APPENDIX C – Extract from Section 2.3.20 of the Food Law, Code of Practice

Extract from the Food Law, Code of Practice, issued by the Food Standards Agency, October 2025, showing section 2.3.20 outlining the requirements and consideration of a food sampling programme as permitted by the Food Sampling Policy.

2.3.20 Sampling programme

The purpose of the sampling programme is to set out the details of the Competent Authority's risk-based food sampling activities. To support this, it is recommended that Competent Authorities ensure the programme:

- takes into account the main objectives of food sampling:
    - protecting health
    - detecting deceptive and fraudulent activities
    - compliance with labelling requirements
    - providing advice to FBOs
    - promoting fair trade and deterring bad practice
- is risk based and takes account of:
    - the procedures adopted by the food business to ensure compliance and their history of compliance
    - the Competent Authority's primary authority, home authority or originating authority responsibilities
    - the need to ensure that the provisions of food law are enforced
    - whether there are food manufacturers in the area and the degree of control and monitoring exercised by manufacturers for all potential faults
    - whether any distribution centres deliver food to a wide area
    - the type of food additives FBOs (for example, food manufacturers, and importers) use in the area
    - whether national sampling programmes highlight any food types which relate to specific premises in the area
    - national or regional imported food priorities/surveys and the UK's National Control Plan
    - emerging national and international concerns
    - local consumer and business concerns
    - the severity of the effect of any given fault with the food, including the likelihood of the occurrence of the fault, the consumption pattern applicable to the food, the degree and distribution and the stage in the production and distribution chain at which the problem can occur or could be more easily detected
- takes account of imported food, in particular:
    - any statutory requirements for sampling laid down in assimilated law
    - any agreed UK Health Security Agency (UKHSA)/FSA sampling programmes

    - any sampling required following a Food Alert, Early Warning System (EWS) or relevant notification
    - information from any regional liaison group, local or other sampling survey
    - any imported food where there is no known history or information on the product
    - local priorities, including consumer complaints relating to imported food
- is planned to avoid foods that are already being looked at on a wider basis, for example, those sampled as part of imported food controls at BCPs.