



12 January 2007

Ms Molly Robertson
Scottish Executive
Health Department
Public Health and Substance Misuse Division
St Andrew's House
Regent Road
EDINBURGH EH1 3DG

Dear Ms Robertson

PUBLIC HEALTH LEGISLATION IN SCOTLAND: A CONSULTATION

I refer to your consultation document issued in October 2006 seeking views on proposals to update public health arrangements in Scotland.

As you are aware, the Food Standards Agency, under the Food Standards Act, is charged with protecting consumer interests in relation to food safety and standards. The Agency was set up in April 2000 as an independent food safety watchdog to protect the public's health and consumer interests in relation to food.

As an Agency, we fully support the proposal to modernise public health legislation and strengthen the response in Scotland. We welcome the clarification of responsibilities, powers and roles and all players in the Public Health field.

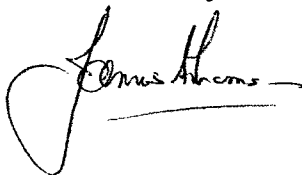
Some Specific Comments

- 1 In paragraph 3.13, reference is made to guidance on incident management. There is also "Guidance on the Investigation and Control of Outbreaks of Food-borne Disease in Scotland", jointly issued by the Agency and The Scottish Executive on 11 April 2002. This is to be reviewed in 2007.

- 2 Paragraphs 3.16 and 3.17: The responsibilities identified in any plan require to be clear. The Agency has a role of auditing Local Authorities in respect of food law element, and responsibilities in plans could be part of that audit. Is there any proposal to have a similar auditing role for "non-food" areas of Local Government or NHS Boards' responsibilities?
- 3 In respect of paragraph 3.22, the Agency supports the view that Public Health specialists should be able to demonstrate the appropriate level of knowledge and competency.
- 4 Paragraph 3.25: Specific needs for a DMO. The Agency supports the close collaboration between LAs and NHS Boards and with the support of people and premises this becomes crucial. In terms of food safety, any arrangement which is agreed must, as a minimum, maintain the current level of support and response.
- 5 We welcome the proposal for a new system of statutory notification for notifiable conditions and reportable hazards.
- 6 Paragraph 5.7: Current food legislation gives LAs the powers to request information as necessary.
- 7 Chapter 6: I believe SE legal colleagues have already responded on the exclusion of persons to prevent the spread of food-poisoning.

I trust these comments will be of value in your deliberations and the Agency would be happy to be involved in any further discussions.

Yours sincerely



JIM THOMSON
Assistant Director

