1. Summary

1.1 This paper highlights the Food Standards Agency’s (FSA’s) additional responsibilities in Northern Ireland (NI), and demonstrates the partnership working required to deliver its remit. Key activities since the previous report to the Board in September 2017 are detailed in the attached Annex.

1.2 The Board is asked to:

- Assess the effectiveness of the outlined work programmes and;
- Comment on the alignment of these work programmes with the FSA’s strategic direction.

2. Introduction

2.1 The FSA’s office in NI is responsible for devolved legislation and policy relating to food and feed safety, dietary health, standards, food composition and labelling.

2.2 This paper highlights the additional work areas within the remit of the FSA in NI, compared with other FSA offices. In addition, a retrospective look back on work carried out since the last NI Director’s Report in September 2017 is summarised in the attached Annex.

3. Dietary Health Remit

3.1 A range of dietary health policy interventions are delivered by a number of Government Departments and Agencies across the UK. In NI, the FSA leads on some elements of dietary health policy, nutrition science, research and surveillance. The development of this policy is broadly aligned with the work of the Department of Health and Social Care (DHSC), Welsh Government (WG) and Food Standards Scotland (FSS). In the FSA in NI the main responsibilities of the Dietary Health team include:

- Dietary Health policy development, implementation and evaluation and;
- Nutrition science, research and surveillance.

3.2 The NI dietary health strategic priorities are embedded in a ten-year cross-governmental Department of Health-led Obesity Prevention Framework. Policy priorities led by the FSA include:
• Reformulation of foods high in sugar, fat, calories and salt and the reduction in portion size and sales of such foods. The FSA works collaboratively across the UK, sharing insights and complementing delivery within agreed overarching principles;

• Development and collection of robust NI specific data on food consumption through the National and Nutrition Survey (NDNS) and other bespoke surveillance methods and;

• Providing consumers with clear nutrition information to allow them to make informed choices, including front of pack signpost labelling and calories on menus. A nutrition focussed consumer campaign is a key workstream of the programme, with a campaign currently being planned for early 2020.

4. Eating Well Choosing Better Programme

4.1 The aim of the Eating Well Choosing Better Programme\(^1\) (EWCB) is to implement a structured and transparent programme of food product improvement in NI with small and medium sized enterprises (SMEs) who manufacture, sell or serve foods that contribute to nutrients of public health concern (namely sugar, saturated fat and salt) and calories in the NI diet. The EWCB programme aligns with Public Health England’s Sugar and Calorie Reduction and wider reformulation programme.

4.2 In February 2019, in partnership with District Councils, the FSA in NI published a report on the nutritional content of scones. Scones were chosen as an everyday staple food sold in coffee shops and bakeries which can contain high levels of sugar, fat, salt and calories and which portion size has increased over the last 10 to 20 years.\(^2\) The report was produced by FSA in NI following a District Council-led survey of plain, fruit and luxury scones sold in 57 independent coffee shops across NI.

4.3 The FSA in NI is leading reformulation within the bakery and ice-cream sectors in NI with a plan of work in place with the College of Agriculture, Food and Rural Enterprise (CAFRE) to create technical guidance for the NI bakery sector to reduce the calorie, sugar, fat and/or salt content of scones, and to host a workshop with at least 20 NI bakery sector business representatives to showcase the proposed guidance.

4.4 The FSA in NI works in collaboration with academic institutions across NI and Invest NI to provide specialist knowledge and expertise to SMEs engaging in food product improvement or reformulation. The FSA chairs quarterly meetings of the Knowledge Provider Steering Group and is currently collating case studies of good practice in this area. The FSA in NI will also continue to collaborate with CAFRE to support SMEs in the production of reformulated ice-

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cream products. This will build on two previous events in 2018/2019 targeting ice-cream manufacturers in NI.

5. **Food Standards, Composition and Labelling Remit**

5.1 With DEFRA and Food Standards Scotland (FSS), the FSA offices in NI and Wales lead on policy and enforcement of rules for composition, standards and labelling of food. These rules cover food information to consumers, country of origin labelling, bottled water, composition of products including jams, honey, chocolate and meat products.

5.2 With DHSC, WG and FSS, the FSA in NI leads on policy and enforcement relating to nutrition and health claims made on food, food for special medical purposes and weight control, food intended for infants and the addition of vitamins and other substances to food and food supplements. The FSA makes domestic implementing Regulations for the enforcement of these EU Regulations.

6. **Calorie Wise**

6.1 Calorie Wise is a voluntary calorie labelling scheme delivered by the FSA in partnership with District Councils in NI. The scheme has recently expanded to allow businesses to apply for the Gold award if they display calories on all their standard food and drink items or the Silver award for displaying calories on 30% of their menu items.

6.2 The FSA in NI continues to engage with District Councils to assist them in achieving Calorie Wise objectives by supporting small/medium sized catering businesses to implement the scheme criteria.

6.3 The FSA in NI will continue to promote and update the FSA’s free online tool MenuCal for both calorie calculations and allergen management. MenuCal enables SMEs to calculate the calories on their menu items and provides training videos on good practices on food improvement. The tool also helps food businesses to identify allergens and manage the allergen information for their menus, enabling them to comply with legislation. It was developed with the input of chefs, caterers and small business owners. An all-Island partnership ensures industry alignment with the principles and consistent use of MenuCal. This tool will be promoted at events, exhibitions, conferences and workshops.

7. **Delivery of Official Controls**

7.1 The FSA in NI has responsibility for the delivery of food hygiene official controls in certain businesses, including fresh meat establishments (e.g. abattoirs and cutting plants), certain dairy establishments (e.g. milk production holdings and liquid milk processing establishments) and establishments involved in egg and primary production.

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7.2 In NI, these hygiene official controls are delivered by the Department of Agriculture, Environment and Rural Development (DAERA) on behalf of the FSA. A Service Level Agreement lays down the arrangements in place for the supply of this service and regular management, technical meetings and verification visits take place to ensure that the FSA continuously monitors the service. A Director-led Governance Group oversees the delivery of official controls and meets twice a year. This group comprises senior officials from both organisations to review performance, value for money, risk, continuous improvement, audit and future direction. An annual review of the service level agreement takes place in October.

8. All-Island working arrangements

8.1 There are three key organisations responsible for dealing with food and feed safety and food crime on the Island of Ireland, the FSA in NI, the Food Safety Authority of Ireland (FSAI) in the Republic of Ireland (RoI) and the all-Island body Safefood.

8.2 The role of the FSAI is to ensure that food produced, distributed or marketed in the RoI meets the highest standards of food safety and hygiene and complies with legal requirements. Its remit extends to the RoI only. The FSA in NI has a Memorandum of Understanding with the FSAI outlining the arrangements for co-operation between both parties – this includes protocols for Data Sharing, Communications, Incident Handling and Public Health Nutrition. There are regular working group meetings between the two organisations to co-ordinate policies across the Island where possible and to deal with food and feed incidents and food crime.

8.3 Safefood was established to promote awareness and knowledge of food safety issues on an all-Island basis. The Food Standards Act 1999 requires the FSA to take account of the activities of Safefood and to consult in order to avoid unnecessary duplication. Regular senior management team meetings take place to ensure a joined-up approach, partnership working and the avoidance of areas of overlap.

9. Exiting the EU

9.1 The Executive Office (TEO), previously the Office of the First Minister and Deputy First Minister, has overall responsibility for co-ordinating the NI response to EU exit. The FSA in NI is represented in the relevant project work streams and continues to work closely with colleagues across the FSA and in other Government Departments including DEFRA, DHSC, the NI Department for the Economy, DAERA and the Department of Health to ensure the retained EU law (UK Acquis) and the NI domestic legislation remain fully operable after the UK’s exit from the EU.

9.2 The FSA in NI is working with partners to develop three Common Frameworks to create consistent practices across the UK in devolved policy areas, respecting the devolution settlements and the principles agreed in 2017 by the Joint Ministerial Committee (European Negotiations). In the absence of the NI
Executive, the FSA provides technical input, analysis and factual responses, without prejudice to any views and decisions that may be taken by future NI Executive Ministers.

10. **Nutrition and Food Compositional Standards and Labelling Working Level Agreements**

10.1 Work is underway to put in place ‘no deal' Working Level Agreements (WLAs) between officials across the UK for the two policy areas where the FSA in NI has policy responsibilities: nutrition, led by DHSC (for which the FSA is responsible in NI), and food compositional standards and labelling (FCSL), led by DEFRA (for which the FSA is responsible in NI and Wales). In addition to the common body of law that will be in place across the UK in a no deal EU Exit scenario for the nutrition and FCSL policy areas, WLAs are being proposed to ensure that in the immediate period following a no deal Exit, arrangements are in place for how officials in all four countries will work together across these two policy areas.

10.2 The WLAs will set out an agreed means of co-operation between officials across relevant departments in the four administrations of the UK in the event of no deal and put in place processes for resolving disagreements. The FSA’s Executive Management Team (EMT) has contributed to the development of these agreements to ensure they meet the criteria set for the FSA’s EU Exit preparations set by the FSA Board. In particular, to facilitate the delivery of a post EU Exit regulatory regime that is as unified as possible, while allowing for evidence-based divergence and respecting devolution arrangements. Once finalised, the EMT will be asked to confirm they are content with the arrangements. There will be no change to the role of the FSA under the WLAs i.e. the FSA will continue to be responsible for advice to Ministers in NI on nutrition, and in Wales and NI on FCSL, and the FSA Board will continue to take major decisions relating to advice for Ministers. The intention is that the arrangements would remain in place until superseded by Common Frameworks.

11. **Conclusions**

The Board is asked to:

- **Assess** the effectiveness of the outlined work programmes and;

- **Comment** on the alignment of these work programmes with the FSA’s strategic direction.
ANNEX

KEY ACTIVITIES SINCE SEPTEMBER 2017.

Food Hygiene Rating Scheme in Northern Ireland

Since the introduction of the statutory Food Hygiene Rating Scheme (FHRS) in NI on 7 October 2016, NI has observed continued steady growth in display rates, from 59% in 2016 to 87% 2018. District Councils, whilst supporting businesses, also continue to enforce the legal requirements under the statutory scheme following the hierarchy of enforcement with warnings and the issuing of Fixed Penalty Notices for those not complying. The first prosecution of a food business under the Food Hygiene Rating (Northern Ireland) Act 2016 for non-display of a food hygiene rating was successfully taken forward in 2017. This action was taken by Belfast City Council, supported by the FSA, and resulted in the Food Business Operator being found guilty of the offence of non-display and subsequently fined £250.

The FSA has a legal requirement to undertake a review of the operation of the statutory scheme in NI within three years from the statutory scheme commencing. The review of the statutory scheme will be completed by October 2019 with the review report expected to be published in December 2019.

The NI Assembly Health Committee requested that food businesses selling food online by means of an online ordering facility should be required to display a valid rating. The Food Hygiene Rating (Online Display) Regulations have been drafted, covering the key principles of the requirement as well as setting out the prototypes for the online display icons/badges. During 2017 we carried out a consultation of the regulations. Following the review of responses to the consultation, the draft regulations were finalised and submitted to NI Assembly to begin the legislative process for making the regulations, however, due to the current suspension of the NI Assembly the online display regulations have been unable to progress any further. This work will be picked up again when the NI Assembly is back in operation.

The FSA established an industry working group with key industry stakeholders in relation to the development of the online regulations and supportive materials including online icons/badges. Engagement with these stakeholders has continued to encourage display of relevant food hygiene ratings online in a voluntary capacity in this interim period. Most notably has been engagement with Just-Eat who has launched a pilot programme which displayed food hygiene ratings for all establishments in NI using the Just-Eat platform. Through our successful engagement, Just-Eat has now extended the display of food hygiene ratings on it's online platform to all businesses throughout the UK.

Antimicrobial Resistance Strategy in Northern Ireland

In May 2019, the Department of Health, the Department of Agriculture, Environment and Rural Affairs and the Food Standards Agency launched a five-year action plan to
fight antimicrobial resistance. The Changing the Culture ‘One Health’ action plan encourages the responsible use of antimicrobials, particularly antibiotics in human medicine, in veterinary medicine, in food producing animals and in pets.\textsuperscript{5}

The launch was attended by the Director of FSA in NI, the Chief Medical Officer and the Chief Veterinary Officer.

**Engagement and Communications Activities**

**Know Your Calories**

Phase 1 of the Know Your Calories campaign launched in February 2018. This initial four-week phase aimed to raise awareness among men and women in NI about their recommended daily calorie intake and to encourage them to look out for calorie information on food product labels and on menus when eating out. This will help them make informed decisions about the foods they eat.

Media coverage was secured across a range of media outlets. Our messages also appeared on bus stops and 48 sheets via out-of-home advertising, regional radio stations, social media channels and video-on-demand. Partnerships with Co-op, Subway and Henderson’s strengthened support for the campaign in-store and online.

Phase 1a, a seven-week phase in January 2019, continued to target adults in lower socio-economic groups using existing campaign materials. The media channels included paid for social media, digital and adverts on video demand channels. The activity performed well, exceeding the benchmark key performance indicators for every channel. We learned that the Know Your Calories content works well when people can see how to apply the calorie knowledge to the food they’re eating and when we align our activity to a ‘food holiday’ and seasonal period.

In May 2019, more than 2,300 people visited the FSA Know Your Calories stand at the Balmoral Show. The social media competition generated a reach of over 900 and 579 people responded to the Quick Tap survey about portion sizes and calorie information when eating out. The results provided a good rationale for Calorie Wise.

**Food Poverty Conference**

The fourth Annual All-Island Food Poverty Conference ‘Food for Thought’ took place in September 2018 in Belfast, jointly hosted by Safefood and the FSA. The event highlighted the role of social supermarkets in tackling food poverty and the challenges faced by homeless families in emergency accommodation in relation to food access and nutritional health. With over 110 registered attendees, the conference brought together a wide range of organisations including representatives from District Councils, academia, charities, other Government Departments and industry with a common interest in reducing food poverty. A series of social media posts were shared which received strong engagement.

Social Science Symposium

In November 2018, the FSA’s Symposium of Social Science was held in Lagan Valley Lisburn, as part of the ESRC’s annual Festival of Social Science. This was the first time the event was hosted in Northern Ireland and showcased the breadth of social science in the FSA, including our latest research on consumer perceptions of reformulation, dealing with food crime as well as discussing how we are applying innovative methodologies and behavioural change techniques in the Agency.

#EasytoASK Campaign

In August 2018, the FSA in partnership with Allergy UK (AUK) and Anaphylaxis Campaign launched Easy to ASK. In NI this was run as a multimedia campaign with interviews, radio competitions and social media coverage. Promotional stands were organised at various events to target young consumers and businesses. During our attendance we engaged with around 1500 people at major University sites across NI during Freshers Week 2018, including Queen’s University, St Mary’s University College, Stranmillis University College and the Ulster University campuses, the annual Gluten Free Ireland event in Belfast’s Stormont Hotel and the Hospitality Exchange Conference.