

Heather Hancock
FSA Board Chair
Food Standards Agency
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13 May 2016

Dear Heather,

ADVICE FROM THE WELSH FOOD ADVISORY COMMITTEE TO THE BOARD OF THE FOOD STANDARDS AGENCY ON ISSUES ADDRESSED BY THE COMMITTEE: MAY 2016

The key role of the Food Advisory Committees is to advise the Board of the Food Standards Agency. On 12 May, the Welsh Food Advisory Committee (WFAC) discussed the following issues that will be discussed by the Board:-

- Food Standards Agency (FSA) Triennial Review of Six Scientific Advisory Committees: Publication of the Final Report.
- The National Food Crime Unit: Update on Progress and Next Steps.
- Our Food Future.
- Regulating our Future: Developing the FSA's new approach to Regulating Food Businesses.

The Committee considered each paper that will be put to the Board next week. On behalf of the Committee, I am grateful to Patrick Miller, Andy Morling, Michelle Patel and Julie Pierce for joining us by videoconference to present their papers and for answering questions from members.

Food Standards Agency (FSA) Triennial Review of Six Scientific Advisory Committees: Publication of the Final Report

I should note at the outset that I currently chair a Department of Health Departmental Advisory Committee (the Advisory Committee on Dangerous Pathogens Transmissible Spongiform Encephalopathy Subgroup) that advises, from time to time, the FSA but that did not form part of this review.

WFAC members considered the paper which outlined the future approach and function of the six FSA Scientific Advisory Committees. In discussion, members made the following observations:-

- That the process required that the final review be signed off by Cabinet Office and relevant Ministers before coming to the FSA Board and the FACs. That, although there was a distinction, formally, between the role of an advisory Non Departmental Public Body (aNDPB) and a Departmental Expert Committee (DEC) the WFAC was reassured to learn that the new DEC's will produce advice in the same way as the existing SACs (as aNDPBs), and that the advice produced by the DEC's will be considered in the same way by the FSA.
- That the modes of working of the two types of committees were essentially similar and both types would continue to hold their meetings in public and publish their minutes. Appointments, terms of office and dismissal procedures would also be the same save that the appointments process with DEC's can be a little simpler.
- It was noted that there had been engagement with officials from FSA Wales during the review process.
- That as a non ministerial public body, the FSA may be considered better placed than other government departments to protect openness and transparency in the consideration of science and evidence.
- That the committee welcomed the intention to review the DEC's after twelve/eighteen months, and in this respect the Committee emphasised the importance of that review being an independent review.
- The WFAC noted the correspondence received variously from the Chair of the General Advisory Committee on Science, the independent members and the two social scientist members. They noted, nevertheless, that individual members of GACS had seen and had the opportunity to comment on the report in draft before it went to the Cabinet Office.

In conclusion, WFAC recognise the value that the science advisory mechanism brings to the FSA and were reassured by the discussion that the proposed changes to the arrangements for administering that advice would not be expected to compromise this.

The National Food Crime Unit: Update on Progress and Next Steps

Members considered the paper which provided an update on the Food Crime Unit's (FCU) achievements and challenges within the first year of operation, and highlighted the two-year review which will be completed by December 2016.

The WFAC made the following points:-

- The committee commended the fact that the FCU had produced the first Food Crime Annual Strategic Assessment (FCASA) anywhere in the world.
- That they found it very useful to get an insight into the progress the FCU has made in its first year of operation, although they might have welcomed a little more detail on the nature of the work being undertaken given that this is a visible and costly initiative by the Agency. It was also helpful to learn something about possible next steps.
- That it was a concern that the paper seemed to suggest that the food industry was reluctant to share knowledge of criminal activity with the Agency due to concerns about the discretion with which such information might be treated.
- That there was a need in the proposed review, to focus on outcomes when evaluating the unit. In this respect, for example, the committee felt it was important that once intelligence is passed to a partner and leads to successful enforcement activity, then this should be tracked and reported by the FCU systematically to the EMT and the Board.
- The committee were reassured to be told that Professor Elliott is satisfied with the progress made on the Food Crime Unit's operation to date.
- That clear terms of reference for the upcoming review were essential, and that the review should include the following issues:
 - The future positioning for the Food Crime Unit within government.

- A clear exploration of the extent of the current powers of the FCU, and what they should be in the future (i.e. whether they should include enforcement).
- That the review is independent of the FSA.

The WFAC were mindful that the review of the NFU would be of relevance to the operations of the Welsh Food Fraud Co-ordinating Unit and reflecting this, it was noted that the terms of reference and scope for the review would need to recognise the interests of the devolved administrations.

The WFAC were pleased to have been given the opportunity to learn of the progress made by NFCU and to contribute to the discussion on how it might be reviewed.

Our Food Future

Members considered the paper which discussed the innovative approach taken to understand how consumers might respond to medium term changes to the food system. In noting the number of positive outcomes which have been observed by the new approach adopted in the Our Food Future project, the WFAC made the following observations:-

- That there was a strong appreciation for the innovative approach to the research undertaken, particularly the new range of partners that had been involved.
- That there was optimism that these approaches would be sustainable into the future.
- That the project and the information it produced should inform future FSA policy making.
- That this approach to research aligns closely to the FSA commitment to engaging the consumer and listening to the consumer voice, and is an important component of the FSA's public legitimacy.
- That there is a need to engage younger consumers, the steps the Wellcome Trust are taking to utilise Food Futures as a component of their science engagement work within the school environment was welcomed by the committee.

- That, with the difficulties faced by some sections of UK farming, the food chain might be set to become more dependent on food importation.
- That as the Agency thought in more general terms about food and the future, possible “citizen” might be a more appropriate concept than “consumer.”

In conclusion, the WFAC was very pleased to support this approach to innovative social science and market research in support of future FSA policy development.

Regulating our Future: Developing the FSA’s New Approach to Regulating Food Businesses

Members considered the paper, presented by Nina Purcell in her capacity as the Senior Responsible Officer for the Regulating our Future programme which set out an outline blueprint for the FSA’s proposed approach to a new model for regulation, specifically looking at engagement of stakeholders, governance and risk management.

The WFAC made the following observations:-

- That they appreciated the clear structure of the paper that engendered confidence that progress would be made.
- That WFAC welcomed the degree of engagement that had taken place, to date, with stakeholders, how feedback has been gathered, and how this feedback was being used to inform the way forward.
- That there was broad satisfaction with the governance structures proposed which WFAC could happily agree to, although would welcome sight at some point of the Terms of Reference. It was noted that there is a great wealth of diversity and experience on the FSA Board and that it may be helpful to better reflect this diversity in the proposed composition of the Strategic Reference Group.
- The committee proposed that the expert advisory panel may more accurately be termed a stakeholder panel given the proposed composition of the panel members. The view was also expressed from the public present that the panel might usefully include trade associations and also a local authority, possibly with a primary authority relationship.

- That the WFAC were content with the programme of risk management proposed.
- That as the costing framework was developed, there were specific issues to be considered regarding the costs of regulation and burden for SMEs given their variety and the extent to which they were prepared to take ownership of their food safety risks and that costs should be proportionate.
- That the committee had no difficulties with the proposed blueprint for future engagement.

In its conclusions, the WFAC welcomed the opportunity to discuss the engagement of the Regulating our Future work undertaken so far, and looked forward to future updates on the work being taken forwards.

Other Matters

In commenting on my written report, I informed members that the Campylobacter reduction campaign was seeing positive results. Nina Purcell advised that the retail survey is currently suspended due to a change in slaughter processes, and that the way in which campylobacter should be measured going forwards is being considered.

I was pleased to report on the Chartered Institute of Environmental Health Wales' annual conference which both myself and another representative from WFAC attended in April. He noted that attendance at the event had increased from previous years and notable presentations on the Wellbeing of Future Generations Act, by former Welsh Government minister, Jane Davidson and on a software package, developed by the German consumer protection institute (BfO) to assist with traceability within the food chain during incidents. There was a discussion on the issue of burgers served less than thoroughly cooked as this is a topic that continues to occasion anxieties among environmental health professionals, amongst others.

The WFAC was pleased to receive the regular report from the Director in Wales which informs members of a number of issues specifically pertaining to Wales. These included the successful implementation of a new model for the delivery of feed controls in Wales. The report also detailed a comprehensive programme of engagement activities across Wales throughout the summer period. Both these

developments were warmly welcomed and the transformation that has been effected in the oversight of animal feed very much appreciated.

The Committee's discussions on the above issues were in open session and, in line with the views of the WFAC regarding the openness and transparency of its advice to the Board, it is my intention that this advice will be published.

I am copying this letter to the Board Secretariat and to the Chief Executive.

Finally as this was my last meeting as Chair of WFAC, I have expressed my appreciation both of my fellow committee members for their unfailingly constructive support and of Nina Purcell and her team here at FSA Wales. This latter show great professionalism and respect for evidence, as well as a considerable knowledge of the area in which they work, in the best traditions of the Civil Service. They also contrive to be uniformly helpful, friendly and approachable.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R Salmon', with a stylized flourish extending to the right.

pp Dr Roland Salmon (authorised by and signed in his absence)