



Heather Hancock
Chair
Food Standards Agency
Aviation House
125 Kingsway
London
WC2B 6NH

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Dear Heather

ADVICE FROM THE NORTHERN IRELAND FOOD ADVISORY COMMITTEE TO THE BOARD OF THE FOOD STANDARDS AGENCY ON ISSUES ADDRESSED BY THE COMMITTEE: MAY 2016

The key role of the Food Advisory Committees is to advise the Board of the Food Standards Agency. To that end, the Northern Ireland Food Advisory Committee (NIFAC) has given its consideration to the following papers, due to be discussed at the upcoming meeting of the FSA Board:

- National Food Crime Unit
- Our Food Future
- Regulating our Future

These papers were presented to the committee, in person by Will Creswell – the Head of the FSA's Consumer Protection Division; Michelle Patel and Julie Pierce – the FSA's Head Of Marketing Communication and Consumer Insight and the FSA's Director of Communications; and Nina Purcell – the FSA's Director for Wales and Local Delivery respectively and I am grateful to all of them for allowing NIFAC the opportunity to consider the content of these papers.

The Committee also received an update from Kathryn Baker – the FSA in NI's Head of Consumer Protection to supplement the information the Committee received on the National Food Crime Unit on the work carried out in Northern Ireland by the Consumer Protection team and I'd like to thank her for this update.

10 A-C Clarendon Road
Belfast BT1 3BG
T 028 9041 7700
E infofsani@foodstandards.gsi.gov.uk

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NIFAC's comments on the papers discussed are recorded below.

National Food Crime Unit

Will Cresswell of the FSA's Consumer Protection Division, introduced a paper on National Food Crime Unit, due to be discussed at the upcoming meeting of the FSA Board.

This is an excellent paper that clearly sets out the issues, demonstrating the extent and variety of food crime.

Consumers will have an important role to play in frustrating the interests of criminals and engagement here will be key. The paper indicates that engagement with consumers will not always be possible in the interests of maintaining industry confidence that, where they share data with the FSA, that data will be protected. This is central to the challenges faced by the FSA in hosting the National Food Crime Unit. The FSA was established to be an open and transparent organisation. This founding principle may be in tension with the requirement to protect information in investigating food crime. One proposal expressed at the meeting was for the FSA to establish an ethics unit or committee. This would provide a central control for making such determinations. This will require a very clear definition of the consumer interest.

Funding must be maintained to ensure that the functions of the unit can be carried out effectively. For a small department such as the Food Standards Agency, taking on 20 new staff represents a significant investment and though it has been possible to fund the unit from allocation to date, it is clear that the public views this issue as within the role of the FSA and other organisations may not be forthcoming to help fund the unit. The FSA also has certain limitations in not playing a physical, enforcement role but still being expected to police the issue of food crime.

In hindsight, a 2 year review may be too early and a 3 year review might have been more meaningful. Nevertheless, the review can identify the issues uncovered to date and even at this early stage the unit is processing a considerable volume of intelligence and this is likely to increase. Finding the right people to perform the review of the National Food Crime Unit will be key to ensuring the review's effectiveness. It must be ensured that the review is carried out by a person or people who are genuinely independent of the FSA and the decision making that led to the establishment of the unit. It is reassuring that the review will include issues in devolved administrations as Northern Ireland's situation, with a land border with the Republic of Ireland, is different to that of England or Wales.

Consumer Protection Team, Local Update.

Kathryn Baker, the FSA in NI's Head of Consumer Protection, delivered an update on the work of the Consumer Protection team in NI. This was the second update of a series where the various teams within the FSA in NI will take turns to provide updates

to NIFAC about key activities and work carried out by that team, focussing on the links of the NI Consumer Protection team with the work of the National Food Crime Unit.

This was an informative update that effectively supplemented the previous item, giving practical examples of where work around food crime has led to prosecutions in Northern Ireland as well as highlighting the cross-border aspect inherent in some food crime incidents. This demonstrates the need for effective collaboration with partner agencies in multiple jurisdictions to tackle food crime.

The video, made for the social media campaign around OPSON, is impressive and the FSA in NI is to be congratulated in putting together such an effective publicity tool.

Our Food Future

Julie Pierce, the FSA's head of Communications, delivered an update on a paper, due to be discussed at the upcoming meeting of the FSA Board, on Our Food Future. This presentation was delivered by video link from the FSA's offices at Aviation House in London.

Many of the key messages from this research reinforce core elements of the FSA's current strategic plan. This is a great, innovative approach and a positive first step in open policy making and the FSA is to be congratulated in taking this forward.

The exercise did provide an opportunity for participants to reflect on their own food future as individuals as well as a population, generating helpful suggestions for how individuals can take greater responsibility for the future of food including ensuring the retention of cooking skills. There was also, however, a clear expectation that government and industry could do more and in a more visible manner to safeguard our food future.

The link between good health generally and diet was another common theme. This emphasises the regret felt by many in NIFAC that the FSA no longer retains a responsibility around dietary health in England and Wales. Though clearly not within the core remit of the FSA and caution around mission-creep is generally advised, the FSA has demonstrated that this is work it can do well and supplements its position as an authority around food.

Regulating our Future

Nina Purcell, the FSA's Director for Wales and Local Delivery, delivered an update by video link from the FSA's offices at Southgate House in Cardiff, on a paper, due to be discussed at the upcoming meeting of the FSA Board, on an effective, robust and proportionate system of ensuring that food businesses comply with the regulations put in place to protect consumers' interests.

The paper does a great job of explaining the issues and understates the amount of work undertaken as well as the scale of the task. There is a need to overhaul the inspection regime but this will be a very big undertaking.

It would be helpful if the timeframes, laid out in the Annex, also reflected the inspection of the meat industry.

There should be caution that accreditation does not translate automatically into approval. There is a variety of differing independent assurance bodies with various accreditation criteria and these bodies have not, to date, been a part of the discussion around this work.

There is a question over whether the 3 year timescale is a realistic target and a 5 year timescale may even be challenging. While the need for the timescale to be ambitious is recognised, it would be a shame for the FSA's approach to be considered to have failed by not meeting a timescale that may have been overambitious. Possibly the timescale should be noted among the risks highlighted in the paper.

Whatever is ultimately developed by the FSA for use in England, Wales and Northern Ireland will have implications for Scotland. The food industry and consumers cannot have different regulatory outcomes within the UK though the delivery model may vary and it is good to see this point accepted in the paper. However, there should perhaps be consideration of including a reference regarding liaison with FSS in this paper.

I am copying this letter to the Board Secretariat and to the Chief Executive.



pp. Henrietta Campbell (approved by Henrietta Campbell and signed in her absence)
Chair, Northern Ireland Food Advisory Committee