

CHIEF EXECUTIVE’S REPORT TO THE BOARD

1. Since my last report to the Board in May, we have continued to address issues that have arisen from our work to manage the changes brought about by EU Exit and my report gives updates on a number of these including the Northern Ireland Protocol, Imports, Common Frameworks and Regulated Products. In this period, we also saw the publication of Henry Dimbleby’s independent review, the National Food Strategy. And we are just a few weeks off the implementation of the new allergen information requirements for pre-packed food for direct sale.
2. The FSA welcomed the publication of the **National Food Strategy** (NFS) in July. The NFS, an independent review led by Henry Dimbleby, explored the big systematic challenges within the food system, including the environmental impact of food production and the effect of poor diet on our health. Some Board members will remember that Henry Dimbleby attended the FSA board meeting in January 2020 to talk about his independent review.
3. In his July 2021 [report](#), Henry Dimbleby made a set of recommendations for the Westminster Government aimed at escaping the “**junk food cycle**”, reducing diet related inequality, making the best use of our land, and creating a long-term shift in our food culture. He proposed that a Good Food Bill be put before Parliament in the fourth session, a sugar and salt reformulation tax, funding for fresh fruit and vegetables to go to low-income families, extended eligibility for free school meals, an ‘eat and learn’ initiative for schools, duties on businesses with more than 250 employees to report sales on fruit, vegetables, fibre, high fat, sugar and salt foods, and proteins, strengthened Government procurement rules to ensure taxpayer money spent on healthy and sustainable food, a £1bn innovation fund for a better food system, and a National Food System Data Programme.
4. There were also a number of recommendations directed at the Food Standards Agency. These were:
5. Expanding the role of the FSA to cover healthy and sustainable food as well as food safety, in particular reporting to Parliament on national progress towards a healthier and more sustainable food system annually, and proposing potential strategies the Government could adopt to accelerate progress;
6. The FSA to develop an online portal and an approach to standardised reporting for the large food companies subjected to mandatory reporting of sales;
7. The FSA to assess how Government procurement budgets are being spent and the extent to which they meet the Government Buying Standards for food;
8. The FSA to develop an updated ‘reference diet’ for the nation;
9. The FSA to work with partners to develop a harmonised food labelling system to describe the environmental impacts of food products;
10. All this would be supported by data and evidence from a National Food System Data Programme developed by the FSA and other departments.

11. The full set of recommendations made in the report fall within the responsibilities of several Government departments. Many would require additional funding, and some would need legislation. It is for Ministers to decide whether to accept the recommendations. We are working closely with the Defra team, who are leading the Government's response, and with a group of officials from departments across Whitehall. They will put recommendations to Ministers, and we expect the Government to publish its own proposals in a White Paper in the next few months.
12. I wanted to make some observations about Henry Dimbleby's recommendations for the FSA. It is welcome that the FSA is acknowledged as a key actor in a future framework around healthy and sustainable food. The report says, "the FSA is governed independently, and well-placed to take a whole-system perspective. It is already established and has experience relevant to all the tasks that are required, although it would need additional resources to take on [new] responsibilities". I am assuming that the Board would agree that, as the one department across Government with a consistent focus on the food system, and guided, as we are, by consumer interests, the FSA could and should play an important part in delivering change, if the Governments we serve are wanting to make a big difference on health and the environment through the food system. The proposals from Henry Dimbleby for the FSA would be ones that we could undertake if we were resourced to do so, and if the Board and (depending on the recommendation) Ministers considered we should.
13. The FSA does have some ability to act already on healthy and sustainable food, or as our statute puts it, 'other consumer interests in relation to food'. The FSA's statute gives the FSA powers to develop policy, or to assist in the development by any public authority of policies, "relating to matters connected with food safety or other interests of consumers in relation to food". It also allows us to "provide advice, information or assistance in respect of such matters, to any public authority, to the general public", or to any other 'person'. We have powers to publish advice and information, and we have powers to lay reports before Parliament and national assemblies. With the arrival of our new Chair, we have initiated a review of the FSA's strategy, and we will be bringing this to the Board for discussion at subsequent meetings. This will be where the Board can consider long-term priorities for the FSA.
14. We are however, constrained by resources. While our remit is relatively broadly drawn already, as Accounting Officer I need to ensure careful prioritisation of our activity and that we stick within our budgets. The FSA already has a stretching programme of work to deliver. It will be in the course of its preparation of the White Paper that the Government will determine what, if any, additional resources it wants to invest in this area.
15. I wanted also to underline that some of the core proposals that relate to us would rely on statute to work, particularly the one on mandatory reporting by businesses of sales. A Good Food Bill, or another legislative vehicle, would

be necessary. As the Board knows, we already have two big 'asks' for statute (PACE powers for the NFCU, and mandatory reporting of Food Hygiene ratings in England), with others in prospect (for example to support Operational Transformation). We are therefore heavily dependent, in some areas, on Ministers, and on legislation, to make progress.

16. In readiness for **October 2021 import controls**, we continue to work closely with Defra in preparing for the introduction of pre-notification of high-risk food and feed imported from the EU (both POAO (products of animal origin) and HRFNAO (high risk food of non-animal origin)). This will bring EU imports into line with high-risk food and feed imported into the UK from rest-of-the-world countries, which must already be pre-notified on IPAFFS (Defra's Import of Products, Animals, Food and Feed System, electronic reporting system for GB imports). In addition, prior to, and following the end of the Transition Period, all high-risk food and feed imported into the UK from rest-of-the-world countries has been required to be pre-notified on IPAFFS. Such imports are subject to 100% documentary checks, and identity and physical checks at a predetermined risk frequency. High risk food and feed must enter GB through Border Controls Posts (BCPs) and checks are delivered by the Port Health Authority (PHA) or Local Authority (LA). This regime will be extended to high-risk food and feed imported from the EU.
17. Pre-notification allows the FSA, LAs and PHAs to manage food safety incidents related to imported food and feed by identifying what high-risk food and feed is crossing our borders. It mitigates the loss of access to EU systems and processes which previously allowed incident management between the UK and EU member states.
18. Without pre-notification, the FSA and inland authorities are disadvantaged in their ability to manage food and feed safety incidents arising from food and feed imported from the EU as they do not have sight of when or where implicated products are entering GB, or their destination. The Board will recall that we have been mitigating this issue over the last few months with enhanced strategic surveillance activity, but pre-notification would significantly improve our capability.
19. Whilst checks and controls are physical activities performed upon consignments, and which require their detainment by the PHA, pre-notification does not create any delays at borders as it is the act of notifying arrival of a consignment. It is done electronically and only results in action being taken when risks to the UK consumer have been identified.
20. We are confident in the operation of the module within Defra's IPAFFS system that will be used to record EU pre-notifications. Defra has also undertaken a comprehensive programme of engagement with all stakeholders to raise awareness of the new requirements. To improve readiness in advance of introductions of full controls on EU consignments Defra has established procedures whereby Port Health Authorities will be able to access the pre-notification data to identify any non-compliant notifications received and report these back to importers. In addition, we are planning to check pre-

notifications received from Defra against Customs declarations, where that data will be available, to identify importers that have not pre-notified, so they can be informed accordingly.

21. On IPAFFS data access, we have received confirmation from Defra that the required data for pre-notification of imports from the EU of POAO and HRFNAO, will be available from 1 October and routinely provided to the FSA. Receipt of this data will enable the FSA to respond effectively to potential food incidents and more generally, analyse trends in activity.
22. **EU Exit** arrangements being phased in after the Transition Period continue to be implemented. Chloe Smith, MP Minister of State for the Constitution and Devolution, wrote to me in August thanking the FSA for its efforts in developing **Common Frameworks** and securing provisional agreement to these. The Cabinet Office is working with their colleagues in the Devolved Administrations to resolve outstanding cross-cutting issues and we will then be a position to update Frameworks in these areas and secure final confirmation for the Common Frameworks the FSA is a partner in.
23. To address some of the challenges that have emerged with **NI Protocol**, the UK Government published a Command Paper on 21 July outlining plans to change the NI Protocol. The Paper sets out the journey so far and argues that the current implications of the NI Protocol are not sustainable. Proposals include freezing the current situation on implementing the NI Protocol (a standstill) in order to create space for a constructive negotiation with the EU. On 6 September, the UK government set out that it will continue to operate the NI Protocol on the current basis; this includes the grace periods and easements current currently in force. The announcement on the standstill period is welcomed and the FSA is working closely with Defra to ensure that industry and enforcement stakeholders across the UK understand its implications.
24. As I reported to the Board in May, the FSA has been handling a small number of imports of certain food and feed products that had travelled through the EU to Great Britain from non-EU countries via Dover without the required **Sanitary and Phytosanitary checks** after 1 January. This was a non-compliance issue, with no evidence of immediate risk to public or animal health. I wanted to update the Board on progress with this issue.
25. To mitigate the risks associated with any food originating from outside the EU and arriving through Dover, we have been analysing Customs data on a regular basis to identify any potentially non-compliant consignments. As a result of communications with the industry and engagement with specific importers and associated Local Authorities, we have seen a significant reduction in the volume of non-compliant consignments. We continue to investigate any potential non-compliance to ensure that appropriate safeguards are in place, and to work closely with HMRC on technical fixes.
26. Since my last report, we have undertaken work on a further **high priority non routine risk analysis** issue, at the request of Defra. This looked at the public

risk of removing or retaining prohibitions and restrictions on goods imported from the EU, included imported chilled meat preparations, chilled minced meat (bovine, porcine, ovine and caprine) and minced meat (poultry). Our risk assessment concluded that the public health risk, for selected EU and non-EU countries, in frozen commodities was negligible, while it was estimated to be low, very low or negligible in some chilled products. The risk assessment has been provided to Defra in order to inform development of risk management policy recommendations for Ministers. We will publish our risk assessment in due course, according to the FSA policy on openness. A register of risk analysis issues has now been added to the FSA website providing information about which issues are being considered through the risk analysis process.

27. Applications for authorisation of **regulated products** are being received through our online service. At the end of August, we had over 380 live applications. We have received the most applications for Novel Foods, primarily CBD products, followed by feed additives. The majority of these applications are going through validation checks, to assess whether they are sufficiently comprehensive. We then run risk assessments and subsequently an extensive risk management review. This ensures we have evidence to base the recommendations we make to Ministers on potential authorisations. We have [published a register](#) of regulated product applications that have been validated. We are managing our first batch of applications through the process and plan to make recommendations to Ministers on these by the end of the calendar year.
28. **Shellfish.** Following my update to the Board in May and subsequent report to the Board Business Committee in June, work continued at pace over the Summer to apply the revised approach to E.coli monitoring results to the three year dataset used in this year's annual review of 330 or so classifications in England and Wales [published](#) on 1 September. This process identified a number of **live bivalve mollusc** harvesting areas where the data showed they met the new criteria for statistically anomalous results and could be considered to meet the Class A criteria. In Northern Ireland, the changes will be implemented at the time of the annual review of shellfish classifications in January 2022.
29. Our attention will now turn to consideration of other proposals for changes to the classification system put forward by stakeholders, prioritising those considered workable within the existing legal framework. These include reviewing sampling protocols and adapting sampling plans to harvesting periods. Key to any further changes will be continued food safety assurance for consumers and trading partners alike. We will be working with stakeholders in the coming months to establish future work plans.
30. Cross-agency investigations are ongoing into the recent outbreak of **feline pancytopenia**, a rare bone marrow disease in cats where the number of blood cells rapidly decrease, causing serious illness and often fatalities. As of 23 August, the Royal Veterinary College (RVC) reported that they had been notified of 563 cats having been affected, with a mortality rate of 63%. A

precautionary voluntary recall of cat food products from one manufacturer, Fold Hill Farms, took place on 15 June, and the FSA published a product recall information notice on the same day, detailing the affected products. This recall was extended to additional batches on 17 June. There was a steady drop-off in the number of cases being reported after the recall took place.

31. FSA and FSS proactively published an updated news story initially on 16 July and most recently on 26 August, informing the public that the results of extensive testing identified higher levels of mycotoxins in some samples of the recalled cat food. This includes specific compounds known as T2 and HT2. However, no causative link between pancytopenia and the recalled cat food products has been established. As a result of these findings, Fold Hill Foods is working with its local authority to take steps to resume production.
32. To promote public awareness, we launched a social media campaign on Facebook, targeting users with an interest in cats and animal welfare. The campaign was seen by over 38,000 users who would not ordinarily follow our accounts and had a much higher engagement rate than our average post. The FSA is taking this situation extremely seriously and we continue to work closely and urgently with Defra, APHA, RVC, Local Authorities and the manufacturer. Proactive communications from the FSA and RVC continue to encourage cat owners to check the recall and make sure they do not feed the affected food to their cats. This is proving to be a complex case where extensive analytical testing has not yet been able to identify any definitive cause for the outbreak. Our investigations continue and as new information emerges, we will review our approach on managing any identified risks in animal feed and inform industry so that they can take action required as a result of our findings.
33. Following a review of the way we carry out enforcement activity in meat operations, we are modernising our delivery approach to align with the latest legislative framework contained within the Official Control Regulations. As a result, it is planned that **enforcement decision-making** will be brought in-house this autumn and the duties of the employed FSA decision-making Vets and contracted Official Veterinarians (OVs) working in plants will be clarified. A working group has been established and is developing an options appraisal for potential solutions for the new process, a communication handling plan for stakeholders and key milestones for the project roll out. Trade Unions have also been engaged in initial high level briefings due to the potential impact on staff. Three engagement sessions with the veterinary community have been undertaken to shape how we deliver the process. Industry colleagues were notified by letter on 20 July 2021 and an engagement session with a sub-group of the Partnership Working Group has also taken place. Stakeholder engagement will continue, and the Board will be updated on progress in future reports.
34. We are continuing our stakeholder engagement and communications work to support the implementation of the new allergen information requirements for **'prepacked for direct sale' (PPDS)** food from 1 October 2021. Our

activities are currently focussed on ensuring local authorities and businesses are well-prepared. We recently published additional resources and now have a dedicated PPDS Hub on the FSA website, which includes specific labelling guidance for PPDS foods and seven guides for specific sectors who are particularly likely to be affected by the changes (for example, bakers, butchers, takeaways and cafes/restaurants). We are working to reach food businesses, particularly smaller businesses, by engaging with partner organisations who can promote the changes through their networks, and we will be directing businesses to our website via more targeted online advertising.

35. We are maintaining visibility at industry events to raise awareness. We recently hosted two FSA webinars, one aimed at Local Authorities on 29 July which was accessed by 769 delegates, and one aimed at businesses on 4 August accessed by 385 delegates. Using the feedback from these events, we will further tailor and target messages to stakeholders in the remaining time ahead of implementation. Targeted consumer communications outlining changes and what can be expected will begin closer to 1 October.
36. We have been engaging with the Carey family and considering the proposals on the provision of allergen information they have made as part of the campaign. We are undertaking a review of our existing research examining the needs of food hypersensitive consumers when eating out and current industry practices. Further research with stakeholders which addresses identified evidence gaps has been commissioned. This is expected to conclude at the end of April 2022. We plan to present the evidence as part of the Food Hypersensitivity Programme update at the June 2022 FSA Board meeting which will include our response to the Carey family's proposal.
37. The Board will already be aware of a joint FSA/FSS **2021 Global Food Safety and Incident Emergency Response conference** to be held virtually from 13th October to 15th October. The conference theme is **Enhancing Food Safety and Security in a Changing World** and will give delegates the chance to engage with a diverse and unique network of food practitioners and professionals from across public health, food regulation and the food industry. The conference will also be an opportunity for the UK to showcase its expertise as an authority in food safety and to increase consumer and trade confidence in UK food safety. The project team is hard at work preparing an engaging programme of presentations, seminars, workshops and plenary sessions over the three days. These will be delivered by our international panel of chairs and speakers drawing on policy and technical expertise in food safety, science, technology and regulation from the food industry across the world. Board members are invited to join us at the conference. Enquiries on the conference should be emailed to 2021gfsier@food.gov.uk
38. We are continuing **stakeholder engagement** virtually. Since my last report to the Board, I have held meetings with the British Veterinary Association, Leaf, Which, IGD (Institute of Grocery Distribution), Jamie Oliver group and The Food and Drink Federation. I have continued engagements via the Cross

Whitehall Food Group and have met senior officials from several Government departments.

39. I chaired and gave a speech on the future of food standards at the Westminster Food and Nutrition Forum on 14 July. I was on a leadership panel at Civil Service Live. I gave a keynote speech at the Chartered Institute of Environmental Health in June. I was interviewed by student vets from Cambridge and Edinburgh Universities alongside Jane Clark, FSA's Director of Veterinary Services. This was an opportunity to encourage students to consider careers in veterinary public health while demonstrating the value of the vet role to the FSA.
40. Since Susan's arrival as Chair in July, I have joined her in meetings with Minister Victoria Prentis, Lord Benyon and Minister Jo Churchill. We have also met with Number 10 special advisors, Will Warr and Sam Richards to further discuss recommendations from the National Food Strategy and the Defra White Paper.