

## Scottish Food Enforcement Liaison Committee minute

Friday 07 April 2017: 10:00 for 10:30

Venue: [FSS Pilgrim House](#), Old Ford Road, Aberdeen, AB11 5RL. Tel: 01224 285 100.

### Members present

William Hamilton (Chair)	Scottish Food Enforcement Liaison Committee
Catherine Ferro (Secretariat)	Scottish Food Enforcement Liaison Committee
Paul Bradley (PBradley)	SFELC Honorary Secretary
Jane Couper (JCouper)	Food Standards Sub-Committee Chair
Helen Henderson (HHenderson)	East of Scotland Food Liaison Group
Lindsay Matthew (LMatthew)	SFELC Vice Chair & Convention of Scottish Local Authorities
Chris McGuigan (CMcGuigan)	Consultant Public Health Medicine
Douglas Scott (DScott)	Scottish Federation of Meat Traders Association
Cat Hay (CHay)	Food and Drink Federation Scotland
Derek Oliver (DOliver)	Society of Chief Officers of Environmental Health in Scotland
Jacqui Angus (JAngus)	Food Standards Scotland
Martin Keeley (MKeeley)	Royal Environment Health Institute of Scotland

### By teleconference

Jane White (JWhite)	Association of Public Analysts
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### 1. Chairman's welcome and apologies for absence

The Chair opened the meeting by welcoming the Committee, speakers and guests to the April 2017 Scottish Food Enforcement Liaison Committee (SFELC) meeting in Aberdeen.

Chair ran through the house keeping arrangements and advised the meeting would be recorded only to aid the writing of an accurate minute.

He welcomed Jacqui Angus standing in for Lorna Murray, and guests Elspeth MacDonald who would be giving an update on "Brexit" and Lynsey Gray updating on the SFELC parts within the FSS web.

Apologies were recorded for; Andrea Carson, North of Scotland Food Liaison Group; Andy Morrison, Food Safety Sub-Committee Chair; Andy Paterson, Scottish Government; Craig Smith, Lothian and Borders Food Liaison Group; Ian McWatt, Food Standards Scotland; Joe Harkin, West of Scotland Food Liaison Group; Lorna Murray, Food Standards Scotland & Rachel Mirfattahi, Institute of Food Science and Technology.

**MATTER OF RECORD – If representatives have reasons for not attending a SFELC meeting, for example school holidays, it is still incumbent on that individual to find a replacement.**

## **2. Minutes and matters arising**

The Chair advised that the draft minutes of the meeting held in Edinburgh on 10 February 2017 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 matters for accuracy. The Committee agreed these minutes would be accepted as an accurate record of the meeting held on 10 February 2017.

There was a single item raised under matters arising. –

- Page 6 – Under item 6, “Resources Working Group update” – at the February 2017 meeting there was discussion to determine whether some items should or should not be noted as matters of record (MOR). It was agreed (also reference action 04.2017) at present to err on the side of caution. If in doubt include item as MOR rather than not.

## **3. Actions outstanding**

- Action 22.2016 – October 2016 – Web update and branding. To be discussed at today’s meeting under agenda item 4.2. ONGOING.
- Action 23.2016 – October 2016 – Visual identity guidelines. To be discussed at today’s meeting under agenda item 4.2. ONGOING.
- Action 27.2016 – October 2016 – APSE reporting – To be discussed at today’s meeting under agenda item 6. ONGOING.
- Action 28.2016 – October 2016 – REHIS, “Administrative arrangements document” ([link](#)) – To be discussed at today’s meeting under agenda item 6. ONGOING.
- Action 03.2017 – February 2017 – Web pages user testing – To be discussed at today’s meeting under agenda item 4.2. ONGOING.
- Action 04.2017 – February 2017 – Matters of Record – Was discussed at today’s meeting under agenda item 2. COMPLETED.
- Action 06.2017 – February 2017 – Sampling and Surveillance – To take forward production of a framework to better coordinate sampling – ONGOING.
- Action 07.2017 – February 2017 – SFELC response to the FSS Regulatory Strategy consultation ([link](#)) – To be discussed at today’s meeting under agenda item 8 – COMPLETED.
- Action 08.2017 – February 2017 – SFELC industry member feedback on the strategic regulators code of practice – ONGOING.
- Action 09.2017 – February 2017 – Regarding sandwich manufacturers / extended shelf lives – ONGOING.

Full details of all actions completed prior to this meeting are available in the separate actions document, “SFELC - Papers – Action Points – date”.

#### **4. Presentations & Current Items**

##### **• 4.1 Brexit and its implications – Elspeth MacDonald**

Elspeth MacDonald began her presentation with a short summary of how we have come to this position and compared the UK and Scotland referendum results. Then moved on to, “Scotland’s place in Europe” ([link](#)) also touching on the, “Scotland Food and Drink strategy to 2030” ([link](#)) which emphasises the ambition of the Scottish Government to grow, even in the light of all this change, by meeting five (5) key interests.

She then moved onto discuss what work is currently underway for FSS and explained what this means for LAs, FBOs, consumers interests, the UK and the EU alike. Summarising, there will be an awful lot of listening and talking involved. She then asked if there were any questions, however not promising to have all the answers. Chair thanked Elspeth for her presentation.

*CMcGuigan* asked whether there are rules and regulations around trade deals and what is the scope for potentially getting something good from what is an unexpected situation. *Elspeth MacDonald* replied that we (the food industry as a whole) may feel constrained by EU laws that are in place but without providing any clear benefit to UK businesses, there may perhaps be opportunities when no longer regulated by EU framework. *CHay* added Food and Drink Federation Scotland have met with civil servants who have advised they are looking for any and all the anecdotal evidence available which corresponds with FSS’s requirement to need to meet with stakeholders.

*Chair* asked a question about UK becoming a 3<sup>rd</sup> country. Specifically, is it possible we could end up in a situation where there is a twin track approach to regulation. Where those exporting to EU have to achieve a different standards of legislation to others e.g. caterers and retailers within UK. *EMacDonald* noted early response to the discussion have shown a 2-tier system is not a favoured track/option, all should be regulated to the same level. In fact businesses appear to value an effective regulatory framework that means they know where they stand.

*PBradley* turned the discussion to the logistical difficulties that may arise which Elspeth MacDonald recognised the importance and the huge logistical operational challenges involved. *MKeeley* followed up asking whether there would be direct engagement with Scotland and EU on this matter, to which the response was this is an absolute matter of priority and the Scottish Government will be seeking this dialogue. Finally *DScott* commented the EU gets the blame for Regulatory burdens on industry sometimes caused by interpretation by UK authorities and asked whether this could change for the better or worse once out of Europe? Here the unknown response was the proof of the pudding will be in the eating.

*Chair* thanked *Elsbeth MacDonald* for her time and asked whether she would come back to SFELC in the future, once more is known.

**ACTION SECRETARIAT to circulate Elspeth MacDonald's (FSS) presentation.**

- **4.2 SFELC branding and web pages on FSS website – Lynsey Gray**

*Chair* welcomed *Lynsey Gray* back to SFELC to update on the latest SFELC section of the FSS webpages, she noted the, “Go live” date is approaching and added the deadlines for content for, “Day 1” of the web is Wednesday 10 May. Updates received before that date would be live on the web on, “Day 1”. Anything received after that date would go into a backlog and would be added to the new web site at a later date once it is up and running.

Finally she showed the Committee the direction of design of the new site specifying the main differences are the ability to select the “Business and Industry” button which will then ensure that visible content is specifically relevant to, and have a tone of voice suitable for, them as opposed to “Consumers”. *Chair* thanked *Lynsey Gray* and then reiterated it is vitally important all in the Committee do engage with the user testing process especially on the sign in areas, from and from all devices, desktop, laptop and mobile alike.

*LMatthew* asked if there are tips on the search functionality e.g. cross contamination guidance. It was noted this was a common issue with the current webpages and would be addressed.

**ACTION ALL SECRETARIAT to circulate mocked-up web pages..**

**ACTION ALL to send to Secretariat functionality ideas & documents you would like to see on the “go live” date of the new website before 10 May 2017.**

**ACTION ALL to take part in website user testing between 10-26 June 2017 from all types of device, desktop, laptop and mobile.**

## **5. Intelligence gathering – safe spaces**

*Chair* asked members of the committee if there were any items to be raised under agenda item 5. There was no items raised.

## **6. Resources Working Group Update**

*MKeeley* gave an update from the previous day's RWG meeting including;

- The Interventions Working Group will produce a briefing note on “Metrics and measurability vs value” and report back to June meetings. Which will feed into the response SFELC will provide to APSE.
- An FSS representative will pull together a table on the actions from the recent HPS report on the *E. coli* O157 outbreak associated with cheese ([link](#)) to

determine whether actions lie with FSS / SFELC / Subcommittee / Working groups.

- Paul Bradley will continue standardising the sub groups' terms of reference documents.
- Derek Oliver updated on the latest food crime information. The big push at present being to normalise the reporting of intelligence.
- The Sampling and Surveillance Working Group will produce a questionnaire and an action plan for going forward.
- SFELC will write to SCOTSS to seek a new Feedingstuffs Subcommittee Chair, and thus a member of SFELC.
- Discussion was held on key features that would be sought/expected in the Scottish National Database. Individuals to feed into the SND day on 4 May 2017 and / or [Robin.White@fss.scot](mailto:Robin.White@fss.scot).
- The, "Food Law Enforcement in Scotland: Administrative and Enforcement Arrangements" document ([link](#)) is at a near-complete stage and will be taken to the June meeting for agreement / ratification.
- It was noted the first Approved Establishments Pilot Working Group meeting would take place in May.

NB. Full details of all RWG actions are recorded in the RWG actions log which are available in the separate actions document, "SFELC - Resources Working Group - Papers - Action points – date".

## 7. Committee work plan

Chair quickly summarised the work plan document as it stands and asked if there were any new items any Committee members would like to see added to the October and December 2017 meetings.

*DScott* would like to draft a best practice paper on - presence of other species in meat products which could be discussed at a future meeting. It was noted the Food Standards Subcommittee would also be a good point of liaison on this topic.

**ACTION SFMTA to send paper on, "presence of other species in meat products" to Secretariat for discussion at future SFELC meeting.**

## 8. Food Standards Scotland update

*JAngus* updated the Committee on the following;

- An audit letter was issued on requirement for sampling data, there was an error which has since been corrected. The capacity and capability audits have been a useful exercise.
- Science evidence and information strategy was approved by FSS Board ([link](#)).
- The Nutrition team submitted a paper to FSS Board and is available on the web ([link](#)).

- Three (3) Scottish Food Crime and Incident Unit roadshows have taken place in Aberdeen, Highland and Renfrewshire councils areas. This is to raise awareness in the public about food crime.
- FSS Policy team will engage directly with the Fish Hygiene Working Group on information on the classification of shellfish guide.
- There will be a Novel Foods consultation issued around end May for all to feed into with their respective hats on.
- The next FSS Board dates are 17 May and 16 August 2017.
- There has been the initial HACCP in Specialist Cheesemakers training course, the next will be October 2017.
- Regards the Feed delivery model, there are now opportunities to look at how feed is developing under this new more centralised approach for feed delivery model and tie it in with SFELC. SFELC Chair is aware it is a problem that has not been addressed in a timely way and are now making moves to resolve the situation.
- *Chair* then expanded on the draft FSS Regulatory Strategy response that had been circulate prior to the meeting this, with a few reservations noted here as matters of record, was ratified as a SFELC response.

**MATTER OF RECORD – CHay (FDFScotland) noted reservations on the “3<sup>rd</sup> party accreditation / assurance schemes” section of the SFELC response to the FSS Regulatory Strategy consultation.**

**MATTER OF RECORD – DScott (SFMTA) noted reservation on the “use of social media / fake news” section of the SFELC response to the FSS Regulatory Strategy consultation.**

## **9. Sub- Committees**

### Food Safety Subcommittee

Subcommittee Chair sent apologies for the meeting however in his absence sent in a note that the first meeting of the Approved Establishments Pilot working group would take place on 15 April, and that the pilot of the Verification of FSMS document would begin in October 2017 for a year. This would be following those involved having first places on the Approved Establishments training course this summer.

The Artisan Cheesemakers working group is close to issuing guidance to enforcement officers.

### Food Standards Subcommittee

During the meeting last week, the key issue raised was the lack of clear definition for the term “prepacked for direct sale”. The subcommittee will put a paper together and submit to FSS to obtain clarity.

### Feedingstuffs Subcommittee

This topic was raised under the FSS update. Progress to obtain a new Feedingstuff representative on the SFELC committee is underway.

## 10. Food Liaison Groups

There were no issues to raise from any of the FLGs today.

### Exception reporting

## 11. Update by Food and Drink Federation Scotland

*Chair* introduced this topics noting there was had to date only been scope for non-enforcement members to update under AOCB.

This meeting begins the first update/presentation from a non-enforcement member of the Committee. *CHay* began her presentation detailing what is at the forefront of the FDF Scotland members' minds at present. One of which being, "Brexit" as referred to earlier by *Elsbeth MacDonald*. She continued by detailing who FDFS represent, what their members would like / require support on and, their current work areas. She also highlighted particular areas of work facing their business members on a daily basis in 2017, areas in which they would have to spend time, money and resource to implement this year. She concluded by noting the benefit of being in SFELC is the opportunity to work together to facilitate making life as smooth as possible for their businesses.

*Chair* reflected the importance of all parties within SFELC having a joined-up approach, specifically mentioning diet and health, to improve the health of the nation / solve obesity in Scotland. He then gave an open invitation to all non-enforcement Committee members to give an update particularly on the enforcement side of their work and to note whether there are any comments critical, positive or otherwise and asked if anyone had any questions.

*DOliver* asked whether their members welcome 3<sup>rd</sup> party assurance schemes? *CHay* responded their members are all accredited, yet aware not all businesses are, and it only takes one bad apple to spoil the reputation of a food industry so would favour a 3<sup>rd</sup> party assurance system rather than an FSS system over and above that.

**ACTION SECRETARIAT to circulate Cat Hay's (SFDF) presentation including additional web-links.**

The Chair then thanked *CHay* for a perfect example of what the organisation is doing and interacting with enforcement. Inviting *DScott (SFMTA)* to do the same for a future meeting.

### Information papers

## 12. Review of action points

Secretariat ran through the action points raised throughout this meeting. As noted in bold red throughout this document.

Actions for RWG are noted in the RWG actions log which are available in the separate actions document, "SFELC - Resources Working Group - Papers - Action points – date".



### 13.AOCB

- *CMcGuigan* raised the topic of interviewing patients with for example gastro intestinal (GI) illnesses and particularly to what extent personal identifiable information should or should not be shared. A discussion followed and it was agreed this topic is out of scope of SFELC and should be taken to a Society of Chief Officers of Environmental Health in Scotland meeting.

**ACTION DOliver to take to a SOCOEHS meeting.**

Chair then advised where and when the meeting would be held and closed the meeting.