

From the Chair,
[REDACTED]

Tel: [REDACTED]
Email: [REDACTED]

Dr Fiona Wilcox
HM Senior Coroner
Inner West London
Westminster Coroner's Court
65 Horseferry Road
London
SW10 2ED

[Handwritten signature]
9/22/2015

05 February 2015

Our ref [REDACTED]

Dear Dr Wilcox .

Thank you for forwarding the Regulation 28 Report in connection with your investigation into the death of Miss Tiya Chauhan. It was clearly a tragic incident and I note your concern about the risk of future deaths unless action is taken.

The Food Standards Agency (FSA) has considered the areas of concern detailed in your Report and as part of the process have met with relevant Ofsted officials to discuss the incident and consider the appropriate action in relation to each of the 4 matters of concern highlighted in your Report.

With regard to your first point, and alerting nurseries and other childcare settings about the issue, I understand that Ofsted intend to include specific information on the incident in their next newsletter to local authority Directors of Children's Services. This will highlight the particular risks associated with raw jelly cubes in childcare and school settings. The FSA will separately forward this information to UK local authority environmental health services, to similarly highlight the risks so that environmental health officers are able to consider them during their routine food safety inspections of these establishments.

In relation to your concerns over the lack of warning about the issue on packaging, the FSA will forward a copy of your report to relevant industry manufacturing and retail trade bodies, for their information and consideration. I can confirm that there is no specific legal requirement (in what is an area of law closely harmonised at EU level) for such food to contain a warning on the label or on a point of sale notice if sold loose. However, this is something that a particular manufacturer or retailer

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might consider voluntarily, as has been the case with foods such as grapes or cherry tomatoes where similar choking incidents have occurred.

I note your reference to parents being made aware of the risks associated with raw jelly cubes. A number of specialist websites for parents or carers did highlight this issue following the incident. Problems associated with food choking hazards is also something included in relevant NHS information. However, I will ensure your report and your specific concerns about raw jelly cubes is copied to relevant officials in the Department of Health for their consideration in relation to early years food advice to parents.

I am aware that Ofsted will be liaising with the Local Government Association over what more can be done to disseminate understanding of this issue, and the FSA will maintain contact with Ofsted during this process to provide any relevant food safety information.

I am hopeful that the combination of the measures referred to above will reduce the likelihood of such a tragic cause of death being repeated.

Yours sincerely,

[REDACTED]

[REDACTED]