

# Welsh Food Advisory Committee Directors Report - April 2024

Report by Anjali Juneja, Director for UK & International Affairs and Nathan Barnhouse Director for FSA in Wales

## 1. Summary

1.1 This report provides a summary of subjects introduced by the Chief Executive at the last Board meeting, held on 20 March 2024, a summary of senior engagement across the UK and International Affairs (UKIA) Directorate and an overview of matters of interest to WFAC relating to Wales.

1.2 Members of the committee are invited to:

**note** the update

**invite** the directors to expand on any issues for further discussion

## 2. Chief Executive's Report to the Board

2.1 This is the latest [Chief Executive's Report](#) presented to the March Board meeting.

## 3. Overview from the Director of UK and International Affairs (UKIA)

3.1 Since the last WFAC themed meeting on 6 February a lot of my time has been spent on the impact of the recent Home Office announcement on migrant worker salaries. Teams across the organisation have been working to develop and deliver a sustainable approach to recruitment and retention of our highly skilled Official Veterinarians (OVs) and Meat Hygiene Inspectors (MHIs) workforce. Our OVs and MHIs play a crucial part in abattoirs in protecting food safety and animal health and welfare for our society, as well as underpinning trade for the £9.1 billion domestic meat industry and £20 billion agri-food export markets. Many of these highly trained staff come from overseas through our Service Delivery Partner in Wales. We are now assessing the recently received details of the Home Office's proposed policy changes to salary thresholds for skilled worker visas, which are likely to have significant impact on the UK's ability to recruit and retain OVs and MHIs in these vital roles. We are working with Chief Veterinary Officers, Government Officials across the UK and the Veterinary Professions to consider next steps.

3.2 Defra is leading on preparations for Port Health Authorities, port and industry readiness for the introduction of the changes in April with support from the FSA. The Welsh Government has announced that they expect construction work on the necessary facilities to be completed in Spring 2025. The requirements to pre-notify shipments and to provide export health certification (for medium and high-risk Products of Animal Origin or POAO) is already in place and will continue to apply throughout construction and thereafter. FSA is supporting the Welsh Government and Local Authorities with readiness planning.

3.3 A series of live operational testing events are taking place, following live shipments through the import process as though the controls to be introduced at the end of April were in place. These exercises will be a practical test of the new and existing systems, processes and infrastructure in place in readiness for the new control measures and will include documentary, identity and physical checks, as well as sampling of loads. This testing is being coordinated by the Cabinet Office with Defra and the FSA being closely involved alongside importers, large retailers and Port Health Authorities. Defra and the FSA are also working closely with GB local authorities and Port Health Authorities to ensure they are prepared for new BTOM arrangements, including that recruitment of staff is on track. Whilst there will inevitably be a period where new staff are trained, and businesses and others adapt to the new controls, we understand that this work is well under way to ensure a smooth implementation.

## 4. Update from the Director for FSA in Wales

4.1 **Regulated Products** – the FSA/FSS currently have 450 applications in their shared Regulated Products Service. A total of 63 applications have been completed to date, taking on average around 2.5 years from the submission of an application to completion. Based on current inflows, resources, and processes, caseload is projected to grow from 450 in March 2024 to more than 570 by March 2026. Currently, a consultation is live for: the approval of four novel food and three food additive applications, an application to remove the authorisation for twenty-two food flavourings, and a proposal to set a limit for ethylene oxide in all food additives.

Having been involved in all Tranches across all Regimes, FSA in Wales colleagues have been leading on work to streamline the documents and processes that form a key part of the authorisation process. This work feeds into the wider continuous improvement drive.

4.2 **Precision Breeding (PB)** – the FSA’s public consultation on its proposals to regulate precision bred food and feed closed in January 2024. On 20 March, the Board discussed the summary of responses to the consultation and agreed to the proposed next steps for implementation. FSA officials will now take forward the various strands of work necessary to prepare the FSA for delivery of the new regulatory service. As a result, the FSA will:

- Produce technical guidance for potential applicants to support compliance with the regulatory framework.
- Produce enforcement guidance for local authorities in England to assist with the delivery of new enforcement powers, as well as guidance for enforcement authorities in Wales and Northern Ireland to ensure that the interactions with the United Kingdom Internal Market Act 2020 and Windsor Framework are understood.
- Make the necessary adaptations to the FSA’s regulated products applications portal and the register of regulated products applications to manage applications for PB food and feed.
- Analyse the FSA’s new business needs to better understand the resources that will be required to deliver on the FSA’s new responsibilities.
- Further develop internal processes, and the criteria and process for the audit of a proportion of ‘Tier 1’ notifications.
- Manage the transition towards delivering the PB application service, including how to regularly report to the Board via the Business Committee.

We will continue to work alongside Welsh Government officials to update and also input / understand the trajectory of the new Government in relation to PB in Wales.

4.3 **Regulated Products Reform** – the Deputy Minister agreed to a 9-week GB-wide consultation on regulated products reform. A significant amount of work from the Wales team went on in the background to help secure agreement to a shortened consultation. The consultation went live on 3 April 2024.

The consultation which seeks views from industry, competent authorities and consumer and wider stakeholder covers proposals to:

- remove renewal requirements for feed additives, food or feed containing, consisting of or produced from genetically modified organisms (GMOs) and smoke flavourings
- allow regulated product authorisations to come into effect on publication, likely to an official register, following a ministerial decision.

In addition to consultation the FSA will be carrying out proactive and enhanced engagement with consultees on the proposals. There will be four, 1-hour sessions as following:

- 2 x industry sessions
- 1 x consumer group session
- 1 x local authority session

Attendees will be asked to respond to the consultation in writing in addition to attending sessions to ensure their views are accurately captured in our quantitative data and in our analysis of responses.

The FSA will ensure that consumer representative bodies are fully engaged in this work. We have been keeping consumer representative groups updated on our plans throughout the process of developing proposals for regulated products reform via the Consumer Stakeholder Forum.

In addition, there will also be engagement with consumers in Wales through our website and social media. Our bilingual engagement activity will focus on making both consumers and businesses aware of the consultation.

**4.4 Local Authority (LA) audits** – the Food Law Code of Practice (the Code) requires LAs to develop a documented service plan which must cover all areas of food law the LA has a duty to enforce. The plan must set out how the LA intends to deliver and resource official food controls and other official activities in its area and address any variance in meeting the outcomes of the previous service plan.

The 2023/24 audit programme considered:

- Service delivery planning processes and arrangements – including an assessment of the LAs intervention plan, the resources available to the service and the risk-based prioritisation of activities, including the assessment of new food businesses.
- Open audit actions – review of any relevant open actions from previous audits and associated update of the LA audit action plan.

Five face-to-face audits took place and findings indicate that LA recovery is variable across Wales. Resource was identified as a major constraint in LAs who do not have a plan to fully realign with the Code. Support has been offered to some LAs as they produce a plan to address resource issues and tackle the backlog of interventions at overdue and unrated establishments.

The 2024/25 audit programme will consist of:

- Continuation of the 2023/24 audit programme to gain wider assurance that effective arrangements are in place for the delivery of LA official controls across Wales following the end of the Recovery Plan. Any relevant open audit actions following previous audits will also be reviewed to assess local authority progress from previous audits. Until evidence of compliance with these requirements is established, it is important that these open recommendations are reviewed to ensure they have been completed. Individual reports will be provided to LAs and an updated action plan will be published on the FSA website. At the end of the programme a summary report will be published including findings from the

2023/2024 and 2024/25 audit programmes.

- Test of LA out of hours systems to gain assurance that effective arrangements are in place to deal with emergencies outside of normal working hours. Feedback will be provided to individual LAs and a summary briefing will be produced.

The review of the audit manuals across Wales, England and Northern Ireland has been completed. The audit manual (Wales) and newly developed audit charter have been published on the [FSA's website](#).

**4.5 FHRS Report for the Senedd Cymru** – the three-year report to review the implementation and operation of the statutory FHRS and the operation of the appeals system in Wales was laid at the Senedd on 28 February 2024 in both [Cymraeg](#) and [English](#). The report demonstrates that the scheme continues to have a positive impact and that whilst the response to the pandemic reduced the number of inspections undertaken at food premises, this is starting to return to pre-pandemic levels.

**4.6 Bread and Flour** – the proposed 4-nation changes to the Bread and Flour Regulations 1998, which include the addition of folic acid have now been notified to the World Trade Organisation and in the case of Northern Ireland, the EU, and we await any feedback that they may have on the proposed measures. As a 4-nation group, acting under the Food Compositional Standards and Labelling provisional common framework we have worked together to produce consistent proposals that would be implemented across the UK. Recently we have met with industry to discuss the complexities around aligning the addition of folic acid with labelling changes, which went well, and industry have agreed to come back to us with proposals on how to achieve this alignment.

**4.7 Food Hypersensitivity** – provision of allergen information in out of home settings (restaurants, cafes etc.). Following the FSA Board decision (13 December 2023) that both written information and a conversation about allergens should be provided in these settings, and that these should be legislative requirements, FSA officials are now exploring this. In the first instance we will be looking to develop strong guidance, whilst legislative changes are explored.

**4.8 First Minister and Cabinet** – Vaughan Gething MS has been appointed First Minister of Wales by the King. The Welsh Government Cabinet Office have confirmed that the portfolio for the FSA in Wales will sit with the Minister for Mental Health and Early Years, Jane Bryant MS.

**4.9 Cymdeithas Cyfieithwyr Cymru (CCC)** – the Welsh Language Team recently presented to CCC (Association of Welsh Translators and Interpreters) highlighting the unique work done in the FSA in having both the Welsh language policy and translation team in one, and to share best practice and all the other work undertaken by the team in addition to translation (webmasters, social media content owners, awareness raising).

**4.10 Communications activity** – since the last WFAC themed meeting, the communications team in Wales have worked with colleagues across the FSA on the following campaigns, incidents and media interest:

- **Vegan labelling communications campaign** – we launched this campaign on 5 March, aimed at people with allergies (and those parenting/caring for young people with allergies). The campaign highlighted that vegan food may not be safe for people with allergies to milk, eggs, fish and shellfish as it may still come into contact with these allergens during the manufacturing or production process. Campaign messages explained the difference between a free-from label and a plant based and vegan label and encouraged consumers with allergies to check products for a Precautionary Allergen Label (PAL), often seen as 'may contain' statement, as this will show whether a product is safe to eat. We used a range of channels to help us reach our audience including paid social media adverts and identified a range of partners, including universities and industry bodies to help

share campaign messages on their channels. Local Authority and partner toolkits have been developed and shared to help share the campaign messages with key audiences.

- **Food business campaign: registration and inspections** – this campaign launched on 19 March to share more information with businesses on the steps they can take to run a safe food business. The messaging covered the planning they can do ahead of registration, and how they can best prepare for a food hygiene inspection. To support the campaign, we developed a short video providing an overview of what can be expected from an inspection. In addition, we used promoted social media posts to target small and home-based food businesses, and Google ads to target those looking for information on starting a food business. We also created and shared toolkits for Local Authorities and partners to help us share campaign messages with their respective audiences.

The team in Wales recently worked with Trading Standards Wales (TSW) colleagues to produce the [Ask the Regulator podcast](#) to be aired on the first day of TSW week (w/c 15 April) covering food and feed matters.

- **Always On social media campaign: Spring clean** – from 19 March to 21 April this campaign shared general advice to consumers on food safety and hygiene in the home acting as a reminder to regularly clean out cupboards or fridges and check use-by and best before dates on items. It also provided advice on common household food safety questions like where eggs should be stored and at what temperature to set the fridge/freezer be. The primary goal of this campaign is to increase consumer knowledge of the 4Cs: chilling, cooking, cleaning, and cross-contamination in the home.

- **Financial Times Enquiry: disused metal mine** – the Wales communications team recently responded to a media query from the Financial Times focussing on the potential presence of lead in the food chain due to abandoned metal mines in the UK, and the health implications for humans and animals living nearby. The journalist showed particular interest in metal mines in Wales and referenced a Welsh Government-funded [study](#) published in July 2023.

The Wales team worked closely with the Welsh Government, Natural Resources Wales, and Public Health Wales to ensure a coordinated response, with the [resulting article](#) focussing heavily on food and land contamination from these disused metal mines. The article concluded with a call for further research to better understand the health effects of abandoned metal mines and for more guidance to local authorities on addressing food contamination.

A [follow-up piece](#) ran the next day, highlighting comments by [Rt Hon Stephen Crabb MP, Chair of the Welsh Affairs Committee](#), expressing concerns about the FT's investigations into disused metal mines in Wales. The Welsh Affairs Committee confirmed they will launch an inquiry into the health risks from abandoned metal mines in Wales, following the Financial Times investigation. During Plenary at the Senedd on March 19 the [First Minister was asked](#) about disused lead mines in Wales.

- **Kepak media story and Senedd Questions** – the team worked closely with Operations colleagues in Wales to provide reactive lines following the [Wales Online](#) piece about the Kepak factory in Merthyr Tydfil. In addition, the team provided a Heads-up Brief so that the Minister was aware of the issue in advance of the Plenary session in the Senedd, and a [subsequent request](#) came from Jenny Rathbone MS for a statement on the standard of cleanliness at Kepak during the Senedd Business Statement and Announcement session of Plenary. A further [written question](#) was tabled by the leader of the opposition, Andrew RT Davies in the Senedd last week which the team have also addressed.

## 5. Consultations

### 5.1 Live Consultations:

- [Consultation on mechanically separated meat \(MSM\) guidance](#) – the consultation is seeking feedback relating to new MSM guidance that is intended to provide support for

Food Business Operators (FBO) following court judgments that clarify how the definition of mechanically separated meat (MSM) should be interpreted and applied. **Date launched:** 28 February 2024. **Closing date:** 22 May 2024.

- [Amendments to assimilated Regulation 2019/1793: Official Controls Applied to Imported High Risk Food and Feed not of Animal Origin](#) – a consultation on proposed amendments to the lists within assimilated Commission Implementing Regulation 2019/1793 ('Regulation 2019/1793') which applies a temporary increase of official controls and special conditions governing the entry into Great Britain of specified food and feed of non-animal origin from specified countries. **Date launched:** 14 March 2024. **Closing date:** 25 April 2024.
- [Consultation on proposed reforms to the regulated products authorisation process](#) - this consultation aims to gather stakeholders' views on proposed changes to the authorisation process for regulated products. **Date Launched:** 3 April 2024. **Closing Date:** 5 June 2024.
- [DEFRA Consultation on fairer food labelling](#) - this consultation seeks views on proposals to improve transparency and consistency through improved country of origin, and animal welfare labelling in the UK. **Date Launched:** 12 March 2024. **Closing Date:** 07 May 2024.

## 6. Forward look

6.1 Board meeting June – the FSA Board will be visiting Llandudno in June as part of the arrangements to hold the Board meeting in Wales every other year. On 18 June, Board members will take part in a series of visits to businesses and organisations in the local area and the Board meeting itself will be held at Venue Cymru, Llandudno on 19 June.

6.2 Our Food 2023: Annual Report on Food Standards launch – this year's Annual Report on Food Standards will be laid in June and followed by parliamentary events in Wales, Northern Ireland and England to note the publication. Rather than a large-scale stakeholder event as was held in November, the team are planning a smaller roundtable discussion with key Members of the Senedd which will be an opportunity for MSs to discuss the report findings and the FSA's work more generally with the FSA's Chair and Chief Executive.

6.3 Royal Welsh and National Eisteddfod – we will be attending both these national events this year:

- The Royal Welsh will be a series of engagement meetings and opportunities for the FSA Chair, WFAAC Chair and possibly the Chief Executive and Director of UKIA. They will be supported by colleagues from FSA in Wales and the team are currently pulling these plans and opportunities together.
- The FSA in Wales will have a stand at the [National Eisteddfod](#), which is being held in Pontypridd this year. The stand will include information modules on the FSA's key areas, and will be staffed by FSA volunteers.

6.4 We also have the following communications activity coming up over the next few weeks:

- Always on social media campaign on FSA Alerts and recalls (May-June)