Commercial and institutional caterings food hygiene practice and the 1992 Food and Drugs Act of Ghana, Sections 1, 6 and 7

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A B S T R A C T

The compliance of a cross section of commercial and institutional caterings in Ghana to the PNDC Law 305B Sections 1, 6 and 7 was studied with the use of purposively sampled food workers in the two set ups. Both commercial and institutional caterings had considerable number of hygiene trained personnel in supervisory position in compliance with section 6 of the Food Law. Sections 1 and 7 on the sale of unwholesome food through lack of available control measures on handling non conforming raw materials and the preparation of food under unsanitary conditions respectively needed much improvement in both set ups. It was recommended that an introduction to the Food Law in Ghana should be added to enforced food hygiene training for food handlers that commensurate with their activities.

1. Introduction

The universal nature of Food Laws is to ensure that consumers are protected from food hazards in their communities. Although vulnerability to some food hazards has been identified to be high with the aged, babies, pregnant women and the immunocompromised, diabetics and the malnourished (Lund & O’Brien, 2011). All consumers are at risk as type of food pathogens, their numbers and repeated exposure could make everyone vulnerable at one stage. Again chemical and physical hazards could affect all with the same magnitude. Food laws, policies and industrial guidelines worldwide are made available to help the food industry comply with safe food practices, however there are penalties to be paid when the laws are broken. The Food and Drugs Law in Ghana, the PNDC Law 305B (FDB, 1992) has 10 sections. Section 1 highlights the prohibition of sale of unwholesome food. Section 6 highlights the need for the availability of a supervisor with the requisite knowledge in food manufacturing, with a subsection, 6A mandating the fortification of salt. Section 7 highlights the prohibition on sale of food under unsanitary conditions. Non compliance to the Law could lead to penalties and closure of premises. Hygiene principles are however not mandatory and are guidelines for the food industry in Ghana (Ghana Standard Authority, 2013). Alale (2013) of the Food and Drugs Authority (FDA) reported that 77% of all traceable food borne diseases result from improper handling in food establishments in Ghana. Food researchers have focused much attention in the commercial sector of the food chain in Ghana with special emphasis on street food vendors although there have been sporadic cases of food borne diseases in schools (City Fm online, 2013; Daily Guide, 2007; Joy News, 2008, 2010a, 2010b; Ministry of Health, 2007). Researchers in the country have reported on the need to improve on Good Hygiene Practices to ensure food safety in the commercial set ups (Ababio, Adi & Commey, 2012; Addo, Mensah, Bonsu, and Akyeh (2007); Feglo & Sakyi, 2012; Johnson, Tomlins, Oduro-Yeboah, Tortoe, & Quayson, 2008; Tomlins, Johnson, Aseidu, Myhara, & Greenhalgh, 2002; Tortoe, Johnson, Ottaah-Atekpo, & Tomlins, 2013). These Commercial kitchens are profit oriented and mostly owned by individuals or groups of individuals. These include hotel services, restaurants, air line caterings, retailers and street food vendors. Institutional caterings include hospitals, schools, welfare institutions, prisons and daycare centers, these provide food for clients as a complement to their main product and service (Marzano, 2010). It is generally accepted that commercial set ups are highly customer conscious. Food set ups could be considered to be within the Micro or Small and Medium Scale Enterprises based on number of employees (Taylor & Kane, 2005) although they both support the economic growth of Ghana. The World Health Organisation (1999) categorises businesses that are small and produce less and lack expertise to establish the necessary international safety standards as Small and Less Developed Businesses (SLDB). Could the institutional catering be better in terms of hygiene practices and food safety, thus being law compliant more
than the commercial set ups? The researcher sought to find the activities in these two food service providers in line with 1992 Food and Drugs Act of Ghana (PNDCL 305B) Sections 1, 6 and 7.

2. Methodology

One hundred and fifty questionnaires with closed and opened ended questions were designed for the workers in the food industry in three cities in the country. Areas selected included Accra of the Greater Accra Region, Kumasi in the Ashanti Region and Ho in the Volta Region. Questions were put into three categories. Section A included kind of set up, ownership, number of years in operation among others. Section B consisted of management commitment requirements in terms of availability of quality management systems and qualification of persons responsible. Section C was on management commitment to auditing. The researcher used purposeful sampling and snow balling to get food handlers in suitable positions who could answer the questions. It took 3 months to retrieve the questionnaires as some respondents preferred to respond at their own convenience and some refused to respond. The response rate was 49%. Data analyses was by the use of SPSS version 16 and Microsoft Excel version 2007 was used to develop bar charts on the responses.

With a response rate of 49%, the percentage distribution among the institutional and commercial set ups was 50% each as shown in Fig. 1. The institutional catering consisted of schools and hospitals whiles the commercial catering included hotels, restaurants and manufacturers/processors.

3. Results and discussion

3.1. Staff strength in institutional and commercial caterings in Ghana

From Fig. 2, institutional catering generally had higher employee numbers than commercial catering. The highest range of staff numbers presented in the data were within the 1–10 which constitute sole traders or micro enterprises. Those with staff strength above 50 were termed as small or medium scale businesses (Taylor & Kane, 2005; WHO, 1999).

Small scale enterprises were spread across both setups with institutional catering still being predominantly higher in numbers of employed staff. It could be said that institutional caterings in the country employ more staff than their commercial counterparts.

3.2. Food enterprises and the PNDCL 3058 Section 6: manufacture of food under supervision

The need for a person with the qualified knowledge to control or supervise processing and food handling activities is a legal requirement in the Food Law in Ghana. From Fig. 3, both commercial and institutional catering enterprises had a higher number of personnel with hygiene certificate than those without, although the percentage of those without is still high. Generally Institutional kitchens seem to have a higher compliance rate with satisfying the requirements of Section 6 of the 1992 Food and Drugs Act of Ghana than commercial catering enterprises. Most of these commercial enterprises could be sole traders and micro businesses struggling to survive financially and also facing competition within the existing market and have no interest in knowing what the law requires (Taylor & Kane, 2005) or have not got the capability to meet the legal requirements of the law (Ababio et al, 2012; WHO, 1999).

3.3. Catering enterprises and the PNDCL 3058 Section 7., sale of food under unsanitary conditions

Food prepared under unsanitary conditions include poorly managed cleaning regimes, lack of pest control, lack of staff training, poor personal hygiene, poor waste management, unplanned maintenance and transport. A good sanitary environment ensures safe food. Written procedures on these activities also serve as Due Diligence, enhance training and ensure standardized activities. From Fig. 4, only 10.8% of the commercial caterings and 8.1% of the institutional had all 7 of the listed prerequisite measures in place. A rather higher percentage from both setups 14.7 (institutional) and 13.5% (commercial) had only one operating prerequisite...
measure. This supports the work of Addo et al. (2007), and Feglo and Sakyi (2012) that food handlers in Ghana need training to improve on their current practices or they could put consumers at risk. There were also a few with none of the PRP in place. Thus these small businesses mostly do not have the capacity in terms of human and financial resources to implement acceptable systems and require the assistance of government (Taylor & Kane, 2005).

This causes disorganization in the enterprise as there are no standards for operation and food safety is stemmed from luck and experience of the handler. Staff training and maintenance were the least PRP in use.

The institutional catering enterprises had the highest number of businesses without an available PRP. Thus they are more likely to be operating contrary to Section 7 of the 1992 Food and Drugs Act of Ghana.

3.4. Food enterprises and PNDCL 305B Section 1: prohibition against the sale of unwholesome food: non conforming raw material handling activities in the catering set ups

Unwholesome food is food that is unfit for consumption and could be injurious to health when ingested. The hazards in this food could be physical, chemical or biological in nature. Some food can be identified when spoilt due to changes in organoleptic properties and could be discarded, whiles others can be microbiologically unsafe through contamination or after exceeding their stipulated shelf life. Food handlers are to be weary of this and decide as a control measure what ought to be done in their businesses when there is such a non conformance. From Fig. 5, a higher percentage from both groups reported on destroying non conforming raw materials on reception although commercial institutions seemed to be using this control measure more than their counterparts. Reworking on the non conforming products or quarantining and investigating for further decisions were also predominant in the commercial set ups. A higher percentage of institutional catering (13.5%) were silent on this activity probably because they already know the Law on this or they ethically recognize the implications of a negative response.

The ability to return non conforming raw materials to supplier is possible when a well organized system of supplying procedure and listed contracted providers is available. Buying from the open market based on price and quality (Ababio et al., 2012) makes this decision difficult if not impossible. Commercial catering enterprises who are profit oriented (Marzano, 2010) were more likely to use non conforming raw materials ‘anyway’ than institutional catering enterprises. The acts of returning, destroying, quarantining for further investigation to further destroy or reworking are all acceptable control measures or corrective actions depending on the type of hazard. Not having any decided control measure or to use or sell non conforming raw material will be to put consumers at risk and that will be going against the Law. From Fig. 5, more work needs to be done on both sides as non compliance on safety issues is not only illegal but a detriment to the health of consumers.

4. Conclusion and recommendation

Compliance to the Food and Drugs Act 1992 of Ghana among commercial and institutional catering in this study shows that both enterprises complied with Section 6 of the Law on employing or developing a qualified person to supervise food safety activities although commercial catering had a higher number of businesses without the necessary qualification. The availability of Prerequisite programmes (PRP) as measures of ensuring sanitary conditions in the food environment were inadequate in both types of enterprises. Over all a higher number of the institutional catering reported not to have any PRP in place than the commercial. Section 7 of the Food and Drugs Act requires attention from both ends. The availability of control measures or corrective actions for non conforming raw materials was confirmed in both set ups but the commercial catering had the highest representation on using non conforming raw materials which does not ensure wholesome food for consumers in Section 1. Food Law compliance in both enterprises could be improved in the form of awareness creation and training with the legal requirements of the PNDL Law 305B embedded. Research into staff practices and food safety in institutional caterings in Ghana need equal attention. The presence and types of food pathogens in schools, hospitals etc meals need to be surveyed for effective control measures to be taken.

References


Ghana Standard Authority. (2013). Personal communication with standard documentation department.


