

DRAFT MINUTES OF THE OPEN MEETING OF THE WELSH FOOD ADVISORY COMMITTEE HELD ON 21 JANUARY 2016 AT THE FOOD STANDARDS AGENCY, SOUTHGATE HOUSE, WOOD STREET, CARDIFF.

Present:

Welsh Food Advisory Committee (WFAC) Members Attending:

Dr R Salmon - Chairman
Mr R Alexander
Dr N Barry
Dr D H Jones
Mrs S Jones
Mr D Morgan

Food Standards Agency (FSA) Officials Attending:

Nina Purcell – Director, FSA in Wales
Rachael Fergusson - Secretariat
Sian Thomas and Julie Pierce – via VC for item 1
Rod Ainsworth – via VC for item 3
Nick Laverty - for contribution to Chair's report

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 for absence were noted from David Peace.

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

2.1 The draft minutes of the meeting held, on 12 November 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**

2.2 The secretariat provided an update on the central database of LA prosecutions, advising that the Committee's comments had been discussed with officials in London for consideration in the next review of the database, scheduled for June 2016. The Committee was also informed about a survey currently open to civil service officials, environmental health officers and trading standards officers to assist in the development of a permanent, enhanced database.

2.3 The secretariat provided an update on consumer attitudes to microwave cooking. It is intended that a series of questions relating to the use of microwave ovens, wattage and cooking will be included the Agency's biennial Food and You research. This is currently in development and will take place throughout summer 2016, with findings available in Q3/4. The Committee thanked the Communications Manager in Wales in particular for the work undertaken to achieve this.

3. Report from Chairman (Paper FSAW 16/01/02)

3.1 The Chairman presented his written report on the issues raised by the Board Chair at the Board meeting held in November 2015.

3.2 In commenting on the report, in relation to discussions on burgers served rare specifically, the WFAC reiterated the need for clarity in consumer communications, particularly the need to differentiate between what can be served in a retail establishment and what can be cooked in the home. Nick Laverty updated the Committee on the existing guidance on the FSA's website and on specific enforcement advice which has already been provided to local authorities on this. The update detailed ongoing work in relation to a communications plan. Members noted that there had been correspondence between the FSA in Wales and the Wales Heads of Environmental Health Group and the Food Safety Expert Panel. Members also noted, with some reservations as to the time being taken, that consolidated guidance would be provided to local authorities by April 2016 and that this was currently being pilot tested by a number of local authorities across the UK. Pending this, it was noted that the FSA was continuing to work closely with local authorities and that a prohibition order had been successfully served by a council on the South Coast of England where a Food Business Operator could not provide evidence of a suitable HACCP plan for serving burgers rare. Noting that Board members were shortly to receive an update report on the rare burger action plan, including information on and timescales for the work stream actions which came out of the September 2015 Board meeting, it was agreed that this report would be shared with the Committee. **Action: Secretariat**

4. Director's Update (Paper FSAW 16/01/03)

4.1 Members were pleased to receive a report from Nina Purcell, Director in Wales. The report is now published in advance with the committee papers on the FSA website. The report contained a retrospective account and a forward look at activities in Wales. It was noted that it no longer contained details of successful prosecutions in Wales as these are available on the FSA website. It was agreed that a link to the website will be provided in future updates. **Action: Secretariat**

5. A Data Driven Food Standards Agency

5.1 The committee considered the paper which outlined a proposed approach for the FSA becoming an organisation that systematically makes best use of data. The WFAC was in support of the principle of 'open data by default', but acknowledged the difficulty, well recognised by the officials, of balancing this with the requirements of confidentiality for health and some commercial data as well the need not to jeopardise prosecutions.

5.2 In more specific considerations, the WFAC made the following observations:-

- that the vision of a data driven FSA would need to support and enable the future delivery model;
- the importance of external scrutiny to ensure safeguards are in place, and noting officials' view that this could be provided by the Open Data Institute;
- the need to engage with food businesses to understand both the positive and negative impact that data sharing may have on them; and
- that there will be a number of detailed decisions to be made as to how any infrastructure will be developed (e.g. the architecture, access permissions, whether built in-house or outsourced, utilisation of proprietary or bespoke software) that is both fit for purpose and represents value for money.

5.3 With regard to a potential mechanism to ensure that the Board had oversight of progress, the WFAC suggested nominating an individual Board member for this role.

5.4 With the above considerations, the Committee supported the overall approach, and were keen to receive an update at a future meeting once further details were agreed on how the project would be developed further.

6. UK Local Authority Food Law Enforcement Annual Report 2014/15

6.1 The Committee considered the paper which reports on UK local authority enforcement activity in 2014/15 and trends in enforcement activity over the last five years, and made the following points:-

- that it welcomed the honesty of the paper in articulating an overall picture of concern with, in some areas, local authorities being unable to deliver on undertaking interventions of food businesses at the required frequencies, including many that are unable to deliver a food service as set out in statutory Food Law Code of Practice;
- that it recognised that the position was likely to get worse in the knowledge of further significant reductions in local authority resources, particularly in England; and
- that it was of concern that the trends were indicating that the number of food businesses and customer complaints were rising, while local authority staff resources, intervention and sampling levels were continuing to fall.

6.2 Against this background, the committee welcomed the intention for the FSA to work with stakeholders to redefine how food businesses are regulated to develop a sustainable and future-proofed system that deals with the many challenges posed by an increasingly complex food industry.

6.3 The Committee was encouraged by the appetite of both the FSA, local authorities, and other stakeholders to work collaboratively to develop options for a more sustainable model for the delivery of official food and feed controls.

6.4 The observations of the Committee on this paper were supplemented by several constructive contributions from stakeholders who had taken the opportunity to attend the WFAC meeting, namely:-

- that the report was welcomed, and stakeholders were pleased that the FSA had acknowledged this as an issue;
- there is a keen interest to engage with the development of the future delivery model, and attend stakeholder meetings where appropriate;
- that there was a need to balance Local Authority resource with the need for appropriate regulation and sanctions for non-compliant businesses.

7. Delivering the Food Standards Agency's Regulatory Strategy

7.1 The Committee considered the paper which provided an outline framework of key principles to inform discussions on the FSA's future regulatory role and the way in which the regulation of food businesses is delivered.

7.2 Members noted that the direction of any future model would need to be informed by stakeholders and appreciated the need not to pre-empt those discussions. In this respect, the WFAC welcomed the collaborative approach being adopted by the FSA and noted that the principles will form the basis of a key stakeholder forum being held in Cardiff on 10 February followed by a series of regional stakeholder events being held across the UK.

7.3 In its more detailed considerations, the WFAC made the following comments:-

- that it recognised that the principles provided the framework for future options but that this would need to be supported in more detail on how the principles would operate in practice;
- that the issue of funding was complex. In relation to the responsibility for funding increasingly passing from the taxpayer to businesses, both the potential burden on those businesses and the need to maintain regulatory independence would need to be taken into account;
- that components of the solution might bring together industry assurance schemes, with Primary Authority partnership arrangements, as well as being informed by the reformed feed assurance schemes in Wales and England, in a risk based approach to future controls;
- that the existing framework agreement for the delivery of official food and feed controls, over a decade old, was out of date;

- that it recognised the effective work being delivered by a number of authorities with businesses prior to them becoming operational; and
- that it recognised that the development of digital ways of engaging with businesses and the consumer would be challenging, but could also present opportunities.

7.4 In concluding, the WFAC commented that it would welcome further opportunities to participate in discussions on what any future model might look like as that detail emerges.

7.5 The observations of the Committee on this paper were supplemented by several constructive contributions from stakeholders who had taken the opportunity to attend the WFAC meeting, namely:-

- that consideration should be given to a risk-based approach in developing a new model, taking into account aspects such as the size of businesses and previous compliance levels;
- that they the stakeholders reiterated their interest in attending the upcoming Future Delivery Model events, and the need for small and medium sized businesses to be included in discussions.

8. Feedback from Committee Networks

8.1 A member informed the WFAC that the Food and Drink Wales Industry Board, of which she is a member, was currently in the process of recruiting a Chair and a Vice-Chair. The Chairman acknowledged the considerable value of this link between the WFAC and this board.

9. Question and Answer Session

9.1 All questions raised by stakeholders who attended the meeting are reflected in the discussions above.

10. Any other Business

10.1 The Committee requested an update on work being undertaken to explore options for the safe and legal production of skin-on sheep meat. The Director Wales informed of work being undertaken with Liverpool University on this matter and of discussions now needed to be held with industry.

10.2 The Committee expressed a wish to be updated on the position with regard to genetically modified (GM) organisms and food. It was agreed that this would be explored, possibly as part of a briefing session. **Action: Secretariat**

10.3 The Committee noted that the next meeting would be 10 March 2016.

ACTION POINTS

Index	Action	By	Status
Para 2.1	Minutes of the November meeting to be translated and placed on website. Actioner: Secretariat	31 January 2016	Complete
Para 3.2	Board Update of 21/01/2016 to be circulated to WFAC members	22 January 2016	Complete
Para 4.1	Link to prosecutions database to be included in Directors report.	10 March 2016	Complete
Para 10.2	A briefing to be prepared for WFAC members on genetically modified (GM) food.	10 March 2016	Complete