

Northern Ireland Food Advisory Committee (NIFAC) Minutes of the Themed Meeting on Friday 18th October 2024

Northern Ireland Food Advisory Committee (NIFAC) on Friday 18th October 2024 at Food Standards Agency, Belfast, 10 Clarendon Road, Belfast, BT1 3BG

NIFAC Members?

- Anthony Harbinson – Chair
- Judith Hanvey – NIFAC Member (remotely)
- Mike Johnston – NIFAC Member
- Ciaran McCartan – NIFAC Member
- Janice McConnell – NIFAC Member
- Cathal McDonnell – NIFAC Member
- Lynne McMullan – NIFAC Member
- Greg Irwin – NIFAC Member

Presenters

- Colin Kelly – Head of Environmental Health and Wellbeing, Antrim and Newtownabbey Borough Council
- Robert Lamont – Food Safety and Consumer Safety Manager, Lisburn and Castlereagh City Council
- Paula O'Neill – Environmental Health Manager, Armagh City, Banbridge and Craigavon Borough Council
- Elizabeth Gilchrist – Assistant City Protection Manager, Belfast City Council

FSA Officials

- Anjali Juneja – Director of UK and International Affairs (remotely)?
- Andy Cole – Director for Northern Ireland (remotely)?
- Kathryn Baker – Head of Food Safety Policy and Delivery ?
- Roberta Ferson – Head of Corporate Services and Strategic Engagement ?
- Sharon Gilmore – Head of Standards and Dietary Health
- Firth Piracha – Head of EU Relations, Trade and Legislation?(remotely)?
- Ruth Watson – Head of Audit, Business Support, Assembly Liaison and Communications
- Jayne McGlaughlin – Senior Adviser - Assembly Liaison ?
- Louise Connolly – Head of Local Authority and Policy Delivery
- Anna Shiels – NIFAC Secretariat

Observers

- Nuala Meehan – Food Standards Lead – Safety and Regulatory Compliance
- Adam McDowell – Food Standards Reform Lead
- Ed McDonald – Food Fraud Liaison Officer
- Laura McGlinn – Senior Communications Manager

- Daramola Oyeniran – Senior Policy Advisor, Regulatory Compliance Division (remotely)?
- Lucy Reid – Executive Support Officer (remotely)?
- Ryan Rice – Policy Adviser, Standards (remotely)?
- John Dorrian – Business Analyst (remotely)?
- David Torrens (remotely)

1. Welcome and Housekeeping

1.1 The Chair welcomed all NIFAC members, FSA officials and presenters to the meeting.

1.2 The Chair thanked the external attendees from local district councils for agreeing to attend and present.

2. Declarations of Interest

2.1. The Chair asked if members had any interests to declare. No interests were declared.

3. Minutes of the Previous Meeting on 23rd April 2024

3.1 The Chair asked if there were any comments on the minutes of the previous NIFAC meeting held on 23rd April 2024.

3.2 Members agreed the minutes as an accurate record of the meeting.

4. Presentation from Colin Kelly – Environmental Health Structure in Northern Ireland and Resource

4.1 The Chair invited Colin Kelly to deliver his presentation. Colin's presentation covered: the structure of Environmental Health in Northern Ireland; Local Government Reform; district council (DC) responsibilities; stakeholders and the food safety structure.

4.2 During his presentation, Colin explained how the remits and responsibilities of Environmental Health Officers (EHOs) can differ in council areas. Colin emphasised how DCs work collaboratively to ensure that they are consistent in their approach to the application of legislation.

4.3 Colin advised that he is Chair of the Northern Ireland Food Managers Group, which is a subgroup of SOLACE. This group has representation from different DCs and the FSA. It facilitates discussions on policy/enforcement and co-ordinates responses to consultations in addition to sharing good practice and guidance.

4.4 The DC representatives present discussed the current resourcing challenges, including resource and funding. The Committee discussed this, noting the difficulties that some teams are facing.

4.5 Colin also highlighted that there are difficulties encouraging younger people into the profession. Colin noted that DCs are looking at how to stimulate interest in food safety amongst young people and they are engaging with schools and delivering talks to grow awareness of the role. The Committee discussed different routes for EHOs to discuss the career in schools and the importance of this.

5. Presentation from Robert Lamont – Day in the Life of an Environmental Health Officer

5.1 The Chair invited Robert Lamont to deliver his first presentation. Robert's presentation covered the different functions that he manages as a Food and Consumer Safety Manager and provided real life examples of a day in the life.

5.2 As part of his presentation, Robert provided an insight areas such as the sampling regime that takes place and the different aspects involved in this.

5.3 Robert also referenced the investigations and incidents process, using 'grey market' goods as an example he highlighted how the current paper-based system could be enhanced and how the introduction of a digital process would enable live-time information sharing. The Committee discussed the challenges associated with this and noted the impact that a digital process could have.

5.4 Robert highlighted the work that his team does with businesses and other stakeholders, including the FSA and the Public Health Agency. Members noted the importance of these relationships and were appreciative of the interactions that the DCs have with the FSA.

5.5 During his presentation, Robert also highlighted the other work that his team is involved with including the Eat Well For Less Seminars that they organise. The Committee were interested in the set up for these, particularly as they related to the Dietary Health remit for the FSA in Northern Ireland.

6. Presentation from Paula O'Neill – Allergens Update

6.1 The Chair invited Paula O'Neill to deliver her presentation. Paula's presentation covered: allergen requirements; strategy to improve compliance with allergen requirements; pre-packed for direct sale; allergen surveys; Operation Opson XII; allergen enforcement approach; precautionary allergen labelling and guidance for businesses.

6.2 Paula explained that the Food Information Regulations (Northern Ireland) 2014 introduced the requirement to identify the presence of 14 allergens added as an ingredient to both loose food and prepacked foods from 13th December 2024. She highlighted that prior to the introductions of the Regulations, extensive training and engagement was undertaken to increase awareness and understanding and to ensure that all DCs were approaching the legislation consistently.

6.3 Furthermore, Paula noted that in 2017 a strategy was developed to improve compliance with allergen requirements. For example, one strand of this was focused on compliance in manufacturing and retail sectors, looking at cross-contamination. Recurring issues identified in the visits were: signage, no allergen information being available, a language barrier and communication issues, training and lack of training and changes in staff.

6.4 The Committee discussed this in relation to the Food Hygiene Rating Scheme and queried if the provision of allergen information impacted on the FHRS ranking that the business obtained. Paula advised it did not, but that they had developed a Hazard Analysis Critical Control Point (HACCP) supplement which they gave to businesses who wanted to provide allergen free food. Paula emphasised that they are keen to progress an education strategy for consumers to encourage them to communicate their needs.

6.5 Paula then explored the introduction of Natasha's Law in October 2021. She noted that it led to further training, business webinars and the development of sector specific guides. The Committee discussed the importance of this work and discussed the findings of the allergen surveys.

6.6 Paula presented data from a number of allergen surveys where sampling took place. During discussions, the Committee focused particularly on the data in relation to food labelled as vegan. Members also discussed sample costs, with Paula highlighting that the cost of conducting a milk sample is twice the price of any other sample.

6.7 Furthermore, the Committee discussed allergen controls in different business types and sizes.

In concluding, the Committee explored Owen's Law with Paula highlighting the views from the DCs.

7. Presentation from Robert Lamont – Food Standards Delivery Model

7.1 The Chair invited Robert Lamont to deliver his second presentation. Robert's presentation covered: an overview of the Food Standards Delivery Model (FSDM); risk assessment; remote interventions and challenges to implementation.

7.2 Robert provided background to the Food Law Code of Practice and the new FSDM. He provided an overview of the new risk scoring assessments to produce a risk profile and how this works in practice. Furthermore, Robert highlighted remote interventions which will involve the use of a variety of approaches and techniques to monitor and verify the activity of the food establishment and compliance with food law. He noted that it is for DCs to determine when a remote intervention is an appropriate official control. Members discussed both the risks and benefits associated with this.

7.3 Robert highlighted the challenges that DCs face with implementation of the FSDM including remote interventions, IT systems, consistency and service planning. However, he noted that with the challenges which exist there are also benefits.

7.4 The Committee again touched on resourcing and the impact that this has on the work of DCs.

8. Presentation from Elizabeth Gilchrist – Successful Prosecutions

8.1 The Chair invited Elizabeth Gilchrist to deliver her presentation. Elizabeth's presentation explored: when and why enforcements actions are necessary; graduated approach to enforcement; guidance and policy and effective enforcement.

8.2 Elizabeth explained that there is a graduated approach to enforcement and provided an overview of the guidance and policies they must follow. Elizabeth explained that when there has been a legislation breach, the significance is considered, whether there is an imminent risk to health, if there has been repeat non-compliance and a blatant disregard for public safety. The response to a breach varies from a verbal warning to a written warning, a fixed penalty notice being served with time given to rectify, or a notice being served that has an immediate effect, or it could be a caution and prosecution. In terms of prosecution there are internal guidance factors that must be considered, in addition to the PPS code for prosecutors.

8.3 The Committee discussed the statistics in relation to recent prosecutions. There was particular focus on the level of fines imposed in Northern Ireland compared to those imposed in England.

8.4 Elizabeth highlighted resourcing, competing priorities and staffing levels which are required to undertake inspections. Furthermore, the Committee discussed the cost of DCs taking a legal case and the time involved in pursuing these.

9. Presentation from the Achieving Business Compliance Team – National Level Regulation (NLR)

9.1 The Chair provided background on the topic, including the recent FSA Board discussion on NLR at the September Board meeting. The Chair then invited Carmel, Andrew and Micha to deliver their presentation to the Committee.

9.2 The team noted that in presenting to the Committee and engaging with DC representatives, there could be discussion on how the FSA can develop the next steps of this work. They noted that the next steps in England will be exploring how the data can be shared with local authorities and how inspection plans could be shaped. The team acknowledged this will look different in Northern Ireland given the operating model but are keen to engage with DCs on the topic.

9.3 During the presentation, the team highlighted that the trial enabled the FSA to access to business-wide data regarding the controls and checks conducted by the retailers and their internal and external auditors. They noted that they were keen to understand how this data could be utilised to support DCs before, during and after their inspections.

9.4 The Committee agreed that the key objective from this meeting was to understand the way forward and ensure that engagement takes place in Northern Ireland ahead of any next steps. Representatives from the DCs reflected their views on the approach. The presenters, Committee and DC representatives agreed that it would be important for a further meeting between the FSA team undertaking the work and the DCs.

10. Director's Update

10.1 The Chair invited Andy to deliver the Director's Update.

10.2 Andy advised that a great deal of activity has been ongoing as detailed in the report. Particularly, he highlighted that since the last NIFAC meeting, Katie Pettifer had become the interim Chief Executive.

10.3 He noted that progress has been made on various Dietary Health workstreams, noting the Committee's interest in this work. Additionally, he highlighted that a call for evidence in relation to meat charging has been initiated.

10.4 In relation to incidents, Andy noted that a successful prosecution had taken place, and the ongoing management of the mustard products contaminated with peanut continues to be resource intensive.

10.5 Members discussed the Aware Mental Health Award which the FSA Northern Ireland was awarded and put their thanks on record to the Wellness Works team for the work that they do in Northern Ireland.

11. Chair's Update

11.1 The Chair advised the Committee that since the last NIFAC meeting, he had undertaken a number of engagements. This included accompanying the then Chief Executive, Emily Miles to the Balmoral Show. They attended a range of meetings, including with the Permanent Secretary at DAERA and the Chief Veterinary Office, Ulster Farmers' Union and Food NI. They also attended Minister Muir's address. The Chair added that at the end of July he met with the Minister of Health, Mike Nesbitt MLA, alongside the FSA Chair.

11.2 In relation to Board activity, at the September Board meeting, the Chair reflected the views and advice from NIFAC on each of the papers, particularly in relation to the paper on NLR.

11.3 Furthermore, the Chair updated that he attended the Science at Stormont event on 7th October with the FSA's Chief Scientific Adviser, Robin May.

12. AOB

12.1 The Chair confirmed that the next NIFAC meeting is due to take place on Wednesday 4th December 2024. This will be a Board Preparation meeting ahead of the December Board meeting.