

Scottish Food Enforcement Liaison Committee minute

Friday 11 June 2021: 10:30 – 13:30

Venue: Virtual (Microsoft Teams)

Tel: 07881 281 206

Attendees

Andrew Morrison (Chair)	Scottish Food Enforcement Liaison Committee (SFELC) and Food Safety Subcommittee Chair
Lindsay Matthew (L. Matthew)	SFELC Vice Chair & Convention of Scottish Local Authorities and substitute for East of Scotland Food Liaison Group
Paul Bradley (P. Bradley)	Honorary Secretary
Tanja Low (T. Low)	SFELC Secretariat
Abbie Purkis (A. Purkis)	Food Standards Scotland
Andrea Carson (A. Carson)	North of Scotland Food Liaison Group
Andrew MacLeod (A. MacLeod)	Seafood Official Control WG
Bruce McCall (B. McCall)	Scottish Craft Butchers
Cat Hay (C. Hay)	Food and Drink Federation Scotland (FDFS)
Chris Seyfried (C. Seyfried)	Food Standards Scotland
Helen Henderson (H. Henderson)	East of Scotland Food Liaison Group
Izzy Childs (I. Childs)	Risky Foods (Charcuterie) WG Chair
Jane Couper (J. Couper)	Food Standards Subcommittee Chair
Jane While (J. White)	Association of Public Analysts in Scotland
Julie Hesketh-Laird (J. Hesketh-Laird)	Food Standards Scotland
Karen Wardrope (K. Wardrope)	West of Scotland Food Liaison Group
Lorna Murray (L. Murray)	Food Standards Scotland
Martin Keeley (M. Keeley)	Royal Environment Health Institute of Scotland (REHIS)
Mark Eccles (M. Eccles)	Lothian and Borders Food Liaison Group
Rachel Mirfattahi (R. Mirfattahi)	Institute of Food Science and Technology (IFST)
William Hamilton (W. Hamilton)	Food Standards Scotland

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1. Chairman's welcome and apologies for absence

The *Chair* opened the meeting by welcoming the Committee, guests and speakers to the June 2021 Scottish Food Enforcement Liaison Committee (SFELC) meeting. He then ran through the virtual house keeping arrangements.

The *Chair* welcomed guest speakers *W.Hamilton* (section 4.1), *C. Seyfried* (section 4.2), and *J. Hesketh-Laird* (section 4.3).

Apologies were recorded by the *Secretariat* for Andy Paterson (Scottish Government), Chris McGuigan (NHS Fife), David McGhie (SCOTTS Lead Feed Officer and Feedstuffs Sub-Committee Chair), Ian McWatt (Food Standards Scotland), Kevin Matheson (Scottish Government), Lisa Ackerley (British Hospitality Association) and Penny Middleton (National Farmers Union)

The *Chair* advised that the meeting would be audio-recorded only to aid the writing of an accurate minute.

2. Minutes and matters arising

The *Chair* advised that the approved minutes for the SFELC meeting on 16 April 2021 are available on the SFELC website. The Committee went through the minutes page by page, for corrections (C) and accuracy (A) and then matters arising (MA).

3. Actions outstanding

Action 05.2021 – The Chair & C. Cooper

The *Chair* and *C. Cooper* to discuss the need for a food safety sub-committee member to attend the Allergen WG meetings and how to progress this. No member is required for the Allergen working group. **COMPLETE**

Action 04.2021 – Secretariat

Secretariat to set-up a SFELC meeting for 06 August to discuss distance-selling, home production of foods and novel foods including CBD. **COMPLETE**

Action 15.2019 – The Chair, L. Murray, J. Scott & D. McGhee

The *Chair, L. Murray, J. Scott and D. McGhee* to discuss the Feed Sub-Committee role. **ONGOING**

Action 07.2019 – The Chair

The *Chair* to meet with Uber Eats to discuss LA engagement. **ONGOING**

Action 14.2019 – Secretariat and Honorary Secretary

Secretariat to send out election forms for the SFELC Food Safety Sub-Committee Chair and *Honorary Secretary* to present at the February SFELC meeting.

Action is on hold until the Committee has had change to discuss and consider item 12 SFELC Structure. **ON HOLD**

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4. Presentations and Current Items

4.1 LA Covid-19 Recovery Plan Project by William Hamilton

W. Hamilton began his presentation by apologising to the committee that this presentation was an adaptation to a presentation he gave at the REHIS food update meeting on 01 June 2021. *W. Hamilton* recapped on how the Recovery Process was initiated. Primarily due to the impact on food law enforcement by Local Authorities in that (almost) all interventions stopped on 23 March 2020, creating to-date, a 14 month's backlog. In order to address the backlog, SFELC produced a work plan and asked LA's to:

1. **Transfer** all businesses risk-rated under the 'old' system to FLRS; then
2. **Build** a 'synthetic' Intervention Programme – placing all establishments at dates in the future – after the 'restart' date; then
3. **Calculate** the resources required to undertake all food law enforcement work – using the same methodology; then
4. **Produce** a revised Service Plan based on the above

To date, the majority of LAs are currently progressing Steps 1 and 2 manually and several have completed this task. A small number of LAs are keen to exploit offers of 'scripts' (an automated system) from software companies, however, software companies are not able to deliver the systems within the necessary timescale. There is a general sense that Steps 1 to 3 are achievable by July/August deadlines. However, there remains to be some anxiety about the capacity for 'the crunch' on 1 September which is the current date Ministers have suspended Intervention Programmes at Local Authorities.

W. Hamilton urged Local Authorities to be very clear and truthful on their resource calculations as well as on their service planning to ensure a true and accurate account of the situation.

W. Hamilton concluded his presentation by listing the upcoming challenges from 1st of September and beyond including: Export Health Certificates; EU Exit and imported food; The chronic deterioration in compliance; Home production and online sales; Pre-packed food for direct sale and the associated labelling and enforcement notices; All the ongoing Covid demands on Local Authority environmental health officers; Brexit demands on approvals/exports and OCV; Primary production and dairy holdings; Nutrition restrictions and promotions.

Q&A

The *Chair* thanked *W. Hamilton* for his presentation, acknowledging the need for truth and transparency for resource calculation and service planning. The *Chair* stated that there would be a questionnaire on Export Health Certificates coming out in the near future, results of which will help give an indication of service demands.

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A. *MacLeod* stated the importance of food safety and food standards and that these should not be overlooked and gave his acknowledgement on the importance of using true and accurate information. *P. Bradley* gave praise to the work colleagues have done to ensure food safety and food standard remain exemplary.

B. *McCall* stated that his organisation has been encouraging butchers to ensure their paperwork is up-to-date. He asked that if there was any information that could be cascaded, to contact him so that it can be included into their newsletter. *L. Murray* agreed that the newsletter has been an invaluable tool to keep communication links open throughout the pandemic.

4.2 CookSafe Suite Update by Chris Seyfried

C. *Seyfried* began his presentation by stating that the CookSafe Suite incorporates all CookSafe manuals including RetailSafe & ButcherSafe. CookSafe began with a template food safety management system which was created in 2002 which with the addition of items such as high risk methods of processing (e.g. vacuum pack) and outdated elements / statements, the current CookSafe Suite is out of date. The proposal of a revamp of the CookSafe Suite included the creation of a Food Law Business Portal where there will be a centralised Food Business Registration System where data will be input to Scottish National Database (SND) and then a new look food business registration form would be sent onto Local Authorities. In addition an online portal which will include intuitive question sets and related guidance documents would be created. To begin with the portal will only cover premises currently covered within CookSafe Suite (no approved premises).

There are two possible portal options (hosted by Food Standards Scotland):

- Option 1 – ideal option – cloud based system with sign up option for FBO
- 'myworkspace' – area assigned to individual business where guidance docs can be worked on, saved, downloaded, stored
- Potential to have LA specific login to allow Authorised Officers' to review docs before inspection

- Option 2 - webpage with question set – guidance then sent to FBO

A new Food Business Registration form (FBR) will be created and stored on SND allowing more consistency e.g. information such as addresses will match those held by Local Authorities.

C. *Seyfried* then went into detail about how a new food business would get set up onto the Food Law Business Portal and what information will be included within the portal and what further elements could be considered e.g. the potential to have different languages and the need of data protection.

C. *Seyfried* outlined each phase of the portal release which he estimated will be completed within 5 years.

Phase 1

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- Update of the current Cooksafe suite focusing mainly around allergens
- Creation of the FBR form
- Set up of a SFELC Working Group
- Increasing awareness of the legal requirement to register
- Research the use of proportionate sanctions that could be used to encourage and ensure compliance with registration

Phase 2

- Creation and agreement of definitions e.g. type of business which will form part of the FBR
- Third party evaluation of LA's and businesses

Phase 3

- Gap analysis and guidance creation

Phase 4

- Creation of the online system
- Question set creation to determine what guidance is given at the end

Phase 5

- Trial stages

Once online, the system will require maintenance such as updates of guidance with changes in legislation. There will be reviews after 6 months, 1 year and 2 years then periodic reviews. SND can be used to identify trends in order to find gaps in guidance.

There are several advantages of the portal for Local Authorities, industry and the Scottish Government but the main advantage is an increase in consistency across Scotland regarding enforcement, gathering of data and the use of standardised guidance documents.

Q&A

The *Chair* thanked *C. Seyfried* for his presentation and confirmed that invites have gone out for a CookSafe working group to help facilitate this project.

B. McCall said that not all butchers use ButchersSafe guidance and asked if there are plans for it to become mandatory in the future. *C. Seyfried* clarified that there are no such plans and business are welcome to use their own systems as long as they are appropriate and effective. He stressed that the businesses could use the portal to ensure all areas of consideration are covered. No businesses can be made to follow guidance documents, they can only be recommended to do so.

A. MacLeod asked if this new system will be validated and queried who would be writing the guidance documents. *C. Seyfried* clarified that to start with, pre-existing guidance documents will be updated with the assistance from FSS's science team and any other expertise. He also clarified that all guidance documents will be validated by all interested parties.

4.3 Food Standard Scotland Strategy by Julie Hesketh-Laird

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J. Hesketh-Laird began her presentation by introducing herself to the committee by providing a background on herself and a breakdown of her duties at FSS. She then went into detail about FSS and its role in fulfilling the 3 objectives under the Food (Scotland Act) in protecting the public in relation to food and improving diets.

The FSS Strategy ([link](#)) was launched on 19th of May 2021 to allow delivery of 3 key FSS priorities:

1. Strengthen our influence over policy aimed at improving **Scotland's diet**
As FSS is evidence based, it ensures that FSS is the number one trusted, authoritative source of advice on diet and nutrition to support the development and implementation of policies aimed at achieving the Scottish dietary goals.

2. Build capacity & capability in Scotland to maintain high standards of **regulatory assurance** as we adapt to the dynamic political landscape post EU Exit
The FSS Strategy aims to promote awareness throughout the export market to promote Scottish food and drink as being of exceptional high quality

3. Strengthen the impact of the **information and advice** we provide to ministers and consumers through effective use of **science and risk communication**
There are 20 multi-disciplinary scientists in FSS who provide scientific advice and authenticity, research risks as well as develop guidance documents. The FSS Strategy will allow FSS to become more data driven.

J. Hesketh-Laird then listed several achievements including FLRS, SND, OCV and MenuCal that FSS has accomplished thanks to working together with external bodies such as Local Authorities, Scottish Government and food businesses. These achievements have allowed a mutual understanding and sharing of information as well as a development of standard enforcement practices via guidance and methodologies to help further shift Scotland's diet. The Diet and Nutrition SFELC working group has been reactivated with Sarah Groom as the new chair.

The Regulatory Strategy was developed with collaboration from LAs in order to provide recommendations made in the Scottish Government expert advisory group after the Horse Meat incident. It has now developed to help with enabling business compliance by embedding the compliance spectrum to encourage improvement and promote best practice.

J. Hesketh-Laird stated that although a lot of exceptional work has already been completed, there is still a lot needing to be done including the LA Covid-19 Recovery Plan, Brexit, allergens, Food Law Business Portal and further development of OCV. Several new healthy catering guides can be found on FSS's website ([link](#)) and *J. Hesketh-Laird* urges these to be signposted to businesses.

Action 6.2021

Secretariat to distribute the FSS catering guidance link to FLG chairs

J. Hesketh-Laird ended her presentation by giving her thanks to everyone involved with developing the FSS Strategy and acknowledged all of the hard work it takes to overcome the numerous challenges everyone is facing.

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Q&A

The *Chair* thanked *J. Hesketh-Laird* for her presentation and agreed that continued collaboration is indeed key.

A. MacLeod warned that strategy needs to coincide with clever delivery tactics. *J. Hesketh-Laird* agreed with *A. MacLeod* and stated that a corporate plan went to FSS's last board meeting and welcomes further tactical discussions.

5. Intelligence gathering – Consultations, Horizon Scanning and Safe spaces

Nil.

6. The SFELC Executive update

M. Keeley informed the committee that the SFELC Executive continue to meet on a fortnightly basis, and met on 10 June 2021 to discuss the work plan and FSS update (details of these can be found in the relevant sections). *M. Keeley* then gave a brief overview of points discussed at the Exec meeting:

- *M. Keeley* stated that the Food Crime WG are working on the intelligence sharing model using the Clue System
- Andrew Harris from the Scottish Government gave a presentation on organisational readiness update on LA capacity. There is a high demand for environmental health resources who are responsible for delivery food law within Scotland.
- William Hamilton gave an update on the LA Recovery Plan
- The impacts of reopening the economy was discussed

7. Committee work plan

06 August 2021 – Microsoft Teams

- Novel Foods; CBD oil / extract, committee structure AFFF (GEORGINA FINCH & GRAINNE GILSON-SMITH)
- Regulating online sales (WILLIE PAUL)
- Working Group Chair Insight (WORKING GROUP CHAIRS)
- Distance-selling and Home Production of Foods discussion (ALL)

08 October 2021 – Microsoft Teams

- Allergens (GRAINNE GILSON-SMITH)
- Imported Foods (PAT SMYTH and SARAH ECCLES)
- Sampling (JANE WHITE AND KASIA KAZIMIERCZAK) and LA Recovery Restart discussion (BILLY HAMILTON)

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- Food Waste by Zero Waste Scotland (GERRY BOYLE)
- Structure of SFELC and WGs (ALL)

03 December 2021 – TBC

04 February 2022 – TBC

UNASSIGNED ITEMS

- Risky Foods (LORNA MCCOULL AND GRAEME CORNER)
- LA Sampling Programmes – Update on Current Trends and Future Strategy (JANE WHITE, FAITH CHUNG AND JACQUI MCELHINEY)
- LA Desktop Sampling Audit - Report (MARION MCARTHUR AND JAMES MCLENNAN)
- SND and Scottish Food Enforcement Annual Return (SFEAR) (PAUL BIRKIN, JACQUIE SUTTON AND MARION MCARTHUR)
- Food Recalls (RYAN BRUCE AND IZZY CHILDS)
- Tactical update (ROSS CLARK)
- Food Standards Project Working Group Guidance update (CARRIE COOPER)
- FLRS (SARAH COYLE)
- Loving Food @ East Lothian” project (LAURA GUNNING) – Once Discovery Phase has taken place
- Deposit Return Scheme (SG REPRESENTATIVE - TBC)
- Out of Home Strategy (GILLIAN PURDON)
- Food Crime Clue System Refresh (DUNCAN SMITH)
- CBD Oil / Extract (MHRA & POLICE SCOTLAND)
- Social Science (SUE BOND)

8. Food Standards Scotland update

- The WHO are looking to publish a global strategy for food safety which is currently out for consultation.
- FSS in collaboration with FSA is going to hold a global virtual conference on instances and emergency response in October. Invitations for this event will be sent out in due course.
- FSS is publishing its minster meat survey
- Engagement with the University of West of Scotland and REHIS continue in order to emphasise food law roles of food safety and food standards. HACCP courses will be carried out within the university to ensure officer's readiness to start a career in food.
- Geoff Ogle will be meeting with Solace to discuss the pressures LAs have due to Covid.
- A Lead Feed Officer, Hamid Gazem has been appointed and will begin his new role on 02 August.

9. Sub – Committees: including working groups

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Food Safety Sub-Committee

Nil.

Food Standards Sub-Committee

Nil.

Feedstuffs Sub-Committee

At a NAFFP meeting, the concern was raised about import consignments in England and incorrect labelling.

Colleagues from DAERD in Northern Ireland are due to be audited on 21 June regarding movements from Great Britain to Northern Ireland.

There is an increase in work regarding importing groundnuts from Argentina which will require more checks.

There is a big increase in workloads at Dumfries and Galloway due to the boarder control posts

Action 7.2021

The Chair, L. Murray, H. Gazem & D. McGhee to discuss the Feedstuffs Sub-Committee role

Working Groups Update

A request for WG members has gone out, however, there has not been much interest and The *Chair* and *Honorary Secretary* are looking into ways to generate interest, particularly with newly appointed officers.

10. Food Liaison Groups

Lothian and Borders FLG

M. Eccles stated that a range of topics were discussed at the last Lothian and Borders FLG meeting on 28 April

- Takeaways have been allowing customers into their shops
- Barbers have been undertaking under-mask treatments
- Websites at LAs are being updated with updated guidance
- Whisky falsely claiming to be Japanese is being sold
- All LAs are all at various stages of their LA Recovery Plan
- The next meeting is scheduled for 04 July

North of Scotland FLG

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A. Carson noted that a range of similar topics were discussed at the North of Scotland FLG recently, including Covid-19 and LA recovery. Aberdeenshire continue to administer a lot of EHCs particularly relating to fish at fish markets from unregistered fishing vessels outside of Scotland. Orkney are currently undergoing a recruitment process.

West of Scotland FLG

K. Wardrope stated that the last West of Scotland FLG meeting on 17 May focused primarily on LA Recovery and what officers are currently doing regarding this. Some authorities are carrying out inspections to comply with the code of practice. Testing of milk and labelling of alcohol-free gin was also discussed.

East of Scotland FLG

H. Henderson stated that the last East of Scotland FLG meeting also focused on Covid-19 and LA Recovery.

11. Update by Non-Enforcement member(s)

R. Mirfatahi stated that the IFST has undertaken a Horizon Scanning event with stakeholders to generate information on impacts over the next 3 years, findings of which will be published mid June on their website. IFST has worked alongside the Parliamentary Office of Science and Technology (POST) to create a document on pesticides which will be distributed to the committee.

Action 8.2021

***R. Mirfatahi* to supply links on the IFST Horizon Scanning findings and the POST pesticide document for the Secretariat to cascade**

C. Hay mentioned that the programme Career Ready are looking for organisations to put themselves forward for their mentoring programme for S5 and S6 students.

Action 9.2021

***C. Hay* to supply the Career Ready link for the Secretariat to cascade**

L. Murray praised the Career Ready programme and stated that FSS mentor students through this programme. *A. Carson* stated that Aberdeen Council has also mentored a student. The Chair stated that more support is needed from the School Career Service to promote a career as an EHO.

12. Review of action points

The *Secretariat* ran through the Actions and Matters of Record raised throughout this meeting (in bold red and bold green).

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Full details of all actions completed prior to this meeting are available in the actions document in KHub, “SFELC - Complete set of meeting papers”. Then “appropriate meeting”, then “Item 03 – Action Points and Matters of Record”. ([link](#))

Additionally actions for the SFELC Executive are noted in the TSE actions log in KHub, “SFELC Executive (formerly Resources Working Group) > Library > The Exec – Papers - year month > Item 02 – The Exec – Action points and Matters of Record”. ([link](#))

13. AOCB

A. MacLeod gave an update on periwinkles to the Committee. *L. Murray* stated that ministers have been informed about a potential market disruption to periwinkles due to LAs not having the authority to sign attestations for the product. *K. Wardrope* stated that a feasibility study has been carried out on periwinkles and that a laboratory in Edinburgh can carry out micro testing and that an official controls sample was sent for analysis. The Chair stated that not only can Edinburgh and Glasgow carry out testing but also Ashwood.

A. MacLeod asked if there could be a review about the under 10m vessel rule. *L. Murray* encouraged *A. MacLeod* to liaise with Marine Scotland via the Sea food WG.

The Secretariat informed the Committee that updated calendar invites will be sent out to the Committee

Forthcoming meetings

06 August 2021 – Microsoft Teams

08 October 2021 – Microsoft Teams

03 December 2021 – Microsoft Teams

04 February 2022 – TBC

Please advise Tanja Low on SFELC@fss.scot if you are aware of other events that SFELC delegates may attend that clash with these dates.