

**Scottish  
Food  
Enforcement  
Liaison  
Committee**

**Annual Report 2015/2016**

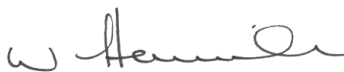
## **Foreword**

April 2015 saw the creation of Food Standards Scotland (FSS) which replaced the Food Standards Agency in Scotland. It is pleasing to report that the partnership between FSAS/FSS and Scottish Local Authorities has been maintained seamlessly during this time, facilitated in part by the continuing existence of the Scottish Food Enforcement Liaison Group (SFELC or “the Committee”). It is also heartening to note that the role of SFELC has been reinforced during this transition.

The past year also witnessed a change of Chair of SFELC and I am indebted to my predecessor Craig Brown for his hard work and leadership over the past three years.

The reporting year 2015/2016 has seen a continuation of the valuable work of SFELC Sub-committees and Working Groups as well as the critical input of the four Food Liaison Groups. As always, success is dependent upon the support and willingness of Local Authorities and their Officers as well as the staff at Food Standards Scotland. It should also be recognised that the contribution of partner organisations has been maintained as a vital facet of SFELC.

The commitment of all SFELC members will be tested thoroughly in the coming years as another period of transformation approaches. The FSS Regulatory Review will be tracked carefully by the Committee given its very significant implications for Local Authorities and the food industry. There can be no doubt that SFELC’s contribution to the process of change will be essential – possibly giving rise to the establishment of more Working Groups – as the Committee looks to help shape the landscape of food safety and public protection in the future. It is clear, therefore, that the profile of SFELC must be enhanced in order to attract even greater participation by all agencies concerned.



**Chairman,  
William Hamilton Scottish Food Enforcement Liaison Committee**

I am pleased to share the publication of the 2015-2016 SFELC Annual Report. This report shows the result of the first full year of SFELC and local authorities working with Food Standards Scotland, following the transition away from the Food Standards Agency in Scotland.

The table on page 7 shows the key achievements for the year. Looking to the future and in particular to the key stages involved in the Food Standards Scotland strategy to 2021, we hope that SFELC continues to work in partnership with its members and stakeholders, to build on its existing successes in maintaining food and feed safety and standards in Scotland. What we can see from last year is that the breadth of topics being discussed at SFELC will continue and what we can also see is the difference SFELC makes in ensuring successful delivery of a change agenda that will continue to challenge all of us.

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



**Geoff Ogle Chief Executive, Food Standards Scotland**

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## **SFELC Objectives**

The Scottish Food Enforcement Liaison Committee works to support and influence the policies of Food Standards Scotland, as it did for 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 continue proactively seek to influence the development of Food Standards Scotland 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 five times per annum.
- Contribute to the development of the Food Standards Scotland strategies 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 Food Standards Scotland, food law enforcement, the food industry and consumers in Scotland.
- Comment on relevant draft legislation, guidance and reports produced by Food Standards Scotland 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 2015-2016**

Membership of the Committee reflects the key stakeholders in the promotion of food safety and consumer protection. As a result of the December 2015 Office Bearer elections, the membership during 2015-2016 has changed quite considerably, as follows;

<b>SFELC Office bearers</b>	<b>April 2015</b>	<b>February 2016</b>
Chair	Craig Brown	William Hamilton
Vice Chair	Paul Bradley	Lindsay Matthew
Honorary Secretary	VACANT	Paul Bradley
Secretariat	Catherine Ferro	NO CHANGE
<b>SFELC Subcommittee Chairs</b>		
Food Standards	Paul Bradley	Jane Couper
Feedingstuffs	Roisin Dillon	NO CHANGE
Food Safety	William Hamilton	Andrew Morrison
Food Crime Advisory Group	NEW POST	Derek Oliver
<b>Food Liaison Group representatives</b>		
North of Scotland	Andrea Carson	NO CHANGE
East of Scotland	Derek Oliver	Craig Easson
West of Scotland	Joe Harkin	NO CHANGE
Lothian and Borders	Craig Smith	NO CHANGE
<b>Attendees</b>		
Association of Public Analysts in Scotland	Robbie Beattie	Jane Couper
British Hospitality Association	John Dyson	NO CHANGE
Consultant in Public Health Medicine	Chris McGuigan	NO CHANGE
Consumer representative (Citizens Advice Scotland)	Keith Dryburgh	NO CHANGE
Convention of Scottish Local Authorities	Lindsay Matthew	NO CHANGE
Food Standards Scotland	Lorna Murray Ian McWatt	NO CHANGE
Health Protection Scotland	Lynda Browning	NO CHANGE
Institute of Food Science and Technology	Rachel Mirfattahi Ruth Birt Christine Fraser	NO CHANGE
National Farmers Union Scotland	John Armour	NO CHANGE
Retail representative (Scottish Retail Consortium)	Andrea Inchausti David Martin	NO CHANGE
Royal Environmental Health Institute Scotland	George Fairgrieve	John Sleith
Scottish Food and Drink Federation	Mary Lawton	Cat Hay
Scottish Food Industry (Scottish Bakers)	Joe O'Connor	NO CHANGE
Scottish Food Industry (Scottish Federation Meat Traders Association)	Douglas Scott	NO CHANGE

<b>Attendees</b>	<b>April 2015</b>	<b>February 2016</b>
Scottish Government (Food, Drink and Rural Communities Division)	David Laing	Kevin Matheson
Scottish Government (Rural Payment and Inspections Division)	John Maxwell Mike Parker	Brian Service
Society of Chief Officers of Environmental Health in Scotland	John Sleith	Derek Oliver
Society of Chief Officers of Trading Standards in Scotland	Roisin Dillon	NO CHANGE

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 FSS are invited to attend particular committee meetings.

## **Retrospective review for 2015-2016**

During 2015-20016, SFELC have considered the areas listed in the table below -

<b>SFELC Meeting</b>	<b>Agenda Items</b>
17 April 2015	<b>Nutrition theme</b> Healthy catering information sheets Beyond the school gate Making Safe Food Healthier Introduction to Food Law Code of Practice Annex 5
4 June 2015	FSS Operations Scottish Government Primary Authority consultation Integrate FSS healthy living initiatives with LA enforcement officers
8 October 2015	<b>Food Crime theme</b> Formation of the FSS Scottish Food Crime and Investigations Unit Information sharing between LA enforcement officers and; <ul style="list-style-type: none"><li>• Home Office</li><li>• Border Force</li><li>• Police Scotland</li></ul> Consultation on Street Traders
11 December 2015	<b>Nutrition theme</b> Presentation update on nutrition initiatives by; <ul style="list-style-type: none"><li>• Perth and Kinross council</li><li>• Glasgow City council</li></ul> Office bearer elections
12 February 2016	FSS Audit review Moving forward

## **Standing agenda items 2015-2016**

- Intelligence gathering - Safe spaces
- Resources Working Group updates
- SFELC workplan
- Food Standards Scotland Development of Regulatory Strategy update.
- Food Safety, Food Standards, Feedingstuffs Subcommittees updates.
- Food Liaison Groups (FLGs) updates.

## **Resources Working Group 2015-2016**

The Resources Working Group (RWG) met 5 times throughout 2015-2016. The meetings covered a broad range of overarching topics, including resources, approvals, working groups terms of reference, committee elections and the annual report.

The Resources Working Group agreed to pilot a scheme that calculates the available and required resources of participating Local Authorities food safety services. With the aim of rolling out to all LAs across Scotland in future. The outcome of which could in time result in an agreed format to determine resourcing requirements for the service.

Over a number of meetings throughout the year the RWG spent time discussing the protocols for approvals. It was agreed the Missions from other countries are expecting greater detail on this than is given at present. RWG noted it was recognised that officers will require further training in the approval process/premises inspection to bridge that gap. RWG will take this forward considering what training is required.

The 3 year cycle of SFELC office bearer elections occurred in December 2015. Both SFELC Chair and Vice Chair stood down with more than 60 days' notice, not putting themselves forward for re-election, instead making way for new candidates. This also prompted the review of the SFELC terms of reference document which is to be looked at every three years prior to the election of office bearers.

At the December 2015 meeting, there was a presentation by Ron McNaughton to discuss the setting up of the food crime advisory group. It was agreed that this group would report to the RWG and that it would be chaired by Derek Oliver, who would compose the terms of reference. In addition in the 2015-2016 year there were working groups initiated for, artisan cheese makers, diet nutrition & health and, the rare burgers / risky foods were set up and for each a terms of reference document was drafted.

In February 2016, it was noted that FSS would re-establish funding support for student EHO training. A tri-partite protocol would be developed between FSS, REHIS and the Society of Chief Officers of Environmental Health in Scotland.

## **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 will usually 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.

## **Sub / Ad hoc committees 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 2015-2016**

The Sub-committee met twice during 2015-2016. The majority of work however was delivered through the working groups.

### **Risky Foods Group**

The risky foods group met regularly during 2015-2016 to tackle the significant issue of less than thoroughly cooked burgers and, drafted an essential guidance document, to ensure a consistent and robust approach to this issue across Scotland. It is expected the final document will be published in May 2016.

### **Approved Establishments Working Group**

The Approved Establishments Working Group, continued to work on ensuring enhanced controls in relation to the approved sector in Scotland and to facilitate the proposed Joint Approval Process Model (LAs and FSS working in partnership to deliver approvals). Work focused on drafting [1] a guidance document '*Verification of Food Safety Management Systems: Principles for Official Controls in the Approved/Manufacturing Sector*' which provides for a HACCP focused approach to dealing with the approved sector and [2] an updated approval protocol to be applied by both FSS and LAs. In light of the assurance provided by the robust approach taken by the approved establishments working group, FSS reviewed the proposal and confirmed that approval responsibility would remain split between LAs and FSS, with an enhanced element of audit of the process.

## **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.

## **Annex 5 Review Working Group**

The short-life working group handed over responsibility for this project to the FSS led Development team in January 2016. The Chair of the Sub Committee along with the Chair of the Food Standards Sub Committee were represented on the development team.

## **Food Standards Subcommittee 2015-2016**

The subcommittee has continued to support SFELC in dealing with new and arising food standards, labelling and compositional issues relating to food enforcement.

Much of this work has involved The Food Information (Scotland) Regulations 2014 (FIR) which enable Regulation EU No.1169/2011 Food Information to Consumers. Due to the long lead in time for the implementation of these regulations and the significant impact they have on enforcing food standards work in Scotland it was essential that this was a focus of the group's ongoing work.

There are still some unresolved issues relating to the regulations which are of significance including:

- The mandatory nutrition labelling requirements will come into force in December 2016; however there is an exemption from nutritional labelling for food produced in small quantities and directly supplied to the final consumer or to local retail establishments. This exemption has been left to Member States to interpret and there is no definition of `local` or `small quantities`. Guidance has been sought on this interpretation and the views of the committee have been included in the FSS response to the Department of Health. Discussions are in progress.
- There is a lack of definition of prepacked for direct sale in the FIR and discussions have been ongoing with FSS about how best to resolve this so that a consistent enforcement approach is adopted across Scotland.

SFELC had previously produced guidance on the composition of steak mince and lean mince and therefore felt that in light of new legislative limits in FIR that the food standards subcommittee should review the guidance.

Following this review the committee made recommendations for compositional standards for steak mince which were approved by SFELC in February 2016.

The emphasis of the sub-committee has moved from coordination of sampling and surveys, which is now the work of the Sampling and Surveillance Working Group (SSWG). A report was produced by the group covering the 12 month period 1 July 2014 – 30 June 2015 and can be accessed here; <http://www.foodstandards.gov.scot/local-authority-food-sampling-scotland-report-1-july-2014-30-june-2015>.

The report identified trends from UKFSS (UK food surveillance system) data and made recommendations for LA sampling priorities for 2016/17. It was also noted that some of the issues identified were being addressed through the sampling grants programme funded by FSS. The approach to sampling will continue to be more risk-based as well as reacting to emerging issues where possible.

With the recognition that diet and nutrition are major factors in the Scottish food landscape and that this will undoubtedly impact on food enforcement the decision was made to set up a sub-group of food standards subcommittee. The Diet, Nutrition & Health Working Group was formed to support FSS and the Scottish Government in helping the population meet the Scottish dietary goals and achieve nutrition policies. It would also consider all aspects of LA involvement with food businesses to improve access to healthy food, the nutritional content of foods and the quality of nutritional information provided. This group is already making good progress and we will see plans for their work develop in the course of 2016/17.

Other tasks for food standards subcommittee in the pipeline include:

- A Review of the Sampling Toolkit which was produced in 2011.
- Investigate creating a central resource for food standards guidance for small businesses. This would aim to standardise guidance which was then available to all local authorities.

Of course the group will continue to react where possible to other relevant issues that come to light throughout the year.

## **Feedingstuffs Subcommittee 2015-2016**

The Feeding Stuffs subcommittee had one (1) meeting during the year 2015-16 which primarily focussed on the future delivery options for feed in Scotland.

The way forward has been under consideration by the FSS Board in liaison with SCOTTS, discussion paper can be found on [FSS website at this link](#).

In addition earned recognition, officer competency and imports were also discussed.

## **SFELC website**

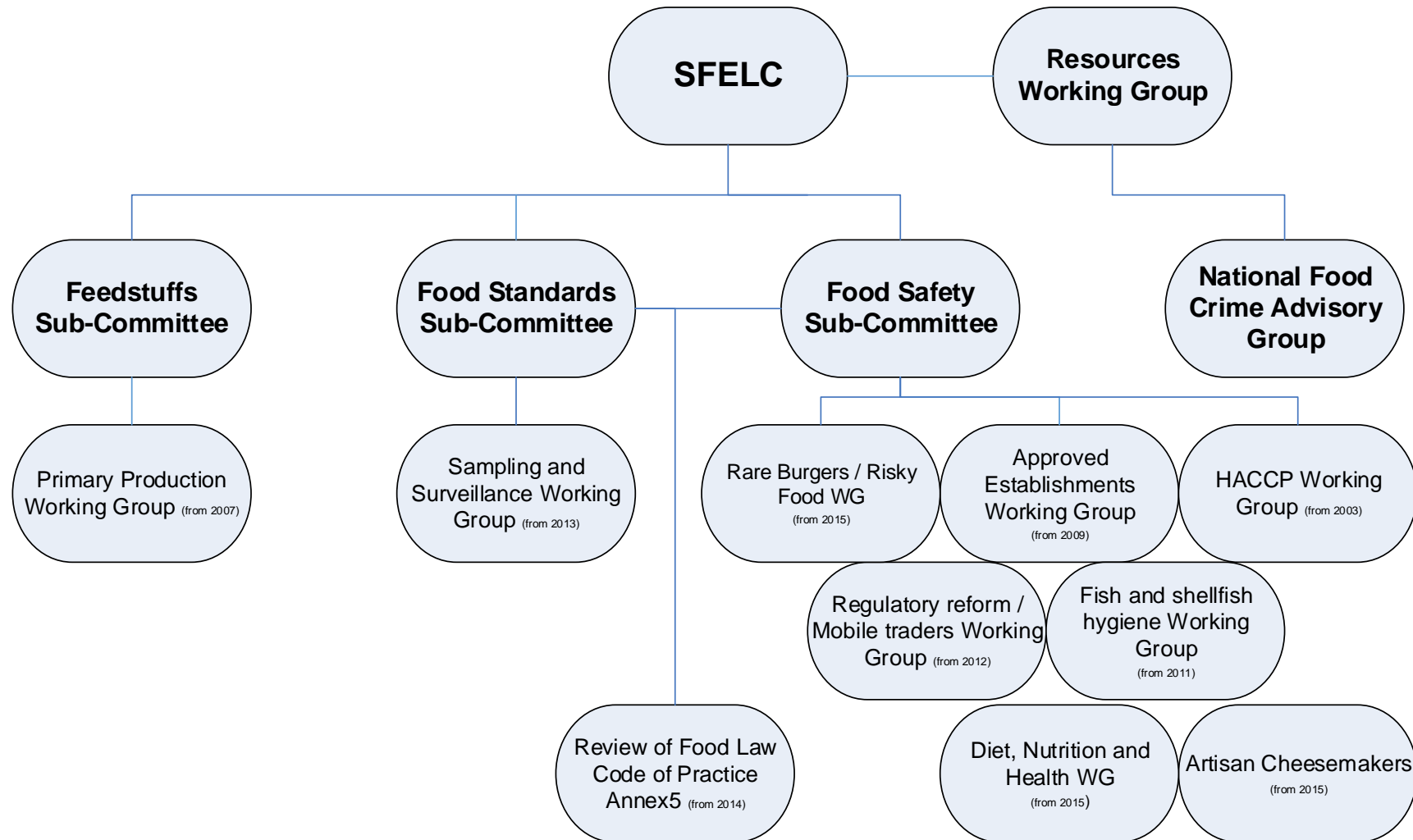
The SFELC website can be accessed via the following address:-

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

If you have any questions on the content of the website please Catherine Ferro (SFELC Secretariat) 01224 285 105 or email [SFELC@fss.scot](mailto:SFELC@fss.scot).

All minutes and reports that are on the website aim to meet the [accessibility guidance](#) recommended by Gov.UK.

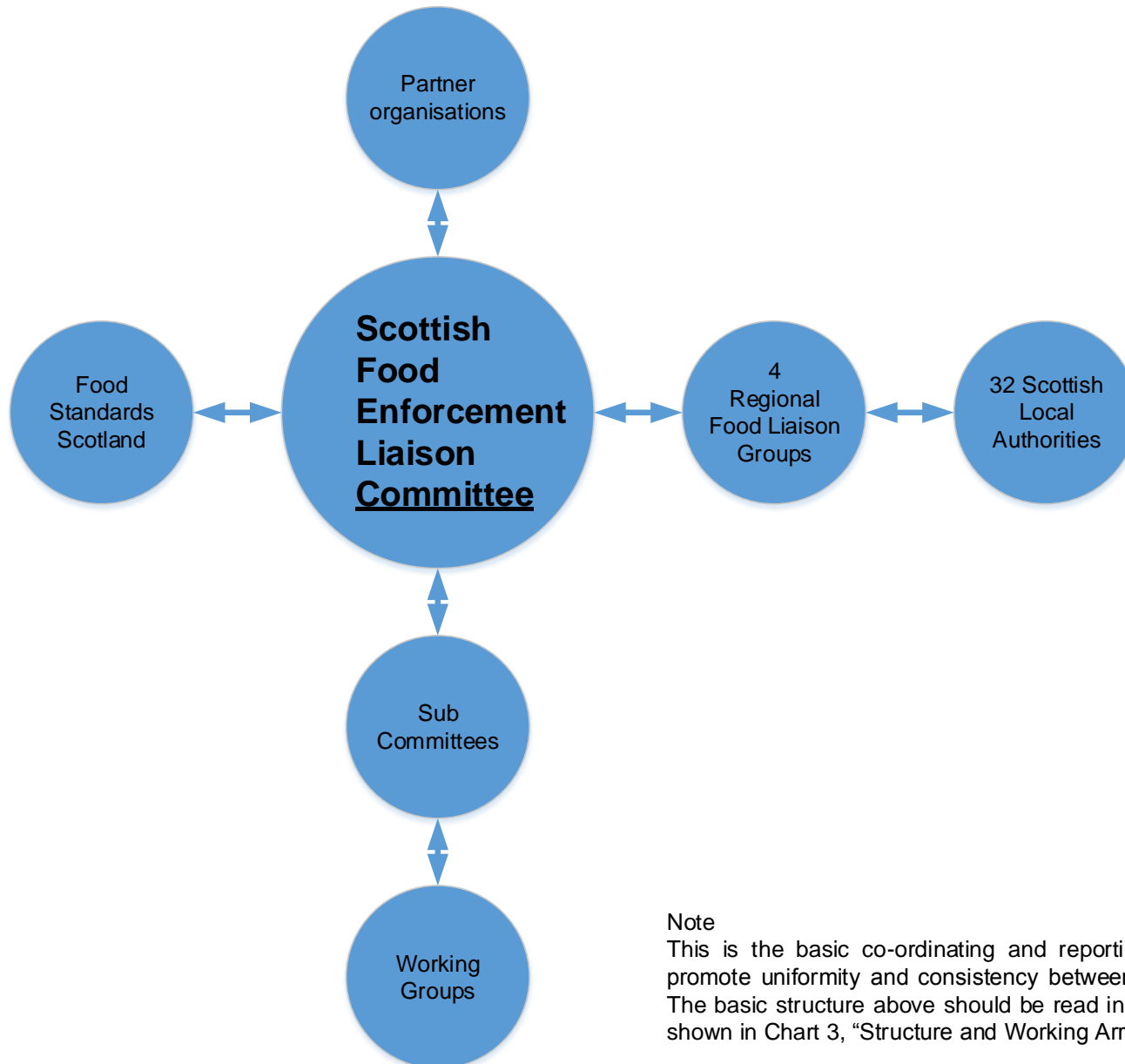
## SFELC group structure 2015-2016



### Note

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.

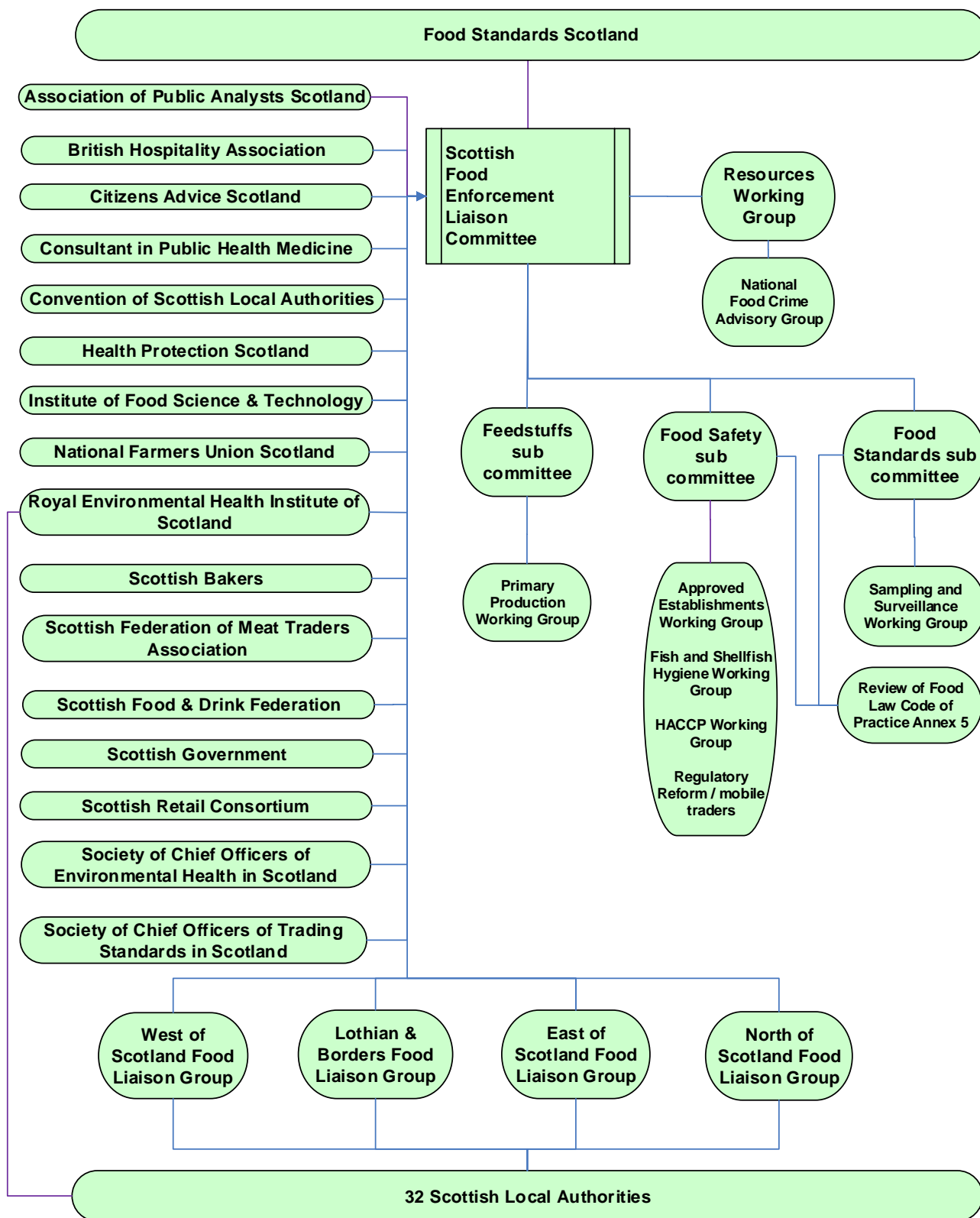
## SFELC co-ordinating and governance structure 2015-2016



### Note

This is the basic co-ordinating and reporting structure 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 Chart 3, "Structure and Working Arrangements 2015-2016".

# SFELC structure and working arrangements 2015-2016



## Glossary of Terms

<b>APAS</b>	Association of Public Analysts Scotland
<b>BHA</b>	British Hospitality Association
<b>CAS</b>	Citizen Advice Scotland
<b>COSLA</b>	Convention of Scottish Local Authorities
<b>CPHM</b>	Consultant in Public Health Medicine
<b>EHO</b>	Environmental Health Officer
<b>FIR</b>	The Food Information (Scotland) Regulations 2014
<b>FLG</b>	Food Liaison Group
<b>FSS</b>	Food Standards Scotland
<b>HPS</b>	Health Protection Scotland
<b>IFST</b>	Institute of Food Science and Technology
<b>LA</b>	Local Authority
<b>NFUS</b>	National Farmers Union Scotland
<b>REHIS</b>	Royal Environmental Health Institute of Scotland
<b>RWG</b>	Resources Working Group
<b>SCOTSS</b>	Society of Chief Officers of Trading Standards in Scotland
<b>SFDF</b>	Scottish Food and Drink Federation
<b>SFMTA</b>	Scottish Federation of Meat Traders Association
<b>SG</b>	Scottish Government
<b>SGRPID</b>	SG Rural Payments and Inspections Directorate
<b>SOCOEHs</b> (the “Society”)	Society of Chief Environmental Health Officers in Scotland
<b>SFELC</b> (the “Committee”)	Scottish Food Enforcement Liaison Group
<b>SRC</b>	Scottish Retail Consortium
<b>SFCIU</b>	Scottish Food Crime and Incident Unit
<b>SSWG</b>	Sampling and Surveillance Working Group
<b>UKFSS</b>	UK Food Surveillance System