



Scottish Food
Enforcement
Liaison Committee

Annual Report 2016/2017

Foreword

The past year has been a particularly challenging one for a number of Scottish Local Authorities as well as Food Standards Scotland and I am pleased to note that SFELC and, most crucially, its sub-committee and working group structure, has been able to contribute to the cause. The support provided has seen an impressive level of partnership working with a potent mix of resources and expertise provided by SFELC members.

The food enforcement landscape has already started to change and there are some very significant events on the horizon – not least the changes to the Food Law Code of Practice and the introduction of the Scottish National Database. Both will help to prepare all food enforcement agencies for the coming years as we continue to cope with the squeeze on public resources.

As ever, I am grateful to all members of SFELC and particularly those who carry out the valuable liaison and development work at sub-committees, liaison groups and working groups. I am confident that SFELC creates a strong bond between many relevant parties and will continue to influence the food agenda in Scotland in the coming years.



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

I am extremely pleased to see the publication of the 2016/2017 SFELC Annual Report. The Report continues to demonstrate the important role joint working between all of the partners who hold membership in the Committee in maintaining food and feed safety in Scotland.

I wish to take this opportunity to note my appreciation of the breadth of topics being discussed at SFELC, all of which are of National significance to the Scottish food landscape. In addition the Committee under its structure of Sub Committee's and associated working groups has shared its expertise across a number of high profile areas including a new National Protocol for Approved Establishments, and a new method for Verification of Food Safety Management Systems: Principles for Official Controls in the Approved/Manufacturing Sector. In addition I am appreciative of the support the Committee continues to provide to FSS in meeting our strategic priorities this includes support to the Food Law Code of Practice, Annex 5 Pilot and the Scottish National Database.

I fully expect the work of this committee to continue to have strategic importance to FSS and beyond and I look forward to continuing to support its work.

Once again I am pleased to share the publication of the 2016/2017 SFELC Annual Report. My sincere thanks to all involved and the hard work they have contributed to make this possible.



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

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SFELC Objectives

The Scottish Food Enforcement Liaison Committee will work to support and influence the policies of Food Standards 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 FSS 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

Membership of the Committee will reflect the key stakeholders in the promotion of Food Safety and Consumer Protection. The membership during 2016/2017 was as follows:

SFELC Office bearers & Secretariat

2016/2017

Chair	William Hamilton
Vice Chair	Lindsay Matthew
Honorary Secretary	Paul Bradley
Secretariat	Catherine Ferro

SFELC Subcommittee Chairs

Feedingstuffs	Roisin Dillon
Food Safety	Andrew Morrison
Food Standards	Jane Couper

Food Liaison Group representatives

East of Scotland	Helen Henderson
Lothian and Borders	Craig Smith
North of Scotland	Andrea Carson
West of Scotland	Joe Harkin

Attendees representing

Association of Public Analysts in Scotland	Jane White
British Hospitality Association	Lisa Ackerley or William MacLeod
Consultant in Public Health Medicine	Chris McGuigan
Consumer representative (Citizens Advice Scotland)	Keith Dryburgh
Convention of Scottish Local Authorities	Lindsay Matthew
Food and Drink Federation Scotland	Cat Hay
Food Standards Scotland	Lorna Murray Ian McWatt
Health Protection Scotland	Lynda Browning
Institute of Food Science and Technology	Rachel Mirfattahi or Ruth Birt, or Christine Fraser
National Farmers Union Scotland	John Armour
Retail representative (Scottish Retail Consortium)	Andrea Inchausti
Royal Environmental Health Institute of Scotland	Martin Keeley
Scottish Food Industry (Scottish Bakers)	Joe O'Connor
Scottish Food Industry (Scottish Meat Traders Federation)	Douglas Scott
Scottish Government (Food, Drink and Rural Communities Division)	Kevin Matheson

Attendees representing

Scottish Government (Rural Payments and Inspections Division) Andy Paterson

Society of Chief Officers of Environmental Health Scotland Derek Oliver

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 FSS are invited to attend particular committee meetings.

Retrospective review

During 2016/2017, SFELC have considered the areas listed in the table below -

SFELC Meeting	Agenda Items
15 April 2016	Discussion on 2015/2016 SFELC annual report Food Standards Scotland Regulatory Strategy MEMEX Intelligence: access for Local Authorities Environmental Health Staff
03 June 2016	Launch of SFELC approved establishments working group consultations including; Verification of Food Safety Management Systems: Principles for Official Controls in the Approved/Manufacturing Sector and Approved Establishments National Protocol for Scotland
07 October 2016	Resourcing theme APSE benchmarking SFELC Outcome of resource based questionnaire Update on the code of practice pilot Update on the approved establishments working group Update on SFELC webpages
09 December 2016	Nutrition theme Update on UK FSS report Update on Diet Nutrition and Health working group Including MenuCal and the Shettleston area update Outcome of SFELC approved establishments working group consultations.
10 February 2017	Update on Artisan Cheesemakers working group Update on FSS profile projects including Scottish National Database. Update on Brexit and its implications (postponed until April)

Standing items 2016/2017

- Intelligence gathering - Safe spaces
- Resources Working Group updates
- SFELC workplan
- Food Standards Scotland Development of Regulatory Strategy.
- Three (3) Subcommittees Food Safety, Food Standards, Feedingstuffs.
- Four (4) Food Liaison Groups (FLGs) Lothian and Borders, North of Scotland, East of Scotland, and West of Scotland.
- National Food Crime Advisory Unit.

Resources Working Group

The Resources Working Group (RWG) met 5 times in the 2016/2017 period, each time ahead of the SFELC Committee meeting and contributed to the significant body of work covered at each Committee.

Meaningful bodies of work are progressed between meetings as well as at the RWG meetings themselves and demand the attention and focus of all involved, often a significant addition to the 'day job' of the RWG members. Gaining input from Liaison Group representatives and creating higher transparency in RWG working was improved during the period by introducing a rotationally filled position for the liaison Group representatives on the RWG. Following this change, each meeting saw a different Liaison Group representative attend and contribute to its workplan development and discussion points.

The 2016/2017 period has seen keen focus on key delivery objectives for Environmental Health, Food Standards Scotland and partners and this is reflected in the body of work engaged in by the RWG. To ensure working groups / sub-groups were aligned and supported, the working group terms of reference were reviewed and agreed. The RWG committee work plan has been developed throughout the year to align with strategic priorities for Scotland. Partnership development was a key priority that saw the development and delivery of a successful partnership event delivered on 25 and 26 January 2017, bringing together resources ideas and plans for successful delivery in Scotland both for the near future and longer term. The partnership event saw the outputs of key concepts and projects discussed at the RWG including regulatory strategy, changes to approved establishments guidance, approach and delivery and the annex 5 review and pilot project to name but a few. Additionally, RWG input has also seen membership and contribution to the review of guidance dealing with management of foodborne disease incidents in Scotland. Contribution to the development of the guidance via the Scottish Health Protection Network is ongoing and will result in new updated guidance for those involved in incidents and outbreaks in Scotland. The RWG has also seen the evolution of guidance on food law issues related to unpasteurised cheese. This important piece of work has seen extensive development during the 2016/2017 period and whilst work is ongoing, a completed guidance version for use is anticipated in the 2017/2018 period.

The Resource Working Group workplan is an item that is updated and further developed at each meeting. Mainstreaming and normalising food fraud work has been a development strand of the workplan throughout the 2016/2017 period. The lead of the Scottish Food Crime Advisory Unit and some Unit members sit on the RWG and directly interact on key aspects of strategy and policy to protect Scottish consumers and the Scotland Plc brand from the harm caused by fraudulent activity in the food market. Environmental Health and Partner cooperation on Food Fraud issues has ramped up in the 2016/2017 period, supported by the RWG and SFELC. Cooperation and guidance development are work streams continuing in to the 2017/2018 period, building on the inception and strong foundation of the 2016/2017 portfolio of work.

Capturing the interwoven and effective network arrangements delivering Scotland's food law protective measures and partnerships was a key piece of work for the RWG. The workplan included a review of the Scottish arrangements and the development of a reference piece of work of food law enforcement arrangements in Scotland. A report on the administrative and enforcement arrangements for food law enforcement in Scotland

was developed through several drafts and, when published in the 2017/2018 period will be made available in e-publication format for information and dissemination.

Taking in the large body of work planned for and managed by the RWG included review of the way SFELC information is presented to partners and the wider Scottish community. Work progressed throughout the 2016/2017 year on structure, content and delivery of a revised SFELC website giving easy and ready access to key information, decisions, documents and organisational arrangements. A fully functional, redesigned and better website being delivered in the 2017/2018 period had its routes firmly in the development stages planned and worked on during the 2016/2017 period and formed part of the workplan of the RWG to provide better interaction between the Scottish Enforcement Community and its stakeholder groups.

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 (short-life) working groups established by SFELC or its subcommittees as and when required. These groups report back to SFELC or the Resources Working Group.

The Chairpersons 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 did not formally meet during 2016-2017. The focus of activity was through the working groups.

Risky Foods Group

The SFELC Guidance for Local Authority Enforcement Officers on the Safe Service of Less Than Thoroughly Cooked Beef Burgers was launched at a training event on 11th May 2016. The Risky Foods Group has been working with the Artisan Cheese Group to produce Guidance for Local Authority Enforcement Officers on the Production of Unpasteurised Cheese.

Approved Establishments Working Group

The Approved Establishments Working Group, continued to meet regularly to develop a model for ensuring enhanced controls in relation to the approved sector in Scotland. Work focused on:

- Producing a Scottish National Protocol for Approved Establishments. This document was implemented from February 2017 and replaced the two separate documents for LA and FSS approved establishments;
- Producing 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
- Identifying training needs and producing a specification for a bespoke training course in relation to applying 'Verification of Food Safety Management Systems: Principles for Official Controls in the Approved/Manufacturing Sector'. to Developing a bespoke light of the assurance provided by the robust approach taken by the approved establishments working group,

The Sub-committee continued working with the Scottish Government on the development of a National Standard for food hygiene in mobile food trading units which was implemented in February 2017. The standard was initially drafted by SFELC's Street Trader Working Group (a short-life working group) during 2013-14.

Food Standards Subcommittee

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

Food Information to Consumers Regulations

As reported last year the group were involved in trying to resolve some issues arising from the implementation of The Food Information (Scotland) Regulations 2014 (FIR) which enable Regulation EU No.1169/2011, Food Information to Consumers .

Mandatory nutrition labelling on most pre-packed foods came into force in December 2016. There is an exemption for some businesses for food produced in small quantities and directly supplied to the final consumer or to local retail establishments. Guidance was required on the definition of local and small quantities to ensure a consistent approach was taken across Scotland. This topic was referred to a workshop session at the Partnership event in January 2017.

Although there was a lot of interest in this, there were a range of views and no consensus could be reached. The outcome, therefore, was to revert to the initial guidance issued from FSS, (see https://www.food.gov.uk/sites/default/files/qa-nutrition-labelling_0.pdf).

It was noted, however, that as and when the opportunity arises the guidance should be amended to replace 30miles/50km with 30 miles as kms only seems to add confusion.

FSS also stated that some of the views generated from the workshop were worthy of further examination and they will re-visit this area of work again in 2018/19.

The lack of clear definition of pre-packed for direct sale and business to business sale has resulted in confusion and inconsistency being applied across Scotland. FSSC are in the process of preparing a discussion document to refer to FSS for further guidance on this issue.

FSSC have identified that there is a gap in food standards guidance available for smaller businesses and are in the process of setting up a short life group to develop a toolkit for officers enforcing food standards in small businesses.

Sampling & Surveillance Working Group

The Sampling & Surveillance Group is under review and SFELC RWG is looking at its remit to ensure the work of the group can help fulfil the sampling and surveillance requirements of the local authorities across Scotland, taking into account the impact of changes in enforcement practice e.g. Food Law Code of Practice Annex 5 , as well as making best use of all resources involved in sampling and analysis.

Diet, Nutrition & Health Working Group

The Diet, Nutrition & Health Working Group (DNHWG) has made good progress during the year. The group carried out a brief horizon scan exercise with the aim of gaining an insight into the nutrition/diet related work which Local Authorities (LA's) in Scotland are currently undertaking or have undertaken. The information gathered will help the group to identify areas of future work as well. The report of this work was presented to SFELC in December 2016.

Another major part of the work of the group in the last year has been developing a pilot for the use of MenuCal (MenuCal is a software tool which has been developed for food businesses that wish to calculate calories for their menu). Each of the local authorities in the pilot have engaged with businesses in their areas to encourage them to set up and use the tool. The aim of the pilot is to demonstrate how valuable it is for their business as well as assisting with the bigger issue of diet and health in Scotland. The pilot started in February and will run for 3-4 months.

Feedingstuffs Subcommittee

This year the SFELC Honorary Secretary wrote to Society of Chief Officers of Trading Standards in Scotland (SCOTTS) to invite an individual to represent Trading Standards on SFELC and the same or another individual to act as Chair for this Subcommittee.

This coincides with the Food Standards Scotland, Feed delivery project, to implement a centralised model of feed official controls which is progressing over the year 2016-2017. The FSS Board agreed the project on 14 December 2016.

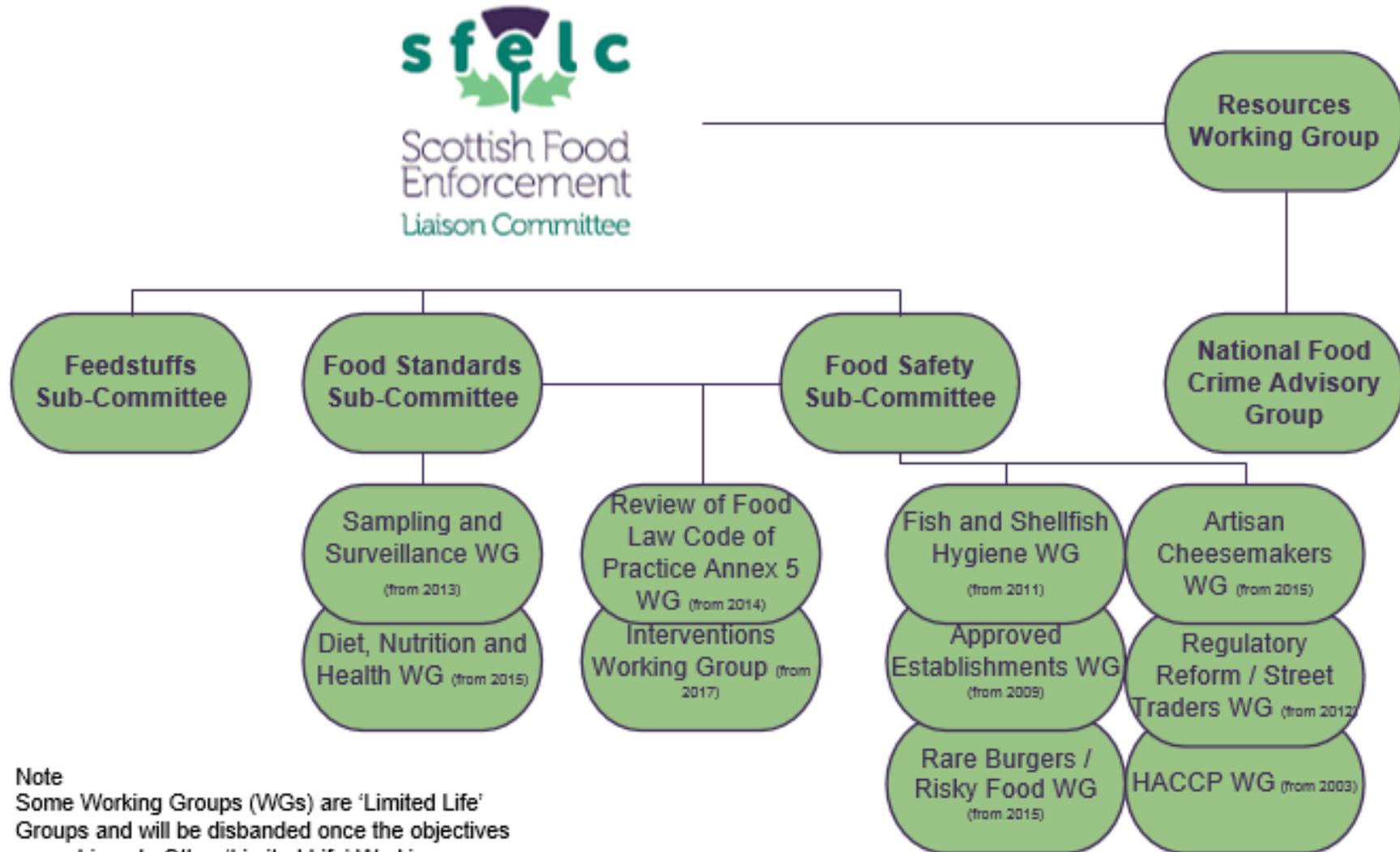
For the above reasons there have been no meetings of the Feedingstuffs Subcommittee over this last reporting year.

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>

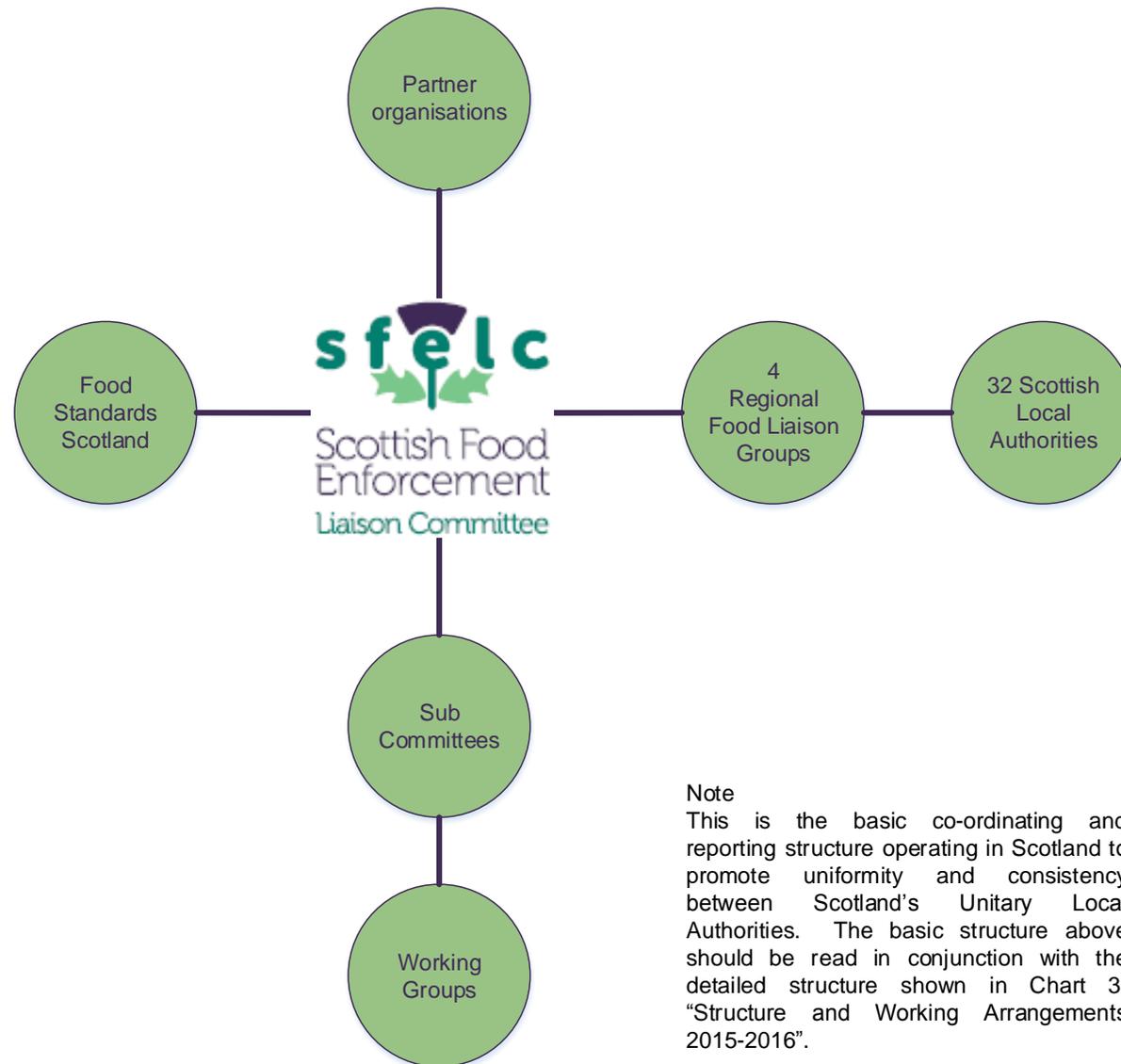
All minutes and reports that are on the website meet the accessibility guidance which is available from Catherine Ferro (SFELC Secretariat) 01224 285 105 or email SFELC@fss.scot.

SFELC group structure

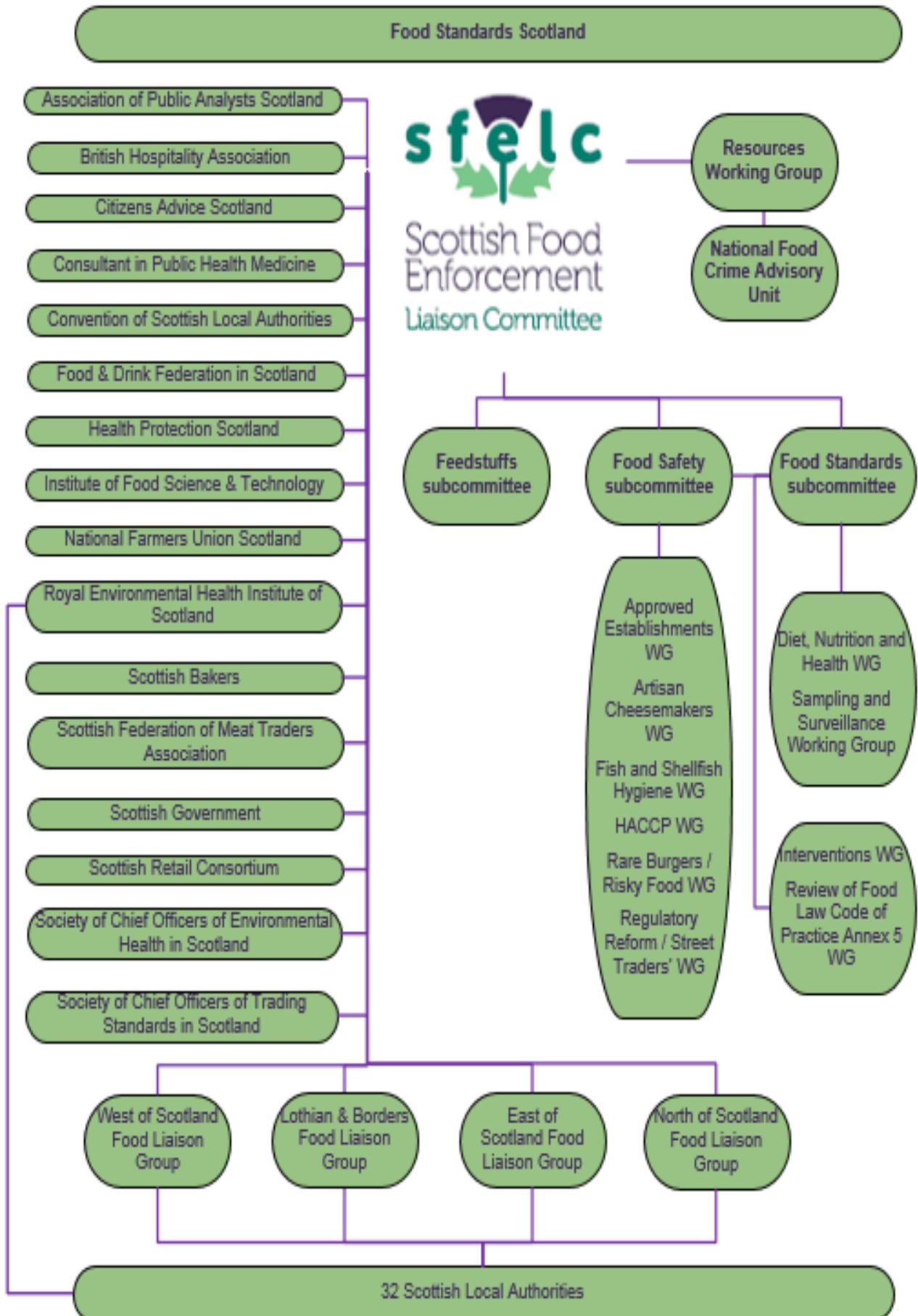


Note
Some Working Groups (WGs) are 'Limited Life' Groups and will be disbanded once the objectives are achieved. Other 'Limited Life' Working Groups may be added from time to time.

Co-ordinating and governance structure



SFELC structure and working arrangements



Glossary of Terms

APAS	Association of Public Analysts Scotland
APSE	Association for Public Service Excellence
BHA	British Hospitality Association
CAS	Citizen Advice Scotland
COP	Code of Practice
COSLA	Convention of Scottish Local Authorities
CPHM	Consultant in Public Health Medicine
DNHWG	Diet, Nutrition & Health Working Group
EHO	Environmental Health Officer
FDFS	Food and Drink Federation Scotland
FIR	The Food Information (Scotland) Regulations 2014
FLG	Food Liaison Group
FSMS	Food Safety Management Systems
FSS	Food Standards Scotland
HACCP	Hazard Analysis and Critical Control Point
HPS	Health Protection Scotland
IFST	Institute of Food Science and Technology
LA	Local Authority
NFUS	National Farmers Union Scotland
OC	Official Controls
REHIS	Royal Environmental Health Institute of Scotland

RWG	Resources Working Group
SCOTSS	Society of Chief Officers of Trading Standards in Scotland
SFMTA	Scottish Federation of Meat Traders Association
SG	Scottish Government
SGRPID	SG Rural Payments and Inspections Directorate
SRC	Scottish Retail Consortium
SND	Scottish National Database
SOCOEHS (the “Society”)	Society of Chief Environmental Health Officers in Scotland
SFELC (the “Committee”)	Scottish Food Enforcement Liaison Group
SRC	Scottish Retail Consortium
SFCIU	Scottish Food Crime and Incident Unit
SSWG	Sampling and Surveillance Working Group
UKFSS	UK Food Surveillance System