Written evidence submitted by Dr William Mason

Introduction

1. I have been as an independent examiner of the evidence presented to the select committee by Fit Kitchen Limited.

2. The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.

3. There is now produced and shown to me EXHIBIT 1 (with its own paginated bundles with references to documents in the witness statement are to Exhibit AH1 and AH2 unless otherwise stated. Available by accessing this link: https://drive.google.com/open?id=1ALg757kL0fXaV597gPADCJ_abGuAcWUo

My Background

4. I am a qualified food safety expert in the UK and possess a doctorate (PhD) in Environmental Studies. I have now retired (17 October 19).

5. I have undertaken expert witness work in food safety for over 10 years.

6. I have also worked as Food Safety Manager, within Regulatory Services across the UK and have carried out over 8,000 food safety inspections, with respect to which I have been part of prosecutions in over 100 cases against food business operators.

7. My scope of work was an examination of the evidence, which included the witness statement (EXHIBIT 1) in relation to the food safety complaints received by Fit Kitchen Ltd related to Scratch Meals Ltd. I spent a total of six hours examining the evidence presented to me.

Findings

8. I can conclude in my professional opinion that an increasing risk is present to the
public in relation to the food production standards exercised by Scratch Meals Ltd, the Grimsby based supplier to Sainsbury's, Ocado, Waitrose, Booths and other major supermarkets. My scope of work here of course was focused only on the “Fit Kitchen” range, but all of Scratch Meals’ products are manufactured in a single premises, hence the food safety concerns span all of the products sold by this food business operator (FBO).

9. Fit Kitchen has outlined regularly the breach of Regulation 19 of the Food Safety Regulations (Act) 2013, I concur with the view that Scratch Meals Ltd should have withdrawn the products reported to have had foreign bodies in them from the market in October 2018 based on the evidence I have been presented with. They have directly breached Regulation 19, which means the enforcing authority should have taken action against them through issuing a fine or criminal proceedings for not self-reporting the foreign objects found in their products. This is pursuant to Schedule 2 of Regulation 19 and EC 178/2002 (European Law).

10. I am informed, and have confirmed, that the defendants doubled the number of products in the range in August 2019, which has poised and even greater risk to the public. This strain is two fold, firstly from the increase in the frequency of complaints, but worryingly the increase seriousness of said complaints. From the evidence that was presented to me, I can assume that no one was hospitalised between October 2018 and June 2019, but at the end of July these complaints have undoubtedly poised a public risk in that a person, S.Coen (Referred to in AH1 of EXHIBIT 1) had to seek emergency medical help.

11. I would therefore recommend that urgent action is taken by authorities (DEFRA, FSA) to override the local authority enforcement powers and force an urgent recall on Scratch Meal's products with immediate effect. The bureaucracy of a judicial review would mean any further delay could poise a dangerous risk to the public. Based on the evidence I have examined carefully there have been 19 incidents of foreign bodies found in 12 months (in just one range of Scratch Meals’ products) equating to one every four weeks in just one range of product sold by the FBO.