

CHIEF EXECUTIVE'S REPORT TO THE BOARD

1. Since our last Board Meeting in March, the FSA has continued to manage the changes brought about by the end of the EU Transition Period. COVID-19 restrictions have also been relaxed to a certain extent across the UK. The agenda item on local authority recovery represents our response to the COVID-19 context. Other items demonstrate how we are starting to move beyond the priority short-term focus on the consequences of the end of the EU Transition Period: on this agenda, papers set out the long-term direction for the FSA's regulatory approach to assuring businesses, both in the wider food industry and in meat hygiene. In this note, though, I largely update you on matters arising as a consequence of EU Exit, including risk analysis, import controls, food fraud, export certification, availability of official vets, and seawater classification for shellfish beds.
2. One of the key areas of responsibility that the FSA adopted from the EU following the end of the Transition Period on 1 January 2021 is **risk analysis**. We have been busy in this area and some of the **high priority non-routine issues** we are working on include:
 - a. A review of controls on imported food from Japan following the nuclear accident at Fukushima. Regulations require a review of these controls by 30 June 2021.
 - b. A risk analysis of bamboo composite food contact materials (FCMs). Bamboo is not considered to be an authorised additive in plastic FCMs in accordance with retained EU Regulation 10/2011, therefore a decision needs to be taken in respect of the GB market to consider the potential risks presented by plastic articles containing bamboo powder/fibre and how assessments may be conducted going forwards. This will help to inform the risk management approach to authorising such articles.
 - c. Work with Defra on the Future Animal and Animal Products Imports Risk Review to reach decisions on a single risk-based imports regime, which will provide the basis for an enduring import control regime for all imports of animals and animal products to GB.
 - d. Titanium dioxide (E171). As you may be aware, on 6 May EFSA published a new opinion concluding that Titanium Dioxide (E171) is no longer safe, despite uncertainty associated with some of the findings in its evaluation. Titanium Dioxide is a permitted food colour used in a range of products to give them a white colour, including food, medicines and cosmetics, such as toothpaste. We will put the EFSA opinion through the risk analysis process. Devolved administrations have been informed and we are considering implications for Northern Ireland.
3. Mechanisms are in place to ensure that the FSA and FSS discuss risk management proposals, particularly those triaged as non-routine, and that

other departments can advise of relevant wider government initiatives as part of the process. You have agreed that the executive should consult with the Board on more substantial or contentious risk management issues.

4. The rate of applications to our **regulated products** application service has reduced since the CBD [application deadline](#) on 31 March. Thus far, 18 applications have been validated across all regimes (i.e., deemed sufficiently comprehensive) and progressed to risk assessment, of which four are CBD applications. No products have yet been authorised.
5. We are continuing to take a phased approach to ensuring that **CBD** food products are safe and properly authorised, and thereby gradually moving industry into compliance. The public list of products associated with applications that are progressing towards the risk assessment stage was [published on our website](#) on 19 April 2021 and will grow over the coming weeks as applications are processed. When the list is complete it will be a resource for local authorities to consider in setting priorities for enforcement decisions, and for retailers to consider in deciding on appropriate suppliers. Validation is not the same as formal authorisation; it is a step in the process towards authorisation.
6. The final risk analysis item to mention is our new [Risk Communications Toolkit](#) which was published on 12 May. This is a culmination of two years of work, with external researchers and the FSA Advisory Committee on Social Science (ACSS). This new toolkit provides an expert framework and guidance for our Risk Analysis Process in an easy-to-use format for practitioners.
7. Since the end of the Transition Period, the FSA's work on **import controls** has been progressing well. Defra's 'import of products, animals, food and feed system' (IPAFFS) was successfully launched in mid-December as the GB's new import control system. The transition from using the EU's TRACES NT system was completed smoothly with no major issues identified by importers and port health authorities (PHAs). IPAFFS continues to operate well with ongoing development in readiness for the introduction of Official Controls on EU high-risk food and feed from January 2022 remaining on track. A Risk Likelihood Dashboard developed by the FSA is in place and provides relevant intelligence to port health and local authorities to assist with their imported food controls. Take up of the dashboard continues to be encouraging, with 690 registered users, from approximately 85 local and port health authorities in the UK, now signed up and using this FSA intelligence tool.
8. The FSA continues to work closely with PHAs and local authorities to understand and mitigate any risks associated with imported food and feed. We will also continue to make dedicated funding available to support

authorities following the end of the EU Transition Period, as they adapt to the introduction of import controls on EU high-risk food and feed and increased volumes of third country imports.

9. The FSA has been made aware that, since 1 January 2021, a small number of imports of certain food and feed products have travelled through the EU to Great Britain from non-EU countries via Dover without the required **Sanitary and Phytosanitary (SPS) checks**. This is a non-compliance issue and there is no evidence of an immediate risk to public or animal health. Around 55 importers are affected, and we are working with them and their local authorities to ensure that they follow the correct procedures. We are containing the situation by successfully monitoring and tracing any goods that have come in through this route and local authorities are taking enforcement action on the non-compliant consignments, including re-export or destruction, as appropriate.
10. We are also working closely with colleagues across government on options for an effective digital solution to ensure imported foods transiting via the EU are subject to the correct checks on entry to GB. We continue to engage with industry to remind them of the rules and inform them of consequences if they do not bring their products through a Border Control Post which has the facility to do SPS checks.
11. Responding to **food crime** remains a key priority for the FSA. Since 1 January, there has been very limited information to suggest that the deliberate exploitation or avoidance of new arrangements for fraudulent purposes has occurred. Proactive engagement with relevant internal and external partners is ongoing to encourage continued vigilance and timely intelligence reporting. Whilst we lost access to some systems previously used to share intelligence regarding food fraud on leaving the EU, replacement information-sharing pathways were in place to ensure that communication with EU Member States could continue. This includes Europol and Interpol routes as well as a direct sharing method specifically for Northern Ireland issues in line with the Northern Ireland Protocol. This has ensured that we are still able to share and receive, where appropriate, information on food fraud of relevance to the UK.
12. **Northern Ireland Protocol**. Since we last reported to the Board in March, the UK Government extended the Scheme for Temporary Agri-food Movements to Northern Ireland (STAMNI) for authorised traders such as supermarkets and their trusted suppliers until 1 October 2021, ensuring the continuous flow of agri-food goods into NI from GB. The FSA does not consider this to pose any increase in risk to NI consumers and, where appropriate, is assisting with its implementation. From 1 October 2021, when the STAMNI scheme is scheduled to conclude, certification requirements will be introduced in phases alongside the rollout of the Digital Assistance Scheme. The FSA is feeding into the development of this work, which is led by Defra.

13. We are also taking forward work to ensure that teams across the FSA understand how to account for potential divergence resulting from the NI Protocol in their work. Ways of working have been developed to ensure that the FSA is horizon scanning for upcoming EU changes in NI and gives consideration to whether any analysis of these is required. Work is underway to establish routine mechanisms for communicating changes in NI to industry and enforcement partners.
14. The FSA has agreed to Defra's request that we continue to support **export certification** activity within abattoirs until the end of June 2021. The FSA had previously agreed to a formal request from Defra, who hold policy responsibility for international trade, to support delivery of export health certification activity post-EU Transition. The FSA trained 95 personnel to undertake export certification work alongside the delivery of Official Controls. In addition, a further 80 personnel were trained to support a cross government surge response team, supporting the wider government objectives to reduce the burden on exporting businesses. The FSA surge team was not utilised and was stood down in April.
15. In keeping with the Board's previous steers, we agreed to continue supporting export certification activity in abattoirs on the basis that it does not compromise the delivery of FSA Official Controls. The FSA is working closely with Defra to understand the long-term strategy in respect of export certification, together with any consideration of the FSA's involvement going forward.
16. The increased requirements for certification have placed additional demands on Official Veterinarian (OV) resource. The government decision to continue with STAMNI has alleviated some pressure. However, as this scheme ends and GB import checks are phased in, there will be further pressure on OV resource capacity.
17. We have been working closely with our **Service Delivery Partner, Eville & Jones (E&J)**, to address concerns over the recruitment and retention of OV resources, which are required to ensure the continued delivery of Official Controls in abattoirs. From March 2021, the FSA has agreed to provide additional funding of £136k a month (for a maximum period of 12 months and to be reviewed on a regular basis through the year) to help address the immediate issue of recruitment and retention of vets.
18. Furthermore, the **Royal College of Veterinary Surgeons (RCVS)** has agreed to allow veterinarians who have not yet met the new Level 7 English language requirement to temporarily register with RCVS and work as OVs under supervision whilst undergoing additional **language tuition**. This is limited to 12 months.
19. To help ensure the long-term stability of Official Controls delivery, the FSA is bringing forward work under the **Operational Transformation**

Programme to assess alternative resource delivery models for the future, with an aim to provide a more sustainable and resilient solution – the paper further on in this agenda refers.

20. Following the end of the Transition Period, the EU Commission has prevented the previously established trade in **Live Bivalve Molluscs (LBM)** from Class B harvesting areas in GB supplied for depuration in the EU. Only LBMs considered from Class A areas may be imported from third countries. In response to this, we have proactively reviewed data for borderline Class B shellfish harvesting areas in England and Wales. Prior to January 2021, the FSA considered seasonal classifications on request from local authorities or industry, and few requests were made. We will now review this data more routinely and not wait for requests. By the start of May 2021, 20 of these harvesting areas had been awarded Class A status for all or part of the year as they were compliant with the required criteria.
21. We were also asked by Defra Ministers to consider proposals put forward by the Shellfish Association of Great Britain (SAGB). We have reviewed the proposals and are working through those that are possible within the legal framework, that continue to protect public health, and are likely to have a timely impact on A/B harvesting areas. These include investigating alternative approaches to managing anomalous results and consideration of our sampling protocols. However, until water quality improves, changes in sampling protocols are not expected to lead to major changes in classifications awarded for shellfish harvesting areas in England and Wales.
22. We are working closely with FSS to develop the framework for our new **Annual Report on Food Standards**. It is proposed that the report will provide a retrospective view of how food standards change in the UK year on year from 1 January 2021, addressing consumer interests and concerns. A joint FSA/FSS working group has been established to progress development of the report and resolve outstanding questions on scope. The first report is expected to be published in 2022 and we will provide the Board with more information at the June Board meeting.
23. The FSA's **Incidents team** has been busy supporting a Public Health England-led **outbreak of Hepatitis A** linked to the consumption of dates from Jordan. A cluster of genetically linked cases have been detected in England, with one case also reported in Wales. As of 13 May, there were 30 confirmed cases; 81% of cases were admitted to hospital for at least one night. Fortunately, there are no reported deaths. There is now strong epidemiological evidence that Medjool dates from Jordan have been the main source of the transmission. The retailers and wholesalers involved in the incident have been very cooperative, providing detailed information on their supply chain and food safety controls for our food chain

investigations. The FSA has published two product recall information notices (PRINs).

24. The situation surrounding the **Salmonella Enteritidis outbreak** linked to frozen raw breaded processed chicken products from Poland is improving. There were 462 cases reported in 2020, with only 37 cases reported so far in 2021. Investigations are nonetheless continuing in order to identify the Polish sources of the outbreak of the two strains of *Salmonella Enteritidis*. The FSA has issued 11 PRINs related to this outbreak and in excess of 50 product withdrawals. In addition, the FSA issued precautionary advice on cooking frozen raw breaded chicken products in October 2020. We reiterated the advice in February and March 2021, in conjunction with communication from Public Health England.
25. A **Demonstration of Life Protocol** has evolved through the Animal Welfare Committee (AWC) which is an independent advisory committee to Defra and the Welsh and Scottish Governments. The initiative has been developed to encourage the use of Halal-compatible stunned slaughter for sheep and goats. The protocol, which was launched in England on 22 April by Defra Minister Lord Goldsmith, is very similar to a scheme used in New Zealand in that it demonstrates recoverability from stun and thereby provides assurance on Halal requirements. The protocol is only applicable in England initially and devolved administrations are considering their positions pending potential interest from industry. It is anticipated that the first trials will begin during June 2021.
26. I am pleased to let you know that a new two-year Innovate UK-funded technology innovation project, **SeqQual**, started on 1 April 2021. This multi-partner project will investigate the use of new technologies (in particular, smart labels and integrated sensors) for tracking and sensing food in the supply chain. The FSA are in-kind partners, looking to understand if these commercial developments could have application for regulatory purposes, for example farm-to-retail meat traceability.
27. The FSA has [published a new study](#) exploring what information food businesses provide to their customers about **allergenic ingredients**. This latest research has found that food businesses' handling of allergens has significantly improved since new regulations came into force in 2014. A previous study, conducted in 2012 prior to the Food Information Regulations 2014 (FIR) being introduced, provided a baseline for this work and allowed a proper 'before and after' evaluation to be completed.
28. **Stakeholder engagement** continues to take place virtually. Since my last report to the Board, I have met with the British Retail Consortium, Red Tractor, Meat Trade Bodies and the National Institute for Health and Care

Excellence. I joined a panel hosted by the Operational Delivery Profession on 15 March, and a separate panel hosted by the Institute for Government on 19 April. I met with the National Food Strategy (NFS) team and attended the Citizen's Panel set up by the NFS. I also attended Northern Ireland Food Advisory Committee and Welsh Food Advisory Committee open meetings in April and continue to join Cross Whitehall Food Group meetings.

29. In April, the Chair and I met Paul Carey and the Anaphylaxis Association. Together with Minister Victoria Prentis, the Chair and I met Anthony Mangnall MP and a shellfish business to discuss live bivalve molluscs. In May, I took part in a virtual 'farm to fork visit' alongside Permanent Secretaries and Director Generals, where we met, amongst others, FareShare Leeds, Leeds City Council, citizens, and a farmer. I look forward to working with Lynne Neagle MS, Deputy Minister for Mental Health and Wellbeing, with the announcement of the new Cabinet for Welsh Government.

30. I also met **Fera Science Ltd.** to seek assurances about the continuity of service provision. Fera Science Ltd. is part of the UK's national laboratory and science capability. The FSA relies on it as a national reference laboratory and as a research contractor. Its role includes supporting official control laboratories, providing expert testing capability, and generating evidence to support our risk assessment and management. In March 2021, Capita announced that it would be undergoing a restructuring and that, as part of this transformation, it would be divesting itself of a number of non-core businesses, of which Fera is one. The likelihood of their service to us being disrupted at this stage is low. I will continue to keep the Board apprised of developments, if necessary.