

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

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

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

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

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.

- Comments

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.

- Comments

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.

- Comments

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.

- Comments

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

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.

- **The Fish and Shellfish Working Group (Scotland and Northern Ireland) herein after referred to as the FSWG, does not support the wholesale transfer of official food controls from local authority delivery to the direct responsibility of the new food body (NFB). Such a transfer of enforcement of official food controls would have a detrimental effect on the viability of an Environmental Health service in Scotland and potentially compromise the prompt and effective service food business operators (FBOs) benefit from under the present system. Local authority enforcement encompasses a wide range of benefits to the Scottish fish processing sector. Local authorities employ enforcement personnel who have built up a significant degree of knowledge and experience in the field and have the ability to respond quickly and effectively to the demands of the industry. A remote and decentralised inspection service could not be expected to have the same degree of local knowledge and understanding that exists at present.**
- **The FSWG believes that the establishment of a new food body provides a significant opportunity to create flexibility in the current enforcement process to enable the transfer of statutory responsibilities between agencies where official controls would be better delivered by one or other body according to local needs, intelligence and circumstances. The FSWG would also encourage the sharing of expertise between local authorities when dealing with specific processing operations.**
- **This suggested flexibility of enforcement should aim to ensure that each FBO deals with one enforcement body regulating food hygiene and food standards.**
- **It is felt that dual enforcement at premises should be avoided due to the impact that such a measure might have on the FBO and its relationship with the LA/NFB.**
- **The FSWG firmly supports the retention of the following official controls by local authorities:**
- **The formal approval of all fish processing establishments as required by Regulation 853/2004. Local authorities have built up a considerable level of knowledge and expertise in this aspect of official control enforcement and suitably experienced officers are competent in terms of both approval and inspection. The FSWG provides an effective forum for an exchange of information and best practice on this subject.**
- **The inspection of fish at point of first landing and prior to wholesale at auction markets. (Aberdeenshire Council employs two fish hygiene inspectors who in addition to carrying out a range of enforcement functions act as a contact point for businesses at auction**

markets).

- The routine inspection of businesses, including factory fishing vessels, approved under regulation 853/2004 for the purposes of ensuring food standards and hygiene requirements are complied with.
- The inspection of third country imports of fishery products at Border Inspection Posts. (Aberdeenshire Council provides the inspection service at Peterhead BIP)
- Issue of export certification for fishery products being exported to third countries. (It may of benefit for the NFB to co-ordinate the production of template certificates for use by local authorities and oversee policy and communication with third countries.)
- **With reference to the above comments any perceived deficiency in the level of service provision by any individual local authority should be the subject of discussion between the NFB and that local authority. This route of securing improvement where necessary should be exhausted before consideration is given to the transfer of service delivery to the NFB or other agency.**
- **The FSWG is of the belief that the current enforcement regime is effective and efficient and this view is supported by the recent Audit Scotland report on protecting consumers. Local authorities are best placed to work with local businesses to assist them in all stages of the approval process. This includes the sometimes extensive pre-approval work and the on-going modifications to processes and product ranges. Local industry needs a prompt service to deal with these demands and this is currently met by local authority service provision.**

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.

- Comments

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

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

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

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

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