

CHIEF EXECUTIVE'S REPORT TO THE SEPTEMBER BOARD

GENERAL ACTIVITY UPDATE

1. Since the last Board meeting, I have continued to build on our strong working relationships with government departments, regulators and other stakeholders. I have met with representatives from the Department of Health and Social Care (DHSC), the Department for the Environment, Food and Rural Affairs (Defra), Food Standards Scotland (FSS), the Advertising Standards Authority and the Chartered Institute of Environmental Health.
2. I have also met with industry stakeholders including Moy Park and Midland Foods.

EU EXIT

3. Since my report in June, the FSA has continued to plan and prepare for exit from the European Union. Our priority continues to be to maintain the UK's high standards of food and feed safety and consumer protection.
4. For the most part, the legislative framework within which we operate is established in directly applicable EU legislation. One of our key concerns is to make sure that the legislation continues to work as it is converted into UK law using the powers of the European Union (Withdrawal) Act 2018. The main corrections will be to provide suitable replacements for the risk management function currently undertaken by the European Commission and for the risk assessment function currently undertaken by the European Food Safety Authority (EFSA) to transfer in retained EU Law to the appropriate UK authorities. On 4 September we launched a UK consultation that runs until 14 October to seek the views of stakeholders on changes that Ministers propose to make.
5. While matters relating to food and feed safety and hygiene are devolved – meaning that the four nations of the UK can make and implement their own law in these areas - this general policy area has been designated by the UK Government for consideration for a common approach to regulation, and for a framework of regulation which extends to the whole UK¹.
6. Discussions are ongoing between the UK national authorities as to how best this framework can be arranged, and whether it needs new law to create it. The FSA has unique experience in working successfully across the devolved landscape and is engaging fully with colleagues in FSS, other devolved government departments, Defra

¹ Food & feed safety and hygiene has been identified by Her Majesty's Government as one of 24 policy areas that are subject to more detailed discussion with the Devolved Administrations to explore whether legislative common framework arrangements might be needed, in whole or in part:
<https://www.gov.uk/government/publications/frameworks-analysis>.

and DHSC to progress an agreed and collaborative approach to the food and feed policies for which we are responsible.

7. On 23 August, the government began the process of issuing Technical Notices to set out information to allow businesses and citizens to understand what they would need to do in the unlikely event of a “no deal” scenario so they can make informed plans and preparations. The FSA will continue to engage with stakeholders as we prepare for a range of scenarios.
8. The FSA has conducted another round of consumer insight research into the views of consumers in relation to EU and food. The outcome of the most recent round has been published: www.food.gov.uk/research/research-projects/consumers-views-on-eu-and-food

REVIEW OF MEAT CUTTING PLANTS AND COLD STORES

9. We have now completed the evidence gathering phase of the review including surveys of food businesses, representative bodies, local authorities and a series of well received User Design Workshops with a wide range of stakeholders.
10. A range of options for change have been developed and are being evaluated against criteria which have been validated by the external Challenge Group.
11. The review team remains on track to produce the review report and accompanying Board paper for publication on 11th October, in advance of discussion and consideration of recommendations at the joint FSA/FSS Board retreat on 16th October.

INTERNATIONAL WORK

Heads of Agencies (HoA)

12. As part of our ongoing international engagement, there have been several successful inbound and outward international visits during this period. In June, the FSA hosted a delegation from Ukraine as part of a World Bank Group funded study tour to the UK and Ireland to learn about food safety and traceability, particularly in the beef and dairy sector.
13. At the end of July, Operations colleagues undertook a visit to the US, comprising site visits to a high-volume beef plant, a poultry plant to observe the New Poultry Inspection System (NSIS) and a high-volume pork plant to observe the HACCP Based Inspection Model Project (HIMP).
14. We have also continued our close working relationship with the Ministry for Primary Industries of New Zealand (NZMPI), most recently meeting with Steve Hathaway, Director of Science and Risk Assessment. This provided the opportunity to progress work updating

our co-operative science work programme which sits under the wider Memorandum of Understanding (MOU) between the FSA and NZMPI. In parallel, we have had productive informal discussions with New Zealand to agree how we ramp up wider work more generally under the remit of the MOU.

15. Since the last Board meeting, I have also continued to build on our strong working bilateral relationships with other countries. I met informally with the Inspector General of the Netherlands Food and Consumer Product Safety Authority (NVWA) and discussed how to invest in future collaboration, such as developments in criminal investigation of food fraud, risk communication and data management (sharing and analysis).
16. I had a similar initial meeting with the Canadian Food Inspection Agency President to establish our relationship and form a basis for investing in future collaboration. This will seek to build on the strong working relationships we already have in place with our Canadian counterparts in the international arena.

Codex

17. The start of July saw the 41st session of the main Codex Plenary, the Codex Alimentarius Commission (CAC). CAC41 was busy and productive with the adoption and progression of numerous standards, progress on a huge range of other standards and ten new work items submitted by six different Committees which were approved by CAC.
18. I also wish to congratulate Steve Wearne for his first CAC as Vice Chair, where he effectively oversaw a number of discussions during the week.
19. The UK took the opportunity to build strengthened relationships with key international countries and organisations holding useful bilaterals to progress important policy issues.
20. We are now planning for two Codex Committee meetings later this year dealing with food safety, which are an FSA lead, and where we are contributing to some important work. The first is the Codex Committee on Food Import and Export Certification where the UK is chairing discussions relating to the development of Codex guidance for competent authorities that take account of third party assurance programmes to support their national food control system objectives.
21. The second is the Codex Committee for Food Hygiene (CCFH) where the UK is chairing discussions for the revision of the General Principles of Food Hygiene and HACCP guidelines. The upcoming meeting of CCFH in Panama in November is expected to make significant progress on the text.

PROGRESS ON NATIONAL FOOD CRIME UNIT (NFCU) PHASE 2

22. Work continues on the implementation of the Phase 2 build for the NFCU. All project workstreams are on target to deliver a minimum viable operational capability by 31st March 2019. Recruitment into the 60 additional posts is well underway with sifts taking place during August and interviews scheduled for September.
23. Work to secure the required enforcement powers is progressing in two parallel phases. Whilst legislative change to secure the full powers required will likely be considered by Parliament in its second session, a Ministerial directive has been prepared to secure interim powers under food law. Local authorities will be consulted on the impact of the directive during September.

RAW DRINKING MILK

Triggers for Review

24. At its last meeting, the Board agreed with the recommendations proposed in the RDM paper to improve the existing controls and to adopt a proportionate escalation approach to introducing measures and controls. It was also agreed that a mechanism for data-enabled “triggers” that would prompt the Board to review the control strategy should be established.
25. The Executive is in the process of exploring possible mechanisms. A project led by a team of independent data scientists was commissioned in July. The project will consider options for establishing data driven triggers and thresholds. A paper detailing the findings and the possible mechanism for review will be presented to the Board at the meeting in December.

Labelling SI

26. At its last meeting, the Board was informed of delays that had affected a number of FSA SIs (including the RDM labelling SI) due to new central government guidance on reducing reliance on criminal sanctions in legislation.
27. The FSA has worked closely with the Cabinet Office to resolve this issue and was able to reach an agreement in July on the FSA approach, sufficient to enable ministerial agreement on the FSA measures submitted for collective agreement by DHSC. This is now going forward but it was not possible to gain ministerial agreement before Parliament rose for summer recess. This will be progressed once Parliament returns in September and a date for laying the SI will need to be identified, taking account of the level of EU Exit SIs anticipated.

ALLERGENS CAMPAIGN

28. There has been an increasing focus on young people with food allergies over the last few years, due to several deaths related to food allergy incidents. We have insight that suggests young adults are reluctant to talk publicly about having an allergy, for example they are disinclined to highlight this to food businesses when they order a takeaway or eat out. This group is also more likely to take risks when eating, and sometimes don't want to carry their Epi pen with them.
29. Earlier this month (10 September) we launched a campaign entitled #easytoASK with the aim of raising awareness among young people (16-24) of their rights when it comes to the provision of allergen information when eating out. Our research as demonstrated that this age group often don't feel confident about speaking up about their allergy – something that we want to address and encourage them to speak up about their allergies among friends and to servers when eating out. As part of the campaign, we will also be aiming to increase food business' understanding of the importance of complying with allergen regulations and the benefits of asking for allergen information from their customers.

LOCAL AUTHORITY ENFORCEMENT DATA

30. The 2017/18 'Local authority food law enforcement report for England, Northern Ireland and Wales' and individual local authority (LA) data will be published as official statistics on 17 September. The report can be seen at; www.food.gov.uk/about-us/local-authorities
31. Trend analysis in the report is for England, Northern Ireland and Wales only as data on food law enforcement activity undertaken in Scotland over the past year have for the first time been collected on the Scottish National Database. Food Standards Scotland will publish its report in October.
32. A detailed Board paper on LA performance, including food law enforcement activity data collected electronically via the Local Authority Enforcement Monitoring System (LAEMS) and other data collected via the Balanced Score Card project is planned for December.

REVIEW OF OFFICIAL LABORATORY SYSTEM

33. A review has been commissioned on the current official laboratory system that is used by FSA, FSS, local government and other government departments to provide the scientific and analytical expertise in support of the delivery of Competent Authority responsibilities. The FSA is leading this review which will be undertaken in 2 Phases:
 - Phase 1: to address the issue of access to current laboratory services available to Government departments in order for Government to undertake its competent authority functions to current requirements leading up to EU Exit.
 - Phase 2: to address future requirements post EU Exit relating to official controls on feed and food for the whole laboratory system in food enforcement involving all relevant Government Departments.

34. Phase 1 of the review needs to be undertaken within a short time frame so the results and information gathered can support FSA preparations for EU Exit. It will also provide useful input to Phase 2. We will be appointing a contractor who has a clear in-depth understanding of the food and feed enforcement system and existing UK laboratory provision. The contractor would need to demonstrate that there is no conflict of interest in undertaking this work. Utilising the existing Learning Technology System Architecture (LTSA) with Fera satisfies these criteria, and provides good value for money.

ORGANISATIONAL DESIGN

35. We have undertaken a review of our current organisational structure to ensure we can both demonstrate effective governance and have the required capability to deliver in a post EU Exit environment as well as implementing key elements of RoF.
36. The main areas of our business we have focused on are: the functional separation of risk assessment and risk management; the separation of assurance and compliance from operational delivery; the expansion of our science, policy and food crime capabilities; and an increased focus on third party delivery in particular local authorities.
37. We have deliberately sought to minimise any disruption during this very busy period as we lead up to EU Exit and begin RoF implementation and we anticipate all structural changes will be implemented by December 18.