

# Revised Guidance on Less Than Thoroughly Cooked Beef Burgers

## Consultation Response

April 2022

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### **About the Chartered Institute of Environmental Health (CIEH)**

CIEH is the professional voice for environmental health representing over 7,000 members working in the public, private and third sectors, in 52 countries around the world. It ensures the highest standards of professional competence in its members, in the belief that through environmental health action people's health can be improved.

Environmental health has an important and unique contribution to make to improving public health and reducing health inequalities. CIEH campaigns to ensure that government policy addresses the needs of communities and business in achieving and maintaining improvements to health and health protection.

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## Introduction

CIEH is pleased to respond to the FSAs consultation *Revised Guidance on Less Than Thoroughly Cooked Beef Burgers* and is grateful to FSA officials who attended a CIEH facilitated member webinar on 7 April 2022 where less than thoroughly cooked burgers was included as an item for discussion. The information provided by FSA officials at that event, together with the views of CIEH members have helped to inform this consultation response.

The FSA first produced guidance on less than thoroughly cooked (LTTC) beef burgers in 2016 in response to increasing consumer demand for the product. The aim of the guidance was to provide businesses and local authorities with information to help them understand the necessary controls and systems. An update to the guidance was produced in 2018 which was limited to advice about consumer messaging.

In advance of addressing the specific questions posed in the consultation, it is important to emphasise that the question as to whether food businesses should have the option to offer customers less than thoroughly cooked beef burgers remains a thorny one with opinions divided. Until the FSA produced guidance in 2016, the advice provided to food businesses by environmental health professionals was that beef burgers should be thoroughly cooked. This was consistent with the advice provided to consumers cooking beef burgers at home which has not changed.

CIEH is aware of the views of a significant proportion of members and the wider environmental health profession, including the Directors of Public Protection in Wales who set out their position in a June 2018 position paper, that all minced meat should be thoroughly cooked before consumption for safety reasons.

The fact that some food establishments are able to serve less than thoroughly cooked beef burgers whilst consumers are urged by the FSA “to always cook burgers thoroughly, whether you're cooking them on the barbecue or in the kitchen. Burgers served rare or undercooked may contain harmful bacteria that could cause food poisoning” has the potential to cause confusion. Typically, consumers will not be familiar with or understand the stringent controls that have to be in place to make the service of less than thoroughly cooked burgers in a hospitality setting ‘acceptable’ for consumers who are not vulnerable and may as a consequence take unacceptable risks at home.

## Is the guidance clear and easy to follow? If not, what additional information is required?

Yes, the guidance is clearer, easier to follow and understand than previous guidance. The new format of the document from PDF to webpages is welcome and improves accessibility.

It would be useful if the guidance could contain more detailed advice for enforcement officers which would help to ensure a consistent approach by local authorities across

England, Wales and Northern Ireland and a level playing field for businesses. For example, the following are suggested for inclusion:

- The respective roles of food enforcement officers and food businesses
- More detailed guidance for officers to assist them in verifying the validation status of the documented HACCP system
- Decision Trees to assist officers in determining the appropriate course of action in relation to the service of less than thoroughly cooked beef burgers. This will ensure a consistent approach. The decision trees provided in [guidance](#) by the Scottish Food Enforcement Liaison Committee are useful.

### **Does the guidance contain sufficient information to aid compliance with the law? If not, what additional information is required?**

Generally, yes although a detailed checklist of questions for food establishments producing less than thoroughly cooked beef burgers would be useful.

The guidance is confusing for food businesses in respect of approval. The guidance states that approved premises must have specific approval for producing meat/burgers to be less than thoroughly cooked.

The guidance later states that some suppliers may be exempt from approval, in which case the catering business serving the LTTC burgers must be able to demonstrate that their supplier meets the stringent hygiene standards that would be required of a LTTC approved establishment.

Those who are well informed will be aware that 'approval' is used in the context of approval under EU Regulation 853/2004 (a legal requirement in certain circumstances) and specific approval by the FSA/LA to produce products that will be LTTC. It will be a challenge for any food business operator to ensure an exempt from approval supplier meets the standards that would be required of a LTTC approved establishment.

### **Is our assessment of the impact of the updates sufficient?**

CIEH is not best placed to comment on the impact assessment.

### **Do you favour retaining the term 'less than thoroughly cooked' and the acronym LTTC or would you prefer that we used a different term such as 'pink' or 'rare' or lightly cooked, or something else?**

Environmental health professionals have now become accustomed to the term 'less than thoroughly cooked' in connection with beef burgers and there doesn't appear to be a compelling case for change. 'Rare' and 'pink' are commonly used in connection with steak

and duck respectively so retaining 'less than thoroughly cooked' in respect of beef burgers seems sensible.