

---

**SCOTTISH  
FOOD  
ENFORCEMENT  
LIAISON  
COMMITTEE**

---

**Annual Report  
2012/2013**

---

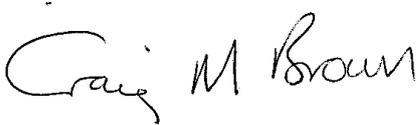
## **Foreword**

I would like to congratulate George Fairgrieve for his OBE earned as a result of all his hard work as Scottish Food Enforcement Liaison Committee (SFELC) chair from 2006 to 2012. Being Vice-chair to George helped me greatly to prepare to take on the role of SFELC Chair. Having now been in post for a year I would like to thank the Committee and all those involved in helping develop SFELC over the past year.

This annual report has again been produced to provide a summary of the work carried out by SFELC and its associated Subcommittees and Working Groups. This is the fourth annual report produced by SFELC and it highlights the many diverse subjects covered by the Committee.

Over the years, SFELC has only been able to produce high quality work through the dedication and commitment of members, along with the support of the local authorities and our associated organisations. I am sure the local authorities and other member organisations recognise the benefits of their involvement in the work of SFELC. I would, therefore, like to take this opportunity to thank everyone for their support and dedication in ensuring that SFELC addresses the areas of concern not just from the enforcer's perspective but also that of the business community and general public.

SFELC continues to prove that effective partnership working can achieve worthwhile benefits and is now recognised as an organisation offering a valuable contribution to the Scottish food enforcement landscape.



**Scottish Food Enforcement Liaison Committee, Chairman**

The 2012-2013 SFELC Annual Report continues to demonstrate the crucial role that the Committee plays in maintaining food and feed safety and standards in Scotland.

I see the Committee's cross contamination implementation strategy as a very positive development that demonstrates the commitment of Local Authorities and the Food Standards Agency to sourcing resources on strategic priorities for protection of public health.

I would also hope to see the effective food sampling document playing an important strategic role as a tool to ensure that the importance of effective food sampling is reflected in Local Authority sampling plans and budgets.

Once again I would like to take this opportunity to thanks to those involved for their contributions.



**Professor Charles Milne  
Director, Scotland Food Standards Agency**

## Contents

Foreword .....	2
Contents .....	3
SFELC Objectives .....	4
SFELC Remit .....	4
Membership of the Committee .....	5
Retrospective review for 2012/2013 .....	7
Standing items 2012/2013 .....	7
Resources Working Group .....	8
Standing Subcommittees / Ad Hoc committees .....	8
Remit .....	9
Food Safety Subcommittee .....	9
Engagement with FSA Operations .....	9
Better Regulation .....	9
Waste (Scotland) Regulations 2012 .....	9
FSA Cross Contamination Guidance .....	10
Remedial Action Notices .....	10
Fish and Shell Fish Working Group (Scotland & Northern Ireland) .....	10
HACCP Working Group .....	10
Food Hygiene Information Scheme Implementation Group (FHIS) .....	11
Approved Establishments Working Group .....	11
Childminders Working Group .....	11
Food Standards Subcommittee .....	12
Feedingstuffs Subcommittee .....	12
SFELC website .....	13
SFELC group structure .....	14
Co-ordinating and governance structure .....	15
SFELC structure and working arrangements .....	16
Glossary of Terms .....	17

## **SFELC Objectives**

The Scottish Food Enforcement Liaison Committee will work to support and influence the policies of the Food Standards Agency in 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 Agency 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 four times per annum.
- Contribute to the development of the Food Standards Agency strategies in Scotland 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 the Food Standards Agency, Food Law Enforcement the food industry and consumers in Scotland.
- Comment on relevant draft legislation, guidance and reports produced by the Food Standards Agency 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 2012/2013 follows:

### **SFELC Chair**

George Fairgrieve (until March 2012 meeting) / Craig Brown (from June 2012 meeting)

### **Food Safety Subcommittee Chair**

Craig Brown (until March 2012 meeting) / William Hamilton (from June 2012 meeting)

### **SFELC Vice Chair and Food Standards Subcommittee Chair**

Paul Bradley

### **Feedingstuffs Subcommittee Chair**

Roisin Dillon

### **Food Liaison Group representatives**

Jim Dixon / Derek Oliver, East of Scotland Food Liaison Group  
George Fairgrieve / Craig Smith, Lothian and Borders Liaison Group  
Andrea Carson, North of Scotland Food Liaison Group  
Leslie Paton / Joe Harkin, West of Scotland Food Liaison Group

### **Association of Public Analysts in Scotland**

Andrew Mackie / Robbie Beattie

### **British Hospitality Association**

John Dyson

### **Consultant in Public Health Medicine Group**

Chris McGuigan

### **Consumer representative**

vacant

### **Convention of Scottish Local Authorities**

Kevin McMunn

### **Food Standards Agency in Scotland**

Peter Midgley  
Ryan Bruce / Catherine Ferro (Secretariat)

### **Health Protection Scotland**

Lynn Cree

### **National Farmers Union Scotland**

Wendy Fleming

### **Royal Environmental Health Institute of Scotland**

Colin Wallace

### **Scottish Bakers**

Alan Clarke

**Scottish Food Advisory Committee**  
Bernard Forteach

**Scottish Food and Drink Federation**  
Mary Lawton

**Scottish Food Industry (Meat Sector)**  
Mark Scott

**Scottish Government**  
David Laing Food, Drink and Rural Communities Division  
Mike Parker Agriculture Food and Rural Communities Directorate

**Scottish Retail Consortium**  
Fiona Moriarty

**Society of Chief Officers of Environmental Health in Scotland**  
Ian Robertson

**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 FSA are invited to attend particular committee meetings.

## **Retrospective review for 2012/2013**

During 2012 - 2013, SFELC have considered the areas listed in the table below -

<b>SFELC Meeting</b>	<b>Agenda Items</b>
29 June 2012	Scudamore Review Update Zero Waste Shelfwatch UK FSS – Update Summit Event Update
5 October 2012	Cross Contamination/RAN's Update Commonwealth Games Update New Food Body Update UKAS Presentation
14 December 2012	SFELC Office Bearers Audit Scotland New Food Body Update 882 Review
15 February 2013	Targeted food standards inspection relating to declaration of animal species survey Membership and Working Arrangements document New Food Body Update Single Outcome Agreement

### **Standing items 2012/2013**

- Better Regulation
- Resources Working Group Updates
- SFELC Workplan
- SFELC Secretary's Report
- Exception reporting for the Food Safety, Food Standards, Feedingstuffs Subcommittees
- Exception reporting for the four Food Liaison Groups (FLGs)
- Exception reporting for the Food Standards Agency.

## **Resources Working Group**

During the year the Committee approved the Training Guidance document for circulation to Local Authorities. It is intended that this be a live working document which will be revised as and when required.

The Group devoted a significant amount of consideration to one of the most important issues to impact on food safety for a long time, namely the proposed New Food Body (NFB). This work led to SFELC submitting detailed comments and suggestions to Scottish Ministers to facilitate the formulation of the consultation document.

A survey carried out in relation to export certificate activity by the Food Standards Subcommittee found a wide variation in relation to fees, charges, food types covered, certificates issued, and wording on certificates. SFELC agreed to this being considered further by the Food Liaison Groups with possible feedback through the NFB consultation.

Following on from the response to the NFB consultation and confirmation that the Scottish Government planned to move ahead with the creation of the NFB, it was agreed that it would be appropriate to develop a Framework Agreement i.e. an agreement between Scottish LA's and FSA which covers all areas of the food service delivery (this is currently in place nationally) in Scotland. RWG have started work on a document suitable for Scotland with the aim of having this ready for the commencement of the NFB. The work on this document has started but, due to the magnitude of the task, will not be completed until programme year 2013-14.

## **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 subcommittees and short-life working groups established by SFELC or its subcommittees as and when required. These groups report back to SFELC.

The Chairperson 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 Subcommittee met four times during 2012-2013. Key topics discussed and progressed were as follows:

### **Engagement with FSA Operations**

The Subcommittee had long felt that engagement with FSA Operations would greatly assist long-term liaison between Local Authority and FSA enforcement agencies. FSA operations have, consequently been attending the Subcommittee meetings since November 2012.

### **Better Regulation**

The Chair of SFELC and the Chair of the Subcommittee met with representatives of the Scottish Government to progress matters relating to aspects of the Regulatory Reform (Scotland) Bill. The said Bill seeks to amend the Civic Government (Scotland) Act 1982 in order that Certificates of Compliances issued to mobile food vendors may be transferable between Scottish Food Authorities. It was agreed that the Subcommittee would draft a National Standard for Mobile Food Vendors. This document will establish a food hygiene compliance standard upon which Certificates of Compliance may be issued in future. The proposed deadline for completion of this task is December 2013.

### **Waste (Scotland) Regulations 2012**

The Chair of the Subcommittee (and the Chair of the Food Standards Subcommittee) met with SEPA and Zero Waste Scotland in order to discuss the implications of the Waste (Scotland) Regulations 2012 and their possible impact upon food safety in

certain food outlets in future. There is a programme of training planned for Local Authorities, delivered by Zero Waste Scotland

### **FSA Cross Contamination Guidance**

The implementation of the FSA Guidance continued during the year with regular discussions at subcommittee meetings including feedback on initiatives pursued at the Food Liaison Groups. It was agreed that a survey of all Scottish Local Authorities should be conducted in order to obtain a clear picture of the approach being taken by Authorities and to seek opinion upon training needs.

### **Remedial Action Notices**

The survey conducted into Cross Contamination Guidance implementation amongst Local Authorities also included a section on the extension of powers to serve Remedial Action Notices to all food businesses. Feedback revealed that while use of the extended powers was not yet widespread, almost all respondents expressed positive views on the addition to officers' enforcement toolkit.

### **Fish and Shell Fish Working Group (Scotland & Northern Ireland)**

The Group's current remit is to promote consistency by co-ordinating strategy for the enforcement of food safety legislation in the seafood sector. The group maintains a communication network between member authorities, the FSA, trade associations and other enforcement agencies on fish and shellfish matters.

During 2012/2013 work included the following:-

1. Involvement in the development of a common format for export certification of fishery products to China.
2. Publication of an advisory leaflet on food safety relating to oysters for processors, caterers and retailers.
3. Co-ordination of approach in relation to illegal shellfish harvesting.
4. Procedures and charging systems for issuing Export Health Certificates.
5. Ongoing implementation of shellfish official controls.

Two sampling surveys proposed for the year namely scallop meat shelf life and sulphur dioxide in water in prawns were carried over to 2013/14

### **HACCP Working Group**

This working group, having completed amendments to CookSafe in cognisance of the FSA's Cross Contamination Guidance, re-formed to draft a HACCP-based guidance manual specifically for butchers. The group has worked hard to ensure that the document is carefully researched and that the text is tested with butchers as it evolves. The Scottish Federation of Meat Traders Associations (SFMTA) provided valuable contribution to the development of the text at a meeting held at their offices in Perth on 05/10/12 and then again when the text went out for stakeholder comment from December 2012 – January 2013.

The working group met 11 times prior to issuing a draft to stakeholders for comment in December 2012. A further 2 meetings were held during 2012-2013.

The document, which will be titled “ButcherSafe” is now reaching an advanced drafting stage and is expected to be completed September 2013<sup>1</sup>.

### **Food Hygiene Information Scheme Implementation Group (FHIS)**

There were 4 FHIS Implementation Group meetings during 2012-2013.

In addition, 3 meetings of the FHIS Lead Officers’ Working Group meetings took place during the year, chaired by the Subcommittee Chair.

A further three local authorities have launched FHIS during 2012 – Comhairle nan Eilean Siar, Highland Council and Shetland Islands Council.

2013 has seen East Ayrshire Council, North Ayrshire Council and Falkirk Council launch FHIS so far. East Dunbartonshire Council, Orkney Islands Council, West Lothian and North Lanarkshire Council plan to launch by the calendar year end. The remaining two local authorities - South Lanarkshire Council and Dumfries and Galloway Council both plan to launch by the end of the financial year 2013-2014.

The first Scotland-wide promotional campaign was rolled-out this year with National Headlines including:

- 90 adverts and advertorials across:
  - 5 national papers - Daily Record, Sunday Mail, Scotsman, Herald & Metro
  - 28 regional newspapers
  - 2 BBC magazine titles (*Good Food* and *Olive*)
  - 28 regional newspapers
  
- FHIS Facebook page launched – [Facebook.com/FoodHygieneInformationScheme](https://www.facebook.com/FoodHygieneInformationScheme)

### **Approved Establishments Working Group**

The Group continued working upon a document aimed at providing an inspection protocol in approved establishments. Unfortunately, competing demands faced by Group members prevented completion of the document during 2012-2013. However, recent progress suggests that the guidance should be completed during 2013. It is anticipated that the said document may be suited to an associated training package.

### **Childminders Working Group**

The Childminders Working Group reviewed the system to deal with food business registration of Childminders in Scotland. The Care Inspectorate Registration pack contains a Food Business Registration form for new Childminders to complete and send to their Local Authority directly. For existing Childminders, Local Authorities carried out desktop reviews to establish if they also needed to register. The working group were mindful of ‘The Red Tape Challenge’ taking place in England and SFELC will review the Scottish position again following any impact on Childminders.

---

<sup>1</sup> Prior to ratification of this annual report the ButcherSafe document was published on the FSA web pages in January 2014.

## **Food Standards Subcommittee**

The main work of the Subcommittee during the year revolved around the proposals for implementation of the EU Food Information for Consumers Regulations (FIR) and the SFELC survey programme.

The Subcommittee recognises that FIR will have a significant impact on food standards in Scotland and sought to engage actively with consultations on the Scottish enabling Regulations and guidance. As well as a number of meetings with FSA staff the Subcommittee developed a response to the official consultation which was also used by FLGs and individual local authorities to form their own responses. FSSC remains committed to working with FSA and other stakeholders to ensure the effective and efficient implementation of FIR.

During the year the following survey reports were approved:

- SF26 - Microbiological quality of prepacked sandwiches at end of shelf-life
- SF27 - Colours in confectionery, with a particular focus on imported food
- SF28 - Accuracy of labelling of food aimed at gluten intolerance sufferers
- SF29 - Microbiological quality of potted meat and similar products
- SF30 - Accuracy of meat species labelling and use of food colours in Indian, and similar, catering premises

Copies of the survey report are available at <http://www.food.gov.uk/enforcement/enfcomm/sfelc/nationalsurveys> .

The Subcommittee's Research Working Group (RWG) continued to use the information recorded by Scottish LAs on the UK Food Surveillance System to advise on sampling and enforcement priorities.

During the year FSSC discussed a diverse range of composition and labelling issues brought forward by food liaison groups, laboratories and the FSA.

## **Feedingstuffs Subcommittee**

The Feeding Stuffs subcommittee had three business meetings during 2012-13 which addressed a broad range of issues, including;

- Review of Official controls for Feed
- New Food Body consultation
- Entry Powers for Feed Officers at Ports and other Feed Businesses
- Local Authority Audits
- Supermarket waste
- Training Needs and Opportunities

The SFELC Feed subgroup acts as a conduit for the Regional Quality groups and discusses emerging issues from feed officers. We work in partnership with the Animal Medicines Inspectorate (AMI) on joint enforcement issues.

A Scottish Feed officer now sits on the National Animal Feed Ports Panel (NAFPP) which comprises representatives of UK enforcement bodies and government departments with an interest in imported animal feed controls and has similar terms of reference to the feedingstuffs subcommittee itself.

## **SFELC website**

The SFELC website can be accessed via the following address:-

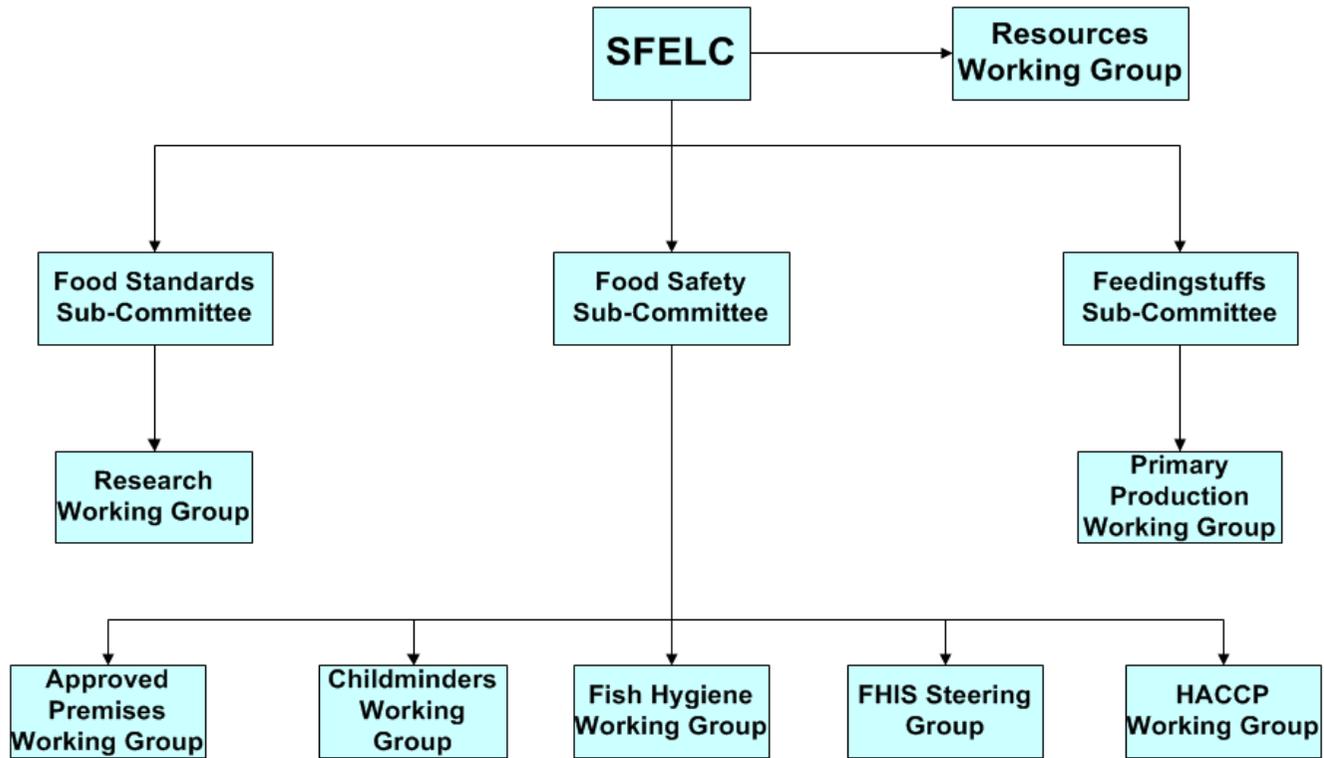
<http://www.food.gov.uk/enforcement/enfcomm/sfelc/>

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

[Catherine.Ferro@foodstandards.gsi.gov.uk/](mailto:Catherine.Ferro@foodstandards.gsi.gov.uk/)

## SFELC group structure

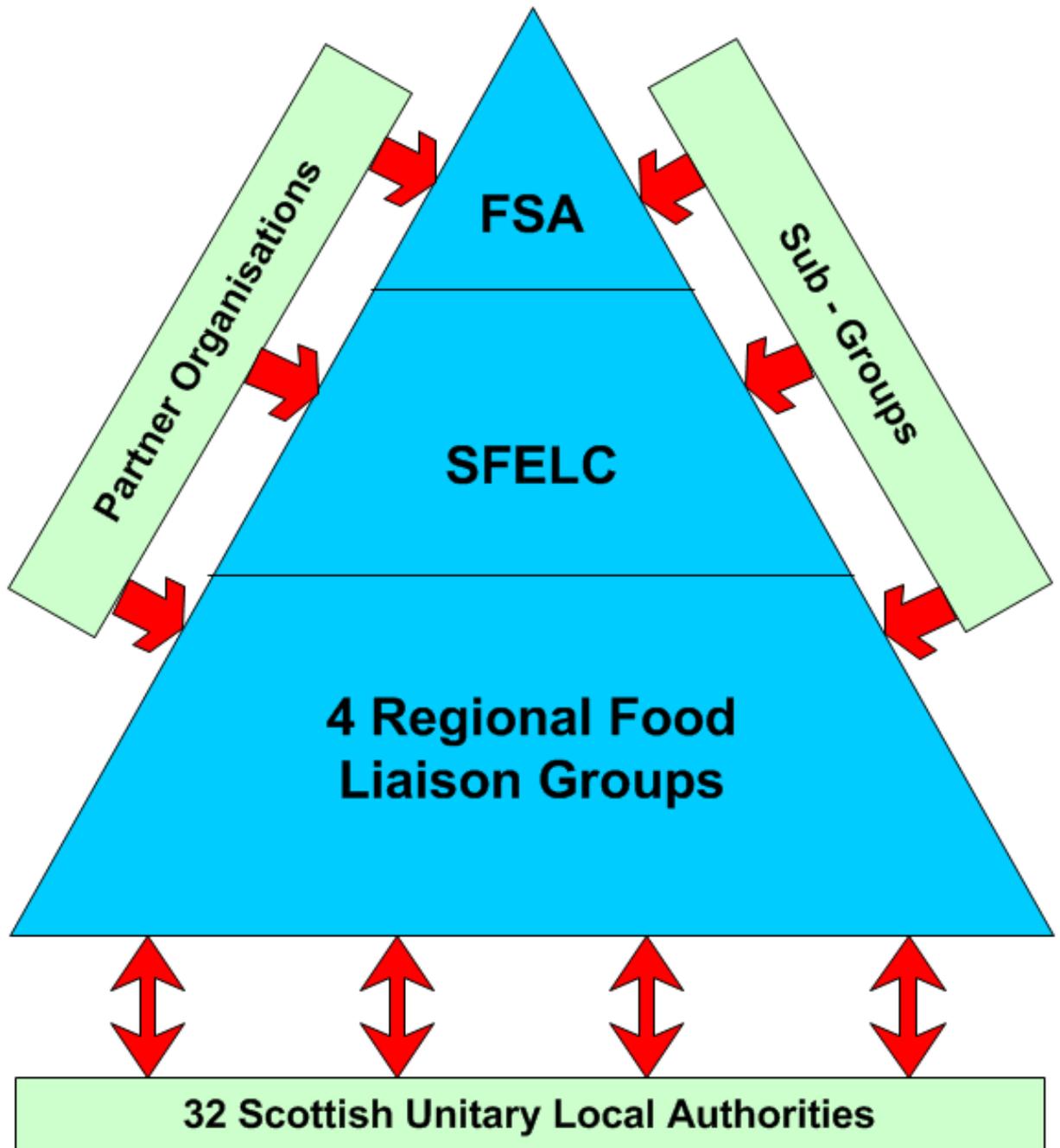
### Scottish Food Enforcement Liaison Committee Group Structure



Some Working Groups 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

### Appendix 1 Co-ordinating and governance structure



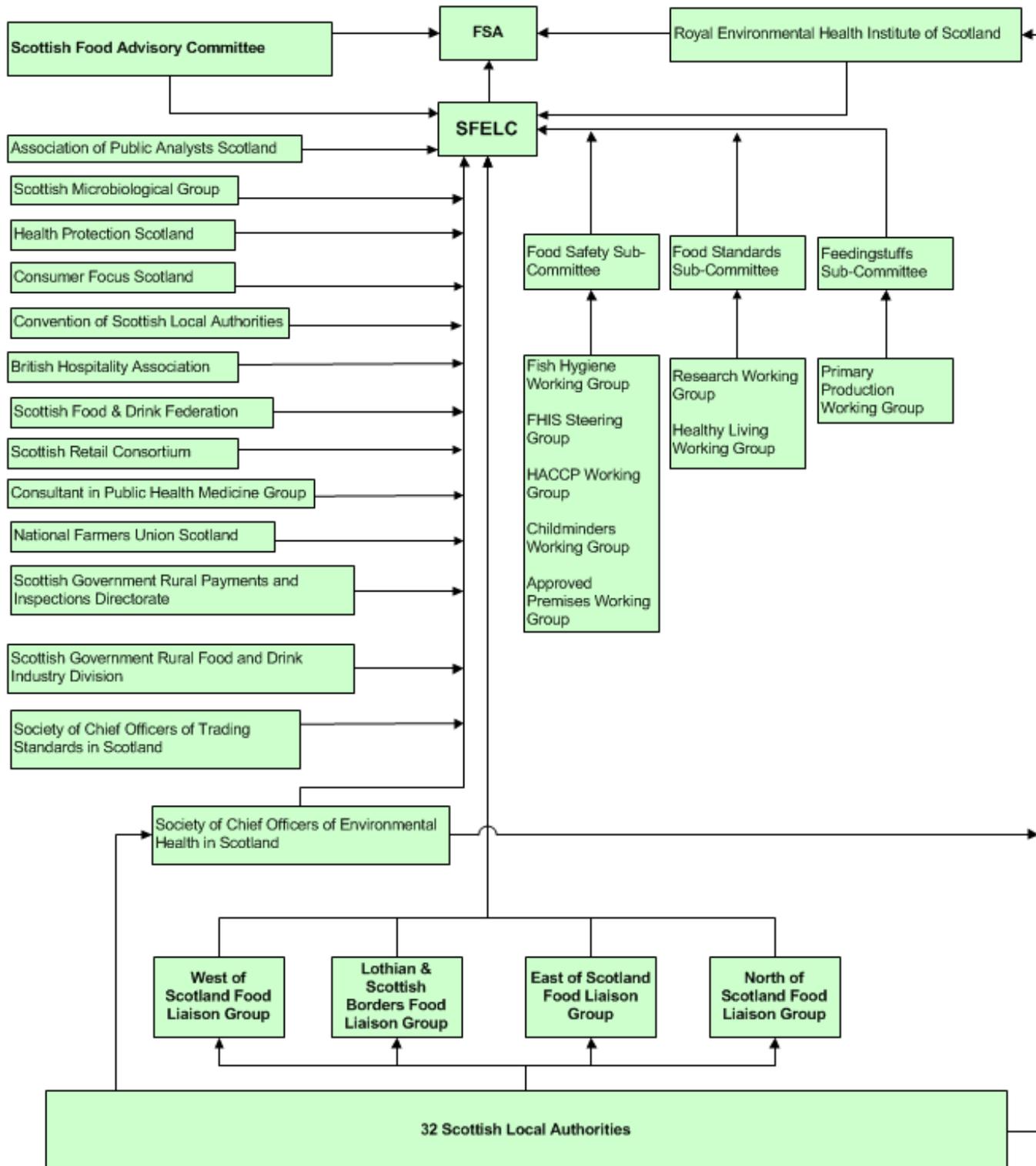
#### Notes

This is the basic co-ordinating and reporting structure currently operating in Scotland to promote uniformity and consistency between Scotland's Unitary Local Authorities.

The basic structure above should be read in conjunction with the detailed structure shown in Appendix 2.

# SFELC structure and working arrangements

## Appendix 2 SFELC Structure and Working Arrangements



## Glossary of Terms

<b>APAS</b>	Association of Public Analysts Scotland
<b>BHA</b>	British Hospitality Association
<b>CFS</b>	Consumer Focus Scotland
<b>COSLA</b>	Convention of Scottish Local Authorities
<b>CPD</b>	Continuing Professional Development
<b>CPHM</b>	Consultant in Public Health Medicine
<b>ELG</b>	Enforcement Liaison Group
<b>FHIS</b>	Food Hygiene Information Scheme
<b>FLG</b>	Food Liaison Group
<b>FSA</b>	Food Standards Agency
<b>FSAS</b>	Food Standards Agency in Scotland
<b>HACCP</b>	Hazard Analysis and Critical Control Point
<b>HPS</b>	Health Protection Scotland
<b>LA</b>	Local Authority
<b>LACORS</b>	Local Authority Co-ordinators of Regulatory Services
<b>NFB</b>	“New Food Body”
<b>NFUS</b>	National Farmers Union Scotland
<b>REHIS</b>	Royal Environmental Health Institute of Scotland
<b>RWG</b>	Resources Working Group
<b>SCOTSS</b>	Society of Chief Officers of Trading Standards in Scotland
<b>SEPA</b>	Scottish Environmental Protection Agency
<b>SFDF</b>	Scottish Food and Drink Federation
<b>SFAC</b>	Scottish Food Advisory Committee
<b>SFELC</b> “The Committee”	Scottish Food Enforcement Liaison Committee
<b>SFMTA</b>	Scottish Federation of Meat Traders Association
<b>SG</b>	Scottish Government
<b>SGRPID</b>	Scottish Government Rural Payments and Inspections Directorate
<b>SMG</b>	Scottish Microbiological Group
<b>SOCOEHs</b> “The Society”	Society of Chief Environmental Health Officers in Scotland
<b>SRC</b>	Scottish Retail Consortium