

Scottish Food Enforcement Liaison Committee minute

Friday 10 February 2017: 10:00 for 10:30

Venue: Scottish Government: [Victoria Quay: Edinburgh: EH6 6QQ](#). Tel: 0131 244 7412.

Members present

William Hamilton (Chair)	Scottish Food Enforcement Liaison Committee
Catherine Ferro (Secretariat)	Scottish Food Enforcement Liaison Committee
Martin Keeley (MKeeley)	Royal Environment Health Institute of Scotland
Joe Harkin (JHarkin)	West of Scotland Food Liaison Group
Gerry Fallon (GFallon)	Chair, Artisan Cheese Makers Working Group
Bryan Campbell (BCampbell)	Food Standards Scotland
Andy Morrison (AMorrison)	Food Safety Sub-Committee Chair
Andrea Carson (ACarson)	North of Scotland Food Liaison Group
Craig Smith (CSmith)	Lothian and Borders Food Liaison Group
Paul Bradley (PBradley)	SFELC Honorary Secretary
Jane White (JWhite)	Association of Public Analysts
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
Douglas Scott (DScott)	Scottish Federation of Meat Traders Association
Chris McGuigan (CMcGuigan)	Consultant Public Health Medicine
Andy Paterson (APaterson)	Scottish Government
Derek Oliver (DOliver)	Society of Chief Officers of Environmental Health in Scotland

1. Chairman's welcome and apologies for absence

The Chair opened the meeting by welcoming the Committee, speakers and guests to the February 2017 Scottish Food Enforcement Liaison Committee ([SFELC](#)) meeting in Edinburgh.

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 guests Gerry Fallon who would be giving an update on the work of the [Artisan Cheesemakers](#) working group and Bryan Campbell, attending in place of other FSS representations due to a large ongoing incident.

Apologies were recorded for; Cat Hay of Food and Drink Federation of Scotland; Andrea Inchausti of Scottish Retail Consortium; Lisa Ackerley of British Hospitality Association, Institute of Food Science and Technology; and for Lorna Murray, Ian McWatt and Elspeth MacDonald all Food Standards Scotland.

2. Minutes and matters arising

The Chair advised that the draft minutes of the meeting held in Glasgow on 09 December 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 09 December 2016.

There were several items raised under matters arising. –

- Page 2 – Under item 2, “minutes and matters arising” – at the October 2016 meeting there was discussion about the Interventions Working Group. Chair added the first meeting of this working group would take place on 21 February 2017.
- Page 3 – under item 4.1, “presentations” – there was a comment that the SFDF representative would like to meet with the Diet Nutrition and Health Working Group Chair. This meeting will take place on 22 February 2017.
- Page 4 – under item 4.3, “presentations” – the UKFSS report was discussed. *JCouper* asked the Committee to approve the 2015-2016 UKFSS annual report. The Committee agreed this report approved.

MATTER OF RECORD – SFELC approve 2015-2016 UKFSS annual report.

3. Actions outstanding

- Action 22.2016 – October 2016 – Web update and branding. To be updated under agenda item 4.4. ONGOING.
- Action 23.2016 – October 2016 – Web update and branding. ONGOING.
- Action 27.2016 – October 2016 – APSE reporting – To be updated under agenda item 6. Agreed SFELC Chair, REHIS and SOCOEHS representatives will draft a discussion paper based on discussions held at RWG meeting. To be distributed to SFELC by email for comments. Then brought back to April 2017 for approval. ONGOING.
- Action 28.2016 – October 2016 – REHIS, “Administrative arrangements document” ([link](#)). To be updated under agenda item 6. Agreed will be brought to a future meeting for approval. ONGOING.
- Action 33.20016 – December 2016 – UKFSS – Was covered earlier under agenda item 2. COMPLETED.

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 Outputs from the Artisan Cheesemaker Working Group presentations – Gerry Fallon**

GFallon began his presentation by discussing the life cycle of the working group. He discussed a cheese making business that set up in his LA, and gave the background to various issues that occurred leading to a knowledge gap and resulting in the set up of the working group.

At the end of the presentation Chair thanked *GFallon* for his update stating it was a perfect model of how a SFELC working group should be set up and run. Adding the note of the Incident Management Team report from the ongoing cheese incident place emphasis on the work done by this working group. He then asked if there were any questions;

- *MKeeley* asked if there could there be an end to risk messaging at the point of sale or would it be possible for FBOs to produce safe food / particularly raw milk cheese? *GFallon* responded a raw milk cheese will always have a degree of risk, every cheese is unique there are too many variables, as such there can be no mathematical model as a certainty for making the product safe. Not all can be tested and so there cannot be a zero risk. So the risk must be communicated. *CSmith* added that in comparison the cooking of burgers will have a time and temperature model for safe cooking.
- *MKeeley* discussed putting process and control hurdles in place that FBOs would have to cross to move steps toward making a safer product. *GFallon* noted the working group did not want to begin this route as the cost implication could be harmful to small businesses and that there are papers detailing *E. colis* could survive in certain processes meaning the hurdle approach won't work. Thus only leaving reliance on testing as detailed above.
- Wider discussion followed around these scenarios potentially causing a complex political situation and also touched upon the different requirements across the UK countries, adding there must be a way to navigate through the complexity and therefore route to safety.
- *CMcGuigan* asked what would be the problem with risk messages at point of sale. An animated discussion followed around the differences in legal labelling requirements for pre packed, loose or used as a cooked item in restaurants and that awareness of the difference needs to be made clear to businesses and consumers.

Chair concluded this discussion by stating there would be more talking and thinking on the part of the Artisan Cheesemakers Working Group, and the "short life" working

group would likely still be continuing for a while yet. He then thanked *GFallon* for the presentation and introduced *BCampbell* to give an update on the review of the Annex 5 pilot.

- **4.2 Annex 5 review update – Bryan Campbell**

BCampbell began his presentation by noting the requirement for this review was raised out of the Scudamore recommendation ([link](#)) 57, the Annex 5 review is at the end of the first quarter and the 10 LAs involved have inspected over 1200 businesses to date. Feedback from the review so far has produced positive feedback and no major changes have been suggested, which can be attributed to the hard work of the original SFELC working group.

At the end of the piece, Chair asked if the Committee had any questions;

- *DOliver* asked whether the compliance matrix does away with a numerical score, or if there will be a total score for a business over all compliance categories, or if the weakest compliance category gives the resultant category. *BCampbell* responded the scoring system has not yet been fully defined but the system will work on officers assessing what they find, and possibly a total score will determine the banding. The challenge still to resolve will be how the score will translate to an outcome and the inspection intervention frequencies.

- **4.3 From LAEMS to SND. Bryan Campbell**

After discussion on the agenda item on Annex 5, *BCampbell* moved on to his second update on moving from the Local Authority enforcement monitoring system (LAEMS) to the Scottish National Database (SND) system. He noted this project also began as an output of the Scudamore recommendations 25 & 26 ([link](#)). He noted the data handling is currently clunky and believes the SND will be a much more efficient system. It is also anticipated the launch and full role out could be available by Summer 2017 at which time the LAs would only have to install the new version of their system (eg Uniform or APP). Chair noted the Committees' thanks for the huge amount of work carried out.

- *LMatthew* raised a concern on behalf of the Committee, would the SND system dovetail with APSE and HMRC systems? *BCampbell* answered this question by stating once the SND system is in place and up and running, it will be there to be used by and to assist everyone, and will also be able to run reports to provide real operational opportunities.

Chair thanked *BCampbell* for his two (2) updates and moved on to the next item on the agenda.

- **4.4 Update on the [SFELC website](#) and branding – Secretariat**

Secretariat began by updating the Committee on the latest stages of progressing SFELC website development since the October 2016, and advised the new SFELC webpages would be at a user testing stage in April 2017 at which time *Lynsey Gray* (FSS communications and marketing) will attend the April SFELC meeting to showcase the progress. Volunteers were sought to take part in user testing, adding if all goes well the go live date should be 15 May 2017. Then went on to detail the challenge of SFELC branding, and making SFELC distinct from FSS. Finally Secretariat asked the Committee for agreement on the strapline for potential SFELC banner stands. These lines will be circulated for improvement and or agreement by close of play Friday 17 February 2017.

ACTION SECRETARIAT to circulate Gerry Fallon and Bryan Campbell presentations for interest.

ACTION SECRETARIAT to circulate SFELC branding straplines for Committee agreement by Friday 17 February 2017.

ACTION SECRETARIAT to determine who would like to be involved in user testing for the future SFELC web pages. Advise Secretariat before 31 March 2017.

Standing items

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 days' RWG meeting including;

- Reviewing outstanding actions and documents.
- Discussion on recording significant outcomes / “matters of record” for SFELC, its Sub Committees and the National Food Crime Advisory Unit.

ACTION RWG to determine how to take this forward. Easy access to information / significant outcomes. For general approval. Agreed.

- A proposal for the FLG Chairs to be invited to the RWG meeting on a rotation basis to give them a better understanding of the workings of the RWG. Agreed.

MATTER OF RECORD – FLG Chairs will be invited on a rotational basis to attend RWG meeting.

- Discussion around the development of the new SFELC webpages to make them useable and searchable. As was already updated under agenda item 4.4.
- Brief discussion around the revised SFELC terms of reference, which will be review and agreed before the December 2018 Office Bearer elections.
- To create a slot on the SFELC agenda for Committee members, other than the enforcement sector, to share / present on their current work that is relevant.

ACTION Secretariat to amend agenda to allow slot for contributions from those other than in the enforcement sector.

- Also the LAEMS report was discussed. Which was already updated under agenda item 4.3 earlier in the meeting, specifically including; dashboards, display of information, accessibility, usability as we move to a new system.
- It was agreed that all aspects (format, content and outcomes) of the Partnership event held on 25&26 January 2017 was successful for all partners.

MATTER OF RECORD - the “Partnership event” held on 25&26 January 2017 was successful for all partners.

- It was agreed *AMorrison* would take the post of Chair of the Approved Premises pilot / Specialist Officer Network Working Group ([link](#)) to take these matters forward.
- There was also discussion around APSE performance measures. SFELC Chair, REHIS and SOCOEHS reps will draft a discussion paper which will be distributed to SFELC by email for comments and then brought to a meeting for approval.
- Regards sampling, it was discussed how to better coordinate and provide; framework, direction and support within which LAs could operate. Which would be comparable to the LAC 67/2 ([link](#)).

ACTION Sampling and Surveillance working group to take forward production of a framework to better coordinate sampling.

- Updating the REHIS Food Law Enforcement: Report On The Administrative and Enforcement Arrangements document ([link](#)) is an ongoing action for RWG to draw that together. Before final presentation and approval by the committee.
- And the final item on the RWG agenda was the understanding that SFELC needs to provide a response to the FSS Regulatory Strategy consultation ([link](#)). Chair will develop that before the next meeting for approval.

ACTION Chair will develop a starter for SFELC to submit to the FSS Regulatory Strategy consultation.

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.

8. Food Standards Scotland update

Following on from his update on Enforcement Delivery profile projects under agenda items 4.2 and 4.3, *BCampbell* updated on work other teams in FSS are carrying out;

- Policy teams have issued the consultation on Regulatory Strategy ([link](#)) which all are invited to participate in, the deadline being 18 April 2017.
- The Society, SFELC, FSS partnership event on 25 & 26 January took place and it was noted a participant survey would be issued to obtain feedback.
- Audit team will attend SFELC in June to update on the capability and capacity audit programme.
- The Food crime and incidents team are looking to invest in a new software system called “[Clio](#)”.
- To note the February Board meeting ([link](#)) has been cancelled, due to an ongoing incident, the next meeting therefore will be on 08 March 2017.
- The nutrition team have put forward papers for the FSS Board in March 2017 updating the direction for the Scottish diet ([link](#)).
- The FHIS stakeholder engagement had taken place and four (4) items were agreed should be included in a revised scheme; mandatory participation & display, food standards, increased number of tiers, business to business trade.

- The national standard for mobile street traders has now been developed recently endorsed by MSP *Paul Wheelhouse*.
- Finally *BCampbell* mentioned *Peter Midgley* known to many on the Committee will be retiring at the end of March 2017, and added that he would like to note on record best wishes, from FSS, for a long and happy retirement.
 - *Chair* reiterated this sentiment on a personal and professional level, adding Peter could possibly have been one of the most influential and important people in food safety in Scotland for many years. *AMorrison* also added Peter Midgley has been influential on this Committee and could also have been the biggest influence in his career. *Chair* asked *BCampbell* to take the Committees thanks and best wishes back to Peter.

MATTER OF RECORD – to note Peter Midgley could possibly have been one of the most influential and important people in food safety in Scotland for many years and to record best wishes from the Committee on his retirement.

- *DOliver* followed up on the discussion on the Strategic Regulators Code of Practice. His working group is looking for feedback on how the regulators feel this is working and also want to look at feedback from industry. As such *DOliver* will create a form of words for circulation, via Secretariat, around members.

ACTION DOliver to send a paragraph, via Secretariat, to SFELC specifically industry members for feedback on how they feel the strategic regulators code of practice is working.

9. Sub- Committees

There were no representatives from Feedingstuffs Subcommittee available to give an update.

Food Safety Subcommittee

Chair apologised for there having been no meetings since the last SFELC meeting, however have continued to concentrate their progress on the Working Groups.

The new Approved Establishments Protocol, “Verification FSMS” document, is to come into force on Monday 13 February 2017 and is ready to be piloted.

There is a group looking at efficacy of recalls to see if improvement can be made by viewing models from other countries. It is thought there will need to be more guidance needed for both the enforcement community and food businesses.

Food Standards Subcommittee

Chair also noted there had been no meeting since the last SFELC, however their members have facilitated workshops on food standards update training courses, and have progressed the diet and nutrition working group through piloting MenuCal ([link](#)).

10. Food Liaison Groups

There was update only from one group;

East of Scotland

HHenderson (Chair) noted two (2) items; firstly issues with sandwich manufacturers and extended shelf lives. Authorities are being challenged by manufacturers despite using the British Sandwich Association Guidance ([link](#)) as reference. It was agreed that as this issue relates to validating controls the Food Safety subcommittee could liaise to progress this issue. Further comments from *JHarkin* and *AMorrison* revealed the extent of shelf life testing issues.

ACTION ESFLG & Food Safety Sub would discuss issue relating to sandwich manufacturers and extended shelf lives.

Secondly she noted the ESFLG had agreed at a recent meeting to reduce the number of meetings from six (6) down to five (5) per year and would trial this for a one year period. Chair noted this was understandable as many LA staff are already involved in SFELC working group.

Information papers

11. 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".

12. **AOCB**

- *APaterson* explained his remit within SG is livestock cross compliance, food & feed, and dairy hygiene inspections and asked if any other inspections take place outside of his teams remit. *BCampbell* explained dairy farms are also inspected by local authorities under Annex 5.

Chair then closed the meeting and wished everybody a safe journey home.