

## CHIEF EXECUTIVE'S REPORT TO THE BOARD

1. Since the Board last met on the 11 March, the FSA's priority has been responding to the coronavirus (COVID-19) pandemic.
2. **Stakeholder engagement.** Due to the current situation, I have put trips on hold, but I have continued to engage with a range of stakeholders. Martin Evans, Colin Sullivan and I have met meat industry bodies as a group on six occasions, as well as having individual meetings with BPC, AIMS, BMPA and Tulip Ltd. I have met technical directors from food companies, and Marks & Spencer's, McDonald's, Tesco, Which? and BRC. Colleagues from Regulatory Compliance Division and I met Amazon, Facebook and we will soon meet UberEats. I met Professor Tim Lang from City University, the CEO of the Country Landowners Association, and the EU Exit and Trade Director for the National Farmers Union. The Chair and I met Lord Gardiner on two occasions, and Minister Prentis from Defra, once. I remain in regular contact with Defra, DHSC and DIT officials.
3. I spoke at a Cambridge Science and Policy seminar on 'food strategy' on 21 May; and I also spoke at an Institute for Government roundtable on 'use of science and evidence in policymaking' on 28 May.
4. The FSA made a submission to the Environment, Food and Rural Affairs Select Committee on 15 May on COVID-19 and food supply, which shares our early lessons learned.
5. **Latest update on COVID-19.** The exceptional nature of the COVID-19 pandemic has found the FSA quickly dealing with issues under two categories:
  - Ensuring food and feed safety, whilst supporting industry in maintaining food supply, and;
  - Supporting our own staff in protecting themselves and others through the outbreak
6. The pandemic has put significant demands upon staff across the FSA. Since the COVID-19 Board paper on today's agenda was published, we have continued to progress the enhanced recovery phase, looking to reverse or embed the mitigating measures that we have taken during our emergency response as we move the Agency towards a "new normal". For example, we are working to reverse easements around both identification markings and, working with Defra, labelling requirements. Conversely, we have been making use of a horizon scanning capability involving a panel of around 90 experts, social media listening and rapid social science (e.g. focus groups and surveys) to identify emerging trends and threats, and we want to embed this in our standard ways of working.
7. We continue to remain alive to the availability of local authority resources to deliver food/feed controls in line with the FSA's direction for prioritisation of activities. This is likely to continue to be affected to varying degrees by wider government public health priorities for the COVID-19 response so it will be

important that the FSA's messages relating to food safety and consumer protection are heard and understood across government.

8. The rest of the Board agenda covers our work to respond to COVID-19 in depth.
9. The remainder of my report here describes our other work. Inevitably other work has often been slowed or scaled back in this period, but some progress has been made.
10. Overall, I believe the actions we are taking continue to be within the risk appetite set by the Board.
11. The **EU Transition Programme** has maintained progress in priority areas including supporting the Government's negotiations; our planning for implementation of the Northern Ireland Protocol; imports and exports work; the risk analysis process; legislation; and laboratories for official controls.
12. Following my previous update on import controls, the FSA has been engaging with Defra and the Border Delivery Group to agree how and when controls on imports of high-risk food and feed will take place, and the need for importers to give prenotification of those imports.
13. Public concerns about food standards in the context of EU Exit and new trade deals have received significant media coverage this month, with several civil society organisations raising awareness. This demonstrates how important food standards issues are to consumers. As a non-ministerial government department, and an independent regulator, the FSA's objective has been to ensure that people are informed about the FSA's role and responsibilities in relation to food standards once leaving the EU, explaining that these functions will be performed independently, transparently, and based on science and evidence. We have sought to explain that the FSA has developed a new UK process for authorising regulated products which is in line with best practice set out by Codex Alimentarius. Our science capacity in our Science, Evidence and Research Directorate has doubled in size to support the ongoing work in this space and we have expanded the Science Advisory Committees and a number of joint expert groups to ensure the best scientific evidence is available to support our risk management advice.
14. There is a substantive agenda item at this Board meeting on EU Transition and Trade where more detail of the FSA's plans and preparations will be discussed.
15. The **Operational Transformation Programme** has maintained activity during the COVID-19 response, with our strategic partner, Deloitte, progressing work on business segmentation and the business case. Carmel Lynskey, the FSA's deputy Senior Responsible Officer, has led efforts to ensure the learning from varying official controls in the COVID-19 response is being fed into operational transformation. Opportunities have been identified which may have the potential to accelerate some of the operational trials. The critical milestones remain on track.

16. The **Achieving Business Compliance programme** is continuing to develop work around the Target Operating Model, Data and Segmentation and Skills for the Job, as outlined to the January and March Boards. This work has been reprofiled in response to COVID-19.
17. We have continued work on the Competency Framework for individuals undertaking local authority food controls and FSA controls in cutting plants and cold stores. We are testing our thinking through the Competency Reference Group and anticipate that we will be ready to consult more widely on the framework by October 2020.
18. We are also working to develop a ‘playbook’ for how we can work with and regulate digital platform businesses. Since I updated you in March, the FSA conducted a cross government **e-commerce workshop**, with officials from DHSC, BEIS and DCMS in attendance. This discovery workshop provided an opportunity to discuss what is already known in this field, and common themes across the key government departments, to work together in finding a way to regulate these platforms.
19. Since this workshop, I, and my colleagues have had productive meetings with Amazon. Colleagues have also met with Facebook and discussed how they operate and the opportunities to intervene when problems with food on sale are identified. The ABC project will get a more complete picture of the digital landscape and determine the best approach to the platforms, taking advantage of the digital/data enabled ways of operating, on behalf of consumers. We are mindful of the global nature of the digital phenomenon so will continue to work with other national regulators.
20. Work on our **food hypersensitivity** strategy continues. COVID-19 has had an impact on many areas of the work. The Science and Research work which involves engagement with healthcare professionals and hypersensitive consumers has been delayed. Our proposed communications campaigns aimed at hospitality food businesses and allergic consumers was due to start in March but is now being reviewed to assess the feasibility of campaigns post COVID- 19. The Technical Guidance on pre-packed direct sales (PPDS) will be published this month. Work continues on the allergy online training content for local authorities and businesses to reflect the new PPDS rules that come into effect from October 2021. Work is also progressing on the business case and project plan to move to procurement and development of the alpha phase of FARRM (Food allergic reaction reporting mechanism). This is following the results of the discovery work and will test the feasibility and development of a reporting tool.
21. We continue to develop new **Strategic Surveillance** services. We have built a picture of the activity surrounding high risk commodities imported to the UK including where and how they enter the UK. We have developed an interactive dashboard which shows which port consignments are entering the UK, rates of physical checks and lab tests, rejection rates, where a commodity is sourced. The dashboard can then be made available across FSA teams e.g. Imports, NFCU. This is still in the early development stages. We have also re-purposed previously built systems to start monitoring COVID-19 related changes in the food

supply chain, changes in trade routes, consumer concerns (social media listening tools), and alerts on products claiming to protect against the virus.

22. In addition to all activity to mitigate the impact of COVID-19, the data team have continued their business as usual services. Recent successes include the completion of the Alpha for the replacement Incidents Management Service. This is a tool that assists the incident team to detect, prevent, receive, investigate and manage incidents following an actual or potential threat to the safety, quality or integrity of food and/or animal feed.
23. We have recently expanded capacity to optimise the use of AI and data, mainly open data, to identify emerging food and feed risks before they become a public health concern. Our approach to this has been recognised as an exemplar by the World Economic Forum (WEF).
24. Ed Humpherson, Director General for Regulation - Office for Statistics Regulation (OSR) has written to all Government departments and regulators to remind them that we must publish data that we use for policy or business decisions so that it can be used by others. This is generally in line with FSA practice because of our commitment to openness and transparency and because of the requirement of the Open Data standard. OSR will undertake regulatory intervention, meaning that they will call out where data has been used but not published and so not accessible to all, although this will be done in a proportionate way. More detail is in the link: <https://www.statisticsauthority.gov.uk/news/covid-19-production-and-use-of-management-information-by-government-and-other-official-bodies/>
25. **Direct sale of meat and Qurbani.** In January, the FSA established a group to assess issues related to slaughterhouses that sell or supply meat directly to consumers from their site to understand more about consumer demand and preferences in this area and how regulatory assurance can be delivered effectively. The FSA supports producers having the ability to sell meat directly in this way to meet religious expectation, such as the undertaking of Qurbani. Qurbani is the sacrifice of a livestock animal during the Muslim festival of Eid al-Adha, which is commemorated annually.
26. Over the last few months, we have made significant progress during this period towards addressing some of the key issues supplying meat in this way presents and how to ensure that consumers of these products are given the same level of public health protection as any other consumer. In previous years, there has been lack of clarity over what the legislative framework for direct sales to final consumers from approved establishments was, which has now been resolved. As a result, this year we will set out principles, agreed by the group, to ensure that a pragmatic approach is taken to sales made directly to the final consumer so that risk can be mitigated as much as possible through various means, including the partial chilling of meat.
27. Responding to COVID-19 has inevitably focussed attention and resources on supporting front-line staff. We recognise the additional pressures that have been created by the pandemic and the summer holiday period that we are now entering as our lockdown restrictions ease. As such, the continued supply of safe

meat directly to consumers which meets religious expectations during Qurbani 2020 is a priority for the FSA.

28. The FSA's **Incidents Team** has been at the forefront of our response to COVID-19 and, despite these significant additional pressures, it has continued to respond to food incidents and is working hard to keep food safe.
29. The FSA monitors **Incident frequency** on a weekly basis and in early March, as the COVID-19 pandemic developed, we identified a reduction of food incidents reported to the FSA by approximately 50%. This reduction was maintained until mid-May, when incident numbers started to return to the average levels seen before COVID-19.
30. We worked with our partners across local authorities and industry to investigate potential causes and evaluate if there was an increased risk to consumers. Whilst there was a reduction in the numbers of incidents reported, it was proportionate to the number and nature of businesses operating between early March and mid-May. Furthermore, serious incidents and outbreaks have continued to come to our attention during the pandemic. As a precaution, we have reminded our key stakeholders that reporting food incidents to the FSA is a requirement and a key priority for us.
31. Following an update in 2019 to the published reference doses for soya in foods, the FSA is working with the National Association of British and Irish Millers to better understand the points at which **soya contamination** may occur in the food chain. We are also examining the impact of processing and heat treatment on soya in the final product. This collaborative work will help inform further advice about how to reduce contamination and provide appropriate information for consumers.
32. **National Food Crime Unit (NFCU)**. As you will be aware from the last NFCU update to the Board in January, we set the target of achieving full operational capability by the end of March 2020. This is now in place, with the exception of the additional legal powers.
33. In June 2018, the Board agreed to support the expansion of the NFCU with a three-year review undertaken to assess progress. It is my recommendation that an independent review of the NFCU is conducted to report in March 2022. This is timed from when the unit achieved minimum viable capability, ahead of the original EU exit date in March 2019. With limited NFCU-led investigations likely to be completed by June 2021, we are concerned this may limit the insights and recommendations the review can achieve. That said, I undertake that the NFCU will bring a substantial update to the Board in 2021 so that we continue to learn and reflect on best practice.
34. The NFCU is currently running five investigations. In May, NFCU officers, with the support of the Greater Manchester police and local authority food teams, executed a search warrant at a premise and recovered 15 pallets of stolen chicken. Follow-up enquiries recovered a further 17 pallets at a separate

address. Total weight in excess of 15 tons. A suspect was arrested, and enquiries continue.