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## UPDATE ON DEVELOPMENT OF A FRAMEWORK FOR THE ASSESSMENT OF FOODS WHICH MAY PRESENT AN INCREASED LIKELIHOOD OF HARM

### Report by Steve Wearne, Director of Policy

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## 1 SUMMARY

1.1 This paper updates the Board on progress in developing the framework for the assessment of foods which may present an increased likelihood of harm. We will seek the Board's approval of the revised framework in November 2016.

1.2 The Board is asked to:

- **agree** that, in developing the revised framework, we should use **change** as the key criterion driving our use of the framework, both to identify and to prioritise foods for consideration and in the framework's subsequent application.

## 2 INTRODUCTION

2.1 The Board considered a draft framework for addressing risks from foods which may present an increased risk per serving, and its specific application to the consideration of risks from burgers served rare, at its meeting in September 2015.<sup>1</sup> The Board agreed then that the framework and our approach to its application should be developed further and formalised. The Board proposed that in prioritising foods for consideration, evidence should be taken into account on the risk per serving of different foods, on the severity of the hazard and on the proportion of the population likely to be exposed.

## 3 STRATEGIC AIMS

3.1 The development and use of the framework and its supporting decision tree and guidance will help the FSA to make transparent the evidence and factors which will be taken into account when considering these foods. It supports:

- the right of consumers "to be protected from unacceptable risk"; and
- the statutory duty on the FSA to consider costs and benefits, as well as risks, when deciding whether and how to act.

## 4 EVIDENCE

4.1 The development of the framework and its application is informed by advice from an *ad hoc* working group with members drawn from several FSA scientific advisory committees.

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<sup>1</sup> Paper FSA 15/09/04, <http://www.food.gov.uk/sites/default/files/fsa150904.pdf>

## 5 DISCUSSION

### Process and timetable for development of the framework

- 5.1 Since the last Board discussion, the FSA has worked to develop the draft 'Framework on foods which may present an increased risk of harm'. We have established an *ad hoc* working group of independent experts which is advising us on:
- an approach to the identification and prioritisation of risks to which the framework would be applied;
  - the use, further development and limitations of the framework focusing on:
    - its coherence;
    - the evidence which should be available to inform decisions at each of the decision points in the framework, and how these evidence needs might be met (in terms of the set of evidence that would ideally be available, and the minimum set of evidence which would allow reasonable judgements to be made); and
    - the design of triggers that would lead to reference of the issue under consideration back to the FSA Board.
- 5.2 This work will produce a revised version of the framework and its supporting decision tree and guidance. Discussions to date have helped improve the clarity, usefulness and coherence of the framework. We will seek the Board's approval of the revised framework in November 2016.

### Application of the framework

- 5.3 Discussions to date have helped identify an important over-arching principle that we should think of **change** as the key criterion driving our use of the framework, both to identify and prioritise foods for consideration and for the framework's subsequent detailed application. This change could be in the nature of the hazard itself or of our understanding of it; in the pattern and extent of exposure; in the effectiveness or acceptability for other reasons of controls to manage the risk; or in vulnerabilities that affect any of these dimensions of change.
- 5.4 A number of points follow:
- (i) Foods which are dealt with in an accepted way within an existing framework for risk management would not be selected for detailed assessment using the framework. An example would be a chemical contaminant in a previously unaffected food for which the hazard and exposure in other foods are well characterised. The revised decision tree will include screening steps to consider the nature of any changes and the existence and adequacy of an established framework for risk management.

- (ii) There are relatively few current examples where we would envisage applying the framework. The cases in which we would apply the framework would be, primarily:
- new foods or food/risk combinations for which the adequacy of existing control regimes has not been established (for example, a new pathogen or chemical contaminant for which the routes and patterns of exposure and/or amenability to control are not known), and/or
  - foods which sit within an established framework but for which there has been a change which causes us to suspect that the approach may no longer be proportionate, effective or otherwise acceptable. An example would be burgers served less than thoroughly cooked in food service.
- (iii) In assessing and comparing risks, we should seek to make an estimate of the absolute risks where this is feasible. It will also be helpful to try to identify a comparator and to consider risk relative to this. This comparison could be between a current and future state (a change or trend) or between more and less 'risky' presentations of a food (e.g. a well-done burger, or cooked shellfish). It is likely that there will be more evidence to inform an assessment of relative risk in many cases, and comparison with an existing case may also be easier to communicate and to understand.

#### Use of *ad hoc* working groups

- 5.5 The use of an *ad hoc* working group, with membership drawn from across scientific advisory committees and with co-opted experts, provides a model for securing broad-based expert advice on well-defined, specific issues where we are clear about the output required. We will develop and apply this model in the context of the recommendations of the FSA's Triennial Review of its scientific advisory committees.

## **6 IMPACT AND RESOURCE**

- 6.1 The revised framework should help us to:
- make better and more consistent decisions about risks and their control;
  - improve the effectiveness of our risk management; and
  - make our work more accessible and understandable for non-experts.

## **7 CONSULTATION AND CONSUMER ENGAGEMENT**

- 7.1 We propose to review the framework in light of experience, two years after the Board's approval of the revised framework. This review will be informed by deliberative consumer engagement on whether people find it easier to make informed decisions about certain foods as a result of our use of the framework.

## 8 DEVOLUTION IMPLICATIONS

- 8.1 We will apply the framework consistently across England, Wales and Northern Ireland.

## 9 CONCLUSION AND RECOMMENDATIONS

- 9.1 The Board is asked to:
- **agree** that, in developing the revised framework, we should use **change** as the key criterion driving our use of the framework, both to identify and to prioritise foods for consideration and in the framework's subsequent application.