

CONSULTATION QUESTIONS

1: Should the scope of the new food body extend beyond the current scope of the FSA in Scotland? If yes, what specific extensions of scope would you suggest, and why?

- Comments Not immediately. With FSAS's already proposed enhanced roles we feel it might be prudent to allow the Organisation to run initially and to deal with any "teething problems". Public perception of organisations such as this is paramount and it is important to get things right from the outset. The AMI is also of the view that Local Authorities/EHO's are best placed to deal with local issues at a local level.

2: Should the new food body and the Scottish Government continue the arrangements for independent and partnership work on diet and nutrition set out in Annex A? If not, what changes would you suggest, and why?

- Comments The AMI believes that quality advice and simple clear labelling is highly desirable thus allowing the consumer to make their own informed choices.

3: Are there any additional roles, responsibilities or functions in respect of diet and nutrition that you think the new food body could take on to help deliver an improvement to the health of the people in Scotland? Please give details and reasons.

- Comments Ultimately, it is down to the general public to make their own choice. We believe that the Regulators remit is to ensure safe/wholesome food, with all relevant nutritional information and that pertaining to food safety made available and the consumer enabled to make their own informed choices.

4: What steps do you think could be taken to ensure the new food body is able to access the best available independent expert advice it needs to underpin its work on food safety and public health nutrition in Scotland? Please give reasons.

- Comments It is the view of many of our members that the relevant authorities sometimes give a higher priority to the views of industry, usually as a desire to drive down inspection costs, than to the standards provided to the consumer. This is increasingly relevant where the wholesomeness of meat is concerned rather than just the safety of meat. (the current EFSA opinion and EU commission proposal for visual only inspection in pigs is a prime example). While we fully accept that public money is spent wisely, and costs kept to a minimum, we would also state the case for the consumer expecting "value for money" in the form of adequate protection by the regulators. It is the opinion of the AMI that this should not be limited purely to food "safety" but should fully encompass food "standards". The consumer is

not always in a position to judge for themselves and deserves protection from those conditions that might render meat “unwholesome or repugnant” rather than simply “unsafe”. It is our opinion that industry will also benefit from this approach by way of maintained/enhanced consumer confidence in their product. Such consumer confidence is hard won and easily lost, as demonstrated with the recent “Horsemeat Scandal” and in previous years with issues such as BSE and Avian Flu.

5: Do you consider that the new food body should focus its research and surveillance activities on issues that are particularly pertinent to Scottish citizens or should it also contribute to science and evidence programmes on wider issues which have relevance to the UK as a whole? Please give reasons.

- CommentsThe AMI believe that such research and surveillance results should be made widely available, and cannot see any reason not to do so. Food safety and wholesomeness is an issue that affects us all and the AMI believe that every consumer in the UK, if not globally, deserves the same level of protection.

6: Do you agree that the new food body should be responsible for the coordination of all Scottish Government funded research on food safety and public health nutrition? What steps could be taken to raise the profile of the new food body as a research funder across the UK and beyond? Please give reasons.

- CommentsNo. The AMI believe that it is a dangerous practice to place all the eggs in one basket. Alternative opinions/independent opinion leading to the course of reasoned debated and acceptable outcomes can be the only way to go.

7: Do you have any further suggestions for how the new food body could establish a strong independent evidence base for food safety, food standards and nutrition policy? Please give reasons.

- CommentsWith the meat industry in particular in mind; to continue to monitor and record with diligence, post mortem findings and to make these findings available to individual holdings specifically, and generically to research bodies, consumer organisations and animal health and welfare organisations. It is imperative in our view that this function and that of decision making as to the fitness of meat for human consumption remains strongly independent and separate from industry.

8: Do you consider that the new food body would require any further statutory powers, in addition to those that the FSA already has, to equip it to deal effectively with incidents such as the recent horse meat substitutions, and to prevent such incidents happening? Please give reasons.

- CommentsThe AMI fervently believe that a return to unannounced audit of approved premises, in particular cutting premises and cold stores, and at a frequency far greater than at present would go a long way to

providing a deterrent effect on those who would seek to perpetrate Fraud. Further, we believe that this could be an ideal role for Meat Hygiene Inspectors, many of whom have come from the ranks of industry and who will have an enhanced understanding of exactly how the industry works and problems that might be encountered.

9: Do you have any further comments about how the new food body might ensure that it can deal effectively with contraventions of food standards and safety law? Please give reasons.

- Comments The licensing of all those involved in the food chain, including those dealing in food as a “commodity” (paper trading) can only serve to enhance traceability. The need for this was clearly demonstrated in during the horsemeat scandal in Europe where it transpired that one particular batch of horsemeat had “changed hands” three times but had not actually left the cold store. If fraud had been committed at this stage, is it currently possible to accurately identify who is culpable?
- Penalties should be commensurate with the level of any contraventions. Until the penalty equals/outweighs the possible “benefits” we cannot see how there might be an effective deterrent.

10: Should the new food body take on any roles and responsibilities not currently fulfilled by the FSA in Scotland? If yes, please give details and reasons.

- Comments The AMI would advocate a return to the Competent Authority carrying out micro-biological testing in licensed premises i.e. not being reliant on FBO’s monitoring themselves. It is felt that this could help prevent cases such as the E-Coli outbreaks in Wishaw, Lanarkshire and South Wales.

11: Please tell us your views about these suggestions for changes to the delivery of official food and feed controls. Do you think that the new food body should work in a different way with local authorities? Please give reasons.

The AMI would seek to remind all parties concerned that the BSE crisis was borne of a change to the rendering process of ruminant by-products and that the subsequent cost to the country was huge. We understand that staffing levels at Local Authorities could be somewhat less than adequate and would urge that adequate staff should be in place to prevent any such crisis from occurring. One possible source of staffing could be via the extension of the roles that MHI’s currently perform. In any case closer local links with Local Authorities would be helpful as local authorities have a range of departmental skills from legal to planning on call which can prove useful.

12: Do you have any views on how the new food body should assure delivery of official controls and meet the relevant EU obligations? Please give reasons.

- Comments As it stands, the Competent Authorities are audited by the

Food and Veterinary Office of Europe and the AMI consider this to be control enough.

13: Are there any additional or alternative relationships that you would suggest that would help the new food body achieve the Scottish Ministers' objective of longer, healthier lives for the people of Scotland? Please give details and reasons.

- Comments We hold the view that a return to "Home Economic" lessons in schools and colleges would be money well spent. Even with the best systems, there will always be a small element of risk and educating children from the earliest practical age about the safe handling of food, adequate cooking, the maintenance of the cold chain and sell by/use by dates would all serve to help meet the Scottish Ministers objective.

14: Do you have any suggestions about how the new food body can engage effectively with consumers, both in developing policy and providing information and advice?

- Comments There should be an increased ease of access available to take comments from all members of public, rather than just scientists and the bigger "players" in industry. The AMI feel that the obvious first point of contact for most members of the public would invariably be their Local Authority/EHO's. For this reason above all other, the integrity of the LA's/EHO's should be maintained.

15: Do you agree with the suggested approach to ensuring the new food body's independence from Government and the food industry? Do you have any further suggestions for how the new food body could best establish and maintain its position as an arms length part of Government? Please give reasons.

- Comments The AMI feel that the system as it operates at the current time is working reasonably well in that it remains somewhat immune to media pressure and public opinion, working as it does on a science and evidence basis. This was again amply demonstrated in the horsemeat scandal whereby the media were calling for a vast increase in routine DNA sampling of product. We concurred with the Competent Authority that although a minor increase in DNA sampling might provide a deterrent effect, such sampling should be primarily intelligence lead. To do otherwise would probably be little more than a waste of time, resource and with an increased cost to the public purse without enhancing the protection of the consumer.

16: Do you have any further comments, or suggestions, on the creation of a new food body for Scotland that are not covered by any of the previous questions?

- Comments The area of the Association of Meat Inspectors expertise is obviously confined to the meat industry, and we propose to confine any further comments to this area.
- It is the case that that MHI's are, in many cases, far more experienced in

meat inspection that some of the Official veterinarians that have the ultimate responsibility in licensed premises. This is not always reflected in the way that the system currently operates. For example, it is a requirement of the regulations that the OV carries out post mortem inspection of Special Emergency Slaughter (SES) animals personally. This is one example of an anomaly that we feel merits addressing in order to best utilise the resources at the disposal of the Competent Authority. In the same vein, we feel that there should be opportunity for MHI's to be able to progress to Auditing and perhaps enforcement. Who better to carry out this function than the regulators who have, for so long, observed the daily running of licensed premises and who are more likely to be conversant with the routine practices in those premises?

- Also, there have been areas of legislation in the past, since revoked that we feel should be re-visited. The prime example we would cite here is that of the Clean Livestock Policy (revoked in 2006). This was in effect removed from legislation and handed to the Food Business Operators to include in individual Hazard Analysis and Critical Control Point (HACCP) plans. We also feel that this vastly increased reliance on FBO's has subsequently made any necessary enforcement actions delayed at best and certainly more difficult. There is nothing more effective than a regulator in plant saying "No" when things go amiss. Although we are confident that this will still be the case should any one particular situation merit such a response (i.e. where public health or animal welfare are directly compromised), more "routine" issues such as excessively high line speeds are dealt with in a different manner and as a consequence we feel are more problematic.