

**Meeting of the Northern
Ireland Food Advisory
Committee on Wednesday
20th October 2021.
AC Marriot Hotel, Belfast
& via Microsoft Teams.**

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Agenda

10:15am	Welcome & Housekeeping
10:20am	Minutes of meeting Wednesday 23rd June 2021 Declaration of Interests
10:25am	NI Food Strategy Framework Joy Alexander (DAERA)
10:45am	Questions
11:00am	Break
11:05am	Welcome - Susan Jebb & Emily Miles FSA Strategy update
12:05pm	Meat Hygiene Delivery Elvira Diez (Head of Operational Policy & Delivery)
12:25pm	Questions
12:45pm	Chair's Update & Director's Report
1.00pm	AOB / Close

**PAPER FOR DISCUSSION
MINUTES OF OPEN MEETING ON 23 JUNE 2021**

Executive Summary

Attached are the minutes of the 23 June 2021 NIFAC meeting.

Members are invited to:

- Agree minutes as a true record of proceedings.

FSA in Northern Ireland

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**OPEN MEETING OF THE NORTHERN IRELAND FOOD ADVISORY COMMITTEE
(NIFAC) ON 23 JUNE 2021, 10AM VIA MICROSOFT TEAMS**

Those present:

NIFAC Members

- Colm McKenna – Chairman
- Ellen Finlay
- Fiona Hanna
- Greg Irwin
- Cathal McDonnell
- Lynne McMullan
- Liz Mitchell
- Lorraine Crawford

FSA Executive

- Maria Jennings – Director for Regulatory Compliance, People and NI
- Sharon Gilmore – Head of Standards and Dietary Health
- Roberta Ferson – Head of EU Relations, Assembly Liaison & Legal
- Ruth Moreno – Head of Consumer Protection
- Jayne McGlaughlin – Senior Policy Advisor
- Robyn McNeilly – NIFAC Secretariat

FSA Observers

- Richard Annett
- Nuala Meehan
- Ruth Watson
- Michelle Byrne
- Kerry Gribben
- Laura McGlinn
- Helen Smyth

Guest Speakers

- Eimear O' Rourke
- Sushma Acharya - Head of Policy & Strategy for Food Hypersensitivity
- Tracy Hardy – Senior Policy Advisor, Food Standards, FSA NI

- Elise Logan – Environmental Health Lead, Mid and East Antrim Borough Council
- Paula O'Neill – Environmental Health Manager, Armagh, Banbridge & Craigavon Borough Council

1. Welcome and Introductions

- 1.1 The Chair welcomed all NIFAC members, presenters, and observers to the meeting.

2. Minutes of the meeting of 20 April 2021.

- 2.1 The Chair asked if there were any comments on the minutes of NIFAC's meeting on 20 April 2021. No issues were raised.

3. Chair and Director's Update

- 3.1 The Chair advised that 2 new Board members have been appointed and the new Chair will be taking up her position on 1st July. Ruth Hussey will as joint Chair until September.
- 3.2 Maria discussed the European Commission Audit of the new border post facilities that is taking place this week, and noted the hard work carried out by FSA NI staff involved. The audit will be carried out over the next few weeks and it may be a 2/3 month wait until the formal results are received.
- 3.3 Maria highlighted the Board approval of the Roadmap for Local Authority Recovery presented to the Committee at May's meeting. This advice and guidance have been issued to local authorities.
- 3.4 The Committee discussed healthy eating guides and was pleased to note the practical and realistic advice offered. NIFAC was keen to understand more about the effectiveness of the data captured and the measures used. Members were pleased to hear that measures are continuously being monitored and reformulated. Information is also collected by various knowledge providers as well as the local councils feeding back to FSA NI.
- 3.5 The Committee considered the Calorie Wise Scheme and felt it was an important tool to empower consumer choice. NIFAC was pleased to note that although the scheme is voluntary in Northern Ireland, each council has a calorie wise champion in place and is supported by FSA NI.
- 3.6 NIFAC asked for an update on laboratories. Maria explained that an open exercise had taken place for national reference laboratories to tender for work. This process was partially successful with some national laboratories being accredited and allocated work. Unfortunately, there were some areas of work that received no tenders. Conversations are ongoing with the Commission and

colleagues in ROI around capability from other member states. A resolution to this is hopeful.

- 3.7 The Committee discussed the revision of protocols for classification of molluscs and questioned if this change of classification could be seen by the EU as lowering standards. Maria advised NIFAC that this is a minor change to the current classification guidance. It reflects current changes of working outside the EU and aligns processes already carried out by these countries.

4. Food Hypersensitivity

- 4.1 The Chair introduced the theme of the meeting and welcomed the speakers.

- 4.2 The Chair invited Eimear O' Rourke to deliver her presentation which covered:

- Background to Eimear's allergy diagnosis
- Eimear's current role in Allergy research
- Exercise induced anaphylaxis
- FSA Speak Up for Allergies campaign
- Providing advice to young people

- 4.3 The Chair thanked Eimear for her informative presentation and invited members to ask questions.

- 4.4 There then followed a question and answer session based on Eimear's presentation.

- Members congratulated Eimear on all her campaigning work to date and thanked her for sharing her story.
- The Committee was keen to know how Eimear educated her peers and got them on board.
- Eimear explained teenagers can often be embarrassed about allergies. She felt comfortable at school with her friends as they were aware of her condition. University setting was a different dynamic. Her advice was to have open and honest discussions and start with a casual approach. It didn't take long for her peers to start asking questions and become more interested in her allergy.
- NIFAC wondered how well Eimear trusted the food industry to understand her needs as an allergen sufferer.
- Eimear advised the Committee that was she did trust the food industry but normal practice for her is not to try new foods that she is unsure of, in case of a triggered reaction. She doesn't take risks and is very strict around food choices she makes.

- The Committee discussed the need for increased education in schools around allergens and the medical treatment allergy sufferers require in an emergency.

4.5 The Chair invited Sushma Acharya and Tracy Hardy to present to the Committee.

4.6 The presentation covered the following:

- Food Hypersensitivity programme aims
- Programme approach
- Precautionary allergen labelling
- Food allergic reaction reporting mechanism
- Food allergy safety scheme
- Research
- Pre-packed for direct sale
- Planning for implementation
- Preparedness & familiarisation in Northern Ireland
- NI working group
- District Council paragraph for food business letters
- Webinar development
- Next steps

4.7 The Chair thanked Sushma and Tracy for their presentation and invited questions from members.

4.8 There then followed a question and answer session based on the presentation.

- The Committee was pleased to see the work happening around the food allergy safety scheme and emphasised the importance of data gathering and having a space to report allergens.
- NIFAC discussed the programme's non legislative approaches and wondered if it would be necessary to put legislation in place to address certain issues.
- Sushma advised members that legislation is an area that needs very careful thought. At present legislative approach has not been considered, however that is not to say that it may arise through the process of the programme.
- The Committee discussed allergy training for staff as part of the allergy safety scheme. Sushma advised that training is paramount and one of the key areas of work the programme is focussing on is "enhanced training and awareness" for staff. The scheme was soft launched last year and to date of 100,000 businesses have registered.

- Members discussed the importance of educating young people about allergens. The programme sees education as a key area to help remove the stigma of being an allergen sufferer. Joint working between the Department of Education and food allergy charities was noted as a positive by the Committee. NIFAC highlighted a need for the FSA to be involved in collaborations going forward.
- The Committee acknowledged the great work the FSA has carried out around allergens and was pleased to hear about regular meetings and joint working with other government departments. Members were especially glad to note that the Food Hypersensitivity Programme has the backing of the Chief Medical Officer in Northern Ireland.

4.9 The Chair invited Paula O'Neill and Elise Logan to present their enforcement case studies to the Committee.

5.0 The presentations covered the following:

- Underdeclared allergen prosecution
- Business background
- Case background
- Legal considerations
- Offenses
- Prosecution outcome
- Business outcome
- Case considerations
- Food allergen complaint legislation
- Complaint details
- Investigation findings
- Interview under caution
- Investigation conclusion
- Legal considerations
- Enforcement action taken
- Cautions
- Issues highlighted by the case
- Positive outcomes

5.1 The Chair thanked Paula and Elise for their presentations and invited questions from the Committee.

5.2 There then followed a discussion based on the presentations.

- The Committee had a discussion around local authority lab analysis, threshold levels, and cross contamination of foods. The analysis of lab reports and the decision to conduct formal investigation based on findings was also discussed.

- The Committee felt that any prosecution of non-compliant FBO should be seen as a positive, however felt depending on the business size, the fine may not act as a deterrent.
- Members noted the considerable time and cost involved in the prosecution process and wondered if any more could be done to educate FBOs further, reducing the need for prosecution.
- Paula explained that legislation is very complex and, in some cases, FBOs have limited understanding. Businesses are being encouraged to use the online training resources and she acknowledged that there is still considerable work to be done to bring FBOs up to speed, especially in relation to October's implementation of Pre-packed for direct sales. She advised that prosecution is always the last option and there are many other tools and approaches used before this by local authorities to support FBOs.
- Allergen labelling was discussed, and the work needed to educate FBOs on passing on correct information to consumers. The food inspection process was highlighted as an important way to get the message across to FBOs and for them to understand their legal obligations around food labelling.
- A further discussion took place around business to business labelling and the differences between business and retail food labelling, the legal obligations and precautionary allergy labelling. The EU legal framework was highlighted as the provision in place for all businesses to follow.
- The Committee noted that it was reassuring to hear that local authorities are currently following the local authority roadmap to recovery and that the primary focus during inspections continues to be on allergens.

6.0 Farewell to Dr Liz Mitchell

- 6.1 The Chair thanked Dr Liz Mitchell for her outstanding contribution to NIFAC and to the FSA. Liz has been with the Committee for 6 years and is the longest standing member of NIFAC. Her term comes to an end at the end of July and her input into the Committee will be sadly missed.

7.0 Any Other Business

- 7.1 No further business was raised, and the meeting was closed.

PAPER FOR INFORMATION

UPDATE FROM DIRECTOR FOR REGULATORY COMPLIANCE, PEOPLE AND NI TO NIFAC 20 OCTOBER 2021

Executive Summary

Attached is the FSA in NI Director's update to the Committee for October 2021.

- No action by members is necessary.

FSA in Northern Ireland

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Food is Safe and what it says it is

Four nation working under Common Frameworks

The four nation Nutrition, Labelling and Compositional Standards (NLCS) policy group, as established under the NLCS Common Framework has been implemented from January 2021. In respect to Northern Ireland, FSA officials are represented alongside colleagues in DHSC, Welsh Government and Food Standards Scotland (FSS). The NLCS policy group meets monthly, with additional meetings arranged as and when needed.

The NLCS policy group has been working to ensure joint decision making and common recommendations relating to requests to modify registers, lists and schedules and NLCS policy proposals. There have also been focused efforts to manage emerging issues and intelligence elsewhere, which includes EU driven change, applicable in Northern Ireland. A current example of this is UK considerations on front of pack labelling against a background of European Commission revisions to the Food Information to Consumers Regulation in the areas of front-of-pack nutrition labelling, origin labelling, date marking.

In addition, FSA officials in Northern Ireland, alongside FSA colleagues in Wales, FSS and Defra, are members of the four nation Food Compositional Standards and Labelling (FCSL) Officials Group, under the FCSL Common Framework. This facilitates the presentation of proposals at the officials groups, once the initial scope and policy objectives are established. Proposals can then be collectively examined by the four UK nations, as potential new policy within the UK. For example, a four nation review of the Bread and Flour Regulations is being undertaken through the governance structures set out in the FCSL Framework.

Gathering and Using Science, Evidence and Information

Cheesecake reformulation guidance

The Dietary Health team are working in partnership with College of Agriculture Food and Rural Enterprise (CAFRE) to produce guidance to support the reformulation of cheesecake to meet the UK Government's calorie, sugar and salt reduction targets. The guidance will also address portion size. Cheesecake was selected for reformulation due to the findings of the cheesecake nutritional analysis survey which the FSA conducted in partnership with the district councils. This survey analysed energy, sugar, fat, and salt content as well as portion size of cheesecake sold in

restaurants and hotels in Northern Ireland. The reformulation trials have been successfully completed and the guidance will be disseminated to appropriate food businesses at a reformulation workshop in January 2022.

Empowering Consumers

Allergen labelling for prepacked for direct sale food

The new food allergen labelling regulations, also known as Natasha's Law, relating to requirements for prepacked for direct sale (PPDS) food labelling, came into effect on 1st October. This labelling helps to protect consumers by providing potentially life-saving allergen information on the packaging. Any food business that produces PPDS food is required to label it with the name of the food and a full ingredients list. Allergenic ingredients must be emphasised within this list.

The FSA is very conscious of the impact that COVID-19 has had on the food industry and a lot of our efforts and focus since the beginning of the pandemic have been on supporting businesses through the immense changes and impact that it has had. To help support food businesses and district councils to meet this new requirement, the FSA has launched a [PPDS Hub](#) featuring helpful information including new labelling guidance for PPDS foods and guides that will be helpful to specific sectors including guides for bakeries, butchers, restaurants, schools and colleges.

We also held a webinar targeted at local food businesses on 12th August in association with CAFRE. Speakers included the FSA, CAFRE, CEO of the Natasha Allergy Research Foundation, and a local High Street food business. The presentations covered the new rules for prepacked for direct sale food labelling requirements, enforcement and compliance. Attendees submitted questions throughout the presentation, and there was a question-and-answer session to provide further detail, and to direct to the most appropriate places to find guidance and more information.

There was a total of 170 attendees at the webinar and feedback collated by CAFRE indicated that around 98% of attendees rated this event excellent or good, with the remaining 2% rating it as average. A video of this webinar is available [here](#).

The [proactive media relations](#) about implementation day secured 67 print and online pieces writing about the allergen labelling changes, with just over half of these referring to the FSA quote, and an additional 18 broadcast pieces including BBC's One Show. The extent of the coverage and genuine interest from the media helped explain what a difference the new law will make to so many people throughout the UK living with a food allergy, intolerance or coeliac disease, and demonstrated our commitment to ensuring that the UK is the best place in the world to be a food

hypersensitive customer. Our government partners and district councils amplified the news and local coverage in Northern Ireland included a live interview on BBC Radio Foyle and news reports on Belfast Live, NIbusinessinfo, U105 radio and BBC NI Breakfast TV.

Co-creation of nutritional standards for district council catering

The FSA has been leading on the development of nutrition standards for district council catering following a successful pilot exercise with three district councils during 2019. The learning from the pilot has informed the development of an amended set of standards to suit the wide variety of catering facilities that exist in council settings along with draft vending standards and procurement policy.

Over the coming months the FSA will be engaging with district councils including representatives from leisure, community planning, procurement, environmental health and catering on a co-creation exercise to gather further input in relation to the standards to ensure they are acceptable, achievable and effective in providing and promoting healthier catering in councils. Information gathered will be used to finalise the standards with the aim of undertaking a joint Council and FSA external consultation in the new year.

Being the Best Organisation We Can Be

All Island Food Poverty Network Webinar

On behalf of the All Island Food Poverty Network, the FSA and Safefood jointly hosted their annual food poverty webinar on the 28th September 2021. The webinar was aimed at those working in government departments and agencies, academia, and those in strategic positions in the voluntary and community sector who have a common interest in reducing food poverty on the Island of Ireland. This year's theme explored health inequalities on the island of Ireland and the implications for food poverty. Anne McCusker from Belfast Healthy Cities introduced the topic of health inequalities and discussed their impact on health. Professor Martin Caraher from City University of London, explored the situation on the Island of Ireland and Katie Hunter from the British Dietetic Association Northern Ireland discussed the effects of health and food-related inequalities on health and wellbeing. The event had 186 participants and the webinar was recorded, with a link now available on the [Safefood website](#).

Partnership working with local universities

We are currently working to strengthen our partnership with local universities, particularly in the field of nutrition. In addition to currently hosting three 12-month paid placements (for nutrition, communication and Environmental Health students), we have secured guest lecturing slots to deliver presentations to nutrition students on areas of the syllabus that align with the remit of the FSA in Northern Ireland, for example the Eatwell Guide and reformulation.

Opportunities for research have also been created for nutrition students, with work already underway with Queen's University to further analyse the Northern Ireland food security data within the FSA's Food and You 2 Survey, and with Ulster University to analyse data from the National Diet and Nutrition Survey relating to children aged 11-18 years old in Northern Ireland.

CIPD Northern Ireland Award Winners

The ninth annual Chartered Institute of Personnel and Development (CIPD) Northern Ireland awards were held on Thursday 7th October. These are the most prestigious and highly regarded awards for the HR profession in Northern Ireland. We submitted entries, and were finalists, in two categories – The Best Remote and Flexible Working Initiative (which is a new category) and Embedding a Culture of Workplace Wellbeing.

I am delighted to say that we won the Best Remote and Flexible Working Initiative which recognised how we have adopted an employee centric approach and embedded flexible future focussed working, fully supported by a digital transformation programme. This is a very welcome endorsement of the change programme we have undertaken since 2016 under the Our Ways of Working programme which, when COVID-19 led to the first lock down in March 2020, meant that we were able to seamlessly transfer all of our staff to working from home with the tools and support already in place.

We were also delighted to be finalists in the Embedding a Culture of Workplace Wellbeing category. This award recognises organisations which place employee wellbeing centre stage within the organisation and have embedded a strong culture of workplace wellbeing. It's important to point out that in the Belfast office the Wellbeing initiatives are mostly delivered by a group of staff, representing all teams, who give of their time to plan and organise events to keep staff connected and engaged. These have been hugely important during the pandemic when we have all been working from home. Supporting local charities has always been important to us and the team adapted our fundraising events to online which has helped us raise over £1700 for the NI Alzheimers Society in 2020 and we are currently on £1500 for the NI Air Ambulance, helped along by staff pulling together two relay teams for the

Belfast City Marathon on the 3rd October.

We are very proud of what we have achieved and the great staff who have made it all possible.

EU Exit Additional Responsibilities

The FSA has new policy requirements as a result of the Withdrawal Agreement and associated Northern Ireland Protocol and two new policy and delivery teams have been created in the NI team.

The first team is dedicated to Northern Ireland Trade, Imports and Exports issues, this has already helped to strengthen our engagement with other government departments and food businesses. We hope to expand the team further following completion of a recruitment exercise which will help us to provide even more support to our delivery partners and food businesses.

The second team focusses on managing the FSA's NI contribution to the risk analysis processes and common framework for food regulated products and making policy and legislation in Northern Ireland and across the UK. The Regulated Products include Food Contact Materials, Additives and Novel Foods, among others. In addition, the team also incorporates Food Hypersensitivity and Regulatory Compliance.

COVID-19 Recovery Roadmap for Local Authority Delivery of Official Food Law Controls and Related Activities

On 1st October 2021 we issued our first targeted web-based 'temperature check' survey to district councils in Northern Ireland. It consisted of approximately ten questions to determine resource levels, whether the recent milestone (30th September 2021) and the ongoing Recovery Plan expectations and controls have been achieved and to gauge the confidence or assurance that local authorities should be able to achieve the next milestone (31st March 2022) and continue to deliver the ongoing expectations and controls.

Further short 'temperature check' surveys will be issued to monitor progress against each of the milestones in the Recovery Plan as they are due and to identify where there may be a risk of district councils not achieving the next milestone. The first short 'temperature check' survey will close on 14th October.

We will be taking an evidenced and risk-based approach to determine how local authorities are delivering against the milestones in the Recovery Plan with a view to

engaging with and offering support where necessary to improve delivery. We will continue to monitor delivery through our established mechanisms and take into account Food Hygiene Rating Scheme data, food liaison group intelligence and data returns to identify local authorities that are struggling to meet the Roadmap milestones and requirements.

Legislation

The FSA continues to work on two proposed Northern Ireland Statutory Rules: the Addition of Vitamins, Minerals and Other Substances (Amendment) Regulations (Northern Ireland) and the Food and Feed The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations. Both must be affirmed by a resolution of the Northern Ireland Assembly before they can become law. We are working to ensure this can happen as soon as is practicable.

Industry Engagement

Stakeholder Engagement – Common Framework on Food Compositional Standards and Labelling

As part of the development of the Common Framework for Food Compositional Standards and Labelling, a stakeholder engagement event took place in June 2021. The Framework is being jointly developed across the UK by Defra, FSS and in Northern Ireland and Wales by the FSA. Alongside FSS and Defra, colleagues in the FSA presented the proposals for the Framework to more 30 stakeholders from across the UK, including Northern Ireland. The presentation explained the decision making and dispute resolution structures which have been created and highlighted that the development of the Framework builds on existing positive interdepartmental relationships, which have been in place across the four nations for many years. Stakeholders were given the opportunity to answer questions and provide feedback on the proposals. In general, industry indicated that they were very keen to avoid any divergence across the UK and were supportive of systems being put in place to minimise possible divergence. Industry are keen to be consulted in a timely manner and to be able to feed into any evidence based being developed on any potential policy changes.

Consultation on amending Bread and Flour rules

The Bread and Flour Regulations (Northern Ireland) 1998 provide that all wheat flour (subject to certain exemptions) must be fortified with specified essential ingredients as a public health measure. Under these rules, currently millers in Northern Ireland cannot sell unfortified flour onto the Northern Ireland market.

We are consulting on a proposal to allow flour millers to place unfortified flour on the Northern Ireland market, subject to it being destined for countries outside the UK, or used in products destined to be sold outside of the UK. Similar proposals have already been legislated for in England and are being consulted upon in Scotland and Wales. We are seeking comments from industry, enforcement authorities, consumers and other interested stakeholders to ascertain if there is merit and demand for this proposal and to gain stakeholder insight into any impacts or benefits.

The proposals will be progressed subject to responses to [this consultation](#). The proposals do not have any public health impacts for Northern Ireland as they do not make any changes to the requirements for the Northern Ireland market.

A wider four nation review of Bread and Flour Regulations is currently being undertaken by officials in the FSA, Defra, and FSS to ensure the compositional requirements for bread and flour interact with rules in other overlapping areas, take account of UK industry needs, technological developments and protect consumers.

Any amendment to the Bread and Flour rules to implement the Mandatory Fortification of Flour with folic acid will be included in this review. The FSA, alongside Defra and FSS, is collaborating with a diverse range of stakeholders to ensure any future policy and legislation is successfully developed and applied across all of the UK.

Meeting with Safefood

FSA in Northern Ireland Senior Management Team met with the SMT of Safefood on Monday 4th October. The Food Standards Act 1999 requires the FSA to take account of Safefood's activities and this 6 monthly meeting allows both senior teams to share key areas of work and discuss business of mutual interest. It was a good opportunity to reflect on our close working relationship, particularly in relation to Dietary Health and also to hear about Safefood's research projects and their Knowledge Networks.

Maria Jennings

Director for Regulatory Compliance, People and Northern Ireland