

**PAPER FOR DISCUSSION  
MINUTES OF OPEN MEETING ON 11 MAY 2016**

**Executive Summary**

Attached are the minutes of the 11 May NIFAC open meeting.

Members are invited to:

- Agree minutes as a true record of proceedings.

FSA Northern Ireland

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**REF NIFAC MINUTES 3/16**  
**OPEN MEETING OF THE NORTHERN IRELAND FOOD ADVISORY**  
**COMMITTEE (NIFAC) ON 11 MAY 2016, 10.30AM, AT THE FSA OFFICES,**  
**BELFAST.**

<b>Those present:</b>	<b>FSA</b>
<p><u>NIFAC members</u></p> <ul style="list-style-type: none"> <li>• Henrietta Campbell – Chairman.</li> <li>• Aodhan O’Donnell.</li> <li>• Christine Kennedy.</li> <li>• Phelim O’Neill.</li> <li>• David Lindsay.</li> <li>• Colin Reid.</li> <li>• Elizabeth Mitchell.</li> </ul> <p><u>Apologies</u></p> <ul style="list-style-type: none"> <li>• Brian Smyth.</li> </ul>	<ul style="list-style-type: none"> <li>• Maria Jennings – Director for Northern Ireland and Organisational Development.</li> <li>• Michael Jackson –NI Head of Local Authority Policy and Delivery.</li> <li>• Seth Chanas – NIFAC Secretariat.</li> <li>• Will Creswell – Consumer Protection Division.</li> <li>• Kathryn Baker – NI Head of Consumer Protection.</li> </ul> <p><u>By Teleconference</u></p> <ul style="list-style-type: none"> <li>• Julie Pierce – Head of Communications</li> <li>• Michelle Patel – Head of Marketing Communication and Consumer Insight</li> <li>• Nina Purcell – Director for Wales and Local Delivery</li> </ul>

**1. Welcome and introductions**

- 1.1. The Chair welcomed all to the meeting. It was explained that NIFAC member Brian Smyth would not be able to attend the meeting and had passed on his apologies.
- 1.2. Members had been circulated a copy of the Director's annual report to the FSA Board for comment. Some comments had been received by email ahead of the meeting. Members were pleased to see mention of the statutory, cross-border agencies mentioned in the report. Menucal was also praised as a piece of work that could be used across the UK and for which FSA in NI staff should rightly receive a good deal of the credit.

## **2. Minutes of the meeting of 9 March 2016.**

- 2.1. The Chair asked if there were any comments on the minutes of NIFAC's open meeting on 9 March. The Secretariat explained that all amendments suggested by NIFAC members had been incorporated. No further changes were requested and the Secretariat agreed to arrange for the publication of the minute.

**Action Point – Secretariat to make arrangements for publication of the minutes of the NIFAC meeting on 9 March 2016.**

## **3. Chair's Report and Director's Update**

- 3.1. The Chair explained that she had been unable to attend the previous Board meeting but was looking forward to the forthcoming meeting in Belfast.
- 3.2. Maria Jennings then updated the Committee on items from her report contained in the meeting papers, including:
- Work around allergies;
  - Review of Official Auxiliaries;
  - FSA/DARD Strategic Labelling Group;
  - The Eatwell guide; and
  - Third Country Trade;
- 3.3. It was explained that the work around allergies had recently been brought into focus by the prosecution and conviction of a restaurant owner in England for the death of a customer who suffered from peanut allergies.
- 3.4. The review of official auxiliaries had been completed. DARD had agreed the report and will reallocate Meat Inspectors. Communication is now underway with businesses to explain what the efficiencies will mean for them. The Northern Ireland methodology is now being used across the UK.
- 3.5. Of the FSA/DARD Strategic Liaison Group, it was explained that new food labelling rules had come into operation and that the new Minister would be apprised of the changes.
- 3.6. The Eatwell guide had been refreshed in partnership with colleagues in Public Health England. NIFAC will receive a presentation on the refreshed guide at a future meeting.

**Action Point – Secretariat to arrange for a presentation on the refreshed eatwell guide at the upcoming NIFAC meeting on 6 July.**

- 3.7. On Third Country trade, it was explained that the FSA are not the lead organisation in discussions but has an input, which is vital. Authorities from third countries are often keen to speak to representatives of the FSA as the competent authority for food safety in the UK.

#### **4. National Food Crime Unit.**

4.1. The Chair welcomed Will Creswell of the FSA's Consumer Protection Division to the meeting to introduce a paper on National Food Crime Unit, due to be discussed at the upcoming meeting of the FSA Board. The paper covered:

- the time since the establishment of the Unit;
- progress to date and staff recruited;
- intelligence gathering;
- reasons for resistance to data sharing from industry;
- the review due in December; and
- key principles and recommendations for the FSA Board.

4.2. There then followed a discussion, during which the following points were made:

- 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.

4.3. The Chair thanked Will Creswell for bringing this paper to NIFAC for consideration.

## **5. Consumer Protection Team, Local Update.**

5.1. The Chair welcomed Kathryn Baker, the FSA in NI's Head of Consumer Protection to the meeting to deliver an update on the work of the Consumer Protection team in NI, focussing on the links of the NI Consumer Protection team with the work of the National Food Crime Unit. The presentation covered:

- the role of the team and its relationship to the National Food Crime Unit;
- access to information;
- the recent recruitment of the Fraud Liaison Officer;
- incidents raising the profile of the FSA's work around food crime;
- the use of legislation not directly related to food;
- the origin and geographical scope of Opson V;
- Opson in Northern Ireland; and
- social media campaigns.

5.2. There then followed a discussion, during which the following points were made:

- 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.

5.3. The Chair thanked Kathryn Baker for this update.

## **6. Our Food Future.**

6.1. The Chair welcomed Julie Pierce, the FSA's head of Communications and Michelle Patel, the FSA's Head of Marketing Communication and Consumer

Insight, to the meeting to deliver 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. The presentation covered:

- seeking consumer views on issues important to them in relation to the future of food;
- the establishment of a steering group;
- the Food Futures launch;
- findings from the launch and their role in informing policy;
- social media activity; and
- outputs feeding into themes for food safety week.

6.2. There then followed a brief discussion, during which the following comments were made:

- 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.

6.3. The Chair thanked Julie Pierce and Michelle Patel for bringing this item to the Committee.

## **7. Regulating our Future.**

7.1. The Chair welcomed Nina Purcell, the FSA's Director for Wales and Local Delivery, to the meeting to deliver 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 presentation covered:

- risk considerations;
- political challenges;
- reasons for change;
- the level of ambition;
- a historical overview of regulation;
- a potential model for big businesses; and
- a model for Small and Medium sized Enterprises.

7.2. There then followed a discussion, during which the following points were made:

- 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.

7.3. The Chair thanked Nina Purcell for assisting with the Committee's consideration of this paper.

### **Any Other Business**

7.4. The next meeting will be on 6 July 2016. A venue is currently being considered for the meeting and members will be updated on progress. No further business was raised and the meeting was closed.

### TABLE OF ACTION POINTS

<b>No</b>	<b>Action</b>	<b>To be actioned by</b>	<b>To be completed by</b>
1.	<b>To make arrangements for publication of the minutes of the NIFAC meeting on 9 March 2016.</b>	<b>Secretariat</b>	06/07/2016
2.	<b>To arrange for a presentation on the refreshed eatwell guide at the upcoming NIFAC meeting on 6 July.</b>	<b>Secretariat</b>	06/07/2016