

Scottish Food Enforcement Liaison Committee minute

Friday 26 April 2019: 10:00 for 10:30

Venue: Stirling Highland Hotel, Spittal Street, Stirling, FK8 1DU

Tel: 07881 281 206 or 01786 272727

Attendees

William Hamilton (Chair)	Scottish Food Enforcement Liaison Committee (SFELC)
Lindsay Matthew (L. Matthew)	SFELC Vice Chair & Convention of Scottish Local Authorities SFELC Honorary Secretary
Paul Bradley (P. Bradley)	Food Standards Subcommittee Chair
Jane Couper (J. Couper)	Food Safety Subcommittee Chair
Andrew Morrison (A. Morrison)	Lothian and Borders Food Liaison Group Chair
Laura Gunning (L. Gunning)	East of Scotland Food Liaison Group
Helen Henderson (H. Henderson)	North of Scotland Food Liaison Group
Andrea Carson (A. Carson)	West of Scotland Food Liaison Group
Karen Wardrope (K. Wardrope)	Food Standards Scotland
Lorna Murray (L. Murray)	Royal Environment Health Institute of Scotland (REHIS)
Martin Keeley (M. Keeley)	Scottish Federation of Meat Traders Association (SFMTA)
Bruce McCall (B. McCall)	Society of Chief Officers of Environmental Health in Scotland (SOCOEHS)
Catherine Boyd (C. Boyd)	Institute of Food Science and Technology (IFST)
Rachel Mirfatahhi (R. Mirfatahhi)	Association of Public Analysts in Scotland
Jane White (J. White)	Stirling Council, Food Standards Project WG Chair
Carrie Cooper (C. Cooper)	Highland Council, Brexit Imports & Exports WG Chair
Graeme Corner (G. Corner)	Food and Drink Federation Scotland
Joanne Burns (J. Burns)	Food Standards Scotland
Gillian Purdon (G. Purdon)	

1. Chairman's welcome and apologies for absence

The *Chair* opened the meeting by welcoming the Committee, guests and speakers to the April 2019 Scottish Food Enforcement Liaison Committee (SFELC) meeting in Stirling. He then ran through the house keeping arrangements.

The *Chair* welcomed the new West of Scotland Food Liaison Group Chair *K. Wardrope*. He welcomed guest speakers *G. Purdon* (Section 4.1), *C. Cooper* (Section 4.2), *J. Burns* (Section 4.3) and *G. Corner* (Section 4.4).

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Apologies were recorded by *L. Murray* for; Tanja Low; Secretariat and Cat Hay; Food and Drink Federation Scotland

The *Chair* advised that the meeting would be recorded only to aid the writing of an accurate minute.

2. Minutes and matters arising

The *Chair* advised that the draft minutes of the meeting held in Edinburgh on 08 February 2019 have been made available on Knowledge Hub (KHub) ([link](#)) and that the approved minutes will be available from the SFELC website ([link](#)). The Committee went through the minutes page by page, first for corrections and accuracy (A) and then matters arising (MA).

On Page 4, the *Chair* questioned if the OCV evaluation was complete yet and *L. Murray* informed him that it will be once the Approved Establishment Working Group have reviewed it. *L. Murray* also informed the committee that the OCV manual will shortly be publication-ready and the OCV evaluation will be available alongside it.

On Page 5, the *Chair* encouraged the Committee to provide feedback on the Caterers Inspection form ([link](#)) and ways to improve it to Christopher.Seyfried@west-dunbarton.gov.uk. *L. Matthew* informed the *Chair* that Dundee was already utilising the form and had asked Chris Seyfried if there were going to be lower and higher risk forms and he was informed that there would be.

On Page 6, the *Chair* asked *L. Murray* for an update on the tool “A Metric for Official Controls”. *L. Murray* clarified that currently it is being used for food safety, however, investigation is needed before it can be used for all aspects of food law. FSS is considering whether it may be utilised in the context of the Surveillance Strategy. *L. Murray* stated that the tool certainly holds promise for further applications.

3. Actions outstanding

Action 03.2019 – ALL and L. Murray

ALL to brainstorm on how the Metric can be implemented and for SFELC to work with L. Henderson to endorse the Metric **COMPLETE**

Action 02.2019 - L. Matthew

L. Matthew to contact Frank Feechan and to ask if Luke Henderson can come along to the next meeting to present the Metric.

Luke Henderson attended a meeting in March **COMPLETE**

Action 01.2019 – Secretariat and the Chair

Secretariat to send out email drafted by the *Chair* informing Lead Food Officers of the increased workload associated with the initial visit to businesses using OCV **ONGOING**

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Action 24.2018 - L. Murray and R. Mirfatahhi

L. Murray to liaise with Ron McNaughton and Duncan Smith from FSS Food Crime team to liaise with R. Mirfatahhi to discuss the false labelling of Scottish Tea issue and to obtain the data gathered by the University of Aberdeen on this matter. **ONGOING**

Action 23.2018 - L. Murray

L. Murray to create a questionnaire about food labelling (what is the standard format / labelling practice in food establishments) which is to be sent to all the Local Authorities via the Food Liaison Groups.

In light of Brexit, this is no longer relevant and it will be revisited at a later date **COMPLETE**

Action 20.2018 – The Chair

The Chair to liaise with J. Couper, A. Morrison and K. Kazimierczak to find ways to strengthen communication links with the Horizon Scanning Group **ONGOING**

Action 17.2018 – ALL

ALL to engage with external members (during Sub-committee, Liaison and Working Group meetings) and to encourage more people to attend SFELC meetings and to promote the use of the KHub open group. From now on, at each SFELC meeting, a chair from a SFELC Working Group will be invited to attend a SFELC meeting

COMPLETE

Action 10.2018 – The Chair and L. Murray

FSS to work with SFELC to organise a SFELC planning event for end of March where all chairs of Working Groups, Sub-committees and Food Liaison Groups are present to discuss how engagement can be enhanced and better organised **COMPLETE**

Action 09.2018 - The Chair

Release the Mobile Street Traders guidance document by 31 March 2019. Revised timeline of end of May 2019. **ONGOING**

4. Presentations & Current Items

4.1. Out of Homes Strategy by Gillian Purdon

G. Purdon began her presentation by stating that in terms of the Food Scotland Act 2015, the public sector has a statutory duty to improve the extent to which the Scottish population have diets conducive to good health. This is achieved by advising Scottish Ministers on how to improve the diet of the Scottish population.

The Out of Home Strategy was further developed following a response to the consultation on the Out of Home Strategy which was run in parallel with the Scottish Government consultation on the promotion and marketing of foods high in fat, salt and sugar.

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Out of home food encompasses all the food and drink that is eaten outside the home apart from school and prison food. It is estimated that 25% of our calorie intake comes from food consumed out of the home. These are from mostly 'quick service' restaurants and food eaten 'on the go'. Around 98% of us eat outside of the home at some point during the year and it is estimated that there are around 38,000 food businesses in Scotland.

A full public consultation on Proposals to Improve the Out of Home Environment in Scotland consultation was launched on 22nd November 2018 (and closed on 28th February 2019). Its key topics were: Calorie reduction, consumer information, children's food and the public sector as an exemplar.

Calorie Reduction

Many Out of Home foods are too high in calories and the many options can make it very easy for the public to unwittingly eat more than what they need or want. Calories can be reduced by replacing energy-dense food by reformulation of recipes (e.g. adding more pulses to 'bulk' the meal out), reducing portion sizes, rebalancing menus (taking high calorie options off the menu) and by providing small or half portions.

Consumer Information

Consumers have the right to calorie and nutrition information about the food they eat outside the home. Calorie labelling should be at the point of choice. However, should this be mandatory or voluntary? Support (especially to small independent business) is available in order to provide calorie labelling in the form of MenuCal which is free to download ([link](#)).

Children's Food

We need to change the culture in Scotland to ensure that children and young people have access to a wide range of healthy food choices when eating out. Children tend to consume less healthy food and drink more frequently than adults and they also tend to eat out a lot. People under 25 eat out and 'on the go' more often than any other age group. Some suggestions on how to improve upon children's food are: provision of children's portions from adult menu items, more provision of vegetables and fruit, less reliance on breaded and fried products and plain water and milk to be provided as standard instead of sugary drinks.

Public Sector as an Exemplar

Food and drink served within the Scottish public sector should provide a positive example and set the standard for healthy eating, even where catering services are contracted out.

Q&A

The *Chair* asked if mandatory calorie labelling is implemented elsewhere. *G. Purdon* confirmed that it is mandatory elsewhere and the United States is the best example. However, there is caveat as an in-scope business would require to have more than 5 outlets - consequently, many smaller business are exempt. *G. Purdon* hopes that there can be an aligned approach between Scotland and the rest of the UK to make calorie labelling mandatory, however, the results of the English consultation on

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their Out of Homes Strategy indicates that businesses with less than 10 employees should be exempt and this would mean that many Scottish businesses would not be included.

The *Chair* asked if MenuCal is sufficient. *G. Purdon* agreed that it is difficult to state the number of calories per dish as the amount can vary dramatically depending on what options consumers choose. E.g. chicken or beef or added mayo etc.

B. McCall asked if small businesses are interested in having calorie labelling and if they would even have the knowledge to implement it. *G. Purdon* clarified that this is something she is working on and hopes that further help and guidance will become available. The *Chair* suggested that perhaps the CookSafe manual ([link](#)) can be used in this instance.

The *Chair* mentioned that in the near future there will need to be some bespoke training available for Local Authorities to allow staff to relay the correct messages and information to businesses.

4.2. Food Standards Project Working Group Update on Guidance Documents by Carrie Cooper

C. Cooper began her presentation by explaining that the Food Standards Project Working Group first came into place due to a lot of legislative changes. It was found that given the number of changes and accepting the need for consistency that the need for guidance was obvious. *C. Cooper* proposes that a document and workbook be devised which can be inserted into the back of manuals that small businesses are using. Two such documents are the Butchers and Bakers Guidance. Once these have been finalised they will be published. A Caterers Guide is also being developed. It is estimated that all documents should be ready by June and that the Food Standards Project Working Group will be wound up after these documents have been published.

Q&A

L. Murray stated that although these guidance documents will be of great benefit, it is worth bearing in mind that they may need to be amended post Brexit as business's processes may change.

4.3. The Reformulation Project by Joanne Burns

J. Burns began her presentation by giving a brief background to the Reformulation Project and explained how it was created to support the Scottish Government's strategy of A Healthier Future. One objective is to support the food and drink manufacturers to reformulate and innovate their products in order to tackle poor dietary health in Scotland. *J. Burns* stated that part of her role as the Reformulation Project Manager was to work with a range of support agencies to help connect business to the most appropriate support for them e.g. funding, grants, innovation support, academia and peer support. *J. Burns* stated that everyone needs to help

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raise awareness and drive the demand for healthier products and that in order for product reformulation to be successful, the entire supply chain needs to be involved from procurement specialists and distribution companies to retailers and food service companies.

A series of industry events will be taking place across Scotland and *J. Burns* asked that the Food and Drink Federation work closer with Local Authorities so that they can better link in with more food and drink manufacturers and / or services throughout Scotland and attend any Scottish food events.

There are a number of services available in Scotland to drive innovation in Scotland's food and drink industry to "Make Innovation Happen" ([link](#)). These services include access to connectors who offer support, advice and mentoring as well as signposting to the appropriate support available such as ideas on how to innovate via the Innovation Insights Service as well as funding via the Collaborative Innovation Fund.

Q&A

The *Chair* asked how receptive business are to the Reformulation Project. *J. Burns* said that the first point they make to business is to assure them that the Food and Drink Federation still want their business to remain commercially viable and they do not want to affect their gross profit. They suggest other routes to market and / or other potentials in the business e.g. enticing other customers. The *Chair* reiterated his earlier statement of the need for bespoke training for Local Authorities to allow staff to relay the correct messages and information to businesses.

L. Murray stated that HACCPs would need to be reviewed and amended accordingly after any food reformulations took place to ensure that food safety parameters were met.

B. McCall stated that the Scottish Federation of Meat Traders Association recently took part in a reformulation exercise and it was found that the biggest challenge was overcoming the fact that the butchers were not able to vastly reformulate their products as the issue originated from the supplier ingredients; for example how much salt was added to the raw ingredients. *J. Burns* agreed that further efforts of collaboration were needed and perhaps a common interest group can be set up.

4.4. Health Certificate Brexit update by Graeme Corner

G. Corner began his presentation by explaining that the aims of the Imports and Export (or Brexit) Working Group was to:

- Influence the process so that in the event of a "No Deal" scenario, imports and export certificates could still be fulfilled.
- Support export businesses

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G. Corner gave his thanks to all the members of the Working Group (26 LAs members, FSS, COSLA, Marine Scotland and Food and Drink Federation) as well as other people that the group communicated with e.g. DEFRA, APHA and FSA.

UK Government focused more on “flow” over “compliance”. The Brexit Working Group therefore focused their efforts on Exports rather than Imports. Originally there was going to be an increase in the number of food entry points into the UK. However, Scottish ports have always been stand-alone entities and it would cost a lot to convert them to a border inspection post / designated point of entry and so Scottish ports deemed it was too great a financial risk to re-designate.

The Scottish Government produced a proposal in January 2019 on how Export Health Certificates were going to be delivered in the event of No Deal. However, this document was based on an APHA model. The Brexit Working Group worked with the Scottish Government and an updated, more suitable proposal was released.

APHA have governance of Export Health Certificates. Export businesses apply to get Export Health Certificates from APHA. Once an application is approved, APHA sends the Local Authority a PDF copy of the certificate. Vets fore-sign the certificates and then need to view the consignment. As this was a rather cumbersome and time restricting process, the Brexit Working Group went back into negotiations with the Scottish Government. The delivery of Export Health Certificates has now evolved and is based more on a risk-based model. Primary product exports (E.g. fish landings and shellfish) will need to have an Export Health Certificate and the business needs to be an approved premises. Electronic certificates would be problematic as they can only be taken so far e.g. electronic signatures cannot be used and they need to be stamped.

Q&A

K. Wardrope asked about the standardisation of the cost of the Health Certificates. *G. Corner* replied that there are differences due to different charging models depending on which LA the certificates come from e.g. how much travel is involved and how much admin support is required etc.

Matter of Record 05.2019

The Chair and L. Murray gave their thanks and admiration to G. Corner, C. Cooper, K. Wardrope and all the other SFELC Working Groups, Sub-Committees, Food Liaison Groups and everyone else who has been involved during this intense period of activity

5. Intelligence gathering – Consultations, Horizon Scanning and Safe spaces

- Allergen consultation closed end of March 2019

6. The SFELC Executive update

M. Keeley stated that the SFELC Executive (TSE) met on 25 April and discussed the work plan and FSS update (details of these can be found in the relevant sections). He then gave a brief overview of points discussed at the TSE meeting:

- The outstanding actions were discussed
- There were some technical issues with KHub and these are being investigated
- Highlight reports continue to be an informative way to know what each SFELC group is currently working on
- A Food Crime workshop event is being organised
- The March SFELC Planning event was discussed and SFELC membership was paramount to these discussions

7. Committee work plan

21 June 2019 – Aberdeen (FSS, Pilgrim House)

- Regulation 625: Official Control Regulation (OCR) (STEVE HARDIE?)
- Review of Official Laboratories (JACQUI MCELHINEY)

04 October 2019 – Glasgow

- Out of Homes Strategy (HEATHER PEACE?)
- Allergens (GRAINNE GILSON SMITH?)
- Food Recalls (RYAN BRUCE? AND IZZY CHILDS?)
- Price Promotions (COLIN BAIRD)
- Update on Reformulation Project? (JOANNE BURNS)
- OCV Implementation progress report (LORNA MCCOULL / GRAINNE GILSON SMITH?)

06 December 2019 – Dundee

- Annual Report (THE CHAIR AND HONORARY SECRETARY)
- Sampling Update (JANE WHITE?)
- Cheesemakers guidance review (KAREN WARDROPE?)

UNASSIGNED ITEMS

- SND – June or October?
- Scottish Food Enforcement Annual Return (SFEAR) – October?
- Food Standards Project Working Group Guidance update (CAROL ANN WALKER?) – October?

8. Food Standards Scotland update

L. Murray informed the Committee that FSS has mainly focused on Brexit. Labelling is a particular concern as currently products are labelled to EU standards. When an item eg mincemeat or honey is blended from a variety of European countries (including UK) then the label can state the origin as “Europe” however, this would not be possible after Brexit.

- There has been some restructuring within FSS of the EU work programme to better work alongside other UK Government bodies such as DEFRA.
- Priorities for The Regulatory Strategy are being assessed
 - Charting may occur in the later stages
 - Regulation 625: Official Control Regulation implementation is looking likely
- OCV training will be rolled out. Priority will initially be given to LAs that have the highest quantities of exports /consignments to the EU.
 - Discussions have been ongoing with RSPH about the awarding of the OCV qualification and backdating qualifications of those who did the pilot phase
 - Accreditation of the OCV manual has also been on going and is looking positive

9. Sub – Committees: including working groups

Food Recall Guidance Update by Andrew Morrison

A. Morrison informed the Committee that the revised Food Recall Guidance was re-issued in March 2019. The revised issue includes:

- New information on how to inform consumers
- Templates of recall notices
- Information on how trades can communicate with each other

Root Cause Analysis is still ongoing. An online course is being developed and revised from the pre-existing course. It is planned to be rolled out within the next month. Although the Food Safety Sub-Committee believes that Root Cause Analysis should be a requirement (as it is a way to revalidate the HACCP as a recall means that a HACCP is no longer valid), it cannot be mandatory as Root Cause Analysis is not described in the legislation and not clearly stated in the guidance. The guidance will need to be reworded so that it states: After a food recall, it is mandatory to revalidate the HACCP and Root Cause Analysis is one mechanism to do this. A second version of the guidance may therefore be released.

The guidance will be publicised to make industry, consumers and allergen groups etc. more aware of it.

10. Food Liaison Group

Version 2 of the Guidance for Local Authority Enforcement Officers on the Production of Cheese from Unpasteurised Milk Update by Karen Wardrope

K. Wardrope informed the Committee that the new draft version of the guidance document is available on KHub ([link](#)). The new version includes (but is not limited to) the following changes:

- Clarification on interpretation of the guidance
- Sampling Plan table (Annex 2)
- Notes on sampling (Annex 3)
- Decision Tree to support the proposed Enforcement approach
- BactoScan values use
- E.Coli can be tested for in both the curd and the end product

Matter of Record 06.2019

The Chair gave thanks to Karen Wardrope, Jacqui McElhiney and Marianne James and praised them for all their hard work and diligence

Matter of Record 07.2019

The SFELC Committee ratified Version 2 of the Guidance for Local Authority Enforcement Officers on the Production of Cheese from Unpasteurised Milk

L. Murray stated that there will still be a review of the guidance in December 2019. *K. Wardrope* interjected to say that the original guidance stated that the review would occur in December 2019, however, this was removed in the new version due to the above stated changes and the guidance document would now be reviewed on an ongoing basis.

11. Update by Non-Enforcement member(s)

The *Chair* stressed that he was keen to get as much involvement as possible from non-enforcement members.

12. Review of action points

L. Murray ran through the Matters of Record raised throughout this meeting (in bold green).

Full details of all actions completed prior to this meeting are available in the actions document in KHub, "SFELC - Complete set of meeting papers". Then "appropriate meeting", then "Item 03 – Action Points and Matters of Record". ([link](#))

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Additionally actions for the SFELC Executive are noted in the TSE actions log in KHub, "SFELC Executive (formerly Resources Working Group) > Library > TSE – Papers - year month > Item 02 – TSE – Action points and Matters of Record". ([link](#))

13. AOCB

Nil

Forthcoming meetings

21 June 2019 – Aberdeen (FSS, Pilgrim House)

04 October 2019 – Glasgow

06 December 2019 - Dundee

Please advise Tanja Low on SFELC@fss.scot if you are aware of other events that SFELC delegates may attend that clash with these dates.