

---

## REPORT FROM THE FSA DIRECTOR OF WALES

Steve Wearne, Director, Wales

### 1. SUMMARY

- 1.1 This paper supplements the presentation that the FSA's Director Wales will give on the key activities of the FSA in Wales since his previous report to the Board in September 2011.

### 2. INTRODUCTION

- 2.1 This paper updates the Board with progress in Wales since the last report to the Board in September 2011.

### 3. STRATEGIC AIMS

- 3.1 Progress and activity is reported against the strategic outcomes for the Strategy to 2015.

### 4. REMIT OF THE FSA IN WALES

#### Machinery of Government

- 4.1 Machinery of Government changes in England and Wales in July 2010 have led to differences in the remit of the Food Standards Agency in the various countries of the UK. There are two main areas of difference. In Wales, as in England, responsibility for all nutrition and healthy eating issues has transferred to Health Departments. In Wales, as in Scotland and Northern Ireland, responsibility for general food labelling and composition issues remains with the Food Standards Agency.

#### Legislative changes

- 4.2 A further change to the duties of the FSA in Wales followed the recommendation of the FSA Board In March 2012 to lift the last of the 'Mark and Release' monitoring controls on sheep introduced in 1986 as a result of the Chernobyl nuclear accident. The decision was taken following a peer-reviewed risk assessment, which demonstrated that radiocaesium levels in sheep were a very low food chain risk, even to high-level consumers, and concluded that the current controls were no longer proportionate to that very low risk. Welsh Ministers accepted this recommendation and, on 29 November 2012, all remaining Chernobyl sheep control legislation in Wales was removed and the last of the activities of the FSA in Wales relating to sheep monitoring to support these controls also ceased.
- 4.3 FSA is producing national legislation in Wales relating to the enforcement of the EC Food Information Regulations (FIR). The Wales executive team works closely with our teams in the other devolved countries and with Defra through the implementation project group chaired by Defra. We ensure that relevant Welsh Government legal, technical and policy colleagues are informed of plans and have the opportunity to feed in views. The implementation group

was set up to manage the move to the new requirements across the UK by agreeing negotiation lines for Europe and by preparing and commenting on documents for consultation, including the impact assessment and guidance.

#### Resources

- 4.4 The FSA executive office in Wales, at 22 February 2013, had a complement of 32 posts. The budget for these posts, and associated programme activity, is delegated to the Director Wales by the Chief Executive and the total budget mirrors the vote of funding agreed annually by the National Assembly for Wales. Accounts for this expenditure are produced annually and are laid before the National Assembly.

<b>Posts</b>	<b>Grade</b>
1	SCS2
1	G6
2	G7
8	SEO
8	HEO
10	EO
2	AO

- 4.5 The delegated budget for the Cardiff office is pegged at £3.242m for the duration of the current spending round. We have recognised substantial savings since the last report to the Board, including reducing our office space requirements in Southgate House, Cardiff by half. As a result of these savings, we have been able to offer £300,000 to £500,000 from the delegated budget back to Welsh Government during the course of each of the three financial years to 2012/13.

## 5. **PROGRESS AGAINST THE FSA STRATEGIC OUTCOMES**

### **Outcome 1 – Food produced or sold in the UK is safe to eat**

- 5.1 The FSA executive team in Wales continues to lead on the investigation and resolution of small and medium-scale incidents originating in Wales. These have included:
- High levels of histamine were found in cheese produced at a dairy in Denbighshire, following which we are reviewing future handling of similar incidents with a view to providing clear guidance for industry and local authorities
  - Several days yield of milk contaminated with lead from a farm in Pembrokeshire entered into the food chain and came to light following the death from lead poisoning of two cows on the implicated farm. Retained milk samples were tested by the dairy and found to be high in lead, by this time the milk had been blended with yields from many other farms and distributed across the UK. The affected milk was manufactured into cheese, butter & powdered milk at several UK locations – approx 181 tonnes of cheese had been manufactured in

---

Wales alone, with a retail value of approximately £500,000. All affected products were traced and tested, and released for sale if levels were within legal limits. All remaining products were destroyed.

- Withdrawal of Chicken Biryani due to the presence of allergens and the recall of value cheese from ASDA, Co-operative and WM Morrisons plc which potentially contained small pieces of metal, as in each case the food businesses manufacturing the implicated product were based in Wales.
- 5.2 Support was provided to Cardiff City Council as an Olympic host authority and heightened arrangements were in place to enable the FSA to respond to out of hours incidents in Wales during the period of the Olympic and Paralympic games.
- 5.3 We are working with Welsh Government on a standard procedure for the preparation of a Food and Environment Protection Act 1985 (FEPA) Order during an emergency. The procedure will build upon the internal desk instructions used by the FSA and cover all stages from the original risk management decision through the coming into force of an Order, to its review and revocation. The procedure will be supported by an annual exercise programme.
- 5.4 We are working with Public Health Wales and Swansea University to develop a research proposal for coupling enhanced epidemiological surveillance with *Campylobacter* sequencing technology. The research will use data on sporadic *Campylobacter* cases already held in Wales and incorporate the geographical spread of sporadic cases and determinants of inequality such as the Welsh Index of Multiple Deprivation. The aim is to identify whether individual molecular subtypes of *Campylobacter* are more prevalent in certain populations or locations. The next stage is to develop a business case and full proposal for submission to FSA Evidence Prioritisation Board.
- 5.5 We continue to develop and deliver schools-based interventions across Wales to support development of food safety awareness and behaviours. This programme has received a positive assessment in a review co-ordinated by FSA Communications Division and will be re-configured for future years to ensure geographical alignment with Welsh Government target areas. This has included:
- interactive food safety workshops delivered to 7,600 children in 75 primary and junior schools across Wales;
  - level 2 food hygiene training to school children aged between 13 and 18, which has seen 1,446 pupils successfully obtaining a City & Guilds accreditation (a pass rate of 95%) with a further 397 pupils currently working towards the qualification; and
  - a programme to deliver food safety advice in schools through engagement with local authority and community run “Crucial Crew” events, which reaches over 20,000 children each year.

---

**Outcome 4 – Consumers have the information and understanding they need to make informed choices about where and what they eat**

- 5.6 Implementation of the Food Hygiene Rating Scheme (FHRS) and support to the Welsh Government associated with the Food Hygiene Rating (Wales) Act 2013 has continued to be a focus for activity in Wales. There are now more than 20,000 Welsh food businesses with ratings on the FSA's website. Of these, over 17,000 have been awarded a rating of 3 or above. The Food Hygiene Rating (Wales) Act has now received Royal Assent and will require, from November 2013, the display of food hygiene rating stickers by all food businesses in Wales providing food to consumers.
- 5.7 Dialogue with hospitality stakeholders continues with the aim of driving greater visibility and use by consumers of food hygiene ratings. National Museums of Wales are including references to FHRS on the food and drink webpages of each of its seven museum sites. Discussions also continue with the newly launched Food North Wales tourism website, and with True Taste Wales, Visit Wales and Wetherspoons.

**Outcome 5 – Business compliance is effectively supported because it delivers consumer protection. This will include a focus on effective, risk-based and proportionate regulation and enforcement**

- 5.8 Work continues to familiarise food businesses in Wales with the requirements of the EU Food Information Regulations, which are soon to come into force. We held three events in November 2012, two held jointly with Cardiff Metropolitan University's Food Industry Centre, which attracted around 150 stakeholders, the majority of whom were small to medium size enterprises.
- 5.9 We are discussing with the Better Regulation Delivery Office (BRDO) the production of a performance indicator dashboard for Welsh local authorities, in conjunction with the Welsh Regulators Forum. We are keen to support the inclusion of the Local Authority Enforcement Monitoring System (LAEMS) data on the dashboard as it will support our own initiatives on publishing enforcement data and developing outcome measure reporting.
- 5.10 We are supporting Torfaen County Borough Council in respect of the Supreme Court appeal lodged by the authority in connection with the challenge of a point of durability date marking law. The case is of UK-wide significance as it could impact on future interpretation by industry.
- 5.11 A collaboration between Welsh Heads of Trading Standards, Welsh Heads of Environmental Health and FSA has proposed food safety meetings at three locations in Wales for local authority elected members and senior officers and for regular briefings to be prepared for that audience. The prime purpose of the meetings and briefing is to help local authority officers to raise the profile of food and feed law enforcement in their authorities.

---

## CONTEXTUAL INFORMATION

### 1. Demography<sup>1</sup>

- Population: 3.06 million
- Capital: Cardiff (population 346,090)
- Percentage under age 16: 21% (UK = 19%)

### 2. Key Socio-economic Indicators for Wales

- The average salary in Wales is £19,216 a year
- There were an estimated 333,000 people employed in the public sector in Wales in 2011 quarter 3, a decrease of 9,000 (2.8 per cent) on the year
- 134,000 people are unemployed (Nov 2011-Jan 2012) This equates to 8.2% which is higher than the UK average of 7.8%
- A third of the population of Wales (34.1 per cent) said that they had no Welsh identity.
- The number of sheep and lambs rose by 5% to 8.6 million in June 2011. This was caused by a 10% increase in the number of lambs; the number of breeding ewes remained at the same level as in June 2010.
- In 2011 there was 1,715 hectares of agricultural land

### 3. Political Context

3.1 The role of the National Assembly for Wales is to hold the Welsh Government to account and scrutinise legislation. This can involve scrutinising the way in which Welsh Ministers discharge their functions; scrutinising and approving the budget; scrutinising subordinate legislation and making and scrutinising Welsh laws (known as Acts of the Assembly).

3.2 The Welsh Government is responsible for: making decisions on matters which affect people's daily lives; developing and implementing policy; making subordinate legislation (e.g. regulations and statutory guidance) and proposing new legislation. Overall it is responsible for the day to day running of Wales in all of the devolved policy areas, these include the Health Service, education, housing, social services, agriculture, and transport, in addition to food policy. The work of the Welsh Government is led by the Ministers and delivered by civil servants.

3.3 In 1999, the food safety and standards powers were devolved to the National Assembly for Wales. The FSA is accountable to the National Assembly through the Health Minister in Wales, paralleling our accountability in the other administrations of the UK. Working in the context of devolution has its

---

<sup>1</sup> Demographic and key socio-economic indicators taken from the following sources:

- Wales.gov.uk
- Office for National Statistics
- Welsh Health Survey
- [www.assemblywales.org](http://www.assemblywales.org)
- Wales 2011 Census

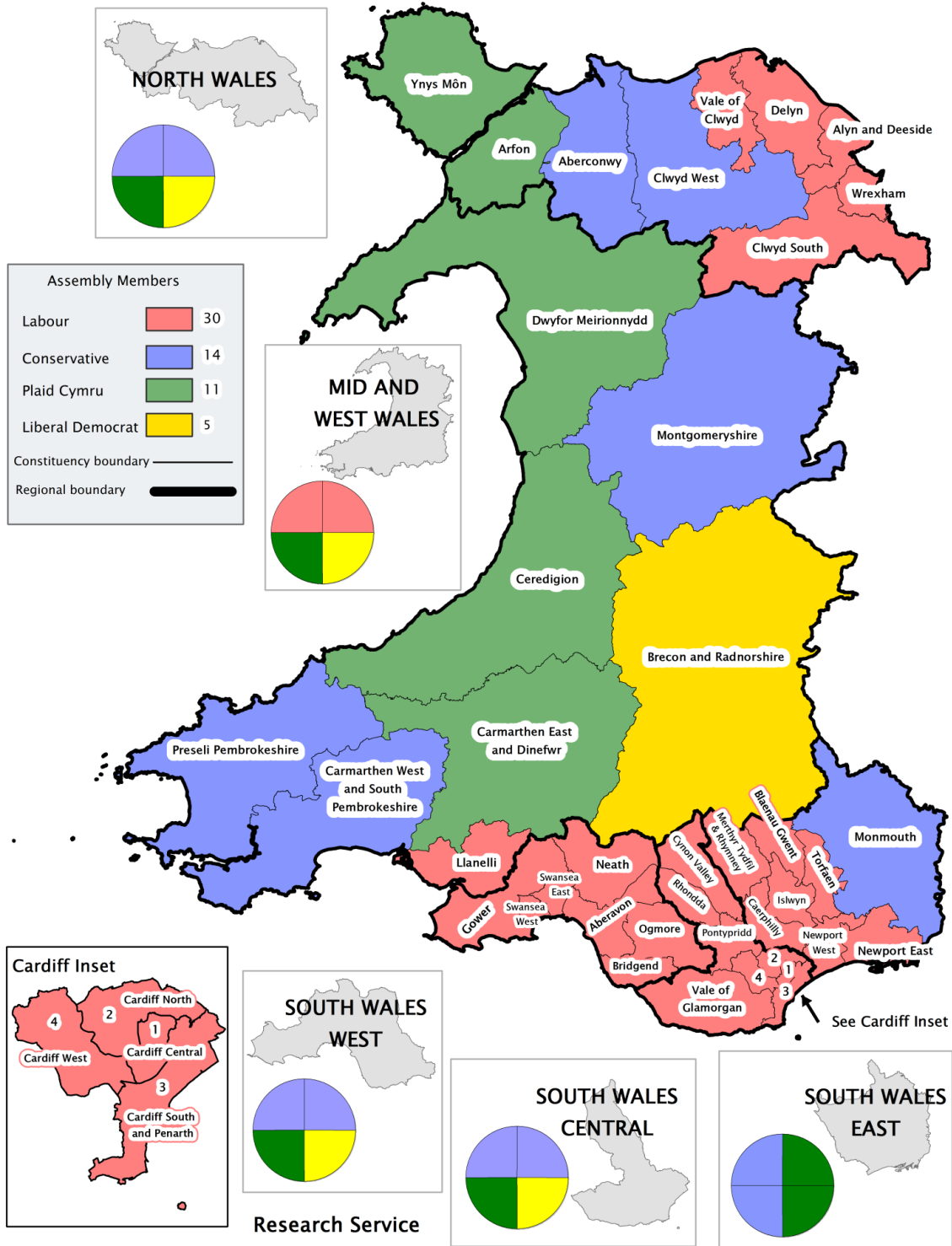
---

advantages, as it means we can take into account specific Welsh needs and issues, whilst still pursuing a consistent, UK-wide approach to food safety.

**4. National Assembly for Wales Elections 2011**

- 4.1 The fourth Assembly election was held on 5 May 2011. Elections to the National Assembly for Wales use an Additional Member System. The Assembly has 60 elected members and each voter has two votes. The first vote is used to elect a local or constituency Assembly Member using the First Past the Post system. Forty Assembly Members are elected on this basis, one from each constituency.
- 4.2 The second vote is used to elect twenty additional members, on a regional basis, to try to ensure that the overall number of seats for each political party reflects their share of the vote. The d'Hondt formula is used for deciding which parties win regional list seats.
- 4.3 The Labour Party won 30 of the 60 seats, and formed the Welsh Government. The Conservative Party won 14 seats, and is the official opposition. Plaid Cymru won 11 seats, and the Liberal Democrats five. The results in each of the constituency and regional votes is shown on the attached map.

## Assembly Members: Fourth Assembly



© Crown copyright and database right 2011.  
All rights reserved. Ordnance Survey Licence number 100047295.

May 2011 / Assembly Members 4th Assembly A4 HP Laser v2.mxd