

EU and international strategy: update

Report by Catherine Bowles

For further information contact Liz Stretton or Emily Marriott on (Tel) 07500 579163 or 07833046345

Email: Liz.stretton@food.gov.uk or Emily.marriott@food.gov.uk

1 Summary

- 1.1 This paper is the 2019/2020 update on the Food Standards Agency's work against its International Strategy and our aims/ambitions for this work.
- 1.2 At time of writing, the Government is taking the Withdrawal Bill through Parliament. Once agreed, we expect a central steer to our future relationship and partnership with the EU and the Government's wider international direction.
- 1.3 The Board is invited to:
 - **discuss** and support the direction of the FSA's international work against its International Strategy, **commenting** on whether focus is on the right areas.

2 Introduction

- 2.1 The Board agreed the FSA's International Strategy in June 2018. The paper can be accessed via this [link](#).
- 2.2 The FSA aims to ensure that food is safe and that it is what it says it is. To do this it is necessary for us to work in international fora to safeguard food entering the UK and to be at the forefront of international developments in food safety to build assurance of the food we export. Concurrently, it is important to influence international food safety standards as these often then flow into transnational standards and practice which in turn affect UK standards and practice. The EU and International Strategy (EUIS) team maintains an overview of the FSA's international work so that we remain focussed on this objective and that in doing so, we are acting as one Agency.
- 2.3 In the last 12 months, we have targeted our international ambitions in order to:
 - contribute to and influence global food standard setting bodies, particularly those that impact on multilateral rule-based trade in food and feed such as Codex Alimentarius;
 - champion and maintain a reputation for expertise in the issues that contribute to the protection of consumers. We have worked to ensure that a scientific and risk-based approach to food safety remains at the heart of the international agenda;
 - advocate the FSA as a collaborative partner, working with other countries to further areas of mutual interest;

- ensure that we have access to the information needed to keep pace with and contribute to the latest international developments in food safety and public health in relation to food;
- build the networks needed to protect consumers, playing an active part in preventing or managing incidents; and
- support and deliver wider government international objectives, ensuring coherence with other government departments;

3 Evidence and Discussion

Current Priorities

- 3.1 As the UK prepares to leave the EU the FSA has taken steps to build capability and capacity in readiness for change in its international role. As a Member State (MS), the UK is obligated to implement and engage in the development of EU policy and regulations. As the UK nears leaving the EU our relationship is changing significantly, consequently preparation for this has been a priority. Because of the unique circumstances with regards to the EU, we have tended to consider our relationships with the EU/Europe and the rest of the world separately. We envisage that this will evolve over the coming years when all overseas engagement will be under the heading of international.
- 3.2 In the period of transition, there has already been an adjustment in our ability to influence and to help shape future and longer-term European policy. In line with current Government policy, the FSA has reduced attendance at EU meetings. When the time comes that we do not attend meetings, we must have developed and then maintain relationships with colleagues from MSs in order to gain insight to the discussions and the rationale on how positions were arrived at. To date, we have had unfettered access to information and now must seek this from other sources. Where we have supported other MSs in their positions on specific issues, we no longer can offer this support.
- 3.3 In order to operate successfully outside of the EU's remit, the FSA will continue to concentrate on building and maintaining an influential voice in international fora when we are not an EU MS. The FSA will need to create a distinct UK/FSA personality (for example, the FSA is always professional, evidence based and collaborative).
- 3.4 Outside the EU, the FSA has helped the UK to build a strong reputation around our ability to influence international standards setting bodies. This has helped us to ensure that global standards protect consumers in the UK which enables consumers to trust the safety of imported foods. The UK is an active member of Codex which develops harmonised definitions and requirements for foods, in turn facilitating international trade.
- 3.5 Within the Codex framework, the FSA is an active participant in the Codex General Subject Committees. In the last year, the UK has led work on the

advancement of several important texts one of which is the revision of the General Principles of Food Hygiene and its HACCP Annex which provides the foundation of good food hygiene practices across the world. We have also taken the lead on work on third party assurance which is high amongst FSA priorities.

- 3.6 Our Director of Global Affairs, Steve Wearne is a Codex Vice-Chair and, in this role, has led work to develop the Codex strategic plan to 2020-2025 which directly influences the Codex agenda for the next five years. Steve is currently working on a potential UK bid for the Chair of Codex. Further background on the work of Codex and the UK's contribution over the last year are set out in Annex 1 pg. 6.
- 3.7 At the core of the FSA's values is that our policy and regulatory decisions are science and evidence based. As such we advocate that science remains at the heart of international policy making. We participate in a wide range of international scientific groups, details of which are in Annex 2 pg. 7. We are developing scientific cooperation agreements with non-EU countries such as New Zealand in order to ensure that our scientific knowledge is robust and accepted on the global stage.
- 3.8 The UK chairs the International Food Safety Regulatory Economics Working Group. In partnership with United States, Australia, Canada, South Korea and New Zealand, the FSA is hosting a two-day Food Regulatory Analysis conference in March 2020. This event is looking to attract keynote speakers from around the world and in turn will allow the FSA to share its thinking on an international stage.
- 3.9 As the regulator, we ensure that food businesses meet their legal obligations that food produced and placed on the market is safe and it is what it says it is. Therefore, we demonstrate to current and future trading partners that we have a robust and effective regulatory model in place. FSA officials support wider government objectives whilst ensuring that our interests are represented across Whitehall.
- 3.10 We also wish to gain an understanding of other countries' perspectives on our regulatory approach and to learn from the approaches they take. This helps to understand how rules and guidance are interpreted in different countries and to understand the level of risk attached to new and innovative approaches to regulation and how that risk has been assessed.
- 3.11 International settings provide a platform to share learning, access worldwide expertise and opportunities to collaborate on multinational food safety challenges. We have benefited by pooling resources and sharing access to the latest innovation. The UK attends and contributes to international meetings to learn or share best practice. A key example is the annual Global Food Safety Conference (GFSC) hosted by the Global Food Safety Initiative (GFSI), a food safety event bringing together food safety professionals from all over the world. Further details can be found in Annex 3 pg. 8.

3.12 The FSA's reputation as a regulator and our robust use of science and evidence leads to many requests from both developing and developed countries to visit and meet officials in order to understand our methods and thinking. In the past 12 months we have hosted and facilitated 29 such visits. The agendas are led by the visiting officials, but we are also keen to share our innovative thinking on digital advancements and food crime.

Future plans

3.13 Whilst the FSA has worked to prepare for the challenges it faces once we have left the EU, future levels of contact and cooperation are unknown. We have therefore prioritised where we anticipate the need to focus our efforts:

- maintaining the reputation we currently have, managing the transition effectively;
- encouraging colleagues to develop bilateral engagement with their European counterparts; be supportive to former EU colleagues and work to maintain relationships;
- Support the Incident and Resilience Unit (IRU) to be able to react quickly to developing global incidents and to share intelligence and expertise to aid investigations into the cause of incidents;
- navigation of the transition to an EU third country, adapting and understanding our changed role and standing within the EU;
- working closely with UKRep to ensure our objectives align with cross-Government ambitions.
- continue working across Government to support FSA Director Steve Wearne in his potential bid to become Chair of the Codex Alimentarius Commission in July 2020;
- seek out and be open to opportunities from overseas partners for collaboration in areas which are new or of interest to the FSA; be confident that we are impactful in all the areas we need to be;
- demonstrate the impact and value of our work; and
- develop internal processes iteratively to support our International Practitioners.

3.14 In order to be able to measure the success of our international work, we are developing a process to monitor the impact we are having in line with the FSA's wider strategic framework. Success within the EU 27 will be demonstrated by maintaining the good relationships which we currently enjoy and by being able to operate successfully in the new environment into which we are moving. Outside of the EU 27, success will be demonstrated by increasing our influence through global food safety fora, and by being recognised on the international stage as a world class regulator.

4 Conclusions

4.1 This paper provides a high-level outline of the breadth of the international work undertaken against the agreed strategy over the past 18 months and progress towards achieving the FSA's international ambition. We recognise the impact of leaving the EU on the FSA's ability to fulfil our remit and have identified areas of focus to prepare. While not an exhaustive list of all our international work, the examples demonstrate that the FSA has increased its capacity and preparedness. FSA experts are sought out and our contribution is recognised in an ever-increasing number of international meetings and conferences. The FSA's growing reputation and impact is leading to future opportunities.

4.2 The Board is invited to:

- discuss and support the direction of the FSA's international work, against its International Strategy, commenting on whether focus is on the right areas.

Annexes

Annex 1: UK contribution to Codex

Fundamental to international policy making are the food standards, guidelines and codes developed and adopted by the Codex Alimentarius Commission and the scientific research and advice that underpin these. Successful negotiations ensure that global standards are protective of consumers across the world.

The Department for Environment, Food and Rural Affairs (Defra) is the overall lead for Codex within Government and acts as the UK Contact Point for Codex. However, the work of Codex cuts across various departmental responsibilities such as FSA, Defra, Department of Health and Social Care (DHSC), Veterinary Medicines Directorate (VMD), Health and Safety Executive (HSE), other departments including Foreign and Commonwealth Office (FCO), Department for Business, Energy and Industrial Strategy (BEIS) and Department for International Development (DfID) also have an interest. As lead department Defra co-ordinate work across departments; convene meetings of and provide training for Codex practitioners across Government. The FSA plays an active role as part of the Codex Alimentarius Commission (CAC) and as an active participant in multiple Codex General Subject Committees including: Codex Committee on Contaminants in Foods; Codex Committee on Food Additives; Codex Committee on Methods of Analysis and Sampling; Codex Committee on Food Hygiene; and Codex Committee on Food Import and Export Inspection and Certification Systems.

FSA Director Steve Wearne is a Codex Vice Chair. In this role, he has led development of the Codex Strategic Plan 2020 to 2025. Included in the new plan is a strategic goal to promote the use of Codex standards as non-legislative benchmarks for both governments and industry.

The work we have led has supported our aims and vision to become a world leader in approaches to regulatory modernisation, for example:

- With our Co-Chairs Canada and Mexico, we are leading work to develop principles and guidelines for the use of voluntary third-party assurance (vTPA) schemes to support national food control system objectives. Developing these guidelines through the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) has been the catalyst for other countries taking a keen interest in the UK approach. We are particularly pleased that the UK's approach has been used as a basis for regional pilot projects on vTPA programmes run by the Standards and Trade Development Facility, a World Trade Organisation initiative, firmly supporting our vision to become a world leader in approaches to regulatory modernisation and to drive open data approaches in countries that export food to the UK.
- In November 2019 at the 51st Codex Committee on Food Hygiene (CCFH), we achieved two significant successes in advancing text toward final adoption in July 2020, each designed to enhance consumer protection:

- as Chair of the electronic working group on the revision of the General Principles of Food Hygiene and its HACCP Annex, we led on development of the text which gained agreement to recommend to the Commission adoption at Step 5/8 which would complete the work. This is a key Codex text, which lays the foundation for food hygiene from primary production to final consumer by setting out the approaches and good hygiene practices that should be followed. It can be applied flexibly by national authorities working with food businesses around the world, from street vendors in developing countries to multinational food companies.
- as Co-Chair of the electronic working group to develop the code of practice on Food Allergen Management for Food Business Operators which gained agreement for the recommendation for adoption by the Commission (Step 8). In terms of consumer protection, this code of practice harmonises approaches to allergen management in food businesses across the world, providing additional safeguards and assurance in respect of internationally traded foods.

Annex 2: Science

At the September Board meeting, the Science Evidence and Research Directorate (SERD) laid out the skeleton of their 3-year strategic science plan. A keynote theme of that strategic plan is “growing our influence and impact”¹, which includes on the international stage. Science is fundamental to the UK food system, not only to inform our own evidence-based policy making but to provide assurance in trade relationships and to export our world-class expertise and innovation for partnerships, influence and leverage. Drawing on the best available global evidence and experience supports proportionate, risk-based approaches to regulation and regulatory reform.

The FSA is an active participant in multiple groups which help keep us informed of the latest global food safety developments, build networks and showcase FSA expertise such as:

- the International Social Science Liaison Group (ISSLG), a group considering the impact social science and economics can have on food safety decision making. The FSA is leading a project on food labelling and will be hosting the next meeting in April 2020.
- In March 2019 FSA attended a seminar of the International Food Safety Regulatory Economics Working Group (FSREWG), in Washington, D.C. The FSREWG provides an informal forum for government analysts to learn from each other and collaborate on shared analytical issues. A highlight for the FSA was our presentation on the cost of illness which was shared with the Board in September 2019². It led to working with

¹ https://www.food.gov.uk/sites/default/files/media/document/fsa-19-09-19-science-update-2019-final_0.pdf.

² <https://www.food.gov.uk/sites/default/files/media/document/fsa-19-09-05-cost-of-illness-model-final.pdf>

US economists to apply the same methodology to refine their cost of illness work. FSA has taken responsibility for chairing the FSREWG.

- The FSA plays a very active role in the development of research areas in food allergy. The Food Allergy Task Force for The International Life Science Institute (ILSI) aims to address the risks in management of food allergens and sets the research agenda for its expert groups. We are a member of the expert group working on drafting and delivering a peer-reviewed publication defining tolerable levels of risk for improved and more transparent management of food allergen risks.
- The FSA provides support for UK experts to engage in expert committees, for example; the European Food Safety Authority (EFSA) panel on Food Contact Material, Enzymes and Processing Aids; the biannual World Health Organisation (WHO) Joint Expert Committee on Food Additives (JECFA) and the International Commission on the Microbiological Specifications for Foods (ICMSF) which is a leading source for independent scientific advice to international standard setting bodies such as Codex, national governments and industry.

SERD supports the promotion, renewal and creation of bilateral and multilateral scientific working agreements. An example is the Scientific Work Programme with New Zealand's Ministry for Primary Industries (NZMPI), this is a subset of a wider Memorandum of Understanding held between the FSA and NZMPI and provides a benchmark for these types of agreements, aiming to identify priority areas of mutual interest, and the potential for collaborative action.

In partnership with United States, Australia, Canada, South Korea and New Zealand, the FSA is hosting a two-day Food Regulatory Analysis conference in March 2020. The conference will showcase innovative research on regulatory analysis, demonstrating how analysis, research and evidence are used to tackle the challenges of today, and contribute to addressing emerging risks for the future. The conference is an opportunity for the UKFSA to maintain and grow its reputation as an international leader in food regulatory science and innovation

Annex 3: GFSI

The Global Food Safety Initiative (GFSI) hosts an annual Global Food Safety Conference (GFSC). This is one of the leading food safety events bringing together around 1000 top food safety professionals from over 50 countries with a goal to advance food safety globally. The FSA has increased our input over the past few years, maximising opportunities. These include UK input in several key areas, such as GFSI's ongoing benchmarking work on third party assurance schemes.

Examples of our engagement at the 2019 conference include:

- FSA Directors Julie Pierce and Steve Wearne delivered keynote presentations in plenary on our new surveillance approach and allergen management
- Steve Wearne presented a paper on "transparency in risk management" at the "Strategic Food Safety Dialogue" (SFSD) multilateral meeting.

- We led discussions at the Government to Government / Government to Business (G2G/G2B) meetings on public private partnership.
Discussions included:
 - the use by regulators of 3rd party assurance scheme data which we chair in Codex;
 - the WTO Standards
 - Trade Development Facility pilot projects that we have helped create and secure sponsorship for by the Department for International Development.
- We held a series of bilateral meetings with senior industry representatives and regulators, including the newly appointed Deputy Commissioner at the US FDA which led to an invitation to give evidence at their Public Hearing on “an era of smarter food safety”
- Steve Wearne joined the Chair of Codex, Guilherme da Costa, in the annual meeting of the Codex officers with the GFSI Board’s Codex committee.

At the G2G/G2B 2020 meeting the theme will again be public private partnership. Other topics under discussion will include data sharing which will review a report of the GFSI working group that has explored this topic and to which we have made a significant contribution. As a member of the organising committee FSA are helping shape the agenda including links to other related international and multilateral work.

A common theme running through much of the 2019 GFSC was the challenge presented to regulators by eCommerce in relation to food. This has also been discussed at the most recent Heads of Food Safety Agencies network, an informal network of EU member states and close neighbours which the FSA Chief Executive attends. Recognising that eCommerce is an area of growing concern for the UK the FSA is developing guidance for regulatory delivery bodies. To keep our thinking in line with the wider international direction of travel the UK has attended a conference hosted by the Federal Office of Consumer Protection and Food Safety, Germany. We will also be presenting a paper on the subject at the SFSD meeting in the margins of the GFSC to promote discussion to identify where shared priorities lie.