

**MINUTES OF THE MEETING OF THE FOOD STANDARDS SCOTLAND BOARD  
HELD ON 21<sup>st</sup> OCTOBER 2020 FROM 10:30 AM TO 14:50 PM VIA VIDEO  
CONFERENCE**

**Present:**

**FSS Board**

Ross Finnie, Chair  
Marieke Dwarshuis  
Heather Kelman  
Carrie Ruxton  
Sue Walker  
Anne Maree Wallace  
Louise Welsh, Deputy Chair

**FSS Executive**

Geoff Ogle, Chief Executive  
Ian McWatt, Deputy Chief Executive  
Garry Mournian, Interim Director of Policy,  
Science, Finance and Human Resources  
Diane Strachan, Head of Private Office  
Hazel Stead, Board Secretary

**1 Introduction, apologies, matters arising**

1.1 The Chair, Ross Finnie welcomed everyone to the Food Standards Scotland (FSS) Board meeting. He welcomed the external stakeholders to the meeting, Holly Gabriel, Mizan Rahman, Calum Macgregor and John Bell.

1.2 The Chair paid tribute to George Brechin, FSS Board Member, who sadly died after a short illness on the 17<sup>th</sup> October 2020. He had passed condolences to George's family. The Board will miss his sense of humour, wit and insightful challenge of the Executive at Board meetings. The Board paused for a moment of private reflection as a mark of respect for George.

1.3 There were no apologies.

**2 Declaration of Conflict of Interest**

2.1 The Chair asked for any conflicts of interest to be declared. Carrie Ruxton, Board Member drew attention to her declarations on the register of interests in relation to diet and nutrition. No conflicts of interest were declared by other board members.

**3 Minutes of Meeting – 19<sup>th</sup> August 2020 and Rolling Action Log**

3.1 There were no amendments to the minutes and were accepted as an accurate record. On the action log, action number, 2019/01, is now complete as it is included as part of the board paper on UK Risk Analysis Process Update to be tabled at today's board meeting.

3.2 There were no matters arising.

**4 Chair's Report**

4.1 The Chair noted the meeting with Public Health Scotland (PHS) he and Geoff Ogle, Chief Executive (CE) had attended and that FSS and PHS will need to work together, with further discussions to arranged in the short-term to maintain high-level engagement between both organisations.

## **5 Chief Executive's Report – 20/08/04**

5.1 The Chair invited Geoff to provide an oral update to supplement his written report. In his introduction, Geoff added his tribute to George Brechin and said that he would be missed by the Executive. He explained that COVID-19 pandemic continues to add pressure on FSS and the board paper being tabled at the meeting today would provide the detail. He noted that the possibility of the UK reaching a deal with the European Union was slim, which places significant additional pressure on FSS. He explained that to ensure organisational resilience over the coming months and into early 2021, the Executive are looking at forming three teams on a roll-on roll-off rota basis.

5.2 He explained that Julie Hesketh-Laird, Director of Strategy, Communications and Programmes will join FSS on 3<sup>rd</sup> November 2020 and she will start an induction process in the coming weeks.

5.3 In discussion, Board members sought and received clarification on a number of areas including: the volumes of Export Health Certificates (EHC) being issued at present; received an update on how the recruitment process was progressing and the training of new staff. The Board noted the surprising low-levels of uptake on the handwashing results in the latest wave of the consumer tracking survey, which the Executive explained may be due to communications and media being dominated by Scottish Government messaging on the COVID-19 pandemic.

## **6 FSS Response to COVID-19 – Update - 20/10/05**

6.1 The Chair invited Caroline Thomson, Head of Corporate Services Functions and Records Management to introduce the paper. Caroline explained that recovery planning was coming to an end. She explained that work completed by FSS and Scottish Food Enforcement Liaison Committee (SFELC) on the best way forward during the COVID-19 pandemic is to be presented to Local Authority colleagues by the end of October 2020.

6.2 In discussion, the Executive agreed to share the FSS COVID-19 consumer tracking survey with the Board; explained that easements on the Food Law Code of Practice are in place and expected to continue until the end of the financial year; noted that Local Authorities' had completed a significantly reduced number of visits during the pandemic; and the Executive are aware of the pressures Local Authorities are experiencing during the pandemic. The Executive agreed to share the figures on the numbers of visits from the Scottish National Database with the Board and explained that a workstream is to be considered as part of the Regulatory Strategy programme, with consideration being given to sustainable future delivery and testing what the delivery model is capable of. This will then provide assurance that future food controls can be delivered, and the potential delivery model options being shared with the Board in the coming months.

6.3 The Board noted that staff resilience may become a challenge in the coming months and were pleased that wellbeing and resilience was a key focus of the Executive and a good level of support to staff was being offered. The Executive explained that the proposed re-occupancy level of staff in Pilgrim House is 20%, with staff being consulted on how office desks will be prioritised.

#### 6.4 The Board:

- **Noted** the update on FSS's response to COVID-19 pandemic

### 7 UK Risk Analysis Process Update – 20/10/06

7.1 The Chair invited Garry Mournian, Director Policy, Science, Finance and Human Resources to introduce the paper. The Chair explained that the Advisory Forum on Food and Feed for risk analysis which had previously been agreed by the Board, had been abandoned. He welcomed the proposal for a sub-committee of the Board to be established for risk analysis and sought views from the Board. Garry explained that the purpose of the paper was to provide assurance on the UK Risk Analysis process and that a Policy and Risk Analysis forum will co-ordinate and facilitate our input.

7.2 In discussion, the Board sought and received clarification that risk analysis would be conducted by senior staff at FSS and Food Standards Agency (FSA); noted that Scotland's interests will be protected in regards to prioritisation and that any decisions taken on risk analysis would be transparent, with the timing of publication and the method of dispute resolution to be considered.. Geoff explained that the working relationship between himself and senior executive colleagues FSA was good and they were in regular contact.

7.3 The Board received assurance from the Executive that FSS and FSA were working collaboratively together on the working level arrangements and that the pandemic has reinforced the fact that devolved administrations are working in collaboration. Geoff explained that costs of the UK risk analysis process had not yet been discussed between FSA and FSS and would be considered at a later date.

7.4 Board members agreed with the approach for the FSS Policy and Risk Management Group to be established in context of EU transition/COVID-19/future UK trade deals to consider the risk analysis process going forward. Garry was content to provide the Board with a quarterly update on risk analysis, and explained that specific board papers would be tabled for agreement as required.

#### 7.5 The Board:

- **Agreed** the proposed approach to the risk analysis process and that we continue to work with FSA on a four-country method of implementation;
- **Agreed** the proposals on the approach to prioritise and triage issues in the UK risk analysis process;
- **Agreed** the approach to how FSS publishes its risk assessment advice (and the analysis and evidence on which that advice is based, as well as other legitimate factors) alongside any risk management decisions made;
- **Noted** the standing down of the Advisory Forum on Food and Feed and the intention to undertake some of its proposed functions through senior level risk management forums throughout the risk analysis process;
- **Noted** the proposed arrangements that will be in place including the establishment of the FSS Policy and Risk Management Group and how that will coordinate FSS input into the risk analysis process; and

- **Noted** the proposed approach for the GB-wide management of the administrative functions associated with the application process for Regulated Products and that a submission has been sent to the Minister for his agreement.

## 8 Audit and Risk Committee Update

8.1 The Chair invited Sue Walker, Audit and Risk Committee (ARC) Chair to provide an oral update. Sue explained that an ARC meeting had not taken place since the Board meeting on 19<sup>th</sup> August 2020. She explained that Jim Rundell, Lead Senior Auditor from Audit Scotland was unwell and that Liz Maconachie had been appointed to complete the audit of the FSS Annual Report and Accounts 2019/20. Sue noted that Liz will join the ARC at its meeting on 28<sup>th</sup> October 2020. It is envisioned that Liz will be able to issue the draft audit opinion on the Annual Report and Accounts 2019/20 at this meeting.

8.2 The Board :

- **Noted** the information provided

## 9 Diet and Nutrition Update and Strategy Proposals for 2021-26 – 20/10/07

9.1 The Chair invited Gillian Purdon, Head of Nutrition, Science and Policy to introduce the paper.

9.2 Discussion centred on a number of points including how FSS can demonstrate success in diet and nutrition; how FSS can encourage behavioural change by consumers; that more data on diet will be captured via the INTAKE24 dietary guidance tool; noted that shorter, briefing papers on diet and nutrition could be useful to highlight our advice and rationale behind it to Scottish Government; noted the impact of the pandemic had on the diet and nutrition landscape and that relying messaging alone is not the best way to implement change in diet and nutrition.

9.2 The Chair noted that the Board were supportive of what has already been achieved by FSS in diet and nutrition and the direction of travel. He also noted that the new FSS strategy would provide an opportunity for how we can measure our success and for us to ensure that we are bold in our approach in this area over the next strategy period.

9.3 The Board:

- **Noted** the outline forward plans for the next five years

## 10 Alcohol Focus Scotland – 20/10/08

10.1 The Chair invited Alison Douglas, Chief Executive of Alcohol Focus Scotland to introduce her paper on Alcohol harm in Scotland and provide a presentation on alcohol and consumer rights. Alison's paper included two specific ways in which FSS might strengthen its contribution to protecting the rights of consumers in relation to alcohol:

- work with SG to ensure effective and well-aligned policies on alcohol, diet and obesity, which seek to reduce consumption of alcohol and foods high in fat, salt or sugar to improve health;

- protect and promote the interests of consumers by working with SG to develop a comprehensive approach to alcohol labelling, to include ingredients; nutrition information; units of alcohol; low-risk drinking guidelines and health warnings and also be required in the out of home sector.

10.2 Discussions centered upon a number of areas including that INTAKE 24 will include alcohol consumption and the difference it makes to calorie intake; that nutrition labelling was dealt with by the EU, and will now return to the UK when we leave the EU which provides an opportunity to refresh labelling regulations. The board noted that alcohol labelling in a consumer rights issue and that a media campaign on alcohol and calorie intake may be useful. The CE noted that as part of the work on corporate goals, alcohol could be included with that and we could consider calorie labelling in the out of home sector

10.3 Alison explained that as government don't intervene, consumers don't believe that alcohol is bad for them. She noted that minimum unit pricing in Scotland has made consumers less likely to purchase alcohol and has had a positive effect. The Chair noted that there is an opportunity for FSS to broaden its role and consider alcohol labelling and for FSS Diet and Nutrition and Policy colleagues to take this work forward with SG Food and Drink team.

10.4 Holly Gabriel from Action on Sugar, welcomed Alison's comments on considering the sugar content of alcoholic drinks, which are marketed at young people.

10.5 The Board:

- **Noted** the information provided

## 11 Question and Answers

11.1 The Chair invited questions from the audience. One question was raised by Mizan Rahman, who asked:

- for an explanation of the regulatory requirements for providing allergen labelling on alcoholic drinks in the hospitality sector.

11.2 Stephen Hendry, Head of Labelling Standards explained that allergen labelling must be provided on bottled alcoholic drinks and for draught drinks such as beer, and it can be provided verbally to the consumer. He explained that unlike food, alcoholic drinks do not need to include an ingredients list, however if it contains one of the 14 allergens e.g. barley, this needs to be included on the label. He also explained that energy information on alcoholic drinks can be provided on a voluntary basis.

## 12 Any Other Business

12.1 No other business was discussed. The meeting closed at 14:50 p.m.