

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?

Glasgow believes that the New Food Body should be more actively engaged in the reversal in current trend of increasing obesity in Scotland. This is perhaps the most significant health issue facing Scottish society in the future. Existing educative approaches appear to have limited value in relation to changing behaviour. The New Food Body should explore new avenues for exerting greater control upon the food industry including issues such as advertising, nutritional declaration and legislative limitations or taxation on certain foods deemed to be contributing to the problem.

Existing arrangements for food security are broadly spread and should be led by the new food body

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?

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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.

It is felt that certain measures should be considered in order to improve diet-related health in Scotland. These measures could include means of affecting or even controlling nutritional values of food sold to school children at lunch times by private sector outlets.

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.

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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.

It is felt that the New Food Body should continue to contribute to research

activity on a UK basis in order to reflect the broad nature of the existing food chain. That said, there are areas of food safety which are highly relevant to Scotland which require particular emphasis – e.g. shellfish hygiene.

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.

Agree – with the caveat that close partnership with the NHS is essential in relation to public health aspects of nutrition.

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.

It is suggested that the New Food Body builds upon existing networks in relation to food safety and standards. In particular, that the role of SFELC and Local Authority Food Liaison Groups be enhanced in order to deliver national policy in relation to food law enforcement and surveillance.

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.

Glasgow supports the proposals contained within the FSA's consultation on Primary Enabling Legislation, i.e. the introduction of legislation which would:

- * Make the display of Food Hygiene Information Scheme Certificates mandatory;
- * Introduce Administrative Penalties/Fixed Penalty Notices for certain aspects of non-compliance with food hygiene and standards legislation;
- * Enable the detention of food where there are reasonable grounds for suspicion that the said food does not meet food standards and labelling legislation.

The said enforcement powers should apply to the New Food Body and Local Authorities.

The New Food Body should consider the Audit Scotland Report "Protecting Consumers" and make provision for ensuring that the New Food Body and Local Authorities are suitably resourced to enable adequate protection of the public from food-borne disease and fraud.

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.

Consideration should be given to the provision of statutory powers to serve improvement notice upon food businesses where there is non-compliance with food standards requirements

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.

Glasgow feels that the New Food Body should adopt additional responsibilities so as to facilitate the following:

1. Rationalisation of controls to ensure that, to the greatest extent possible, every individual establishment has one food authority for regulating both food hygiene and food standards.
2. Centralisation of specialised Official Controls and specialised/complex activities which are very low in number and thinly dispersed geographically.
3. Centralisation of land and sea-based controls that may be difficult to allocate and deliver in terms of local authority boundaries.
4. Centralisation of particular controls highlighted by the European Commission's Food and Veterinary Office and of controls relating to international trade.
5. Provision of central support to local authorities where centralised provision is likely to be more efficient and fairer to individual local authorities

It is felt that the main responsibility for the delivery of Official Food Controls should continue to lie with Local Authorities. This is primarily in cognisance of the said Local Authorities' role in public health protection in a broad sense. In effect, separation of food law enforcement from general environmental health activity would be detrimental to the wider protective service provided in Scotland

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.

It is the view of Glasgow City Council that the working relationship between the FSA and Scottish Local Authorities is very strong and should not be jeopardised by unnecessary changes to the existing landscape. In particular, the FSA's partnership with SFELC should be replicated and, indeed, enhanced.

Glasgow has significant reservations about the proposal that the New Food

Body should adopt responsibility for the approval of establishments under EC Regulation 853/2004 in establishments where LAs are currently responsible for delivering official food controls. It is felt that the stated rationale for this change (i.e. FVO comment on conflict of interest) is insufficient justification for such a change. Whether the NFB acquires responsibility for the engagement with businesses from the start of the approval process or steps-in to ratify an LA-led process, the personnel currently available to the FSA may not have the necessary skills or qualifications to manage this task. Furthermore, the impact upon LA Environmental Health functions in several LAs would be significant if this change were implemented.

It is felt that the New Food Body should adopt a co-ordinating role in the area of health certification but that the issue of such certificates should remain with LAs.

The New Food Body should be responsible for all food official controls (including food standards official controls) in establishments where the FSA is currently responsible for food hygiene. This would enable a greater degree of clarity for businesses.

Glasgow agrees that the status of SFELC should be formalised when the New Food Body is formed and should be confirmed as a Joint Committee

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 felt that the existing FSA/LA audit arrangements in Scotland should be further strengthened by the creation of a clear standard of service delivery demanded of local authorities. The existing Framework Agreement on Official Food and Feed Controls by Local Authorities should be accorded suitable legal status and developed in order to facilitate this.

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.

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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?

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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.

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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?

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