
**SCOTTISH
FOOD
ENFORCEMENT
LIAISON
COMMITTEE**

**Annual Report
2014/2015**

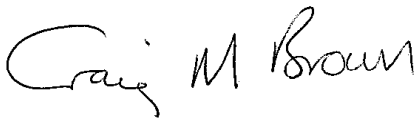
Foreword

“With 2014/15 being the final year that SFELC would act as an advisory committee to the Food Standards Agency in Scotland (FSAS), it was in many ways a transition year. Food Standards Scotland (FSS) replaced FSA in Scotland in April 2015 and it was an appropriate time to take stock of what had been achieved by SFELC. In addition it was a suitable time to consider any changes that could be initiated ahead of FSS coming into being. Throughout the year SFELC and its associated Sub-committees and Working Groups continued to progress the many work streams that were active.

This annual report has again been produced to provide a summary of the work carried out. This is the fifth annual report produced by SFELC and it highlights the many diverse subjects covered by the Committee.

Over the years, SFELC has only been able to produce high quality work through the dedication and commitment of members, along with the support of the local authorities and our associated organisations. I am sure that local authorities and other member organisations recognise the benefits of their involvement in the work of SFELC. I would like to take this opportunity to thank everyone for their continued support and dedication in ensuring that SFELC addresses the areas of concern not just from the enforcer’s perspective but also that of the business community and general public.

SFELC has demonstrated that effective partnership working can achieve worthwhile benefits and is widely recognised as an organisation making a valuable contribution to the Scottish food enforcement landscape. I am sure that by maintaining the partnership approach under FSS, SFELC will continue to make significant contributions to food safety.”



Scottish Food Enforcement Liaison Committee, Chairman

The 2014-2015 SFELC Annual Report shows the continuing important role performed by the Committee in maintaining food and feed safety and standards in Scotland.

With the transition in progress from FSAS, I am pleased to announce that SFELC will continue to support FSS in its current format, and that the excellent working partnership currently in place between SFELC, Local Authorities and FSS post vesting day will be maintained.

Once again I would like to take this opportunity to thank all of those involved for their contributions.



Geoff Ogle
Director, Food Standards Agency in Scotland

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SFELC Objectives

The Scottish Food Enforcement Liaison Committee will work to support and influence the policies of the Food Standards Agency in Scotland, in order to improve the effectiveness and consistency of food law enforcement in Scotland. In doing so the Committee will proactively seek to influence the development of Agency policies which affect enforcement issues by providing advice based on its collective opinion.

The Committee will co-ordinate food safety activity by local authorities and promote best practice in food safety service delivery. In doing so, the Committee will establish working groups as necessary to identify best practice and effective service delivery models.

SFELC Remit

The Committee shall;

- Meet on a regular basis. The Committee shall ordinarily meet four times per annum.
- Contribute to the development of the Food Standards Agency strategies in Scotland to improve their effectiveness.
- Promote the consistency of Food Law Enforcement in Scotland.
- Assist in the establishment and maintenance of an effective enforcement infrastructure.
- Consider and propose new enforcement mechanisms and approaches and produce recommendations for their implementation.
- Consider any other issues relevant to the working relationship between the Food Standards Agency, Food Law Enforcement the food industry and consumers in Scotland.
- Comment on relevant draft legislation, guidance and reports produced by the Food Standards Agency and other relevant agencies.
- Support and direct the work of the Subcommittees, working groups and any other bodies set up under the auspices of the Scottish Food Enforcement Liaison Committee.

Membership of the Committee

Membership of the Committee will reflect the key stakeholders in the promotion of Food Safety and Consumer Protection. The membership during 2014/2015 follows:

SFELC Chair

Craig Brown

SFELC Subcommittee Chairs

Paul Bradley – SFELC Vice Chair & Food Standards Subcommittee Chair

Roisin Dillon – Feedingstuffs Subcommittee Chair

William Hamilton – Food Safety Subcommittee Chair

Food Liaison Group representatives

Andrea Carson – North of Scotland Food Liaison Group

Craig Smith – Lothian and Borders Food Liaison Group

Derek Oliver – East of Scotland Food Liaison Group

Joe Harkin – West of Scotland Food Liaison Group

Association of Public Analysts in Scotland

Robbie Beattie

British Hospitality Association

John Dyson

Consultant in Public Health Medicine

Chris McGuigan

Consumer representative

Keith Dryburgh

Convention of Scottish Local Authorities

Kevin McMunn / Lindsay Matthew

Food Standards Agency in Scotland

Catherine Ferro (Secretariat)

Ian McWatt

Lorna Murray

Health Protection Scotland

Lynn Cree / Mary Locking

National Farmers Union Scotland

Kylie Barclay / John Armour

Retail representative

Andrea Inchausti – British Retail Consortium

David Martin – Scottish Retail Consortium

Royal Environmental Health Institute of Scotland

George Fairgrieve / Colin Wallace

Scottish Bakers

Alan Clarke / Jim McCormack

Scottish Food Advisory Committee

Bernard Forteath

Scottish Food and Drink Federation

Mary Lawton

Scottish Food Industry (Meat Sector)

Douglas Scott

Scottish Government

David Laing / Kevin Matheson – Food, Drink and Rural Communities Division

John Maxwell / Mike Parker – Rural Payments and Inspections Division

Society of Chief Officers of Environmental Health in Scotland

John Sleith

Society of Chief Officers of Trading Standards in Scotland

Roisin Dillon

Nominated members may be represented by substitutes when necessary.

The membership structure is reviewed on an annual basis to ensure that the appropriate key stakeholders are represented.

* When necessary other members of the FSA are invited to attend particular committee meetings.

Retrospective review for 2014/2015

During 2014 - 2015, SFELC have considered the areas listed in the table below -

SFELC Meeting	Agenda Items
11 April 2014	<ul style="list-style-type: none"> • Safe Space “unexpected, suspicious and unusual” items • Training and consistency • Response on the Scottish Regulators’ Strategic Code of Practice • FSS Bill SFELC written evidence draft • Commonwealth Games – final stretch
4 June 2014 Stocktake meeting	<p>The principal reasons for this event were to consider:</p> <ul style="list-style-type: none"> • SFELC’s output in recent years; • The implications of the Regulatory Reform Act in relation to food safety; and • The transition from the Food Standards Agency in Scotland (FSAS) to Food Standards Scotland (FSS) and reflect on the Scudamore Expert Advisory Group (EAG) recommendation on the role of SFELC.
10 October 2014	<ul style="list-style-type: none"> • Introduction and update on Food Standards Scotland • Introduction from New Food Body • Food Standards Scotland website • Stocktake action plan • Becoming a Good Food Nation SFELC consultation • “Are you Label Ready?” • Feedback from the Global Microbial Identifier conference
5 December 2014	<ul style="list-style-type: none"> • Stocktake action plan • New Food Body update • Better Regulation update • Private Water Supply consultations • UK FSS draft report on sampling priorities
20 February 2015	<ul style="list-style-type: none"> • Review SFELC remit • Code of Practice – Annex 5 Working Group update • Scudamore recommendations and actions

Standing items 2014/2015

- Intelligence gathering - Safe spaces
- Resources Working Group updates
- SFELC workplan
- Exception reporting for the Food Safety, Food Standards, Feedingstuffs Subcommittees
- Exception reporting for the four Food Liaison Groups (FLGs)
- Exception reporting for Food Standards Scotland.

Resources Working Group

The Resources Working Group met on a number of occasions throughout the year and covered a variety of topics as well as planning a workshop for all interested parties.

Following an update regarding the identification of funding streams in relation to workforce planning and training strategies, it was agreed that a 'Training Strategy Guidance' document should be added, as an appendix, to the Training Guide.

A short-life Annex 5 Working Group was formed, the remit agreed and the membership of the group would comprise representation from each Food Liaison Group.

Detailed discussions were held around The Framework Agreement and its fitness for Scotland following the formation of Food Standards Scotland. It was agreed that the working draft of the framework agreement would be handed over to FSAS to progress. The agreed suggestion was that Chapters 1 & 2 in the existing framework agreement on Standards and Service planning are incorporated into a new Food Law Code of Practice for Scotland, and that Chapters 3 & 4 on Auditing & Monitoring would be something for FSS to develop. This is all to be based on existing agreement but strengthened. The Resources Working Group offered to act as a sounding board for feedback with FSAS

The proposal to hold a workshop in place of the June meeting was agreed. The workshop would involve SFELC members and all Liaison Groups., with the main topics for the workshops being Stock Take, Better Regulation and Food Standards Scotland.

The principal reasons for this event were to consider:

- SFELC's output in recent years;
- The implications of the Regulatory Reform Act in relation to food safety; and
- The transition from the Food Standards Agency in Scotland (FSAS) to Food Standards Scotland (FSS) and reflect on the Scudamore Expert Advisory Group (EAG) recommendation on the role of SFELC.

The format of the meeting comprised of three workshop groups in the "World Cafe" style facilitated by Paul Bradley, William Hamilton and Craig Brown. Delegates were split between the groups with each having representation from the four Food Liaison Groups.

Following the stocktake workshop, it was agreed that the current SFELC terms of reference would be reviewed. This was completed and approved early in 2015.

Consideration was given to the working model for the Approval Process which has had initial acceptance by FSA. It was noted that LA frontline staff will be directly involved in the Approvals process going forward.

A short discussion was held on the Sampling and Surveillance Working Group, UK FSS draft 2015 - 2016 sampling report. It was agreed that a draft report would be prepared for approval by the December 2014 meeting and circulated to Local Authorities shortly thereafter in order that adequate time is given to ensure that the recommendations can be incorporated into the 2015/16 sampling plans

Standing Subcommittees / Ad Hoc committees

In order that the strategic objectives of the Scottish Food Enforcement Liaison Committee can be implemented, standing and ad hoc subcommittees provide a supporting structure for SFELC.

Core standing subcommittees dealing with Food Safety, Food Standards and Feeding Stuffs are augmented by ad hoc subcommittees and short-life working groups established by SFELC or its subcommittees as and when required. These groups report back to SFELC.

The Chairperson of Food Safety and Food Standards subcommittees will normally be nominated by SFELC, however if this is not possible a member of SFELC will fulfil the role of chairperson. The Feeding Stuffs subcommittee Chairperson is nominated by Society of Chief Officers of Trading Standards in Scotland (SCOTSS).

The standing subcommittees will be delegated to act on behalf of the Committee in respect of those matters remitted for their attention and/or action. The Chairperson of each subcommittee will liaise directly with the Chairperson and Secretariat in respect of those items which require the consideration of the Committee to ensure that appropriate recommendations / reports are brought before the full Committee for ratification and further action.

Several SFELC Working Groups report to each of the subcommittees and are considered to be an important avenue for the enforcement community to influence food safety practice in Scotland.

Remit

The Subcommittees will be responsible for delivering the main Committees strategic aims by considering and recommending appropriate measures for the practical implementation of any initiatives remitted to them.

The Subcommittees shall

- Meet as directed to discuss issues referred to them by SFELC and to report back. In particular they should provide expert advice and guidance on issues of strategic importance in the field of enforcement and likely impact of any of SFELC`s recommendations.
- Hold meetings at least two weeks before the main meetings so that decisions can be reported back.

Food Safety Subcommittee

The Sub-committee met three times during 2014-2015. Key topics discussed and progressed were as follows:

Review of Food Law Code of Practice Annex 5

The sub-committee undertook to review the existing premises risk rating scheme within Annex 5 of the Code of Practice. It was generally agreed that the scheme, which has remained largely the same since the early 1990's should be considered for a broader review, taking issues such as Sustained Compliance, Consistency, Scudamore 2 Recommendations and Better Regulation principles.

It was decided that the work would be best tackled by a short-life working group, hence the Annex 5 Working Group was established.

Childminders

The Sub-committee considered a request from the Scottish Childminders' Association to reconvene the erstwhile Childminders' Working Group. A questionnaire was sent to all Scottish Local Authorities seeking information on strategy regarding Childminders as well as views upon future work on this matter. Responses received from 25 Authorities indicated that a large majority considered childminder premises to be very low risk and that there was little appetite for reconvening the Working Group.

Cross Contamination

It was considered appropriate to obtain information on Authorities' progress in the implementation of the FSA's E. coli O157 Cross Contamination Guidance. A questionnaire was issued and 20 responses were received. The majority (i.e.15) stated that they had implemented a specific strategy to embed the Guidance concepts into their inspections, effectively giving the matter greater emphasis during inspection. 50% of respondents confirmed that they had implemented the SFELC Cross Contamination Strategy Model.

Regulatory Reform

The Sub-committee continued working with the Scottish Government on the development of a National Standard for food hygiene in Mobile Food Trading Units. The said standard had been drafted by SFELC's Street Trader Working Group (a short-life working group) during 2013-14.

Approved Establishments

The Sub-committee was involved in significant discussions between FSAS and the Society of Chief Officers of Environmental Health in Scotland (SOCOEHs or "The Society") in relation to future delivery of official controls in, and approval of, establishments liable for approval under Regulation (EC) 853/2004. The bulk of this work was taken forward by the Approved Establishment Working Group.

Annex 5 Review Working Group

A short-life working group was established in order to consider options as part of a review of the food premises risk-rating scheme contained within Annex 5 of the Food Law Code of Practice (Scotland). Key drivers for change were as follows:

- Scudamore 2 recommendations;
- The concept of merging food standards and food hygiene inspections;
- The continuing, accepted need for greater consistency of scoring;
- Better Regulation principles; and
- The concept of recognising sustained compliance in certain establishments.

The Working Group devised 3 main options and conducted an appraisal of each. The preferred option was, subsequently, presented to SFELC. SFELC duly tabled the said proposal – which has since been taken forward by FSS for subsequent testing and development with a view to inclusion in a future draft of the Code of Practice.

Fish and Shellfish Working Group

With the formation of Food Standards Scotland, the Fish and Shellfish Working Group became an exclusively Scottish entity, comprising representatives from Food Standards Scotland and Scottish Local Authorities only.

The group is currently jointly chaired by Highland Council and Glasgow City Councils. This arrangement is designed to ensure that both rural and urban fish and shellfish issues are voiced and that workshop venues will be split between the North and Central Belt. Discussion with colleagues at FSS have been very favourable in respect of using the facilities at the FSS for future meetings if appropriate.

There was regular communication throughout the year between representatives of the various member authorities and FSS in respect of contentious matters and, more generally, to ensure consistent application / interpretation of legislation.

Food Standards Subcommittee

The main work of the Subcommittee during the year again revolved around the implementation of the EU Food Information for Consumers Regulations (FIR) and the SFELC survey programme.

FIR has a significant impact on food standards in Scotland and the Subcommittee sought to engage actively with FSA on the Scottish enabling Regulations and guidance. As well as a number of meetings with FSA staff, the Subcommittee discussed a number of areas of interpretation. An important piece of work was recommending to SFELC a consistent approach to enforcement during the transitional period between the old and new labelling regimes. Food Standards Sub Committee remains committed to working with FSS and other stakeholders to ensure the effective and efficient implementation of FIR.

During the year the following survey reports were approved:

- SF33 – Microbiological quality of restaurant and takeaway meals with a focus on *Bacillus cereus*
- SF34– Preservatives in bakery products

Copies of the survey report are available at <http://www.foodstandards.gov.scot/food-safety-standards/regulation-and-enforcement-food-and-feed-law/food-and-feed-law/scottish-food-2> .

The Subcommittee's Sampling and Surveillance Working Group (SSWG) continued to use the information recorded by Scottish LAs on the UK Food Surveillance System to advise on sampling and enforcement priorities.

During the year Food Standards Sub Committee discussed a diverse range of composition and labelling issues brought forward by food liaison groups, laboratories and the FSA.

Feedingstuffs Subcommittee

The Feeding Stuffs subcommittee had 1 business meetings during 2014-15 which addressed a broad range of issues, including;

- FVO Feed report carried out January 2014
http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=3319
- The SCOTTS / FSS Animal Feed Review in Scotland
<http://www.foodstandards.gov.scot/sites/default/files/Board%20Meeting%20-%202015%20September%2016%20-%20Animal%20feed%20paper%20150905%20Final%2010%20September%202015.pdf>
- Policy updates - Consolidation of animal feed legislation
- Registers and Enforcement Returns
- Training for feed officers

The SFELC Feed subgroup acts as a conduit for the Regional Quality groups and discusses emerging issues from feed officers. We work in partnership with the Animal Medicines Inspectorate (AMI) on joint enforcement issues.

A Scottish Feed officer sits on the National Animal Feed Ports Panel (NAFPP) which comprises representatives of UK enforcement bodies and government departments with an interest in imported animal feed controls and has similar terms of reference to the feedingstuffs subcommittee itself.

SFELC website

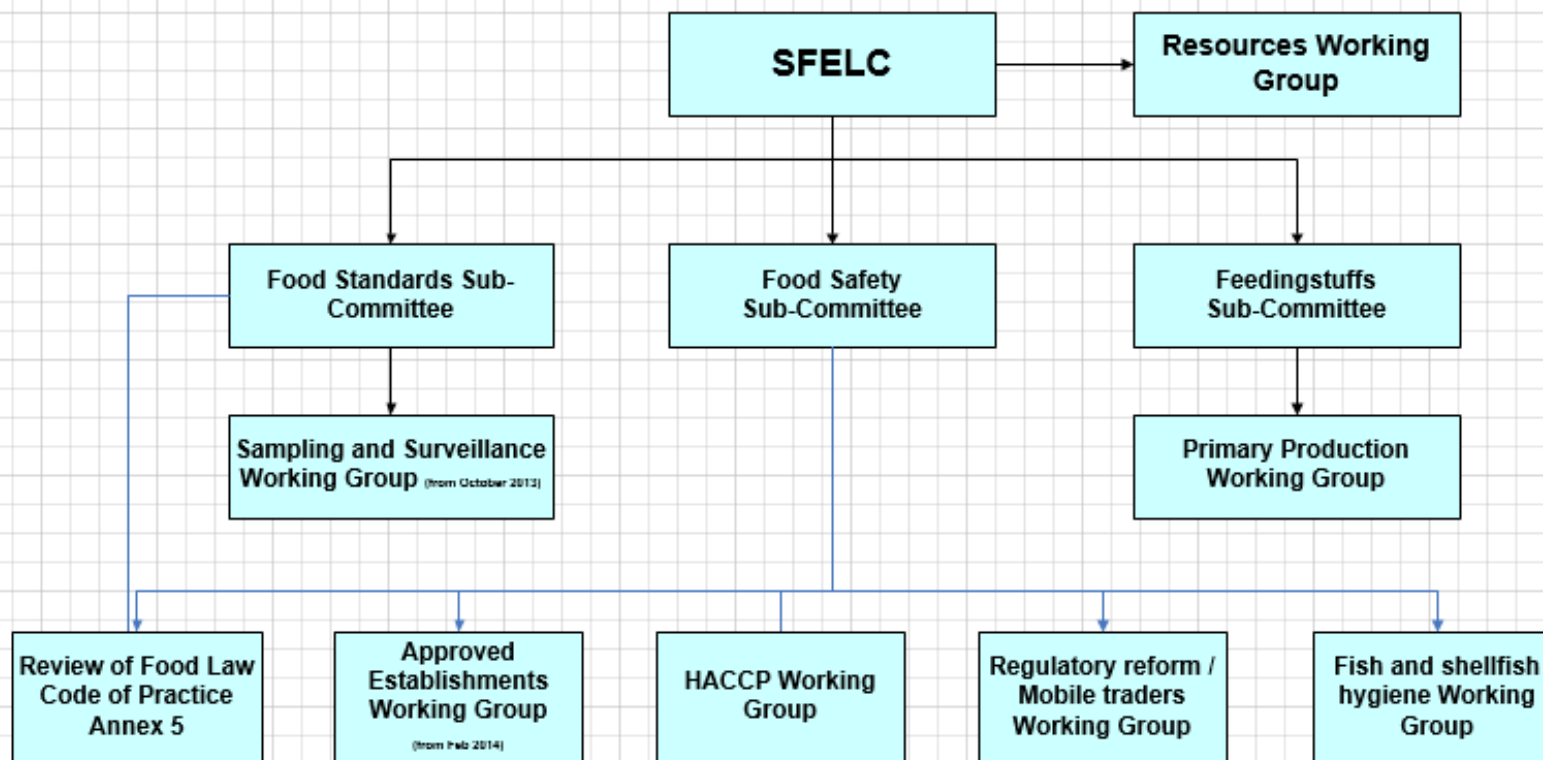
The SFELC website can be accessed via the following address:-

<http://www.foodstandards.gov.scot/food-safety-standards/regulation-and-enforcement-food-and-feed-law/scottish-food-enforcement-liaison>

All minutes and reports that are on the website meet the accessibility guidance which is available from Catherine Ferro (SFELC Secretariat) 01224 285 105 or email Catherine.Ferro@fss.scot

SFELC group structure

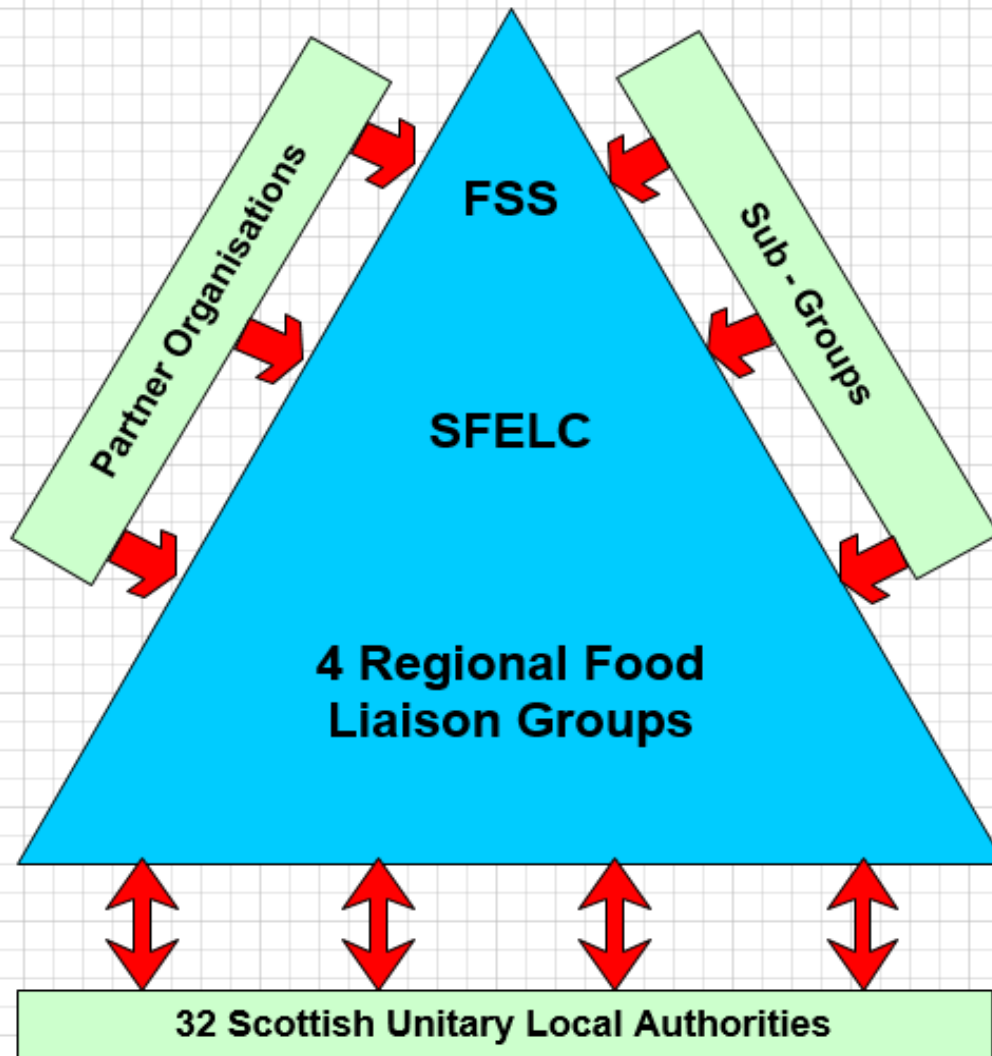
Scottish Food Enforcement Liaison Committee Group Structure



Some Working Groups are 'Limited Life' Groups and will be disbanded once the objectives are achieved.
Other 'Limited Life' Working Groups may be added from time to time.

Co-ordinating and governance structure

Appendix 1
Co-ordinating and governance structure



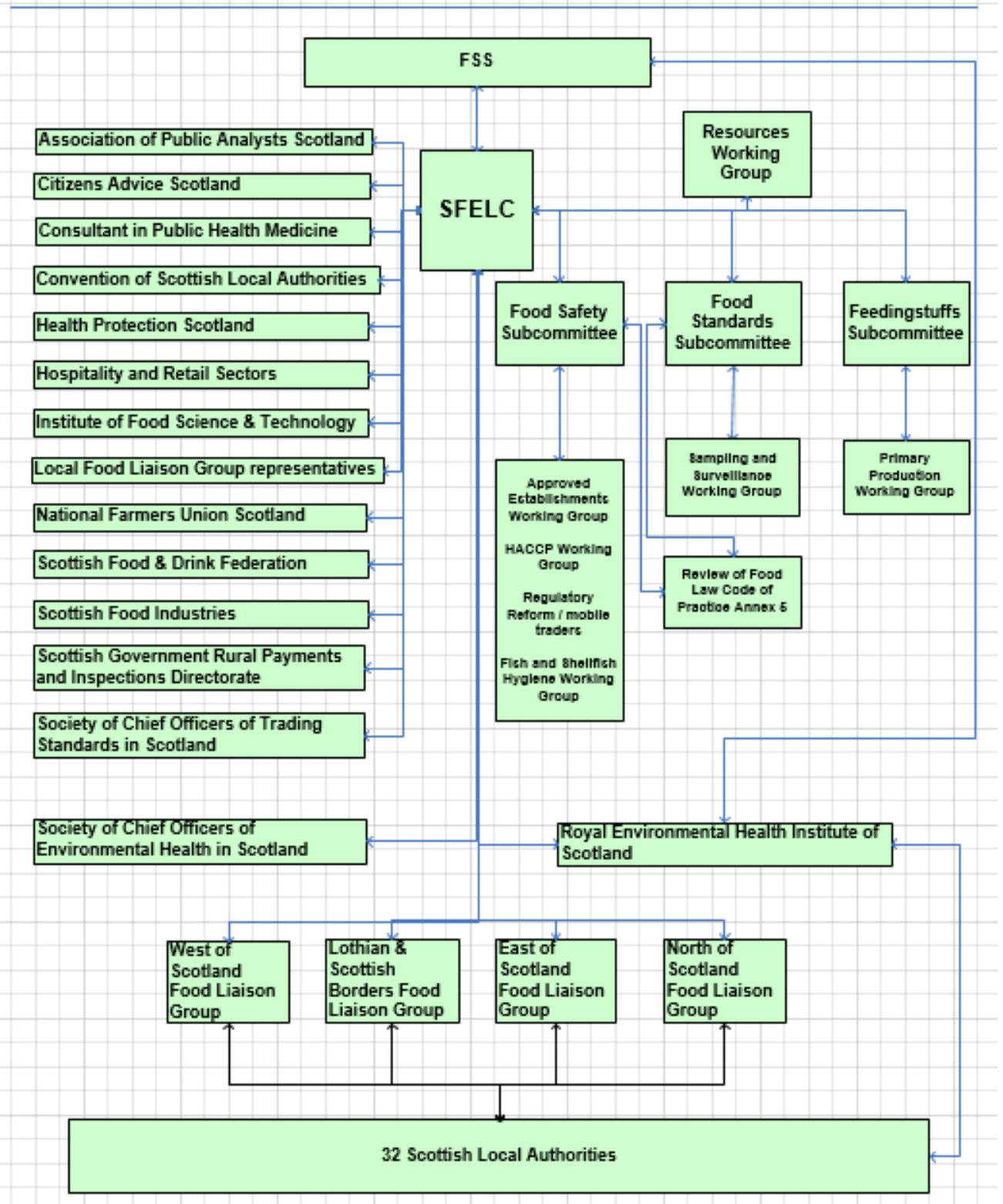
Notes

This is the basic co-ordinating and reporting structure currently operating in Scotland to promote uniformity and consistency between Scotland's Unitary Local Authorities.

The basic structure above should be read in conjunction with the detailed structure shown in Appendix 2.

SFELC structure and working arrangements

Appendix 2 SFELC Structure and Working Arrangements (2015)



Glossary of Terms

AMI	Animal Medicines Inspectorate
APAS	Association of Public Analysts Scotland
BHA	British Hospitality Association
BRC	British Retail Consortium
CFS	Consumer Focus Scotland
COSLA	Convention of Scottish Local Authorities
CPD	Continuing Professional Development
CPHM	Consultant in Public Health Medicine
ELG	Enforcement Liaison Group
FHIS	Food Hygiene Information Scheme
FIR	Food Information for consumers Regulations
FLG	Food Liaison Group
FSA	Food Standards Agency
FSAS	Food Standards Agency in Scotland
FSS	Food Standards Scotland
HACCP	Hazard Analysis and Critical Control Point
HPS	Health Protection Scotland
LA	Local Authority
LACORS	Local Authority Co-ordinators of Regulatory Services
NAFPP	National Animal Feed Ports Panel
NFB	“New Food Body”
NFUS	National Farmers Union Scotland
REHIS	Royal Environmental Health Institute of Scotland
RWG	Resources Working Group
SCOTSS	Society of Chief Officers of Trading Standards in Scotland
SEPA	Scottish Environmental Protection Agency
SFDF	Scottish Food and Drink Federation
SFAC	Scottish Food Advisory Committee
SFELC “The Committee”	Scottish Food Enforcement Liaison Committee
SFMTA	Scottish Federation of Meat Traders Association
SG	Scottish Government
SGRPID	Scottish Government Rural Payments and Inspections Directorate
SMG	Scottish Microbiological Group
SOCOEHS “The Society”	Society of Chief Environmental Health Officers in Scotland
SRC	Scottish Retail Consortium
SSWG	Sampling and Surveillance Working Group