

## FEED DELIVERY PROJECT

### 1 Purpose of the paper

- 1.1 The purpose of this paper is to provide the Board with a status report on the project which had aimed to implement a centralised model of feed official control delivery by 1 April 2017. The Board will be aware that this was deemed a high risk and that remains the case. Given the Board's concerns regarding feed controls, the executive felt it important to provide a more detailed brief on where we currently are.

### 2 Summary

- 2.1 The Board will wish to note that there will be a delay in implementation date for feed controls. This has been caused by issues with regards to securing funding for this function, but there has also been a delay in the drafting of the legislation which has been beyond our control. The current revised planning assumption for implementation is September 2017.

- 2.2 The Board is asked to:

- **Note the progress of the project and the revised implementation date;**
- **Agree that the Chair should write to the public health minister to confirm the Board's concerns with regards to feed.**

### 3 Strategic Aims

- 3.1. The work of the review supports FSS's strategic outcomes 1,4 and 6 as follows:

**Outcome 1. Food is safe**

The provision of safe feed for animals intended for human consumption is a key stage in the safety and integrity of the food chain. This review will deliver improved official controls and public health outcomes.

**Outcome 4. Responsible Food Businesses Flourish**

Recognition will be given to businesses who are compliant, or who are members of recognised assurance schemes, and regulatory burden on those businesses will be reduced, to allow focus of resources on non-compliant businesses.

**Outcome 6. FSS is efficient and effective**

This review will improve the delivery of feed official controls for which FSS will have responsibility, and address the concerns of EU Health and Food Audits and Analysis (formerly Food and Veterinary Office).

- 3.2 As a strategic outcome, we aim to deliver a revised system of feed controls that is more efficient and cost effective and where good compliance is recognised and poor compliance is identified and tackled effectively.

## 4 Background

- 4.1 As previously advised, the safety of animal feed has a direct impact on the food chain. FSS has undertaken a review of the delivery of official controls (inspections, sampling etc.) of animal feed in response to audits by the European Commission's Food and Veterinary Office (FVO) and the Food Standards Agency. This follows a UK-wide review and implementation of improvements in other parts of the UK. Scotland trails behind the rest of the UK and Scottish feed businesses may be put at a disadvantage if we fail to address the current official control performance issues. The FVO remain concerned about the situation in Scotland and are keen to see improvements
- 4.2 Given the above, the Board has expressed its concerns and provided clear direction with regards to improving current feed delivery. As the Board will recall the background to the project to review the delivery of official controls was provided in the Board paper of September 2015. The Board agreed that as a result of concerns raised by Health and Food Audits and Analysis (formerly FVO), FSA audit, and evidence from Local Authority enforcement returns, the model of delivery of official controls in Scotland had to change.  
[Feed Board Paper – September 2015](#)
- 4.3 In January 2016, following confirmation from the Society of Chief Officers of Trading Standards in Scotland (SCOTSS) that the proposed model could not be resourced, the Board instructed the executive to develop a centralised model for delivery by 1 April 2017. [Feed Board Paper – January 2016](#)
- 4.4 Given that feed official controls are not being delivered as required there are potential public health risks as well as serious financial and reputational risk to the Scottish food and feed industry which in 2013 was estimated to be worth £14.3 billion to the Scottish economy. The value of Scottish Feed exports alone are estimated to be worth £86 million.

## 5 Discussion

### Funding and Delivery Model

- 5.1 A centralised model of official control delivery will involve FSS taking a greater role in the coordination of this function and the split of FSS and delivery body functions are detailed in Annex A. This arrangement will provide for a more effective feed delivery model. In addition, there is a proposal to transfer primary production official controls for fresh fruit and vegetables to Environmental Health services, on the basis of existing competence and in response to a Health and Food Audits and Analysis mission in September 2015. This recommended that "official controls on the microbial safety of primary production of food on non-animal origin adequately takes into account identified risks."
- 5.2 Centralisation may take several forms and during the summer 2016, FSS held a number of stakeholder meetings and discussions to consider the most feasible options: FSS employed inspectorate, contractor or third party delivery, local authority (regional) model, or a hybrid of these, also making use of presence on

farm by other government departments/agencies. There was no consensus in stakeholder preferences with views depending on the interests of each group however it is clear that a regional Local Authority model comprising of a small number of authorities delivering on behalf of the rest would provide the most resilience. That is the basis on which we are proceeding.

- 5.3 There has been on-going discussion with COSLA about the funding arrangements for a revised model and we have now secured agreement whereby the proposed centralised model will be supported by COSLA when presented to Scottish Government's Settlement and Distribution Committee in January. To be able to deliver feed controls it has been necessary to consider the funding requirements and that has not been straight-forward despite the general principle of the transfer of funding following the transfer of function.

## LEGISLATION

- 5.4 As the Board will recall, the centralised model requires a change in legislation. Unfortunately, this has been delayed due to the legal team being involved in urgent work related to incidents and Brexit. It is anticipated that the legal process will be complete during 2017, however, at the current time an exact timetable for the legislative change has yet to be determined.

## 6 Identification of risks and issues

- 6.1 Until new legislation is enacted, Local Authorities retain the enforcement competence and therefore delivery responsibility for this function. FSS will continue to work with Local Authorities to encourage delivery whilst ensuring we maintain robust oversight of performance of official controls delivered. Effectively this means the current delivery model will continue to apply and while there is no exacerbation of the risk, the risk remains with regards to current quality of delivery. Our progress to date, whilst slower than anticipated, still represent a progression towards the mitigation of that risk.

## 7 Conclusion/Recommendations

- 7.1 The Board is asked to:

- **Note the progress of the project and the revised implementation date**
- **Agree that the Chair should write to the public health minister to confirm the Board's concerns with regards to feed.**

Jacqui Angus  
[Jacqueline.angus@fss.scot](mailto:Jacqueline.angus@fss.scot),  
01224 285175 or 07876 131648

9th December 2016

**ANNEX A****Split of Functions under the Centralised Delivery Model.**

<b>FOOD STANDARDS SCOTLAND</b>	<b>LOCAL AUTHORITIES (OPERATING REGIONALLY)</b>
Intelligence processing	Inspections (including importation)
Risk analysis	Sampling
Prioritisation	Compliance / enforcement Action
Administrative Systems	Approval of establishments
Analytical Services	
Training	
Administration of the Register of feed businesses	
Strategic Management of Import Controls	
Strategic Management of Approval of Establishments	