

---

## **MINUTES OF THE FSA BOARD MEETING HELD ON 19 SEPTEMBER 2018**

RADISSON BLU HOTEL, CARDIFF

### **Present:**

Heather Hancock, Chair; Laura Sandys, Deputy Chair; David Brooks; Rosie Glazebrook; Stewart Houston; Ruth Hussey; Colm McKenna; Mary Quicke; Stuart Reid; Paul Williams.

### **Officials attending:**

Richard Bowen - Interim Director Wales (for paper FSA 18/09/12)  
Catherine Bowles - Deputy Director - EU Exit, Regulatory & International Strategy  
Paul Cook - Head of Microbiological Risk Assessment (for paper FSA 18/09/11)  
Simon Dawson - Head of Operations Assurance (for papers FSA 18/09/07 and FSA 18/09/05)  
Jason Feeney - Chief Executive  
Chris Hitchen - Director of Finance and Performance  
Michael Jackson - Head of Standards & Assurance (for paper FSA 18/09/07)  
Maria Jennings - Director of Northern Ireland, People and Organisational Development  
Julie Pierce - Director of Openness, Data and Digital  
Guy Poppy - Chief Scientific Adviser  
Nina Purcell - Director of Wales and Regulatory Delivery Division  
Philip Randles - Head of Incidents (for paper FSA 18/09/06)  
Colin Sullivan - Chief Operating Officer  
Steve Wearne (by video link) - Director of policy (for papers FSA 18/09/07 and 18/09/09)  
Michael Wight - Acting Director of Policy and Science (for paper 18/09/09)  
Julia Williams - Animal Welfare and Delivery Assurance Lead (for paper 18/09/05)

### **Guests:**

Gwyn Jones - Chairman of Responsible Use of Medicines in Agriculture  
David McDowell - Acting Chair of the Advisory Committee on the Microbiological Safety of Food (ACMSF) Task and Finish Group

### **Apologies:**

Rod Ainsworth – Director of Regulatory & Legal Strategy Directorate

## **WELCOME AND ANNOUNCEMENTS**

1. The Chair welcomed everyone in the room and those watching online to the meeting. She noted she had received apologies from the FSA Regulatory & Legal Strategy Director, Rod Ainsworth, explaining that Catherine Bowles – Deputy Director, EU Exit, Regulatory & International Strategy was present to deputise. She also explained that Steve Wearne, Director of Policy, would be breaking from a Codex Alimentarius meeting in South Africa to join the meeting

---

by video link. She reminded Board Members that they should declare any interests before discussion of the relevant item. She asked the Board if any members had an item they would like to be discussed under Any Other Business, adding that she would be raising one item. No further items of business were raised.

2. The Chair outlined the process of asking and answering questions, explaining that a new process introduced at the previous Board meeting was continuing to be trialled. This would allow for Board Members to note the questions received from the public ahead of the meeting and, where appropriate, to address the issues raised during the discussions of the relevant item. She invited Steven Pollock, the FSA's Director of Communications, to read a list of questions that had been received in advance of the meeting. Steven explained that some of the questions raised are outside of the FSA's area of responsibility and should be addressed to Welsh Government. A further set of questions had been received which did not relate specifically to any of the agenda items being addressed by the Board at this meeting and would require responses of a technical nature. He explained that these questions would be responded to by correspondence and the answers published on the FSA website.
3. A list of the questions that were pertinent to the remit of the FSA and had been posed for the Board, along with the accompanying answers, was published on the FSA website within fourteen working days. Full list [available here](#).

#### **MINUTES OF MEETING HELD ON 20 June 2018 (FSA 18/09/01)**

4. The Board accepted the Minutes as an accurate record of their discussion.

#### **ACTIONS ARISING (FSA 18/09/02)**

5. The Board noted the Actions Arising from the September Board Meeting. Rosie Glazebrook raised the issue of actions 7 and 8 relating to Raw Drinking Milk (RDM), which were marked as ongoing with a completion date set for December, asking whether the Board would be receiving an update on progress with these actions at the December Board meeting. Jason Feeney, Chief Executive (CE) explained that this was the case and the discussion on RDM in December would cover the points raised at the previous Board meeting on RDM controls. No other points were raised.

#### **CHAIR'S REPORT TO THE BOARD (FSA 18/09/03)**

6. The Chair explained that a note of her engagements since the previous Board meeting had been included in the papers. She highlighted the session with the House of Lords, and drew Board members' attention to a summary of the work being carried out by the FSA's Scientific Advisory Committees, following her attendance at a meeting of the Chairs of those committees. It was agreed that

---

Board members should receive this update periodically as an Annex to the CE's report.

***ACTION 1 - Board secretariat and SAC secretariat to circulate periodic summary of the work being carried out by the FSA's Scientific Advisory Committees.***

7. The Chair noted the stakeholder visits made by the Board the previous day, highlighting the range of organisations visited, and the stakeholder dinner held the previous evening at The Classroom restaurant in Cardiff and Vale University. The Chair commented on her meeting with Simon Blackburn, the portfolio holder for the Local Government Association covering progress with the National Food Crime Unit (NFCU), reinforcing the importance of the relationship between that Unit and colleagues across the Local Authority (LA) network in collaborating to tackle food fraud and food crime. This relationship will be priority for the incoming head of the NFCU. The meeting covered progress on Regulating Our Future (ROF). Discussions also included the FSA's preparations for the UK's exit from the EU, including requesting assistance with asking Local Authorities with port health responsibilities to make use of available FSA funding to ensure adequate contingency planning was undertaken. The Chair offered to attend the next meeting of Councillor Blackburn's LGA Portfolio Board and will report back to the Board on discussions once this meeting has taken place.
8. The Chair updated the Board on the evidence from the House of Lords Committee on exiting the EU, explaining the Members had seen the transcript of evidence as well as the letter that the Chair of the Committee, Lord Teverson, wrote to the Parliamentary Under-secretary for Health and Social Care, Steve Brine MP, on the subject. She explained that, as yet, there had been no Ministerial response but that this would be shared with the Board when it becomes available.
9. The Chair updated the Board on preparations for the FSA Board's joint away day with the Board of Food Standards Scotland (FSS) in Edinburgh covering the two organisations' joint approach to regulatory reform, ensuring the Memorandum of Understanding is performing satisfactorily and also how the two organisations are going to work together as the UK leaves the EU. She noted that it was a long-held aspiration of the FSA Board for a joint meeting of this kind to take place.
10. The FSA's annual Parliamentary reception would be taking place ahead of the next Board meeting. The event would include a speech from the parliamentary under-secretary, Steve Brine MP. The Chair outlined the potential for a similar event with the Welsh Assembly the following year.
11. The Chair ended her report by explaining that there would likely be a significant increase in parliamentary business involving the FSA in the coming months as

---

a large number of Statutory Instruments (SIs) from the FSA are laid in Parliament to repatriate European legislation following the UK's exit from the EU. This underscores the importance of holding the parliamentary reception at this time.

Mary Quicke asked the Chair whether during her discussions with Councillor Blackburn, the role of ports not currently used for imports, such as Fishguard, had been discussed. The Chair explained that the role of the port at Fishguard had not been raised in this meeting.

#### **CHIEF EXECUTIVE'S REPORT TO THE BOARD (FSA 18/09/04)**

12. The CE highlighted some areas of his report. He explained that EU exit remained a priority for the FSA and outlined a few of the key areas relating to that priority. These included the drafting and laying of the necessary SIs; import arrangements; ensuring the necessary arrangements for risk assessment and risk management, which are currently being consulted on; and continuing collaboration with Food Standards Scotland on the UK framework.
13. The CE then highlighted progress with the cutting plants and cold stores review as well as the international work the FSA has been conducting including the work being taken forward by Steve Wearne in his role with Codex. The CE also mentioned the FSA's allergens campaign, explaining that there had been positive feedback from stakeholders on the content and impact of that campaign.
14. Dave Brooks raised a question over the LA Performance Board paper for the December Board meeting and whether this could include data covering a broader timescale than one year, allowing year-on-year trends to be better presented. The CE confirmed that this would be possible.

#### ***ACTION 2 - LA Performance paper for the December Board meeting to include data from previous years.***

15. Ruth Hussey asked whether consideration of trends such as the growth in written warnings and changes in levels for enforcement and official samples, as shown in the infographic accompanying the report in relation to LA enforcement data, could be included in the paper in December. The CE replied that the paper would seek to outline such trends and would propose explanations and consider the possible impacts.

#### ***ACTION 3 - LA Performance paper for the December Board meeting to outline trends in written warnings and changes in levels for enforcement and official samples.***

16. Mary Quicke asked about the new central government guidance on reducing reliance on criminal sanctions in legislation as highlighted in the report. She explained that the use of criminal, rather than civil law in the Food Standards

---

Act was something that had contributed significantly to the effectiveness of the FSA as a regulator and cautioned against allowing this to be overturned by too great a degree when powers are repatriated following the UK's exit from the EU. The CE assured Mary that there was no intention to dilute the FSA's efficacy.

#### **ANIMAL WELFARE (FSA 18/09/05)**

17. The Chair welcomed Julia Williams, the FSA's Animal Welfare and Delivery Assurance Lead, and Simon Dawson, the FSA's Head of Operations Assurance, to the meeting. Julia reminded the Board that Defra and Welsh Government are the bodies with policy responsibility for animal welfare in FSA approved establishments and that the paper being presented is a regular update delivered under the Deter, Prevent, Detect, Enforce animal welfare programme.
18. Giving a summary of activities under the Animal Welfare Action Plan, Julia explained that the second animal welfare themed audit had been completed as had the review of all the premises that had demonstrated issues relating to restricted viewing of slaughter, the process for the use of V-restrainers for non-stun slaughter and a review of premises reporting exceptionally low numbers of incidents to ensure that reporting mechanisms were functioning. She explained that the FSA had been continuing its joint working on transport with the poultry industry. Julia then gave an outline of the work carried out by the Welfare Assurance team including targeted visits to slaughterhouses. She explained that, with Defra, the guidance that sits alongside the CCTV legislation has been updated and a FAQ list to sit alongside the guidance had been developed by the FSA.
19. Julia explained that the FSA is continuing to improve the quality of reporting and analysis. She explained that Defra and Welsh Government commissioned the FSA to conduct an animal welfare survey, collecting data on new areas of animal welfare information around where animals were sourced from and the destination of the meat as well as third party assurance questions.
20. On CCTV, Julia explained that legislation came into force in May, with businesses given a deadline for compliance of the 5 November. Prior to the legislation coming into force and in the intervening period the FSA has worked with Defra and industry to ensure widespread awareness of their obligations under the legislation. From the end of September, the FSA have agreed to provide Defra with regular reports of the number of non-compliant premises that have not yet completed their CCTV preparations.

Discussions with Defra and Welsh Government around funding for the FSA's work on animal welfare has resulted in an increase in contributions this year, which helped to support implementation and enforcement costs associated with the introduction of mandatory CCTV. Defra and Welsh Government have

---

agreed in principle to meet animal welfare related FSA legal, and investigatory team costs and the FSA will now capture time spent on legal activities around animal welfare to allow FSA to quantify these costs more accurately in future funding negotiations.

21. Julia outlined the two data stories included in Annex 2 of the paper, which demonstrate a continued downward trend in major and critical breaches since the welfare team has been in place. She explained that in instances where it was clear an incident occurred either on-farm or in-transit, these were reported promptly to Animal and Plant Health Authorities (APHA), LAs and Trading Standards. She noted that both on-farm, and in-transit incidents were increasing, pointing out that this increase had occurred largely since the new reporting system had become active and the higher quality of reporting under the new system means that an increase in the number of identified incidents was expected. This was supplemented with an increase in training for OVs, which also likely contributed to the rise. The figures are nevertheless indicative of the amount of work that remains to be done in improving animal welfare.
22. For transport related incidents, discussions with APHA have noted that the lack of feedback and difficulties in reporting into one system and have agreed to work as the single point of contact for both LAs and Trading Standards. This has already resulted in an improved level of feedback to Official Veterinarians
23. The Chair thanked Julia for this introduction and invited questions from the Board. Stewart Houston complimented Julia on the work in delivering the programme in slaughter houses and ensuring that Trading Standards understand their area of responsibility for in-transport incidents and APHA for on-farm incidents and that this had been achieved through a collaborative approach.
24. Paul Williams suggested that this was an area of both high public concern and also high public misunderstanding, making it an area of concern for the FSA, and it was good to hear the paper introduced by clarifying the lines of responsibility. He commented that the level of funding received from Defra was negligible in relation to what was required to fully deliver the FSA's programme and it is welcome that as better data emerges, the FSA is continuing to apply pressure to obtain a much higher level of funding. He also welcomed the agreement with APHA to work as a single point of contact for incidents, occurring in transport or on farm, enabling them to obtain a higher level of feedback for in-transit incidents. He asked whether it would be possible to receive an update at a future Board meeting on how this agreement was working and whether APHA were experiencing the expected improvement. Stewart Houston also recommended that a connection be made with Defra's Animal Health and Welfare Board, which includes representation of both APHA and Trading Standards. Simon Dawson explained that the FSA had attended in the past to provide evidence on an issue specific basis but were not routinely represented at their meetings. The Chair suggested the FSA Board would welcome greater level of involvement with the AWHB.

---

***ACTION 4 - Julia Williams and Simon Dawson to seek increased representation for the FSA on Defra's Animal Welfare Board.***

25. Mary Quicke asked a question about the trend in incidents relating to sheep. Julia explained that there the upward trend in incidents related to animals in transit.
26. Rosie Glazebrook noted the importance of animal welfare to consumers as demonstrated by surveys on the issue. She asked about how an assessment of new working methods, with APHA acting as the single point of contact, could be carried out. Julia explained that the new feedback system had been operating since July and that feedback had improved but due to the short timeframe before the publication of the paper for this Board meeting, the evidence to demonstrate was not yet available. She also explained that efforts were being made to be able to make APHA's One Health reporting system and the FSA's Chronos system compatible in a way that makes the sharing of relevant data simpler, faster and more reliable for FSA vets.
27. Ruth Hussey welcomed the paper and the progress made to date. She outlined the comments of the Welsh Food Advisory Committee (WFAC) when they considered the paper at their recent meeting. WFAC had noted that there is currently no non-stun slaughter in Wales and that CCTV in slaughterhouses is already widespread, though not necessarily to the standards prescribed by the legislation in England. WFAC had also expressed concern that the highest levels of incidents were occurring in areas outside of the FSA's responsibility and welcomed the collaborative approach to working with partner agencies to address this. The Chair noted the WFAC comments, explaining that she had written to Lesley Griffiths and would be meeting with her next week to discuss these points.

Colm McKenna highlighted the differences with animal welfare controls in Northern Ireland (NI) where welfare at slaughterhouses is the responsibility of the Department of Agriculture, Environment and Rural Affairs (DAERA), not the FSA. He explained that there was widespread use of CCTV already operating within NI on a voluntary basis. He explained that, at their recent meeting, the Northern Ireland Food Advisory Committee (NIFAC) had expressed concern around the level to which other agencies understood their responsibilities, noting that the importance of the issue to consumers, whose interests the FSA seeks to represent, highlights the need to ensure that all agencies involved in delivering animal welfare controls are aware of where their responsibilities lie. Simon Dawson explained that there was no doubt that the various authorities around animal welfare did understand their responsibilities but that by providing better data, we could them in the effective delivery of these responsibilities.

28. The Chair noted that the Board were united on the issue of funding and highlighted that the use of FSA funds to deliver the policy of another department will be an issue in the next spending review, since it constrains the

---

FSA's ability to deliver in other parts of its remit. She added that this should not be taken as a criticism of the work done by Julia, Simon and the FSA's Animal Welfare and Delivery Assurance team, whose work and progress was warmly welcomed by the Board.

29. Stuart Reid noted the moral obligation to ensure that animals coming into the food chain have the highest deliverable welfare standards. He questioned whether the structure of the paper might be better arranged to demonstrate more clearly the areas within and out with the remit of the FSA, bringing those factors under FSA control to the fore and covering other issues within an annex to the paper.
30. The Chair noted a question received ahead of the meeting relating to the publication of data. She explained that the FSA began publishing quarterly reports on welfare non-compliances on 1 April 2017. While this paper represents an annual report, more detailed data was being published by the FSA on a quarterly basis. The Chair then summed up the Board's position:
  - the Board welcomed the progress made and commitment shown by the Animal Welfare and Delivery Assurance team;
  - the collaborative approach taken by the team is supported by the Board and greater engagement with Defra's Animal Welfare Board is encouraged;
  - the FSA did not hold the departmental responsibility for animal welfare matters outside abattoirs and should not inadvertently step into further responsibilities. Nor does or should the FSA own or take a lead responsibility for the animal welfare feedback system beyond abattoirs; and
  - The Board recognised the consumer interest in animal welfare, and the professional ethics of its veterinary professionals to safeguard the welfare of animals, Reflecting these points, outside our area of responsibility the right role for the FSA was to share data and insight, help link up systems and processes, and support APHA and others in improving controls and assurance.

#### **ANNUAL INCIDENTS AND RESILIENCE REPORT (FSA 18/09/06)**

31. The Chair welcomed Philip Randles, the FSA's Head of Incidents, to the meeting.
32. A member of the public attending the meeting as an observer interrupted to ask a question on the previous item. The Chair explained that this was not the FSA's Board practice, but that there would be an opportunity to put further questions to the Board at the end of the meeting.
33. Philip introduced the report, which gave an overview of the work of the FSA's incidents and resilience unit (IRU) until the end of March 2018 as well as examples of activities taken by the team since then. He outlined the four-

---

nations approach taken by the unit to ensure consistency across UK jurisdictions and highlighted the paper's focus on continuous improvement and efforts made to strengthen the FSA's resilience, capability and capacity in preparation for the UK's EU exit. He also highlighted the number of incident notifications received by the FSA and the increase in notifications over the previous year outlining some of the significant incidents, including 2 Sisters, Russell Hume and listeriosis associated with frozen vegetables and the significant media and parliamentary attention they received.

34. Philip then highlighted the importance of industry collaboration in ensuring effective and robust incident management, allowing early data sharing to enable timely and proportionate interventions. He also emphasised the importance in maintaining the required levels of capability and capacity to ensure preparedness for future incidents. He then outlined the programme of exercises, drills and training opportunities around the FSA's incident response at a strategic, tactical and operational level, internally and collaboratively with other organisations. Additionally, he explained that the Efficacy of Recalls project is shortly to deliver updated competent authority guidance to raise awareness of the recall process.
35. Philip explained that following the UK's exit from the EU, the FSA will seek continued access to the Rapid Alert System for Food and Feed (RASFF) system, emphasising the mutual benefits of continued food safety data sharing and will seek to strengthen and enhanced consumer protection in the UK by further developing its incident management process. This will involve an enhanced programme of bi-lateral engagement and surveillance across the UK, increasing engagement with the international food safety authority network, Infosan, which is jointly managed by the UN Food and Agriculture Organization and World Health Organisation. Currently Infosan operates in over 180 countries.
36. Philip concluded by thanking those organisations involved in incident response across the four nations of the UK, particularly the communications networks and risk-assessment policy teams with the FSA as well as LAs.
37. The Chair thanked Philip for this introduction and suggested that, as there were two major components to the paper, the Board put questions around the FSA's incident response first and questions on the EU exit preparations afterwards.
38. Dave Brooks asked a question relating to the Efficacy of Recalls project, which had previously been reported to the Board, highlighting the component of that report around the causes for the growing number of recalls. He asked if it would be possible to have an update on this. Philip explained that progress had been slow in this area but had moved on considerably in the last six months, highlighting engagement with industry to develop guidance along with an update that will be included in the food law code of practice as well as an e-learning course, which should be available by the end of the financial year, instructing industry on how best to conduct analysis and report to the FSA.

---

Colin Sullivan added that it was intended that these three elements would all be in place by the end of the financial year. The Chair asked if it would be possible for the Board to receive an update at the point when these three elements were in place.

***ACTION 5 - Philip Randles to provide report to the Board after March 2019***

39. Paul Williams highlighted the rise in incidents involving allergens, noting that this was primarily a labelling issue. He suggested that this does not appear to be an issue that should be too complex for industry to get right and asked about the FSA's activities in trying to persuade industry to address it. Philip explained that the issue around allergens had been driven by the introduction of the FIR regulations in 2014 noting that larger manufacturers had largely grasped the issue effectively but that it was more difficult for smaller scale businesses. He outlined initiatives that were taking place to address the allergens issue including consumer engagement work, sampling and encouraging LA to look more closely at allergen labelling issues. He acknowledged that this is also likely to lead to a rise in reported incidents but would also contribute to food safety. Julie Pierce added that the FSA was also working with industry in getting better data around ingredients as they go through the whole supply chain.
40. Ruth Hussey welcomed the collaboration and data sharing that was taking place. She asked whether there was any indication of the pressures on LAs and if their capacity to respond to incidents was easing or becoming more burdensome. She also noted that the paper demonstrates the importance of benchmarking standards to ensure that future performance can be accurately measured against current standards.
41. Philip explained that LAs see food safety as a priority and that there had been no change in the response rate to incidents despite changes in the LA landscape and pressures on LAs. On benchmarking, Philip explained that some of this issue was about performance in the IRU. Philip gave an outline of how performance was measured within the IRU. Externally, benchmarking would involve tracking the numbers of notifications that the FSA receives, and the precautions being taken by the FSA mean that there is the potential for there to be more incidents that will need to be assessed and validated prior to taking actions. The surveillance data generated by Infosan will add to that. Some of this will be pre-sifted but the FSA will also need to consider the data. Julie added that part of the surveillance programme involved an attempt to establish a baseline for measuring against future data.
42. Mary Quicke welcomed the commitment to data sharing and the open-data policy but mentioned that she had been unable to find the data when she had looked for it, suggesting that the data could require a greater prominence. She also asked about the proportion of incidents that arose through whistleblowing.

- 
43. Philip explained that the data was on the website, but Mary's experience justified looking at whether it needed to be highlighted further. On whistleblowing, Philip replied that they receive several notifications as a result of whistleblowing every year and a list of requests for help that the FSA has received will shortly be published on the website. He estimated that the incidents team dealt with between fifteen and twenty per year that were directly related to food safety.

***ACTION 6 - Philip Randles to ensure that incidents data is easier to find on the FSA website.***

44. Colm McKenna thanked Philip for having introduced the paper at the NIFAC meeting the previous week and congratulated him on the level of cooperation shown, suggesting that it was really a five-nations, rather than four-nations approach, noting also cooperation with the authorities in the Republic of Ireland. Colm asked a question about the relationship with the NFCU and the extent to which food safety incidents might have a criminal aspect. Philip replied that there is a daily management meeting that takes place between the management and officers within the IRU and counterparts in the NFCU to assess the incidents and notifications received by both units to assess whether they are purely food safety issues, whether they have a criminal aspect to them or whether both aspects are present. Food safety is the priority for the FSA and issues relating to public health will be prioritised ahead of issues relating to food fraud where there is thought to be a risk to public health.
45. Stuart Reid asked about the way in which the data was presented graphically in the paper, suggesting that it could be made clearer, particularly figure 8. He suggested that the use of this type of chart gave the appearance of an exaggerated increase and could be misleading for the casual reader who may not have the time to spend analysing the data in depth. The Chief Scientific Adviser (CSA) Guy Poppy agreed with Stuart and also raised an issue relating to figure 2 in relation with the benefits of having the data within the context of a longer time period so that trends can be observed. Without this, it will be difficult to know the extent to which any achievements are attributable to action or to natural variation.
46. The Chair suggested Philip address these important points about accurate graphics in future updates. She then invited questions from the Board relating to the EU Exit implications of the paper.
47. Laura Sandys asked a question about the progress with negotiations for the FSA's access to the Rapid Alert System for Food and Feed (RASFF) network following the UK's exit from the EU. She also asked about how Infosan and RASFF compared in terms of the relative strengths and weaknesses of the two systems. The CE explained that the government position is that in any negotiated agreement, the FSA would continue to have access to RASFF during the transition period. And that during that transition period, access to RASFF beyond the transition period would also be sought. The FSA has a

---

strong case for this as it feeds in information as well as receiving it, meaning that it is in the interests of all parties to allow continued access. Philip added that Infosan has a different function set than RASFF. Infosan will be part of the solution if RASFF access is discontinued but also offers other functions to RASFF, which is primarily about alerting other member states where there are food alerts occurring within the EU. RASFF also acts as a system, through Infosan, to alert member states about food alerts in a large number of countries outside the EU. Infosan was established firstly to deal with larger scale incidents with a reach across a large number of countries.

48. Colm McKenna asked whether a decision needed to be made between the two systems or whether they could operate in a complimentary fashion. The Chair explained that access to Infosan was not dependent on any aspect of the EU Exit negotiations. The aim, however would be to have access to both Infosan and RASFF.
49. The Chair asked, if there had not been progress with Ministers over when the FSA will be able to take responsibility of risk management decisions following EU exit, where the authority for managing incidents would rest. The CE explained that ministers and officials have indicated that while they are keen to have a transitional period where Health Ministers retain responsibility for risk management decisions, they have demonstrated no such appetite to retain this authority for incident management. The Chair explained that this was welcome, and that the FSA would be the appropriate body to make the necessary risk management decisions in an incident situation, liaising as appropriate with other government departments.
50. The Chair summed up the Board's conclusions:
  - the Board would receive an update on the recalls project after March 2019;
  - the Board wished to see continued access to the RASFF system; and
  - Continuing to strengthen our work with Infosan was important for its own sake, and as a mitigation for EU Exit and access to EU systems.

#### **REGULATING OUR FUTURE – ASSURANCE FRAMEWORK FOR PRIMARY AUTHORITY NATIONAL INSPECTION STRATEGIES AND NEXT STEPS ON REGULATED PRIVATE ASSURANCE (FSA 18/09/07)**

51. The Chair welcomed Michael Jackson, the FSA's Head of Standards and Assurance.
52. Mary Quicke declared an interest in the content of this paper as a member of a business which operates under a Primary Authority relationship. The Chair confirmed that the paper would not be commenting on the way in which Primary Authority operates and that Mary's insight would be valuable to the discussion.

- 
53. Michael explained that there are three distinct elements to the paper, the first relates to the work the FSA has been undertaking to ensure that the National Inspection Strategy (NIS) is prepared on a good basis bearing in mind how Primary Authority currently operates and how it is expected to progress. The second part of the paper involves an update on progress with the implementation of the ROF programme, taking account of preparations for EU Exit. The third section relates to the next steps and exploring the use of third party private assurance schemes.
  54. In relation to ensuring a sound basis for the NIS, Michael explained that the ability for a business to form a Primary Authority relationship with a LA around food safety has existed since 2008, so the FSA has been looking at what current, legally provided for measures exist and how they fit with the ROF framework. For NIS to operate effectively, robust standards would be required. This paper clarifies that the FSA will set the standards for the operational model and illustrates the first set of standards the FSA has developed in partnership with stakeholders to ensure that any new elements of ROF that are implemented will work effectively to protect consumers and provide a modern, effective regulatory system.
  55. The report also provides detail on the approach taken to develop NIS and the pathfinder trial conducted with six partnerships in England, which has helped inform the standards and given an insight into how NIS could operate and the guidance that would be needed.
  56. The Chair acknowledged that there were some specific points to be covered about the operation of NIS in Wales but first asked the Board to discuss the wider proposals for NIS.
  57. Paul Williams noted that this was a trial but mentioned that an 80% predicted ratings match means that a fifth of ratings did not match. He asked about the possibility of refining this in future. He also asked whether, when defining the standards, there would be a mechanism for LAs to register concerns about a Primary Authority in another LA area. Michael explained that, for the 20% that did not have a ratings match, there was no indication that the rating was necessarily wrong and different information being used at different times means that a level of variation would be expected. Where there were differences in evaluation, the trials were established in a way that allowed the reasons to be assessed by allowing LAs to work with businesses to establish what data would be available. It was indicated to LAs what data was less important, what would be helpful and what is critical in order to make an assessment and this is laid out in the case studies in the evaluation report. In refining this methodology in future, Michael suggested that he was confident that a closer match could be obtained. In relation to the point about LAs raising concerns about Primary Authorities in other LA areas, Michael explained that oversight by the FSA would be necessary for NIS to operate. He added that LAs would continue to be a part of the hierarchy of enforcement and where there is a suggestion of a problem with a particular establishment, LAs will still react as they currently do,

---

and it is expected that information would be fed back to the Primary Authority on the outcomes and findings of any enforcement action.

58. Paul thanked Michael for this answer and clarified his original question around possible actions that could be taken by a third-party LA if it feels that the NIS is not working appropriately and whether, in this case, there should be some mechanism for that LA to report this back to the FSA. The Chair agreed with Paul, commenting that the reason for having the standards was to allow a clear governance framework to exist to allow those interventions to occur. The Chair noted that in a recent discussion with technical leaders in a global food business, they had suggested that this proposed approach would mean that their Board would give more attention to food hygiene, food safety and food standards.
59. Colm McKenna updated the Board about comments made on this paper at the recent NIFAC meeting. He explained that NIFAC were very positive about the approach, acknowledging the differences in the regulatory landscape and legislation around Primary Authority in Northern Ireland. He noted District Councils in Northern Ireland seemed more amenable to the FSA's approach than they were a year ago and asked if there was any indication of whether that view was accurate, and if so, whether it was known what had brought about that change. Michael replied that from the outset of the Primary Authority system being introduced in England, the District Councils in NI had a statement of intent about how they would operate in NI where there was a Primary Authority partnership based in England. Their main concern at that time was a perceived lack of rigour in how a primary authority partnership would operate. Since the FSA has been setting standards required to participate in NIS, this has given a degree of assurance to NI District Councils. He added that if a similar scheme were sought in NI there would be issues around funding due to the self-funding nature of Primary Authority in England and Wales.
60. Colm then asked about the effect that this could have on the Food Hygiene Rating Scheme (FHRS) following the introduction of mandatory display of ratings in Wales and NI. Michael replied that sustaining the credibility of the FHRS within NIS was a primary concern for LAs. He explained that the FSA are currently scoping options to protect FHRS by using the outputs of NIS to inform a FHRS rating. This would require changes to the legislation that enforces the mandatory display of ratings in NI and Wales. In NI, the legislation was brought by the FSA so could be amended. It would require action from the Welsh Government who brought the legislation in Wales to amend the legislation there.
61. The Chair commented on the ability of a Primary Authority to recoup the costs of providing that function and whether that will also apply to the FSA's participation. She felt that the Board would want FSA participation to be properly financed. Michael supported this comment explaining that for any activities the FSA carried out as a supporting regulator, the FSA would be entitled to recover the costs of that participation.

- 
62. Ruth Hussey shared the comments made at the recent WFAC meeting relating to this paper, noting that in considering the report, WFAC had received comments from the Chartered Institute of Environmental Health (CIEH). This correspondence had been shared with Board Members. She extended her thanks to Michael Jackson and Nina Purcell who assisted in drafting a response. WFAC then held a further meeting where they were able to consider the response of officials alongside the evaluation report and correspondence from Directors of Public Protection in Wales (DPPW). WFAC had highlighted the need to consider the workforce changes that would be needed to ensure the relevant skill sets were attained, particularly around data analysis and interpretation, for both LAs and the FSA. WFAC had also commented on the self-funding nature of NIS noting, as had been discussed, that the FSA would be a part of that. WFAC had also commented on the relationship between the Primary Authority and LAs, noting that the Primary Authority will be expected to work with LAs to carry out inspections. Ruth raised the issue of the quality of the relationship if problems were to arise at an LA level, and how these could be best dealt with by a Primary Authority and suggested it would be helpful if part of the standards included a measure of whether a good working relationship existed between the Primary Authority and LAs. She also clarified that Primary Authority is separate in England and Wales and a business with a Primary Authority based in England, wishing to trade in Wales would need to have a Primary Authority there also. She also noted that, where the paper refers to the requirement for Secretary of State approval for a Primary Authority based in Wales, it is Welsh Government Ministers who give that approval.<sup>1</sup>
63. Ruth explained that both the evaluation report and the comments raised generally about NIS at their meeting had encouraged WFAC to suggest a communications project was required, both for consumers and also for stakeholders in Wales, highlighting the work of the engagement group led by Welsh Government around the work relating to ROF, explaining that WFAC would encourage further exploration of the issues around the practical implications of NIS, particularly around its compatibility with FHRs and the impact on LAs. She also welcomed the fact that, following the recent review of the Food Advisory Committees (FACs), there would soon be a change in the way in which the FACs considered papers such as this one.
64. The Chair thanked Ruth for these comments adding that she had received correspondence from the Welsh Local Government Association raising points broadly in line with those received by WFAC from CIEH and DPPW. She noted that the starting point had to be recognising that Primary Authority already exists for food businesses, as does the ability to implement a NIS. The decision to enable that to happen is for Welsh Ministers. The Board was being asked to look at creating a new FSA mechanism to ensure that any such

---

<sup>1</sup> Update added 6/12/2018 – Since the meeting, clarification was sought on this issue and it has been confirmed that approval for a Primary Authority based in Wales would come from the Secretary of State for Business, Energy & Industrial Strategy, not from Welsh Government Ministers as suggested at the meeting.

---

system would be as robust as possible with appropriate levels of oversight. Officials are aware of issues relating to the credibility of FHRS. The paper asks the Board to make an initial decision that action is necessary to create three standards that will ensure that NIS can operate effectively. She explained that she would reply to the Local Government Association offering to discuss their concerns with them while distinguishing resistance to any kind of regulatory regime reform from the way that reform is taken forward to ensure maximum effectiveness.

***ACTION 7 - Chair to write to the Welsh Local Government Association to address concerns relating to ROF and NIS.***

65. The Chair summarised the Board's discussion on this aspect of the paper saying that the Board welcomes WFAC's comments, which has provided some important points relating to next steps and their recognition of the need for the FSA to act. She added that the Board thanked WFAC for the additional work that its Members have contributed at short notice.
66. The Chair then invited Michael to introduce the next section of the paper giving an update on progress with the implementation of the ROF programme and the impact of the new assurance framework on the FSA. Michael explained the implications of including elements of regulated private assurance, noting there would be implications for the FSA. Following the 2016 referendum on the UK's membership of the EU, there was a need for the FSA to demonstrate control of the regulatory landscape and consistency in standard setting. The Chair invited questions from Board Members on that component of the paper. No comments were raised, and Michael was invited to introduce the third section of the paper, relating to next steps and exploring the use of third party private assurance schemes.
67. Michael explained that the FSA was proposing to do exploratory work, building on NIS, and looking at the outputs coming from the cutting plants and cold stores review to consider the use of third party assurance schemes. He emphasised that the FSA would need to demonstrate an understanding of the nature of third party assurance and what it has to offer the official control regime, clarifying that it would be about informing the nature, frequency and intensity of the official control and not replacing it. He also emphasised that various third-party assurance schemes exist for a variety of reasons and have different drivers that may not always indicate compliance with the regulatory regime.
68. Laura Sandys welcomed the proposals as well as the caution evident in the approach being recommended. She raised a question about how the data could be used to create useful metrics to assess the standards being achieved and some form of reporting dashboard, such as how the Local Authority Enforcement Monitoring System (LAEMS) data could be useful for the Board as well as for the Audit and Risk Assurance Committee (ARAC). Michael accepted that obtaining relevant metrics would be complicated but in terms of

---

offering assurance of where a third-party scheme's data could be used, there would be a standard for assessing the rigour of that scheme and there would be full transparency around that.

69. Rosie Glazebrook asked a question about when the Board would be likely to hear the outputs of the feasibility study and how that will link to standard setting. Michael explained that every issue being explored is being taken forward using formal project management tools. Once the feasibility study is complete, the findings of that will be evaluated and recorded. The outputs from that study will inform the next steps relating to that specific workstream. All the studies and trials undertaken as part of the program will be published.
70. Dave Brooks expressed his support for the ROF process and thanked WFAC for their contribution. He expressed a view that there was no substantial difference between Primary Authority and a third-party assurance scheme. He cautioned that we could develop a highly efficient and effective NIS but that it could soon become redundant as the FSA develops its views on how third-party assurance can be used. He suggested that the whole framework should be considered together to ensure it is as efficient as possible for food suppliers to ensure that the system is as robust as possible to maximise protection for consumers.
71. The Chair thanked Dave for his contribution. She highlighted that the FSA had gone a long way to developing a system where reliable data could be used in the consumer interest. Businesses are paying to be a part of these schemes and there is a question of whether they are getting value from their participation. Dave commented that it was regrettable that the latest issue of BRCA Global Standards had seen doubts raised about whether it matches the requirements for food law compliance.
72. Michael clarified that third-party standards would mostly be involved in areas of processing, cutting plants and manufacture. Most of the evidence that a Primary Authority would hear would be second party evidence and would relate primarily to catering and retail, which are the best fit areas for NIS. This means that the regulatory framework will have to look at these things separately in context of the industry. He also explained that the FSA had a good relationship with the major third-party scheme owners but that these were design and operated in the interests of the scheme's membership, who would give different weight to the part that compliance played in them. This presents a challenge for the FSA to work with those schemes to consider how their evidence can be used to deliver official controls.
73. Mary Quicke welcomed the approach outlined in the discussion and in the paper and related this to her experience as a member of a business which operates as a Primary Authority and explained that it is helpful to have the LA directed to consider official controls rather than the detail where the Primary Authority may have greater expertise. Michael explained that there are two different types of Primary Authority relationship. Firstly, in a direct relationship,

---

a multi-site business would be operating in numerous parts of the country under the control of a single Primary Authority. Secondly, in a coordinated partnership, which operates in relationship to a trade body, organised around certain common elements. He explained that he would not preclude businesses in a coordinated partnership developing NIS but that this would be a more complex set of arrangements.

74. Stewart Houston raised a question over the quality of audits undertaken by those providing evidence to the business as an important factor in implementation. Michael replied that the competency and ability of the individuals conducting the audits would be a factor in the standards that are being set.
75. The Chair summed up the Board's conclusions:
- The executive should proceed in the three areas proposed: developing an NIS standard for Primary Authorities, an outline process and governance for the recognition of NIS and an outline framework for the provision of assurance on operating an NIS.
  - The financial principles that the Board set for ROF should apply to the FSA's role in NIS ROF.
  - In considering the implementation of the standards, workforce, skills and LA relationships should be given particular attention.
  - Given the differing circumstances in England, Wales and NI, nationally appropriate arrangements for NIS should need be made.
  - There is no wish or intention to impose the NIS approach in Wales and Welsh Ministers would be an important part of any process for Wales<sup>2</sup>.
  - Officials should develop a solution that enables NIS to support FHRS; and
  - the Board noted the impact of integrating a new assurance framework on the FSA structure.

## **GOVERNANCE REVIEW (FSA 18/09/08)**

76. The Chair introduced a paper on the annual review of Governance, explaining that there was more included in this report than would usually be the case, because of aspects relating to the UK's departure from the EU. She outlined the key components of the paper highlighting the proposed changes to the Board's terms of reference, strengthening recognition of the Board's role in relation to risk, clarifying the Board's role in relation to the regulatory controls framework and also considering the way in which the Board will present advice to Ministers in future. She also drew attention to minor changes in the Terms of Reference for ARAC members and proposals for development of a new advisory committee to the Board.

---

<sup>2</sup> Update added 6/12/2018 – Please see footnote 1 on page 15.

- 
77. Colm McKenna welcomed the paper as particularly timely as the level of risk the FSA would need to assess will increase as a result of the UK's exit from the EU, emphasising the need to formalise risk responsibilities. He highlighted the connection with the agenda item scheduled for discussion later in the afternoon on Risk Management, noting the significant overlap in the language and approach of the two papers. He stressed the importance of clarity around the role of the Board in relation to risk as well as the role of the various Committees, the accounting officer and the Chair. He suggested that the recommendations of the paper should encourage a change in the way the Board papers are presented, with a greater emphasis on risk.
  78. Laura Sandys highlighted the importance of the paper as reflective of discussions at ARAC. She raised an issue about the way the FSA presents its advice to Ministers, suggesting that 'recommend' might better capture the way issues are communicated to Ministers and that the FSA should be able to use that word.
  79. Rosie Glazebrook highlighted paragraph 5.4 of the paper, which outlines the Board's role in providing public confidence that a consistent, appropriate, risk-based approach is taken to all food and feed safety issues, and that this is based on science and evidence, as a good summary of role of the Board. She explained that this was key to the function played by the Board in scrutinising policy and that they need to be able to stress where risks are purely internal and where there are other factors that the FSA may not be able to control. She asked how the Board are going to develop the discussions in this area and how they will be linked into action by the FSA executive.
  80. The Chair explained that there is a framework for how the Board's advice to the executive works but that the paper will bring discipline around how this framework operates, providing a greater level of certainty to the executive around where decisions rest.
  81. The CE agreed that the new arrangements around risk will improve the executive's ability to operate efficiently and with a greater level of certainty. He also explained that there would be an opportunity to look again in a year's time to consider how well these arrangements were working.
  82. Colm also replied to Rosie drawing attention to the forward look for ARAC which showed a focus on risk throughout the year and not solely through the risk analysis paper at the start of each year.
  83. Mary Quicke welcomed the paper and emphasised the importance in ensuring separation between oversight and delivery, suggesting that if better awareness of this could be achieved it would be helpful.
  84. The Chair asked if there were any comments from the Board as officials started to develop proposals for the new regulatory forum. Mary considered how this forum would have dealt with the issues that had led to the FSA's foundation,

---

suggesting that considering how the forum would have responded to an issue such as BSE makes an informative way of considering if the proposals are sufficiently robust.

85. Laura welcomed the emphasis on transparency and expected that any subsequent risk management decisions taken by Ministers should be equally transparent. She added that it would be welcome to have a response from Ministers over when the FSA would formally adopt the responsibility for risk management decision making, advised by the regulatory forum. The Chair explained that there had so far been no response from Ministers over when the FSA would formally take responsibility for some risk management decisions, emphasising that the regulatory forum would not be a decision-making body and the decision-making powers, when they do transfer from Ministers, will be with the FSA, informed by the advice of the regulatory forum. The CE also highlighted the four-country model emphasising that the regulatory forum would also feed risk management advice into all jurisdictions of the FSA as well as advising the Board of FSS.
86. Colm McKenna asked about the impact that the lack of devolved government in Northern Ireland was having on preparations for establishing the regulatory forum. Maria Jennings replied that in the absence of a Health Minister for NI, the Permanent Secretary would endorse. Colm asked whether this was within their powers as limited by the recent Buick decision. Maria answered that this would need to be investigated but was currently not known. The Chair added that it will be the FSA that will be taking forward the establishment of the regulatory forum, so it is not a political decision for the department. It will also be clear that the reason for the forum's establishment will be to ensure that risk management decisions are as well informed as possible and as likely to succeed on a UK wide basis as possible.
87. Mary asked whether the forum would be established by March 2019. The Chair replied that this would be the case. Colm noted that the ARAC terms of reference involved very little change other than to reaffirm that ARAC is an advisory Committee to the Board and does not have executive power.
88. Stuart Reid asked about the terms of reference for the Board, asking if the amendments to the terms as published were being changed. The Chair explained the amendments presented in the paper. Stuart thanked the Chair for the clarification and noted that the paper states that the Chair shall, by Easter each year, annually determine the dates, times and places of ordinary Board and Business Committee meetings for the year following. He asked whether this was usual practice. The Chair replied that this was correct.
89. The Chair concluded the discussion by confirming that the additions to the Board's Terms of Reference, changes to the Terms of Reference for ARAC and the consequent changes to the Terms of Reference for the Business Committee would be adopted with immediate effect.

---

**RISK ANALYSIS: PROCESS, GOVERNANCE, COMMUNICATION (FSA 18/09/09)**

90. The Chair introduced the Risk Analysis paper explaining that this issue would be coming back to the Board for consideration at the end of the year. She welcomed Michael Wight, Acting Director of Policy and Science, and Catherine Bowles, Deputy Director for EU Exit, Regulatory & International Strategy, to the table to assist the discussion as well as Steve Wearne, - Director of Policy, joining the meeting by video link from the Codex meeting in South Africa.
91. Steve Wearne explained that risk identification, assessment, management and communication - collectively termed “risk analysis” – are essential elements of the robust regulatory regime that will be in place following EU Exit, adding that this paper represents the first of two papers seeking the Board’s agreement to a proposed framework and process for risk analysis following EU Exit.
92. He summarised the proposals in the paper for conducting risk analysis, explaining that the paper:
- proposes that the FSA should continue to align our approaches to well-established international norms in order both to deliver consumer protection and to facilitate trade;
  - proposes that the relevant provisions of our long-standing code of practice on openness should be observed, especially the publication of risk management recommendations made to decision-makers, along with the evidence and analysis that supports those recommendations; and
  - sets out in tabular form the governance and assurance arrangements proposed for risk analysis, extracting the relevant sections from the governance paper and applying them to the relevant steps of risk analysis. The governance paper remains the authoritative description.
93. Steve explained that the subsequent paper scheduled for the December Board meeting will propose principles that might be applied at each stage of risk analysis, which is a key part of the Board’s governance role.
94. The delivery of a robust regulatory regime following EU Exit will require an increase in the volume of risk analysis undertaken by the FSA. It was noted that the FSA has received additional funding from HM Treasury and the process of recruiting additional staff to bolster internal capacity and capability is well advanced. The paper also set out reviews of the structure, roles and governance of the Scientific Advisory Committees and other sources of external expertise. It is expected that the necessary developments to the risk analysis processes will be delivered by March 2019.
95. The Chair thanked Steve for this update. The Board had no intention of moving away from the long-standing code of practice on openness, including the publication of risk management data, and the Board’s public decision making. the Board also agreed that the FSA would continue to align its approaches and processes with international norms. She emphasised Mary Quicke’s point in

---

relation to the Governance paper that these changes will be implemented for the end of March 2019. The Board need to clear on the details of the risk analysis framework and principles, in order to have confidence in the approach, and that it properly reflected the role of the Board. The Board would want to be certain that a consistent and clear approach was taken which contributed to public confidence and the robustness of decision-making.

96. Mary asked two questions. Firstly, on where the external dependencies were in risk assessment and secondly, whether the right people were available to handle the increased workload required. Steve replied that main external dependency would be the availability of external scientific evidence to support decision making. He suggested that the best way of dealing with this, should there ever be a lack of available evidence, was to be clear about what the uncertainties are, and reach decisions in the light of that. In terms of ensuring the appropriate personnel are in position, Steve explained that there has been extensive recruitment taking place with an impressive calibre of applicant.
97. The Chair thanked Steve for the update and explained that the Board were happy for Steve to proceed in the manner outlined in the paper. The December discussions were critical for the Board to be able to agree the framework of principles which would apply to each stage of risk analysis.

#### **BRIEFING ON ANTIMICROBIAL RESISTANCE (AMR) IN THE DAIRY SECTOR (FSA 18/09/10)**

98. The Chair welcomed Gwyn Jones, the Chairman of the Responsible Use of Medicines in Agriculture (RUMA) to the meeting to give the third of a series of updates on primary production sector use of anti-biotics, focussing, in this update, on the Dairy Sector.
99. Gwyn thanked the Chair for the introduction and gave the Board an overview of the Dairy Sector for background, explaining that there were around 12,000 dairy farmers in the UK, making the UK the third largest dairy producer in the EU after Germany and France, and the tenth largest Dairy Producer in the world with around 1.9 million dairy cows. He explained the changing nature of the industry profile with herd sizes rising from an average of around 80 to a current average of around 160. He also explained that out of 12,000 dairy farmers, there are 11,814 registered with the Red Tractor assurance scheme.
100. Gwyn then gave an overview of the range of production systems in operation and the diversity across the UK dairy sector and the challenges of this for implementing change, adding that this is beginning to change with the emergence of larger businesses in the sector.
101. Gwyn then explained some of the work done by the Cattle Health and Welfare Group explaining that this group had produced some exemplary work containing substantial information that could be used for benchmarking. He

---

then gave an overview of the impacts of milk price volatility and the effect on this of imports, particularly from the Republic of Ireland. He explained there has been an observed correlation between vaccination levels and milk price volatility.

102. Gwyn explained the lack of data of antibiotic use in the dairy industry, clarifying that there were discrete pockets of data but no overarching database that could be interrogated to obtain definitive information. He noted measures such as an electronic medicines book, put in place to attempt to rectify this.
103. Gwyn updated the Board on the use of Herd Health Plans, explaining that these were a requirement of the Red Tractor scheme and were playing a key role in tackling endemic disease. He explained that there were also mastitis action plans and that data around mastitis showed improvements. These improvements were slower than required and there would be work to do in tackling mastitis. He covered farmer training initiatives that were taking place explaining that it was hoped that in future, there would be an increase in farm workers applying for positions where they already had the necessary paperwork in place.
104. He also emphasised the importance of Veterinary training, highlighting the challenges presented by the profile of both vets and farmers as small business owners, noting that this was changing as a result of larger scale companies becoming involved.
105. Data sets from retailers were highlighted as a valuable resource, which, together with data from the electronic medicines books, gave an opportunity to establish the Livestock Improvement Programme, which will be the national database. The establishment of this database will make a significant step in the ability to interrogate and benchmark. Gwyn explained that there was a general trend away from the use of antibiotics.
106. The Chair thanked Gwyn for his comprehensive update and invited comment from Guy Poppy, the CSA. Guy expressed approval at the progress that had been outlined in Gwyn's presentation and emphasised the global significance of the issue. He explained that a joined-up approach between all interested parties would be required to continue to see results, reminding Board members that the issue was anti-microbial resistance (AMR) and not necessarily antibiotic use. He suggested that it may take some time before results began to be observed as bacteria develop resistance to antibiotics quickly but can be much slower to lose this tolerance. He added that this was an issue that had seemed irresolvable a few years ago, lending particular significance to the positive trends being observed now.
107. Stewart Houston compared the number of producers in the dairy industry with the much smaller numbers for pigs, to contextualise the scale of the achievements seen so far in the dairy sector. He emphasised the importance of tackling endemic disease, which was the main driver for the overuse of

---

antibiotics, highlighting that there are dangers in not using antibiotics where they are appropriate.

108. The Chair commented that in 2016 the Board had set three strands for its role in supporting the wider government and global effort on AMR. One of these strands was to support work towards clear and transparent reporting standards on AMR and food. She asked Gwyn whether the FSA was playing the role that RUMA would expect of it. Gwyn replied that he considered that it was and that there was a good understanding demonstrated by the FSA of what needs to be done. He expressed an ambition to move to a more holistic approach to tackling AMR and emphasised the importance of adhering to targets and reducing numbers.

#### **UPDATE ON THE FSA'S ACTIVITIES ON AMR INCLUDING THE REPORT OF THE ACMSF TASK AND FINISH GROUP (FSA 18/09/11)**

109. The Chair welcomed Professor David McDowell – Acting Chair of the Advisory Committee on the Microbiological Safety of Food (ACMSF) to the table to introduce the next paper, together with Paul Cook, Head of Microbiological Risk Assessment.
110. Professor McDowell introduced the report of the ACMSF Task and Finish Group on AMR in food. He noted that collaboration had emerged as a theme from many of the Board's discussions and that this was also something that was occurring with the Scientific Advisory Committees as well.
111. Professor McDowell explained the establishment and the nature of the Task and finish Group. He explained the objective of the group to identify any link between the use of antimicrobials in food production and AMR. He outlined the methodology of the group and the width of the range of literature being produced on AMR. He explained that the group had identified 8 main reservoirs of potential AMR impact and had received a number of presentations on antimicrobial usage. The main reservoirs identified were:
- pastures;
  - crops;
  - animal feed;
  - food producing animals;
  - abattoir and carcass processing;
  - food processing;
  - food for humans; and
  - humans.
112. Professor McDowell noted the areas of the report where action is recommended, indicating the way issues were graded in the paper according to the need for action. He also noted the challenges presented by the UK's exit

---

from the EU explaining that there will be a need for continued, regular, coordinated surveillance.

113. The Chair thanked Professor McDowell for this update and invited Steve Wearne to provide an outline of related activities of the FSA.
114. Steve noted that the Board had most recently discussed AMR at its meeting in December 2017. The paper now before the Board provides a further update on the work of the FSA to fill the evidence gap.
115. Officials proposed a series of steps to take forward the Task and Finish Group's report, as set out in sections 22 to 29 of the paper, including:
  - having now established a baseline for AMR in selected retail foods, expanding this approach to other foods;
  - improving our understanding of how interventions in the food chain impact on the risk posed by AMR bacteria;
  - building a better understanding of the impact of food processing on AMR in the food chain; and
  - assessing the burden of antimicrobial resistance genes in bacteria in selected ready-to-eat foods.
116. This work requires continued collaboration with partner organisations and other funders.
117. The Chair emphasised the point around the impact of food processing on AMR, and the role that could be played in this by new technologies, highlighting the importance of horizon scanning.
118. Ruth Hussey noted that the paper supported the need for a coordinated approach to research. She also noted the point made in the paper around import controls, observing that there are no controls on imports in relation to AMR. She raised an issue that had emerged in the discussion of the paper by WFAC, about the impact of AMR on the marine environment. Professor McDowell acknowledged the potential impact on the marine environment, noting that many of the findings of the report are also applicable to fish. Ruth thanked Professor McDowell for that answer and suggested that this is an area that should be given greater attention for future work as the FSA continues to horizon scan.
119. Rosie Glazebrook noted that it would be relevant for AMR to be highlighted as pertinent issue the next time RDM is on the Board's agenda. She also commented on the collaborative approach of the paper, emphasising the need to also ensure that joint funding is actively sought. Paul Cook explained that the FSA is part of the Medical Research Council (MRC) AMR funders forum, which covers issues around planning funds. He added that the FSA was actively seeking greater joined-up funding.

---

120. The CSA explained that this report from the Task and Finish Group had built on a previous, systematic review and that many of the information gaps that were present then have now been filled in. He added that the developing relationship with the Quadrum Institute was a key part of the collaborative approach that the FSA was taking, emphasising the microbiome centric approach being taken there. He explained that part of the strategic fund of the FSA had been used to co-fund research with the Biotechnology and Biological Sciences Research Council, which has, in turn, brought further funding in from them. The scale of the work being undertaken to address the issue of insecticide resistance, seen the previous day during the visit to Swansea University, had similarities with AMR and the emphasis on alternatives to the use of organophosphates to control sea-lice in salmon.

121. The Chair:

- Thanked Professor McDowell and the Task and Finish Group for the work they had achieved and how that had been presented in terms of the themes of understanding the deeper research, more surveillance, horizon scanning and the importance of information gathering as well as identifying the appropriate role for the FSA in this issue; and
- confirmed that the Board agreed the next steps proposed in the Board paper, which would become part of future discussions about business plan priorities.

#### **FSA IN WALES: DIRECTOR'S UPDATE (FSA 18/09/12)**

122. The Chair then welcomed Richard Bowen – Interim Director Wales to the table to introduce his update to the Board. Richard introduced the paper, noting the work being done by the FSA in Wales in preparation for the UK's exit from the EU, explaining that the FSA had been successful in securing additional funding for personnel from Welsh Government to help with preparations. He explained that there had been work taking place around Welsh ports, working with ferry companies and looking at cargo manifests. He noted that 25% of goods coming into the port of Holyhead had originated in Northern Ireland. He also noted that 25% of goods were passing through Holyhead on the way to destinations in other EU members states. He then outlined some of the work that had been carried out in Wales around LA performance noting that 5 LAs had been identified with a higher than usual overdue intervention rate. He mentioned that the FSA had sought and received assurances that performance would improve from these LAs and that the figures have been seen to be improving. Richard finally drew attention to the work being done in the FSA's Cardiff office around health and wellbeing noting a bronze workplace health and wellbeing award. He explained that a plan was being formulated for how this could be improved upon and a silver award was being targeted for next year.

---

123. The Chair congratulated the FSA in Wales on the achievement of the health and wellbeing award, recognising the importance of the health and wellbeing of FSA staff. She welcomed the information about LA performance and noted its relevance of in the earlier discussions on the ROF Board paper. It was important for the FSA's stakeholders to hear about the breadth of work that the FSA is carrying out, across the three countries within its jurisdiction, in preparation for EU Exit.

**REPORT FROM THE CHAIRMAN OF THE WELSH FOOD ADVISORY COMMITTEE (FSA 18/09/13)**

124. The Chair invited Ruth Hussey to deliver an update on the activities and discussions of WFAC since the Board's previous visit to Wales. Ruth thanked the Chair, indicating that the report had been included in the papers for this meeting. She highlighted three themes that were focussed on in the paper. These were:

- consumer insight;
- stakeholder engagement; and
- ensuring familiarity with developments in Wales relevant to the FSA.

125. On consumer insight, Ruth expressed her gratitude to colleagues who had provided data to enable better understanding of consumer issues in Wales. She explained that WFAC had undertaken numerous activities in Wales to improve stakeholder engagement including holding a meeting in North Wales and noting plans for a meeting elsewhere within Wales over the coming year. She highlighted a number of developments in Wales including the new Public Health (Wales) Act 2017, placing new requirements such as health impact assessments, which will be important for the FSA to be aware of.

126. Ruth highlighted the focus on the implementation of the FAC review approved by the Board in June. Working with Colm McKenna as the Chair of NIFAC on implementation.

127. Ruth expressed her thanks to the members of the Committee for their engagement and support over the year and the advice they had given from their discussions as well as to Richard Bowen, Helen George and the FSA team in Wales, as well as the members of the executive team in Wales who have helped the Committee with their consideration of the papers they receive.

128. The Chair invited questions from the Board. Colm McKenna supported the comments made by Ruth around the implementation of the FAC review, indicating that there had been discussions between the Secretariat teams for WFAC and NIFAC and a first draft paper had been scheduled to be considered at their October retreat.

129. Mary Quicke commented on the issue of LA performance in Wales, expressing concern that paying LAs to bring their interventions up to date could

---

disincentivise them to use their own budget. Richard acknowledged this possibility but indicated that the money was coming from Welsh Government and not from the FSA. The Chair explained that the December Board meeting would include an item, on LA performance and the new dashboard for interrogating performance related data. It was explained that this should ensure greater oversight of LA performance over time to ensure that no perverse incentives were being created.

#### **ORAL REPORT FROM THE AUDIT AND RISK ASSURANCE COMMITTEE (ARAC) CHAIR (FSA 18/09/14)**

130. The Chair invited Colm McKenna to deliver a report on the work of ARAC. Colm informed the Board about a report from the National Audit Office (NAO) received by ARAC about the decision to outsource the audit of the FSA. He explained that this usually occurred in situations where the NAO was content with the management of an organisation they are auditing. He explained that ARAC had also been looking at the FSA's Memoranda of Understanding (MOUs) and had received an update on shared services as well as the assurance process. He explained that there are now only five overdue management actions, three of which will be actioned within the coming weeks. He noted the ARAC self-assessment, commenting that it was very satisfactory having identified training needs. He explained that he and Deputy Chair of the Committee would be attending a meeting of ARAC Chairs and members across Whitehall Departments and ALBs, organised by Government Internal Audit Agency and hosted by HM Treasury at the end of October.
131. Colm then outlined an update on whistleblowing that ARAC had received at their recent meeting mentioning an issue raised by the NAO around the Chronos system. This was investigated, and no concerns were raised but a new system and process have been created. He also supported the Chair's comments around the need for risk to be a significant component of Board papers for future meetings.

***ACTION 8 - Board to discuss the timing of ARAC meetings at their January retreat.***

#### **FOOD ADVISORY COMMITTEE REPORTS (INFO 18/09/01-02)**

132. The Chair invited Ruth Hussey and Colm McKenna to comment on the reports from the recent meetings of WFAC and NIFAC respectively. Ruth explained that there was nothing to add that had not emerged previously in discussion. Colm drew attention to the item within the report on the work of the Standards and Dietary Health team in the FSA's office in Belfast. He explained that this update, received by NIFAC from Sharon Gilmore, the FSA's head of Standards and Dietary Health in NI, had been very informative and offered to share the detail of the presentation with Board members.

***ACTION 9 - Colm McKenna to ask NIFAC Secretariat to share the Standards and Dietary Health update with Members of the Board.***

133. The Chair thanked Colm for this offer.

**ANY OTHER BUSINESS**

134. The Chair raised one further item of business, which was the approaching retirement of Nina Purcell. She paid tribute to Nina's dedication, attitude and length of service, citing her passionate commitment to the public interest and protecting consumers, and her pride in representing Wales within the FSA.

135. The Chair noted the next Board meeting would be on the 5 December in London.

136. The meeting then invited questions from members of the public who had attended as observers. One observer questioned the accuracy of the figures cited in the report on Animal Welfare. Colin Sullivan explained that the FSA takes animal welfare seriously as an issue and has demonstrated this in its approach adding that the figures in the report were robust and defensible, and outlining the measures the FSA takes to improve animal welfare at slaughter houses.

137. No further questions were raised, and the Chair closed the meeting.