
Chief Executive's Report to the July Board 2016

Report by Catherine Brown, Chief Executive

1 GENERAL ACTIVITY UPDATE

- 1.1 I have continued to meet a wide range of stakeholders since my last report to the Board in May, including US FDA's Centre for Food Safety and Applied Nutrition, 2 Sisters Food Group, British Poultry Council, Gangmasters Licensing Authority and the British Meat Processors Association. Discussions focussed on consumer interests in regard to campylobacter reduction, animal welfare, antimicrobial resistance and the role of the meat industry.
- 1.2 I have also met with leaders of the Cabinet Office sponsored review of regulators, to discuss areas of shared interest including regulatory strategy and sustainable future delivery models that protect the interests of consumers and meet the needs of responsible businesses.
- 1.3 Last month I attended the EAT Stockholm Food Forum 2016, which gave me the opportunity to engage with a global range of speakers on wider consumer issues including greater sustainability in food systems, and to participate in an excellent working session on antimicrobial resistance in the food chain and what can be done internationally and nationally to reduce antibiotic use in food production.
- 1.4 I also had the pleasure of speaking at the LGBT leadership panel event, hosted by Department of Energy and Climate Change (DECC) alongside Lord John Browne during Pride in London week, on how to create a truly inclusive workplace.
- 1.5 Earlier this week I gave the opening address at the British Hospitality Association (BHA) Guide launch. The BHA, FSA and Food Standards Scotland have worked collaboratively to produce the BHA's 'Industry Guide to Good Hygiene Practice-Catering Guide', which will be launched in July 2016. This new guide for caterers provides them with practical advice on how to comply with their responsibilities under food hygiene legislation.
- 1.6 I am also pleased to report that the Auditor General signed off our report and accounts after the completion of the referendum. My thanks to all the team who contributed to the production of the accounts – always a mammoth effort.

2 EU REFERENDUM

- 2.1 It is too early to be clear as yet, what the implications of the EU referendum are for the UK food system and its regulation. I have established a co-ordination and steering group that includes senior colleagues experienced in international negotiation and regulation and cross Whitehall working, to ensure that we are able to rapidly identify and respond to issues as they emerge and work effectively with the Cabinet Office unit leading the cross government response. We will of course be ensuring that the particular interests of the FSA in Wales and Northern Ireland are reflected as we move forward.
- 2.2 The role of the FSA through the months ahead will remain to carry out our mandate from Parliament when we were established, of “protecting public health and other consumer interests in relation to food”. Total clarity and focus on that role, alongside the principles we always apply of being open, transparent, and evidence-based in carrying it out will be more important than ever in a period of significant change. We are considering what ongoing consumer engagement and insight arrangements will enable us to ensure that we understand developing consumer views on the food system and the effects of the change upon it so that we are able to ensure that their concerns are heard and addressed.
- 2.3 We are in the process of considering the risks and opportunities associated with the new situation in which we find ourselves and how we can best address them and will update the Board with thinking as it develops.
- 2.4 Meanwhile of course, we remain members of the EU, and the current legal framework, in place to protect consumers as well as comply with our obligations as a member state, remains the law. We have reiterated to our colleagues in enforcement, and to industry, the importance of continuing to comply with that legal framework and our ongoing commitment to it until any new approach has been agreed and put in place. The blueprint we have already agreed for the new regulatory framework is based on a more flexible and agile approach and we see no reason to pause in developing ideas with our partners and stakeholders.

3 CAMPYLOBACTER CAMPAIGN

- 3.1 As I have mentioned previously, we are re-working the methodology for the retail survey analysis to ensure the results are meaningful for consumers and equitable in allowing comparisons between retailers. Phase one of this work has now been completed and discussed with ACT Board members. Following

this discussion, Phase two of the work has been modified and is in progress. We expect the work to report by the middle of July and the new methodology to be used for the recommencement of the retail survey in August 2016.

- 3.2 The results of the third quarter (January–March 2016) of the current survey were published on 26 May 2016. The results were not broken down by individual retailer but it was encouraging to see that from January to March 2016, a continued decrease was seen both in the number of birds with *Campylobacter* on them and those with the highest level of contamination from the equivalent quarter last year. *Campylobacter* was present on 50% of chicken samples, down from 71% in the equivalent quarter of the previous year. We are encouraging the development of a new *Campylobacter* proficiency testing scheme. This will involve sending samples to all participating testing laboratories to ensure that *Campylobacter* is being detected uniformly and at the correct levels. A webinar is planned for all interested stakeholders to learn about the proposals for the scheme.
- 3.3 As agreed with the Board and in line with our strategy on being a data driven organisation, we have held initial discussions with industry (collectively through the ACT Board and also individually) about open data publication. We are strongly encouraging the retail industry to move towards publishing their own *Campylobacter* testing data (in line with robust standards that we are developing) with a view to then removing them from our retail survey. This will reduce the cost to the taxpayer of the FSA monitoring industry performance and also allow industry to speak directly to their customers about how seriously they are tackling contamination on their whole chicken. In the meantime, we are working on ways to ensure that their results will be accurate and reliable and can be trusted by consumers.

4 REGULATING OUR FUTURE

- 4.1 Following the Board's endorsement in May of the Agency's blueprint for a new approach to food regulation, work has been underway to establish the programme and work with stakeholders to refine the model.
- 4.2 The Board recognised engagement with consumers and small businesses as being an essential part of the programme. To this end, we have been getting consumer views on the proposed direction of travel using the Citizens Forum methodology. We have also commissioned a face-to-face survey with a range of small businesses. Reporting from this work is scheduled for the end of July.
- 4.3 We have attended several external events to share the models with stakeholders and this engagement has been received positively. We are

arranging challenge sessions with Environmental Health Officers and large businesses to further explore some aspects of the model. We are in the process of recruiting members for our expert advisory panel; details are on the FSA website.

5 OUR FOOD FUTURE

- 5.1 We are now working to build on the positive outcomes of the 'Our Food Future' event and do more to engage people on the wider impact of their food choices. We are starting with a focus on food waste for this year's Food Safety Week capitalising on new partnerships and a growing social media presence as well as powerful communications assets.
- 5.2 One of the really interesting debates to come out of the Our Food Future project was about the difference between 'consumers' and 'citizens'. This ties in with current consumer research looking at where 'active consumers' can be found and what their interests are and is strongly aligned with the emphasis on empowerment in the FSA's 2015-20 strategy. As a follow up to this, we are working jointly with the New Citizenship Project and participants across the food chain, to further our thinking about the role of the citizen in food and how people can most effectively be empowered to make the choices that they want to about food and influence the system more widely.

6 OUR PEOPLE

- 6.1 One of the side effects of the EU referendum results has been a sense of concern amongst our colleagues from the rest of Europe about their future in the UK. There has also been a significant increase in reports of racist abuse occurring in communities around the country. I have reiterated to all our staff the appreciation that the Board has often expressed for their efforts on behalf of consumers, the value we place on them, and our commitment to supporting them fully and maintaining a zero-tolerance environment for racism and discrimination.
- 6.2 At the beginning of June, I welcomed 182 frontline managers to the annual Management Conference in Manchester. The theme of the conference was Inspire, Innovate and Include, and we had some excellent external speakers who helped colleagues focus on how their leadership could support innovation and enable all our colleagues to maximise their contributions to the FSA's strategic objectives. Feedback from managers has been positive and we have a number of follow-up activities to help maximise the impact of the conference.

- 6.3 During the conference we also enrolled over 150 colleagues as official FSA Voices through the launch of a new advocacy social media app designed to amplify our authentic communications reach and engagement with consumers. If Board Members would like to have a demonstration of the application and consider adopting it for their own use, please contact Christina Hammond-Aziz for further details.

7 SCIENCE UPDATE

Strategic Evidence Programme

- 7.1 The Strategic Evidence Programme funds strategic research under the central direction of the FSA Chief Scientific Adviser through the Science, Evidence and Research Division (SERD) Delivery Team. A total of £1.1 million has been committed from the Strategic Evidence Programme to date for this financial year. £550K of this is for ongoing projects from the previous financial year, with a further £550K for new projects on topics including: estimating the direct cost of microbiological and allergenic illness; 'big data' for food safety; acceptability of risk; and adult food allergy. A further £360K of proposed work is in the planning stage but has not yet been approved by the Investment Board; these projects include a fellowship that would help cement links with the Quadram Institute (a strategically important partner), work on consumer understanding and perception of risk, and quantifying the benefits of FSA research and development.
- 7.2 As part of the Science, Evidence and Information Implementation Programme, the SERD Delivery Team is planning a workshop with external stakeholders to consult on the future direction of the Strategic Evidence Programme. Our stakeholder list includes other Government Departments, Research Councils, the Wellcome Trust, the Turing Institute and the Quadram Institute. In addition, the Delivery Team will involve members of the Scientific Advisory Committees. The aim of the workshop is to help the Agency decide on priorities within three main themes: emerging technologies; emerging risks; and strategic partnerships.

Government Chemist Conference

- 7.3 Along with Defra, Department of Business Innovation and Skills (BIS) and Food Standards Scotland, the Agency provided some financial support to co-fund the Government Chemist Conference at The Royal Society on 21-22 July 2016. The principal focus of the conference was to highlight key developments in the food authenticity area although it also provided funding bodies an opportunity to showcase specific areas of their work. From the FSA, excellent presentations were given by Paul Cook on antimicrobial

resistance and Andy Morling on the National Food Crime Unit. The latter linked nicely with the launch of the Food Crime Confidential initiative.

Global Microbial Identifier

- 7.4 In May, Paul Cook attended the 9th meeting of the Global Microbial Identifier (GMI), which was held in Rome (24-25 May) following a Food and Agriculture Organisation (FAO) technical meeting on the impact of whole genome sequencing on food safety management. Paul is a member of the Steering Committee for GMI which is an international initiative seeking to establish a global network of microbial genome databases. Access to this will help support countries investigating infectious diseases and incidents including those involving food. GMI aims to bring this important resource within reach of many countries and to be of interest to policy makers, regulators and industry, as well as those tackling problems at the frontline.

Nestlé 150 Years Anniversary

- 7.5 In June, Professor Guy Poppy gave one of four keynote presentations at an event marking Nestlé's 150th anniversary in Brussels, which was hosted by Luis Cantarell, Nestlé Vice-President for Europe, and Head of Zone EMENA (Europe, Middle East and North Africa). Guy's presentation focused on global food security and the role of sharing data.

8 FOOD HYGIENE RATING SCHEME

- 8.1 We have been working with officers at Rutland County Council to help them implement FHRS. They plan to do so by October and this will mean that all 326 local authorities in England will then be operating the voluntary scheme.
- 8.2 We are continuing to monitor the impact of mandatory display in Wales and are exploring how a statutory scheme in England could be delivered within the context of the FSA's wider programme on Regulating our Future. In the interim, we are looking at how we can align the voluntary scheme in England with the statutory schemes in Wales and Northern Ireland, including the operation of safeguards and charging for requested re-rating inspections. We will also be looking into how industry information might play a role in supporting FHRS in the future.
- 8.3 Additional information to consumers in terms of narrative descriptors for the three component scores making up food hygiene ratings are now being published on www.food.gov.uk/ratings for businesses in England and Northern Ireland inspected from 1 April 2016. The breakdown of ratings has

been published for businesses in Wales inspected since 28 November 2014 under the statutory scheme.

- 8.4 In November 2016, new regulations will come into force requiring takeaway food businesses in Wales to display a bilingual statement on defined hard copy materials (essentially those advertising food for sale) directing the consumer to the food hygiene ratings website and encouraging the consumer to ask the food business for their rating, with the creation of an offence for non-display of the statement. Consideration will now be given to introducing further regulations to require the promotion of food hygiene ratings on food businesses' websites in Wales. Northern Ireland is also currently developing regulations that will require the publication of hygiene ratings by food business operators providing an online ordering service.

9 FOOD CRIME

- 9.1 The National Food Crime Unit (NFCU) will shortly be publishing the 2016/2017 UK Food Crime Control Strategy, which sets out the priority areas for the current year. Alongside this a revised Intelligence requirement will be produced, which highlights for law enforcement and industry alike the priority information the NFCU wants to receive.
- 9.2 Both will also form part of the NFCU's publication of its first Quarterly Bulletin this month (July). The Bulletin aims to highlight emerging trends based on the work of the Unit, provide case studies to showcase efforts to counter dishonesty in the food supply chain, and raise general awareness of the NFCU.
- 9.3 The NFCU's Food Crime Confidential reporting service was officially launched on 23 June to coincide with an ITV Tonight Programme feature on food crime. There was extensive coverage in the trade media, including a front page piece and feature in the Grocer, Food Manufacture and Meat Info as well as coverage in other print and online trade publications. The phone line is available to all citizens with a concern, but we are concentrating additional efforts on ensuring that the very large number of people who work in the industry are aware of it and how to use it.
- 9.4 ITV's Tonight Programme included an interview with Andy Morling and a segment at the end of the show giving details of the phone line number.

10 REVIEW OF NATIONAL FOOD CRIME UNIT

- 10.1 Following the Board's discussion in May we have been taking forward arrangements to deliver the two year review of the NFCU. We want to deliver this efficiently and within the intended timescale, while at the same time making sure that it is carried out rigorously and with independent oversight. We have therefore agreed with Ministers that the review will be carried out within the FSA's resources, under the oversight of a steering group made up of 3 external experts with experience of consumer, industry and law enforcement. The FSA team is in place, and we will be in a position to announce the names of the independent experts on the steering group shortly.
- 10.2 We are aiming to produce a draft report for discussion at the FSA's Board meeting in mid-November. The FSA Director responsible for the project will be Rod Ainsworth, Director of Legal and Regulatory Strategy.

11 INCIDENTS

Annual report of incidents published

- 11.1 On 9 June the FSA published its latest Annual Report of Food Incidents: <https://www.food.gov.uk/sites/default/files/annual-report-incidents-2015.pdf> . It shows that in 2015, the FSA and Food Standards Scotland were notified of, investigated and managed 1,514 food, feed and environmental contamination incidents in the UK. The overall number of incidents was similar to those seen in recent years. The four largest contributors to the total number of recorded incidents in 2015 were: Pathogenic micro-organisms (18%); Allergens (14%); Chemical contamination (other) (12%); Residues of veterinary medicinal products (8%).
- 11.2 The report indicates an increase in both the number of Allergy Alerts and Product Recall Information Notices issued in 2015 when compared to previous years. The increase in Allergy Alerts is most probably due to the introduction of the Food Information Regulations which came into force in late 2014. The increase in Recall Information Notices reflects an improvement in incident reporting by both local authorities and the food industry.
- 11.3 The report also gives an overview of key movements for individual incident categories and further details of issues that may have influenced the number of notifications.

Herbs and Spices Industry guidance published

- 11.4 Guidance on the Authenticity of Herbs and Spices, an industry best practice guide developed jointly with FSA and Food Standards Scotland by representatives from the British Retail Consortium, the Food and Drink Federation and the Seasoning and Spice Association, was published on 7 June:
https://www.fdf.org.uk/corporate_pubs/guidance-herbsandspices.pdf
- 11.5 The guidance represents the culmination of a strand of work the FSA undertook together with industry after the recall in early 2015 of a number of products following the discovery of undeclared almond protein in cumin and paprika. It provides advice on supply chain verification and understanding vulnerabilities, as well as on sampling, inspection and testing.
- 11.6 There was extensive coverage in the trade press of the publication of joint-FSA/food industry guidance aimed at protecting the supply chain for the herbs and spices sector in the UK. It was welcomed by, amongst others, Professor Chris Elliott as a good example of how well the FSA and industry can work together to protect the food chain.

12 SENTENCING FOR FOOD HYGIENE AND FOOD SAFETY OFFENCES

- 12.1 A North Yorkshire County Council Trading Standards investigation resulted in the conviction of Mohammed Zaman for 6 food hygiene offences. These included the sale of a curry dish that caused the death of Paul Wilson through anaphylactic shock after being assured that the curry dish he ordered would be nut free. A custodial sentence of 6 years was handed down for manslaughter by gross negligence and costs have yet to be determined. FSA were involved in the initial investigation of Mr Wilson's death, working closely with the LA and the Police to ensure necessary evidence and samples were taken to pin point cause of death. FSA also provided key expert witness evidence during the trial leading to the prosecution of Mr Zaman for gross negligence manslaughter.
- 12.2 Liverpool City Council successfully prosecuted a high profile city centre Costa Coffee outlet for 4 food hygiene offences relating to a mouse infestation which attracted much media publicity as it is the first time the company has been prosecuted for food hygiene offences. Fines of £13,200 were handed down with costs awarded to the local authority; comments were made during the prosecution that had the new sentencing guidelines applied at that time, the fines would in all likelihood have been significantly higher due to consideration

of business turnover. Subsequent action has been taken by the food business and further inspection has rerated the premises as FHRS 5 rating.

- 12.3 Cheshire West and Chester successfully prosecuted the owner of Royal Kebab Pizza House in Winsford, Cheshire for displaying an incorrect FHRS rating. Fatih Goztepe was ordered to pay £3,100 in fines and costs for displaying a 5 when the business had been inspected and should have been displaying a 3 rating. In May 2015 officers found the incorrect rating displayed on takeaway menus and a website.