

A Review of Cutting Plants and Cold Stores – Interim Update

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SUMMARY

1. On 1st February 2018 Food Standards Agency (FSA) and Food Standards Scotland (FSS) announced they would be undertaking a UK wide review of cutting plants and cold stores, in the wake of non-compliance issues identified at various cutting plants. The terms of reference were published on 2nd March 2018 outlining the scope, objectives, deliverables, approach and timescales for this review (attached for information at Annex 1).
2. The review terms of reference were re-focussed in April 2018 following consultation with the Project Board and external Challenge Group to initially focus on a detailed analysis of meat cutting plants and cold stores. Any issues identified in other related parts of the sector will be raised as recommendations for further work in the review report to be submitted to FSA/FSS Boards in September 2018.
3. This interim update summarises the progress made by the review to date and highlights priority areas where review will focus attention in the second phase from June to September.
4. The Board is asked to:
 - **consider** progress at the interim stage;
 - **note** that the FSS Board has been updated on progress at its May meeting and that the September paper referred to above will be considered by both FSA and FSS Boards; and
 - **discuss** any specific areas the Board wishes to ensure are covered by the review, and where any further detail is needed for its September discussion.

INTRODUCTION

5. On 1st February 2018, FSA and FSS announced they would be undertaking a UK-wide review of cutting plants and cold stores, in the wake of non-compliance issues identified at various cutting plants. The terms of reference were published on 2nd March 2018 outlining the scope, objectives, deliverables, approach and timescales for this review.

6. The purpose of this review is to improve levels of public confidence in the safety and authenticity of UK meat and identify potential improvements in the way in which the sector is regulated. The review is being delivered over three phases:
- Phase 1 to June 2018 which will focus on current state arrangements, comparison of arrangements in place for four countries (Wales, Scotland, Northern Ireland and England) and emerging areas for improvement;
 - Phase 2 from June to September 2018 will validate findings from Phase 1, explore the implications these have for food businesses and work with the sector to identify and assess options for improvement, develop recommendations, and prepare an implementation delivery plan; and
 - Phase 3 from October onwards will complete the detailed design and implementation of the delivery plan.
7. This interim update summarises the progress made by the review to date (phase 1) and highlights priority areas where review will focus attention in the second phase from June to September.

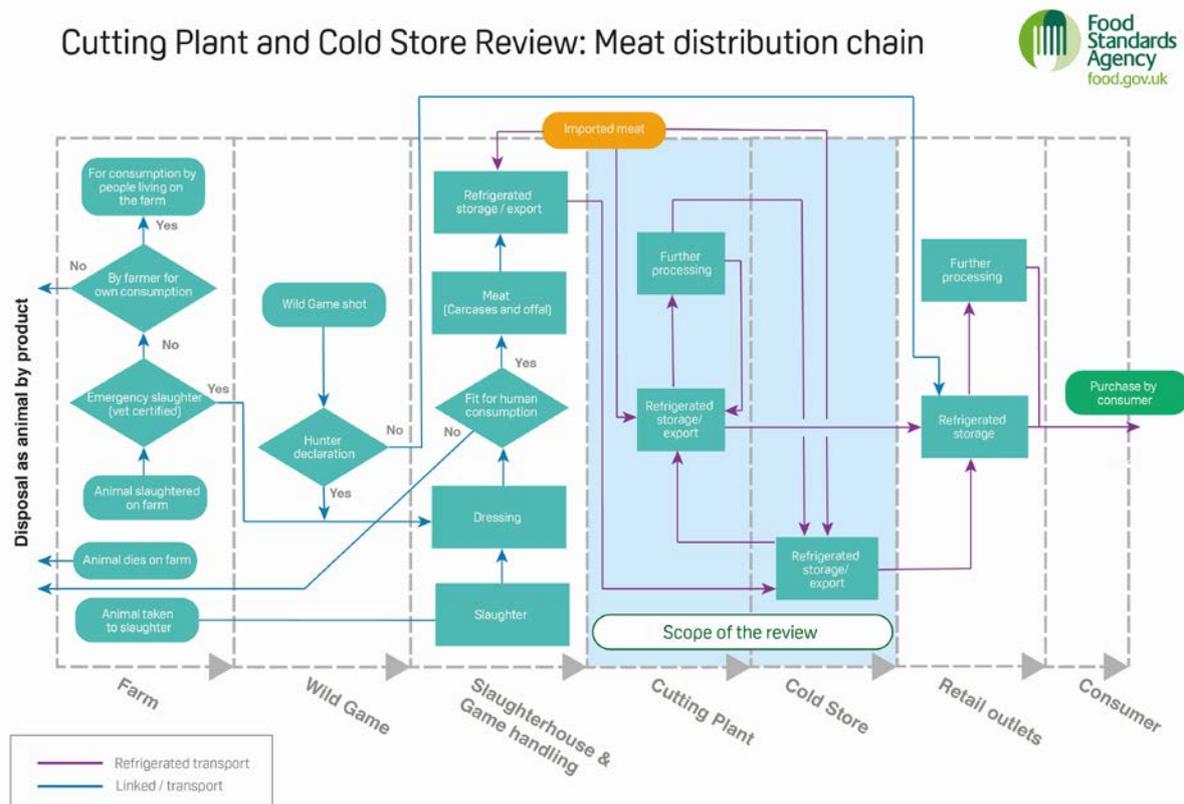
BACKGROUND AND CONTEXT

8. The British meat industry is responsible for producing safe food both to the UK market and for export. The meat industry generates £4.4bn¹ of value to the UK economy annually through around 800 businesses. It is a complex industry encompassing a supply chain from farms, abattoirs, cutting plants, cold stores, processing plants through to food distributors, supermarkets and other retailers that provide end products to consumers. Food businesses have a legal responsibility to produce safe food that satisfies food safety, public health and food labelling regulations
9. Meat continues to be a key component of the UK diet with over 85% consuming it but the size, scale and complexity of meat production means there are a wide range of biological, chemical and physical hazards that have the potential to generate a risk to public health. That is why the production, processing, distribution, retail, packaging and labelling of meat products is governed by such a comprehensive framework of legislation, codes of practice and guidance.

¹ <https://www.gov.uk/government/publications/food-statistics-pocketbook-2017/food-statistics-in-your-pocket-2017-food-chain>

10. Figure 1 provides an overview of the food supply chain and main actors in the sector.

Figure 1: Overview of meat distribution chain



11. As the Central Competent Authorities, the FSA and FSS are responsible for providing assurance to consumers that all food businesses in the sector are meeting their legal obligations to produce safe, authentic food that satisfies hygiene and welfare standards. That is why the FSA has commissioned socio-economic research to improve understanding of the factors which drive compliance across the whole sector. This is due to report findings at the end of 2018.
12. The review is aligned to the FSA Regulating Our Future (ROF) and FSS regulatory Strategy programmes which will develop a new regulatory model for food safety and standards across the food chain. The focus of this cutting plant and cold store review is on cutting plants and cold stores, following the recent high-profile incidents in a number of food businesses which identified potential areas for concern particularly in relation to industry practices relating to traceability, durability and authenticity. At the heart of the review, is the need to ensure meat businesses satisfy their food safety, public health and food labelling responsibilities.

REVIEW APPROACH

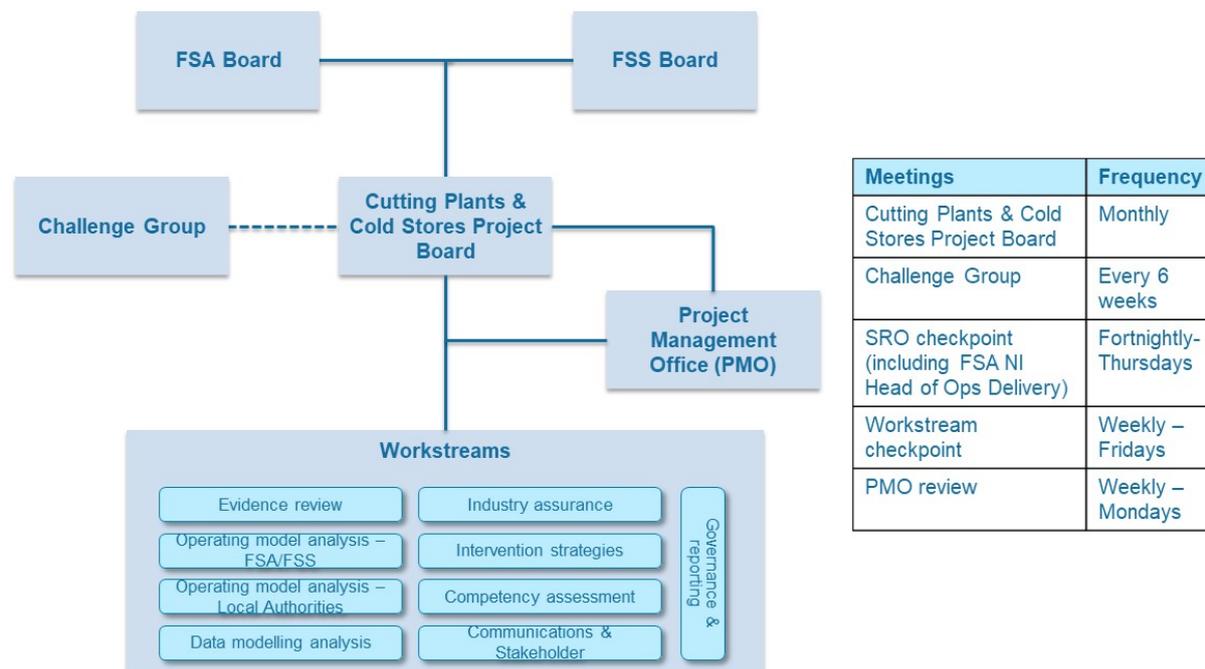
13. The review is being undertaken by a joint team across FSA and FSS comprising 9 inter-dependent workstreams, each led by subject matter experts.

Figure 2: Review workstreams

Workstream	Key activities and deliverables
Evidence review	<ul style="list-style-type: none"> UK wide evidence review Documenting existing legislative and policy framework, reviewing available industry analysis
FSA/FSS operating model	<ul style="list-style-type: none"> Assessing As is official controls, approvals process, assurance (inspection and audit) and enforcement processes (including comparative analysis with Scotland, Wales and NI models) Distribution of functions, internal communications and IT/databases.
Operating model analysis – LAs	<ul style="list-style-type: none"> Assessing As is official control, assurance (inspection and audit) and enforcement processes for establishments regulated by LAs Respective roles and responsibilities Relevant legislation, Local Authority official control policy and procedures
Data modelling and analysis	<ul style="list-style-type: none"> Support workstreams with data needs as required To determine what data is available to provide consumers with confidence
Industry Assurance	<ul style="list-style-type: none"> Review industry assurance as it relates to the meat industry– including BRC Global Standards, Assured Farm Standards Red Tractor Document the key features of how assurance schemes operate –including initial audit/ assessment, frequency of on-going audit, non-conformance procedures.
Intervention strategies	<ul style="list-style-type: none"> Document the current intervention approaches for FSA, FSA NI and FSS; and the Local Authorities
Competency Assessment	<ul style="list-style-type: none"> Document of the As-Is competencies, skills and knowledge requirements for approval, inspection and audit
Communications, stakeholder engagement and management	<ul style="list-style-type: none"> Identify the key stakeholders and the issues that are important to them. Stakeholder analysis and, based on this analysis, planning of stakeholder engagement activities Development and delivery of a communications plan setting out key messages to each stakeholder group, which media/channels will be used, timescales and how will be evaluated
Project management / Governance and reporting	<ul style="list-style-type: none"> Ensuring that all the work of workstreams are managed as part of a coherent project. Covers review planning, monitoring/reporting and governance, managing key risks and issues Creating the infrastructure necessary for managing the work and tracking outcome / benefit delivery

14. A project management approach is being used to manage and deliver the review, with formal governance comprising joint SROs reporting to a Project Board chaired by FSA/FSS CEOs. This formal governance is complemented by an external Challenge Group, chaired by Alexis Cleveland, to provide an external perspective advising on review approach and emerging findings.

Figure 3: Review Governance and reporting arrangements



METHODOLOGY

- To complete phase 1, all workstreams have adopted a consistent approach, agreeing the key deliverables, producing a workstream delivery plan, completing regular highlight reports, managing risks and issues and being flexible to changes in requirement as findings emerge. Workstreams have undertaken a mix of evidence gathering, desktop review of available documentation, data collection and analysis, stakeholder consultation (both internal and external), interviews and workshops to build up a comprehensive picture of the current arrangements. The methodology includes agile tools and techniques where appropriate, for example 'show and tell' reviews to share emerging findings and identify interdependencies.

STAKEHOLDER ENGAGEMENT

- FSA/FSS are committed to conducting the review in a collaborative and transparent manner, and effective communication and stakeholder engagement are key to this delivery of this commitment. Our primary objectives are to:
 - Contribute to improving confidence in the meat industry in the overall effectiveness of the regulatory framework;
 - Engage with and seek input from external bodies where possible; and
 - Demonstrate commitment to delivering improvements as modern regulators.

17. We have categorised the key audience groups to support engagement with stakeholders who have varying levels of involvement in the industry and across the four countries. We have developed plans to provide updates to these groups at key milestones to ensure they provided relevant information and kept informed of progress. In summary these are:
 - **Internal** - FSA and FSS operational staff and across the organisation;
 - **Meat industry / direct involvement** - food businesses, meat trade bodies, local authorities, DAERA, assurance organisations, retailers, veterinarians, industry media;
 - **Interest in the industry** – food / farm associations, relevant Government Departments, devolved administrations, relevant Parliamentary committee and parliamentarians across regions, European Commission; and
 - **Wider interest** – national media, international organisations, general interest.
18. To date the FSA and FSS have issued three joint press releases to announce the review, to formally launch the review and publish the terms of reference, and most recently to provide details on the role of the challenge group. Between the initial announcement and the launch, both the FSA and FSS also held meetings with a range of industry organisations.
19. Letters informing stakeholders of progress and to outline the terms of reference have been issued with initial views and comments sought. This has also been mirrored in our correspondence with Local Authorities (LAs) and organisations representing professional members working in the regulation and assurance of the industry.
20. A short survey to gather evidence on the current operating model has been issued to a sample of LAs in all four countries with further engagement planned.
21. A further survey of Food Business Organisations (FBOs) will gather feedback on areas such as competency levels of staff, relationships with regulatory authorities, conduct and effectiveness of inspections and participation and effectiveness of industry assurance schemes (both retailer and third party assurance).
22. As we move into the second phase of the review we will work with stakeholders validate findings and co-create options for change, using existing engagement channels and forums where possible. As with the previous phase, we are committed to providing updates on the progress of the review at relevant milestones both externally and internally.

EMERGING FINDINGS

Meat Production - Legislation

General

23. The majority of UK law relating to food is contained in the Food Safety Act 1990 and in Regulations made under that Act or under the European Communities Act 1972. These Regulations for the most part give effect to requirements of EU food law either by implementing Directives or providing enforcement mechanisms for directly applicable EU Regulations.
24. Article 1(a) of Regulation (EC) 852/2004 establishes as one of its guiding principles that primary responsibility for food safety rests with the food business operator. It is therefore the responsibility of each business operator to ensure that food safety is not compromised, which they achieve by establishing food safety programmes.

Approved Establishments

25. The following categories of meat establishment are subject to Regulations (EC) No. 852/2004 and (EC) No. 853/2004 and must be approved by the FSA/FSS to operate:
 - Slaughterhouses
 - on-farm slaughter facilities
 - game handling establishments
 - cutting plants
 - meat wholesale markets.
26. In Great Britain these establishments are subject to official controls enforced by the FSA/FSS. In Northern Ireland enforcement is carried out by DAERA Veterinary Service Veterinary Public Health Unit on behalf of the FSA.
27. The FSA/FSS is also responsible for establishments co-located with those falling into the categories listed in paragraph 25 above in which minced meat, meat preparations, mechanically separated meat, meat products, rendered animal fats and greaves, treated stomachs, bladders and intestines, gelatine and/or collagen are *also* produced².
28. A cutting plant is clearly defined in legislation but there is no equivalent definition of a cold store or re-wrapping establishment. A review of cold stores was undertaken in

² In NI, District Councils are responsible for all meat products, rendered animal fats and greaves, treated stomachs and bladders and intestines regardless of co-location.

2014 to clarify the confusion among some LAs as to which cold stores require approval, and FSA issued guidance in July 2016 following this review.

29. Certain categories of meat processing establishments are exempt from approval, including retail establishments, poultry slaughter and cutting on farm, slaughter for private domestic consumption, and those processing small volumes of product. These establishments are required to register with their relevant Competent Authority (usually the Local Authority).

Meat Production Guidance

30. The Guidance on the approval process set out in the Manual of Official Controls. This focuses on compliance with Regulations 852/2004 and 853/2004 as required by Article 3 of Regulation 854/2004 on official controls. There is no specific mention of assessing compliance with requirements relating to durability marking.
31. There is a complex overlap of roles and responsibilities between the LAs and the FSA on aspects of traceability, use by dates and food standards, summarised in Figure 4. Stakeholders feed back that they find this dual responsibility confusing and uncoordinated.

Figure 4: Roles and responsibilities between the LAs and the FSA/FSS on aspects of traceability, use by dates and food standards

Legislation	FSA/FSS enforced	LA enforced
Durability marking requirements – Use By Date and Best Before Date marking (labelling)		X
Date marking of frozen meat with kill / slaughter / processing date in slaughterhouses, cutting and game handling plants and in approved co-located establishments further processing meat	X	
Date marking of frozen meat with processing date in approved standalone establishments further processing meat		X
Food Safety Requirements – (food must not be unsafe) in slaughter, cutting and game handling plants and in approved co-located establishments further processing meat	X	
Food Safety Requirements – (food must not be unsafe) in approved standalone establishments further processing meat		X
Traceability requirements generally	X	X
Traceability requirements for ID marked meat	X	
Product withdrawal and recall requirements in slaughter, cutting and game handling plants and in approved <u>co-located establishments</u> further processing meat	X	
Product withdrawal and recall requirements in approved standalone establishments further processing meat		X
HACCP based requirements in slaughter, cutting and game handling plants and in approved <u>co-located establishments</u> further processing meat	X	
HACCP based requirements in approved <u>standalone</u> establishments further processing meat		X
Microbiological criteria requirements in slaughter, cutting and game handling plants and in approved co-located establishments further processing meat	X	
Microbiological criteria requirements in approved standalone establishments further processing meat		X
Animal By-product requirements in “food hygiene establishments” – slaughter, cutting and game handling establishments and approved co-located establishments further processing meat ³	X	

³ DAERA in NI

Legislation	FSA/FSS enforced	LA enforced
Animal By-product staining requirements in approved slaughter, cutting and game handling establishments and approved co-located establishments further processing meat ⁴	X	
Animal By-product requirements in approved standalone establishments further processing meat, in other approved premises handling other products of animal origin, in registered food premises and pet food processing plants ⁵		X

32. There is a comprehensive framework of guidance in place for food businesses, which is summarised at Annex 2, but the guidance focuses predominantly on hygiene issues, rather than durability, and there is no specific guidance on checks that should be carried out on cold stores following their approval.

“As Is” FSA/FSS operating model for approved plants

Approval

33. In Great Britain and Northern Ireland, there are 1,713 approved cutting plant and cold store establishments, 33% are both cutting plants and cold stores, 45% are cold stores only and 22% are cutting plants only. Figure 5 provides breakdown of all approved establishments approved by LA and FSA/FSS.

Figure 5 Breakdown of approved establishments

	All approved establishments ⁶	Both cutting plant and cold store	Cold store only	Cutting plant only	All approved establishments with a cutting plant and/or cold store
Approved by FSA / FSS					
England	905	484	31	302	817
Wales	122	17	4	31	52
NI	51	25	0	25	50
Scotland	96	34	0	24	58
Total	1,174	560	35	382	977
Approved by Local Authorities					

⁴ DAERA in NI

⁵ DAERA in NI

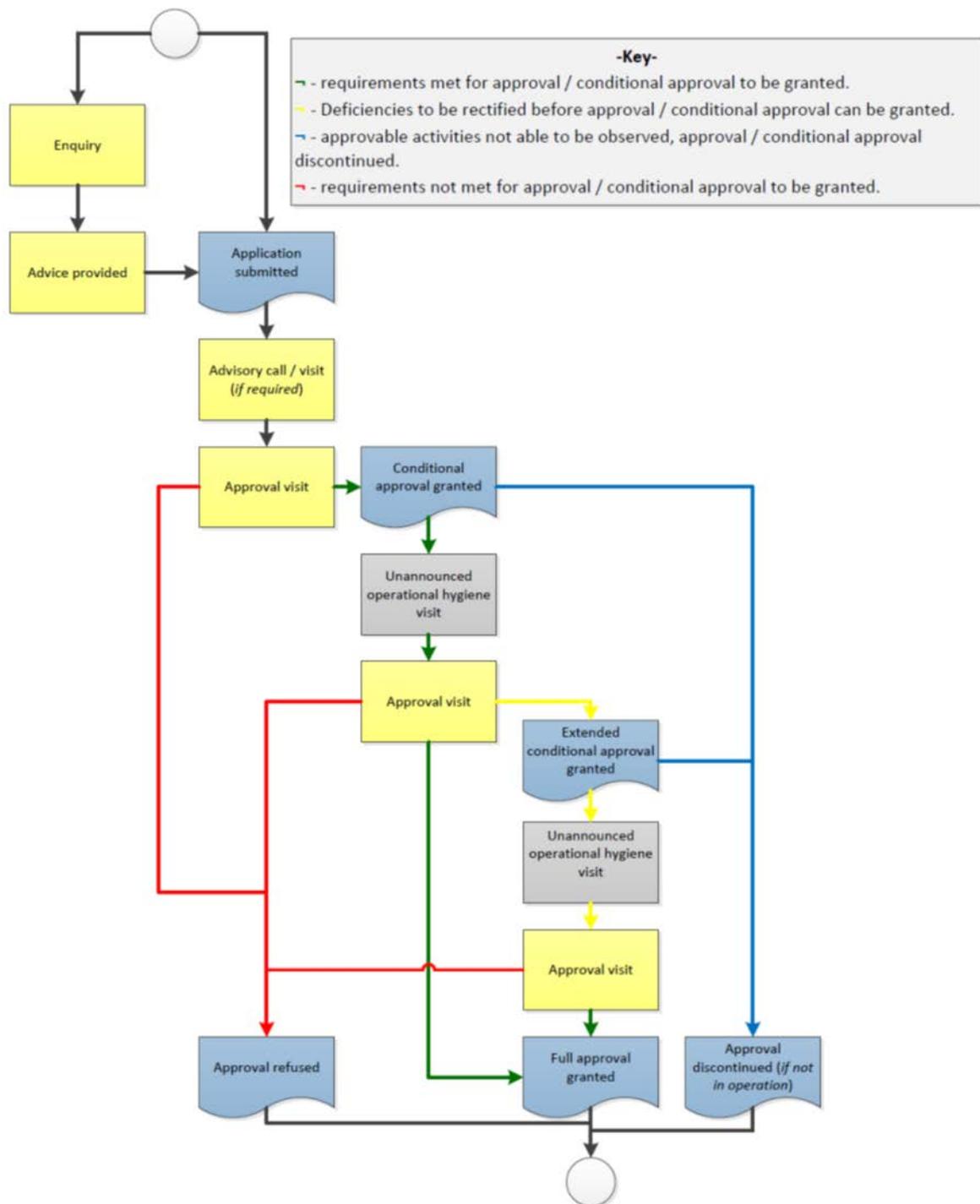
⁶ Totals include meat product processing manufacturers approved by LA

	All approved establishments ⁶	Both cutting plant and cold store	Cold store only	Cutting plant only	All approved establishments with a cutting plant and/or cold store
England	3,989	0	559	0	559
Wales	324	0	45	0	45
NI	195	0	72	0	72
Scotland	693	0	60	0	60
Dependencies ⁷	37	0	0	0	0
Total	5,238	0	736	0	736
Overall Total	6,412	560	771	382	1,713

34. The high-level FSA/FSS approval procedures applying to food businesses are summarised in Figure 6 overleaf. FSA/FSS receive around 300 applications for approval each year. The process is largely paper based, although information about the application process is available via the FSA/FSS websites.

⁷ Jersey, Guernsey and the Isle of Man

Figure 6: Approval procedures



Post approval – inspection and audit (“interventions”)

35. Audit of the establishments following approval is responsibility of the FSA/FSS as required by Regulation (EC) 854/2004. Audit reports focus on the hygienic production of fresh meat and HACCP-based systems is a requirement of the audit and in slaughterhouses, animal welfare. Less emphasis is placed on the determination of minimum durability dates for fresh meat even where re-wrapping takes place.

36. Full audits are undertaken on a risk-based frequency, with food businesses demonstrating previous good compliance being audited less frequently. The full audit assesses all cutting plant approved activities and food safety management systems (FSMS). There is a legal requirement for it to be announced to the food business in advance and by a Veterinary Auditor. If at least one major non-compliance is found at a full audit a follow-up partial audit will be scheduled to review the actions taken to address non-compliances.
37. During the intervals between audits at least one unannounced inspection of the cutting plant is undertaken by a Meat Hygiene Inspector. There is limited guidance on the conduct of unannounced inspections, but their primary focus is on inspection of the daily operation of the plant rather than a systematic review of its food safety management systems. The definition of audit outcomes and subsequent inspection frequencies are summarised in Figure 7 below:

Figure 7: Intervention summary

Audit Outcome	Definition	Full audit frequency		Partial audit frequency	UAI frequency (stand alone cutting plants only)
		Stand-alone cutting plants	Slaughterhouses Game Handling Co-located CPs		
Good	No major or critical non-compliances during audit period	12 months	12/18 months	0	1
Generally Satisfactory	No critical non-compliances No more than 2 major non-compliances	12 months		Within 3 months	1
Improvement Necessary	No critical non-compliances or 3-6 major non-compliances	3 months		Within 1 month	1
Urgent Improvement Necessary	1 critical or >6 major non-compliances	2 months		Within 1 month	1
Plants qualifying for extended audit frequency					
Good/Good	No major or critical non-compliances during both audit periods	24 months	36 months	0	2

38. Some feedback from FSA/FSS staff workshops indicates that communications between inspection and audit functions could be more consistent or coordinated.

39. All staff responsible for delivering Official Controls should be recruited against a common standard across the UK with the appropriate professional skills, experience and qualification appropriate to their role. There should be on-going development programmes to address emerging issues and regular verification of officer competence.
40. The review has undertaken a preliminary assessment of the skills and experience requirements across FSA/FSS, including service delivery partners, and initial findings are:
- Contracted staff (veterinarians and meat hygiene inspectors) – a consistent requirement for skills and experience is reflected in FSS/FSA Service Delivery contracts;
 - Employed Meat Hygiene Inspectors – no recent recruitment and limited evidence of on-going development or competency assessment;
 - Unannounced Inspection Officers – FVC cohort (Veterinarian in NI) and trained eMHIs in FSA and FSS and some evidence of development and competency assessment;
 - Approval Officers – Experienced OVs across UK and evidence of aspirational supplementary qualifications (HACCP Level 4 and OCV);
 - Auditors – some evidence of common qualifications (OV and lead auditor).

Annex 3 shows the comparative competency analysis across the England, Northern Ireland, Scotland and Wales.

41. Other key findings as this stage include:
- Official Veterinarian courses have not been updated for some time and feedback suggests that course graduates are only prepared for slaughterhouse roles;
 - Staff conducting approvals have variable levels of experience and qualification and evidence indicates internal monitoring could be improved; and
 - Staff training focuses on slaughter houses and game handling establishments rather than other food businesses such as cutting plants;

“As Is” LA operating model for approved and registered plants

42. In 2016/17 there were 419 UK LAs with responsibility for food controls (354 in England, 22 in Wales, 11 in Northern Ireland and 32 in Scotland). All cold stores, except where co-located with FSA/FSS approved establishments, are approved and regulated by LAs. Meat cutting plants, which operate on a marginal, local or restricted basis, are exempted from FSA/FSS approval and regulated by LAs however no central list is held for the number of these establishments.
43. To facilitate a consistent LA regulatory approach, the FSA has published statutory Code of Practice guidance and developed a range of aide-memoires. Similar

approaches apply in Wales, NI and Scotland. The FSA/LA Framework Agreement also requires all LAs to develop an annual (food enforcement) Service Plan and a number of policies and procedures demonstrating how official controls will be delivered.

44. The Food Law Code of Practice (Chapter 4) includes very prescriptive requirements for the minimum qualifications, competence and experience required by a local authority authorised officer to carry out official controls in food businesses. Specifically, it says that an authorised officer must have a level of knowledge, skills, experience and understanding that allows them to deliver official control interventions. They must also understand the hazards and risks within the premises they are required to inspect. The Code of Practice also requires every LA to appoint a Lead Food Officer who has responsibility for assessing the qualifications and competence of an officer before they are authorised to deliver official controls.
45. LAs send annual monitoring data to the FSA, which recently demonstrated a trend of officer staffing levels falling significantly year on year, with the 6% reduction in 2015/16 reflecting that of previous years. In Scotland, the total number of Environmental Health Officers (EHOs) is similarly declining. However, the EHO profession undertake duties across a wide number of areas including Health and Safety, public health and environmental controls. Discussion with LAs confirm that some services are losing staff as a whole but retaining staffing levels to deliver food controls due to the higher profile and legal direction in this area.
46. There are issues about the communications and transfer of establishments between FSA, FSS and LAs. LAs have raised concerns that the FSA is reluctant to take over some of their larger registered catering /wholesale butchers where they are operating outside the exemptions.
47. There are also issues about the wider coordination and communication between LAs and FSA/FSS in businesses where there is dual enforcement responsibility or in businesses within a linked supply chain.

Industry Assurance

48. The food industry has a range of methods to assure itself, customers and consumers its complying with legislation, producing food that is safe etc, complying with customer, industry, ISO and certificated (assurance scheme) standards.
49. Audits, assessments and inspections are a commonly used method; particularly for business to business trading. These audits including assurance scheme audits, measure conformance with private standards; unlike official controls their purpose is not to assess compliance with legislation. These private standards are drawn up to meet the needs of the schemes themselves.

50. Third party private assurance schemes are voluntary schemes that verify, through independent assessments, businesses are meeting stated standards. The schemes operating in the UK that are most used by industry are:
- BRC Global Standards (BRC GS) - the Global Standard for Food Safety is made up of 18 categories; 7 of these are relevant to 'meat'. An additional module: meat supply chain assurance is also of relevance; and
 - Assured Food Standards (AFS) – operated by Red Tractor – the Farm Standards cover primary production, 3 are relevant to meat; the Supply Chain Standards include Meat Processing.
51. Other specific schemes operating in the meat processing sectors include Quality Meat Scotland - Quality Scottish Assured Processor Standard, National Association of Catering Butchers, British Meat Processors Association – BMPA Pork Scheme, Association of Independent Meat Suppliers – Assured Meat Processing Scheme, FSSC 22000 and SALSA.
52. FSA's Regulating Our Future (ROF) programme is working to develop the evidence base for 'Regulated Private Assurance' - to work out how sound and reliable information and data from FBOs can inform the nature, frequency and intensity of official controls and a recent project with BRC GS⁸ explored the potential for the BRC GS assurance scheme to play a part in regulated private assurance.
53. The FSA and FSS do not currently hold information at business or establishment level on the details of which private standards (including assurance schemes and supplier requirements) establishments are assessed against.
54. Industry assurance data relevant to establishments in the scope of this review is not routinely shared between regulators and schemes.

Summary of comparative country analysis

55. Annex 4 provides an overview of the comparative country analysis in terms of legislation, approval, audit and inspection regime, staff skills and experience and industry assurance.
56. In summary the key findings are:
- The Food Law Code of Practice in each of the countries provides a broadly consistent framework for LA delivery of food law official controls. There are, however, some differences in approach to implementation, which are influenced by the specific circumstances in each country. Most notably, all LAs in Scotland, Wales and Northern Ireland are unitary authorities (delivering both food hygiene and food standards controls) whereas in England LAs will be a

⁸ <https://www.food.gov.uk/sites/default/files/fsa-brc-report-oct17.pdf>

mix of unitary and two tier (where controls for hygiene and standards are delivered by different LAs);

- Similarly, approval, inspection and audit of approved meat establishments is carried out in accordance with a consistent legislative framework but with some process and delivery responsibility variations tailored to the circumstances of each country; and
- Industry assurance tends to operate in a similar manner across England, Northern Ireland, Scotland and Wales. There is some minor variation in the assurance schemes available at a country level including schemes linked to the ability to use regional branding / PGI origin indicators.

CONCLUSION

57. The key findings from the work of the review to date are:

- There is a comprehensive framework of legislation and guidance in place for FSA/FSS and Local Authority Competent Authorities but guidance focuses predominantly on hygiene issues, rather than durability; There is no specific guidance on checks that should be carried out on cold stores following their approval;
- The approval process for meat establishments is largely paper-based, and there is some evidence of inconsistency in training for officers carrying out approval assessments. There is some evidence from LAs of variable communications when establishments transition between FSA/FSS and LA approval responsibility;
- Feedback from FSA/FSS staff workshops indicates that communications between inspection and audit functions could be more consistent or coordinated;
- Although competency requirements for FSA/FSS, LA and service delivery partner officials is clearly documented, some of the training is outdated and focus is largely on slaughterhouses and game handling establishments rather than cutting plants
- Audits, assessments and inspections that measure against a wide range of private standards (including assurance schemes and supplier specifications) are a common method of industry assurance. Details of the type and number of the specific private standards that individual establishments are assessed against is not held by FSA or FSS. Industry assurance data relevant to establishments in the scope of this review is not routinely shared between regulators and those that set the private standards.
- The Food Law Code of Practice in each of the four countries provides a broadly consistent framework for LA delivery of food law official controls, although implementation varies according to the specific circumstances in each country

58. In the next phase of the review we will validate these findings with external stakeholders, and explore the extent to which they apply across all food businesses

within the scope of this review and their approach to food safety management. This engagement will include an analysis of available assurance and compliance data; a survey of food businesses; and user design workshops with stakeholders to identify and evaluate options for change, and develop recommendations for change and further work.

59. Based on the findings to date we do not believe that current meat industry practices present a systemic risk to public health, but the overall system of assurance and regulation does require modernisation. We have identified several areas for improvement we will now work with stakeholders to develop proposals which can address those issues in the short and longer term. The review will report to the FSA/FSS Boards in September 2018 with any recommendations for change accompanied by a delivery plan for short, medium and longer-term proposals.
60. The Board is asked to:
- **consider** progress at the interim stage; and
 - **discuss** any specific areas the Board wishes to ensure are covered by the review, and where any further detail is needed for its September discussion.

Annex 1 – Review Terms of Reference

Annex 1: Review of Cutting Plants and Cold Stores Terms of Reference

Purpose	To review meat cutting plants and cold stores
Business Sponsor	Heather Hancock (FSA), Ross Finnie (FSS) Jason Feeney (FSA), Geoff Ogle (FSS)
Review Team Leader	Simon Dawson, FSA Head of Operations Assurance
Date	26 th February 2018

Background

The Food Standards Agency (FSA) and Food Standards Scotland (FSS) have announced that they will be undertaking a review of meat cutting premises and cold stores. This comes in the wake of non-compliance issues identified at various cutting plants and will be industry wide.

Slaughterhouses, Cutting Plants and Game Handling Establishments require veterinary control in accordance with Regulation (EC) No 854/2004 and must be approved by the FSA in England, Wales and Northern Ireland and by FSS in Scotland.

Cutting plants do not require veterinary control daily and are inspected through periodical and unannounced visits by the FSA, FSS or Local Authorities. They are also audited by the FSA / FSS in accordance with Regulation (EC) No 854/2004. A risk-based approach is used to determine the frequency. Many will also be members of assurance schemes such as Red Tractor and BRC who conduct their own inspections.

Cutting plants are wholesale/retail/catering butchery establishments engaged only with the cutting of meat and boning out of carcasses. Cutting plants can also be approved for cold storage and to produce minced meat, meat preparations and/or meat products, in addition to being approved to cut meat.

Cold storage refers to the activity of storing food which has not been produced in the establishment where the storage (under temperature control) is taking place. These establishments are approved by the local authorities.

FSA/FSS wish to assess how today's meat industry operates across the whole supply chain, including the cause and effect of shifts in the economics of the industry, and how it might continue to change, to ensure that the future regulatory direction keeps pace with and anticipates sector changes.

Scope

- All meat establishments in scope, including those under Local Authority enforcement responsibility as well as those under FSA/FSS control. This includes both stand alone and co-located premises.
- All types of establishments - Red, White and Game Meat
- The review will encompass:
 - Legislative framework and guidance;
 - Policy, procedures, and process relating to delivery of official controls;

- Respective roles and responsibilities of all actors in the meat supply chain - including all food businesses, regulators, assurance and standards bodies;
- End to end process from approval to withdrawal – whole food chain approach; and
- Incidents management process.
- The review will include an overall assessment of the capacity and capability of assurance framework including a delivery competency assessment.

For clarity the following areas are out of scope:

- A detailed review of the scientific evidence underpinning the delivery of controls in cutting plants and cold stores, although feedback on the scientific evidence may inform findings and recommendations for further work.
- EU Exit – although any appraisal of options will take into consideration any potential impact of exiting the EU.

Objectives/ Deliverables/Success Criteria

Objectives

- To clearly articulate how the meat industry currently operates across the whole supply chain, identify areas which pose greatest risk to public health and food safety, and better understand factors influencing food business compliance behaviour.
- To clearly and concisely document the current official control delivery arrangements for FSA, FSS and LAs in cutting plants and cold stores, identify opportunities for improvement and make recommendations for change.
- To improve public and stakeholder confidence in the overall effectiveness of the regulatory and assurance framework governing hygiene and public health standards in Cutting Plants and Cold Stores.
- To demonstrate FSA/FSS commitment to deliver improvements as excellent, modern accountable regulators.
- To strengthen the arrangements for delivery of official controls so that they are more effective in identifying non-compliance or potential non-compliance issues and ensures corrective action is taken before escalation to an incident.
- To identify any other measures that strengthen consumer confidence in meat production.

Deliverables

- Document 'As Is' model.
- Identify a range of options for change, including potential for more effective use of data to inform better regulation.
- Comparative analysis of the arrangements in place in the 4 countries (Wales, Scotland, Northern Ireland and England).
- Dependency mapping with other change initiatives – e.g. EU exit, FSA Regulating our Future programme, FSS Regulatory Strategy, Future Surveillance Model.
- Agree assessment criteria for appraising options.
- Options appraisal.
- High Level delivery plan for agreed options.
- Evaluation framework to assess effectiveness of agreed options.
- Report to FSA/FSS Boards by June 2018.

Success criteria

- Agreed options secure broad support of stakeholders.
- Options and preferred route must be deliverable and affordable.

- Provide assurance regarding Operational controls to international bodies e.g. Sante F and 3rd countries.

Approach

- Mobilise small core team, with wider network of subject matter experts.
- Split work into workstreams – agree requirements for each workstream.
- Weekly checkpoint meetings with SRO(s).
- Map the current model end to end, adopt the RoF operating model developed for the wider review of official controls as a framework.
- Review history of official controls including lessons learned from relevant incidents.
- Risk assessment and identify gaps where any improvements could be made.
- Develop options using a combination of workshops, listening events and on-line collaboration tools.
- Appraise options against operating model.
- Develop recommendations.
- Evaluate approach.

Governance and reporting

- Accountable to FSA/FSS Boards – initial findings to be presented in June with final recommendations and delivery plan presented in September 2018.
- FSA SRO – Colin Sullivan, FSS SRO – Ian McWatt.
- Project Board will consist of subset of FSA Executive Team (Jason Feeney, Colin Sullivan, Maria Jennings, Michael Wight) and Geoff Ogle and Ian McWatt from FSS - fortnightly progress reports from SRO and regular updates to FSA and FSS Board Chairs from CEO's.
- A Challenge Group of external members (from outside the food sector) will be established to complement the Project Board by providing scrutiny, challenge and an external perspective.
- Review Management Team Checkpoints – core team drawn from across FSA/FSS to provide day-to-day oversight and support.
- Split into workstreams – including SME's in each stream.

Communications and Stakeholder Engagement

- Stakeholder Mapping and Communications Plan to be developed.
- Stakeholder mapping to include segmentation analysis to secure feedback from across the whole meat supply chain – including producers, meat processors, brokers, assurance schemes, standards bodies and regulators.
- FSA is committed to transparency and will provide regular updates on review progress and findings during the review.

High Level Milestones	BY
<ul style="list-style-type: none"> • Develop approach and scope of reference • Agree review governance arrangements 	End Feb 2018
<ul style="list-style-type: none"> • Mobilise review team - agree approach and delivery plan • Evidence gathering • Engage stakeholders 	March 2018
<ul style="list-style-type: none"> • Options and appraisal • Engage stakeholders (proposals) • Develop emerging findings • Impact assessment 	April 2018
<ul style="list-style-type: none"> • EFRA Select Committee update 	May 2018
<ul style="list-style-type: none"> • Initial findings report to FSA/FSS Boards 	June 2018
<ul style="list-style-type: none"> • Final recommendations, evaluation framework and implementation plan to FSA/FSS Boards, including piloting proposals 	Sep 2018
<ul style="list-style-type: none"> • Consultation • Implementation • Evaluation 	TBD

Annex 2 - General guidance framework

Area	Guidance
General Guidance	
The Food Law Practice Guidance	Food Law Practice Guidance (England) also available Wales, Scotland, Northern Ireland
Approved Food Establishments - list of guidance documents	Approved Food Establishments
The Guide on animal by products and edible co products	Animal by-products and edible co-products guidance
Food labelling and safety	Food labelling summary
Food date labelling and storage advice	Food date labelling and storage
Food and Drink Federation's Industry Guidance on Setting Product Shelf Life	Industry Guidance on Setting Product Shelf Life
HACCP in meat plants	HACCP
Guidance on L. monocytogenes controls and shelf life at establishments that are producing RTE products published by the British Retail Consortium (BRC) and the Chilled Food Association (CFA)	Listeria monocytogenes controls
FSA Approved Cutting Plants and co-located activities	
Cutting Plant - general	Operational Policy for the Approval of Meat Establishments Undertaken by the FSA and FSS, Meat Industry Guide (MIG), MIG – Cutting of meat, MOC Manual for Official Controls, How the meat plant audit process works, The supply of wild game: a guide to food hygiene legislation
Cold Store*	Guide to storage and handling of frozen food
Meat Preparations*	MIG – Meat Processing including Meat Preparations
Meat Processing Plant*	MIG - Meat Processing
Mechanically Separated Meat*	Summary of the legal requirements to produce Mechanically Separated Meat (MSM); November 2012, MIG - Meat processing including MSM Desinewed meat (DSM), DSM from Ruminant Bones in the UK, DSM from non-ruminant bones or poultry carcasses in the UK, MIG - Meat Processing
Minced meat*	MIG Meat Processing including Minced Meat, Guidance for official controllers and enforcement officers in FSA and LAs on the approach to be taken on the enforcement of the legislative requirements regarding the number of days between the slaughter and mincing of chilled meat.
Wrapping and Packaging	Wrapping Packaging and Transport Hygiene, The Guide to vac packing
Labelling	Labelling of minced meat, meat preparations and MSM
LA Approved Establishments	
General	Approval of establishments, Local Authority Frequently Asked Questions

* Require FSA approval if located on the same site as a slaughterhouse, cutting plant or game handling establishment otherwise approved by LA's.

Annex 3: Competency assessment - summary

Process/ role	Analysis
Approvals	Good level of appropriate qualifications (OV) and experience and on-going development plans. FSA NI and FSS all at Level 4 HACCP or equivalent for main approvals. FSA have G7 cohort with considerable experience, some Level 4 HACCP. FSA is in house resource, FSS use 3 rd party and FSA NI is a hybrid model. Limited evidence of internal monitoring of approvals
Audit	FSA NI and FSS Lead Auditor qualified. FSS Level 4 HACCP and Official Control Verification (OCV) trained. FSA NI is rolling out HACCP Level 4. FSA recruit level 3 HACCP and train to level 4. All countries expect Lead Auditor, HACCP Level 4 to carry out role and appointees are made with an expectation of training.
UAI	<p>FSS and FSA inspectors trained to common standard in 2014 including enforcement, inspection and reporting. FSA E and W all directly employed OVs or MHIs supplemented by SDP. FSA NI is fully 3rd party. FSS is hybrid SDP OVs and eMHIs.</p> <p>FSS staff are level 3 or 4 HACCP, OCV, investigator and OC micro sampling qualified. SDP staff are OVs with level 3 equivalent. Bi-annual eMHI refresher training and annual VM assessment. All trained for investigations and surveillance. 100% VM verification of reports and enforcement action. Society of forensic investigation (SOFI) training underway.</p> <p>FSA UAIs are FVC or eMHI or SDP OVs and pilot of UAI and incidents lead at HEO underway. Requires extensive UAI experience and Level 4 HACCP. FVCs are experienced in audit and incident management</p>
OVs	All MRCVS and employed by SDPs and OV course qualified. Common pOV post qualification arrangements
eMHIs/cMHIs	<p>No recruitment of eMHIs in last 4 years and limited evidence of training and development.</p> <p>FSA SDP is FDQ approved training centre for red and white meat as per FSA. No facility in Scotland.</p> <p>FSA SDP recruits non-vet OA and trains cMHIs, FSS SDP only recruits veterinarians and trains as cMHI</p>

Annex 4: Summary of comparative country analysis

Country	Approvals	Inspections / Audit	LA Operating Model	Competency	Industry assurance
England	<ul style="list-style-type: none"> Mainly paper based application process managed by an Approvals Team No initial checks done to the FBO submitted application before allocating to the approvals officer Approval decision taken by Authorised Official in Operations Assurance Division Advisory visits are not chargeable Advisory visit completed by FSA FVLs 	<ul style="list-style-type: none"> Full and partial audits conducted by a dedicated team of eVAs. VAs conduct enforcement activity on issues identified at audit of stand-alone premises. 1 VA per visit for audit Audit visits take place in 1 day (generally) FVCs conduct 100% checks on UAI reports Extended Audit Frequencies (EAT) in place Staff conducting UAI visits: <ul style="list-style-type: none"> RTE establishments SDP OVs or FVC non RTE establishments: FSA UAI MHIs OR SDPs OVs For UAI and audits information related to establishments is available in different IT platforms 	<ul style="list-style-type: none"> Relevant businesses under LA remit are approved in accordance with the Food Law Code of Practice and associated guidance. Business under LA remit will be subject to official controls (including inspection) in accordance with the Food Law Code of Practice and associated guidance. Competency and qualification of officers is set down in, and will be assessed against, the Food Law Code of Practice and associated guidance. 	<ul style="list-style-type: none"> Standards for contracted staff set out in formal agreements with service delivery partners Staff conducting approvals experienced and qualifications specified UAI OVs or MHIs Scope to improve competency assessment 	<ul style="list-style-type: none"> A number of private standards are in place against which establishments may voluntarily be assessed/ audited Includes third party private assurance schemes such as BRC Global Standards (BRC GS), and Assured Food Standards (AFS) – operated by Red Tractor and, supplier specification standards. Association of Independent Meat Suppliers, Assured Meat Processing Scheme covers England and Wales only
Wales	<ul style="list-style-type: none"> As England but with approval decision taken by Authorised Official in Operations Assurance Division with discussions with the FSA Wales Director 	<ul style="list-style-type: none"> As England 	<ul style="list-style-type: none"> For approvals, same as England for businesses under LA remit For official controls, same as England for businesses under LA remit, with the addition that Remedial Action Notices (RANs) are an additional enforcement option in registered food businesses. For competency as England for LA officers 	<ul style="list-style-type: none"> As England 	<ul style="list-style-type: none"> As England

Country	Approvals	Inspections / Audit	LA Operating Model	Competency	Industry assurance
Scotland	<ul style="list-style-type: none"> Mainly paper based application process managed by an Approvals Team EO officer conducts initial checks on FBO applications after submission before they are passed to the approving veterinary officer. Approval decision taken by the FSS Director of operations Advisory visits are chargeable 	<ul style="list-style-type: none"> Full audits conducted by FSS eVAs and partial audits conducted by SDPs Extended Audit Frequency (EAF) has not been implemented. 1 VA per visit for audit Audit visits take place in 1 day (generally) VA do not carry out enforcement functions, this is always carried out by SDP For UASs FSS MHIs (5) 	<ul style="list-style-type: none"> As Wales, with the additional requirements of the Scottish National Protocol for approved establishments. 	<ul style="list-style-type: none"> Standards for contracted staff set out in formal agreements with service delivery partners Staff conducting approvals experienced and qualifications specified UAls OVs or MHIs Technical training programme for UAI staff Scope to improve competency assessment 	<ul style="list-style-type: none"> As England with the addition that Quality Meat Scotland's Quality Scottish Assured Processor Standard covers Scotland only.
Northern Ireland	<ul style="list-style-type: none"> Mainly paper based application process managed by an Approvals Team No initial checks done to the FBO submitted application before allocating to the approvals officer Approval decision taken by the Head of Operational Policy and Delivery Advisory visits are not chargeable For slaughter cutting and GHE approvals (and co-located activities) Appraisals/advisory visits carried out by DAERA on behalf of FSA Joint approval visits by FSA (responsibility for approval) and DAERA (enforcement responsibility) Approval visit carried out by FSA Veterinarian 	<ul style="list-style-type: none"> DAERA carry out inspection and verification activities (ante mortem and post mortem) in slaughter cutting and GHE on behalf of FSA under a Service Level Agreement DAERA also carry out FBO audits for FSA under the same Service Level Agreement 2 VAs per visit for audit Audit visits take place in 2 days (generally) Hierarchy of enforcement same as England and Wales Informal and formal enforcement carried out by DAERA, monitored by FSA; prosecutions carried out by FSA For UAS DAERA CP Compliance team conducts visits (3 MHIs + 1OV) 	<ul style="list-style-type: none"> Official controls carried out in meat processing establishments (not co-located with slaughter cutting or GHE) by EHOs employed by District Councils across 11 District Council areas Enforcement carried out by EHOs as per FLCoP 	<ul style="list-style-type: none"> DAERA provide a fully managed service under the Service Level Agreement All DAERA officials are employed as Civil Servants Under the terms of the Service Level Agreement DAERA are responsible for providing fully trained OVs and MHIs FSA authorise DAERA officials to carry out FSA tasks 	<ul style="list-style-type: none"> As England