

Minutes of the FSA Board Meeting on 18 September 2024

18 September 2024, Holiday Inn West, Peterborough

Present: Susan Jebb, (Chair); Lord Blencathra; Hayley Campbell-Gibbons; Fiona Gately; Margaret Gilmore; Anthony Harbinson; Rhian Hayward; Timothy Riley; Mark Rolfe; Justin Varney.

Officials Attending:

Katie Pettifer	- Chief Executive
Nathan Barnhouse	- Director for the FSA in Wales for Report from the Director (for FSA 24/09/10)
Jenny Desira	- Head of Information Management and Security (for FSA 24/09/09)
Claire Forbes	- Director of Communications
Rebecca Kirk	- Head of Regulatory Compliance (for FSA 24/09/04)
Junior Johnson	- Director of Operations
Anjali Juneja	- Director of UK & International Affairs
Carmel Lynskey	- Head of Achieving Business Compliance Programme (for FSA 24/09/05)
Kevin Maher	- Head of Animal Welfare (for FSA 24/09/08)
Robin May	- Chief Scientific Adviser
Rick Mumford	- Head of Science Evidence and Research
Ruth Nolan	- Director of People and Resources
Julie Pierce	- Director of Information and Science
James Robinson	- General Counsel (via Zoom)
Natasha Smith	- Deputy Director of Food Policy (for FSA 24/09/06)
Rebecca Sudworth	- Director of Policy
Noel Sykes	- Head of Standards and Rewards (for FSA 24/09/09)

1 Welcome and Introductions

- 1.1 The Chair welcomed everyone to the meeting, and noted there were no apologies from Board members. Changes to the Executive were outlined including the departure of former Chief Executive (CE) Emily Miles with Katie Pettifer acting as interim CE. The Chair paid tribute to Emily Miles' contribution to the FSA over her time as CE.
- 1.2 James Robinson's title had been amended to General Counsel to better describe his role within the FSA and, as a member of the Executive Management Team, he would be a standing attendee at FSA Board meetings, joining via Zoom for this meeting.
- 1.3 The high volume of questions received ahead of the meeting relating to the paper on Achieving Business Compliance (FSA 24/09/05) was highlighted; there had also been questions received on Report from the Director for FSA in Wales (FSA 24/09/10) and Local Authority Performance Update (FSA 24/09/04). All questions submitted would receive a response in writing.

- 1.4 The Chair invited Board members to declare any new interests. Hayley Campbell Gibbons declared her new role as Chief Executive of the Royal Association of British Dairy Farmers starting mid-November. In light of this new role, she would be standing down from the Board of the FSA as of the end of September.
- 1.5 Justin Varney declared his current employment with Birmingham City Council as a possible interest in relation to FSA 24/09/04 and noted his upcoming role from October as Regional Director of Public Health for the Southwest of England. As a result of this new role, he would also be stepping down from the Board of the FSA as of the end of September.
- 1.6 Mark Rolfe declared his responsibility for the Official Control Laboratory in Kent noting the reference to these laboratories in the Annual FSA Science Update (FSA 24/09/07).
- 1.7 The Chair noted Justin and Mark's interests in relation to FSA 24/09/04 and FSA 24/09/07 and asked that they refrain from making any comments during those discussions.

2 Minutes of 19 June 2024 Board Meeting (FSA 24/09/01)

- 2.1 The Board indicated they were content that the minutes from the 19 June Board meeting were accurate.

3 Actions Arising (FSA 24/09/02)

- 3.1 The Chair noted most actions were complete. Two reports had been delayed to March to allow for better data analysis.

4 Chair's Report (Oral Report)

- 4.1 The Chair updated on her tenure extension; the process to recruit new Board members, including replacements following the resignations of Justin Varney and Hayley Campbell-Gibbons; and recent engagements with new ministers and stakeholders.
- 4.2 There was a question from the Board about whether new ministers were aware of the FSA's legislative asks. The Chair confirmed discussions with the Public Health Minister about Food Hygiene Rating Scheme (FHRS) mandation for England and allergen information on menus.

5 Chief Executive's Report (FSA 24/09/03)

- 5.1 Katie also paid tribute to the work of her predecessor and highlighted productive engagements with new ministers; progress on legislative priorities; the importance of charges for controls in meat premises; and the publication of

the final report of the pilot carried out with the Department of Health and Social Care (DHSC) and the Department of Education on food in schools.

- 5.2 The Board asked questions about the National Food Crime Unit (NFCU) strategic assessment and the impact of delayed assessments; issues relating to bamboo composites in food contact materials; and continuing discounts in meat inspections and potential impacts on smaller businesses.
- 5.3 Katie confirmed there had been no significant surprises in the NFCU assessment and no risks missed due to delays.
- 5.4 On bamboo composite materials, it was explained there was a concern regarding the potential leaching of formaldehyde and melamine into food, and that was why the FSA had confirmed previous advice that these products should not be on sale.
- 5.5 There was a call for evidence on the impacts of charges for the delivery of official controls, and any evidence submitted to the FSA would be welcome. It was agreed that the potential impacts on smaller businesses were an important consideration.

Action 1 - Potential impacts on smaller businesses of continuing discounts in meat inspections to be included a paper for the December 2024 Board meeting on charging for official controls for meat.

6 Local Authority Performance Update (FSA 24/09/04)

- 6.1 The Chair introduced this item noting the importance of local authorities to ensure hygienic food production and public trust in the food system. Rebecca Kirk summarised the paper, noting progress in applying the Food Law Code of Practice (FLCOP), particularly with high-risk businesses; concerns around lower-risk establishments; issues with recruitment and retention of local authority staff and the FSA's contribution to mitigation; and the collection of data.
- 6.2 Rhian Hayward noted that the Wales Food Advisory Committee (WFAC) supported the principle of charging but noted that the profile of the food industry in Wales differed from that of England with a higher proportion of small businesses.
- 6.3 Anthony Harbinson said that the Northern Ireland Food Advisory Committee (NIFAC) had raised the issue of the number of unrated businesses and discussed issues around third-party inspections being used to categorise some of the unrated businesses. There had been a discussion about the fact that Northern Ireland had significantly improved returning to pre-pandemic levels as well as how to encourage people to seek a career in environmental health.
- 6.4 The Board asked about engagement with local authorities on the impacts of staff shortages; the Insights Engine; the backlog of inspections and the

thresholds for intervention; and local authorities' role with Port Health Authorities (PHAs).

- 6.5 Rebecca explained the engagement process, saying that when the team received data, it was analysed and if there were concerns about performance it was discussed with the relevant local authority to create an action plan to get inspections on track and consider what the FSA could do to help. It was explained that the team were working to address issues around resourcing, and staff retention, noting that this would take time to address.
- 6.6 On the Insights Engine, it was explained that the aim was to reduce the burden on local authorities to ensure that issues only needed to be addressed once; there was confidence that the use of artificial intelligence in analysing the data would contribute to the success of the system.
- 6.7 On PHAs, it was explained that the imports team performance managed and looked at their returns. The data would supplement the other local authority information and would be included in future updates. The Chair asked that a separate note be provided to the Board to cover the information for this update.

Action 2 - Local authority team to provide a note on PHAs and to ensure that information around PHAs be incorporated into future Board updates.

- 6.8 The Chair said the Board recognised the need for a risk-based approach and acknowledged the progress since last year. The Board noted the need to work with local authorities to understand how the FSA could best help resolve the issues they had identified including technological solutions. The Board acknowledged the time that would be necessary to carry out this work and accepted the level of concern appropriate over outstanding issues was difficult to gauge, noting it would be important to be guided by the data to establish what was working. The Board were keen that charging be explored further emphasising the need for it to be carefully circumscribed. Engagement with local authorities on this issue would be key.

7 Achieving Business Compliance (ABC) (FSA 24/09/05)

- 7.1 The Chair welcomed Carmel Lynskey and explained that ABC had been one of the FSA's change programmes and that this paper represented the output of this programme. It was noted that the proposals in the paper represented a starting point for change rather than a final position and that the Board would now need to consider next steps. The proposals listed in the paper came from the Executive and questions from the Board were welcome. The Chair recognised that the paper had attracted a large amount of interest from stakeholders. Some of the points made in correspondence ahead of the meeting could be addressed in the discussion of the paper but all would receive a written response.

- 7.2 Carmel Lynskey presented the ABC Programme's progress; the proposals for National Level Regulation (NLR); work with retailers in England; enforcement responsibilities of local authorities; and potential next steps.
- 7.3 Anthony Harbinson said that NIFAC had discussed the paper and noted the interest from Northern Ireland stakeholders, many of whom had interpreted the paper as saying that that this was now being rolled-out and concerns that they had not been consulted on it. Northern Ireland's different regulatory framework was also highlighted.
- 7.4 Rhian Hayward said the paper had been presented to WFAC where discussion focused on National Level Regulation. WFAC were keen to see the results of the pilot of the Food Standards model in Wales, which finished in February.
- 7.5 Mark Rolfe noted other achievements of the ABC programme including the changes made to the food standards delivery model; engagement with professional institutes on qualifications; the aggregators' charter; and the revision of the Safer Food Better Business guidance.
- 7.6 The Chair noted the ambition to move aggregator companies, currently accepting businesses with an FHRS score of 2, towards only accepting businesses onto their platform with a Food Hygiene Rating Scheme (FHRS) score of 3 or higher.
- 7.7 The Board raised questions about extending the charter for wider use across the online sector. It was explained that there were resource capacity questions, but the work would continue to be prioritised, and the Board would be updated accordingly.
- 7.8 Turning to the specific proposal on National Level Regulation, the Board emphasised the importance of making clear that it was not self-regulation or deregulation. The change in terminology from Enterprise Level Regulation was also noted as a possible source of confusion for stakeholders.
- 7.9 Rhian Hayward noted the correspondence the Chair had received from Welsh stakeholders indicating that not enough had been done to communicate the purpose of National Level Regulation in Wales to stakeholders. The 'map' included in the document also appeared to show Wales' progress timeline as being behind the other nations. Concerns around divergence were raised in discussion with WFAC and complications for businesses in Wales with primary authorities in England. Early engagement with Welsh Government ministers and the Welsh Local Government Association was welcomed to address the engagement issues.
- 7.10 Anthony Harbinson noted issues around National Level Regulation raised by NIFAC including the reference at paragraph 5.3 that there would be little reduction in the number of inspections going forward. NIFAC had also mentioned the mandatory nature of the FHRS in Northern Ireland and concerns that combining standards and hygiene inspections could impact on trust in the ratings.

7.11 It was noted that the upcoming themed meetings of NIFAC and WFAC would focus on local authorities which would provide an opportunity to communicate the implications of National Level Regulation.

7.12 The Board asked about the risk calculation for large businesses; the primary authority relationship with local authorities; concerns about moving away from local authority inspections; the impact on FHRS; the potential for job losses; and the final responsibility and role of the FSA.

7.13 On the concerns around moving away from local authority inspections, the Board advised they would require more evidence and assurance before committing to that long-term proposal. A number of Board members commented on the value of local regulatory delivery, acknowledging that any move away from this approach, even for a small number of businesses, would still require some sort of checks at a local level. Board members asked if this concept could be fed into future thinking, to ensure that unintended gaps were not created in the system.

Action 3 - Detailed proposals for the next steps on NLR to be presented to the Board in December.

7.14 On concerns around primary authorities, Carmel noted that it was not a requirement for businesses to enter into a primary authority arrangement but, where they did, an English primary authority would not be able to advise on matters in Wales or Northern Ireland.

7.15 Carmel assured the Board that she was confident there would be no destabilization of FHRS and no anticipated job losses. The Chair noted that many of the questions received ahead of the meeting focussed on the issues relating to FHRS and considered responses would be provided to those questions which would be published on the FSA's website. The CE acknowledged the level of engagement received in the period since publishing the paper adding that hopefully stakeholders would be reassured about the principle of National Level Regulation. The detail of work would be developed with delivery partners. The CE gave a commitment to engage with stakeholders and welcomed input in the coming months.

7.16 The Chair noted support from the Board for the concept of using data to supplement local authority and primary authority activity; advice about language and communication, and caution around divergence in Wales and Northern Ireland. The Chair asked officials to engage widely as they developed the next steps. She said that the trial was promising but wanted to be clear that the type of long-term ideas raised in the paper would need legislation and would be for ministers to consider. The Board were not endorsing any proposals for legislative change at this point.

8 Precautionary Allergen Labelling and Allergen Thresholds (FSA 24/09/06)

8.1 The Chair welcomed Natasha Smith to the meeting. She noted the recent inquest into the death of Hannah Jacobs and offered condolences to Hannah's

mother, Abimbola Duyile, and all those who had lost loved ones to food allergies. The context for the discussion would be the ongoing work in Codex Alimentarius to consider a more standardised international approach to precautionary allergen labelling.

- 8.2 Natasha gave an overview of issues outlined in the paper including context about the use of (PAL); the voluntary nature of PAL; recent work on PAL; areas for improvement; thresholds; standardising voluntary practice at a global level; Codex work about producing voluntary guidelines for the application of PAL; and Codex's four proposed principles.
- 8.3 Rhian Hayward said that WFAC had discussed the paper last week and noted the complexity of the proposals; and endorsed the principle of setting a standard threshold but considered there to be insufficient data to be able to make a judgement on the level. The unavailability of testing for all the 14 allergens at ED05 was considered problematic.
- 8.4 Anthony Harbinson said NIFAC identified an error in the paper at paragraph 5.4, relating to a 'may contain nuts' statement on a packet of peanuts. It was noted that this was a good example of PAL as nut allergies and peanut allergies have different allergen characteristics. NIFAC noted that PAL was concerned with accidental contamination and not about setting limits of permissible levels for deliberate inclusion of an allergen. For mass catering and business-to-business, labels should be adopted all the way through from production into finished products. For school meals it was noted that there was not mass production of some foods in schools in Northern Ireland, meaning providers would be buying items from supermarkets. A concern was raised as to whether PAL provided sufficient protection in these instances.
- 8.5 Board members expressed strong support for Codex's proposals
- A (PAL only to be used where the unintended presence of a food allergen cannot be prevented and controlled),
- B (decision to use PAL should be based on the findings of a risk assessment) and
- D (PAL should be accompanied by education/information to ensure understanding and appropriate use by consumers, health care providers and food business operators).
- 8.6 The Board considered there to be insufficient evidence to support proposal C (PAL should only be used if unintended allergen presence cannot be mitigated to a level at or below the action level based on the reference dose (ED05)).
- 8.7 The Board also said that they opposed the introduction of thresholds due to insufficient evidence that the threshold proposed would provide sufficient protection to people with food hypersensitivities and concerns that small businesses in the UK would continue to use PAL to avoid costs from repeated testing, particularly when their ingredients changed on a regular basis.

- 8.8 The Board also noted the findings of the FSA’s Scientific Advisory Committee (SAC) Committee on Toxicity (COT) that using doses based on the higher ED05 would significantly impact on public health. The Board considered that there may be a time when a threshold could be implemented but currently the evidence for the appropriate level was inconclusive and the Board could not endorse anything that carried a potential increase in risk to public health.
- 8.9 On the findings of the COT, the CSA explained that the COT had been asked to consider what level of threshold would make a difference rather than whether there was a case for thresholds being used at all. Impacts on consumer purchasing and other consumer behaviours were similarly not considered by COT.

Natasha added that the concept of thresholds had been discussed with business trade bodies and the charities and consumer groups around food hypersensitivity all of whom were supportive in principle.

- 8.10 The Chair noted the Board’s view that guidance and standardisation at an international level would be welcome. The Board supported principles, A, B and D, which were similar to what was currently in place in the UK. On thresholds, the Chair said the fact that this had not been previously considered in the UK meant there was unease about that proposal, noting the lack of opportunity to discuss it with businesses and people with food hypersensitivities or with colleagues in Food Standards Scotland to develop a shared position. The Board were content with three of the four proposals but had reservations about C. The Board had concerns about the use of ED05 as a threshold and felt there would need to be more evidence from scientists, businesses and consumers, particularly those with food hypersensitivity, to support it.

9 Annual FSA Science Update (FSA 24/09/07)

- 9.1 The Chair explained that the last Annual Science Update had come to the Board in December 2023 and invited Rick Mumford to introduce the paper. Rick gave an overview of the issues in the paper including work around allergen testing; alternative proteins; and investment in laboratories and concerns around their capacity.
- 9.2 The Board asked whether social sciences should be more explicitly reported on in the paper; the balance between pro-active and reactive research; the responses to comments at the June Board meeting; the rejoining of Horizon and the relationship with the EU; gaps in allergen testing; the apparent rise in figures for fresh fruit allergies; ethical considerations in research; laboratory capacity; alternative proteins; the use of AI technology to fill resource gaps; and potential gaps in expertise.
- 9.3 On international relations, the CSA noted that the current Government aimed to improve relations with the EU. The CSA network was well-placed to support this aim, given that most CSAs had strong links with their international counterparts. Given current challenges around public finances, it was more important than ever to collaborate internationally and ensure the FSA continued

to have access to the best possible science whilst avoiding the risk of unnecessary duplication. In answer to Board questions, the CSA said the UK had not lost anything specific in terms of the science base since Brexit, but it had become more challenging to hold formal conversations with international colleagues from within the EU. There was optimism that this would improve given the new Government's desire to 'reset the relationship' with the EU.

- 9.4 On allergen testing, Rick outlined work including a systematic review of allergen testing methods to highlight gaps. Some allergens, such as mustard were difficult to test for, but work was ongoing in these areas. The FSA had invested, through the grants programme, in new testing methodologies for use in official controls laboratories to support existing tests and continued working with others, including Defra and FSS, to consider areas where to invest specifically, such as joined-up sampling programmes.
- 9.5 On fresh fruit allergies, Rick noted the cross-reactivity with some pollen allergies, particularly birch pollen. It was usually a mild reaction rather than inducing anaphylaxis. The prevalence of this was highlighted by the Prevalence of Adult Food Allergy (PAFA) project. The Board requested a point of clarification to the paper be published to assure the public about fresh fruit safety¹.
- 9.6 Rick said that ethics were always a consideration in research and with some larger programmes, getting the necessary ethical approval had created some delays (such as IID3).
- 9.7 On laboratory capacity, Rick explained that there had been a focus on where there were potential weaknesses in the official controls system, especially the Public Analyst official control labs where the FSA had invested £5 million. While the FSA did not generally get involved in business-to-business transactions within the commercial testing market, conversations were ongoing with industry about commercial capacity. The CSA noted concerns for lab capability across government.
- 9.8 On alternative proteins, it was explained that work was ongoing, and a new, national, alternative protein innovation centre had been announced, with FSA involvement, to consider new approaches and to talk to partners about possible regulatory methods.

¹ The PAFA study showed that adults in the UK who have allergies to fresh fruits are mainly affected by fruits such as apple, peach and kiwi, with crude estimates suggesting a prevalence of around 2% for each. However, while more precise figures were not provided, we are aware that the study team has received further funding to continue analysing the data and will be submitting a paper containing the finalised figures later this month.

The study results indicated that allergic reactions to fresh fruits are associated with birch tree pollen. These types of allergies are commonly known as pollen-food allergy syndrome or oral allergy syndrome. This happens because certain proteins in fruits, like apple and peach, are similar to proteins found in birch pollen. When someone with a birch pollen allergy eats these fruits, their immune system reacts as if it was exposed to pollen. Symptoms of an oral allergy syndrome are usually mild and can include itching or swelling in the mouth, lips and throat shortly after eating the fruit. These reactions rarely lead to more severe allergic responses like anaphylaxis.

- 9.9 On the use of AI, Julie Pierce explained that the possibilities presented by this technology were being considered.
- 9.10 On gaps in expertise for risk assessment, it was explained that the team had been expanded and had achieved full complement, aiming to ensure all areas were covered. People had now been in role for some years and had built experience. The team were also working with others, such as people at The Centre of Process Innovation, who could provide advice.
- 9.11 The Chair highlighted a question received from a member of the public concerning the CSA's visit last year to Israel and whether this constituted a conflict of interest. It was explained that the trip had been initiated and entirely funded by the FSA, to help increase our understanding and was not funded by any other Government or entity and no gifts were received
- 9.12 The Chair noted the spectrum of work covered in the report and reminded Board members of the responsibility to ensure that the findings of the reports fed into their decision-making.

10 Annual Animal Welfare Report 2023/24 (FSA 24/09/08)

- 10.1 The Chair noted the FSA's remit for animal welfare in approved slaughterhouse premises within England and Wales. She invited Kevin Maher to introduce the report. Kevin gave an overview of the paper covering the responsibilities of Food Business Operators (FBOs) and the role of Meat Hygiene Inspectors (MHIs) and Official Veterinarians (OVs) in ensuring FBO compliance; the Service Level Agreement (SLA) with Defra and Welsh Government; the time period and geographic area covered by the report; the numbers of non-compliances recorded; implications for animal suffering; reduction in headcount for animals; trends in the data; slaughterhouse incidents; on-farm and in-transit cases; collaborative efforts with the Animal and Plant Health Agency (APHA) to reduce incidents; the FSA led steering group; pressures on local authorities; non-stun slaughter; and the publication of the slaughter sector survey.
- 10.2 The Board raised concerns around non-stun slaughterhouses not adopting the demonstration of life protocols and potential barriers to their implementation. They asked whether slaughterhouses could be required to report on the number of non-stun slaughters they carried out. The Board also discussed the renewal of the fee for inspection of protocol compliance; the range of performance across different sizes of abattoir; producing new guidance and awareness of FSA processes; intelligence led prioritisation of inspections; compensation for work carried out for Defra and Welsh Government; chronic lameness levels; work with third-party certification bodies; and the impacts of guidance on small abattoirs.
- 10.3 Kevin explained that non-stun slaughter was permitted under UK law and that the protocol was voluntary for FBOs. Junior Johnson added that part of the reason for incomplete take-up was some FBOs would be responding to demand from their customers who had very specific requirements about the product they wanted.

- 10.4 Kevin explained that the removal of the fee had been a temporary decision to consider the impact on uptake.
- 10.5 On producing new guidance and awareness of FSA processes, Kevin said the processes were well documented and digital evidence sharing process for local authorities had been introduced the previous year. The establishment of the Referrals Working Group acted as regional contacts to support a local authority officers through a process where necessary.
- 10.6 On intelligence led prioritisation of inspections, the intelligence on repeat offenders was also shared through the Referrals Working Group. Where it was thought there was activity related to crime, colleagues in the other divisions of operations would alert them to intelligence that was held.
- 10.7 Kevin explained that the FSA did not recover all costs relating to work around animal welfare done on behalf of Defra and Welsh Government. This was subject to discussions on what was covered within the Service Level Agreement.
- 10.8 On chronic lameness levels, it was explained that ideally farmers would check animals before lameness became chronic or make use of provisions for emergency slaughter on farm, but cases were still appearing. The small numbers involved could mean that staff had got better at carrying out emergency slaughter on farms.
- 10.9 It was explained that the FSA participated in forums with some third-party assurance bodies. Not all FBOs were members of assurance schemes so it was important that only appropriate data was shared. The FSA held open and transparent data on all animal welfare statistics, where sensitive details were removed, which assurance schemes could use.
- 10.10 The Chair suggested that some greater granularity in the data be provided to the Board to help them better understand the range of performance across different sizes of abattoir.

Action 4 - Kevin Maher to provide more granular data on slaughterhouse performance across different sizes of abattoir.

- 10.11 On impacts of guidance on small abattoirs, Kevin said he also carried that portfolio, and the team were aware of the issues faced by small abattoirs. Discussions with that sector had increased in the last 12-18 months.

11 Annual Freedom of Information Requests, External Complaints and Internal Whistleblowing Report (FSA 24/09/09)

- 11.1 The Chair welcomed Noel Sykes and Jenny Desira to the meeting and asked them to introduce the report. Noel and Jenny gave an overview of issues covered in the paper including the new case management system; the Listen and Learn approach; the FSA's membership of a cross-government group on whistleblowing; and best practice across government.

11.2 The Board asked about the sources of Freedom of Information (FOI) requests.

Jenny explained that FOI requests could be submitted anonymously, making it difficult to know the source of all of them but that it was considered likely that there was a split between those with a particular interest such as industry or stakeholder groups and bodies attempting to secure business with the FSA.

11.3 The Chair thanked Jenny and Noel for the report.

12 Report from the Director for FSA in Wales (FSA 24/09/10)

12.1 The Chair invited Nathan Barnhouse to introduce his Annual Report as Director for Wales. Nathan gave an overview of activity since the previous report including engagement carried out by FSA in Wales staff; a review of the previous year and a forward look; and planned stakeholder engagement. He thanked the team in Wales for their professionalism and dedication; and noted the valuable contribution made by Rhian Hayward as Board Member for Wales and the Chair of WFAC and

12.2 Rhian welcomed the summary of the year's activity and noted the involvement of FSA in Wales staff across a broad range of the FSA's work. She highlighted the work of the Welsh Language Translation Unit noting the awards that had been attained for the quality of their work.

12.3 The Chair said that, as well as a strategic approach, it was important to identify where the FSA had contributed to tangible outcomes when working with the Welsh Government. Nathan highlighted that the FSA in Wales were sharing the FSA's expertise and evidence with Welsh Government in support of their approach to the promotion of products high in salt, fats and sugar, and were also working collaboratively where there was common policy intent, for example where we had shared our expertise and evidence from our work on updating guidance for caffeine in food supplements.

13 Annual Report from the Chair of the Audit and Risk Assurance Committee (ARAC) and Report of 10 September ARAC meeting (FSA 24/09/11 and INFO 24/09/01)

13.1 The Chair invited Anthony Harbinson to deliver his Annual Report as the Chair of ARAC and an update on discussions at the most recent ARAC meeting. Anthony noted the summary of the work of the Committee over the financial year 2023/24 and gave tribute to FSA Deputy Chair Timothy Riley who had served as ARAC Chair during that period.

13.2 It was highlighted that ARAC had held an extra meeting during the period to clear the Annual Report and Accounts. Anthony also noted the deep dives, effectiveness review and changes in membership that had taken place.

- 13.3 Anthony then gave an overview of the discussions of the latest meeting including the draft Annual Report and Accounts, the Counter-fraud report and Official Controls and contracts.
- 13.4 Anthony paid tribute to the work of Freedom Mpande, the FSA's Deputy Head of Internal Audit, who had sadly passed away recently.
- 13.5 The Chair thanked Anthony for the updates and noted she had had the opportunity to observe an ARAC meeting and had been impressed by the scrutiny ARAC members provided as well as by the papers prepared for the meetings.

14 Report from the Chair of the Business Committee (INFO 24/09/02)

- 14.1 Timothy Riley gave an update on discussions at the previous week's Business Committee meeting noting the evolution of the format of the Performance Report; local authority performance and science metrics; and financial performance.
- 14.2 The Board welcomed the inclusion of the Business Committee papers, particularly the update on incidents in the Chief Executive's report, which was helpful for informing ARAC Members of discussions, avoiding duplication of discussion within that Committee.

15 Reports from the Chairs of the Food Advisory Committees (Oral Reports)

- 15.1 Rhian Hayward noted that WFAC would be recruiting two new members subject to approval from ministers. She noted the meetings with Welsh Government ministers and recent visits she had undertaken to shellfish beds in Anglesey and Bangor University to discuss the classification of waters around the Menai Strait.
- 15.2 Anthony Harbinson said that NIFAC had recently appointed three new members. The next themed meeting of NIFAC would be with the local councils followed by a science conference in October. The agendas had been aligned with those for upcoming WFAC meetings.
- 15.3 The Chair asked officials to consider making materials prepared for the meetings with local authorities in Wales and Councils in Northern Ireland available to interested parties in England in light of the response to the Achieving Business Compliance paper.

16 Questions from Observers

- 16.1 Marika Graham-Woods of the Cannabis Trade Association raised concerns about the CBD novel food process, requested answers to industry questions the FSA had put to the Advisory Committee on Novel Foods and Processes (ACNFP) and cautioned that the slow rate of progress could have a stifling effect on industry.

16.2 The Chair explained that when CBD products first appeared it became apparent that this was an unregulated industry and, bringing it into compliance had taken longer than anticipated due to the complexities around the contents of the products and the regulatory landscape. The first risk assessments had now been published and progress was being made. Rebecca Sudworth added estimated dates at which recommendations to ministers could be made had been set out, but these would also be dependent on other factors.

17 Any Other Business

17.1 No other business was raised, and the Chair closed the meeting. The next meeting of the FSA Board would take place on 11 December 2024 in London.