

# Suspected Food Poisoning - what you need to know

## Contents

Contents .....	1
Introduction .....	2
What should I do if I believe I am suffering from food poisoning? .....	2
How can food poisoning be prevented from spreading to others? .....	3
What will we investigate? .....	3
How do we investigate? .....	4
How long will this take? .....	4
How do we decide what to do next? .....	4
Shouldn't they be prosecuted anyway? .....	5
Do I get compensation? .....	5
Can I take private action against the company? .....	5
Will I have to go to Court? .....	5
What happens at the end of the investigation? .....	5
Bacteria information table .....	6

## Introduction

For us to investigate your allegation of food poisoning and determine the cause of your illness, you must visit your doctor (GP) and submit a stool sample. Should you need medical advice, contact your GP, call NHS 111 or visit [111.nhs.uk](https://111.nhs.uk). Some advice is available online: [nhs.uk/conditions/food-poisoning](https://nhs.uk/conditions/food-poisoning).

This information sheet is written for people alleging they suffered illness after eating food sold or prepared within the boundaries of Portsmouth City Council. It outlines what we typically do, together with answers to some frequently asked questions.

Food poisoning is an illness caused by eating contaminated food. The symptoms may start suddenly and can include vomiting, diarrhoea, nausea, and fever. Most food poisoning is caused by bacteria, but viruses, chemicals and poisonous plants can also cause food poisoning. It can take several hours - or even days - between eating contaminated food and experiencing the symptoms, which can make it difficult to identify the food which causes the illness.

Regulatory Services works with the UK Health Security Agency (UKHSA) to investigate food poisoning. We will try to identify the source of the illness and to take action to prevent further cases occurring.

## What should I do if I believe I am suffering from food poisoning?

As there are so many different types of food poisoning bacteria, it is important to visit your doctor and submit a stool specimen if you believe you may be suffering from food poisoning.

This will help establish whether

- a) you actually have food poisoning and
- b) whether it can be linked to a food that you have either eaten at home or outside of the home.

Without submitting a stool specimen, it may not be possible to investigate an allegation of suspected food poisoning further, due to lack of evidence.

It is important to recognise that your illness may be viral as opposed to food poisoning. A virus is similar to food poisoning and can also spread very quickly.

Food handlers and those working in the care sector should not return to work until 48 hours *after* symptoms stop.

Advice for health protection in children and young people settings, including education, can be found at: [gov.uk/government/publications/health-protection-in-schools-and-other-childcare-facilities/managing-specific-infectious-diseases-a-to-z](https://gov.uk/government/publications/health-protection-in-schools-and-other-childcare-facilities/managing-specific-infectious-diseases-a-to-z)

## How can food poisoning be prevented from spreading to others?

Households with someone who is suffering from suspected food poisoning should take the following measures:

- ✓ Wash your hands thoroughly after going to the toilet or after contact with the sick person
- ✓ Use different towels and face cloths to the person who is suffering with food poisoning
- ✓ Clear up soiling accidents immediately; wash with hot soapy water and disinfect with a disinfectant or bleach
- ✓ Wash hands thoroughly before handling food or eating
- ✓ Disinfect door and toilet handles, taps and the toilet seat after use and disinfect the toilet bowl frequently
- ✓ Drink plenty of fluids while you are ill to prevent dehydration

Further guidance: [gov.uk/topic/health-protection/infectious-diseases](https://www.gov.uk/topic/health-protection/infectious-diseases).

## What will we investigate?

We will carry out a formal investigation in the following instances:

- 1) Where faecal samples from those who have been ill have been submitted to a laboratory for testing and we have confirmation that the illness is caused by a food poisoning organism.
- 2) Where there are a significant number of people from more than one family who are ill.
- 3) Where no faecal samples have been taken for testing, but the people who are ill are under 5 years old, elderly, chronically sick or immuno-compromised. In this case we will offer to take faecal samples for laboratory testing.

***Where an allegation of food poisoning is made and the case does not fall into one of the above categories, we will make a note on file and discuss the complaint with the food business manager at the earliest opportunity.***

If you are making a food poisoning allegation and have the suspect food, then this will only be sent for laboratory testing if you are willing to send a faecal sample for testing at the same time.

## How do we investigate?

If your case fits into one of the instances above, an officer will interview you to obtain a full food history for the 3 days prior to becoming ill. This will include what you ate and where you ate it.

You may feel that the last food you ate made you ill. However, most food poisoning bacteria will take at least 12-24 hours after eating infected food to make you ill and some can take up to 5 days before you feel ill.

If a local food business is implicated, we will carry out a full food safety inspection as a matter of urgency. This may include taking food samples and swabbing food preparation surfaces. Food samples are sent to the Public Analyst Laboratory for examination and faecal samples are sent to UKHSA. Often, we find that there is no food of the batch served to you left at the food business. This can influence how the investigation proceeds.

If the food came from a manufacturer, caterer, or retailer outside Portsmouth, then we will seek assistance from the Environmental Health Department of the council where the business is located. Sometimes other follow up enquiries are necessary. We can also seek assistance from microbiologists or experts from the Food Standards Agency who can accompany officers on a food safety audit of the business, although this would only happen in very serious cases.

If we find that there are food safety problems at the food business, then we can require the owner to remedy these. We can either send a letter detailing what needs to be done to improve standards, serve a legal notice called a Hygiene Improvement Notice or, in very serious cases where there is an imminent risk to health, we can close the business down immediately.

## How long will this take?

Three to four weeks is typical. Laboratory testing can take up to 5 days. We will keep you informed with regular updates either by telephone, letter, or email.

## How do we decide what to do next?

We aim to discover what went wrong, and why or how. From that, we look for preventative measures or controls in place, and records to confirm that these controls are working properly. If we believe the business to be negligent, or if an obvious potential problem has been overlooked, we may consider more formal action. However, to take a prosecution we will need to prove beyond reasonable doubt that the food business caused your illness. If there is no food left to sample, it is difficult to prove this conclusively. Similarly, if no food poisoning organisms are found after faecal or food testing, we will not be able to prove that you suffered food poisoning. If many people have suffered illness after eating at the same food business, then it may be possible to prove statistically that the business was at fault.

## Shouldn't they be prosecuted anyway?

You may feel the fault appears very serious and there is a case to answer, and the company should be prosecuted. This may not be practical. Companies may have something called a 'due diligence defence' and regardless of the fault, if a manufacturer or retailer could satisfy a court that they had taken all reasonable precautions and exercised all 'due diligence', they then may be found not guilty of the offence. Usually the investigation itself, a visit from a Regulatory Services Officer and the inspection made, has the necessary impact and ensures ongoing vigilance. Often, food manufacturers take the opportunity to review their procedures and improve quality assurance. In this respect, much good can come from your complaint.

## Do I get compensation?

We do not deal with compensation or claims against a business for personal injury, loss of earnings or inconvenience suffered because of the illness. Such claims must be addressed directly to the business responsible.

## Can I take private action against the company?

Your statutory rights are not affected should this department take formal action. You may wish to consider withdrawing the complaint from the council and undertaking private legal action. Alternatively, you may take private action upon completion of the court case, if appropriate, regardless of whether the prosecution is successful.

## Will I have to go to Court?

You may be required to attend court, if the matter proceeds that far, since you are a material prosecution witness for the Council. Should you attend court, you will be required to give your name and address to the court. You may be cross-examined by the defence or Company representative. Reasonable expenses and/or loss of earnings may be claimed in the event of a Court appearance. As part of the investigation, the investigating officer may require you to make a written statement of the facts. Such a statement may be dictated to the officer who will write it for you and ask you to sign it in their presence.

## What happens at the end of the investigation?

At the end of the investigation, we will notify you of our findings. At the same time, we will notify the other parties involved of our decision.

*Should you require any further advice or assistance regarding your complaint, please contact the City Help Desk on 023 9283 4092 or email [cityhelpdesk@portsmouthcc.gov.uk](mailto:cityhelpdesk@portsmouthcc.gov.uk)*

## Bacteria information table

Bacteria	Source	Vehicle of contamination	Route	Symptoms	Onset period	Recovery
<b><i>Bacillus cereus</i></b>	Cereals, environment	Dirty surfaces, hands, utensils.	Cooked rice, corn flour, sauces	Acute vomiting, some diarrhoea.	8 - 16 hours	12 - 48 hours
<b><i>Campylobacter</i></b>	Animals, including domestic pets, birds, contaminated water.	Raw or undercooked meat (especially poultry), unpasteurised milk, bird pecked milk on doorsteps, untreated water, pets with diarrhoea.	Undercooked foods, faecal-oral route.	Abdominal cramp, diarrhoea, often bile stained. Vomiting uncommon.	1 - 11 days (usually 2 - 5 days)	3 days - 3 weeks
<b><i>Clostridium botulinum</i></b>	Soil, meat, fish, including smoked.	Imperfectly processed canned and bottled foods	Airtight packaged food for example: canned and bottled foods	Fatigue, dizziness, headache, possible death	12 - 96 hours (usually 12 - 36 hours)	Very slow, can be fatal
<b><i>Clostridium perfringens</i></b>	Animal excreta, human excreta, raw meats, soil and dust.	Soil, dust, utensils, work surfaces, hands, unwashed vegetables and fruit.	Warm storage, slow cooking, braised, stewed and steamed foods.	Abdominal pain, diarrhoea.	8 - 22 hours (usually 12 - 18 hours)	12 - 48 hours

<b>Bacteria</b>	<b>Source</b>	<b>Vehicle of contamination</b>	<b>Route</b>	<b>Symptoms</b>	<b>Onset period</b>	<b>Recovery</b>
<b><i>Cryptosporidium</i></b>	Animal and human excreta, contaminated water.	Contact with infected animals, humans, water.	Contact with infected animals, humans, water.	Profuse, watery diarrhoea.	2 - 5 days	Up to 4 weeks
<b><i>E. Coli</i></b>	Animal and human excreta, water.	Hands, utensils, surfaces.	Raw foods to cooked / ready-to-eat foods.	Diarrhoea (mucus and blood)	1 - 6 days	1 - 5 days
<b><i>Giardia</i></b>	Animal and human excreta.	Hands, surfaces, water.	Person to person.	Diarrhoea, abdominal cramps.	5 - 25 days	Up to several weeks
<b><i>Salmonella</i></b>	Poultry, meat, raw egg products, human and animal excreta, carriers.	Utensils, work surfaces, hands.	Contamination from raw to cooked / ready-to-eat food.	Diarrhoea, vomiting, fever.	6 - 72 hours. (usually 12-24 hours)	1 - 7 days
<b><i>Staphylococcus toxin</i></b>	Skin, nose, spots and boils.	Hands, coughs, sneezes, open infected wounds.	Cooked / ready-to-eat food.	Vomiting, diarrhoea, abdominal cramps	2 - 6 hours	Rapid