

Suspected Food Poisoning - what you need to know

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Introduction

For us to investigate your allegation of food poisoning and determine the cause of your illness, you submit a stool sample to your doctor (GP) and submit a stool sample. Should you need medical advice, contact your GP, call NHS 111 or visit the [111 NHS website](#). [NHS advice](#) is available online.

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 and provides 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. 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.

The UK Health Security Agency (UKHSA) notifies local authorities of cases of food poisoning as reported by GPs.

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

There are many types of food poisoning bacteria, so it is important to visit your doctor and submit a stool sample if you believe you may be suffering from food poisoning. This will help establish if have food poisoning and 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, we cannot 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. Viral symptoms can mimic symptoms of food poisoning and can also spread very quickly.

Food handlers and those working in the care sector must 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 online.

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 doorhandles, taps, the toilet seat and toilet flush after use and disinfect the toilet bowl frequently
- ✓ Drink plenty of fluids while you are ill to prevent dehydration

What will we investigate?

We will conduct a formal investigation in the following instances:

- Where we receive confirmation from the UKHSA that a food poisoning organism caused the illness. You should ask someone else to go to your GP to collect and return the sample pot to avoid spreading any illness.
- Where there are a considerable number of people from more than one family who are ill.

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.

Certain bacteria, such as *Campylobacter* are ubiquitous in the environment. This means that these bacteria are everywhere. Due to the prevalence of such bacteria, we no longer routinely investigate confirmed cases of such bacteria. UKHSA is the investigator for specified foodborne illnesses.

How do we investigate?

If your case fits into one of the instances above, an officer may 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, with some taking even longer.

If a local food business is implicated, we will conduct an inspection. This may include taking food samples and swabbing food preparation surfaces. Food samples are sent to the Public Analyst Laboratory for examination and surface swabs / 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 team at the council where the business is located. Other follow up enquiries may be necessary. We can seek assistance from microbiologists or experts from the Food Standards Agency who can accompany officers on a food safety audit of the business 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 may send a letter detailing what needs to be done to improve standards, serve a legal notice called a Hygiene Improvement Notice or, in cases where there is an imminent risk to health, we can immediately close the business.

How long will this take?

Laboratory testing can take up to 5 days. We will keep you informed with regular updates either by telephone, letter, or email. Investigations vary in length.

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.

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.

Can I take private action against the company?

You may wish to consider withdrawing the complaint from the council and undertaking private legal action.

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. The defence or Company representative may cross-examine you. 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