

Meeting of the Northern Ireland Food Advisory Committee On 10 April at the FSA Offices, Belfast

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Agenda

1. 10.30am – Welcome and Housekeeping
2. 10.35am – Minutes of the Meeting of 6 March 2019
3. 10.40am – Chair's Update and Director's Report
4. 10.55am – General introduction to Allergens - Sharon Gilmore
5. 11.00am – Allergens – Legislative Requirements, Current Situation and Plans for the Future - Louise Connolly
6. 11.20am – Implementation & Enforcement of Allergens: A Council Perspective - Paula O'Neill
7. 11.40am – The Patient's Perspective - Michael Walker
8. 12.00pm – Research on Allergens - Ross Yarham
9. 12.20pm – NIFAC Panel Discussion

Paper for discussion
Minutes of open meeting on 6 March 2019

Executive Summary

Attached are the minutes of the 6 March NIFAC open meeting.

Members are invited to:

- Agree minutes as a true record of proceedings.

FSA Northern Ireland

Contact: Seth Chanas
Tel: 028 9041 7762
Email: seth.chanas@food.gov.uk

REF NIFAC MINUTES 1/19

Open Meeting of the Northern Ireland Food Advisory Committee (NIFAC) ON 6 MARCH 2019, 10.30 AM, at the FSA offices Belfast

Those present

- Colm McKenna – Chairman
- Christine Kennedy
- Elizabeth Mitchell
- Lorraine Crawford
- Sara McCracken
- Fiona Hanna
- Phelim O'Neill
- Aodhan O'Donnell

Guest Speakers

- Robin Irvine – Northern Ireland Grain Trade Association (NIGTA) President
- Stephen Nixon – DAERA Agri-food inspection Branch (AfIB)

FSA Executive

- Roberta Ferson – FSA in NI Head of Finance, Business Support and Communications.
- Ruth Moreno – Head of Consumer Protection.
- Elvira Diez – Head of Operational Policy and Delivery
- Seth Chanas – NIFAC Secretariat.

Apologies

Maria Jennings - Director of Regulatory Compliance, People and Northern Ireland (NI)

1. Welcome and introductions

- 1.1. The Chair welcomed all NIFAC members to the meeting, noting apologies from Maria Jennings, Director of Regulatory Compliance, People and Northern Ireland (NI).

2. Minutes of the meeting of 3 March 2018.

- 2.1. The Chair asked if there were any comments on the minutes of NIFAC's open meeting on 11 September. It was pointed out that the minutes, though circulated previously to NIFAC members had been omitted from the papers for the meeting. The Secretariat agreed to recirculate these. No issues were raised, and the Secretariat agreed to publish the minutes.

Action Point 1 - Secretariat to recirculate and arrange for the publication of the minutes of the 13 June NIFAC Open meeting.

3. Chair's Report and Director's Update

- 3.1. The Chair updated the Committee on the FSA Board's planning session in January. The focus of the meeting included business planning and also EU exit. He explained that the FSA was as well prepared as any department could be.
- 3.2. Roberta Ferson explained that a report from Maria Jennings had been included within the papers and highlighted the following items:
 - Feed related meeting with DAERA and DAFM, a feed stakeholder meeting and a feed threat assessment workshop.
 - The consultation on the provision of allergen information.
 - A report on the calorie content of scones.
 - Food Hygiene Rating Scheme - Online Display
- 3.3. On the meeting with DAERA and DAFM, Roberta explained that EU exit, and its potential to impact on the sector remained a focus of discussions. The feed stakeholder meeting had a similar focus. The feed threat assessment workshop had been held to help inform the national enforcement priorities for animal feed for 2019-20.
- 3.4. She explained that the consultation on the provision of allergen information concerned products that were pre-packed for direct sale and was a four-country, formal consultation. A stakeholder meeting on the subject had also been held at the FSA in NI offices to supplement the responses to the consultation.
- 3.5. She explained that the report on the calorie content of scones had received good coverage in the media across NI including a radio interview on U105v of

the FSA in NI's Senior Executive Adviser for Dietary Health Fionnuala Close. This was part of the Know Your Calories campaign.

- 3.6. Roberta explained that the Food Hygiene Rating Scheme - Online Display pilot was carried out in preparation for mandatory online display, which will be required in due course. This was piloted with the online aggregator Just Eat.
- 3.7. The Chair thanked the Roberta for this update.

4. The FSA and Animal Feed

4.1. The Chair introduced this item explaining that this represented part of NIFAC's new way of considering issues of importance to the FSA to help to inform the Board's consideration of relevant issues scheduled for discussion over the coming year. He explained that presentations would be heard firstly from Gerard Smyth, FSA in NI Senior Adviser on Primary Production, followed by presentations from Stephen Nixon of the Department of Agriculture, Environment and Rural Affairs (DAERA) Agri-Food Inspection Branch (AfIB) and from Robin Irvine, President of the Northern Ireland Grain Trade Association (NIGTA). He invited Gerard Smyth to deliver his presentation. The presentation covered:

- background on the differences between the Northern Ireland system and that in England and Wales;
- the role of AfIB;
- cross border engagement; and
- the impact of feed incidents.

4.2. The Chair thanked Gerard for this introduction and invited Stephen Nixon to deliver his presentation giving a DAERA view on issues related to animal feed. His presentation covered:

- the significance to the NI economy of the sector;
- feed auditing, inspection, sampling and analysis;
- earned recognition schemes;
- the development of a new feed inspection system and database; and
- incident handling.

4.3. The Chair thanked Stephen for this viewpoint and invited Robin Irvine, President of NIGTA to conclude the presentations. His presentation covered:

- an outline of the feed trade;
- production of ruminant, pig and poultry feed;
- investment in mills, research and technology;
- quality schemes;
- the Going for Growth plan for the NI agri-food industry;

- the importance of sustainability;
- precision farming and the reduction of impacts on air and water quality;
- sampling priorities;
- imports;
- working with regulators; and
- the Food Fortress scheme.

4.4. There then followed a discussion with the three presenters where the following points were made:

- The delivery model for feed was modernised prior to the Regulating Our Future (ROF) programme and the FSA now have an approach to feed controls already largely compatible with ROF principles.
- The Food Fortress scheme is to be commended as a great example of self-regulation done properly, noting that a substantial number of businesses from Ireland were also engaged in the scheme as well as those from NI. NIFAC were also impressed by moves the industry was taking toward sustainability and reducing environmental harms, noting that all palm oils used in feeds produced in NI come from sustainable crops.
- In the interests of ensuring food you can trust, there may be a job to do in communicating some of the information about measures to protect the food system to consumers, starting with animal feed, to increase their confidence in the supply chain. It was noted that where there is greater confidence in the systems in place, public trust is likely to be more resilient in the event of incidents, reducing the potential reputational damage to producers, traders and regulators. It was acknowledged that pitching this messaging at an appropriate level would be difficult when consumers focus primarily on knowing that food is safe, but lower key messaging to reassure the public that we are here, this is what we do, and this is why you can trust your food, could bring future benefits. A slide contained in Gerard Smyth's presentation pack described the message succinctly as "You are what you eat eats".
- It was welcome to hear aspects related to the UK's exit from the EU covered in the presentations and that Ireland's Department of Agriculture Food and the Marine (DAFM), while not primarily focussed on North/South trade, had noted some elements of supplying feed into the EU that could present challenges should an agreement not be reached, including a requirement, if trade is to continue on the current basis, for the suppliers to have premises in Ireland. It was noted that this will prove difficult for some of the smaller scale suppliers.

Any Other Business

4.5. No further business was raised and the meeting was closed. The next Open meeting will be held on 10 April 2019.

Action points

Action Point 1 - Secretariat to recirculate and arrange for the publication of the minutes of the 13 June NIFAC Open meeting.

Paper of information

**Update from Director for Regulatory Compliance, People and NI to NIFAC
10 April 2019.**

Executive Summary

Attached is the FSA in NI Director's update to the Committee for April 2019. This report covers the period from 6 March to 1 April 2019.

- No action by members is necessary.

FSA Northern Ireland

Contact: Seth Chanas
Tel: 028 9041 7762
Email: seth.chanas@food.gov.uk

Food Is Safe

Northern Ireland Agribusiness Conference and Ulster Farmers Union Seminar

The FSA in NI's Operational Policy & Delivery team recently attended the Northern Ireland Agribusiness Conference on 08 March. There were a range of interesting presentations including speakers from industry, academia and producer organisations. Ian Stevenson of the Livestock & Meat Commission gave a particularly interesting presentation on quality assurance in the beef & lamb sectors. Dr Mary Dobbs, Agricultural Law Lecturer, with Queen's University Belfast (QUB) spoke on Potential challenges for agricultural governance across the UK post EU Exit.

Operational Policy & Delivery team members also attended an Ulster Farmers Union seminar on 'Driving Red Tractor Dairy into the Future'. This provided a very useful overview of the operation of this Red Tractor scheme, which is approved by FSA for the purposes of Earned Recognition and enables members to reduce the frequency of official controls inspections through compliance.

Publication of Guidance on Food Traceability, Withdrawals and Recalls within the UK Food Industry

The FSA and Food Standards Scotland (FSS) have jointly produced guidance designed to help food businesses carry out food safety withdrawals with greater ease and effectiveness. The guidance was published on 12 March 2019 and constitutes a major milestone in the UK wide Efficacy of Recalls and Withdrawals project. It explains what the law requires of food businesses, how they can comply, and includes best practice on communicating recall messages effectively with consumers. Supplementary tools including two 'point of sale notice' templates have been published with the guidance. The guidance and tools were developed by a multi-stakeholder working group, led by FSA with representation from the food industry, enforcement authorities and consumer interest organisations. Work will be taken forward over the coming months to embed the guidance and associated tools with our target audiences. The [guidance and tools](#) can be found on the FSA website.

Gathering and Using Science, Evidence and Information

Food Poverty Indicator Subgroup

The fourth meeting of the Food Poverty Indicator Subgroup, chaired by FSA, took place in March 2019. Following the Department of Work and Pension's (DWP) announcement that they will begin monitoring UK food insecurity using questions from the Household Food Security Survey Module (HFSSM) (used in Canada and the US), the subgroup has been working with the Department for Communities (DfC) to become a customer of this data. Information on UK food insecurity will be collated through the Family Resources Survey. This information will enhance the food insecurity data currently collected through the FSA's Food and You Survey.

Empowering Consumers

Calorie Wise Implementation

FSA in NI has been working with the District Councils to support businesses interested in the Calorie Wise award. One-to-one support has been provided to 15 businesses and five District Councils since January 2019 with good progression made towards compliance with scheme criteria. Three fish and chip shops have recently achieved the gold award with each outlet offering a range of 'healthier options/lighter bites' and reduced portion size meals. The Dietary Health team is currently working with the FSA Social Science team to encourage wider uptake of the award among caterers.

Minimum Nutritional Standards in District Councils

Work on the pilot implementation of the Minimum Nutritional Standards by councils is continuing. Three councils have committed to taking part in the pilot: Fermanagh and Omagh; Belfast City; and Lisburn and Castlereagh. An assessment tool for use by catering managers has been designed and is being trialled by catering managers of staff canteens and there has been progress in identifying the input required for procurement and tendering catering contracts in these councils. The Minimum Nutritional Standards document will be reviewed in 2019 and the review group will commence this week in April.

Legislation

The Residues (Charges and Examination) (Amendment) Regulations (Northern Ireland) 2019 were made on 12 February 2019. The Regulations amend two pieces of Northern Ireland domestic legislation that implement or enforce EU rules. These are:

- The Charges for Residues Surveillance Regulations (Northern Ireland) 2010; and
- The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations (Northern Ireland) 2016.

The amendments simply update EU references in domestic rules in order to align with current EU legislation.

DAERA has policy responsibility for residues in NI and is the lead Department in making these Regulations. The Regulations, however, are made under the Food Safety (Northern Ireland) Order 1991, and therefore were required to be made jointly by DAERA and DoH, on behalf of the FSA. The Regulations were subject to negative resolution and came into operation on 15 March 2019.

EU Exit Legislation

FSA in NI continues to work with FSA colleagues and other Government Departments, including Defra, DHSC, DAERA and the Department of Health to

ensure the retained EU law (UK Acquis) and the Northern Ireland domestic legislation remain fully operable after the UK's exit from the EU.

Good progress is continuing in relation to the legislation required with many of the necessary amendments having been made. An update on the remaining legislation required is detailed below.

- Fourteen of the 15 UK-wide FSA Statutory Instruments (SI) amending the retained EU law covering food and feed hygiene and safety policy have been progressed through Parliament, have been made and will come into force on exit day. The Food Additives, Flavourings, Enzymes and Extraction Solvents (Amendment etc.) (EU Exit) Regulations 2019 is scheduled to be debated in both Houses of Parliament week commencing 1 April.
- DHSC UK-wide SI – the Nutrition (Amendment etc.) (EU Exit) Regulations 2019 has been made and will come into force on exit day. This SI will make the necessary amendments to ensure that certain EU legislation relating to nutrition will continue to function effectively in the event that the UK leaves the EU without a deal in place
- The two Defra UK-wide SI's, namely the Food (Amendment) (EU Exit) Regulations 2019 and the Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019 which amend retained EU law relating to food labelling have been laid before Parliament.

Northern Ireland Specific EU Exit legislation

The Food and Feed Hygiene and Safety (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and the Nutrition (Amendment) (Northern Ireland) (EU Exit) Regulations 2019, amending NI domestic law on food and feed hygiene and safety and nutrition will come into force on the 14th April 2019.

The Regulated Products (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 is contingent upon several pieces of relevant FSA UK-wide legislation, including the Additives Regulations mentioned above. Therefore, it will be made once the Additives Regulations are made to ensure the correct sequencing of this SI in accordance with Government Legal Department guidance,

EU Exit

Health Marks and Identification Marks

During October and November 2018, the FSA consulted widely on the form of the post EU exit UK health and identification marks and it was agreed that, in the event of a no-deal exit, the new marks should replicate the current marks, minus the 'EC' abbreviation. This represented the least burdensome change for industry and enforcement authorities.

However, in January 2019 the EU Commission informed the UK CVO that this option was not available to third countries. As a result, the only options available

to those businesses who wish to continue to export products of animal origin to the EU would be 'GB' or 'United Kingdom' (spelt in full).

The 'UK' abbreviation remains an option for products to be placed on the national market. To note that, in all cases, the individual approval number of each establishment remains unchanged.

FSA has issued stakeholder communications to the food industry detailing the options available based on the destination of their product. Enforcement authorities have also been informed and DAERA has supplied their staff with all health mark options to ensure the correct mark is applied in each case.

M Jennings
Director for NI and Organisational Development.

NIFAC Discussion on allergens

Executive Summary

This is the second of NIFAC's themed meetings to take place in the Committee's new way of considering issues and advising the FSA. At an extraordinary meeting, on 8 May, the FSA Board will be considering a paper on Allergens. The FSA is looking for further improvements in the protection of food allergic and food intolerant people, whilst balancing this with sustaining the improvements in choice, trust and availability that the Food Information Regulations 2014 (FIR) have delivered to date. Ahead of that meeting it was suggested that NIFAC could consider some of the key questions around the issue to help inform the Board's consideration of the topic.

To give some background, Sharon Gilmore (FSA in NI Head of Standards and Dietary Health) will give a brief presentation and introduce three further speakers, First, Louise Connolly (FSA in NI Senior Adviser on Food Standards) will give an update covering the legislative requirements. Paula O'Neill from Armagh Banbridge and Craigavon Council, will then give a Council perspective on the implementation and enforcement of allergens. Michael Walker (a consultant science manager and Nominated Officer with the Government Chemist Programme) will then give a presentation giving the patient's perspective.

Ross Yarham (FSA Senior Scientific Officer - Allergy & Intolerance) will then give an update, by video link from the FSA's Office in Southgate House, Cardiff, on research around allergens.

Members are invited to consider the presentations and comment on:

- whether food allergens or intolerance affects people in Northern Ireland in distinct ways. This could be prevalence, specific types of allergy, availability of choice in allergen free foods, or industry behaviour, the benefits from FIR, or other specific national circumstances; and
- whether the FSA's different role in NI makes a difference to the protection and interests of food allergic consumers, and whether any lessons can be learned from that.

FSA Northern Ireland

Contact: Seth Chanas
Tel: 028 9041 7762
Email: seth.chanas@food.gov.uk