

## SCOTTISH FOOD ENFORCEMENT LIAISON COMMITTEE

Friday 5 December 2014

Crowne Plaza Edinburgh, 18 Royal Terrace, Edinburgh, EH7 5AQ.

### Members Present:

Craig Brown (Chair)	SFELC Chair
Catherine Ferro (Secretariat)	Food Standards Agency in Scotland (FSAS)
Craig Smith (CS)	Lothian and Borders Food Liaison Group (LBFLG)
Paul Bradley (PB)	Food Standards Subcommittee Chair
Lorna Murray (LMurray)	Food Standards Agency in Scotland (FSAS)
Mary Lawton (ML)	Scottish Food and Drink Federation (SFDF)
Robbie Beattie (RBe)	Association of Public Analysts of Scotland
Derek Oliver (DO)	East of Scotland Food Liaison Group (ESFLG)
William Hamilton (WH)	Food Safety Sub Committee Chair
Lindsay Matthew (LMatthew)	Convention of Scottish Local Authorities (COSLA)
Ian McWatt (IM)	Food Standards Agency in Scotland (FSAS)
Bernard Forteach (BF)	Scottish Food Advisory Committee (SFAC)
George Fairgrieve (GF)	Royal Environmental Health Institute of Scotland (REHIS)
Jim McCormack (JM)	Scottish Bakers
Douglas Scott)	Scottish Federation of Meat Traders Association (SFMTA) in place of Douglas Scott
Lynne Reid (LR)	Food Standards Agency in Scotland (FSAS)

### 1 Welcome

The Chair opened the meeting by welcoming the Committee to Edinburgh for this December 2014 SFELC meeting. He welcomed the Committee members and explained that Lynne Reid would be present to discuss the UK FSS draft report on sampling priorities (item 16) toward the end of the meeting.

### 2 Apologies

The Secretariat advised of the following apologies:

Geoff Ogle (GO)	Director, Food Standards Agency in Scotland (FSAS)
Kylie Barclay (KB)	National Farmers Union Scotland (NFUS)
Roisin Dillon (RD)	Feeding-stuffs Subcommittee Chair
John Sleith (JS)	Society of Chief Officers of Environmental Health in Scotland (SOCOEHS)
Joe Harkin (JH)	West of Scotland Food Liaison Group (WSFLG)
Chris McGuigan (CMcG)	Consultant in Public Health Medicine

### 3&4 Minutes of Previous Meeting (11 October 2014)

The Chair advised that the draft minutes of the last meeting, in this format, held in Aberdeen on 11 October 2014 had been circulated and proposed that the Committee go through the minutes page by page, first for accuracy (A) and then matters arising (MA). There were no notes of amendments of accuracy.

There were several matters arising from the October minute, including;

- Under item 8, “Scottish Government consultation – Becoming a Good Food Nation”. ML advised that Peter Fassen de Heer, Team Leader of Diet Policy in SG would be interested in attending the February 2015 SFELC meeting if Frances Birch of Food and Health Alliance also attends.
- Under item 10, “SFDF “Are you Label Ready?”. ML asked when the technical guidance document would be available to accompany the FIC Regulations. A discussion followed raising actions for FSAS. Discussions included what is the progress / status of the Guidance document? and for FSAS to be aware that other Guidance documents have been produced late approaching the coming into force date of the Regulations, “The Sampling Qualifications Regulations” and “The Minced Meat Regulations” guidance documents were two stated examples.
- Under item 11, “Feedback from the Global Microbial Identifier conference” RBe updated that a big piece of work is taking place on genome sequencing and that Jacqui McElhiney (FSAS) is writing a paper.
- Under item 15, “AOCB” ML advised that where a Minister had raised a concern as part of the Stage 1 debate at the Parliament on the Food (Scotland) Bill, this was because a constituent had raised the topic. As a result JS, in his role as Society representative, spoke to the MSP and was subsequently quoted in the Stage 3 debate in Parliament, *“Let me reassure Mr Sleith that I do not consider major retailers to be above environmental health inspectors, ...”*

**36. ACTION SECRETARIAT to invite Peter Fassen de Heer to attend the February 2015 SFELC meeting.**

**37. ACTION SECRETARIAT to circulate an update on progress with the Guidance document.**

**38. ACTION FSA to take back to FSS Programme Board that there is discontent about the belated publication of guidance documents.**

## **5 Action Points from previous meetings**

The Secretariat provided an update on outstanding action points from 2014, including;

- Action 13/ 2014, concerning work of the Approved Premises working group, is ONGOING but has taken a different direction following discussions at the previous days Resource Working Group meeting.
- Action 14/ 2014, concerning trading law managers offering shadowing experience to LA staff, is COMPLETE following an update from LMurray (FSAS).
- Action 21/ 2014, concerning the 2014 Stocktake report, is COMPLETE and under item 8 the December 2014 meeting was ratified and agreed as a formal report.
- Action 24/ 2014, concerning inviting Frances Birch to a future meeting, is COMPLETE as she has been invited, pending acceptance.
- Action 28/ 2014, concerning ratification of part of May 2014 Food Standards Subcommittee minute stating that in the interim where there is no guidance on the FIC Regulations, that LA officers should take a “pragmatic and reasonable” approach. Now COMPLETED.
- Action 29/ 2014, concerning FSAS making information available on FIC guidance in a visible place on the website, ONGOING.
- Actions 30 - 32/ 2014, concerning the LA officers now taking a “pragmatic and reasonable approach”, ONGOING. Now actionable as action 28/2014 has been completed.

- Action 33/ 2014, concerning circulating questionnaire on whether to reconvene the Child minders working group. COMPLETE.
- Action 34/ 2014, concerning Chair raising an issue raised at SFELC to the Audit Advisory Committee (AAC), ONGOING due to the postponement of the latest AAC meeting.

## **6 Resource Working Group (RWG) update**

GF updated the Committee on the six items discussed previous days RWG meeting, including;

- The Framework Agreement document. The process of strengthening this document is ongoing through the RWG.
- Code of Practice document. Scottifying this document will be a sizeable job and a draft must be ready for Food Standards Scotland (FSS) coming into being in April 2015. Then after that date a full consultation exercise must take place through FSS.
- Social media. It is possible that through a part of the Scottish Government (SG) website called “Yammer”, there could be made a Scottish equivalent of the current Knowledge Hub.
- UK Food Surveillance System (UK FSS). This will be discussed further in today’s meeting under item 16, “UK FSS draft report on sampling priorities”.
- Stocktake meeting June 2014. It was agreed that RWG would take forward a review of the current SFELC terms of reference and would report back to the February 2015 meeting.
- Annex 5 working group. This is ongoing. The group hope to have developed a concept to report back to the February 2015 meeting.

## **7 SFELC work plan**

Items proposed for the February 2015 meeting are NFB update, FSS and the new era, reviewed SFELC terms of reference document, Annex 5 working group update, invitations to FSS CEO Geoff Ogle, FSS Chair Ross Finnie and also to Frances Birch of the Food and Health Alliance, and Peter Fassen de Heer from SG

## **8 Stocktake action plan**

The Chair explained that since the first circulation of the draft report there had only been minor changes to the recommendations and some alterations for formatting. He then asked if the Committee to ratify this report for publication as a final document. Additionally noting the report would supersede the last years SFELC annual reports. The Committee agreed to the suggestions.

Furthermore as noted under the Resources Working Group under item 6, it was agreed that a review of the SFELC terms of reference would be reviewed and reported back to the Committee at the February 2015 meeting.

The Chair thanked all committee members and other participants who attended the Stocktake event itself, for all their hard work.

## **9 New Food Body update**

LMurray updated the Committee on the key points of progress for the NFB, including stages 2 and 3 of the Food Standards Scotland Bill, the website and branding.

It was announced that Civic will host the FSS website. The domain name and email suffix will be “@fss.gov.scot”. The Committee sent their thanks to Fiona Bruce who had spoken about the progress of the FSS website at the October 2014 SFELC meeting. As an informal consultation on branding, logos were shown to the Committee and discussed.

Furthermore IMcW updated the Committee with items from the latest Scottish Government programme board meeting, explaining that; the FSS Chair and CEO have been announced; the seven (7) Board member appointments are imminent; an MoU is currently being drawn up with the rest of the FSA offices; the internal future structure and functions of FSS are being considered; discussions are in progress to ensure a smooth legal transition; although unlikely and despite the current progress even at Stage 3 of the Bill the Ministers still have the right to change the name of the NFB.

## **10 Better Regulation update**

The Better Regulation was entirely on the Primary Authority scheme. FSAS are still assisting SG with the draft consultation however it is anticipated that the consultation may not go out until January 2015.

The update generated a good discussion. There were three (3) key points including; it is imperative that the name is changed from Primary Authority scheme as the name is associated too closely with the negative connotations of the same scheme running in the rest of the UK countries.

The second point was to determine which organisation (FSS or The Society) should hold a list of Home Authority agreements and whether it should be held on a publicly available website. During this conversation the Committee concluded that approved businesses and non-approved manufacturing should be treated the same.

**39. ACTION FSAS to determine whether FSS will hold the list of agreements of Home Authorities.**

The final question asked was whether the budget had been set for FSS, as until it is known that planning is very difficult. The response was that FSA do not know yet, that FSA have a keen interest in this, and would keep all parties up to date.

## **11 Private Water Supply Consultations**

The Chair updated on the progress of this consultation. A draft response had been circulated to members and to NFUS who do not currently have a member sitting in the Committee.

**40. ACTION ALL to send comments to the Chair on the SFELC draft consultation response before the end of January 2015.**

**41. ACTION CHAIR to submit final response before 18 February 2015 deadline.**

## **12 Intelligence gathering – Safe spaces**

As agreed at the April 2014 meeting, this item would now be a standing item on the agenda. The recording was stopped and the Chair asked the Committee if they had gathered any intelligence.

There were no pieces of intelligence discussed at this meeting.

## 13 Exception reporting

### Subcommittees

Food Safety and Feedingstuffs subcommittees had nothing to report.

PB gave three (3) updates for the Food Standards subcommittee. Firstly the discussion at the most recent meeting had centred on the Food Information Regulations. There had also been discussion on whether a postcode is a sufficient detail on packaging, conclusion was that there must be sufficient detail on the package to allow correspondence to get through to the company, whether this is a postcode or a more full postal address. Finally surveys SF33 and SF34 were tabled, discussed and approved by the Committee. These will be uploaded to the FSAS website.

**42. ACTION SECRETARIAT to upload the surveys SF 33 and SF34 to the FSAS website.**

### Food Liaison Groups

North of Scotland / West of Scotland / Lothian and Borders Food Liaison Groups had nothing to report.

DO representing East of Scotland Food Liaison Group asked what would be the next steps following on from the Stocktake report.

### FSAS

LMurray provided a number of updates;

Maureen Watt was announced as the new Minister following the latest Cabinet reshuffle.

There will be four 2-day Enforcement Sanctions courses run in March 2015 in Edinburgh, Aberdeen, Dundee and Glasgow, and that there are still several spaces at the course in Dundee.

There was a shellfish workshop recently, the majority consensus from delegates was that it was a successful meeting.

There was an FSA Campylobacter campaign run on a small budget, which won the Agency four (4) awards, and was considered successful in raising the Agency profile.

The Agency will consult with LAs on the format of the Monthly Enforcement Report and would appreciate all feedback.

## 14 AOCB

DS asked about information on allergens on behalf of members of the SFMTA. Since the introduction of the carrier bag charge SFMTA members would like guidance on whether shoppers own reusable carrier bags should be passed across the butchery counters. At the meeting a quick search of the FSA website revealed a

new page published that day; <http://www.food.gov.uk/scotland/news-updates/news/2014/13289/carrier-bags>.

**43. ACTION SECRETARIAT to invite David Barnes of Zero Waste Scotland to a future SFELC meeting.**

**15 Summary of Action Points**

The Secretariat ran through the many action points raised through this meeting.

**16 UK FSS draft report on sampling priorities**

Lynne Reid, FSAS, and PB representing the Sampling and Surveillance Working Group (SSWG) updated the Committee on the progress of this report. The Committee were also made aware that there had been issues interrogating the system since July 2014, although this is being discussed with the system developers with the aim of prompt resolution.

All queries raised were noted and would be taken back to the SSWG for consideration.

It was noted that the report was written with a target audience of SFELC and LAs only, however it was also stated that it would have consumer, media and Ministerial interest. The Committee agreed that SSWG would decide whether or not there should be a public facing version of the document, but that it would be likely that publication of a public facing document would be limited to the recommendations only.

**17 Date of next meeting and update on SFELC work plan: 20 February 2015 in Glasgow, in the Novotel Glasgow Centre hotel.**

The Chair advised the next meeting will be in Glasgow on 20 February 2015 and summed up several items to be added to the final SFELC February work plan. He then gave thanks to all involved and closing the meeting for lunch.