

CHIEF EXECUTIVE'S REPORT: DECEMBER 2009

SACN Draft Report on Energy Requirements

1. On 5 November 2009, the Scientific Advisory Committee on Nutrition (SACN) released its draft report on Energy Requirements for scientific consultation. SACN have calculated draft revised Estimated Average Requirements (EARs) for energy. These are higher than previously calculated by the Committee on Medical Aspects of Food and Nutrition Policy (COMA) in 1991. These revised values are based on the best available data, derived mainly from two large, US datasets considered to be representative of the UK population. In these datasets the doubly labelled water (DLW) technique was used to measure energy expenditure in over 900 adults. This technique is widely agreed to be the most accurate way of assessing energy expenditure over several weeks.
2. SACN stresses in its draft report that people should not increase their calorie intake based on these higher draft EAR values. The draft values provide a more accurate description of how people in the UK balance their energy intake and physical activity, but given the high and increasing number of people who are overweight and obese in the UK (around 60% in 2007), it is still clear that whatever the reference level many people take in more calories than they need.
3. The Food Standards Agency's current advice to consumers remains unchanged. That is, that people should maintain a healthy body weight, and for most people this means eating less and exercising more. Guidance to industry and food providers on calorie labelling also remains unchanged.
4. SACN's 14-week scientific consultation on its draft report ends on 11 February 2010. SACN will then consider all scientific comments and finalise its report, anticipated to be published in mid-2010.
5. Once SACN publishes its final report, the Agency and UK Departments and Directorates of Health will carefully consider the recommendations and any possible implications for consumers, industry and food providers.

Consultation on Calorie Evaluation

6. On the 3 December the Agency published a consultation on the key principles of a voluntary scheme for introducing calorie labelling at point of choice in catering outlets. The principles are based on work that the Agency undertook over the summer with the 21 companies that had introduced calorie labelling into some or all of their outlets. As part of this work, an independent evaluation was carried out to examine the cost for businesses and practical issues of providing calorie labelling. It also considered how consumers use and understand this information.
7. The evaluation, which was also published on the 3 December, showed that any issues for businesses in providing calorie labelling could be overcome with relative ease. Three factors – visibility, understanding and consumer engagement - were found to have an impact on consumers' capacity and inclination to use calorie labelling. In general people could envisage using calorie labelling to help them make healthier choices whilst still enjoying their favourite foods when eating out. It also showed that more people will know to look for and use calorie labelling once it has become more widespread.
8. The overall aim of work is to encourage continued and increased voluntary adoption of calorie labelling at point of choice across the catering industry. We must ensure a consistent approach that will help consumers make healthier choices. The consultation seeks views about the details and practical issues relating to the implementation of the key principles and the responses will be used in the production of final recommendations for the calorie labelling scheme. These are expected to be published towards the end of spring 2010.

Consultation on Saturated Fat: Phase Two

9. We are making progress in our work to reduce the saturated fat and energy intakes of the UK population, lowering the risk of Cardio Vascular Disease (CVD) and contributing to cross-government programmes to reverse the trends in obesity and overweight. Activity is concentrated on working with the sectors of the food industry that make the biggest contributions to our diets. We will encourage product reformulation and the promotion of healthier options, and devise consumer campaigns to increase awareness and help create demand for healthier foods.
10. We published a 14 week public consultation on the 1 December 2009 on our proposals for promotion of lower fat products, voluntary industry actions to reduce levels of fat and saturated fat, and to improve accessibility to smaller portion sizes in a number of key foods including:
 - Milk and dairy products,

- Meat and meat products, and
- Savoury snacks.

11. This follows the earlier consultation that I informed you about in July 2009, with recommendations on biscuits, cakes & pastries, chocolate confectionery and soft drinks with added sugar. We will consider carefully the views of stakeholders and publish final recommendations early in the New Year.

12. We ran a saturated fat consumer awareness campaign last February and March. The next phase of this campaign will be launched in January 2010, reinforcing the messages of the first phase, to maintain consumer awareness of the variety of ways they can reduce their saturated fat intake by again promoting simple, practical tips using radio, press, posters and digital media.

Future of meat controls

13. Following its discussion on future meat controls in September, the Board will wish to be aware of recent developments within the EU.

14. The Board paper in September referred to the European Commission's review of the experience of the food hygiene legislation, which was published in July 2009. This review was discussed by Member States throughout the autumn, and now Ministers, meeting at the Agriculture and Fisheries Council on 20 November have adopted Council Conclusions on the Commission's review.

15. These Conclusions were:

- To confirm Member States' general satisfaction with the food hygiene legislation and see no need for a fundamental overhaul; and
- To invite the Commission to prepare concrete proposals for modernised inspection in slaughterhouses.

16. The Commission has already indicated that it will take this forward as a priority in the New Year. We are working closely with the Commission to help shape these plans.

17. Although this is still a long-term programme of work and legislative change is still some way off, these developments are a positive step forward. This is in no small part a result of the work we have been doing to build a consensus for reform, and to keep the issue of meat controls on the agenda in Europe.

Proposed arrangement for the approval of meat establishments

18. The FSA Board has the responsibility for overseeing the governance of the delivery of food hygiene controls. With this in mind I commissioned an independent review of

the governance of the process for the future granting, suspending and withdrawing approval of meat establishments in Great Britain. I have now received the final report and will be discussing it with the author and colleagues later this month.

19. My intention is that we will then make some clear suggestions based on the report which in turn will form part of the Board's deliberations on the broader governance arrangements.

Review of FSA Response to Incident involving Dioxins in Meat

20. At its July meeting, the Agency Board considered the independent review of the dioxins in meat incident and the Agency's response to that review. One of the review recommendations referred to training Agency staff at all levels, including Directors and the Chief Executive, to provide clarity on roles and responsibilities during an incident.
21. The Agency held an incident handling workshop on 12 November, attended by the Agency, Chief Executive and Directors and partially observed by the Chairman. This workshop, which covered incident procedures, practical work and included a presentation from the Deputy Chief Constable of Leicestershire Constabulary regarding the role of the Gold Commander, was well received by attendees. In addition, comments from attendees are being incorporated into a revised version of the Incident Response Protocol.
22. Following the workshop, the FSA intends to carry out a full exercise, involving staff and stakeholders at all levels, in March 2010 and a report will subsequently be submitted to the Board in May 2010.

Scores on the Doors: Update

23. In my oral report to the Board at the meeting last month, I highlighted that a SotD summit was being organised. The purpose of this event was to explore fully the concerns raised by some local authorities in correspondence with the Agency on decisions taken by the Agency on the banding system that will underpin the national scheme.
24. The summit took place on 17 November and was attended by both industry and local authority stakeholders. Having listened to the points raised, we are now clearer about the authorities' concerns about mapping of 'broad compliance' to the three star position. We consider that by working together, the Agency and local authorities can resolve the issues and overcome these concerns. This will be achieved by reconfiguring of the *Food Law Code of Practice* (in the form of clarifying guidance) and through consistency training for the national SotD scheme. The SotD Steering

Group and its Working Groups will now take this work forward. It is my clear view that whilst maintaining our leadership role it is imperative to maintain a consensus with the professionals who deliver local regulation.

25. The Steering Group has been making good progress on other issues. Guidance had been agreed on the scope of the scheme (which establishments are included and which exempt) on 'start-up' issues for local authorities adopting the national scheme, and on operation of the appeals mechanism for businesses. Agreement is also expected soon on guidance on the operation of a safeguard mechanism for businesses to request a re-visit for re-scoring where improvements have been made.
26. Work is continuing on developing a support package for local authorities participating in the national scheme, including those that have indicated that they wish to be 'early adopters'. Two local authority Environmental Health Officers have been seconded to the SotD Team to work with 'early adopters' to provide support.

Food Colours: Update

27. At its meeting in April 2008 the Board agreed to advise UK Ministers that there should be voluntary action by manufacturers in the UK to remove 6 food colours because of a possible link with hyperactivity in children. This would apply to products being placed on the market from the beginning of 2010. Since the Board decision we have worked with food industry to make information available on our website to consumers about product ranges which are free from the 6 colours. This includes the major retailers: Tesco, Sainsbury, Asda, Co-op and Marks and Spencer who have voluntarily removed the colours from their own brand products.
28. Following discussion between the European Parliament, Commission and EU Member States, EU food additive legislation now requires that, from July 2010, food and drink being placed on the market containing any of the 6 colours must carry an additional warning phrase about the possible effects on children's behaviour. There are likely to be further EU discussions about possible restrictions on the use of this group of colours in light of recent EFSA opinions.

Tim J Smith
Chief Executive

CHIEF EXECUTIVE'S REPORT ON THE FOOD HYGIENE DELIVERY PROGRAMME

1. The Board first discussed the Pennington Report of the Public Inquiry into the *E.coli* O157 outbreak in April 2009 and agreed to set up the Food Hygiene Delivery Programme Board. At its meeting in July 2009 the Board agreed the outline programme. This is the first report to the Board on progress. The next report will be brought to the May 2010 Board meeting.
2. Significant developments to date are set out below.

Programme governance and direction

3. The Programme Board has tasked the new Programme Manager, Catherine Bowles, with co-ordinating the original portfolio of projects, clarifying the outcomes to be delivered and aligning the work fully to the new Strategic Plan. In addition to addressing the recommendations of the Inquiry, we need to ensure that we are organised to deliver as an effective central competent authority. This should address Board Members' concerns that the full scope of the Inquiry report and its implications are addressed. Delivery of our central competent authority responsibilities will be central to the establishment of the FSA Operations Group.

Local Authority engagement

4. The Agency will establish a high-level panel which will include LACORS, to provide advice to and oversight of the Food Hygiene Delivery Programme. This will bring local authorities closely into the Programme's work. We are aware that many authorities have been proactive in their own response to the Inquiry and are working with local businesses to improve compliance. To help gather information from the large number of LAs about initiatives and suggestions on how we can help councils and businesses respond to the issues raised in the Inquiry, a joint FSA/LACORS questionnaire has been sent to all local authorities via their Food Liaison Groups. Examples of good practice and innovation will be used by the project teams and shared.

Food Safety Culture

5. A key element of the Programme concerns food safety cultures and behaviours of food business operator's and food enforcement officers.
6. Our Social Science Research Unit has commissioned an evidence review to summarise and assess what is already known about culture and behaviours both in businesses and enforcement bodies in relation to compliance with regulations. The review will also investigate the nature of the communication between individuals in these two groups including in relation to food safety. The research

will be complemented with interviews with individuals interested in and knowledgeable about regulatory compliance, organisational cultures and communication between businesses and enforcement bodies. Findings will help us understand 'what works' to secure regulatory compliance particularly, though not exclusively, in relation to food safety.

7. The contract for the project has been awarded to the Institute of Employment Studies, in collaboration with the Cardiff Work Environment Research Centre. The contractors will also draw on the expertise of Professor Stephen Palmer, Professor of Epidemiology and Public Health at Cardiff University. Findings from the project are expected in April 2010.

Guidance for food businesses

8. Work that was in progress before the establishment of the Programme has led to the publication of two important guides:
 - **The Retail Guide** that provides practical guidance on how shopkeepers can comply with general food hygiene legislation and related requirements (Aug 2009) - www.food.gov.uk/news/newsarchive/2009/aug/goodhypracpub.
 - **FSA Guidance on managing farm manures** that should help reduce food poisoning from ready-to-eat crops caused by pathogenic micro-organisms including *E. coli* O157 (June 2009) - www.food.gov.uk/foodindustry/farmingfood/manures

Training and guidance for Food Business Operators and Enforcement Officers

9. Several recommendations in the Inquiry report were about the knowledge and skills of enforcement officers.
10. For Local Authorities we are currently piloting a one-day training course and will have delivered 50 sessions by March 2010. The training course covers:
 - Case studies based on the 2005 outbreak;
 - HACCP principles and application in different types of food businesses;
 - Audit skills and techniques and practical understanding of their effective application during inspection;
 - Skills to assess the culture within a food business
 - Confidence in decision making on appropriate further actions including intervention/enforcement action.
11. The FSA's training course on vacuum packing and modified atmosphere packing of food was made available on-line in September.
<http://vacuumpackingtraining.food.gov.uk/introduction/>

Training for veterinarian professionals

12. The Meat Hygiene Service has delivered training in HACCP compliance and enforcement to all Lead Veterinarians. The Lead Veterinarians have already started to cascade this training to the veterinarian professional on a risk-based priority basis.
13. The training will be delivered to all 890 field staff during 2010. It includes a compulsory e-learning pre-course module with the basics of the HACCP principles, a full day workshop (currently being delivered) explaining legal requirements for HACCP compliance and a variety of scenarios on HACCP compliance and effective enforcement. The training will be finalised with a compulsory post-course e-learning module to assess implementation of the training in the establishments. This will be ready in the first quarter of 2010.

FSA audit of Local Authorities

14. The Inquiry Report recommended further development of the FSA audits of Local Authorities, including their assessments of HACCP and HACCP-based plans. Our current audit programmes concentrates on key/core elements of LA service, including:
 - More checks of LA procedures and activity/action records;
 - FSA visits to “high-risk” businesses;
 - Challenge interviews with inspection staff to drill down and challenge inspection approaches and techniques.
15. Recent audit programmes have focused on business compliance with HACCP requirements and related LA interventions to achieve this. A programme of 29 LA audits and related business reality checks was carried out between April 2008 and July 2009. A summary of the programme and the individual LA reports are available on the FSA website at:
<http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports/auditfocus/complianceaudits/>
16. An audit programme to specifically examine LA HACCP enforcement is scheduled for January-March 2010. This will be reported back to the Board in a future update.

Related activity in Wales

Food safety and food procurement

17. LACORS and the Welsh Local Government Association (WLGA) have piloted the first of a series of workshops aimed at strengthening the links between food procurement and Environmental Health teams.

18. The development of Value Wales Procurement framework through the Buy4Wales initiative – www.buy4wales.co.uk - and training courses is being overseen by an advisory panel. The FSA in Wales sit on the advisory panel along with Trading Standards and Environmental Health representatives.

Consumer Food Safety Group established by Consumer Focus Wales

19. FSA in Wales have agreed to join Consumer Focus Wales' Consumer Food Safety Group. This group will provide a platform for discussion between interested parties of ways of building public trust in food safety management and enforcement in Wales. The membership of the Group also includes the Welsh Assembly Government, consumer representatives, representation from families affected by *E. coli* O157, and representative bodies for local authority enforcement and for food industries.

20. The initial focus of the Group is on work being done to address the recommendations of the Public Inquiry. Consumer Focus Wales, aided by the Group, will publish regular reports that monitor and publicise the progress that all relevant organisations have made to implement the Inquiry's recommendations. The first report is due to be published in late March 2010, to coincide with the first anniversary of the publication of the Inquiry Report.

Related activity in Scotland

Local Authority Enforcement Workshop

21. FSA in Scotland has written to all Scottish Local Authorities requesting reassurance that approved establishments under their control are compliant with statutory requirements. FSA in Scotland also asked for details of any action taken within their Local Authorities following the publication of the Inquiry report.

22. The information received on any actions taken has been collated and all Scottish Local Authorities were subsequently invited to a discussion forum entitled 'Making a Difference – Local Authority Food Hygiene Delivery'. Representatives from most Scottish Local Authorities attended along with representatives from The Scottish Food Enforcement Liaison Committee, REHIS, The Society of Chief Officers of Environmental Health in Scotland and the Scottish Food Advisory Committee.

23. The forum discussed current enforcement powers, the Food Business Operator audit process, enforcement guidance and enforcement officer competence and training. The information gathered will be fed into the Food Hygiene Delivery Programme.