



## Complaint do's and don't's

### Do

- Keep receipts (This is not essential but is helpful).
- Keep the food wrapper and container.
- Keep perishable food under temperature control (especially if your complaint involves decomposition or "off" smells and tastes).
- Read the label for "best before" and "use by dates", and instructions for use. If you use food that is out of date, or in a different manner to that required by the instructions, you can expect problems.
- Contact your local authority as soon as you can on discovering the problem.

### Don't

- Be tempted to handle or pull out any "foreign object" found in the food - leave it in place.
- Put the food in a place where further deterioration or contamination could take place.
- Throw away any of the food associated with the complaint.

## Legal action

If legal action is taken you will be asked to give a formal statement and may be required to appear in court. If found guilty the company may be fined, up to £20,000, but you will probably not obtain any compensation unless you pursue your own legal action after the case.

If the Environmental Health Officer decides that legal proceedings are not appropriate, for example, because there is not a good chain of evidence, or because the Company have taken all the steps they can to ensure the incident cannot occur again, you may be asked if you are happy to allow your name and address to be released to the company so that they can make their own apologies to you and reimburse you.

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# Making a Food Complaint

## Food complaints

No matter how good a manufacturer, or supplier of food is, there will be occasions when something goes wrong and the food sold is not acceptable to the customer.

### Who should I complain to?

#### 1. The shop, manufacturer or supplier

Complaints may be made direct to the shop or supplier. It may be more appropriate to complain direct to the shop or manufacturer in the following circumstances.

- Although you are not satisfied with the product, you are not unduly concerned about it and merely want your money back.
- The complaint is not of a serious nature, e.g. a part of a pea pod in a can of peas, or a "flat" carbonated drink.
- You are not certain where and when you purchased the product, or you are not sure where and how you stored it.

For formal complaints, two agencies have the power to enforce food laws and they are Environmental Health and Trading Standards departments. They can prosecute those selling or supplying food if it does not meet the requirements of the food laws.

#### 2. Environmental Health Division

Environmental Health Departments deal with:-

- Unfit food, e.g. decomposing meat, food poisoning (Salmonella etc.)
- Food that is so contaminated that it could not reasonably be eaten, e.g. heavy mould growth on cheese.
- Food which contains something which is not of the "substance" demanded, e.g. a bolt in a loaf of bread.

#### 3. Trading Standards Department

Trading Standards deal with:-

- Chemical contamination of food and improper use of additives
- Composition of food e.g. sausages must contain a minimum percentage of meat
- Adulteration of food
- Labelling offences, and misleading claims
- Quality and nature of food e.g. Cod sold as Haddock

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## When to complaint to Environmental Health

Appropriate complaints are usually those that have public health implications. Listed below are just some of the circumstances when you should consider making an official complaint to your Environmental Health Officer.

1. If the complaint is serious because it could give rise to injury or illness e.g. glass in food.
2. If the food clearly contains something that should not be found in it e.g. a piece of metal in food.
3. If the nature of the complaint indicates poor hygiene e.g. a hair embedded in the food.
4. If it is known where and when the product was purchased and you are reasonably certain that you have stored and handled the food properly after purchase.

Complaints must be made to the Council that covers the area where the food was purchased.