

FSA IN NI AND OD: DIRECTOR'S UPDATE

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1 SUMMARY

1.1 This paper outlines the key activities of the Food Standards Agency (FSA) in NI since the previous report to the Board in September 2014, mapped against the strategic outcomes for the Strategy to 2020.

1.2 The Board is asked to:

- **Note:** work on the key objectives of the FSA in NI since September 2014.

2 INTRODUCTION

2.1 This paper updates the Board with progress in Northern Ireland since the last report to the Board in September 2014.

3 STRATEGIC AIMS

3.1 Progress and activity is reported against the strategic outcomes for the Strategy to 2020.

4 REMIT OF THE FSA IN NORTHERN IRELAND

4.1 In UK terms, Northern Ireland is a unique place because of its sharing of a land border with another Member State. This border presents us with ongoing opportunities to form close working relationships with colleagues in government organisations based in the Republic of Ireland (RoI). The relatively small scale of the NI Administration allows us to work well in collaboration with partners, trial small scale projects and introduce novel solutions where possible.

Outcome 1 – Food is Safe

4.2 The FSA in NI has historically had a close working relationship with the Department of Agriculture and Rural Development (DARD) through service level agreements for the provision of official controls in the areas of meat hygiene, dairy hygiene, egg hygiene and primary production. DARD is also the enforcement authority for animal feeding stuffs, for which the policy rests with the FSA.

4.3 In order to verify that these arrangements were continuing to deliver best value for money the FSA put in place reviews during 2015 to look at Official Auxiliary (OA) resourcing in NI slaughter establishments and DARD's management of the delivery of meat official controls. The FSA OA review

made recommendations for a reduction in numbers of DARD staff required to deliver official controls which we expect to be implemented by the beginning of July 2017. The management review is also expected to recommend efficiencies.

- 4.4 An FSA internal audit of our management of the SLAs with DARD supported this approach.
- 4.5 We have also reviewed our primary production inspection regime (other than milk and eggs). In this case, as a large number of inspections carried out over a number of years have demonstrated that the industry is largely compliant with the requirements of EU hygiene legislation, we are refocussing inspections to prioritise on known risks, and have reduced the overall level of inspection required, so reducing the burden on smaller businesses.
- 4.6 A single SLA has been put in place setting out clear key performance indicators which will be monitored at quarterly SLA and bi-annual FSA/DARD Governance Group meetings. Performance dashboards will also be considered by the FSA UK Operations Group monthly.

Outcome 2 – Food Is What It Says It Is

- 4.7 Changes made in 2010 by the coalition government to the FSA's responsibilities means that, in NI, we have retained policy for the labelling and composition of foods and we deliver this in partnership with the Department of Environment, Food and Rural Affairs (Defra), Department of Health (DH) and Food Standards Scotland (FSS).
- 4.8 New EU and Domestic Regulations were recently introduced requiring all fresh, chilled and frozen prepacked meat supplied to the final consumer or caterers, to carry a label indicating the country of rearing, country of slaughter and a batch code linking the meat back to the animal or group of animals from which it was obtained. Many food businesses in NI currently label food products as 'Irish'. Many of the products affected by the new labelling rules are of dual origin, for example from animals which were reared in the Republic of Ireland but slaughtered in Northern Ireland. The impact has therefore been much greater in Northern Ireland than in other parts of the UK. It has attracted interest from political representatives across the Island of Ireland, as well as from a wide range of industry and enforcement stakeholders. The FSA in NI has strived to facilitate understanding of the issues and provide clarity by continued engagement with key stakeholders, including initiatives conducted in partnership with DARD. This is a high profile issue and we continue to work with industry and enforcement partners to ensure that this EU law is appropriately and proportionately applied in NI.
- 4.9 The FSA in NI is a key delivery partner for a number of outcomes within the Department of Health, Social Services and Public Safety (DHSSPS) Framework for Preventing and Addressing Overweight and Obesity in NI 2012-2022: A Fitter Future for All. This includes encouraging the food industry to reformulate, providing front of pack nutritional labelling, providing calorie

information and healthier menu options in catering premises, tackling food poverty, improving access to nutritional education and supporting a food in schools policy.

- 4.10 The FSA in NI co-chairs with safefood the All island food poverty network. The aim of the All-island Food Poverty Network is to support a co-ordinated and strategic approach to tackling food poverty on the island of Ireland through the development of consensus on related issues, collaboration and shared learning. Latest figures suggest that 8% of households (65 000) in NI are experiencing food poverty.
- 4.11 In June '15, we published research on understanding the context of poverty, economic insecurity and social exclusion. We also co-funded a study on the cost of a healthy food basket for two household types with **safefood**, (the all-island body set up to promote awareness and knowledge of food safety and nutrition issues on the island of Ireland). An action plan for 16/17 has been agreed by the food poverty network that commits to develop and promote an effective food poverty indicator/ measure, create a sound evidence base to improve co-ordination of existing activities and to promote and enhance community food initiatives.
- 4.12 We are actively engaged with enforcement agencies on both sides of the border to tackle food crime and food fraud. Since we last reported to the Board we have worked hard to proactively identify issues and put in place arrangements to improve our capacity and capability to prevent, identify and respond to significant food related incidents. For example, we have been working closely with the Food Safety Authority of Ireland (FSAI), the ROI Department of Agriculture, Food and the Marine, DARD and district councils to investigate and prosecute cases of illegal slaughter and milk smuggling. We have a seat at the all island Multi Agency livestock group which considers activity to reduce and disrupt animal thefts. We also attend the FSAI's Food Fraud Taskforce and liaise closely with colleagues in ROI in response to investigations. It is hoped that all of these activities will help protect the integrity and reputation of legitimate food businesses in NI and their ability to trade across Europe and beyond.
- 4.13 Enforcement partners in NI implemented a 'month of action' in November 2015 to target suspicious alcohol trading in Northern Ireland under the auspices of **Operation OPSON V**. Planned inspections were conducted by all 11 District Councils, Trading Standards Service and HMRC, and included a number of joint operations between the partners. A number of interventions were made, and seized products have been shown to be unsatisfactory, being not of the nature demanded by the purchaser within the meaning of Section 13 of the Food Safety Order 1991. A number of similarities were observed across the seizures, most notably concerning vodka products. Details of the seizures were shared with the OPSON V steering group to facilitate intelligence sharing.
- 4.14 The month of action was the culmination of several months' preparation by all partners, facilitated by FSA in NI. The OPSON V NI steering group included

representation from the above mentioned bodies, the PSNI and industry groups. Preparation included co-ordination meetings, provision of support materials (including financial support for sampling provided by FSA in NI) and a focussed training event on how to spot counterfeit product. An NI media campaign also ran to raise awareness of the dangers of consuming counterfeit alcohol, and to encourage consumer reporting of suspicious alcohol. This was the first time Operation OPSON has been implemented in NI in this manner.

Outcome 3 – Gathering and Using Science, Evidence and Information

- 4.15 The **UK National Diet and Nutrition Survey (NDNS)** is designed to assess the food consumption, nutrient intake and nutritional status of the general population aged 18 months upwards living in the UK, as a continuous UK survey with fieldwork carried out every year since 2008. The first NI NDNS report covering years 1 to 4 (2008 to 2012), detailing results from boosted samples from the NI population, was published in February 2015. Key findings within the NI boost report highlight similar findings to the UK in general in that the population is consuming too much saturated fat, added sugars and salt and not enough fruit, vegetables and fibre.
- 4.16 The FSA in NI in partnership with the Consumer Council NI funded a three stage investigation into the balance of healthy versus less healthy **promotions among the NI food retailers**. This investigation explored both in-store and online promotions to identify a positive balance in the healthiness of food retail promotions with 52.5% of promotions categorised as amber or green and 47.5% of products categorised as red (using methodology aligned to Front-Of-Pack labelling). This information has been considered alongside promotion information from NI Kantar Worldpanel data from 2006-2014 and this will form the basis of the agenda for the inaugural meeting of the Food Retail Forum in June 2016, between FSA in NI, CCNI and retailers. This forum will explore the projects currently underway with retailers and options for future engagement and partnership working to increase the availability and uptake of healthier options for consumers, by sharing information and coordinating campaigns.
- 4.17 Following effective engagement and collaboration with the shellfish industry in Northern Ireland, FSA in NI has recently, and for the first time in the UK, successfully negotiated the adoption and implementation of the FSA's Shellfish Supplementary Sampling Protocol, (<http://www.food.gov.uk/sites/default/files/fbo-supplementary-sampling-guide.pdf>) by two FBOs.
- 4.18 FSA is the UK competent authority responsible for implementation of shellfish official controls prescribed under EC hygiene regulations. The FSA will now consider results of sampling, undertaken in accordance with a protocol agreed by the FSA and the FBOs, to supplement those from official control sampling by FSA, in order to determine the classification, opening or closure of shellfish harvesting areas.

- 4.19 This will increase available microbiological data from the harvesting areas to provide an enhanced robust dataset and formally recognises the contribution that FBO data can contribute towards public health protection.
- 4.20 This is a significant step forward in terms of FBOs taking responsibility and is consistent with the principles of the FSA's "Regulating the Future" programme of work. FSA in NI intends to continue to promote the adoption of the protocol within the shellfish industry in NI.

Outcome 4 – Empowering Consumers

- 4.21 The **Food Hygiene Rating Bill** received Royal Assent on 29 January 2016 and it will be known as the Food Hygiene rating Act (Northern Ireland) 2016. Work is ongoing to develop the draft regulations and orders that will be required to bring the provisions of the Bill into operation, the associated impact assessment and consultation package. We intend to consult separately on the Food Hygiene Ratings Regulations (NI) 2016 and the Food Hygiene Ratings (Online) Regulations 2016; however, the plan is that both sets of regulations, which are subject to different scrutiny arrangements within the NI Assembly, will come into operation in October 2016.
- 4.22 The field work element of the TNS research project commissioned to understand consumer needs and expectations in relation to online display of food hygiene ratings commenced in January and this is providing very useful evidence to inform the drafting of the regulations. There are, however, significant challenges around presenting ratings online, particularly on apps and social media sites, where space is limited and at a premium. We continue to meet with industry representatives to resolve these issues.
- 4.23 In September 2015, FSA in NI officially launched "**MenuCal**"- a free online tool to help food businesses in Northern Ireland identify the allergens and calculate the Calories in the food they serve. The launch was a high profile event attended by representatives from the food industry, enforcement officials and health professionals. MenuCal was originally developed by the FSAI as a calorie calculator. The FSAI and FSA in NI worked together to broaden the capacity of the MenuCal tool to enable businesses across the island to provide allergen information easily and accurately.
- 4.24 Since the official launch in September, FSA in NI have been engaging with district council Environmental Health officers and the food industry to raise awareness of the tool and its benefits to food businesses. This "industry engagement" phase of the project is anticipated to run over forthcoming months, and during this period FSA in NI will be organising MenuCal workshops for food businesses and maintaining a presence at networking events to promote the tool.

Outcome 5 – Aligning Incentives

- 4.25 Subsequent to the implementation of Local Government Reform in Northern Ireland on 1 April 2015, which resulted in a reduction from 26 district councils

to 11 and the removal of the statutory grouping system to support the Environmental Health function, we have been working closely with the Chief Environmental Health Officers Group NI (CEHOG) to build new arrangements for liaison and co-ordination. The review of arrangements has also taken into consideration FSA chaired working groups, to deliver more efficient and effective liaison with district councils across all area of work, and the recommendations arising from the Department of Enterprise, Trade and Investment's review of business red tape in the hospitality sector to enable FSA and district councils to engage more effectively with industry.

- 4.26 The agri-food industry plays a significant role in the NI economy and it is supported by the strategic action plan, Going for Growth. Demonstrating robust Official Controls is essential in relation to food being produced for export markets. This has recently been demonstrated by the success of our pig industry in gaining access to the lucrative Chinese market. We have supported the Dairy Council NI on a number of inward visits from Japan, Thailand and the United Arab Emirates and continue to participate in meat related audits by importing countries, both those that currently import NI product and those we would like to export to. Recent USA (pork) and Australian (pork) audits are good examples. We also ensure NI stakeholders are engaged and involved in those discussions which impact on current and potential import markets e.g. the development of a verified protocol for STEC testing and associated policies in relation to this.

5 CONCLUSION AND RECOMMENDATIONS

- 5.1 This paper outlines the key activities of the FSA in NI since its previous report in September 2014.
- 5.2 The Board is asked to:
- **Note:** work on the key objectives of the FSA in NI since September 2014.