

# Chief Executive's Report to the Board

FSA 25/03/03 - Report from Katie Pettifer

## 1. Role of regulation in supporting economic growth

1.1 The UK Government has made several significant announcements about its approach to the role of the state and to regulation over the last few weeks. On 13 March, the Prime Minister made a speech in which he set out his vision for reform of the British state.

1.2 On 17 March, the Chancellor announced an action plan comprising a set of commitments by regulators and government departments to improve the regulatory landscape and support the growth mission. These announcements are the culmination of several months of work between regulators, HM Treasury, the Department for Business and Trade (DBT) and other government departments. This work was prompted by a letter from the Prime Minister, Chancellor and Secretary of State for Business and Trade to leading regulators (including the FSA) shortly before Christmas asking them to set out commitments that they could deliver during 2025 to boost growth, investment and business confidence.

1.3 The FSA has worked collaboratively across government to develop proposals that will help to drive growth and investment while maintaining high safety and standards in the UK's food sector. We have consistently made clear that the most substantial way in which the FSA can support economic growth is by carrying out our statutory functions well, thus protecting public health, supporting businesses and trade, and protecting the economy from the damage that would be caused by a major food incident or loss of public trust in food. However, we have also made some specific commitments which are contained in the action plan published by the Chancellor. These include a commitment to grow our support for trade in the coming year, by facilitating a greater number of inward audits, and a set of further commitments described in more detail below. These have been built into our business plan for the coming year.

## 2. Food products developed through engineering biology

2.1 On 10 March, the FSA and Food Standards Scotland (FSS) launched our regulatory sandbox for cell-cultivated products (CCPs) at an event hosted by Imperial College London. CCPs are a novel technology to produce food, posing specific safety risks and complex regulatory questions. The industry is in its infancy, and many companies do not have experience of working with regulators. Supporting innovation in food is a key part of the Government's vision for Engineering Biology, and the Department for Science, Innovation and Technology (DSIT) has provided £1.6 million of additional funding to the FSA and FSS to run a two-year regulatory sandbox.

2.2 The concept of a sandbox is a common one in regulation. It is defined by regulators in different ways, but all sandboxes facilitate dialogue between industry and a regulator to inform regulatory action. The objectives of the FSA's programme are to identify safety hazards associated with CCP production and minimum levels of tests required to demonstrate their mitigation; address outstanding regulatory questions; and provide a new consultation service to

industry so they understand how to compile high-quality regulatory applications.

2.3 Sandbox participants have now been selected, comprising organisations from business, academia and non-government organisations. The wider sector will also be able to benefit from the work conducted by the sandbox, through a new business consultation service for all companies looking to market CCPs in Great Britain, and regular provision of regulatory and scientific guidance. We have committed to publish the first wave of guidance this year.

2.4 Building on the momentum created with the sandbox, the action plan announced by the Chancellor included a commitment that the Government would work with FSA and FSS to support other innovative products created through engineering biology, such as precision fermented food. We expect to receive up to £1.4m funding for the coming financial year to support us in building capacity and capability in this area.

### **3. Recycled plastics in food contact materials**

3.1 The action plan published by the Chancellor also confirms that the FSA will undertake the Competent Authority (CA) responsibilities under Commission Regulation (EU) 2022/1616 on recycled plastic materials and articles in contact with food. This role will facilitate the trade of recycled plastic materials for food contact use within the EU market.

3.2 I attended a Defra ministerial round table on plastics reprocessing on 11 February, with officials from several UK Government departments and plastics industry stakeholders, at which I confirmed that the FSA would take on this role. On the same day, a member of our food contact materials team met the European Commission in Brussels to confirm the FSA's position as CA for the EU legislation and to discuss the role.

3.3 One of the main CA responsibilities will be to establish an auditing programme to enable consistent Official Control checks to be carried out on installations based in Great Britain. Subject to a procurement process, the audits are expected to commence in September. In Northern Ireland, each district council in its district has CA responsibilities in relation to Official Control requirements, including conducting annual verification audits.

3.4 In addition to these auditing requirements, the FSA will also need to carry out a review of technical documents that are submitted as part of the EU's application process. This work will commence next month. The FSA intends to write to plastic recyclers to confirm that the FSA will undertake the CA responsibilities and outline next steps.

### **4. Improving Local Authority delivery of food controls**

4.1 The FSA's work to improve local authority delivery of food controls was also included in the action plan published on 17 March. The official controls delivered by local authorities not only protect consumers but also support many local businesses for whom local authority food teams can be a valuable source of advice and guidance. We are continuing our efforts to make these controls more targeted and proportionate, and to enable local authorities to make best use of the resources they have.

4.2 On 24 February 2025, we launched a 12-week consultation across the three nations proposing changes to the Food Law Code of Practice (FLCoP) and Practice Guidance which would improve the model for food hygiene controls, including:

- An updated approach to timescales and prioritisation of initial interventions at food businesses

- Flexibilities for businesses to receive a new risk rating using a wider range of intervention types, including remote interventions under certain circumstances and if appropriate
- Extending the activities that officers who do not have a suitable qualification can, if competent, undertake
- A new approach to recognising officers' professional development that focusses on quality rather than quantity
- Recognising a broader range, and more flexible routes to qualification including provision for allowing apprentices to deliver official controls as they become competent to do so

4.3 In Wales, following advice to the Minister, this consultation also includes proposals to implement the new Food Standards Delivery Model. Further to the [update to the Board in December 2023](#), the pilot of the proposed Food Standards Delivery Model in Wales concluded at the end of February 2024. The [evaluation report](#) has now been published. It showed that the model works in the Wales context with no unintended consequences identified. Key benefits identified in the evaluation report, were that the model enabled local authorities to target their resources towards businesses posing the greatest risk, the standalone allergen information compliance factor was valuable in giving allergens proportional focus within interventions and the model allowed for the prioritisation of food standards work.

4.4 The consultation is due to close on 19 May, and we expect to lay a revised FLCoP across all three nations after the summer recess.

4.5 Meanwhile, we are fast approaching the deadline set in the current FLCoP for local authorities in England and Northern Ireland to begin using the new Food Standards Delivery Model. Since June 2023, the FSA has been working with local authorities and their management information system providers to support implementation. Unfortunately, challenges with the required software updates and issues with data conversion have impacted on the planned rollout schedule, and we believe it unlikely that all local authorities will be operating the new model by 31 March. Ultimately it is each local authority's responsibility to ensure compliance with the Code, and I wrote on 17 March 2025 to the Chief Executives of all local authorities yet to complete the transition process to remind them of this.

## 5. National Food Crime Unit (NFCU) powers

5.1 I am pleased to confirm that two statutory instruments were laid in Parliament on 10 March 2025 that will afford powers to NFCU food crime officers under the Police and Criminal Evidence Act 1984 (PACE) and the Criminal Justice and Public Order Act 1994 (CJPOA) and bring food crime officers under the complaint handling remit of the Independent Office for Police Conduct.

5.2 Authorised food crime officers will be able to use investigatory powers under PACE and CJPOA, which relate to the securing of search warrants, aspects of evidence handling and suspect interview (but not powers of arrest) from 1 May 2025.

## 6. Market Authorisation update

6.1 The statutory instrument on the removal of renewals and statutory instruments from the market authorisation process was subject to Commons debate (4 March) and Lords debate (10

March). Both Houses agreed to pass the statutory instrument which will now come into force on 1 April. Businesses with applications in the system that will be affected by the reforms will be contacted before this date. Work is ongoing to develop further proposals to streamline the market authorisation service, focused on ensuring that we reduce bureaucracy and strengthen our legal framework.

## **7. Classification of shellfish harvesting areas**

7.1 Under its statutory responsibility to classify areas for the commercial harvesting of live bivalve molluscs, the FSA completed its Annual Review of Shellfish Classifications for England and Wales in late 2024, and in January 2025 for Northern Ireland. Classification outcomes in England and Wales were published on the FSA website on 2 December, and on 19 February for Northern Ireland.

7.2 Despite the application of maximum flexibilities, the classifications for several harvesting areas were downgraded for all or part of the year and the classification for some areas was withdrawn. In comparison, improvements in classification were limited. We work with local enforcing authorities responsible for hygiene official controls in areas affected by classification changes, who in turn liaise with local industry. The most recent review is indicative of greater instability in classifications and a general trend in deteriorating water quality.

7.3 Harvesting area classifications are also subject to review throughout the year as results are reported. The FSA and local enforcing authorities take action to manage any immediate risk to public health following any result reported above permitted classification limits. This is not only important for domestic consumers but supports trade, as a significant proportion of shellfish harvested in the UK is exported to other countries, with the EU being the major recipient. An EU audit of live bivalve mollusc production controls is scheduled for June 2025. The audit will look at how UK competent authorities are set up to deliver shellfish official controls and evaluate the official control systems in place.

## **8. Update on CBD applications**

8.1 The FSA and FSS have published five additional safety assessments for CBD applications since the last Board meeting, another milestone in bringing this industry into compliance with the law. In addition, we have been progressing the three frontrunner CBD applications with published risk assessments through our risk management process. At the December Board meeting, members discussed our risk management approach to CBD and made clear their concerns about the presence of THC, a psychoactive substance, in CBD products. Following this meeting, FSA officials have provided additional information to the Board on how THC levels could be addressed as part of the terms of authorisation. Once the draft risk management recommendations are developed, the next step will be a 12-week public consultation, ahead of advice being provided to Ministers in England, Wales and Scotland. As first-of-kind non-routine applications, we expect there to be additional Board scrutiny of these recommendations before advice is provided to Ministers, following feedback on the consultation.

## **9. New guidance for industry on provision of allergen information to consumers**

9.1 On 5 March the FSA published new best practice guidance for businesses providing non-prepacked foods on how to provide mandatory allergen information to customers in writing. This guidance was informed by consultation with consumers, businesses and local authorities, and is available on our [website](#), along with new tools for businesses such as downloadable symbols, an

allergen matrix and a poster. In keeping with the position agreed by the FSA Board in 2023, the guidance makes clear that businesses should provide information to customers in writing, supported with a conversation, to help people make informed choices about the food they eat.

## **10. United Kingdom Research and Innovation (UKRI) public dialogue on ultra processed foods (UPF)**

10.1 UKRI have commissioned a public dialogue with Hopkins Van Mil (HVM) on UPF, including impacts on health, information sources, governance and regulation, and research and action priorities. The FSA sits on the project team with UKRI and Sciencewise members as well as on the Oversight group. These groups oversee progress of the dialogue and feed into materials, along with other stakeholders from across government, academia, industry, campaign groups and the third sector. The first oversight group meeting was held in January 2025 and UKRI have published a [press release](#) this month to announce the launch of the dialogue (with input from FSA Communications). The project is in progress with an initial quantitative survey launching in March, along with a stakeholder workshop to engage with potential speakers or experts to be involved in the dialogue between April and June. It will deliver by the end of 2025, with an interim report in April/May presenting initial findings from the survey. A final report will be published for dissemination and stakeholder briefings, and these outputs will be shared with Professor Sir Chris Whitty, Chief Medical Officer for England.

## **11. Engagement about next steps following the national level regulation (NLR) trial**

11.1 The FSA held two stakeholder events in February to explore the themes of the NLR trial in more detail. We were grateful to Professor Chris Elliott who hosted a day looking at data sharing. We heard case studies with experience of this, and examined the type of data governance and security that can help to build trust in and through data. There was consensus in the room that data sharing can add value, and activity is underway to progress some of the themes raised, including work on developing principles around data sharing. Alec Kyriakides, independent food safety consultant, hosted a day exploring the alternative regulatory approach in more detail, where we heard from retailers who participated in the trial, and from Professor Chris Hodges, about Outcome Based Collaborative Regulation. We continue to meet with our Senior Steering Forum monthly and are hoping to develop immediate next steps on how national level data could be used to complement the current regulatory system. The options will be shared with the Board at our June Board meeting.

## **12. UK Government Food Strategy and Health Mission**

12.1 The Secretary of State for Defra, the Rt Hon Steve Reed, has announced the government's intention to develop a food strategy that will set and deliver clear long-term outcomes that create a healthier, fairer, and more resilient food system, across four key pillars of economic growth, health, sustainability and food security. FSA officials are engaging closely with Defra counterparts who are taking forward work on this strategy. In parallel, FSA officials continue to work with DHSC on the government's health mission.

## **13. Welsh Government review of the FSA in Wales**

13.1 The contract for the Ministerial review of the FSA in Wales, initially announced in June 2021, has been awarded to the research team at Cardiff Metropolitan University's School of Sport and Health Sciences. The research team have four months to complete the review.

13.2 The review will consider whether the policy remit, governance arrangements and the delegation of responsibilities between the FSA and Welsh Government are clear and remain appropriate. The research team will be supported by a *review oversight group* to ensure the project stays on track and meets its objectives. This group is made up of a variety of partners including Welsh Government, local authority representatives, Public Health Wales, and the FSA.

13.3 The final review report will be presented to the Minister ahead of the Senedd Summer recess and will provide recommendations as to what changes could be considered to ensure the FSA in Wales can best support Welsh Ministers.

## 14. Risk

14.1 The Board and Executive held an annual risk workshop in January 2025, to consider the risks and opportunities we face and to agree which risks pose the greatest threat to us achieving our objectives, the corresponding strategic risk tolerance, and thresholds for the levels of risk exposure.

14.2 To support this discussion, members reviewed the latest FSA analysis of external factors within the political, economic, social, technological, legal and environmental (PESTLE) factors, which might affect our operating context and factors relevant to our work.

14.3 The principal risks identified for the coming year are:

- The risk that we cannot effectively identify, prioritise, assess and act to prevent avoidable food risks harming consumers.
- The risk that we cannot provide an appropriate response to a major food / feed incident to protect consumers from potential harm.
- The risk that we cannot support Local Authorities in delivering Official Controls reducing potential food safety risk to consumers and maintaining confidence by trading partners and consumers.
- The risk that we cannot deliver our priorities and seize opportunities with our allocated resources.
- The risk that we cannot maintain confidence and trust from consumers, business, government and / or other stakeholders and protect our reputation and therefore our ability to deliver our strategic objectives to protect consumers.

14.4 Our principal risks previously included four risks that through effective controls and mitigations, have reduced to target level and are now either closed or de-escalated to an operational level. Controls established will continue to be applied and maintained through our routine business delivery and effectiveness of these controls monitored by the responsible Director.

## 15. FSA's 25-year anniversary

15.1 On 1 April 2025 the FSA will mark its 25th anniversary. The FSA was established in 2000, following several high-profile outbreaks of foodborne illness, most notably BSE. We were given the statutory objectives to protect public health, and otherwise to protect the interests of

consumers in relation to food. Those have remained our overriding objectives for the past 25 years, although there have been many changes in our precise functions and remit.

15.2 The occasion provides an opportunity for us to recognise some of the work done during the past 25 years that has benefited consumers across the UK, and to thank FSA colleagues and partners across the food system. But it is also an important opportunity to look forward. The food system we oversee today is remarkably different from when the FSA was established, and this year we will be thinking ahead to the challenges that await us over the next 25 years and discussing how we best prepare for those. We are planning some activities from April to July to mark the anniversary.

## **16. Engagements**

16.1 Since being announced as the permanent Chief Executive, I have continued to engage with a range of stakeholders.

16.2 I have met colleagues in UK and devolved government departments, and the Chief Executives of other regulators including the Environment Agency, the UK Health Security Agency, the Animal and Plant Health Agency, the Health and Safety Executive, the Civil Aviation Agency, the Office for Nuclear Regulation and the Office of Rail and Road.

16.3 In January, the Chief Veterinary Officer, Christine Middlemiss, and I met the Australian Minister for Agriculture, Fisheries and Forestry, the Hon Julie Collins MP, when she visited the UK. We discussed collaboration between our countries, Australia's meat market access priorities and the pre-market authorisation regime for indigenous foods.

16.4 In February, as mentioned above, James Cooper, Deputy Director of Food Policy and I attended a Defra-led roundtable on recycled plastics, chaired by the Minister Mary Creagh.

16.5 Susan Jebb and I met Patrick Vallance, Minister of State for Science in the Department for Science, Innovation and Technology (DSIT), where we discussed, among other issues, the work of the Regulatory Innovation Office and how regulation could support innovation in new technologies.

16.6 I have met with representatives of industry trade bodies, including the Food and Drink Federation, British Retail Consortium, National Farmers Union and UK Hospitality. Junior Johnson, Director of Operations and I hosted our regular Chief Executive roundtable with representatives of the meat industry in February. We have also separately met senior leaders in both organisations who will be our veterinary services provider under our new contract.

16.7 I've also had the opportunity to engage more widely with industry stakeholders over the last few months. I met Dalton Philips, CEO of Greencore in January. With James Cooper, Deputy Director of Food Policy, and Darren Whitby, Head of Incidents and Resilience, I visited a Samworth Brothers food production facility in Leicester in January.

16.8 Just before Christmas, I joined the Chief Executive of WRAP on a visit to the Felix Project to see their work on food redistribution in the London area. This year, I have also met representatives of consumer bodies and third sector organisations including Sue Davies, Head of Consumer Rights and Food Policy at Which? and several members of the team at Nesta.

16.9 Alongside Thomas Vincent, Deputy Director of Sandbox and Innovation, I attended an event for Agri-Science Week in Parliament in the Houses of Parliament. I also attended the launch in Parliament of Meat Business Women's 'Food Business Charter'.

16.10 In February, I went to a roundtable with the National Preparedness Committee to discuss their report, Just in Case: UK Civil Food Security Report.

16.11 I have also had the opportunity to speak at some excellent events recently, including the Northern Ireland Food and Drink Association annual conference in Belfast, the Westminster Food and Nutrition Forum, and the annual City Food and Drink Lecture.