

## 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?

- Our view is that the focus should remain food safety.
- Within this we can see a useful extension of scope regarding the epidemiological evidence underpinning food safety policy for Scotland particularly through more effective working with Health Protection Scotland.
- We also consider the need for a stronger role in enforcement particularly at the local level. The evidence base for enforcement could be improved through more effective audit at the national and local level involving experts for specialist topics.

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?

- no comment

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.

- no comment

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.

- We consider that the NFB should continue to utilise existing UK wide expert bodies such as ACMSF to get the best expert advice. This will help ensure that policy continues to be based on the best available advice in the UK.
- The NFB also needs to consider how it will access, and contribute to, European wide issues through, eg EFSA. It is suggested that formal UK wide arrangements may be necessary.
- The NFB also needs to consider how the role of NRL (a UK wide designation) is to be handled under the new arrangements. Since the UK remains the Member State at the EU level it is considered vital that the UK continues to represent itself effectively. It would not make sense to duplicate NRL activity with, for example, NRLs for specific issues designated in both Scotland and separately in the UK. It is suggested

that formal arrangements are needed to handle this.

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.

- Many food safety issues are not confined to Scottish citizens, food safety issues do not respect national borders, and many products are traded internationally. Therefore it is preferable for the NFB to continue to contribute to UK wide issues – but with a Scottish focus, or taking the lead for the UK, where that is particularly relevant.
- It is important to avoid duplication of effort with other UK funders which is inefficient and is likely to diminish the quality and breadth of research performed. Better for Scotland to continue to contribute to UK research where the issues are clearly UK wide.
- Where there is a Scottish component to a UK research programme it will be important to ensure that the regional data is sufficiently robust to allow for separate analysis to inform Scottish policy.

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.

- No, currently the NFB would not have all the necessary areas of expertise and this could also result in a lack of focus for key food safety issues.

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.

- Organisation of a food safety conference, underpinned by the R&D funded, could provide a useful mechanism for improving profile and drawing in an international perspective.
- a good web presence is important for profile and outreach
- some open research calls allowing innovation (rather than directed) are a good mechanism for potentially improving the evidence base
- looking for opportunities to join with other research providers (eg in other countries) on similar issues can build the available budget and allow for more comprehensive projects
- it is important to find ways to facilitate industry (food producer) contributions and issues to the research agenda

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.

- Yes – the NFB it needs direct enforcement powers or powers to direct local authorities to take action.

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.

- The NFB needs a well funded enforcement arm with better intelligence, and police level enforcement competence (warranted powers), backed up by legal professionals.

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.

- In our view no, this could lead to a lack of focus on the key food safety issues.

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 proposal to centralise enforcement under the NFB is supported and is seen as potentially delivering a more effective and harmonised system.
- It is however important to ensure that the whole food chain is considered when setting up the arrangements. It would be most effective if all aspects (primary production through processing to end-product) came under a single enforcement agency. Division of responsibility to different agencies is unlikely to be effective and already causes problems.
- Ensure a good and effective audit system to underpin any changes

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.

- It is agreed that a good audit system is an essential underpin to effective delivery and enforcement of official controls
- The proposals could go further eg to help ensure effective audit of specialist systems external experts could be co-opted onto the audit team. Several bodies (eg UKAS, FVO) use such an approach and it can be highly effective.
- A clear policy on transparency of audit findings (eg public domain reports) can also help ensure an appropriate reaction to audit findings.

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.

- Additional bodies not listed are NRLs and EU bodies (eg EFSA).
- In relation to data for Official Control programmes for shellfish other bodies that the NFB will need a relationship with include: the Met Office, UK Hydrographic Office, Ordnance Survey, Crown Estates Commission, Health Protection Scotland, SEPA.

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?

- Currently official controls only cover products placed on the market. Consumers who gather shellfish for recreational purposes are not protected. Extension of protection (eg the giving of advice) to recreational gatherers could be considered.
- Regarding shellfish there is little current direct engagement with the consumer on risk. Advice directed to the consumer on risk – eg on cooking, casual gathering, primary production area quality – could be improved and would benefit the consumer.
- Consultation is often currently with industry bodies. Such bodies do not necessarily represent all of the industry. A wider mechanism for industry consultation could usefully be considered.

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.

- Strongly agree
- Transparency – place decisions, and the underpinning evidence base, on the web

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