

Economy, Neighbourhood and Environment

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Our Ref: [REDACTED]/09/00105/COMM Your Ref:

Date: 25 January 2018

If phoning or calling please ask for [REDACTED]

The Swan Restaurant
39 Portland Street
Troon
South Ayrshire
KA10 6AA

Dear Sir/Madam

Food Hygiene (Scotland) Regulations 2006

EC Regulation 852/2004

Premises: 39 Portland Street Troon South Ayrshire KA10 6AA

I refer to my visit to the above premises on 24th January 2018 and now enclose details of my findings as discussed with [REDACTED]

You have not implemented adequate documented food safety procedures despite this matter being brought to your attention during a previous inspection on 17th August 2016. In addition the standard of cleanliness within the premises was found to be unsatisfactory, giving cause for concern. A revisit will be carried out in 4 weeks to assess compliance with those matters raised. Failure to comply with the requirements will lead to formal action being taken by this service.

The attached schedules detail works, which require your attention.

Schedule A details the actions required to comply with the food hygiene regulations

Schedule B details the work needed to comply with food standards regulations i.e. matters relating to the quality, composition, labelling, presentation and advertising of food.

Schedule C details recommendations for food hygiene and/or food standard improvement. You are not required to act on these recommendations; however, they are considered best practice and are based on industry guidance and my experience from visiting many other food businesses. I believe you and your business will benefit from the improvements listed in this Schedule.

A further inspection will be carried out in 4 weeks, when it will be expected that all matters reported in Schedule A will have been rectified. Failure to do so will result in further enforcement action being taken against you.

All matters reported in **Schedule A and B** must be rectified within **3 months**.

Food Hygiene Information Scheme Improvement Required

As part of this inspection, the level of compliance with food hygiene legislation within your business was assessed for the purpose of the Food Hygiene Information Scheme. Your business has been classified as **'Improvement required'**.

Once you have rectified all matters raised detailed in **Schedule A** you can request a reassessment visit to review your Food Hygiene Information Scheme status.

Further information on the Food Hygiene Information Scheme is available on our website at www.south-ayrshire.gov.uk/environmentalhealth.

South Ayrshire Council seeks to follow the guidance of the Government and the Food Standards Scotland in treating all businesses fairly, consistently and in proportion to the risks involved. If you have any concerns about the manner in which the inspection was carried out or the implications of any of the issues raised, then you can contact my manager at Environmental Health, Burns House, Burns Statue Square, Ayr. Telephone: 0300 123 0900.

Yours faithfully,



Food Safety Officer

SCHEDULE A – Food Hygiene

1. There was no documented food safety system based on HACCP principles. Although a Cooksafe manual was present, the house rules had not been completed. The following food safety matters were identified:
 - a. Temperature records had not been completed since 17/1/18. Records seen demonstrated the infrequent hot holding temperatures of soup were recorded and there was no record of refrigerated foods within the service area e.g chill display to demonstrate that high risk foods maintain a temperature below 8oC.
 - b. Although there was a date control system this had not been maintained. For example:
 - i. Foods had prolonged shelf lives i.e. coleslaw (prepared 19/1) and tuna (prepared 20/1). Prolonged storage of high risk foods may result in growth of pathogenic microorganisms and formation of toxins which may result in a risk to health.
 - ii. Roast pork, lamb and beef had been previously cooked and frozen. These foods were not marked with the date of defrosting and/or a use by date for stock control purposes.
 - c. There was no suitable BSEN 1276 and/or BSEN 13697 disinfectant for the disinfection of surfaces which come into contact with food within the kitchen. "Dettol" was in use. Failure to adequately disinfect surfaces may pose a risk of cross contamination.
 - d. Bread rolls were stored under the raw food preparation surface therefore may be exposed to risk of cross contamination.

(EC Regulation 852/2004, Article 5)

You must implement and maintain documented food safety procedures based on the HACCP principles. A Cooksafe manual has previously been issued to you to assist with this matter, however the house rules must be completed to detail control and monitoring procedures which must be implemented to ensure food safety.

Temperature monitoring must be carried out daily, with records kept on the premises for inspection. This matter was raised previously during an inspection on 17th August 2016. You must ensure that the temperature of hot foods is monitored and recorded daily and also the temperature of high risk foods within the chill display unit in the service area.

Your date control system must be maintained. You must ensure that previously frozen foods are marked with the date of defrosting and/or a use by date for stock control purposes. Daily monitoring of dates must be carried out with any out of date foods disposed of. The shelf lives applied to foods must be suitable to ensure that all foods remain safe to eat. The coleslaw and tuna were disposed of at the time of my visit.

Bread rolls must be suitably relocated from the raw food preparation area to protect them from risk of contamination.

2. The following areas were found to be dirty:
 - a. Container storing utensils
 - b. Paper towel dispenser
 - c. Hand lotion dispenser
 - d. Disused wall soap dispenser
 - e. Wall shelving
 - f. Shelf under the sink unit
 - g. Floor covering at the wall to floor junctions, to the side of equipment and to the front of the "Beko" fridge
 - h. Extraction canopy (accumulation of grease)
 - i. Wall surface behind the deep fat fryers and grill (accumulation of grease)
 - j. Electrical switches
 - k. Pipework and lower wall to the side of the deep fat fryers
 - l. Canopy above the cooking griddle (accumulation of grease)
 - m. Back door
 - n. Shelving of walk in chill
 - o. Floor under rear shelving in walk in chill
 - p. Seal of chest freezer number 1 (mould present)
 - q. Outside casing a seal of chest freezer number 2 (mould present)
 - r. Floor of outside freezer store

- s. Door to the freezer store
- t. Ground to rear of kitchen at entrance to storage areas

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

These areas must be cleaned and maintained in a clean condition.

- 3. The following equipment was found to be dirty;
 - a. Base of the "Beko" fridge
 - b. Casing of the deep fat fryers (accumulation of grease)
 - c. Casing of the soup kettles
 - d. Tin opener
 - e. Pastry heating unit

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

This equipment must be cleaned and maintained in a clean condition.

- 4. The shelf under the washing up sinks was worn damaged and no longer permits adequate cleaning.

(EC Regulation 852/2004, Annex II, Chapter II)

The shelf must be suitably repaired to permit adequate cleaning, or replaced.

- 5. The floor covering with the kitchen was damaged in areas, with gaps which were allowing the accumulation of dirt. This was particularly evident at the entrance to the kitchen and to the side of the washing machine.

(EC regulation 852/2004, Annex II, Chapter II)

The floor covering must be suitably repaired with no gaps evident which may allow the accumulation of dirt.

- 6. The framework of the washing up sinks was corroded.

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

The framework of the washing up sinks must be suitably repaired to permit cleaning.

- 7. Plastic food jugs were in poor condition and no longer permitted adequate cleaning.

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

Food equipment must be maintained in good repair and condition to permit cleaning.

- 8. Filters of the mechanical extraction system were missing.

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

**The filters must be replaced so that the system can operate effectively.
This matter was raised during a previous inspection on 17th August 2016 and must receive attention.**

- 9. The lid and casing of freezer number 3 was rusting.

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

The freezer must be suitably repaired to permit adequate cleaning, or replaced.

- 10. Crockery on the lower shelving within the kitchen was dirty.

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

Crockery must be maintained in a clean condition. You did advise that this would be cleaned before use.

11. There was an uncovered bin containing food waste in the covered outside area which may attract pests.

(EC Regulation 852/2004, Annex II, Chapter VI)

Food waste and other refuse must be stored in lidded waste containers outside to protect from pests.

12. There was an accumulation of cardboard and plastic waste (oil containers) to the rear of the premise.

(EC regulation 852/2004, Annex II, Chapter VI)

The accumulation of waste must be removed from this area for disposal.

SCHEDULE B – Food Standards

1. You have not provided information concerning any foods which contain ingredients which may cause allergies or intolerances on a menu or notice at the point of sale at the place where the consumer chooses a food.

(Food Information (Scotland) Regulations 2014, regulation 5)

You must provide information concerning any foods which contain ingredients which may cause allergies or intolerances at the point of sale at the place where the consumer chooses a food. If you choose to provide this information verbally, then you require to indicate that details concerning foods containing ingredients which cause allergies and intolerances can be obtained by asking a member of staff, either on a menu or notice at the point of sale.

I have provided you with an allergen matrix to assist you with documenting your food allergen information.

2. Vegetable oil used on the premises is produced from 'Genetically modified soya'. You have not declared on your menu that some foods contain oil which is produced from 'genetically modified soya'.

(EC Regulation 1829/2003)

Where a genetically modified ingredient is used in a food, a statement that the food contains a genetically modified ingredient must be given on the menu next to the food in question.

SCHEDULE C – Food Hygiene/Food Standards Recommendations

1. Copies of food hygiene training certificates should be kept on the premises to demonstrate compliance with the food hygiene training requirement.
2. In view of the number of cleaning matters requiring attention, you should review your cleaning schedule to ensure that it details all areas to be cleaned, the cleaning frequency, equipment to be used and method of cleaning.
3. Regular supervisory monitoring should be carried out to ensure that your premises is maintained in an acceptable condition and that food safety procedures are maintained.
4. A carton of fresh orange juice was dated "Best before 30/11". Although not an offence to use foods beyond best before dates, this product may be of poor quality which would be an offence under the terms of the legislation. The juice was removed for disposal at the time of my visit.