

Chief Executives Report

1. Launch of Our Food 2021: An annual review of food standards across the UK

1.1 At the end of June we launched our inaugural report into food standards in the UK - [Our Food 2021: An annual review of food standards across the UK](#) in collaboration with the Food Standards Agency (FSA).

The report highlights a range of issues from the nation's diet and food choices, to imports and incidents.

The good news is that, despite the challenges of the pandemic and the UK's exit from the EU, food standards in the UK remain high. There are, however, big challenges ahead. Local authority funding, the delay in establishing full UK imports controls, the cost-of-living crisis and the ongoing global impact of the war in Ukraine will all test the resilience of the food system in the coming months.

This report will be an annual publication so all these issues and others affecting our food will continue to be monitored.

2. FSS Sustainability Plan

2.1 Since our successful public seminar hosted jointly with the FSA in October 2021 in the fringe of the COP 26 conference, we have been developing our thinking on environmental sustainability. We aim to bring our Sustainability Plan to the December 2022 open Board meeting for your approval.

2.2 In common with other public sector organisations, we must visibly acknowledge the reality of the environmental challenges facing the world and demonstrate commitment to playing our part. One year on from COP 26 it is our aim to set out in our plan the contribution FSS already makes to Scotland's net zero goals that aim to help tackle the climate change emergency.

2.3 Our 2021-26 FSS strategy brought sustainability to the forefront for the first time, and we know consumers are increasingly concerned with sustainability and climate change in all aspects of their lives, including food. The wider SG priority framework around net zero has informed our development work. The SG has clear commitments it wants to achieve and sets goals and targets for public bodies like ours. We want to set a leadership example here – aligning with SG priorities and commitments and considering where we could go further.

2.4 Our considerations are around not only how we continue to meet direct commitments on our own performance, focusing on energy use, sustainable travel,

the carbon footprint of our buildings etc, but also what levers we can use to create impact through our policies, strategies and support of other organisations and sectors.

2.5 Our overall approach should aim to integrate sustainability into our thinking – ensuring that every strategy has environmental sustainability ‘baked in’. we also want to drive sustainability into our policy decisions, ensuring that the environmental impact of policy decisions is at the heart of our decision making processes. We will wish to identify a discreet number of specific work programmes where we can really add value to Scotland’s net zero efforts. And finally we would also aim in our plan to pursue a number of immediate actions to improve our direct organisational footprint.

2.6 We will work to ensure that Board members are sighted on the detail of the Plan ahead of publication which we expect to be in November, around the time of the COP 27 conference which this year will be hosted by Egypt.

3. Peas Please – FSS Pledge

3.1 FSS have recently become official pledgers of [Peas Please](#), a UK wide initiative led by the Food Foundation, Nourish Scotland, Food Sense Wales, Food NI, and Belfast Food Network, that aims to get everyone eating more veg. Peas Please brings together partners from across the food system with the common goal of increasing vegetable consumption, particularly removing barriers for low income groups and children. As a systems influencer, FSS is committed to initiating conversations about Peas Please with our stakeholders, facilitating opportunities for direct engagement and working in partnership with the [Veg Advocates](#) programme. We will also continue to promote vegetables within consumer messaging to empower positive food choices.

4. Consultation on restricting promotions of food and drink high in fat, sugar or salt

4.1 Following the [commitment](#) for Scottish Government (SG) to introduce a Bill which will include promotions restrictions during this Parliament, SG have now published a [consultation](#) on restricting promotions of food and drink high in fat, sugar or salt. This consultation follows long standing [recommendations](#) from FSS and marks another step forward in realising our ambitions to make it easier for consumers to have a healthy diet. The consultation runs until 23 September 2022 and we would encourage everyone to respond.

5. Audit of FSS Official Control Delivery

5.1 As the Competent Authority for food and feed official controls FSS is required to carry out internal audits or have audits carried out on themselves and shall take appropriate measures in light of the results of those audits (Article 6 of Retained Regulation (EU) 2017/625). FSS has now published four audit reports following the completion of action plans created in response to the recommendations of those internal audits – [How we work | Food Standards Scotland](#)

6. Update on Seafood Export Hubs

6.1 FSS Seafood Export Certification services end in DFDS Logistics on Sunday 18 August. Remaining service will be targeted into the remaining two Hubs locations of O'Tooles Transport and Mesguen Transport. Loss of DFDS is an 85% reduction in team export certification activity in the Hubs

6.2 The residual team of 5 Certifying Officers (CO) will cover the remaining 15% of activity across 6 days of operation at the two sites. In order to downsize our resourcing, maintain current industry charges levels, and sustain a full cost recovery model, 3 x Certifying Support Officers (CSO) at B1 have been redeployed to vacant roles within FSS, 2 x Food Competent Certifying Officers at B2 have had their fixed term contracts ended. The contracted support resources have also been stripped back to minimum levels within the team.

6.3 The remaining CO resource will also now fall into the span of control under the B3 Operations Manager within Area 3 of Field Operations across central belt and South Scotland. The two B3 Acting Operations Managers (currently on temporary promotion) previously overseeing the original Hubs operations have also been successfully redeployed, one on promotion to a vacant B3 Operations Manager role under external recruitment and the other on level B2 transferred to a vacant role in the FSS Feed Division.

6.4 All stakeholder engagement to advise industry, and other government departments and local authorities involved in Seafood Export work at DFDS has been successfully completed and the handover from FSS to the private incoming certifier, Avondale Vets, has been handled carefully to ensure continuity of service quality and capacity until the point of handover.

7. Regulated Products

7.1 As at 30 August 1688 applications have been made to the Regulated Products Application Service since 1 January 2021. Of these 242 are active, 119 have been paused and 5 are awaiting data. The remainder have been found incomplete or withdrawn suggesting poor quality of applications or incorrect use of the application system.

7.2 97 applications are currently at risk assessment stage and 26 are at risk management stage. Of the remaining 246, 229 are at validation stage.

7.3 The first tranche of pipeline applications is almost complete with the final regime, Feed Additives, due to be signed by the Minister and laid in Parliament in mid-September.

7.4 The second tranche is now well underway and will once again include 3 separate consultations which are expected to launch September/October. These are

GM Food and Feed, Feed Additives and a Miscellaneous which will include Novel Food, Food Additives and Flavourings.

8. Wash Up EU Exit instruments

8.1 As the powers in the EU Withdrawal Act expire at the end of this year some final fixes are being made to retained EU law as well as domestic legislation. The fixes are technical in nature and do not contain any policy changes.

8.2 The fixes to retained EU legislation are being done in a UKSI which will be laid in UK Parliament mid-October. Work is ongoing to provide detail in the notification to the Scottish Parliament for their consideration under the Protocol agreed.

8.3 An SSI will be laid in Scottish Parliament mid/end December. This will mainly move annexes from non-retained EU law (Directives) into Scots Law so that these might be amended as necessary in the future. These annexes mainly relate to food contact materials, feed additives and enzymes. They provide detail on what may/may not be used in products and at what levels etc. These fixes are also being made separately in England and Wales.

9. Food Contact Materials (FCM)

9.1 Bamboo and similar plant-based additives (e.g. rice husks/wheat straw) to food contact plastics are not authorised for use in retained legislation or EU legislation (which applies in Northern Ireland) and are therefore non-compliant if placed on the UK market. Such products have been in circulation for a number of years, making it difficult to establish the extent of the market; it is however likely to consist of hundreds of product lines and thousands of individual items being sold over the years. In 2019, the EU began work to consider the status of these products. In 2021, the EU confirmed that these materials are non-compliant, and EU Member States began removing products from the market.

9.2 Although there is no evidence of harm from plastic articles containing bamboo, concerns have been raised about the potential migration of substances contained in the plastic (melamine and formaldehyde) which could pose a risk to human health. Following legal clarification on the status of these products, the Committee on Toxicity of chemicals in Food, Consumer products and the Environment (COT) was tasked to examine the safety of these materials. [COT reported in March 2022](#), confirming the potential risk although stating that a full risk assessment cannot be undertaken at this time due to insufficient information on the materials and their interactions with food. A policy decision has therefore been made to address non-compliance now, pending collection of data and further safety assessments. The approach has been discussed and agreed on a four-country basis through the normal governance of the risk analysis process, involving officials from across FSS, the Food Standard Agency (FSA), and from Defra and DHSC.

9.3 A call for evidence has been agreed to assist COT in their consideration; this will be a four-country call and is now ready to be issued alongside communications on the FSS position on these products. The call for evidence will be published on a dedicated webpage on the FSA website alongside a news story and a detailed Q&A. This will alert consumers to the issues with these materials and will provide guidance on what they should do. Because of the consumer interest, a Comms strategy has been put in place in Scotland to engage with stakeholders. FSS has also engaged with and provided regular updates to local authorities. We intend to issue information confirming the policy position outlined above. Similar Smarter Comms will be issued in England, Wales, and Northern Ireland.

9. I am happy to address any queries prior to the Board meeting otherwise Ian McWatt or Julie Hesketh-Laird will be able to answer question at the meeting itself.

For queries contact:
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