
From: [redacted]@gov.scot

Sent: 26 August 2016 08:13

To: Cabinet Secretary for the Rural Economy and Connectivity

Cc: First Minister; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot

Subject: Food and Drink - Ministerial - Labelling - Tesco Strawberries - Advice to Cabinet Secretary

Importance: High

Cabinet Secretary for Rural Economy and Connectivity
cc. First Minister

TESCO LABELLING – SALTIRE ON STRAWBERRIES

Purpose

1. To provide some background on the decision taken by Tesco to move to a uniform branding across the UK of Strawberry and Raspberry packaging using the Union Flag, rather than the Saltire for Scottish produced fruit as has been the practice in the past.

Priority

2. Urgent. To advise the Cabinet Secretary and keep him up to date, given the status of this story in the media.

Background

3. Up until very recently, Scottish strawberries and raspberries sold by Tesco featured a Saltire on the packaging and these were sold throughout the UK. Tesco has now replaced that flag with the Union flag on all strawberry packaging, including those sold in Scotland. This was thrown in the spotlight when a Scottish twitter user enquired as to why the saltire was no longer on Scottish strawberry packaging and Tesco replied through their twitter account that the decision was made following complaints received by them from English customers that similar products grown in England did not carry the St George's cross on packaging. The tweet and subsequent responses have generated a huge amount of chatter over Social Media and has been carried in the mainstream press. Tesco have subsequently said that the initial response to the question over the removal of the saltire was a "mistake".

4. The First Minister was also asked for her views at Tuesday's press conference where she spoke of her pride in the saltire but indicated that she personally did not make purchasing choices based on whatever flag happened to be on the packaging, she concluded that "Strawberries from Scotland are just the best strawberries, that's why we should eat them – not because of the flag that happens to be on their packaging."

5. A YouGov survey of UK Consumers commissioned by Scotland Food and Drink in 2012 told us that 57% of Scottish Shoppers think that the provenance of soft fruit is important / very important but this research does not mean necessarily that 57% of Scottish Shoppers prefer to buy Scottish soft fruit.

Labelling and use of Flags on Food Packaging

6. Under current labelling regulations Tesco have no obligation to show the saltire on Scottish products and in this instance, and as long as the producer farm and country/region of origin is shown, then it is entirely a decision for the organisation to make themselves as to whether to use a flag of any type on a product to be sold in stores.

7. By way of background, the Cabinet Secretary may wish to note that Quality Meat Scotland are focussing efforts on their Protected Geographical Indication (PGI) credentials of traceability and quality systems labelling rather than using the Saltire as they feel it lacks definition as a food labelling device.

Industry View

8. Scottish soft fruit producers determine sales direct to retailers as being a more profitable outlet for them. The major retailers buy from them on a daily basis whereas other routes to market are less efficient which leads to fruit spoiling and a decrease in return for producers. Industry are keen to keep retailers "on side" and help keep Scotland as the main source of supply of strawberries and raspberries to the UK market place.

6. In liaison with Scotland Food and Drink, we have sought the views of a number of Scottish soft fruit suppliers who sell their product into the retailers including Tesco, we have ascertained that:-

- The packaging change is something that has been in discussion and planning between Tesco and their producers since the beginning of the year and producers have no issues with packaging write off and have indicated that the operational aspects of the switch have been well co-ordinated.
- A feeling amongst industry that most people in UK buying premium food will recognise names and locations such as Angus / Perthshire /Aberdeenshire /Fife etc as Scottish.
- The RoUK represents a key market for Scottish soft fruit with 2/3 of Scotland's total output being sold there – Our soft fruit farmers are clear that nothing should be done to make customers south of the border less inclined to buy Scottish.
- Due to what is expected to be a detrimental impact on factory efficiency and supply chain responsiveness, any option of having Scottish packaging for Scotland & RoUK packaging for all others would not be welcomed by industry.

Recommendation

9. Taking into account the views of industry where the soft fruit producers in Scotland see the retailers as a valuable customer and seem to be entirely content with this change by Tesco, we recommend that no formal action is taken at Cabinet Secretary level at present. However, if the Cabinet Secretary wishes we could seek to convene a meeting with Tesco in the near future to seek their assurance that Scottish sourcing remains important to the organisation.

[redacted]

Directorate for Agriculture & Rural Communities
Food, Drink & Rural Communities Division
Tel: 0300-244-[redacted]
Fax: 0300-244-[redacted]

From: [redacted]

Sent: 27 October 2016 19:04:35

To: Scottish Ministers

Subject: Branding of produce ***IHM***

Dear MSP, can you explain to me why all the supermarkets are now branding Scottish Produce as British and have replaced the Saltire with the Union flag. I like to buy Scottish brands when possible as it has travelled less making it fresher and causing less damage to the environment while helping the Scottish economy .it is no longer possible to to spot Scottish produce at a quick glance , I have to get the specs out to find country of origin. Is this an attempt by Westminster at a spot of brainwashing or is there something more sinister going on [redacted]

Sent from my Huawei Mobile

Agriculture, Food and Rural Communities
Directorate

Food, Drink and Rural Communities Division



Scottish Government
Riaghaltas na h-Alba
gov.scot

[redacted]

By email: [redacted]

Our ref: 2016/[redacted]

30 November 2016

Dear [redacted]

I refer to your correspondence of 27 October 2016 regarding country of origin labelling for produce sold in supermarkets.

Country of origin information must be provided on several foods including beef and veal, pork, sheep and goat meat, poultry, most fruit and vegetables, honey, olive oil and eggs. Origin information may be provided for other foods so long as it does not mislead the consumer.

Mandatory country of origin relates to the Member State or non-EU country. However, additional information may be provided voluntarily (e.g. Scotland, UK) again providing that it is not misleading and does not detract from the mandatory information.

Subject to what is said above about the labelling not being misleading, the use of a flag, whether that be of a country (e.g. the Saltire) or indeed of a county or region (e.g. the Cornish flag) is entirely at the discretion of the food business.

If you require any further information you may wish to contact Food Standards Scotland at [redacted]@fss.scot.

[redacted]

Food & Drink Industry Growth Team

From: [redacted]@gov.scot
Sent: 20 October 2017 13:43:07
To: Public Engagement Unit
Cc: Cabinet Secretary for Culture, Tourism and External Affairs
Subject: FW: Labelling

PEU,

Can this go on the MACCS system as an OR please?

Regards,

[redacted]

[redacted]

Office of Fiona Hyslop, Cabinet Secretary for Culture, Tourism and External Affairs
Scottish Government, Room 2N.15, St Andrew's House, Regent Road, Edinburgh,
EH1 3DG | www.gov.scot<<http://www.gov.scot/>>

From: Hyslop F (Fiona), MSP [mailto:Fiona.Hyslop.msp@parliament.scot]
Sent: 20 October 2017 10:14
To: Cabinet Secretary for Culture, Tourism and External Affairs
Subject: FW: Labelling

Hello ? Can you offer some advice, this lady is not a constituent of Fiona's, is it something that would warrant a gov response at all?

[redacted]

From: [redacted] [mailto:[redacted]]
Sent: 19 October 2017 12:46
To: Hyslop F (Fiona), MSP
<Fiona.Hyslop.msp@parliament.scot<mailto:Fiona.Hyslop.msp@parliament.scot>>
Subject: Labelling

Dear Ms Hyslop

No idea whether this is within your remit or not...

I'm not a great fan of flags myself, but quite a few people these days seems to be getting upset about the amount of Scottish produce appearing in our shops and supermarkets bearing union jacks and not saltires. (I know, facepalm). I reluctantly accept that there may be an element of cultural appropriation going on here due to brexit and British nationalism, but are there any initiatives or incentives for reversing this trend. I know they're private companies.

Many thanks

[redacted]



[redacted]

By email: **[redacted]**

Our ref: 2017/**[redacted]**

09 November 2017

Dear **[redacted]**

Thank you for your correspondence of 19 October 2017, addressed to Fiona Hyslop MSP, Cabinet Secretary for Culture, Tourism and External Affairs, with regard to labelling of Scottish produce. I have been asked to respond.

Under current specific EU legislation, Member State Country of origin information (i.e. UK) must be provided on several foods including beef and veal, pork, sheep and goat meat, poultry, most fruit and vegetables, honey, olive oil and eggs. Origin information may be provided for other foods so long as it does not mislead the consumer.

Additional information may also be provided voluntarily (e.g. Scotland, Perthshire) again providing that it is not misleading and does not detract from the mandatory information. The use of a flag is entirely at the discretion of the food business or retailer, as long as it is not misleading.

The Scottish Government has pledged £7.5 million over the next three years to support the Ambition 2030 food and drink industry strategy, and help grow markets across the UK for Scottish produce and we are working closely with retailers to increase support for Scottish produce.

The Scottish brand – whether the saltire or ‘Scottish’ label – is a key provenance mark and a signal of quality. We know consumers and retailers value the Scottish brand and we encourage all retailers to continue to showcase Scottish produce, both here in Scotland and throughout the rest of the UK.

Yours sincerely

[redacted]

Food and Drink Policy Officer

From: First Minister
Sent: 02 November 2017 08:57:26
To: Public Engagement Unit
Subject: FW: England taking over our produce

MACCS case please for OR

[redacted]
Office of the First Minister
Scottish Government
5TH floor/St Andrews House/Regent Road
Edinburgh EH1 3DG
Tel 0131-244-**[redacted]**

From: Sturgeon N (Nicola), MSP [mailto:Nicola.Sturgeon.msp@parliament.scot]
Sent: 01 November 2017 18:58
To: First Minister
Subject: Fwd: England taking over our produce

Nicola Sturgeon MSP
Glasgow Southside
Constituency Office (constituent enquiries only)
Govanhill Workspace
Unit 3, 69 Dixon Road
G42 8AT
Tel: 0141 424 1174
nicola.sturgeon.msp@parliament.scot<mailto:nicola.sturgeon.msp@parliament.scot>

From: **[redacted]** <**[redacted]**<mailto:**[redacted]**>>
Sent: Wednesday, November 1, 2017 6:27:25 PM
To: Sturgeon N (Nicola), MSP
Subject: England taking over our produce

Over the last week or so we are constantly seeing the Union Jack and British being put on all produce that us grown in Scotland including fruit ,Whiskey ,Shortbread, Haggis neeps and tatties

If it is grown and produced in Scotland then surely it should bear the Saltire and have the words made and produced in Scotland

Never mind what the English or anyone else has to say about this
Two of the big company's that are doing this are Tesco and M&S

We have to fight for our identity our produce is loved and sold all over the World
I hope that you will try and stop this travesty from continuing

Thank you
[redacted]
[redacted]
[redacted]
Sent from my iPhone



[redacted]

By email: **[redacted]**

Our ref: 2017/**[redacted]**

09 November 2017

Dear **[redacted]**

Thank you for your correspondence of 01 November 2017, addressed to the First Minister, with regard to labelling of Scottish produce. I have been asked to respond.

Under current specific EU legislation, Member State Country of origin information (i.e. UK) must be provided on several foods including beef and veal, pork, sheep and goat meat, poultry, most fruit and vegetables, honey, olive oil and eggs. Origin information may be provided for other foods so long as it does not mislead the consumer.

Additional information may also be provided voluntarily (e.g. Scotland, Perthshire) again providing that it is not misleading and does not detract from the mandatory information.

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The Scottish brand – whether the saltire or ‘Scottish’ label – is a key provenance mark and a signal of quality. We know consumers and retailers value the Scottish brand and we encourage all retailers to continue to showcase Scottish produce, both here in Scotland and throughout the rest of the UK.

Yours sincerely

[redacted]

Food and Drink Policy Officer

From: [redacted] <[redacted]@marks-and-spencer.com>
Sent: Thursday, November 2, 2017 2:24 pm
Subject: RE: Labelling Query
To: [redacted]@gov.scot

Hi [redacted],

We're responding to customer queries on Twitter with the following:

'We apologise for the mistake on our website. This has now been updated'

Best wishes,

[redacted]

From: [redacted]@gov.scot
Sent: 02 November 2017 12:48
To: [redacted] <[redacted]@marks-and-spencer.com>
Subject: RE: Labelling Query

Great – look forward to hearing from you.

Quick question – do you guys plan to send any tweets (or something) to clarify the situation? Just wondering as I'm sure if you did Mr Ewing would respond positively

But let me know

[redacted]

Head of Food and Drink Industry Growth
Scottish Government Food, Drink and Trade Division
[redacted]
0131 244 [redacted]
[Redacted]

From: [redacted] [mailto:[redacted]@marks-and-spencer.com]
Sent: 02 November 2017 10:53
To: [redacted]@gov.scot
Subject: RE: Labelling Query

Thanks [redacted]. [redacted – out of scope]

[redacted – out of scope].

Best wishes,

[redacted]

From: [redacted]@gov.scot [mailto:[redacted]@gov.scot]
Sent: 02 November 2017 10:20
To: [redacted] <[redacted]@marks-and-spencer.com>
Subject: RE: Labelling Query

This is great [redacted] – thank you. I noticed from looking at the website this morning that things had changed!

[redacted – out of scope]

[redacted]

Head of Food and Drink Industry Growth
Scottish Government Food, Drink and Trade Division
[redacted]
0131 244 [redacted]
[Redacted]

From: [redacted] [mailto:[redacted]@marks-and-spencer.com]
Sent: 02 November 2017 10:17
To: [redacted]@gov.scot
Subject: RE: Labelling Query

Hi [redacted],

Thanks for your time on the phone yesterday.

After speaking to colleagues in our Food team I can confirm that the website listing issue regarding whisky and gin products from Scotland, as reported in the National newspaper, was an unfortunate mistake and has now been rectified online.

[redacted – out of scope]

I hope this note helpfully clarifies the situation and enables you to brief Ministers that M&S is fully committed to sourcing Scottish produce and labelling products as from Scotland both on pack and on our website wherever possible.

Please let me know if you would like any further information.

Kind regards,

[redacted]

- [redacted – out of scope]
- [redacted – out of scope]

From: [redacted]@gov.scot [mailto:[redacted]@gov.scot]
Sent: 01 November 2017 15:37
To: [redacted] <[redacted]@marks-and-spencer.com>
Subject: Labelling Query

Hi [redacted] – I'd be grateful if you could give me a ring please when you have a spare moment – looking to get some info from you on some press reports that are circulating around

Many thanks

[redacted]

Head of Food and Drink Industry Growth
Scottish Government Food, Drink and Trade Division
[redacted]
0131 244 [redacted]
[Redacted]

Extract from briefing provided to Cabinet Secretary for Rural Economy and Connectivity from Scottish Government officials – Meeting with Marks and Spencer - 17 January 2018. The remainder of the document is out of the scope of this FoI request.

M&S Website listing issue

- On 1 November 2017 the M&S website had a listing issue where the country of origin for whisky and gin products from Scotland were categorised as from the 'United Kingdom' rather than Scottish. This appeared in National Papers and generated widespread social media comment.
- Scottish Government officials spoke to [redacted] at Marks and Spencer to seek clarity on the situation with regard to the status of these products on their website.
- M&S urgently investigated this and reverted back confirming that this was indeed an error which they immediately rectified and sent out a tweet apologising for their error.
- Given our good relationship with M&S and the many good things they are doing around Scottish sourcing, promotion and labelling, we invited M&S to come and meet with the Cabinet Secretary as part of our on-going programme of engagement with the retailers.