

Scottish Food Enforcement Liaison Committee minute

Friday 08 February 2019: 10:00 for 10:30

Venue: : Scottish Government, St Andrew's House, Regent Rd, Edinburgh, EH1
3DG Tel: 0330 244 4000 or 07881 281 206

Attendees

William Hamilton (Chair)	Scottish Food Enforcement Liaison Committee (SFELC)
Lindsay Matthew (L. Matthew)	SFELC Vice Chair & Convention of Scottish Local Authorities
Tanja Low (Secretariat)	Scottish Food Enforcement Liaison Committee
Jane Couper (J. Couper)	Food Standards Subcommittee Chair
Bruce McCall (B. McCall)	Scottish Federation of Meat Traders Association (SFMTA)
Catherine Boyd (C. Boyd)	Society of Chief Officers of Environmental Health in Scotland (SOCOEHS)
Laura Gunning (L. Gunning)	Lothian and Borders Food Liaison Group Chair
Rachel Mirfatahhi (R. Mirfatahhi)	Institute of Food Science and Technology (IFST)
Martin Keeley (M. Keeley)	Royal Environment Health Institute of Scotland, Scottish Food Crime WG Chair and West of Scotland Food Liaison Group Chair
Lorna Murray (L. Murray)	Food Standards Scotland
Andrew Morrison (A. Morrison)	Food Safety Subcommittee Chair
Helen Henderson (H. Henderson)	East of Scotland Food Liaison Group
Luke Henderson (L. Henderson)	Interventions WG Chair
Christopher Seyfried (C. Seyfried)	Interventions WG
Amber Souter (A. Souter)	Food Standards Scotland
Grainne Gilson Smith (G. Gilson Smith)	Food Standards Scotland
Craig Robertson (C. Robertson)	Scottish Government

1. Chairman's welcome and apologies for absence

The *Chair* opened the meeting by welcoming the Committee, guests and speakers to the February 2019 Scottish Food Enforcement Liaison Committee (SFELC) meeting in Edinburgh. He then ran through the house keeping arrangements.

The *Chair* welcomed guest *A. Souter*, speakers *G. Gilson Smith* (agenda item 4.1), *C. Robertson* (agenda item 4.2), *C. Seyfried* (agenda item 4.3) and *L. Henderson* (agenda item 4.4). He welcomed the new Lothian and Borders Food Liaison Group Chair *L. Gunning* and the replacement for Douglas Scott; *B. McCall*. Everyone then went around the table and gave brief introductions to themselves.

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Apologies were recorded by the *Secretariat* for; Jane White; Association of Public Analysts, Paul Bradley, Honorary Secretary; Ian McWatt; Food Standards Scotland, Andrea Carson; North of Scotland Food Liaison Group, John Armour; National Farmers Union Scotland, William MacLeod; British Hospitality Association, Chris McGuigan; NHS Fife, Cat Hay; Food and Drink Federation Scotland and Joe Harkin; West of Scotland Food Liaison Group Chair (Now M. Keeley).

Matter of Record 01.2019

The *Chair* gave thanks to Joe Harkin (former West of Scotland Food Liaison Group Chair) and Izzy Childs (former Lothian and Borders Food Liaison Group Chair) and praised them for all their hard work

The *Chair* advised that the meeting would be recorded only to aid the writing of an accurate minute.

2. Minutes and matters arising

The *Chair* advised that the draft minutes of the meeting held in Glasgow on 07 December 2018 had been made available on Knowledge Hub (KHub) ([link](#)) and that the approved minutes will be available from the SFELC website ([link](#)). The Committee went through the minutes page by page, first for corrections and accuracy (A) and then matters arising (MA).

B. McCall requested an update from Horizon Scanning on consumers using their own containers when purchasing goods from retail premises (page 5 of minutes from 07 December 2018). *L. Murray* advised that there was now guidance available on the Food Standards Website ([link](#))

3. Actions outstanding

Action 24.2018 - *L. Murray* and *R. Mirfatahhi*

L. Murray to liaise with Ron McNaughton and Duncan Smith from FSS Food Crime team to liaise with *R. Mirfatahhi* to discuss the false labelling of Scottish Tea issue and to obtain the data gathered by the University of Aberdeen on this matter **ONGOING**

Action 23.2018 - *L. Murray*

L. Murray to create a questionnaire about food labelling (what is the standard format / labelling practice in food establishments) which is to be sent to all the Local Authorities via the Food Liaison Groups **ONGOING**

Action 21.2018 - ALL

ALL to feedback to A. Edridge and/or K. Kazimierczak on the UKFSS Annual Report 2017 – 18 as per the brief **COMPLETE**

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Action 20.2018 – The Chair

The *Chair* to liaise with *J. Couper*, *A. Morrison* and *K. Kazimierczak* to find ways to strengthen communication links with the Horizon Scanning Group **ONGOING**

Action 17.2018 – ALL

ALL to engage with external members (during sub-committee, Liaison and Working Group meetings) and to encourage more people to attend SFELC meetings and to promote the use of the KHub open group. From now on, at each SFELC meeting, a chair from a SFELC Working Group will be invited to attend a SFELC meeting **ONGOING**

Action 15.2018 – The Chair

The *Chair* to find out who is the Scottish contact for food trading standards and pass the information onto Mark de Brunner - Graeme Corner and Mark de Brunner have been working closely regarding this **COMPLETE**

Action 10.2018 – The Chair and L. Murray

FSS to work with SFELC to organise a SFELC planning event for end of March where all chairs of Working Groups, Subcommittees and Food Liaison Groups are present to discuss how engagement can be enhanced and better organised **ONGOING**

Action 09.2018 - The Chair

Release the Mobile Street Traders guidance document by 31 March 2019 **ONGOING**

Action 08.2018 - The Chair

Submit SFELC response to FSS on the consultation of Annex 5 **COMPLETE**

4. Presentations & Current Items

4.1. Report on the “Official Control Verification in Food Manufacturing” (OCV) manual

The *Chair* began by giving a brief history of the making of the OCV manual and mentioned that there will be training courses available on how to facilitate its use. The *Chair* also mentioned the “Specialist Officer Network” (SON) and how this network would allow Local Authority members with specialist skills to be more easily contacted.

Matter of Record 02.2019

The SFELC Committee ratified “Official Control Verification in Food Manufacturing” (OCV) Manual

The Scottish National Protocol

A. Morrison began by stating that the protocol is a single document which covers how food manufacturing approvals are delivered. *A. Morrison* clarified that:

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- Decision Tree on approvals shows which Local Authority is responsible for an approval
- Where an approved establishment supplies cut meat, it would require Food Standards Scotland approval if that cut meat is going to other food businesses.
- Any trimmings that are taken from meat product establishments prior to producing meat products which are then supplied to other food businesses would not require approval by FSS
- ID Marking has not been covered in the protocol but this will be updated after Brexit.

Matter of Record 03.2019

The SFELC Committee ratified the Scottish National Protocol

OCV Evaluation

G. Gilson Smith stated that an independent evaluation was carried out on both officers and the food businesses who were selected to be part of the OCV Pilot (9 Local Authorities and FSS with 51 food businesses). The evaluation document is still in draft form and work is still on going. So far the results indicate that:

- Food businesses and Local Authorities are positive about the new approach
- Food businesses felt that the Local Authority Officers gained a better understanding of their business
- More time was needed to be spent on the initial visit
- The forms can be changed on an ad-hoc basis
- Documentation from food businesses needs to be requested prior to site visits
 - Sharepoint may be of use to give easier access to documents

ACTION 01.2019

Secretariat to send out email drafted by the *Chair* informing lead food officers of the increased workload associated with the initial visit to businesses using OCV

4.2. Scottish Government Brexit Update by Craig Robertson

C. Robertson began his update by stating that the Scottish Government are focusing their efforts on a “No Deal” Exit and that they have been working closely with DEFRA. The Scottish Government Food and Drink sector are focusing on the Seafood industry as around 75% of seafood exported products currently go to the EU.

The UK will become an autonomous member of the WTO. After the 29th of March 2019 the UK will be considered by the European Commission a Third Country which means we will be required to comply with the existing arrangements that already exist for Third Countries. There will therefore be a requirement for Export Health

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Certificates for all products of animal origin. Currently there are no requirements for Export Health Certificates, however, this is estimated to become approximately 150 thousand per year. A temporary dispensation for Export Health Certificates has been requested if there was a No Deal exit. Furthermore, boarder inspections E.G. at the Calais Tunnel will need to take place. However, this area is currently not an inspection post.

Q&A

The *Chair* asked what *C. Robertson's* prediction for Brexit was. *C. Robertson* indicated that he believed that all of the necessary legislation for a no deal would not be in place by the 29th of March and so it would not be possible without an extension.

L. Murray stated that Food Standards Scotland have been in discussions with the Imports and Exports Working Group Chair, Graeme Corner, about official controls for Export Health Certificates focusing on the Code of Practice. She suggested that pooling of resources may be necessary. *A. Morrison* stated that there are little to no Health and Safety resources that could be spent on anything other than public health in certain Local Authorities although Technical Officers could be used as CSOs, they have no food background. The *Chair* suggested that CSO's could be shared across various Local Authorities and that resources could be pooled and shared.

L. Henderson asked what enforcement abilities EHO's would have immediately post Brexit. *C. Robertson* replied stating that EU Regulations will be moved over to the UK but they will be changed to fit into a UK context where needed.

L. Murray asked if there was going to be any support offered post Brexit given that the impacts of Brexit are so severe. *C. Robertson* was unsure what assistance, if any, would be available and that the assumption should be made that it will be up to the UK government to supply this post Brexit.

4.3. A Standard Inspection Form for Catering Premises Presentation by Christopher Seyfried

C. Seyfried began his presentation by explaining that a new standard inspection form for catering premises was needed in order to support the new Food Law Risk Rating. It will also increase consistency and allow better regulation as currently all Local Authorities have their own inspection forms.

Information on the forms will be the minimum required and that all the layouts can change. It combines both food hygiene and food standard traditional process flow format and facilitates both positive and negative recordings. The food product audit on the form allows an in depth examination of the processes and procedures.

As the form is standardised, the information gathered will allow a better comparison between the Local Authorities. The standardisation also means that it will be easier for trainees to learn as food inspections will be more consistent between Local Authorities.

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The final point that *C. Seyfried* made was that the form can be easily used on mobile devices such as tablets.

Q&A

L. Murray asked if the standard form could have elements added to it so that Local Authorities could have the form tailored to their own needs. *C. Seyfried* clarified that the form is a template that contains the minimum required information and that the form can be fully amended to suit each Local Authorities' need. *L. Henderson* informed the committee that the Interventions Working Group is currently working on an inspections manual and working on this has shown that the form does indeed need to be very flexible to allow inspections to be carried out in different ways.

L. Murray asked which guidance document would cover the inspection form. *C. Seyfried* stated that the intention is that the form will be part of the Code of Practice but he is open to suggestions.

M. Keeley asked if the form will be further developed e.g. will drop down menus be included. *C. Seyfried* clarified that improvements can always be made and as long as the standard information remained then the data could be presented in various ways.

4.4. Presentation on “A Metric for Official Controls – A Scientific Basis for Verifying the Efficacy of Official Controls” by Luke Henderson

L. Henderson began his presentation by asking for feedback, ideas and suggestions about the Metric.

Statutory services needs to be met and the Metric is a tool that objectively allows evidence to be produced. It allows the impact on environmental health staff to be measured so that an informed decision e.g. what level of staffing or service is required for each Local Authority. It is not an enforcement tool and it does not need to be filled out during an inspection, it is usually completed after an inspection. Using data from a short life study, it is predicted that with the use of the Metric, approximately 581 hazards per officer, per year, will be brought under control. Feedback so far has indicated that the Metric is robust, consistent and easy to use. One drawback of the Metric is that it only works for microbial hazards and not chemical or physical.

Q&A

The general consensus of the SFELC committee was that the Metric can become a very valued tool. *M. Keeley* stated that it is good to see that this method is more qualitative rather than quantitative.

A. Morrison asked if allergens could be added to the Metric. *G. Gilson Smith* agreed that it would be very useful to incorporate allergens and cross contamination and that the Metric could allow a baseline to be produced.

ACTION 2.2019

***L. Matthew* to contact *Frank Feechan* and to ask if *L. Henderson* can come along to the next APSE meeting to present the Metric**

L. Henderson asked for the assistance from FSS to endorse the Metric and to work on an implementation strategy.

ACTION 3.2019

ALL to consider how the Metric can be implemented and for SFELC to work with *L. Henderson* towards its endorsement.

5. Intelligence gathering – Consultations, Horizon Scanning and Safe spaces

- The Out of Homes Consultation closes on 28th of February 2019
 - SFELC response will be produced from the Diet Nutrition Working Group
- DEFRA and FSA Prepacked for Direct Sale Labelling consultation
- Guidance on Recalls consultation is now closed and due for publication end of April

Matter of Record 04.2019

Consultations to be sent to and from the SFELC Secretariat at SFELC@fss.scot to ensure traceability

6. The SFELC Executive update

M. Keeley stated that the SFELC Executive (TSE) met on 07 February and discussed the work plan, FSS update (details of these can be found in the relevant sections) and there was a teleconference with *C. Robertson* about Brexit. He then gave a brief overview of points discussed at the TSE meeting:

- The outstanding actions were discussed
- An update of documents on the SFELC web pages still needs to be completed
- Highlight reports continue to provide a great overview of all the work that is being done
- The Partnership event had received a lot of positive feedback, it was very well attended (approx. 150 people which is up from last year) with a lot of praise for the digital voting system “Slido”

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- *C. Robertson* held a teleconference with the TSE on a proposal to put to DEFRA policy and APHA on how the EHC approach should operate for seafood exports in the event of a No Deal Brexit
 - TSE gave their support for the paper and it will now be passed to the Imports and Exports Working Group for individual Local Authorities to provide feedback on it

7. Committee work plan

26 April 2019 – Stirling (The Stirling Highland Hotel)

- Out of Homes Strategy (GILLIAN PURDON)
- Presentation on Food Standards Project Working Group (CARRIE COOPER)
- Reformulation Project (JOANNE BURNS)
- Health Certificate Brexit update (GRAEME CORNER)

21 June 2019 – Aberdeen (FSS, Pilgrim House)

- Interventions / Code of Practice (BRYAN CAMPBELL OR LUKE HENDERSON?)
- Review of Official Laboratories (JACQUI McELHINEY?)
- OCV Implementation (GRAINNE GILSON SMITH?)

04 October 2019 – Glasgow

- Out of Homes Strategy (HEATHER PEACE?)
- Allergens (GRAINNE GILSON SMITH?)
- Food Recalls (RYAN BRUCE? AND IZZY CHILDS?)
- Price Promotions? (COLIN BAIRD?)

06 December 2019 – Dundee

- Annual Report (THE CHAIR AND HONORARY SECRETARY)
- Sampling Update (JANE WHITE?)
- Cheesemakers guidance review (KAREN WARDROPE?)

UNASSIGNED ITEMS

- SND – June or October?
- Scottish Food Enforcement Annual Return (SFEAR) – October?

8. Food Standards Scotland update

L. Murray informed the Committee that FSS are currently working in partnership with FSA on a review of Official Controls of Laboratories and hopes to provide an update at the June SFELC meeting.

Brexit has been at the forefront of FSS's workload with a focus on risk assessment and risk management.

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In the event of No Deal, the priority for Scottish statutory instruments (SSIs) needs to ensure a functioning statute book. FSS currently has four SSIs either going into or going through the Parliamentary process for coming into force for 29th of March. These will take elements of EU Law and put them into Domestic Law. Local Authorities will be able to reference these SSIs when updating procedures e.g. what authorities EHOs have.

The Food Standards Website has guidance available on consumers using their own containers when purchasing goods from retail premises ([link](#)).

There will be 5x training courses relating to OCV run over the next 2 years.

Negotiations are underway with the Society to secure funding for students.

9. Sub – Committees: including working groups

Nil

10. Food Liaison Group

Nil

11. Update by Non-Enforcement member(s)

Nil

12. Review of action points

Secretariat ran through the action points raised throughout this meeting (in bold red) as well as the Matters of Record (in bold green).

Full details of all actions completed prior to this meeting are available in the actions document in KHub, “SFELC - Complete set of meeting papers”. Then “appropriate meeting”, then “Item 03 – Action Points and Matters of Record”. ([link](#))

Additionally actions for the SFELC Executive are noted in the TSE actions log in KHub, “SFELC Executive (formerly Resources Working Group) > Library > TSE – Papers - year month > Item 02 – TSE – Action points and Matters of Record”. ([link](#))

13. AOCB

Nil

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Forthcoming meetings

26 April 2019 – Stirling (The Stirling Highland Hotel)

21 June 2019 – Aberdeen (FSS, Pilgrim House)

04 October 2019 – Glasgow

06 December 2019 - Dundee

Please advise Tanja Low on SFELC@fss.scot if you are aware of other events that SFELC delegates may attend that clash with these dates.