



PAPURAU PWYLLGOR CYNGHORI
AR FWYD CYMRU

CYFARFOD AGORED

9 MAWRTH 2017

WELSH FOOD ADVISORY
COMMITTEE PAPERS

OPEN MEETING

9 MARCH 2017

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OPEN MEETING OF THE WELSH FOOD ADVISORY COMMITTEE

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**MEETING OF THE WELSH FOOD ADVISORY COMMITTEE
9 MARCH 2017
FOOD STANDARDS AGENCY WALES, SOUTHGATE HOUSE, WOOD STREET,
CARDIFF, CF10 1EW**

AGENDA
Open Meeting

Registration and coffee 09.15 – 09.25

Introductions and Apologies 09.25 – 09.30

Preparation for Board discussion items

Regulating Our Future 09.30 – 10.00
Paper FSAW 17/03/04

Stow Phase 2 Project – Sustainable Funding Model 10.00 – 10.30
Paper FSAW 17/03/05

Food Allergy and Intolerance Programme 10.30 – 11.00
Paper FSAW 17/03/06

Comfort Break 11.00 – 11.15

Committee issues

Last Open Meeting and Matters Arising 11.15 – 11.30
Paper FSAW 16/11/01

Report from Chair 11.30 – 11.45
Paper FSAW 16/11/02

Update from Director 11.45 – 12.00
Paper FSAW 16/11/03

Feedback from Committee Networks 12.00 – 12.15

General Question and Answer Session

12.15 – 12.30

Any other business

12.30

Close of open meeting

12.45

Papers to note – available for viewing on www.food.gov.uk

Schedule of Dates for Committee Meetings

Register of Members' Interests

WFAC Biographies

**Cyfarfod Pwyllgor Cynghori ar Fwyd Cymru
9 Mawrth 2017**

Yr Asiantaeth Safonau Bwyd, Tŷ Southgate, Wood Street, Caerdydd, CF10 1EW

**Agenda
Cyfarfod Agored**

Cofrestru a phaned 09.15 – 09.25

Cyflwyniadau ac Ymddiheuriadau 09.25 – 09.30

Paratoi ar gyfer eitemau i'w trafod gan y Bwrdd

Rheoleiddio ein Dyfodol 09.30 – 10.00
Papur FSAW 17/03/04

Prosiect Stow Cyfnod 2 – Model Ariannu Cynaliadwy 10.00 – 10.30
Papur FSAW 17/03/05

Rhaglen Alergeddau ac Anoddefiadau Bwyd 10.30 – 11.00
Papur FSAW 17/03/06

Egwyl 11.00 – 11.15

Materion y pwyllgor

Y cyfarfod agored diwethaf a materion sy'n codi 11.30 – 11.45
Papur FSAW 17/11/01

Adroddiad gan y Cadeirydd 11.45 – 12.00
Papur FSAW 16/11/02

Diweddariad gan y Cyfarwyddwr 12.00 – 12.15
Papur FSAW 16/11/03

Adborth gan Rwydweithiau'r Pwyllgor 12.15 – 12.30

Sesiwn Holi ac Ateb Cyffredinol

12.30 – 12.45

Unrhyw fater arall

12.45

Diwedd y cyfarfod agored

12.55

Papurau i'w nodi – ar gael i'w gweld ar www.food.gov.uk – cliciwch ar 'Cymraeg

Amserlen Cyfarfodydd y Pwyllgor

Cofrestr o Fuddiannau'r Aelodau

Bywgraffiadau Aelodau WFAC

**FSAW 17/03/04
FOR DISCUSSION**

REGULATING OUR FUTURE PROGRAMME UPDATE

Executive Summary

1. The attached paper, due to be considered by the Board on 14 March, provides an update on activity across the programme since the last update to the Board in September 2016 (FSA 16/09/06), an overview of the high level plan for 2017-19 and a summary of the strategic risks.
2. Nina Purcell, Director for Regulatory Delivery and Wales, will present this paper to the Committee.
3. The full paper can be found on the FSA website through the link below:
<https://www.food.gov.uk/sites/default/files/fsa170304.pdf>
4. Members are invited to:-
 - consider the Board paper
 - consider any advice the WFAC wishes the Board to consider as part of its deliberations.

FSA Wales Contact: Lucy Edwards
lucy.edwards@foodstandards.gsi.gov.uk

**FSAW 17/03/05
FOR DISCUSSION**

STOW PROJECT PHASE 2 – SUSTAINABLE FUNDING MODEL

Executive Summary

5. The attached paper, due to be considered by the Board on 14 March, outlines the progress made to date by the Steering Group on Meat Charging and the implementation of the Stow 1 discounting and charging arrangements from 28 March 2016 and the direction of the model going forward.
6. Jason Feeney, Chief Operating Officer, Chris Hitchen, Director of Finance & Performance and Bill Stow, Chair of Steering Group on Meat Charging.
7. The full paper can be found on the FSA website through the link below:
<https://www.food.gov.uk/sites/default/files/fsa170305.pdf>
8. Members are invited to:-
 - consider the Board paper
 - consider any advice the WFAC wishes the Board to consider as part of its deliberations

FSA Wales Contact: Lucy Edwards
lucy.edwards@foodstandards.gsi.gov.uk

**FSAW 17/03/06
FOR DISCUSSION**

FOOD ALLERGY AND INTOLERANCE PROGRAMME

Executive Summary

1. The attached paper, due to be considered by the Board on 14 March, details the recent outputs from world-leading research and asks the Board to agree to the shift of emphasis of the research programme from food allergy in infants and children to adults.
2. Steve Wearne, Director of Policy.
3. The full paper can be found on the FSA website through the link below:
<https://www.food.gov.uk/sites/default/files/fsa170306.pdf>
4. Members are invited to:-
 - consider the Board paper
 - consider any advice the WFAC wishes the Board to consider as part of its deliberations.

FSA Wales Contact: Lucy Edwards
lucy.edwards@foodstandards.gsi.gov.uk

FSAW17/11/01

Last Open Meeting and Matters Arising

DRAFT MINUTES OF THE OPEN MEETING OF THE WELSH FOOD ADVISORY COMMITTEE HELD ON 17 NOVEMBER 2016 AT THE FOOD STANDARDS AGENCY, SOUTHGATE HOUSE, WOOD STREET, CARDIFF.

Present:

Welsh Food Advisory Committee (WFAC) Members Attending:

Dr R Hussey

Mr R Alexander

Mrs S Jones

Mr D Morgan

Dr H Jones

Mr D Peace

Food Standards Agency (FSA) Officials Attending:

Nina Purcell – Director, FSA in Wales

Helen George – Secretariat

Vicki Reilly – Secretariat

Steve Wearne, Patrick Miller via VC for item 2

Kate Todd via VC for item 4

1. Introduction and Apologies

1.1 The Chairman welcomed members to the open meeting and notified those present of the guest speakers who would be presenting papers. Apologies were noted from Dr. N Barry.

2. Declarations of Interest

2.1 Committee members advised the following declarations of interest:-

- David Peace advised that he is non-executive chairman of Hall Mark group and business advisor to a farm-based food business in Monmouthshire.
- Ruth Hussey advised that she is the Chair of the Health and Social Care Parliamentary Review Wales.

2.2 All declarations were noted. No members withdrew from discussions.

3. Minutes of the Last Open Meeting (Paper FSAW 16/11/01)

3.1 The draft minutes of the meeting held on 15 September were accepted as a true record of discussions. It was agreed that the final minutes should be translated and placed on the website. **Action: Secretariat**

4. Report from Chairman (Paper FSAW 16/11/02)

4.1 The Chair presented her written report on the issues raised at the Board meeting held in September 2016. In commenting on the report, the Chair gave the WFAC an update on the visits and meetings undertaken as part of her FSA induction programme. The Chair gave a specific update on a meeting with the Chair of Directors of Public Protection in Wales (DPPWs) and the Welsh local authority representative on the Regulating Our Future Expert Advisory Group and also advised the committee that the Chair of DPPWs had recently written to Rebecca Evans AM, Minister for Social Services and Public Health with concerns regarding the FSA's proposals for the future oversight of food in Wales and with a call for a devolved independent food body for Wales.

5. Director's Update (Paper FSAW 16/11/03)

5.1 The WFAC was pleased to receive the regular report from the Director in Wales which informed the Committee of the success of the new model for the delivery of Feed Official Controls. This report also highlighted the success of the FSA in Wales' school engagement programme, the 'Ghastly Gravy on the Starship Gastromo' workshop, which was recently awarded the Gold Award for Innovation at the prestigious EVCOM Clarion Awards. The committee members commended the school programme and its success and noted the impressive figures relating to the Feed Official controls work.

6. FSA Science: Retrospective Update and Prospective Priorities (Paper FSAW 16/11/04)

6.1 FSA Science: Retrospective Update and Prospective Priorities WFAC members discussed the paper which outlined how current work supports the FSA Strategy and also provided a forward look at prospective priorities, including new possibilities opened up by recent scientific developments including the microbiome and big data. In its considerations the WFAC made the following points:-

- that it welcomed the partnership approach being adopted in some of the strategic science priorities and recognised that a collaborative approach provided greater opportunity to share data and resources;
- that it supported the FSA's approach to funding a research fellow at University College London's Big Data Institute;
- that it noted the mechanisms in place for the Chief Scientific Advisors across government departments, including Welsh Government, to share information and discuss cross cutting issues;
- that it would be useful, in any future reports, to breakdown expenditure on externally commissioned science work to include any devolved dimension; and
- that it agreed the trajectory of funding for the three categories of science (core business, investment and strategic), and in this respect, the WFAC highlighted

the importance of being able to target some resources at creativity and innovation.

6.2 The WFAC concluded its comments in agreeing that it would be beneficial for the Board to have an annual science prioritisation discussion.

7. Food and Feed Surveillance (Paper FSAW 16/11/05)

7.1 Members considered the paper which set out the current approach in the UK, and in other countries, to food surveillance and the main elements of the FSA's surveillance activities. The WFAC noted the opportunities identified in the paper for a more improved surveillance system and an approach which would support delivery of the Regulating our Future programme, both through establishing new relationships and data flow, and through testing and improving resilience in the food system. The WFAC commented on the requirement for robust quality control and assurance mechanisms being in place, in relation to data from a range of sources and was assured that accredited methodologies would be a critical component of sourcing, and using, data.

7.2 The WFAC concluded its discussions by agreeing the proposals for a new approach to surveillance and recommending that it would be useful for the Board to consider and agree, on an annual basis, priorities for surveillance.

8. Delivering Proportionate Controls for Risky Foods (Paper FSAW 16/09/06)

8.1 Members considered the paper which provided a revised framework for developing proportionate controls for risky foods. The WFAC welcomed the main revisions including three clear criteria to identify risky foods for consideration using the framework and a new screening stage to assess whether a food should be assessed as a risky food using the framework. The WFAC made the following observations:-

- that the framework could be more explicit in relation to transmissibility and to cases of secondary infection;
- that the risks in relation to transmissibility could usefully be quantified; and
- the importance of ensuring that that types of foods which might be considered under the framework is kept under periodic review.

8.2 The WFAC enquired about the application of the framework, and in particular the triggers for review, in relation to burgers served less than thoroughly cooked. The WFAC was informed that the Board had considered the triggers when it received a position paper in July 2016 which updated on all aspects of the work completed and underway to implement the position adopted by the Board in September 2015 that the service of burgers that are not thoroughly cooked is unacceptable unless a range of controls is in place. It was confirmed that the serving of burgers less than thoroughly cooked fell into the amber group.

8.3 Stakeholders present at the meeting shared the practical difficulties they were experiencing when enforcement officers visited premises which serve burgers served less than thoroughly cooked. The complexity of taking appropriate enforcement action was highlighted. It was noted that some local authorities in Wales have had concerns around the sufficiency and promptness of the information provided in the supply chain for one particular burger retailer to demonstrate that the food safety management system, including challenge testing to support the cooking procedures has been appropriately validated and is in line with the FSA position published in May 2016. It was noted that there have been instances where local authorities in Wales have sought scientific advice to provide an opinion on the challenge testing. It was further noted that enforcement action, the serving of Remedial Action Notices has been taken on a number of independent establishments in Cardiff and a further national chain where burgers were being served less than thoroughly cooked without a validated food safety management system being in place.

8.4 The Director of the FSA in Wales updated the WFAC on discussions she has had with a burger chain, and of action underway in FSA approved slaughterhouses and cutting plants which are known to be involved in the supply of minced meat/burger patties to establishments serving burgers that are less than thoroughly cooked. The Director confirmed the commitment of the FSA to continue to work with local authorities in Wales in support of any concerns they have in relation to enforcement action.

9. Review of the National Food Crime Unit (Paper FSAW 16/09/07)

9.1 Members considered the paper which presented findings and recommendations of the review of the NFCU as initiated after the Board's discussions in May 2016.

9.2 In its considerations, members noted the extensive scope of the review and the degree of consultation that has taken place to date. The WFAC noted that while the NFCU has built up much expertise and capacity in intelligence gathering, that much of the work of the NFCU is wasted in that there is no investigative capability to match the intelligence function. The WFAC noted that a separate review of the Welsh Food Fraud Co-ordination Unit (WFFCU) had been placed on hold pending the completion of review of the NFCU. The committee discussed the patchwork of bodies across the UK with a stake in the investigation of food crime. WFAC enquired about the extent to which the operations of the WFFCU had been accounted for in the review. Members were informed that the approach taken in Wales had formed an important part of the review and that the operations of the WFFCU were highly respected. Further, it was noted that there was an appetite to preserve much of the approach taken in Wales in any national future model.

9.3 In conclusion, the WFAC welcomed the review of the NFCU. It agreed the recommendations that the NFCU should have an investigative capability and that it should be set up as an arm's length body of the FSA. In putting forward a detailed business case to effect this transaction, the WFAC provided a strong recommendation that there was much to learn from the approach currently taken in Wales by the WFFCU and that this should inform any new national model. This was a view also shared by stakeholders present at the meeting.

10. Enhancing the Contribution of the Food Advisory Committees to FSA Insight and Decision Making (Paper FSAW 16/11/08)

10.1 Members considered the paper which set out proposals to derive further value from the Food Advisory Committees in Wales and Northern Ireland by using them as a source of insight and advice to the Board. The WFAC commented that it was fully supportive of the approach being suggested in the paper to widen its contribution and that it welcomed the opportunity to explore specific areas of interest at the request of the Board and to proactively explore country specific issues that exist in relation to the FSA's strategic priorities. Against this background, the WFAC considered a separate paper which set out early thinking on WFAC's role might be enhanced. It was agreed that the WFAC would find it useful to have a dedicated session, in January 2017, to explore its contribution to Board deliberations more fully.

11. Feedback from Committee Networks

11.1 Sue Jones advised that she had attended the Annual NFU conference where the main focus of discussion was EU exit.

12. Question and Answer Session

12.1 All issues raised as part of the session are reflected in the comments above.

13. Any other Business

13.1 Hugh Jones commented on the recent Antimicrobial Resistance paper from Guy Poppy and recommended that committee members read it.

13.2 The Committee noted that the next open meeting would be 9 March 2017. It was agreed that the meeting schedule for 2017 would be recirculated. **Action: Secretariat**

ACTION POINTS

Index	Action	By	Status
Para 3.1	Minutes of the September meeting to be translated and placed on website.	30 December 2016	Complete
Para 13.2	Schedule of 2017 meetings to be sent to committee members.	30 December 2016	Complete

**FSAW 17/03/02
FOR DISCUSSION**

**WFAC CHAIRMAN'S REPORT ON ISSUES RAISED AT LAST OPEN BOARD
MEETING**

Executive Summary

1. The attached report provides a brief summary of matters introduced by the Board Chairman at the Board meeting held in November 2016 and key issues of discussion relating to the FSA remit within Wales. The complete minutes from the Board meeting are available on the FSA's website at <http://www.food.gov.uk/>

2. Members of the Committee are invited to:

- **note** the Board discussions
- **invite** the Chairman to expand on any issues for further discussion.

FSA Wales Contact: Lucy Edwards
lucy.edwards@foodstandards.gsi.gov.uk

**FSAW 17/03/02
FOR DISCUSSION
WFAC CHAIRMAN'S REPORT – MARCH 2017**

1. Board Chair's Report

- The Board Chair provided an update on recent engagements, including a number of stakeholder roundtables for big business, small and medium-sized enterprises (SMEs), and Local Authorities to discuss the implications for the regulation of the food sector of Britain exiting the EU. The Chair said she had met with the British Egg Industry Council and, along with the Deputy Chair, representatives of the meat industry to discuss regulation. With the Chief Scientific Adviser and others, the Chair had met with the EAT Foundation, and she had met with Tim Lang, Professor of Food Policy, Centre for Food Policy. The Chair said she had also done a number of media interviews: You and Yours and Farming Today on Radio 4; The Grocer; and two of the meat trade journals.

2. Summary of Main Discussion Items

FSA Science: Retrospective Update and Prospective Priorities

2.1 At the November 2016 meeting the board considered the following papers:-

- **FSA Science: Retrospective Update and Prospective Priorities**
A paper which set out work being undertaken to better understand and to target the different types of science carried out in the FSA in order to get maximum impact from its resources.
- **Food and Feed Surveillance**
A paper which set out a new approach to surveillance and an approach which would support the Regulating our Future programme to drive action to protect consumers on the basis of knowledge and insight into risks.
- **Review Of The National Food Crime Unit**
A paper which set out the outcomes, findings and main recommendations made from the independent review of the National Food Crime including recommendations on what the function of the NFCU should be and where the NFCU should sit.
- **Developing Proportionate Controls For Risky Foods**
A paper which set out a revised framework for developing proportionate controls for risky foods including a new screening stage to assess whether a food should be assessed as a risky food using the framework.
- **Enhancing The Contribution Of The Food Advisory Committees To Food Standards Agency Insight and Decision Making**
A paper which set out proposals to derive further value from the Food Advisory Committees in Wales and Northern providing and strengthening the specific country issues brought for discussion to Board meetings and a source

which the Board might look to as an additional resource from which to gain input on ad hoc specific issues.

- **Report From The Chair Of The Welsh Food Advisory Committee**
My report to the Board which set out the activities of the WFAC during the period January 2015 – November 2016 including Board papers considered, briefing sessions held and engagements met.
- **FSA in Wales: Director's Update**
A report from Nina Purcell, FSA Director of Wales and Regulatory Delivery Division, which updated the Board on progress on the delivery of the introduction of a new model to deliver animal feed official controls, and the Food Hygiene Rating Scheme in Wales and other key activities of the FSA in Wales.

2.2 The draft minutes from the November 2016 Board meeting which provide more context and the Board's conclusions on the above papers can be found at :-
<https://www.food.gov.uk/sites/default/files/fsa170301.pdf>

Other Matters

3.1 Since November 2016, I have been involved in the following: -

- 19 December 2016 - visits to a number of slaughter houses and meat plants in the Wrexham area.
- 11 January 2017 - Ministerial meeting with Rebecca Evans, Minister for Social Services and Public Health, discussion items included the Regulating our Future programme, Burgers served less than thoroughly cooked, the Food Hygiene Rating Scheme, the Welsh Food Fraud Co-ordination Unit and the appointment of a new Chief Executive for the FSA.
- 11 January 2017 - EU Exit roundtable discussions with SMEs in Wales. Main topics raised during discussion were Trade/Legislation, Labour, Imports/Exports and Audit matters.
- 19 January 2017 - WFAC planning session where the WFAC undertook a member networking mapping exercise, familiarised itself with the goals and principles of the Well-being of Future Generations Act (Wales) 2015 and received a presentation on some recent consumer insight work.
- 24 January 2017 – FSA Board Retreat. Main focus/theme of the meeting: Planning for change: Prioritisation. The retreat provided the opportunity for in depth discussions on the following:-
 - To introduce why the FSA needs to prioritise more than ever to achieve the best outcomes for consumers
 - To establish a shared understanding of what we've achieved in the first two years of the strategic plan

- To establish a shared understanding of where we are in planning for exiting the EU – including what we know and what we know we don't know, how the FSA inputs into the big picture, and implications for the FSA and how we operate (risks and opportunities)
 - To provide an update on the RoF programme. What's changed since the last Board update? What have we learnt from pilots and discussions on the target operating model (including the latest thinking on the idea of a permit to trade – opportunities, challenges and timetable)?
 - To consider what these changes mean for where the FSA should focus for the remaining 3 years of the strategic plan
 - To consider what ROF & Brexit mean for the FSA's capability & culture
 - To consider what capability and culture the FSA will need in future in order to be trusted and recognised internationally as an excellent modern regulator
 - To review the strategic risks facing the FSA in the light of the previous discussions
 - To review the FSA's risk appetite statement
 - To review the FSA's strategic priorities for 2017/18 in light of the above discussions
- 16 February 2017 - EU roundtable discussions with industry bodies in Wales. Main topics raised were similar to those raised in the roundtable with SMEs as detailed above

Dr Ruth Hussey CB, OBE
Chair of Welsh Food Advisory Committee
March 2017

**PAPER FSAW 17/03/03
FOR DISCUSSION**

UPDATE FROM DIRECTOR

Executive Summary

1. The attached paper provides a brief summary of issues introduced by the Chief Executive at the last Board meeting which was held in November 2016. The complete minutes from the Board meeting are available on the FSA's website at <http://www.food.gov.uk/>. This paper also provides an update on issues of relevance to Wales and forms the basis of the update to the Welsh Food Advisory Committee.
2. The interim Director will supplement the information provided in this report with an oral update where necessary.
3. Members are invited to:
 - **note** the Board discussions**invite** the Director to expand on any issues for further discussion

**PAPER FSA 17/03/03
FOR DISCUSSION**

UPDATE FROM DIRECTOR

1. Summary of Chief Executive's report to open Board meeting 23 November 2016.

1.1 The Board received the written report (FSA 16/11/03) of the Chief Executive (CE) as at <https://www.food.gov.uk/sites/default/files/fsa161103.pdf>

2. Director for Wales report on matters pertaining to Wales

External engagement

2.1 Nina Purcell has been involved in the following engagement opportunities since WFAC last met on 15 September 2016:-

- 17 November – meeting with Welsh Government Policy to discuss EU exit.
- 24 November – FSA/Welsh Government liaison meeting.
- 5 December – meeting with Welsh Government Chief Veterinary Officer.
- 6 December – introductory meeting with Director for Integrated Health Protection, Public Health Wales.

Appointment of Interim Director for FSA Wales

2.2 As from 13 February, I have joined the team in the Cardiff office as interim Director for Wales. I am on a one year secondment from Animal and Plant Health Agency (APHA) to the FSA to provide support to the Agency's day to day operations in Wales at a time when the Regulating our Future programme gathers pace and more of Nina Purcell's time will be required as SRO on this key priority for the Agency. I have been Director, Wales for the APHA since 2013, and so am very familiar with the regulatory and political landscape in Wales. Over the next few weeks I will be spending time in the business getting to up to speed on key areas that will have impact on the FSA in Wales. Since joining, I have attended the following meetings:-

- a liaison meeting with Welsh Government;
- a Feed Governance Group meeting;
- an EU Exit roundtable discussion with industry bodies; and
- a representative from the Shellfish Association of Great Britain.

EU Exit

2.3 FSA Wales has organised two roundtables in 2017 as part of our EU exit work. The aim of the roundtables is to listen to stakeholders, to establish what their concerns are, where they see opportunities post EU exit and what they see as the role of the FSA going forward. These views will then help shape the FSA position regarding the EU exit negotiations. Heather Hancock chaired a roundtable in January which brought together SMEs and the three Welsh food industry centres in Wales. Ruth Hussey chaired a roundtable in February for industry bodies such as NFU Cymru, HCC, Federation of Small Businesses, British Hospitality Association, Shellfish Association of GB, Specialist Cheese Makers Association

and others. Common themes emerged from both roundtables: the importance of securing good trade deals, the reliance on imports / exports for a wide variety of businesses, the importance of migrant labour to the food industry, and agreement that a two tier regulatory system (for domestic / export markets) would be a burden to industry and could potentially be fragmented further by devolution.

Welsh Food Fraud Coordination Unit

2.4 Following discussions at the Welsh Food Advisory Committee (WFAC) and subsequently at the FSA Board meeting in November 2016, it was agreed that further work would be undertaken to develop a business case for establishing a National Food Crime Unit (NFCU) with investigative capacity. The WFAC noted at their meeting that there was much to learn from the approach currently taken by the WFFCU in Wales and recommended that this should inform the business case for any new national model. As you are aware the WFFCU has been the subject of review by the FSA and in light of the views expressed about the approach taken by the WFFCU and while the NFCU's business case is being developed, FSA Wales have decided that the food fraud delivery model in Wales should continue in its current format and governance arrangements.

2.5 In order to inform the review of the WFFCU, FSA Wales carried out a survey of local authorities in Wales to explore how they could be better supported in tackling food fraud. The survey aimed to establish current practices in relation to food fraud intelligence submission and investigation, identify areas of good practice and highlight where support or recommendations for improvement were required. FSA Wales met with the Welsh Food Fraud Coordination Governance Group (WFFCGG) on 7 February to provide an update on the current status of the WFFCU review and to explore further opportunities to enhance both the role of the WFFCGG and that of the WFFCU. The group agreed to review its membership, terms of reference and to develop a plan to address the recommendations identified by the local authority survey. FSA Wales will keep working with the WFFCGG and WFFCU continue to support local authorities to tackle food fraud in Wales and to build on the specialist role they already provide.

Food Hygiene Rating Scheme

2.6 The Food Hygiene Rating (Wales) Act 2013 places a duty on the Food Standards Agency (FSA) to review the operation of the appeals system annually. FSA Wales have produced a report (attached) following a review of the operation of the appeals system for the period 28 November 2015 to 27 November 2016. The report was laid before the National Assembly for Wales on 28 February 2017 and is published in English and Welsh. Key findings from the review included:-

- a total of 108 (1.9%) businesses in Wales issued with a food hygiene rating between '0' and '4' made an appeal, which is consistent with the number of appeals received for the previous year.
- local authorities in Wales are largely operating the Scheme in accordance with the Act and statutory guidance. All appeals were determined by local authority officers who were not involved in the assessment of the rating being appealed. In total, 100 (92.6%) of the appeals were determined within the statutory timescale of 21 days;
- the appeals system is increasingly being used by businesses achieving a rating of '3' and '4' (35.7% of all appeals in 2014/15 to 46.3% in 2015/16);

- feedback from food businesses reveals there continues to be a need for FBOs to be provided with clearer information about the safeguards available, including the process and the grounds on which an appeal can be made. Research shows that this need is particularly relevant for FBOs where English is not their first language;
- there is a perception that the current system for determining appeals is not sufficiently independent. However, the review found that where appeals had been made, in 17.6% of cases food hygiene ratings were changed.

2.7 A full copy of the report can be found at:

<http://www.assembly.wales/laid%20documents/agr-ld10952/agr-ld10952-e.pdf>
<http://www.assembly.wales/laid%20documents/agr-ld10952/agr-ld10952-w.pdf>

2.8 The FSA in Wales have been working with Welsh Government officials to amend the FHRS guidance for local authorities in Wales and have produced a draft version which is currently out for consultation. The revised version [reflects changes since the legislation came into force, and includes advice on the Food Hygiene Rating \(Promotion of Hygiene Rating\) \(Wales\) Regulations 2016. The consultation, with local authorities in Wales, will run until 5 May 2017.](#)

Enforcement

2.9 Details of recent successful food standards, food hygiene and food safety related prosecutions in England, Wales and Northern Ireland can be found at:

<http://www.food.gov.uk/news-updates/news/2015/14644/food-standards-agency-publishes-food-law-prosecutions-database>

3. Forward Look

3.1 Between now and the next open meeting of the WFAC on 15 June, I have have made the following commitments of relevance to the FSA in Wales:-

- 23 March – Blas Cymru event
- Tbc – Meeting with the Welsh Food Fraud Coordination Unit
- 29 May – 2 June – 1 day visiting the FSA stand at the Urdd Eisteddfod

Richard Bowen
Interim Director, FSA Wales

March 2017

Papur FSAW 17/03/03
I'w drafod

Diweddariad gan y Cyfarwyddwr

Crynodeb Gweithredol

1. Mae'r papur hwn yn cynnwys crynodeb byr o'r prif faterion a amlinellwyd gan y Prif Weithredwr yng nghyfarfod diwethaf y Bwrdd ym mis Tachwedd 2016. Mae cofnodion llawn y cyfarfod hwnnw ar gael ar wefan yr Asiantaeth drwy <http://www.food.gov.uk> (Saesneg yn unig). Mae'r papur hwn hefyd yn cynnwys yr wybodaeth ddiweddaraf am faterion sy'n berthnasol i Gymru ac yn sail i ddiweddariad y Cyfarwyddwr i Bwyllgor Cyngori ar Fwyd Cymru.

2. Bydd y Cyfarwyddwr Dros Dro yn ategu'r wybodaeth yn yr adroddiad hwn gyda diweddariad ar lafar, lle bo'n briodol.

3. Gwahoddir aelodau i:

- **nod**i trafodaethau'r Bwrdd
- **gwahod**d y Cyfarwyddwr i ymhelaethu ar unrhyw faterion i'w trafod ymhellach

Swyddog Cyswllt yn yr Asiantaeth yng Nghymru: Lucy Edwards
Lucy.Edwards@foodstandards.gsi.gov.uk

Papur FSA 17/03/03
I'w drafod

Diweddariad gan y Cyfarwyddwr

1. Crynodeb o Adroddiad y Prif Weithredwr i Gyfarfod Agored y Bwrdd ar 23 Tachwedd 2016.

1.2 Derbyniodd y Bwrdd adroddiad ysgrifenedig y Prif Weithredwr (FSA 16/11/03) sydd ar gael drwy <https://www.food.gov.uk/sites/default/files/fsa161103.pdf> (Saesneg yn unig).

2. Adroddiad Cyfarwyddwr Cymru ar Faterion yn ymwneud â Chymru

Ymgysylltu'n allanol

2.1 Mae Nina Purcell wedi cymryd rhan yn y cyfleoedd ymgysylltu canlynol ers cyfarfod diwethaf y pwyllgor hwn ar 15 Medi 2016:-

- 17 Tachwedd – cwrdd â Pholisi Llywodraeth Cymru i drafod Ymadael â'r Undeb Ewropeaidd.
- 24 Tachwedd – cyfarfod cysylltu'r ASB a Llywodraeth Cymru.
- 5 Rhagfyr – cwrdd â Phrif Swyddog Milfeddygol Llywodraeth Cymru.
- 6 Rhagfyr – cyfarfod rhagarweiniol â Chyfarwyddwr Diogelu Iechyd Integredig, Iechyd Cyhoeddus Cymru.

Penodi Cyfarwyddwr Dros Dro i ASB Cymru

2.2. Ers 13 Chwefror rwyf wedi ymuno â'r tîm yn y swyddfa yng Nghaerdydd fel Cyfarwyddwr Dros Dro i Gymru. Rydw i ar secondiad blwyddyn yn yr ASB o'r Asiantaeth Iechyd Anifeiliaid a Phlanhigion (APHA) i gefnogi gwaith o ddydd i ddydd yr Asiantaeth yng Nghymru. Mae'r rhaglen Rheoleiddio ein Dyfodol yn datblygu'n gyflym ar hyn o bryd, a bydd angen i Nina Purcell dreulio mwy o'i hamser fel Uwch Swyddog Adrodd i'r rhaglen hon sy'n brif flaenoriaeth i'r Asiantaeth. Rwyf wedi bod yn Gyfarwyddwr yng Nghymru ar APHA ers 2013, ac felly rwy'n gyfarwydd iawn â thirlun rheoleiddio a gwleidyddol Cymru. Dros yr wythnosau nesaf, byddaf yn treulio amser yn dysgu am y meysydd allweddol a fydd yn effeithio'r ASB yng Nghymru. Ers ymuno, rwyf wedi mynychu'r cyfarfodydd canlynol:-

- Cyfarfod cysylltu â Llywodraeth Cymru;
- Cyfarfod Grŵp Llywodraethu Bwyd;
- Trafodaeth Bord Gron am Ymadael â'r UE gyda chyrff o'r diwydiant;
- Cyfarfod â chynrychiolydd o Gymdeithas Pysgod Cregyn Prydain.

Ymadael â'r UE

2.3 Mae'r ASB yng Nghymru wedi trefnu dau gyfarfod bord gron yn 2017 fel rhan o'n gwaith yn ymwneud ag ymadael â'r UE. Nod y cyfarfodydd bord gron yw gwranddo ar randdeiliaid er mwyn sefydlu pa bryderon sydd ganddynt, lle maent yn gweld cyfleoedd ar ôl ymadael â'r UE, a beth yw rôl yr ASB yn y dyfodol yn eu barn nhw. Bydd y safbwyntiau hyn yn helpu i siapio safbwynt yr ASB o ran trafodaethau ymadael â'r UE. Roedd Heather Hancock yn gadeirydd ar gyfarfod bord gron ym mis Ionawr, a ddaeth â busnesau bach a chanolig a

thair canolfan diwydiant bwyd Cymru at ei gilydd yng Nghymru. Roedd Ruth Hussey yn gadeirydd ar gyfarfod bord gron ar gyfer cyrff y diwydiant ym mis Chwefror, megis Undeb Cenedlaethol yr Amaethwyr, Hybu Cig Cymru, Ffederasiwn Busnesau Bach, Cymdeithas Lletygarwch Prydain, Cymdeithas Pysgod Cregyn Prydain, y Gymdeithas Gwneuthurwyr Caws Arbenigol ac eraill. Roedd y themâu cyffredin a ddaeth i'r amlwg o'r ddau gyfarfod bord gron yn cynnwys: pwysigrwydd sicrhau bargeinion masnachu da, yr ystod eang o fusnesau sy'n dibynnu ar fewnforion / allforion, pwysigrwydd gweithwyr sy'n fewnfudwyr i'r diwydiant bwyd, a chytuno y byddai system reoleiddio dwy haen (ar gyfer marchnadoedd domestig / allforio) yn faich i'r diwydiant, a gallai datganoli ei rannu ymhellach.

Uned Cydgysylltu Twyll Bwyd Cymru

2.4 Yn dilyn trafodaethau yng nghyfarfod Pwyllgor Cynghori ar Fwyd Cymru ac yna yng nghyfarfod Bwrdd yr Asiantaeth Safonau Bwyd ym mis Tachwedd 2016, cytunwyd y dylid ymgymryd â gwaith pellach i ddatblygu achos busnes ar gyfer sefydlu Uned Genedlaethol Troseddau Bwyd gyda'r gallu i ymchwilio. Nododd Pwyllgor Cynghori ar Fwyd Cymru yn eu cyfarfod bod llawer i'w ddysgu o'r dull y mae Uned Cydgysylltu Twyll Bwyd Cymru yn ei weithredu ar hyn o bryd. Fel y gwyddoch eisoes, mae Uned Cydgysylltu Twyll Bwyd Cymru wedi bod yn destun adolygiad gan yr ASB ac yn sgil y safbwyntiau a fynegwyd am ddull yr Uned o weithio, a thra bo'r achos busnes yn cael ei ddatblygu ar gyfer sefydlu uned genedlaethol, mae ASB Cymru wedi penderfynu y dylai'r model gweithredu ar dwyll bwyd yng Nghymru barhau yn ei fformat presennol a chyda'r trefniadau llywodraethu presennol.

2.5 Er mwyn llywio'r adolygiad o Uned Cydgysylltu Twyll Bwyd Cymru, cynhaliodd ASB Cymru arolwg ymhlith awdurdodau lleol Cymru er mwyn archwilio pa gefnogaeth ychwanegol sydd ei hangen arnynt i fynd i'r afael â thwyll bwyd. Nod yr arolwg oedd sefydlu arferion presennol mewn perthynas â chyflwyno gwybodaeth (*intelligence*) am dwyll bwyd ac ymchwilio i dwyll bwyd, nodi arferion da a thynnu sylw at y meysydd hynny lle mae angen cefnogaeth neu welliannau. Daeth ASB Cymru a Grŵp Llywodraethu Uned Cydgysylltu Twyll Bwyd Cymru ynghyd mewn cyfarfod ar 7 Chwefror i roi diweddariad ar statws yr adolygiad, ac i archwilio cyfleoedd pellach i wella rôl y Grŵp Llywodraethu a rôl yr Uned ei hun. Cytunodd y grŵp i adolygu ei aelodaeth a'i gylch gorchwyl, ac i ddatblygu cynllun i fynd i'r afael â'r argymhelliad a nodwyd yn arolwg yr awdurdodau lleol. Bydd ASB Cymru yn parhau i gydweithio â'r grŵp Llywodraethu a'r Uned er mwyn parhau i gefnogi awdurdodau lleol wrth fynd i'r afael â thwyll bwyd yng Nghymru, ac i adeiladu ar y rôl arbenigol y maen nhw eisoes yn ei darparu.

Y Cynllun Sgorio Hylendid Bwyd

2.6 Mae Deddf Sgorio Hylendid Bwyd (Cymru) 2013 yn rhoi dyletswydd ar yr Asiantaeth Safonau Bwyd i adolygu gweithrediadau'r system apelio'n flynyddol. Mae ASB Cymru wedi cynhyrchu adroddiad (sydd wedi'i atodi) yn dilyn adolygiad o weithrediadau'r system apelio ar gyfer y cyfnod rhwng 28 Tachwedd 2015 a 27 Tachwedd 2016. Gosodwyd yr adroddiad gerbron Cynulliad Cenedlaethol Cymru ar 28 Chwefror 2017, ac mae wedi'i gyhoeddi yn Gymraeg ac yn Saesneg. Mae prif ganfyddiadau'r adolygiad yn cynnwys:-

- Gwnaeth cyfanswm o 108 (1.9%) o fusnesau yng Nghymru a dderbyniodd sgôr hylendid bwyd rhwng '0' a '4' apêl, sy'n gyson â nifer yr apeladau y flwyddyn flaenorol.

- Ar y cyfan, mae awdurdodau lleol yng Nghymru yn gweithredu'r Cynllun Sgorio Hylendid Bwyd yn unol â'r Ddeddf a'r canllawiau statudol. Pennwyd pob apêl gan swyddogion awdurdodau lleol priodol nad oedd yn rhan o'r asesiad sgorio hylendid bwyd gwreiddiol. Pennwyd 100 (92.6%) o'r apeliadau o fewn y cyfnod statudol o 21 diwrnod.
- Mae cynnydd yn y defnydd o'r system apelio gan fusnesau sydd â sgôr o '3' a '4' (35.7% o'r holl apeliadau yn 2014/15 i 46.3% yn 2015/16);
- Mae adborth gan fusnesau bwyd yn dangos bod yr angen i ddarparu gwybodaeth gliriach am y mesurau diogelu sydd ar gael i weithredwyr busnesau bwyd yn parhau, gan gynnwys gwybodaeth am y broses ac ar ba sail y gellir cyflwyno apêl. Mae ymchwil yn dangos bod hwn yn hynod o berthnasol i weithredwyr busnesau bwyd nad ydynt yn siarad Saesneg fel iaith gyntaf;
- Mae canfyddiad nad yw'r system bresennol ar gyfer pennu'r apeliadau yn ddigon annibynnol. Fodd bynnag, canfuodd yr adolygiad lle gwnaed apêl, newidiwyd y sgôr hylendid bwyd mewn 17.6% o'r achosion.

2.7 Mae copi llawn o'r adroddiad i'w weld drwy:

<http://www.assembly.wales/laid%20documents/agr-ld10952/agr-ld10952-w.pdf>

2.8 Mae ASB Cymru wedi bod yn gweithio â swyddogion Llywodraeth Cymru i ddiwygio canllawiau'r Cynllun Sgorio Hylendid Bwyd i awdurdodau lleol yng Nghymru, ac maent wedi cynhyrchu fersiwn ddrafft, sydd mewn cyfnod o ymgynghori ar hyn o bryd. Mae'r fersiwn ddiwygiedig yn adlewyrchu newidiadau ers i'r ddeddfwriaeth ddod i rym, ac maent yn cynnwys cyngor ar y Rheoliadau Sgorio Hylendid Bwyd (Hyrwyddo Sgoriau Hylendid) (Cymru) 2016. Bydd yr ymgynghoriad ag awdurdodau lleol yng Nghymru yn parhau tan 5 Mai 2017.

Gorfodi

2.9 Mae manylion erlyniadau safonau, hylendid a diogelwch bwyd llwyddiannus diweddar yng Nghymru, Lloegr a Gogledd Iwerddon ar gael drwy:

<http://www.food.gov.uk/news-updates/news/2015/14644/food-standards-agency-publishes-food-law-prosecutions-database> – cliciwch ar 'Cymraeg'

3. Bwrw Golwg Ymlaen

3.1 Rhwng nawr a chyfarfod agored nesaf Pwyllgor Cynghori ar Fwyd Cymru ar 15 Mehefin, rwyf wedi ymrwmo i'r pethau hyn sy'n berthnasol i'r ASB yng Nghymru:

- 23 Mawrth – digwyddiad Blas Cymru
- I'w gadarnhau – Cyfarfod ag Uned Cydgysylltu Twyll Bwyd Cymru
- 29 Mai – 2 Mehefin – Un diwrnod yn ymweld â stondin yr ASB yn Eisteddfod yr Urdd

Richard Bowen
Cyfarwyddwr Dros Dro, ASB Cymru

Mawrth 2017