

**Meeting of the Northern  
Ireland Food Advisory  
Committee on Tuesday 12  
January 2021 via Microsoft  
Teams.**

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## Agenda

1. 10.00am Welcome and Housekeeping
2. 10.05am Minutes of the Meeting of 21 October 2020
3. 10.10am Fionnuala Close (FSA)
4. 10.35am Meabh Austin & Clare O'Neill (Fare Share)
5. 11.00am Dr Hannah Lambie-Mumford (The University of Sheffield)
6. 11.25am Break
7. 11.40am James Elliott (Department for Communities)
8. 12.05pm Discussion
9. 12.30pm Chairman's Update and Director's Report
10. 12.55 pm AOB
11. 1.00pm Close

**PAPER FOR DISCUSSION  
MINUTES OF OPEN MEETING ON 21 OCTOBER 2020**

**Executive Summary**

Attached are the minutes of the 21 October 2020 NIFAC meeting.

Members are invited to:

- Agree minutes as a true record of proceedings.

**FSA in Northern Ireland**

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# **OPEN MEETING OF THE NORTHERN IRELAND FOOD ADVISORY COMMITTEE (NIFAC) ON 21 OCTOBER 2020, 10 AM VIA MICROSOFT TEAMS**

## **Those present:**

### **NIFAC Members**

- Aodhan O'Donnell – Acting Chair
- Lorraine Crawford
- Fiona Hanna
- Greg Irwin
- Phelim O'Neill
- Elizabeth Mitchell
- Sara McCracken

### **Apologies**

- Colm McKenna

### **FSA Executive**

- Maria Jennings – Director for Regulatory Compliance, People and NI
- Sharon Gilmore – Head of Standards and Dietary Health
- Roberta Ferson – Head of EU Exit, Legal and Private Office.
- Ruth Perez Moreno – Head of Consumer Protection
- Jayne McGlaughlin – Senior Policy Advisor
- Robyn McNeilly – NIFAC Secretariat

### **Guest Speakers**

- Joy Alexander – Department of Agriculture, Environment and Rural Affairs (DAERA)

## **1. Welcome and Introductions**

1.1 The Chair welcomed all NIFAC members, observers and presenter to the meeting.

1.2 Apologies from Colm McKenna who was unable to Chair the meeting.

1.3 Meeting to be recorded for minuting purposes and will not be shared.

## **2. Minutes of the meeting of 15 January 2020**

2.1 The Chair asked if there were any comments on the minutes of NIFAC's meeting on 15 January 2020. No issues were raised.

### **3. Director's Update**

- 3.1 Maria informed the Committee that the Board have continued to meet virtually and that meetings are more frequent and shorter in length due to current business needs.
- 3.2 The Director explained that her report covers the work carried out since the last formal NIFAC meeting in January. Maria acknowledged that the Committee have continued to receive updates.
- 3.3 Maria explained that the report covers a huge amount of work on Covid-19 response and EU Exit, also highlighting ongoing work on the dietary health agenda and legislation for the end of the transition period.
- 3.4 Members acknowledged that since the last meeting so much has changed in the business and wanted to send thanks to FSA staff for continued hard work in uncertain times.
- 3.5 The Committee were keen to understand how the current pandemic has affected staff morale and overall wellbeing, especially working remotely.
- 3.6 Maria informed the Committee that it has been a huge challenge, staff are unavoidably working longer hours due to the current situation, however, are being encouraged to take leave when they can. To keep morale high, team building, and social engagement events have been organised online. The Wellness Works Team are generating some great ideas to pull staff together and staff in general have been coping amazingly well.
- 3.7 Members recognised the stresses staff face and queried if there was more that NIFAC, as a committee could do to help contribute to their wellbeing.
- 3.8 Maria explained that some contingency winter planning was already taking place to ease future pressures faced. She agreed that recognising current stresses in addition to normal job roles is important going forward and that the Leadership Team will continue to work on this.
- 3.9 Board Member appointments was noted as a point of concern for the Committee. Members queried its effectiveness to function as a Board without a full complement of members.
- 3.10 Maria advised the Committee that Board recruitment had been difficult, however a Deputy Board Chair had been appointment, alongside a Chair for WIFAC, who would also act as a Board Member. Recruitment to replace the Chair of the Board is imminent, with Ministerial input planned.
- 3.11 Members questioned the implementation of the allergy labelling laws, querying how prepared the FSA is for this in October 2021 and if Northern Ireland will vary from the UK wide approach.

- 3.12 Maria noted that previous discussions had taken place in NIFAC meetings around allergy work in Northern Ireland and that this work would stand the agency in good stead going forward. However, Covid-19 has affected how the FSA can currently engage with food businesses. In these uncertain times the approach can only be to provide Covid-19 related guidance or EU Exit information. Normally, the approach would be different but for businesses now, the main priority is to remain open.
- 3.13 Questions were raised by members around EU Transition and if district councils were prepared to carry out inspections if the infrastructures at ports were not in place.
- 3.14 Maria advised Members that the FSA has been working closely with the 4 councils involved and have provided funding to recruit new staff. The agency will continue to provide training and support to new staff to ensure import checks are carried out effectively. The contingency around the infrastructure will look at information we can obtain about food before it moves into Northern Ireland, this will then determine the type of checks that need to take place. Negotiations are ongoing with detailed conversations taking place. There may be the possibility of disruption, however FSA is working closely with DAERA to minimise this.
- 3.15 Committee Members asked Maria if an uninterrupted supply path was achievable on 1<sup>st</sup> January 2021 in Northern Ireland.
- 3.16 Maria noted that this is top priority, with all key players in the business focusing on it. She noted that it was reassuring to hear that major retailers were committed to continue trading in Northern Ireland.
- 3.17 The Committee asked Maria for further clarity on why it was necessary to disapply the retained EU law on food and animal hygiene and safety in Northern Ireland.
- 3.18 Maria advised that significant work had been done in preparation for a no deal exit, working on legislation to lift and drop EU rules into UK and NI law. With the NI protocol in place, changes made previously can no longer be applied. The changes need to be disapplied and new legislation put in place.
- 3.19 The Chair thanked Maria for this update and Members for their questions.

#### **4. The Future Food System in Northern Ireland**

- 4.1 The Chair introduced the topic and explained that it was a continuation from meetings last year. The Chair noted that there is a lot to investigate within the food landscape in Northern Ireland with a view to understanding more about the impact of Covid-19 and EU transition.
- 4.2 The Chair explained a presentation would be heard from Joy Alexander, DAERA on the "Future Food Policy". The Chair noted that Michele Shirlow from

Food NI was also due to present to the Committee about the impact of Covid-19 on the hospitality industry, but due to unforeseen circumstances could not attend.

4.3 He invited Joy to deliver her presentation which covered:

- Why is the food strategy framework important?
- Forward look to 2040 and beyond
- Outcome Delivery Plans
- Food at the heart of society
- How to improve strategic alignment
- What success might look like
- Work to date
- NI Food Strategy Framework Vision
- Future Food Strategy Framework
- Principles for Intervention Design
- Strategic Goals
- Intended Outcomes
- Proposed Structures
- Possible Early Foundation Programmes
- Next Steps

4.4 The Chair thanked Joy for her presentation and invited Members to further discuss.

## **5. Discussion**

5.1 There then followed a short discussion regarding the presentation on future food policy work that the Committee received.

- Members agreed that Joy's presentation was informative and enjoyable. Noting it was encouraging to see the plans for the many future frameworks. NIFAC acknowledged it is a challenging time, but the forward look is very positive.
- Members were keen to know who would take the Ministerial lead on the work and felt it key the Health Minister would be involved.
- Members questioned if there was similar work taking place in England, Scotland and Wales and were keen to know if there would be joint working going forward.
- Joy advised the Committee that Henry Dimbleby is leading on a National Food Strategy in England, and is engaging with the devolved nations. Joy sees this as an opportunity for Northern Ireland to showcase its work during the joint discussions.



- The committee discussed the importance of making the consumer a future focus.
- NIFAC wanted to know how best to contribute to the future food policy work.
- Joy emphasised the need for joint working and thanked the FSA for all the support to date. She highlighted that she would welcome any ideas or support going forward. Progressing relationships is key in the future food policy work.

## **6. Any Other Business**

6.1 No further business was raised, and the meeting was closed.

## **PAPER FOR INFORMATION**

### **UPDATE FROM DIRECTOR FOR REGULATORY COMPLIANCE, PEOPLE AND NI TO NIFAC 12 JANUARY 2021**

#### **Executive Summary**

Attached is the FSA in NI Director's update to the Committee for January 2021.

- No action by members is necessary.

#### **FSA in Northern Ireland**

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## **Food Is Safe**

### **Allergen Labelling Changes – Communications Plan**

On 1<sup>st</sup> October 2020, the campaign launched to support businesses to adapt to the new labelling laws for prepacked for direct sale (PPDS) food before October 2021. In the coming months, the central programme team, working with the teams in NI and Wales, will be developing a series of support tools for cascade to relevant businesses in England, Wales and Northern Ireland. The aim of these tools will be to provide practical and useful guidance on how to implement the new PPDS regulations.

### **Food Hypersensitivity Campaign Plans**

A Food Hypersensitivity campaign is being planned, to go live in late February 2021 across England, Wales and NI. The objective of the campaign is to raise young people's awareness of the importance of telling a restaurant/takeaway about their allergy every time they order food. The main allergy charities have given their full support to the plans.

### **Food Law Code of Practice Review**

The four-week written consultation on the draft amendments to the Food Law Code of Practice, Practice Guidance and Competency Framework was launched on 13 November 2020. We have received consultation responses from a number of stakeholders which are all receiving consideration. We aim to publish the final documents in mid-February 2021.

### **The FSA guidance on vacuum and modified atmosphere packing regarding non-proteolytic CI botulinum**

This FSA guidance has been reviewed and revised following a recent UK-wide consultation. The review concluded that as research has not identified any report of an outbreak of foodborne botulism linked to vacuum and modified atmosphere packed chilled fresh beef, lamb and pork over several decades either in the UK or internationally, it is not proportionate to include such fresh meat in the guidance. Therefore, the revised guidance exempts fresh beef, lamb and pork from the scope of the guidance. This is a less prescriptive approach, in line with international standards. The decision to revise the guidance was taken following stakeholder engagement and evidence gathering through a sub-group of the Partnership Working Group which included the NI Operational Policy and Delivery Team. The revised guidance will support both consumer and industry interests. Industry feedback reports that this will also support trade. This is an example of how the FSA listens to stakeholders and takes a proportionate and evidence-based approach.

## **Gathering and Using Science, Evidence and Information**

### **Report on NI Take Home Food and Drink Purchases (2014 and 2018)**

The Dietary Health team carried out research with Kantar Fast Moving Consumer Goods (Kantar FMCG) to monitor take home food and drink purchasing (i.e. all food and drink purchased excluding takeaways and food ordered at restaurants). The data was collated into a report examining key trends, identifying food and drink categories that are of concern to dietary health. The [report](#) is now available on the FSA website and has been shared with key stakeholders including the Department of Health, local universities and colleges, Invest NI and members of the Retail Forum and Eating Well Choosing Better Steering Group.

### **National Diet and Nutrition Survey**

The National Diet and Nutrition Survey (NDNS) year 9-11 [report](#) (2016/17 to 2018/19) was published by Public Health England on 11 December 2020. The National Diet and Nutrition Survey Rolling Programme (NDNS RP) is a continuous cross-sectional survey, designed to assess the diet, nutrient intake and nutritional status of the general population aged 1.5 years and over living in private households in the UK. The core NDNS RP is jointly funded by Public Health England and the FSA. Results are used by government to monitor progress toward diet and nutrition objectives of UK Health Departments and to develop policy interventions.

## **Empowering Consumers**

### **Healthier Catering Guides for Different Types of Businesses**

A range of [healthier catering guidance for different types of businesses](#) have been developed by the Dietary Health team, based on guidance previously published by Public Health England, which provide food businesses with useful tips on promoting healthier options. There are seven accessible guides available on the FSA website for: general food businesses; Chinese restaurants and takeaways; Indian and South Asian restaurants and takeaways; Italian restaurants and takeaways; pizza restaurants and takeaways; chip shops and; sandwich shops. Hard copies of these guides have also been printed and delivered to the District Councils' Environmental Health Departments for dissemination to relevant food businesses, when appropriate.

### **Calorie Wise Training**

The Dietary Health team recently delivered virtual refresher training for Environmental Health Officers (EHOs) in Northern Ireland who are designated as Calorie Wise Champions. The refresher training covered UK obesity policy updates, recent successes in the Calorie Wise scheme, MenuCal updates as well as the shared experiences from the Calorie Wise Champions and the FSA CW Advisor. EHOs were asked to promote and distribute (when appropriate) recent FSA

publications to assist food businesses with healthier catering, including the seven healthy catering guides for different types of businesses and the [scone reformulation guidance](#).

## **Being the Best Organisation We Can Be**

### **FSA participation in the Invest NI Health and Wellness Event**

A representative from the Dietary Health Team recently delivered a presentation on the FSA's Eating Well Choosing Better programme at the Invest NI Health and Wellness E-Seminar. This seminar was held for the Invest NI food and drink client portfolio (approximately 350 companies in NI) to increase their understanding of the health and wellness trends and the opportunities it presents for this sector. Taking part in the event provided the team with an opportunity to promote recent work undertaken in partnership with stakeholders to support food product improvement. The presentation highlighted recent work with the ice cream and bakery sectors including the technical seminars, the scone reformulation guidance and the bakery reformulation project. Information was also provided on how the FSA supports the out of home sector through the Calorie Wise Scheme, the MenuCal tool and the development of Healthier Catering Guides.

## **Legislation**

### **EU Exit legislation**

The FSA has undertaken a legislative programme to ensure that the law on food and feed hygiene and safety, and food compositional and labelling standards in Northern Ireland, is operable after the Transition Period. It is the FSA's priority to maintain the UK's high standards of food and feed, and a functioning Northern Ireland statute book is critical to achieve this. Amendments to legislation have now been made to keep pace with new or updated EU legislation which has come into force since our UK-wide and NI EU Exit Statutory Instruments were made in 2019.

In addition, these legislative amendments provide legal underpinning for the operation of the Protocol by the end of the Transition Period. It has also been necessary to disapply the retained EU Law on food and feed hygiene and safety and food compositional and labelling standards in respect of Northern Ireland, amending the extent of its application from the UK to GB in accordance with the Protocol. Previous "no deal" corrections to Northern Ireland domestic legislation will be revoked to reflect that EU law will continue to apply in Northern Ireland in respect to food and feed law at the end of the Transition Period.

## **The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2020**

These regulations come into force on 25 December 2020. They;

- enforce Regulation (EU) 2020/354 on establishing a list of intended uses of feed intended for particular nutritional purposes and repealing Directive 2008/38/EC in Northern Ireland and;
- correct an omission in The Official Feed and Food Controls Regulations (Northern Ireland) 2009 and make other minor consequential amendments relating to Part 3 of the 2009 Regulations. This will allow the mandatory charging provisions contained within Article 79 of Regulation (EU) 2017/625 “the Official Controls Regulation” to be adequately implemented into NI law.

## **The Food Hygiene Rating Act (Amendment) Regulations (Northern Ireland) 2020**

The Food Hygiene Rating Act (Amendment) Regulations (Northern Ireland) 2020 have now been made and will come into operation on 23 December 2020, allowing a return to the implementation of the statutory Food Hygiene Rating Scheme in Northern Ireland. The FSA has engaged with District Councils throughout the process and will continue to do so via Northern Ireland Food Managers Group and the Food Hygiene Focus Group.

## **EU Transition**

### **New Sanitary Phytosanitary (SPS) import controls in Northern Ireland on 1<sup>st</sup> January 2021**

FSA officials have continued to work with DAERA and District Councils to prepare for new food safety import controls that apply at the end of the Transition Period. The FSA is the central competent authority for public health import controls. Readiness work gathered significant pace towards the end of the year and contingency facilities are now ready at each of point of entry. The FSA has provided funding to District Councils to recruit new staff who will be working at these facilities and developed a number of new import training courses set out below.

The Joint Committee reached agreement on implementation of the Protocol in December and officials have been working with Defra and DAERA to put in place the authorised trader scheme that applies for food moving into Northern Ireland from GB for a three-month period. This scheme is to facilitate food supply for the first three months post-transition and will enable further time for industry to prepare their processes and supply chains for the new controls. DAERA and the FSA [published a compliance protocol](#) in December to provide clarity to stakeholders on how controls will apply from 1 January, setting out a pathway to compliance for those goods within the authorised trader scheme and for goods that are prohibited or restricted.

## **Laboratory Capacity**

### **National Reference Laboratory (NRLs)**

The NRL procurement process for food and feed has been launched. The specifications are grouped into 5 areas i.e. micro, chemical, shellfish, parasitic and GMO. The tender will be open for 5 weeks with a deadline of 29 January 2021. The evaluations will be commencing as soon as possible thereafter. We anticipate the contracts will be awarded by the end of March 2021.

### **Official Control Laboratories (OCLs)**

We have worked with the current Official Control Laboratories providers to designate OCLs within Northern Ireland and EU Member states for the 1 January 2021. The OCLs for food and feed include Northern Ireland based laboratories, which will continue to be designated. Letters of designation of the OCLs were issued in December. The designated OCLs will cover a broad range of testing areas including microbiological examination and chemical analyses.

The current Northern Ireland contracted food and feed chemical lab provider (PASS/Eurofins) has been working to ensure capacity within their EU based laboratories for the submission and testing of Northern Ireland OC samples from 1 January 2021. There will be a number of specific testing areas where we will not have designated OCLs for 1 January. These samples will be tested at laboratories based in the EU that meet the required laboratory standards outlined in Regulation (EU) 2017/625 (OCR) but are not formally designated under OCR. This is because OCR 2017/625 prevents the FSA from designating OCLs unless they are also designated within the EU Member state, they are located in.

There are no plans to use laboratories within GB for food and feed official control testing for Northern Ireland official control food or feed samples and going forward we will work with commercial providers to identify and designate OCLs for the remaining testing requirements.

## **Health and ID Mark Guidance**

The Operational Policy and Delivery Team have been working closely with Defra, Cabinet Office and other government departments to ensure that changes to health and identification marks at the end of the Transition Period will be implemented. The FSA has played a central role in developing options that mitigate the impact of the sudden change on UK food businesses. This has involved close working with legal and policy colleagues to develop, agree and communicate new policy to key stakeholders. Existing guidance has been updated and published which includes new policy positions on the form of the new health and identification marks as well as the specific requirements of the GB, Northern Ireland and EU27 markets in compliance with the Protocol. A number of stakeholder events have been held for the Northern Ireland food industry to communicate the key changes and the mitigations available. A question and answer section has been added to current guidance for publication in the near future.

## **RASFF access from 1 January**

After a series of meetings between officials, a special arrangement has been agreed between FSA in NI and DG Sante to maintain the mutual information of Northern Ireland, the EU Member States and the European Commission on certain issues of relevance to RASFF and AAC, including agri-food fraud, while being disconnected from the iRASFF system. The bespoke arrangement will continue to ensure that consumer interests are protected with regards to food and feed safety in Northern Ireland and in the EU. It was accepted from both parties that this working agreement will be reviewed in 6 months.

## **Competent Authority Training Programme**

A number of courses have made available to prepare authorised officers for EU Exit with a focus on imports/exports. The courses are outlined below:

- FSA's 'An introduction to imported food' – a readily accessible online learning resource
- FSA's 'Imported foods: Sampling' – a readily accessible online learning resource
- Imported Food Training - Legislation and Enforcement (online workshop format)
- Fera 'Sampling for imported foods' training videos and online Q&A sessions
- Official Fish Inspector online training sessions and follow-up practical workshop.
- RASFF training package and follow-up Q&A session

All online training will be recorded and therefore made available for refresher training/training for new staff. A three-day BTSF course on control checks at Border Control Posts is also available via [europa.ie](http://europa.ie)

## **Common Frameworks**

In Northern Ireland, the FSA will be party to three Common Frameworks. The Common Frameworks set out working arrangements among officials and Ministers in all four countries. These Frameworks are:

- Nutrition Labelling, Composition and Standards (NLCS)
- Food and Feed Safety and Hygiene (FFSH)
- Food Compositional Standards and Labelling (FCSL)

The Common Frameworks will provide the four nations with the mechanisms to work together to effectively to manage areas where different policies emerge, ensuring there is minimal undesirable impact on citizens and businesses.

The NLCS Framework received JMC(EN) provisional approval and now is in the phase of Parliamentary scrutiny. FSA officials have taken part in an oral evidence session, and the FSA has provided the Committee with further information on the Framework to assist in this scrutiny.



The FFSH Framework has received JMC(EN) provisional approval and has been shared with the Committee for scrutiny, with an oral evidence session planned for January. The FCSL Framework has received JMC(EN) Provisional Approval, and Parliamentary Scrutiny is due to take place in 2021.

Following Parliamentary Scrutiny, the Frameworks will be reviewed before requesting final approval by JMC(EN).

## **Industry Engagement**

### **Online information events and meetings**

Following changing guidance for labelling, Health and ID marks and new procedures for moving agri-food goods, FSA officials appeared as panellists with DAERA and Defra during industry webinars, organised business workshops, meetings with industry and other government departments.

The FSA alongside Defra also hosted a specific industry webinar on the topic of moving high risk food not of animal origin from GB to Northern Ireland, explaining the changes that will apply from 1 January. Around 40 stakeholders attended the event which included a presentation from Defra on export matters and export health certification and a presentation from FSA officials on new import controls in Northern Ireland. This was followed by a Q&A session. All information has been uploaded to an online site for industry and links have been provided for new and updated pages and information on the FSA website.

### **Northern Ireland Animal Feed Stakeholder Meeting**

Northern Ireland hosted its animal feed stakeholder meeting on 16 December. The focus of the meeting was on EU Exit issues and the Northern Ireland Grain Trade Association (NIGTA) supplied some queries ahead of the meeting. To facilitate addressing industry queries FSA invited officials from HMRC, Veterinary Medicines Directorate (VMD), DAERA and from FSA EU Exit and Northern Ireland Protocol teams. Whilst issues such as tariffs and duties are not within FSA's remit, it was felt that it would be useful to address these concerns and to initiate and facilitate contact with other government departments. From an enforcement perspective it was useful to be aware of issues that will affect feed movement to and from Northern Ireland.

Maria Jennings

**Director for Regulatory Compliance, People and NI**

## **NIFAC DISCUSSION**

### **Food Poverty**

#### **Executive Summary**

The theme of the meeting is food poverty, with a view to understanding more about the topic and associated issues. The Committee will be hearing from four presenters. Fionnuala Close, Dietary Health Lead for FSA in NI will provide an overview of the All Island Food Poverty Network and current food poverty data. This will be followed by a presentation from Meabh Austin and Clare O'Neill from Fare Share, discussing how the organisation has adapted in response to Covid-19. Dr Hannah Lambie-Mumford from the University of Sheffield will highlight how responses to the risk of food insecurity have evolved and been implemented at a local level and discuss recent findings. Following a break, James Elliott from the Department for Communities will discuss the response to food poverty and food insecurity issues in Northern Ireland. Members are invited to ask questions after each presentation. There will then be a panel discussion to allow NIFAC members to ask further questions to help inform the Committee's advice and information to the FSA on this topic.

Members are invited to:

- Consider the content of the presentations and;
- Comment on and consider the impacts of food poverty.

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