

Minutes of the FSA Board Meeting on 8 December 2021

The Coal Exchange Hotel, Cardiff

Present:

Susan Jebb, Chair; Ruth Hussey, Deputy Chair; Lord Blencathra; Fiona Gately; Margaret Gilmore; Colm McKenna; Peter Price; Timothy Riley; Mark Rolfe.

Officials Attending

Emily Miles	-	Chief Executive (CE)
Pam Beadman	-	Director of Finance and Performance (via Zoom)
Maria Jennings	-	Director of Regulatory Compliance, People and Northern Ireland (NI)
Anjali Juneja	-	Deputy Director of EU Transition and International Unit (for FSA 21/12/04)
Professor Robin May	-	Chief Scientific Adviser (CSA)
Rick Mumford	-	Deputy Director of Science, Evidence and Research
Michelle Patel	-	Deputy Director of Science, Evidence & Research Division (for FSA 21/12/08)
Katie Pettifer	-	Director of Strategy, Legal, Communications and Governance
Julie Pierce	-	Director Openness, Data, Digital, Science and Wales
Steven Pollock	-	Director of Communications
Rebecca Sudworth	-	Director of Policy
Colin Sullivan	-	Chief Operating Officer

Guests

Julie Hill	-	Deputy Chair of the Advisory Committee for Social Science (for FSA 21/12/07)
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1. Welcome and Introductions

- 1.1 The Chair welcomed everyone to the meeting adding that, although the meeting was being held in-person, it had been organised in recognition of COVID-19 restrictions in Wales and some officials would be attending via video link. In accordance with those COVID-19 restrictions, all attendees would be wearing masks throughout the meeting when not speaking. There was no public audience in attendance in the room.
- 1.2 The Chair noted this was Colin Sullivan's last Board meeting before he took up his new position as Chief Executive of the Human Tissue Authority. She paid tribute to Colin's contribution to the FSA and thanked him on behalf of the Board.
- 1.3 No conflicts of interests were registered by Board Members and no items for Any Other Business were raised.

- 1.4 The Chair invited Steven Pollock to read out questions received ahead of the meeting relating to the agenda. Questions which did not relate to a paper on the agenda would receive a written reply within 14 working days, which would then be published on our website. Questions received after the deadline would receive a written reply within 14 working days, which would then be published on the FSA website.
- 1.5 Steven read out the following question, which had been received prior to the deadline and related to the agenda, from Kathryn Gilbertson, a partner with Greenwoods GRM:

I note that the achieving business compliance programme paper states at paragraph 3.1 that around 95% of total UK grocery sales are made from ten food retail businesses.

I assume that those food retail businesses are the same retailers regulated by the Grocers Code Adjudicator.

1. Is this correct?

Further that the analysis also indicated that these ten supermarkets generally have a high level of compliance with food hygiene requirements across their portfolio of establishments.

2. What empirical evidence does the FSA have to show that these supermarkets have a high level of food hygiene compliance? Have the supermarkets provided the ABC programme team with copies of their third-party inspection reports for their whole portfolio for a period of three years or more? These reports would show the true level of compliance across the portfolio. I suspect not. Most supermarkets maintain that any non-compliance is a single isolated incident or an 'outlier', but a detailed review will show the actual levels of non-compliance especially in the areas of cleaning, pest control and food hygiene. I question this and I am aware that certain supermarket chains have a history of non-compliance which may not be obvious without this information.

Paragraph 3.1 goes on to say that these establishments are all inspected on a premises-level basis by individual local authorities, although they may have a relationship at a business level with a primary authority for assured advice on regulatory matters.

3. What evidence does the FSA hold to show that all supermarkets are inspected by local authorities? Most supermarkets are rarely inspected. Please confirm the numbers of food hygiene inspections carried out on supermarkets in 2019; 2020 and so far in 2021 including inspections per retail business.

4. How many supermarkets have received assured advice? I question the accuracy of the statements made in paragraph 3.1. I accept that the supermarkets have set up primary authority partnerships, but few have progressed to obtaining assured advice.

1.6 The Chair explained that Katie Pettifer would address the question during the discussion of FSA 21/12/05 Achieving Business Compliance Programme.

2. Minutes of 15 September 2021 Board Meeting (FSA 21/12/01)

2.1 The Board confirmed they were content that the minutes of the meeting on 15 September were an accurate record.

3. Actions Arising (FSA 21/12/02)

3.1 The Board had no comments on the actions noted in the paper.

4. Chair's Report (Oral Report)

4.1 The Chair explained that a list of her engagements since the previous Board meeting had been published and included attendance at a meeting of the Northern Ireland Food Advisory Committee (NIFAC); a conference at COP26 in conjunction with Food Standards Scotland (FSS); and delivery of a keynote talk at the Global Food Security conference. She had also met members of the Welsh Food Advisory Committee (WFAC) during the visit to Cardiff for this Board meeting and had visited the Minton, Trahern and Davies Laboratories.

4.2 Peter Price welcomed the engagement of the Chair and other Board Members with the members of WFAC and said that, since joining the FSA Board, he had been impressed with the way the FSA captured the interests of Wales and Northern Ireland.

4.3 Lord Blencathra noted that nature-based solutions accounted for much of what was on display at COP26 in many of the national pavilions. The UN's Convention on Biological Diversity (CBD COP15) in 2022 would focus on nature and biodiversity. The irreversibility of the extinction of some species, in part as a consequence of food production, should also be recognised as an environmental risk as the FSA considered its future strategy.

5. Chief Executive's Report to the Board (FSA 21/12/03)

5.1 The CE gave an overview of her report covering: EU Exit; Precautionary Allergen Labelling (PAL); and regulated product applications, particularly for Cannabidiol (CBD) products. She said that the situation where CBD products were for sale without having been through the FSA's novel foods market authorisation process was unusual. The FSA had chosen not to insist that all products were removed from sale immediately; nor had it decided to sit back

and wait for industry to become compliant. Instead, the FSA had balanced consumer safety, proportionality, the need for compliance with the law, and the consumer interest. It had therefore adopted a phased approach. This had begun with consumer advice being issued in February 2020 and had continued with a deadline to receive applications for novel foods authorisation by end March 2021. Now the FSA was triaging applications. This would lead to proportionate enforcement.

- 5.2 At present the FSA was working to triage the applications between those that were not credible and so to be rejected; those where evidence was awaited and there was a credible chance of receiving that evidence; and those where the application had been validated as a credible application and had now moved into the scientific risk assessment stage. She said that the FSA would shortly add applications to two public lists: those applications that were validated; and credible applications that were awaiting further evidence. Once triage was complete and those lists had been fully updated, Local Authorities (LAs) and retailers would therefore have clarity about the products that stood no chance of success in the market authorisation process. Over the next period, the FSA would then determine whether those applications on the two lists would get authorised. Through this phased approach, the FSA would bring the CBD industry gradually into compliance with the law.
- 5.3 The CEO gave a message to consumers on CBD, which was to take care over the products they were using and note the advice that healthy adults should not exceed 70mg of CBD per day; and that vulnerable consumers should not consume it at all. No CBD product had yet been through full market authorisation and therefore none had yet had their safety checks completed.
- 5.4 She said that her message to the CBD industry was that retailers and producers needed to be responsible when marketing and selling these products. Finally, she said that LAs needed to be aware that in the next few months, they would need to step up enforcement on products that stood no chance of being authorised, and that the FSA would work closely with LAs to support them in doing this.
- 5.5 The Chair said that regulated products, including CBD, would likely require a dedicated, regular agenda item for future Board meetings. The FSA would add further applications to the published validation list and commence formal scientific assessment on them and would also publish a list of the applications where work on studies was in train before our March 2021 deadline but where information was being awaited and there was a reasonable expectation that such scientific information would be provided in a timely manner in order that the application would be validated. Where THC products had been found to contain THC, this would require police assistance. There were also questions in some cases around health claims being made on behalf of some of the products. It was clear that CBD was not a straightforward regulated products issue.
- 5.6 Margaret Gilmore asked if more applications for CBD products had been received than had been expected. The CE said there had been 210

applications received and that these represented a far larger number of individual products.

- 5.7 Margaret asked what the risks to consumers could be from unapproved CBD products. The CE said there could be risks both around authenticity and around safety. Since many of the products had not been through the process, it was possible that disreputable actors would attempt to sell products that were not what was claimed. The process required producers to provide evidence that the product was not harmful, in line with the general principles of food law. Ruth Hussey highlighted the need to liaise with the Department of Health and Social Care (DHSC) about if and how harms from CBD products were monitored.
- 5.8 Mark Rolfe asked if it was understood what attracted consumers to use CBD products. The CE said that the FSA's consumer research from 2020 suggested that people buying CBD products felt they helped with sleep, or with combatting anxiety but none of these benefits were proven.
- 5.9 Mark asked what could be done to help LAs identify legitimate products for enforcement purposes. The CE said the application process required producers to identify, not only the substance or ingredient that required approval, but also any products they were producing that contained that substance. Rebecca Sudworth said an initial list of validated products had been published and was being used by LAs for enforcement purposes. The CE highlighted that responsible retailers needed to be confident that the products they were stocking were safe and had not been rejected. Fiona Gately highlighted the need for a communications campaign to raise awareness of the publication of the approved products list.
- 5.10 Timothy Riley asked a question about shellfish production and water sewerage levels. Peter Price noted the particular importance of these issues in North Wales given the value of the shellfish market and asked whether there was increasing concern about water quality. The CE said LAs operated official controls for shellfish. Sampling was taking place and the FSA looked at the results from the point of view of food safety, but the FSA did not have responsibility for assessing water quality, which was the responsibility of the Environment Agency. It was known that norovirus could be an issue and consumers should take care when cooking and eating shellfish.
- 5.11 Robin May, the Chief Scientific Adviser (CSA), explained there had been meetings with the Met Office on the subject of water run-off and it had been raised within the PATH-SAFE group. It had been noted that levels of some pathogens, such as E. coli, which the FSA would test for, could often be indicative of levels of other contaminants.
- 5.12 Timothy asked if the appropriateness of feed additives for the mitigation of methane production would be considered, noting differences in methane production between cereal-fed and grass-fed livestock meant they may not be required in all cases. The CE said animal feed was only assessed by the FSA on a food safety basis but if there were considered to be environmental

implications, this would be flagged to the Environment Agency. Rebecca added that feed additives were included in the list of applications going through the regulated products process, published on the FSA website, in line with the FSA's commitment to transparency.

- 5.13 The CSA said there were ongoing discussions with Defra, who were the lead department for this issue, about the production of guidance around how feed additives interacted with changes in diet.

6. FSA EU Transition Update (FSA 21/12/04)

- 6.1 The Chair invited Anjali Juneja to deliver an update on EU Transition, as we approached one year since the end of the transition period. Anjali gave a brief overview of the paper covering the Northern Ireland Protocol (NIP); contributions to Section 42 reports; and principles for managing divergence.
- 6.2 Mark said in previous discussions it had been noted that it was in consumers' interests to maintain as unified a system as possible and avoid divergence. He asked whether this had changed. Anjali said changes that had occurred since that was agreed, including the NIP, meant this principle was not realistic as a starting point but the food safety and consumer interests' aspects were still central to the FSA's approach. The CE added that alignment was not an end in itself and was only valuable in the extent to which it served the consumer interest; food safety and public health would remain the FSA's focus. The Chair suggested the wording could be revised to ensure this was not misinterpreted. The Board indicated that they agreed it was appropriate to update the principle as discussed, taking into account the discussion.
- 6.3 Mark commented on the challenges that were facing Port Health Authorities in recruiting staff from the same small pool and asked what could be done to help expand the pool of by increasing numbers within the relevant professions. Peter said support for the LAs that contained Wales's two main ports would be important. Anjali explained the majority of staff required by Port Health Authorities had already been recruited and the FSA was giving support and providing training.
- 6.4 Colm McKenna asked whether preparations were sufficiently advanced for the implementation of import controls by the middle of 2022. Anjali said there was confidence this was the case for pre-notifications and some traders had already begun to pre-notify on a voluntary basis.
- 6.5 Peter noted the close ties between Wales and Scotland as well as the complexity caused by goods leaving Wales for Northern Ireland by transiting through the Republic of Ireland. Anjali said there was a close working relationship with FSS, and discussions covered issues affecting all four nations of the UK. For transit through the Republic of Ireland, Welsh Government was the lead authority for Business Continuity Plans and on the infrastructure project with respect to any potential Border Control Points in Wales.

- 6.6 The Chair asked about the Section 42 reports. Anjali said these were a requirement from the Agriculture Act that concerned new trade agreements and did not apply to existing trade agreements. The FSA and FSS were able to feed into the reports, but discussions were ongoing as to how this would happen.
- 6.7 Colm noted the discussions around the NIP focused on divergence in Northern Ireland, but the issue extended across the UK. He asked how the FSA would keep apprised of changes in the EU position in time to be able to effectively regulate any potential divergence that could occur between Northern Ireland and Britain and how consistent advice could be given to the governments across the four nations on any emerging divergence. The Chair added there could be rare circumstances where consumer interests would not be the same across the four nations and this would also need to be accounted for. The CE said there was a team that monitored EU regulations and changes to those regulations. There was also a post that the FSA funded at the UK's mission to the EU. To ensure consistency, advice was formed, collectively with FSS and in line with the Risk Analysis Process (RAP). Ministers across the four nations would be advised of the approach at the same time, incorporating and explaining any relevant contextual factors within the relevant jurisdictions.
- 6.8 The Chair welcomed efforts to maintain the FSA's international networks and Steve Wearne's recent appointment as the Chair of CODEX Alimentarius was noted in this context. The Board had agreed it was appropriate to change the principle around alignment in the consumer interest and had advised consideration of whether the wording used to express the new principle was open to misinterpretation.

7. Achieving Business Compliance Programme (FSA 21/12/05)

- 7.1 The Chair invited Katie Pettifer and Carmel Lynskey to introduce this item. The Chair noted her recent visits to LAs to see the work of Environmental Health Officers (EHOs) which had demonstrated the importance and need for the work of this programme. Katie gave an overview of the programme including work to modernise the approach to enterprise level approaches; food sold online; making regulation more proportionate; and the guiding principles emerging from pilots of the new enterprise level regulatory approaches. She asked the Board to comment on the enterprise level approaches, noting plans for pilots for new ways of regulating, drawing on retailers' business level assurance and audit systems; and the principles to ensure regulatory assurance set out in the paper. She also asked the Board to endorse the programme objectives set out in Annex A of the paper.
- 7.2 Carmel answered the question from Kathryn Gilbertson, which had been read out at the start of the meeting. She explained that the Groceries Code Adjudicator regulated the way in which retailers treated their suppliers and all ten of the large, influential retailers identified by the FSA were regulated by the Groceries Code Adjudicator. These retailers were known to be highly compliant as all of their stores received regular inspection by LAs. In 2019, over 3,000 of their stores were inspected and 98% received a Food Hygiene

Rating Scheme (FHRS) score of four or five: highly compliant. Due to the pandemic, it had not been possible for LAs to carry out the normal frequency of inspections but over 1,800 stores were inspected in 2020 and 99% of those also received an FHRS score of four or five. On the question of Primary Authority (PA) advice, Carmel said all ten of the identified retailers had a PA relationship in England with eight having received PA advice. Six had a PA relationship in Wales, five of which had received PA advice. A written response with more detailed figures would be provided.

Action 1 - Carmel Lynskey to provide a written response to the question from Kathryn Gilbertson containing more detailed figures.

- 7.3 Mark asked whether the modernised food standards delivery model and the modernised food hygiene delivery model should be referred to in the same way in the description of the programme. Maria Jennings explained that the delivery model for food standards had never been as effective as had been hoped and required rebuilding. The new model was now close to being finalised. Conversely, the food hygiene model had worked well for a long time and underpinned the FHRS. The ambition was to modernise the model to incorporate the use of new technology but remain in line with the objectives of the programme.
- 7.4 Mark asked whether compliance at premises level was compatible with the enterprise level approach and suggested that both should be maintained. Carmel said the programme was still in the design stage, collaboratively with LAs, Primary Authorities and businesses. The required system for verification would be key and would become better understood as the pilots progressed.
- 7.5 Mark said the answer to the question posed in the paper around what success looked like would be in-keeping with the FSA's goals of 'food is safe' and 'food is what it says it is'. The CE said enterprise level approaches would begin with a focus on food hygiene rather than standards and would be working with retailers rather than manufacturers or caterers. The inclusion of enterprise level approaches for other business types than big retailers would be a change in programme scope which would need to be formally reviewed and decided by the Executive before seeking the approval of the Board.
- 7.6 Peter said when the term 'influential businesses' was used in the paper, it was understood this referred to their market dominance, but it was open to misinterpretation that they had influence over the FSA. He encouraged an alternative wording such as 'larger market impact businesses.'
- 7.7 Lord Blencathra said he endorsed the approach set out in the paper and noted the visit to Cardiff Metropolitan University that some Board Members had undertaken the previous day. He asked about food delivery businesses and whether they had any responsibility for the safety of the food that they were delivering and whether the origin of the food was clear to the person ordering it online. Katie noted that some of the online food aggregators, for whom the couriers operated, could be helpful to the FSA as they had a high degree of influence with the businesses which sold through them. They were also data-

rich businesses and used the FSA's Application Programming Interfaces to get information about food businesses. Aggregators often required a minimum FHSR score before they would include businesses on their platforms.

- 7.8 Fiona Gately enquired as to the extent to which there was an infrastructure within some larger online businesses with conventional, physical retail outlets, which could be helpful in scoping how online businesses could be regulated. Julie Pierce noted the diverse range of food business models that operated online, which often diverged widely in terms of scale and the FSA was now starting to get a clearer idea of how these businesses tended to operate, enabling a better understanding of which businesses represented the highest risk. The way the data could be used meant that food businesses that might otherwise be difficult to identify were visible to the FSA and could be regulated appropriately.
- 7.9 Katie explained that although the programme was in an exploratory phase in regard of online sales, it was not an unregulated area. Businesses with different premises would be inspected and regulated by the LA in which they were situated. The Chair said she had met with Stephen Lightfoot, Chair of the Medicines and Healthcare Products Regulatory Agency who also had concerns about how best to address the risks from online sales and there was potential for work across regulators to achieve a joined-up approach. Katie added the FSA had recognised the desire to work with other regulators within the programme's objectives.
- 7.10 The Chair asked whether there was an intention for the FSA to take on a larger role around the regulation of online businesses. Julie explained this was yet to be designed but that many of the businesses involved did not recognise the geographic boundaries of LAs, meaning that the FSA may be better placed to take on a larger role.
- 7.11 Ruth asked whether there was confidence that foodborne disease outbreaks were investigated in a way that allowed for potential future outbreaks to be tracked. Maria said the LA recovery plan paper for the Business Committee (FSA 21/12/14) mentioned planned programme inspections and the investigation of foodborne disease was prioritised, using effective, known methods for detecting and tracing outbreaks.
- 7.12 Colm noted that only two of the retailers involved with the enterprise level approaches with whom the FSA had engaged were ones that operated in Northern Ireland. He asked whether discussions would be taking place with the remaining retailers and whether it was just the scheduling of the discussions that had meant so few operating in Northern Ireland had been engaged with so far. Carmel confirmed this was a result of scheduling for engagement and that all 10 businesses had been contacted and were supportive of the approach. Meetings with the outstanding businesses were planned for January. The absence of a Primary Authority system in Northern Ireland meant that work with businesses and District Councils would be required to consider how this should operate.

- 7.13 Colm asked for assurance that the enterprise level approach would not begin to appear like a form of self-regulation. Katie confirmed there would be a sustained and significant role for the FSA with LAs continuing to provide enforcement. The legal framework was not being changed so the same bodies would remain responsible for the enforcement of food hygiene and food standards.
- 7.14 Margaret said there was an increased reliance on on-the-ground intelligence for the regulation of online food businesses, which could be exacerbated by staffing shortages within LAs. She asked if there were likely to be fewer physical inspections in future. Katie said there had been an effort to reduce the amount of resource required for planned inspections but there would continue to be resource implications for LAs where they had a role in providing enforcement. Carmel added that to design the programme correctly, LA functions would need to be worked through strategically, engaging with them where they could add the greatest value to the design process.
- 7.15 Margaret noted the FSA was still pushing for FHRS mandation in England and welcomed this ambition but noted that, even without mandation, the scheme had had an impact on consumer behaviours. Peter said there was a risk that if the FHRS was weaker in England, this could undermine trust in the scheme in Wales and Northern Ireland. The Chair noted premises with low FHRS scores tended to be concentrated in communities that were also contending with other issues and this was a particular concern. Awareness needed to be created that a rating of five did not represent gold-plating but indicated a high level of compliance with food hygiene regulations. The Board were clear that FHRS mandation was needed in England and the Chair had written to the Secretary of State for DHSC to that effect.
- 7.16 The Chair noted that the Board had endorsed the objectives as set out in the paper and invited comments on the guiding principles. Mark said he supported the principles but suggested an additional one that activity should not distort competition either nationally or locally. The CE said the focus on larger and more influential businesses addressed a perceived need for parity in regulatory approach for, often small, LAs regulating some of the UK's biggest businesses. It was hoped that the FSA would be able bolster the PA approach to improve their oversight of these large businesses. She accepted that the suggested principle could be included.
- 7.17 She said the FSA would need to ensure that it had a workforce plan underpinning activity to attract people into environmental health as a profession and provide opportunities for those at the local level to work at PA level.
- 7.18 Lord Blencathra noted that big companies were generally more comfortable with high levels of regulation whilst smaller competitors were less able to cope with it. The Chair noted the programme needed to be designed to reflect the diversity of the businesses who depended upon it.
- 7.19 The Chair concluded that the Board endorsed the programme and looked forward to seeing more work on online businesses in future updates. The

Board also endorsed the guiding principles with the addition of the points around competition and workforce planning.

8. Science Update 2021 (FSA 21/12/06)

- 8.1 The Chair invited Rick Mumford to deliver this update on science delivery in the FSA. Rick noted this report contained updates on the delivery on areas of FSA Science that had been noted as ambitions in previous annual reports. He gave an overview of the paper covering: the Risk Analysis Process (RAP), designed to address issues from EU Exit; Research programmes and priorities; surveillance and support for Official Control laboratories; and work around insight.
- 8.2 Colm noted NIFAC's endorsement of the one-health approach, and the work done collaboratively with the Department of Health and the Department of Agriculture, Environment and Rural Affairs (DAERA). He asked about levels of engagement with universities and research institutions in Northern Ireland, noting the agri-food driven nature of the economy there. Peter said WFAC had noted with interest that some of the science posts the FSA planned to create would be located in Cardiff, giving strong linkages to universities in Wales.
- 8.3 Rick said in 2018, the complexion of the Science team within the FSA had been very London-based but that had changed significantly with many staff now based in York, Belfast and Cardiff. These staff provided good links to local expertise including nearby universities and research institutions. 70% of the FSA's Science spend was spent outside of London and the home counties with projects ongoing in both Wales and Northern Ireland. PATH-SAFE was mentioned as an example of a flagship project with both a one-health and a four-nation approach and pilots being developed across the UK nations, focussing on the needs of the local food landscape.
- 8.4 Ruth said it would be important for the new Science Strategy to be embedded within the overall Strategy for the FSA. The Chair agreed, noting this would be key as the FSA's Strategy was developed and should be considered when further discussed by the Board in March.
- 8.5 Ruth said consideration should be given to the information that novel food producers were likely to need in order to get ahead of applications. The CSA agreed that there was work to do to ensure messages were being received by businesses to help with their applications.
- 8.6 Ruth said there was an emphasis on capability in relation to Official Control Laboratories but there would also need to be a focus on capacity and a timescale attached to the actions noted for this. The CSA said this was something the science team were aware of and had recently visited a number of stakeholders to determine what could be done to assist with this in future. During the pandemic, there had been broader investment in laboratory infrastructure but there was a need to balance the routine sampling requirements with the surge capacity demanded by the pandemic.

- 8.7 Peter asked whether there were tangible, positive impacts on food safety from peer reviewed reports. The Chair noted the difficulty in attributing real world outcomes to individual pieces of work or peer reviewed papers. Rick gave examples of how the FSA's science work delivered impact; mentioning risk assessments, which directly influenced the FSA's incident response, and other research, for example foodborne disease, which was much older, but which had influenced the later development of the FSA's Cost of Illness (COI) Model, which in turn shaped FSA policy, for example via the new foodborne disease control frameworks. He added that the successful PATH-SAFE project case also included figures based on the FSA's foodborne disease research, allowing the FSA to demonstrate to Treasury that the work of the project addressed a major issue with significant costs to society. The CSA noted the Citizen Science project that had been co-funded with the Biotechnology & Biological Sciences Research Council (BBSRC) and would directly engage members of the public.
- 8.8 Timothy asked about work with the Scientific Advisory Committees (SACs) around animal feed, noting this was a founding issue for the FSA. The CSA said there had recently been recruitment to the joint expert group on animal feed, strengthening the quality of advice from that Committee.
- 8.9 The Chair invited comments on the future priorities noted in the paper. Margaret noted the importance of the science keeping ahead of the FSA's ambitions, highlighting emerging technologies that could allow more widespread use of remote inspection, which could help address issues such as veterinary shortages, as well as reducing the FSA's overall carbon footprint. The Operational Transformation Programme (OTP) was noted as an area that could be helped by a pro-active approach to considering how data solutions could facilitate changes.
- 8.10 Julie said that the FSA's horizon scanning capability took a long-term view of issues that the FSA would need to be prepared for. The insight from this work would inform pilots and trials to consider the approach that the FSA should take to maintain effective regulation. Rick mentioned work around cultured meat where international links were being built to get ahead of what was happening in the UK. The FSA's Strategic Evidence Fund (SEF) was also used to invest in early-stage research. For OTP, Rick mentioned that the SecQual project was developing smart labels to enable the tracking of materials through the supply chain. The project involved OTP staff considering applications within abattoirs.
- 8.11 Margaret asked whether there were ways to ensure that the right science was being commissioned to get the data that was required for the FSA's future priorities. Julie said to ensure the necessary data was obtainable, the FSA explored a range of data services such as artificial intelligence and machine learning, the insights from which could be used where appropriate.
- 8.12 Fiona asked how it could be demonstrated that the FSA was leading in the areas outlined and how the approach could be embedded across government. The CSA said he worked closely with departments across government to

ensure a joined-up approach. More widely, there was a good level of international engagement and there had been recent conferences on risk management and risk assessment as well as meetings with international colleagues about their approach to surveillance.

8.13 The Chair asked when the Board would hear more about the horizon scanning function. The CE said that the executive should give this consideration and come back to the Board with an answer.

Action 2 - Julie Pierce to consider when the Board could receive an item on the FSA's horizon scanning function.

8.14 The Chair also noted that a workplan for action on ensuring laboratory capacity would be important for the Board to consider.

Action 3 - Rick Mumford to provide a workplan, including timelines for work on laboratory capacity.

8.15 The Chair noted that the science work of the FSA was progressing well and the impact from that was apparent.

9. Advisory Committee for Social Science Update 2021 (FSA 21/12/07)

9.1 The Chair noted that Professor Susan Michie, the Chair of the Advisory Committee for Social Science (ACSS) had been unable to attend the meeting. The Chair noted Professor Michie would be stepping down from her role in 2022 and thanked her for her contribution as ACSS Chair. She invited Julie Hill, Deputy Chair of the ACSS, to present the independent report from the ACSS.

9.2 Julie noted the work carried out over the year; work around climate change and consumer behaviour; procurement of social science; and the intention/action gap.

9.3 The Chair thanked Julie for the update and noted that applications for soon-to-be advertised new ACSS Members would be welcomed. She asked whether more work should be done at a research level around food insecurity. Julie noted the issues around affordability and access to food and said it would be helpful to broaden the idea of consumer interest beyond issues around food safety and authenticity to include concepts such as affordability and availability. Julie Pierce said the FSA had been considering food insecurity issues throughout the pandemic and more was expected from research which had already been commissioned.

9.4 Ruth noted the food safety consequences which could arise from food insecurity and scarcity, whether from ignoring use-by dates or from consuming unfit food, as well as the dietary and nutritional impacts, particularly on children. She asked if there was a systematic approach to looking at inequalities and whether these elements were visible in data received from bodies such as the

UK HSA and could be analysed accordingly. Rick noted work commissioned around food price inflation which focussed on issues around income and the impact on lower income groups. In terms of visibility within the data, Julie Pierce offered to come back to the Board with a response due to the complexity of the question and the indirect connection between cause and effect.

Action 4 - Julie Pierce to provide information on the inequalities, visible within data highlighting food safety issues arising from food insecurity.

- 9.5 Rebecca Sudworth noted Defra would be publishing a report on UK food security on 16 December, which would focus on data from all four nations of the UK. The FSA had input into the report on issues around food safety and consumer confidence.
- 9.6 The Chair thanked Julie Hill for presenting this update to the Board and asked that the Boards' thanks also be passed to Professor Michie.

10. Consumer Insights 2021 (FSA 21/12/08)

- 10.1 The Chair invited Michelle Patel to introduce the paper. Michelle gave an overview of issues covered in the paper including food waste; food insecurity; and planned work to support the development of the new strategy.
- 10.2 The Chair said the high percentage of respondents contacted during consumer insight work relating to food insecurity who reported having used a food bank was concerning. Michelle noted the FSA was the first UK Government Department to publish information on food insecurity during the pandemic.
- 10.3 Timothy asked whether there was a tension between the drive to increase animal welfare standards and sustainability, and the affordability of food, noting that it could be concerning if people felt it necessary to sacrifice their commitments to animal welfare and sustainability for the sake of affordability. Katie said in the development of the new FSA Strategy, the over-riding objectives were to protect public health as well as to protect other interests of consumers, where this concern would be factored in. This consumer insight work was key to understanding those other interests of consumers.
- 10.4 Margaret asked about the inclusion of allergy control measures in the FHRS. Rebecca said the FSA was currently considering the feasibility of incorporating allergen control information into or alongside the FHRS.
- 10.5 Lord Blencathra suggested the traffic light labelling system used by many retailers and procurers could be enhanced and systems used in other countries, such as France, were more useful to consumers than systems in the UK. This was particularly the case with online purchasing. The Chair said the FSA had a particular interest in labelling and information should be presented to consumers in a manner that was useful to them.

- 10.6 Peter asked how work around consumer attitudes to Genome Edited (GE) foods was progressing. Michelle said they had looked at the responses from the Defra consultation on GE. Best practice in risk communication was to understand what information was needed first and the work to gauge consumer understanding was ongoing.
- 10.7 The Chair noted that the Kitchen Life project, which was part of the citizen science projects mentioned by Rick during the Science Update 2021 (FSA 21/12/06), had not been raised in this discussion. It focussed on the microbiome of chopping boards which would also generate some interesting consumer insights directly relevant to food safety.

11. Report from Meeting of Audit and Risk Assurance Committee (ARAC) (INFO 21/12/01)

Colm gave an overview of the report from the ARAC meeting on 23 November covering discussions around: the risk register; financial accounts and the London Pension Authority issue that had delayed the laying of the Westminster and Consolidated accounts; National Audit Office audit planning and an update on the FSA's contract for the delivery of official controls with Eville and Jones. There were no questions from Board Members.

12. Reports from the Chairs of the Food Advisory Committees (Oral Reports)

- 12.1 Colm gave an update on NIFAC activity since the previous Board meeting covering: the FSA Chair and CE's attendance at a NIFAC meeting on 20 October and stakeholder visits undertaken during their visit; discussions on the FSA Strategy; NIFAC consideration of the Board papers and forward agenda; and upcoming NIFAC business.
- 12.2 The Chair noted there were areas where the FSA had been identified as a potential partner for the DAERA Innovation Strategy. Maria said a key objective in the FSA's discussions with DAERA was aligning approaches to key activities with the ambitions of the FSA's Strategy. The CE said the Northern Ireland Executive were clear about their overall aspirations, but the specifics had not yet been clarified. Once the detail was known, the FSA could consider how best to support those aspirations.
- 12.3 Peter updated the Board on the activity of WFAC since the last Board meeting. WFAC had renewed the membership of Phil Hollington and had also recently appointed a new Member: Jessica Evans-Williams. WFAC had met to consider food hypersensitivity and heard from allergy sufferers, noting the difficulties faced by people with food hypersensitivities, particularly those with a hypersensitivity to an allergen that was not one of the 14 most common listed allergens. WFAC's upcoming meeting would focus on GE food. A Private Member's Bill had also been introduced into the Senedd which could have required the establishment of a Welsh Food Commission and required Ministers to produce a Welsh Food Strategy. Welsh Government had

advocated other ways of achieving the aims of the Bill. Peter also noted Labour's cooperation agreement with Plaid Cymru in the Senedd. This was a novel arrangement within the UK.

12.4 The Chair invited questions from the Board. Lord Blencathra noted a Bill with similar aspirations to the Welfare of Future Generations (Wales) Bill, but for England, had recently been considered by the Lords but was unlikely to receive a second reading in the Commons.

13. Any Other Business

13.1 No other Business was raised, and the meeting was closed. The next meeting of the FSA Board would take place on 9 March 2022 and was being planned to take place in Birmingham.