



Press Release

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PERIODIC REPORT ON THE ACTIVITIES UNDERTAKEN BY THE HEALTH INSPECTORATE SERVICES WITHIN ENVIRONMENTAL HEALTH DIRECTORATE

As done in the previous years, the Environmental Health Directorate within the Superintendence of Public Health has kept its monthly appointment with the media and issued a press release on the activities undertaken throughout the previous month. The Directorate's administration would like to take this opportunity to publicly thank the media for its assistance during last year as well as the public for its cooperation.

The following is a summary of some activities undertaken by the Environmental Health Directorate during 2013 including a report issued by the Health Inspectorate Services for the month of **DECEMBER, 2013**.

SUMMARISED REPORT

The following is a summary of the report hereunder:

- 286 improvement notices were issued during December, totalling over 5,502 for 2013;
- 2 HACCP audits were carried out, out of a total of 23 audits during 2013;
- 5 undertakings were issued last month out of a total of over 130 for 2013;
- Just over 100kg of foodstuffs were destroyed, amounting to over 13 tonnes in 2013;
- 3 Legionella audits were carried out of a total of 85 in 2013;
- 6 swimming pools were inspected during 2 audits. 168 pools were inspected in 69 audits throughout 2013;
- 35 new pools were registered in 2013;
- 8 schools were inspected in December out of a total of 90 during 2013;
- 3 new private water suppliers registered in 2013;
- A total of 80 abatement notices were issued last year;
- 27 food consignments imported were inspected; a total of 495 for last year;
- 1717 notifications of foodstuffs, 176 import declarations of foodstuffs and 547 notification/import declarations of food supplements were received; totalling 24,989 notifications in 2013;
- 17 Ship Sanitation certificates issued, out of a total of 257;
- 1318 control cards issued amounting to over 23,000 in 2013;
- 8 illegal tobacco adverts were removed which totalled 94 adverts during last year;
- 3 illegal tattoo adverts were removed out of 28 adverts in 2013;
- 132 applications were processed out of a total of over 1890 applications;
- 331 samples elevated and analysed. Over 6,600 samples elevated last year;
- 28 products were recalled throughout 2013;
- 8 citations issued/processed out of a total of 115 contraventions;

- 30 cases were decided in court out of 118 cases in the last quarter. 172 cases were decided totally last year out of 553 cases;
- 19 operators were instructed to stop a food related activity last year; three were reported in December;
- No premises were closed down in December but 8 premises were closed down throughout 2013.
- 253 complaints lodged with the Health Inspectorate out of a total of over 6,100 complaints.

DETAILED REPORT

IMPROVEMENT NOTICES ISSUED TO FOOD BUSINESS OPERATORS

Two hundred and eighty six improvement notices in terms of article 33 of the Food Safety Act have been issued to food business operators by the Health Inspectorate Services. During 2013, over **5,500** improvement notices were issued.

This notice is sent to all food business operators following an unannounced inspection by Environmental Health Officers within their establishment. The intention of this notice is to inform food operators about deficiencies noted in their establishments while the operator is given a specific deadline by when the deficiencies need to be remedied. Though the seriousness of deficiencies might vary, legal action is initiated when major deficiencies are noted.

MARKET SURVEILLANCE

Throughout 2013 the Health Inspectorate performed three market surveillance exercises, as follows:

- **Labelling of food**

Throughout this surveillance 4,922 labels of foodstuffs were checked in around 2,300 premises. Of these checks 719 labels did not conform fully to labelling legislation having a total of 1061 defects. The most common defect noted was about improper ingredient list followed by improper nutritional information.

- **Nutritional and Health claims**

A specific exercise on Nutritional and Health Claims was carried out during a specific period of 2013. 466 labels of food at retailers were checked for infringements with respect to nutritional and health claims. 85 infringements were noted. The most common was the omission or incorrect nutrition declaration, followed by non-compliance with the conditions of use of a specific nutrition or health claim and the misuse of wording of permitted nutrition or health claims.

- **Tobacco Control**

During this surveillance, compliance with smoking regulations was verified. A total of 2116 inspections were carried out resulting in 13 contraventions being issued.

- **GMO Labelling**

In November, a GMO traceback exercise was commenced. This exercise kick started a chain of inspections - 34 (until the end of December) in different food establishments, during which some irregularities in labelling with respect to GMOs were noted and 6 products were relabelled according to the regulations.

HACCP AUDITS

Two HACCP audits were carried out during December from a total of **23 audits** during last year. There was an increase in the number of audits when compared to 2012. The **Hazard Analysis Critical Control Point** is a Food Safety Management System which is obligatory in all food businesses.

UNDERTAKINGS

During December, **five undertakings** were entered into by the Health Inspectorate, **two** were food related and concerned hygiene of food premises and on improperly labelled food. **Three** were public health related. Throughout 2013, over 130 undertakings were entered into by the Health Authority.

Undertakings are legal agreements between the commercial operators and the Health Authority specifying deadlines by when deficiencies in their premises should be remedied or to re-label products in compliance with standing legislation. Failure to abide with the agreed deadlines results in Court proceedings being initiated.

DESTRUCTION OF FOOD

In December, just over **100kg of different foodstuffs** were destroyed by the Health Inspectorate:

- 12.78 kgs of confectionery items partly due to irregular labelling;
- 87.70 kgs of other foodstuffs with lapsed durability dates.

Throughout this year, over **13 tonnes of foodstuffs** were destroyed under the supervision of the Health Inspectorate. This is a significant decrease when compared to the 91 tonnes of food destroyed in 2012.

LEGIONELLA AUDITS AND POOL INSPECTIONS

Three audits at Hotels, and other similar premises to ascertain compliance with Control of Legionella Regulations, 2006 (L.N. 5 of 2006) and the Registration of Cooling Towers and Evaporative Condensers Regulations, 2006 (L.N. 6 of 2006) were performed by the Health Inspectorate during last month. During 2013, the total number of Legionella audits carried out was over **85**.

During the same month, **six swimming pools** were inspected during **two** relevant audits carried out by the Health Inspectorate to verify compliance with Swimming Pools Regulations, 2005 (L.N. 129 of 2005). This regulation specifies that all swimming pools with the exception of those situated at a single family residence need to register with this Directorate. **168 pools** were inspected during **69 pool audits**, last year.

During December **one** new swimming pool was registered with this Directorate in terms of mentioned regulations; but throughout last year **35 pools** were registered, which is higher than the previous year. A list of registered pools can be found in the Directorate's website at <https://ehealth.gov.mt/download.aspx?id=1917>.

INSPECTIONS OF SCHOOLS

During December, **eight schools** were inspected to ensure compliance with general hygiene requirements, out of a total of **90** carried out during last year. Such inspections are carried out in private, government or church owned schools and whether, primary, secondary, tertiary or language or special schools.

PRIVATE WATER SUPPLIERS

Although there were no new private water suppliers registered during December, during 2013 **three new private water suppliers** were registered with the Health Authority, when compared to six in the previous year. Further information on the approved water suppliers can be obtained from https://ehealth.gov.mt/HealthPortal/public_health/environmental-health/health_inspectorate/env_hlt_risk_management/private_water_supplies.aspx

ABATEMENT NOTICES

No abatement notices were issued during December by the Health Inspectorate in terms of the Public Health Act in view of inspections and audits carried out in the previous days. A total of **80 abatement notices** were however issued during 2013.

CONSIGNMENTS

Twenty seven consignments of food imported/traded into Malta were also inspected by Environmental Health Officers attached with the Port Health Services within this Directorate. Throughout this year, the Port Health Services inspected **495 consignments** of foodstuffs.

CONSIGNMENTS DOCUMENTARY CHECKS

1717 notifications of foodstuffs, 176 import declarations of foodstuffs and 547 requests for importation of food supplements were submitted to the Port Health Services as required by Trading Regulations of 2004 (Legal Notice 315 of 2004 which can be downloaded from <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11120&l=1>.

During last year, **24,989 notifications** were submitted to Port Health Services

All traders of food including food contact materials and food supplements are reminded to notify the Port Health Services, 48 hours in advance as explained in Press Release 1531 issued on 13th August, 2011 (URL: http://www.doi.gov.mt/EN/press_releases/2011/08/pr1531.pdf).

PERSONAL IMPORTS

1782 personal consignments were also screened by the Port Health Services, of which **2 were rejected**. In 2013, **18,085** personal consignments were screened and **101** parcels in total were rejected. This was much higher than 2012, when only 17 were withheld.

SHIP SANITATION CERTIFICATES

Seventeen Ship Sanitation Certificates were issued by the Port Health Services. These inspections are carried out in terms of the International Health Regulations of 2005 and involve the assessment of the general hygienic conditions and control measures undertaken on ships. A Ship Sanitation Certificate needs to be renewed every 6 months at an authorised port; Malta being an authorised port.

During 2013, **two hundred fifty seven certificates** were issued following inspections on ships.

CONTROL CARDS FOR NARCOTIC AND PSYCHOTROPIC SUBSTANCES

In December, **1318 control cards for narcotic and psychotropic substances** (763 females and 555 males) were issued by the Drug Control Unit, which is another unit falling under the Health Inspectorate Services. **153 of these cards** were **new applicants**. Throughout last year over **23,000 control cards** were issued. This was about a 1,000 more than the cards issued in 2012.

These cards are issued when a medical doctor deems that a person needs to be prescribed a psychotropic drug. An application form is filled in and handed over to the patient which is in turn submitted to the Drug Control Unit.

ILLEGAL ADVERTISEMENTS

During December, **8 adverts** involving Tobacco products and including electronic cigarettes in breach of Tobacco (Smoking Control) Act were noticed on local sites and the respective advertisers and webmasters were instructed to remove, something which was actually complied with. During 2013, **94 adverts** were noted and removed.

Three advert of tattoo equipment were also noticed last month in contravention of the Control of Tattooing Act, out of **28 adverts** for the whole year.

The number of adverts both for tobacco and tattoo equipment was less than in the previous year.

APPLICATIONS AND CONSULTATIONS

During December, the Health Inspectorate received **one hundred thirty two requests to process applications** to operate food and non-food business. Prospective operators who wish to open such businesses are obliged to apply for a permit with the Malta Environment and Planning Authority (MEPA) and then apply for the actual licence with the competent authority such as the Trade Licensing Unit or Malta Tourism Authority. At every stage, this Directorate is consulted in order to verify suitability of proposed premises.

1890 applications were processed by the Health Inspectorate last year.

During the same month, Environmental Health Officers deployed with the Food Safety Unit, which is involved in the licensing of food related business carried out a total of **60 visits** but no **consultations**. Throughout 2013, over **1046 visits** and around **14 consultations** were carried out by the Food Safety Unit.

SAMPLES

During December, **331 samples** were elevated by the Health Inspectorate and submitted to the Public Health Laboratory for analysis and/or examination for several parameters;

- 143 food samples,
- 72 potable water samples,
- 52 swabs,
- 44 infiltration water samples,
- 20 other samples.

During this year, the Directorate has launched numerous microbiological and chemical sampling programmes targeting several parameters in numerous categories of foodstuffs such as colours, aflatoxins, GMOs, radionucleides, etc.

Last year, **6,692 samples** were submitted for analysis at the Public Health Laboratory.

RECALLS

During the month of December **one** product was recalled as follows:

Press Release number 2817 issued on 16th December, 2013 (<http://www.gov.mt/en/Government/Press%20Releases/Pages/2013/December/16/pr2817.aspx>).

Throughout last year, locally, **27 products** were recalled through **21 press releases** issued, most of which ended up in the European Union's Rapid Alert System for Food and Feed. The EU's RASFF portal is accessible from URL: http://ec.europa.eu/food/food/rapidalert/rasff_portal_database_en.htm

OTHER PRESS STATEMENTS

During 2013, the Directorate was involved in **sixteen** other press statements apart from those concerning food recalls.

CONTRAVENTIONS

In the past month, **eight contraventions** were issued/processed by the Health Inspectorate.

- Three persons were charged separately for permitting smoking inside an enclosed space;
- Four persons were charged for smoking inside an enclosed space in three different citations;
- One person was charged for failing to abide with an undertaking;
- Two persons obo a company were charged for failing to abide with the provisions of the LN 5 of 2006 under the Control of Legionella Act, 2006.

Around **115 contraventions** were issued by the Health Inspectorate throughout 2013; involving both food safety and environmental health issues. The number of contraventions this year was less than those issued in 2012.

FROM THE LAW COURTS

During the last quarter of this year **30** (out of **118 cases**) were decided by the Magistrate's Court during **7** Health Sittings held in Malta and Gozo. From these cases, **20** were new whilst the remaining were brought forward from other months/years.

From the cases heard in the last quarter, those found guilty were given conditional discharges ranging from **3 years** to **3 months** to fines, the total of which amounted to **€1,200** and also an '*amenda*' of **€15** including another sentence were a €5 daily fine was imposed in case of non compliance. The fines were imposed on the operators of:

- Hal Caprat Ltd; 40/43 Triq il-Grazzja, Haż-Żebbuġ - fined **€480** for not abiding with an undertaking which was entered on the 2nd February, 2012.
- Lourdes Band Club, Misraħ Santa Marija, Qrendi - fined **€470** for not abiding with an undertaking which was entered on the 11th September, 2012.
- Santa Marija Band Club, Triq Santa Marija, Għaxaq - fined **€250** for permitting smoking inside the premises, for obstructing health authorities from carrying out their duties and for not giving the Health Authority required information.
- 62, Triq Patri Guze Delia, Balzan recieved an '*amenda*' of **€15** for not having a syphon trap on the 30th July, 2012.
- A private residence in Rabat, for not having a toilet communicated with the sewage system and for having a sink which was not connected onto a gully in the open air, back in March,

1994. The court ordered that necessary works to be effected within 3 months from sentence and a €5 daily fine was imposed in case of non compliance.

The following were given conditional discharges for stipulated periods of:

3 Years

- A hawker at the Vittoriosa Open Market, for failing to provide cold and hot water at a suitably controlled temperature and for being a relapser following a sentence given by Magistrate Dr. J. Padovani Grima LL.D. (2nd December, 2010) on 18th January, 2011.

2 years

- A hawker at the Vittoriosa Open Market, Triq G. Decelis, Vittoriosa for failing to provide facilities for the washing of equipment, hand washing and drying facilities and cold and hot water at a suitably controlled temperature and for not registering a stall as such with the Food Safety Commission on the 2nd August, 2011.
- A hawker at the Vittoriosa Open Market, for failing to provide facilities for the washing of equipment, hand washing and drying facilities and cold and hot water at a suitably controlled temperature on the 18th January 2011.
- A hawker at Triq il-Karmelitani c/w Triq Hompesch, Fgura, for keeping fish at a temperature which might have resulted in a risk to health, for not providing hand washing and drying facilities, cold and hot water at a suitably controlled temperature and for not registering a stall with the Food Safety Commission on 31st May, 2011.
- American Bar, 104, Triq il-Knisja, Nadur, for failing to keep the food premises in good state of hygiene and in good state of repair and condition, to keep wall and floor tiling in good state of repair and condition so as to facilitate cleaning, to keep apertures and doors in good state of repair and condition so as to facilitate cleaning and to wear adequate protective clothing on 27th August, 2013.

8 months

- Snow White Meat and Poultry Market, Triq iż-Żebbiegħ, Mgarr, for not having an adequate traceability system, for having in possession food items at a temperature which might have resulted in a risk to health and having improper on some food products on the 19th December, 2012.

6 months

- Hefu Bar, No.189, Valley Road, B'Kara, for exposing food to risk of contamination, for not having a wash hand basin with a supply of cold and hot water at a suitably controlled temperature including hand cleaning and drying facilities, for failing to provide adequate pest control measures and toilet room was not to the satisfaction of the Health Authority in January 2013.
- Harmony Kiosk, Triq it-Trunciera, Bugibba, San Pawl il-Baħar, for not having an adequate traceability system, for exposing food to risk of contamination, for having a sink without

hot water at a suitably controlled temperature, for keeping equipment which comes in contact with food in bad condition, having a leaky sink drain, inadequate artificial lighting, floor not in a good state of repair and a wash hand basin that was not provided with cold water and hand washing and drying facilities in September, 2012.

4 months

- Canadian Butcher, Triq Temi Zammit, Tarxien, for having chicken and rabbit products improperly labelled and without any traceability system and for using vehicle GBB 481 without priorly being registered with the Food Safety Commission in June 2013.

3 months

- Farm, Triq Sant' Andrija, Msida, for keeping an accumulation of dung in February 2009. **Also a fine of €5 daily was imposed in case of non-compliance.**
- St. Anthony Farm, Triq Habel Zwejra, Magħtab l/o Naxxar, for keeping an accumulation of dung, cesspit not properly covered and for allowing material to flow in street in November 2006. **A €50 (euro) daily fine was imposed in case of non-compliance within 2 weeks.**
- Mid-Way Vendor, Triq Alexander, Hamrun, for having food products with elapsed durability dates, other food products with tampered dates and for not having a traceable system in January 2013.
- Fruit & Vegetable Hawker – IBJ 306, at the Vittoriosa Open Market, Triq il-Kottonera, Vittoriosa, for keeping peppered cheeselets at temperature of more than 8°C, food products without durability date and without lot number in July 2013.
- Pie Master, St.Paul's Street, St.Paul's Bay, for having in his possession cigarette lighters with tobacco adverts in July 2013.

Thus during this year **over €9,000** in fines were imposed by the respective Magistrates and a total of **475 months** of conditional discharges

FROM THE LOCAL TRIBUNALS

During this year a total of **€2358.11** in fines were also collected with respect to the following cases heard before the **Local Tribunal**:

- At the Żejtun Band Club, Misraħ Gregorio Bonnici, Żejtun, two persons were found guilty - one for allowing smoking inside the band club and another one for smoking in an enclosed space. One was fined **€232.94** and the other **€244.59**.
- At the Ghaqda tal-Muzika San Gejtanu, 703, Triq il-Kbira, Hamrun, one person was found guilty for smoking inside this establishment. A fine of **€232.94** was imposed.

- Two persons found guilty, one for allowing smoking inside the First and Last Bar, Triq Ghajn Dwieli, Paola and the other person for smoking inside this premises. Both were fined **€232.94** each
- At the Santa Marija Band Club, Triq Santa Marija, Ghaxaq one person was found guilty and fined **€232.94** for smoking inside this establishment.
- A person was found guilty of smoking inside the U.R.F.T Bar, Racecourse Street Marsa and was fined **€232.94**
- The responsible person at the Żebbuġ Rangers Misraħ San Filippu, Żebbuġ was fined **€250** for allowing smoking inside the premises
- At the Soċjeta Muzikali Madonna Tal-Ġilju, Pjazza tal-Knisja, Mqabba, the responsible person was fined **€232.94** for allowing smoking inside this establishment.
- At the Vilhena Band Club, Floriana, two persons were fined **€232.94** each, one as the responsible person of mentioned establishment who allowed smoking inside this premises and the other person who was fined was a person found smoking during mentioned inspection.

EMERGENCY CONTROL ORDERS

During December, 3 emergency control orders were issued. Throughout last year a total of **19 food related activities** were stopped for a period.

EMERGENCY PROHIBITION ORDERS

During last month, no premises were close down by the Health Authority due to imminent risk to public health; but during **2013, eight premises** were closed down, **six more** than the previous year.

ENFORCEMENT NOTICES

Two enforcement notices were issued one in September and the other in November following the risk of infection from Legionnaire's Disease. The notice issued in November is still in force.

COMPLAINTS

In December, **253 complaints** were lodged with the Directorate which were categorised in one or more category, as follows:

- **Food related complaints**
47 complaints were related to food. The most common type of food complaints were: improper labelling (12 complaints), risk of contamination (10 complaints), fitness of food and hygiene of food premises (8 complaints).
- **Other Environmental Health related complaints**
Another 222 complaints were environmental health related. The most common types were: presence of pests (57 complaints), infiltrations (37 complaints), drainage overflow (30 complaints), accumulations of refuse (15 complaints), discharge of foul water (13 complaints) and keeping of animals in unhygienic conditions (11 complaints).

Note: The number of complaints and the number of categories do not tally, since one complaint received may encompass one or more categories.

Throughout last year, **6,174 complaints** were investigated in terms of its ISO certification by the Health Inspectorate. **The number of complaints submitted this year was less than the previous one.**

The Environmental Health Directorate takes this opportunity to remind the public that it can contact the Health Inspectorate Services between 7:00am and 3:00pm on telephone number 21337333, by calling personally at its offices at Continental Business Centre, Cutrico Buildings, Old Railway Track, Santa Venera or by email complaints.ph@gov.mt.

For further information, the public is also encouraged to visit the Directorate's website at URL: https://ehealth.gov.mt/HealthPortal/public_health/environmental-health/department_for_env_health.aspx or on its facebook page on <http://www.facebook.com/pages/Environmental-Health-Directorate-Malta/145027878928626>