

## REVIEW OF SUDAN I

### Executive Summary

1. Following the incident involving chilli powder adulterated with Sudan I last year, the Board agreed that a review of the Sudan I incident should be conducted upon completion of any possible legal action.

### Board Action Required

2. The Board is invited to:
  - note proposals for the review of Sudan I.

#### **CHEMICAL SAFETY DIVISION**

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## REVIEW OF SUDAN I

### Purpose

1. To note the remit and structure of the review of incidents in the United Kingdom involving Sudan I.

### Strategic Aims

2. The review will contribute towards the strategic plan target of working with the food industry, local authorities and other stakeholders to improve mechanisms for preventing and responding to incidents by mid 2008.

### Background

3. The presence of Sudan I in food was first identified, in May 2003, by the French authorities who informed the European Commission that they had found Sudan I in a product containing hot chilli. Between May 2003 and February 2005 nearly 300 products had been recalled in the UK.
4. In February 2005 The UK experienced the largest recall of food products following the discovery that an adulterated batch of chilli powder had been supplied to a manufacturer of Worcester sauce (Premier Foods) in 2002.
5. In May 2005 the Board agreed that a review of the Sudan I incident should be conducted upon completion of any possible legal action. The Agency also announced plans for a Task Force, chaired by the Agency's then Chief Executive, Dr Jon Bell, to consider ways of strengthening controls in the food chain to reduce the likelihood of such incidents occurring and to manage them better if they do. The Task Force met between June 2005 and October 2006. Further details of the Task Force were provided in a progress report on the work of the Task Force in December 2005 (paper FSA 05/12/04). The guidance document 'principles for preventing and responding to food incidents', developed by the Task Force, will be published in February. A copy will be included as an annex to a planned Board paper on incident management.

### Discussion

6. The objective of the review will be to establish what lessons have been learnt following the discovery of Sudan I in chili powder in May 2003, what changes have been introduced as a result and how well different parts of the food chain, including manufacturers, retailers, enforcement authorities and the Food Standards Agency, are able to identify emerging issues and prevent them developing into food incidents in future.

7. The Board discussed the review at its closed meeting on 11 January and agreed that an independent panel should be established to take forward the review.
8. The review panel represents an innovative approach that has not been tried by the Agency before. This approach would enable the review to be concluded quickly. The aim, subject to availability of panel members, would be to hear evidence from all parties over a two-day period in April. The panel would meet again in May to consider a draft report with a view to delivering a final report in June. The proposed terms of reference for the panel are contained in Annex 1.
9. Legal Division will provide the panel with access to independent legal advice. The review panel will also have access to the Agency's internal review of Sudan I completed in June 2005. The lessons from which have been incorporated into the Agency's incident response protocol.

### **Board Action Required**

10. The Board is invited to:
  - **note** proposals for the review of Sudan I.

**INDEPENDENT PANEL: TERMS OF REFERENCE**

- To identify lessons learnt by different sectors of the food chain, including manufacturers, retailers, enforcement authorities and the Food Standards Agency, from the Sudan I issue (2003-2005) and what actions have been put in place as a result
- To advise whether there are any deficiencies in current procedures and, if so, to make recommendations

The panel may wish to explore how the food chain can best be protected given the underlying causes of the Sudan I incident. How the supply chain deals with intelligence, particularly when it relates to on-going incidents over a long period of time.

**Working methodology**

The Panel will receive evidence over a two day period from senior representatives of the food industry (manufacturers, retailers, caterers, small businesses), enforcement authorities, the Food Incidents Task Force and the Food Standards Agency.

**Deliverables**

The Panel will deliver its report to the Board of the FSA by Autumn 2007, or earlier.

**Membership**

It is proposed that the panel should consist of 5-6 people to include those with a background in the food industry and consumer organisations.

Secretariat FSA