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FSA Board Chair  
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18 November 2016

Dear Heather

**ADVICE FROM THE WELSH FOOD ADVISORY COMMITTEE (WFAC) TO  
THE BOARD OF THE FOOD STANDARDS AGENCY ON ISSUES  
ADDRESSED BY THE COMMITTEE: NOVEMBER 2016**

The key role of the Food Advisory Committees is to advise the Board of the Food Standards Agency. At yesterday's meeting, the WFAC considered the following issues that will be discussed by the Board:-

- FSA Science: Retrospective Update and Prospective Priorities
- Food and Feed Surveillance
- Delivering Proportionate Controls for Risky Foods
- Review of the National Food Crime Unit
- Enhancing the Contribution of the Food Advisory Committees to FSA Insight and Decision Making

On behalf of the Committee, I am grateful to Nina Purcell for joining us in person and to Steve Wearne, Patrick Miller and Kate Todd for joining by video



conference to present their papers and for answering questions from members and stakeholders.

### FSA Science: Retrospective Update and Prospective Priorities

WFAC members discussed the paper which outlined how current work supports the FSA Strategy and also provided a forward look at prospective priorities, including new possibilities opened up by recent scientific developments including the microbiome and big data. In its considerations the WFAC made the following points:-

- that it welcomed the partnership approach being adopted in some of the strategic science priorities and recognised that a collaborative approach provided greater opportunity to share data and resources;
- that it supported the FSA's approach to funding a research fellow at University College London's Big Data Institute;
- that it noted the mechanisms in place for the Chief Scientific Advisers across government departments, including Welsh Government, to share information and discuss cross cutting issues;
- that it would be useful, in any future reports, to breakdown expenditure on externally commissioned science work to include any devolved dimension; and
- that it agreed the trajectory of funding for the three categories of science (core business, investment and strategic), and in this respect, the WFAC highlighted the importance of being able to target some resources at creativity and innovation.

The WFAC concluded its comments in agreeing that it would be beneficial for the Board to have an annual science prioritisation discussion.

### Food and Feed Surveillance

Members considered the paper which set out the current approach in the UK, and in other countries, to food surveillance and the main elements of the FSA's surveillance activities. The WFAC noted the opportunities identified in the paper for a more improved surveillance system and an approach which would support delivery of the Regulating our Future programme, both through establishing new relationships and data flow, and through testing and improving resilience in the food system. The WFAC commented on the requirement for robust quality control and assurance mechanisms being in place, in relation to

data from a range of sources and was assured that accredited methodologies would be a critical component of sourcing, and using, data.

The WFAC concluded its discussions by agreeing the proposals for a new approach to surveillance and recommending that it would be useful for the Board to consider and agree, on an annual basis, priorities for surveillance.

#### Delivering Proportionate Controls for Risky Foods

Members considered the paper which provided a revised framework for developing proportionate controls for risky foods. The WFAC welcomed the main revisions including three clear criteria to identify risky foods for consideration using the framework and a new screening stage to assess whether a food should be assessed as a risky food using the framework. The WFAC made the following observations:-

- that the framework could be more explicit in relation to transmissibility and to cases of secondary infection;
- that the risks in relation to transmissibility could usefully be quantified; and
- the importance of ensuring that that types of foods which might be considered under the framework is kept under periodic review.

The WFAC enquired about the application of the framework, and in particular the triggers for review, in relation to burgers served less than thoroughly cooked. The WFAC was informed that the Board had considered the triggers when it received a position paper in July 2016 which updated on all aspects of the work completed and underway to implement the position adopted by the Board in September 2015 that the service of burgers that are not thoroughly cooked is unacceptable unless a range of controls is in place. It was confirmed that the serving of burgers less than thoroughly cooked fell into the amber group.

Stakeholders present at the meeting shared the practical difficulties they were experiencing when enforcement officers visited premises which serve burgers served less than thoroughly cooked. The complexity of taking appropriate enforcement action was highlighted and it was noted that some local authorities in Wales have had concerns around the sufficiency and promptness of the information provided in the supply chain for one particular burger retailer to demonstrate that the food safety management system including challenge testing to support the cooking procedures has been appropriately validated and is in line with the FSA position published in May 2016. It was noted that there have been instances where local authorities in Wales have sought scientific

advice to provide an opinion on the challenge testing. It was further noted that enforcement action, the serving of Remedial Action Notices, has been taken on a number of independent establishments in Cardiff and a further national chain where burgers were being served less than thoroughly cooked without a validated food safety management system being in place.

The Director of the FSA in Wales updated the WFAC on discussions she has had with a burger chain, and of action underway in FSA approved slaughterhouses and cutting plants which are known to be involved in the supply of minced meat/burger patties to establishments serving burgers that are less than thoroughly cooked. The Director confirmed the commitment of the FSA to continue to work with local authorities in Wales in support of any concerns they have in relation to enforcement action.

#### Review of the National Food Crime Unit (NFCU)

Members considered the paper which presented findings and recommendations of the review of the NFCU as initiated after the Board's discussions in May 2016.

In its considerations, members noted the extensive scope of the review and the degree of consultation that has taken place to date. The WFAC noted that while the NFCU has built up much expertise and capacity in intelligence gathering, that much of the work of the NFCU is wasted in that there is no investigative capability to match the intelligence function. The WFAC noted that a separate review of the Welsh Food Fraud Co-ordination Unit (WFFCU) had been placed on hold pending the completion of review of the NFCU. The Committee discussed the patchwork of bodies across the UK with a stake in the investigation of food crime. WFAC enquired about the extent to which the operations of the WFFCU had been accounted for in the review. Members were informed that the approach taken in Wales had formed an important part of the review and that the operations of the WFFCU were highly respected. Further, it was noted that there was an appetite to preserve much of the approach taken in Wales in any national future model.

In conclusion, the WFAC welcomed the review of the NFCU. It agreed the recommendations that the NFCU should have an investigative capability and that it should be set up as an arm's length body of the FSA. In putting forward a detailed business case to effect this transaction, the WFAC provided a strong recommendation that there was much to learn from the approach currently taken in Wales by the WFFCU and that this should inform any new national model. This was a view also shared by stakeholders present at the meeting

#### Enhancing the Contribution of the Food Advisory Committees to FSA Insight and Decision Making

Members considered the paper which set out proposals to derive further value from the Food Advisory Committees in Wales and Northern Ireland by using them as a source of insight and advice the Board. The WFAC commented that it was fully supportive of the approach being suggested in the paper to widen its contribution and that it welcomed the opportunity to explore specific areas of interest at the request of the Board and to proactively explore country specific issues that exist in relation to the FSA's strategic priorities. Against this background, the WFAC considered a separate paper which set out early thinking on how WFAC's role might be enhanced. It was agreed that the WFAC would find it useful to have a dedicated session, in January 2017, to explore its contribution to Board deliberations more fully.

### Other Matters

As is usual, I provided a written report to the WFAC committee which gave a summary of discussions at the last Board meeting. I also provided an update on the visits I have undertaken as part of my FSA induction and key meetings I have attended since the last meeting. In a further oral update, I informed of the outcome of a meeting that myself and the Director of the FSA in Wales had, on, 24 October, with the Chair of Directors of Public Protection in Wales (DPPWs) and the Welsh local authority representative on the Regulating Our Future Expert Advisory Group. This was a positive meeting, and provided assurances that no decision on a future regulatory model had been made and that the FSA is wholly committed to developing policy in a collaborative and open way. Both Nina Purcell and I emphasised that local authorities will be key contributors, along with other groups of stakeholders, to the design of any new UK system, which needs to be flexible enough to operate in a devolved context as well as when the UK leaves the EU. In Wales, the DPPWs have been offered a specific role on the programme, contributing to the FSA work stream on Assurance. Further, DPPWs are also represented on the Professionals Expert Advisory Group which has been set up to inform our thinking and Wales' National Coordinator for Environmental Health is assisting us in shaping the workstream on registration.

I informed the WFAC that the Chair of DPPWs has recently written to Rebecca Evans AM, Minister for Social Services and Public Health, with concerns regarding the FSA's proposals for the future oversight of food in Wales and with a call for a devolved independent food body for Wales. I informed the Committee that this correspondence was with the Minister for her consideration, in consultation with her officials, and that it would not be appropriate for me to comment on the letter.

The WFAC was pleased to receive the regular report from the Director in Wales which informed the Committee of the success of the new model for the delivery

of Feed Official Controls. This report also highlighted the success of the FSA in Wales' school engagement programme, the 'Ghastly Gravy on the Starship Gastromo' workshop, which was recently awarded the Gold Award for Innovation at the prestigious EVCOM Clarion Awards.

The Committee's discussions on the above issues were in open session and, in line with the views of the WFAC regarding the openness and transparency of its advice to the Board; it is my intention that this advice will be published.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alan Gifford', followed by a period.

pp Dr Ruth Hussey CB, OBE  
Chair of WFAC  
(Authorised by and signed in her absence)