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CAPITA

Public Protection Services
Environmental Health
Quadrant East - 1st Floor
Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

The Bronx
178 Brookland Terrace
New York
North Shields

FAO: Mr Yahya Sayin

Our Ref: CN/14/00035/FOOD

Your Ref:

Date: 13 July 2017

This matter is being dealt with by:
Mrs Clare Newlands
Direct Line: (0191) 643 6649
Mobile: 07970 955 334
Fax: (0191) 643 2426
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clare.newlands@northtyneside.gov.uk
Website: www.northtyneside.gov.uk

Dear Mr Yahya Sayin

Food Safety Act 1990
Food Safety and Hygiene (England) Regulations 2013
Regulation (EC) No 852/2004 Hygiene of Foodstuffs
Regulation (EC) No 853/2004 Hygiene Rules for Food of Animal Origin
General Food Regulations 2004
Health and Safety at Work etc Act 1974

RE: The Bronx
AT: 178 Brookland Terrace, New York, North Shields

I refer to my visit to the above premises on the 5 July 2017, I was accompanied during my inspection by the Lead Officer for food Mr Colin Smith.

Matters arising from my inspection were discussed with Mr Sait Sayin at the time of visit.

This department is concerned that several deficiencies identified as contraventions of food safety legislation on previous visits to your premises were repeated again on this latest inspection. As a consequence, I will be writing to you again shortly to invite you to a meeting to discuss the management of food safety within your business with a view to seeking improvements that will prevent further recurrence of food safety offences at your premises.

In the meantime I ask that you let me know what action you have taken in respect of the matters raised in Schedule A in this report by completing the attached reply form and returning it.

This letter also contains important information regarding the food hygiene rating for your business that will be published on the national Food Hygiene Rating website. The Food Hygiene Rating scheme helps consumers choose where to eat out or shop

for food by giving them information about the hygiene standards in food outlets at the time they are inspected to check compliance with legal requirements. Details of how ratings are calculated are enclosed.

Schedule A details the work needed to comply with the law. This work or work considered equally effective must be completed within 28 days unless otherwise specified in the schedule. Failure to comply with the requirements of Part A may result in further action by this Department to secure compliance.

Schedule B lists those matters which, though not legally required, are considered to be good working practice. You should view these recommendations as important guidance for developing safe, hygienic practices.

Following my inspection I have rated the premises as a B. My next routine inspection of your premises will happen in approximately 12 months. However I intend to revisit the premises to verify that matters detailed in Schedule A have been completed. This will be unannounced and when the premises are open to the public.

The food hygiene rating for your business that will be published on the FSA National Food Hygiene Rating website (food.gov.uk/ratings) has been calculated from the risk assessment scores applied by the inspecting officer as set out below:

Criteria assessed	Officer risk score (Food Law Code of Practice)
Compliance with food hygiene and safety procedures	20
Compliance with structural requirements	15
Confidence in management/control procedures	20
Total	55
FOOD HYGIENE RATING	0

Rating	Descriptor	Officer Risk Score	Additional Scoring Factor
5	Very Good	0-15	No score greater than 5
4	Good	10-20	No score greater than 10
3	Generally Satisfactory	25-30	No score greater than 10
2	Improvement Required	35-40	No score greater than 15
1	Major Improvement Necessary	45-50	No score greater than 20
0	Urgent Improvement	>50	

A sticker showing your rating is enclosed/in the post. You can tell your customers how good your hygiene standards are by putting the sticker up in the window or on the door for display. If you do not have a suitable glass surface, you could fix the sticker onto a transparent surface before fixing that onto a wall or other surface. Please destroy the sticker and certificate showing your previous rating as only one rating – 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. Tampering with or misusing certificates or stickers with the intention to mislead the public or misrepresent the food business could also contravene trading standards law.

Your rating will also be published on the Food Standards Agency's website at www.food.gov.uk/ratings between two and four weeks from receiving this letter.

Safeguards

If you think that the rating is wrong or unfair – in other words it does not reflect the hygiene standards at the time of your inspection – you have 21 days in which you can **appeal** against this. You should appeal in writing to the Lead Officer for Food, Mr Colin Smith, using the address at the head of this letter, but I would recommend that you get in touch with me first so that I can help you to understand how your rating was worked out.

If you have improved hygiene standards since your inspection, or if there were unusual circumstances at the time of the inspection that might have affected your food hygiene rating. You have a '**right to reply**' so that you can explain this to potential customers that look up your rating online.

If you make the improvements to hygiene standards that are highlighted in your inspection report, you can **request a re-visit** with a view to giving you a new and higher food hygiene rating.

More information about these safeguards and the template forms for lodging an appeal, 'right to reply' or requesting a revisit can be found on the FSA's website at: <http://www.food.gov.uk/multimedia/pdfs/enforcement/fhrssafeguards.pdf>

Should you wish to discuss this letter or need any further information or advice, please contact me on the above telephone number.

Please note that, subject to the Data Protection Act, details of inspections may be divulged to members of the public under the Freedom of Information Act 2000.

Yours faithfully



Clare Newlands
Environmental Health Officer - Food Safety

Schedule A – Legal Requirements
Address: The Bronx, 178 Brookland Terrace, New York, North Shields

Confidence in management/control procedures:

- 1 No paperwork was available on site at the time of the inspection. Staff were also not completing or aware of any checks prior to them starting work, or at the close of business. *Regulation (EC) 852/2004 Article 5*
- 2 The level of food safety awareness was concerning as staff were unaware of the need for protective clothing (aprons), or having hair tied back securely or covered to prevent contamination. Ready to eat high risk foods (foods that do not require further heat treatment prior to eating) were being stored at room temperature again indicating a lack of food safety awareness. *Regulation (EC) 852/2004 Annex II Chapter XII Para 1*
- 3 There were a number of plastic carrier type bags in the freezers with unmarked (no labels) frozen meat. You need to have labels either on the bags or paperwork to identify the type of meat, date codes, origin. This is for traceability purposes for combating food fraud and if these products need to be recalled from the food chain. *Regulation (EC) 852/2004 178/2002*

Compliance with food hygiene and safety procedures:

- 4 The kebab (originally 50kgs) was on the grill spit at the front shop area but the grill was not on. The shop had been open since 5pm and the kebab was at room temperature. This product needs to be either kept above 63 °C or below 8 °C. *Food Safety and Hygiene (England) Regulations 2013*
- 5 The pizza topping refrigerator was open allowing easy access to the pizza toppings, however it was not being closed after use. The temperature of the pizza toppings were 10·2 °C at 17:50. By closing the lid the temperature of the food items reduced to 9·4 °C at 17:59. This temperature is above the legal requirement of 8 °C. These food items must be stored at or below 8 °C as above that temperature food poisoning bacteria can multiply and the formation of their spores can develop. *Food Safety and Hygiene (England) Regulations 2013*
- 6 Ready to eat high risk foods (foods that do not require further heat treatment prior to eating) were being stored at room temperature (21·7 °C) namely the garlic mayonnaise sauce. These items need to be kept refrigerated once prepared. *Food Safety and Hygiene (England) Regulations 2013*

- 7 The small white under counter fridge which stored the salad was running a temperature of 10.7°C at 18:07. This is above the legal requirement of 8°C. The food items stored in this fridge are high risk ready to eat foods (salads), being above the legal requirement increases the risk of food poisoning bacteria and the formation of their spores.
Food Safety and Hygiene (England) Regulations 2013
- 8 There was inadequate separation of the raw meat preparation from ready to eat foods as they were prepared in the same area. To ensure adequate separation you need to prepare your raw meats where the double sinks are located.
Regulation (EC) 852/2004 Annex II Chapter IX Para 3
- 9 There was a risk of contamination from the reusable containers (large mayonnaise tubs), as they were being used to store raw marinating meats as well as salad items. There were concerns due to the washing of these items between use.
Clearly mark separate containers for RAW MEATS ONLY and SALAD & READY TO EAT FOODS. Include in your cleaning schedule to spray the inside with a food grade antibacterial spray after washing in hot soapy water, (allow to air dry).
Regulation (EC) 852/2004 Annex II Chapter IX Para 3
- 10 Staff were not wearing suitable overclothing (aprons) while preparing foods. All staff who are behind the counter whether they're role is to take the orders need to have suitable clothing. At the time of the visit a female member of staff had a fluffy jumper on and the neither male staff had an apron even though handling of raw meats had taken place earlier that evening.
Regulation (EC) 852/2004 Annex II Chapter VIII Para 1
- 11 Although the female member of staff had her hair in a pony tail it was loose. Long hair needs to be either in a plait, bun, hairnet or bun. The same applies regardless of gender. For male staff be aware of facial hair (beards etc) becoming too long.
Regulation (EC) 852/2004 Annex II Chapter VIII Para 1

Compliance with structural requirements:

- 12 You need to clearly identify one of the sinks as a wash hand basin or alternatively provide a separate wash hand basin in the rear or front shop area.
Regulation (EC) 852/2004 Annex II Chapter 1 Para 4
- 13 You need to provide a water supply including hot and cold (or suitably mixed) water to the wash hand basin located in the WC
Regulation (EC) 852/2004 Annex II Chapter 1 Para 4

- 14 You need to replace the self closer on the WC door so that it cannot stay open. This was a compromise due to the layout of the building when the WC was installed. Alternatively you could construct an intervening space (lobby) between the WC and double sinks.
Regulation (EC) 852/2004 Annex II Chapter 1 Para 3
- 15 The steps leading into the mid preparation area (dough room)/ sink area and into the new extension were engrained accumulations of grease and dirt. This needs to be removed the steps thoroughly cleaned and resealed with a durable easy to clean surface.
Regulation (EC) 852/2004 Annex II Chapter 1 Para 1
- 16 Areas within all the food rooms were affected with grease and dirt build-ups especially at the floor wall junctions and behind/below equipment in hard to reach areas. Undertake a deep clean of these areas.
Regulation (EC) 852/2004 Annex II Chapter 1 Para 1
- 17 The electrical insect killing device had an accumulation of dead flies, although proving that it works it does need to be cleaned on a regular basis. Include this in your cleaning schedule.
Regulation (EC) 852/2004 Annex II Chapter II Para 1(f)
- 18 The partition between the pizza topping refrigerator and the front shop counter was bare wood and had accumulations of grease and food debris on and at the base/counter junction. Bare unsealed wood is not allowed within a commercial kitchen, thoroughly clean and seal this wooden panel and maintain in a clean condition.
Regulation (EC) 852/2004 Annex II Chapter II Para 1
- 19 Although the main extraction canopy and filters were clean there was evidence of grease buildup due to a plastic container collecting “drips” of grease from the unit and there was seepage of grease from the joints. These joints were also covered with gaffe tape. Thoroughly clean the ducting and the extraction unit. Remove the gaffe tape and make appropriate repairs by a competent/qualified person.
Regulation (EC) 852/2004 Annex II Chapter II Para 1
- 20 Remove the cardboard from the floors. Cardboard cannot be cleaned and harbours bacteria. *Regulation (EC) 852/2004 Annex II Chapter VI Para 1*
- 21 The ceiling in the new extension was affected with mould (possibly condensation mould). Remove the mould and reseal the ceiling with a durable (washable) paint. You may need to consider additional ventilation to this room.
Regulation (EC) 852/2004 Annex II Chapter 1 Para 1
- 22 The floor covering was worn and damaged in places throughout the premises. Repair any split vinyl covering and repaint where necessary.
Regulation (EC) 852/2004 Annex II Chapter 1 Para 1

Other legal requirements:

- 23 You need to examine your menu and identify the 14 legally required allergens. This information needs to be easy to understand and available upon request for members of the public. The Food Standards Agency's Allergen Matrix once completed is ideal. *Food Information Regulations 2014*
- 24 You need to display a sign informing customers who they need to speak to should they require allergen information. This sign needs to be clear and in a visible location. Be aware that orders that are taken over the phone for delivery or collection need to be asked if allergen information is required at that point. The allergen information can then be given verbally over the phone or alternatively by the delivery driver or when collection is made.
Food Information Regulations 2014

Schedule B – Recommendations

Due to the number of Schedule A requirements there are no recommendations at this time.



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www.northtyneside.gov.uk

CONFIRMATION OF ACTION TAKEN

Ref: CN/14/00035/FOOD

The Bronx, 178 Brookland Terrace, New York, North Shields

Item Number	Action Taken	Date
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