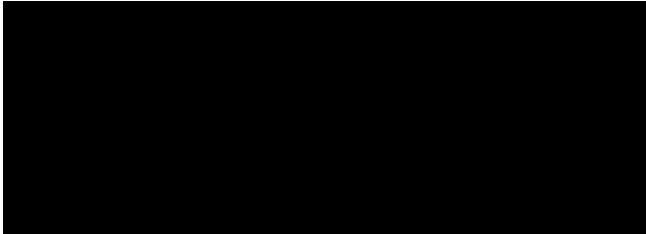
My manager, [REDACTED] would welcome any feedback about the inspection, please email [REDACTED]@derby.gov.uk. Any information will be treated in confidence and used solely for performance monitoring and improving our services.

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.

Continued

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



A and B

GM Oils Poster
Derby City Controlling 'E.coli O157' Leaflet
Derby City SFBB 'E.coli O157' Insert

Inspection Report for: The Malt Shovel, Potter Street, Spondon, Derby, DE21 7LH

Date of Inspection: 21 February 2023

Schedule A (Legal Requirements)

Food Safety

Food Hygiene and Safety Procedures

1. At the time of the inspection, raw food was stored above the ready-to-eat food in the fridge and freezer of your kitchen and in the freezers in the cellar. You must make sure raw meat and unwashed vegetables are stored safely in your refrigerators and freezers. Ready-to-eat foods must be stored above raw meat/unwashed vegetables, even if they are tubbed/wrapped.

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

2. I understand you use a separate-coloured sponge to rinse equipment that comes into contact with raw food before placing the equipment in the dishwasher. Although you perform 2-stage clean to disinfect the sinks and surrounding area afterwards, you did not remove the raw sponge from the sink area, it was stored next to the sink that you use for washing ready-to-eat salads/equipment. As the liquid residues from the raw sponge could contaminate ready-to-eat foods/equipment, you must ensure the sponges for washing raw equipment are put away from the sink area and stored separately from sponges and scourers for washing equipment that comes into contact with ready-to-eat food. Please also see Item 1 in Schedule B.

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

3. I was told that food handlers were applying the contact time of 15 seconds with your Antiviral Cleaner and Disinfectant H44 to carry out 2-stage clean for areas where food is handled, and surfaces that come into contact with food. However, the manufacturer's instructions specify a required contact time of 5 minutes. You must ensure that food handlers use the antibacterial cleaner in accordance with the manufacturer's instructions in relation to the contact time to carry out effective cleaning.

Retained Regulation (EC) No. 852/2004 Annex II, Chapter V, Paragraph 1(a) and IX Paragraph 3

4. I was told that the roast joints were cooled at room temperature for 6 hours after cooking. Hot food which is to be cooled before storage or sale must be cooled as quickly as possible. The current guidance is within 90 minutes before being placed in the refrigerator. For further guidance please see Item 3 in Schedule B below.

Retained Regulation (EC) 852/2004 Article 5 / Chapter IX Paragraph 6

Continued

Structural Requirements

5. There was mould in your cellar. You will need to redecorate the affected area to ensure that the area can be cleaned and maintained in a clean condition.
Retained Regulation (EC) No. 852/2004, Annex II, Chapter I, Paragraph 1
6. The door seal of the freezers in the cellar were dirty and mouldy. Clean or renew the seals.
Retained Regulation (EC) No. 852/2004, Annex II, Chapter V, Paragraph 1(a)
7. The work surface in the bar was damaged. Renew or repair and maintain in a sound condition which is easy to clean. This will require the use of smooth, washable and non-toxic materials.
Retained Regulation (EC) No. 852/2004, Annex II, Chapter II, Paragraph 1(f)

Confidence in Management/Control Procedures

8. At the time of my visit you did not have a documented food safety management system in place and there were some uncontrolled hazards noted, as detailed above. I was pleased to find that you were carrying out daily refrigeration and cooking temperature checks which were satisfactory at the time of my visit. As discussed, all food businesses must have some written procedures and monitoring records to show how they are handling and serving food safely. This is known as a written food safety management system/policy or HACCP.

For this purpose you must:

- Identify relevant hazards and any associated checks or procedures in your business that are needed to make sure that the food you produce is safe;
- Put in place practices and procedures that would control potential problems;
- Document the above and maintain monitoring records.

A pack has been developed by the Food Standards Agency called "Safer Food, Better Business" (SFBB) to help businesses with this requirement. To satisfy the need for a written food safety management system, you will need to complete the relevant sections of the SFBB pack.

In addition, you must ensure you have in place effective controls for E.coli O157 cross-contamination. I have enclosed a leaflet to provide you with further information in relation to the guidance, along with an E.coli check sheet so you can carry out your own audit to ensure you fully comply with the guidance.

Continued

The SFBB pack can be downloaded free of charge from the Food Standards Agency website, <https://www.food.gov.uk/business-guidance/safer-food-better-business-for-caterers> or a copy can be purchased from the Council for £18 at www.derby.gov.uk/food-pay.

You must ensure the completed food safety management system is available to refer to whilst you are preparing or serving food.

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

Genetically Modified Ingredients

9. During the inspection, it was noted that your cooking oil was found to contain genetically modified ingredients. You must display the poster enclosed in your customer area. Alternatively, you could change the oil you use. Rapeseed oil does not contain any genetically modified ingredients.

The Genetically Modified Organisms (Traceability and Labelling) (England) Regulations 2004

Health and Safety

The health and safety inspection was risk based, focusing only on those risks highlighted nationally, or locally as a priority for your industry group, plus any matters of evident concern noted during the visit. You must, however ensure you manage all risks associated with your business.

A hazard spot was undertaken at the time of my visit and the following matters of which require your attention:

10. There were a number of empty CO2 cylinders which had been left in the cellar, however they were unrestrained. You must ensure that all canisters, regardless of whether they are empty or full are stored securely to prevent them from toppling and causing an explosion risk.

Health and Safety at Work Etc. Act 1974 s.2(1)

11. To demonstrate that your gas installation and appliances have been maintained in a safe condition you must have an annual gas safety certificate issued by a gas safe registered engineer. I acknowledge the receipt of your gas safety certificate on 27 February 2023, thank you for your cooperation.

Regulation 35, The Gas Safety (Installation and Use) Regulations 1998

12. I understand the landlord is responsible for testing the fixed electrical installation at the premises. You must obtain a copy of this certificate to demonstrate that the electrical installation is safe for continued use. I acknowledge the receipt of your Electrical Installation Condition Report on 27 February 2023, you must ensure works are undertaken to address the 'Unacceptable condition' stated in the report.

Continued

Regulation 4 (2), The Electricity at Work Regulations 1989

Schedule B (Recommendations)

1. I strongly recommend you do not rinse equipment that has been used for raw activities in the sink before washing them in the dishwasher, as this could increase the risk of cross-contamination when using the sink. The decontamination of utensils and small equipment can be effectively achieved by using a properly maintained dishwasher as the application of heat (thermal disinfection) is one of the most reliable ways of killing bacteria such as E. coli O157.
2. I understand you use separate tongs and scraper to handle raw meat and cooked food on the griddle and store the equipment separately. In order to remove confusion and further control the risk of cross-contamination, I would recommend you introduce a system to clearly identify equipment used for handling raw food so that it cannot accidentally be used to handle ready-to-eat food. This could be done by using equipment with different coloured handles to separate raw/ready-to-eat equipment.
3. Rapid cooling within 90 minutes can be achieved by reducing the portion size, either by cutting food into smaller pieces or by decanting it into several smaller shallow containers. Liquids can be cooled more quickly by placing the container in a water or ice bath and stirring the liquid to bring the temperature down. You should also record your temperature monitoring checks for cooling down food daily (the time and temperature you start cooling the food; and the time and temperature you complete cooling it and move to the fridge), you should ensure the cooling process is no longer than 90 minutes. To ensure that particular recordings can be traced, the name of the person, the date and the time of the day should be included in the records.
4. I strongly recommend that food equipment be stored off the floor in the cellar and must be thoroughly washed prior to use.