

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?

The creation of a new food body for Scotland may provide a useful opportunity to widen the scope of the organisation beyond that currently delivered by the FSA. However, it is important for the new food body's main focus initially to be around the statutory responsibilities and in the development and implementation of policy in relation to food and feed safety, nutrition, labelling and standards. Therefore at present we think that there should not be an extension of scope at this stage, the new food body should be established and any changes introduced incrementally. Improving diet and nutrition cannot be done in isolation from the life circumstances which impact on the population's health and health choices.

The new food body could, in the future, usefully take a more general approach to improving public health nutrition by introducing more public health based activities, particularly in tackling issues such as obesity. This would however have to complement the work portfolios of other national organisations and Government departments. A clear lead for each portfolio of work must be identified to ensure effective and efficient delivery.

Food poverty surveillance could be a key extension given the forthcoming impact of Welfare Reforms and related work around food bank provisions. It is important that any work undertaken in relation to enhancing consumer information clearly complements the work of NHS Health Scotland who has a role in increasing knowledge and public awareness of key health messages. It is also vital to clarify how any additional roles and responsibilities undertaken by the new food body support and align to the programmes of work delivered locally by NHS Boards and Local Authorities.

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?

We would agree that the independent and partnership work on diet and nutrition should continue. It is important that the new food body is independent and impartial in its work in proposing legislation, providing factual information and advice on policy and in its work with the food industry in relation to the reformulation of products.

If the scope of the new food body is to be widened in the future, then perhaps there is scope for them to accept responsibility for points 17 and 20 of current Scottish Government responsibilities in relation to identifying the

needs of vulnerable groups and commissioning research in relation to this.

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.

A key role for the new food body is to support the Scottish population, particularly in disadvantaged areas, to secure and eat a healthy, balanced diet of good quality and safe foods and drinks. An essential part of this is to increase the perceived value placed on eating good quality, healthy foods in population groups to raise consumer expectations and ensure consumers create a demand for this, to which industry and retailers will have to respond. Should the new food body take the strategic lead for programmes such as the Healthy Living Award and the Healthy Living Programme, this should be set out clearly in relation to responsibilities currently held by other organisations and the rationale for any proposed changes.

There should be a concerted drive to ensure that retailers and food providers take part in these programmes to improve healthy and quality food availability, accessibility and affordability by an organisation that is highly regarded and recognised by the independent retail and catering sectors.

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.

The FSA currently has access to a range of expert committees and this should be maintained. It is vital to ensure that the new body has access to skills, expertise and resources to undertake its work and should be able to assess, synthesise and commission research as required. It should access the necessary expert science and evidence in relation to issues specifically relevant to Scotland and its population e.g. tackling obesity should be considered a priority. There is also the need to learn from scientific expertise in other countries where this is relevant.

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.

Scotland has particular issues in relation to poor diet and nutrition and if the health inequalities that exist are to be tackled successfully, there needs to be a localised focus of research and surveillance on issues pertinent to Scotland and its population. However, learning from research and surveillance can be shared where appropriate so that it makes a contribution to the evidence base for the UK as a whole and likewise, Scotland can learn from the work of other UK countries and abroad, where

this learning is transferrable.

It is important that there is efficient use of resources in this area, whilst ensuring benefits to the Scottish population as a priority.

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.

We think that it would be beneficial for the new food body to be responsible for the co-ordination of funded research on food safety and public health nutrition as this will ensure that research programmes are commissioned in a co-ordinated and complementary way, whilst minimising duplication. However, the implications of this is not known for e.g. on the Chief Scientist Office and therefore this requires further exploration and consultation with key stakeholders in particular the Scottish Government.

The new body could raise its profile as a research funder by establishing and strengthening links with the academic sector, both within and out with Scotland, to ensure a programme of research can be supported. The profile could also be raised by clear communication channels with NHS Boards and Local Authorities so that local research development is in line with and complements nationally driven work.

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 important to ensure that commissioned research is independent of Government, industry and any other body where competing interests may arise. Another key aspect is to communicate its findings to the public, policymakers, politicians, industry, academia and those delivering services such as education and local authorities and NHS Boards. It should also make transparent the range of scientific advisory committees that FSA currently has access to.

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.

Additional statutory powers in relation to random testing and sampling of food products (and powers to act on identified issues where necessary) to ensure consumer confidence in the origin, source and content of food might be helpful. However, there should be further consultation and use of an evidence based approach to establish the potential areas where maximum benefit to public health can be realised.

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.

There should be robust monitoring systems in place to prevent incidents and the new food body could learn from legislation elsewhere in the UK, EU and abroad.

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.

We do not think that additional roles and responsibilities should be undertaken at this stage for the suggested topic areas, however, once established, there may be opportunities to consider bringing together other functions in the future.

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.

Any changes to the delivery of official food and feed controls should be subject to a detailed impact assessment and / or an option appraisal involving key stakeholders particularly the local authorities to ensure an effective approach and agreement on the way forward.

Any functions relating to international regulations or bodies or where unwanted variations exist currently could be coordinated through the new food body to ensure a consistent approach across Scotland.

The new food body should strengthen its role as the key provider of education and professional training to drive standards and should also be resourced appropriately to provide specialist and authoritative advice when required.

There may be merits in formalising the Scottish Food Enforcement Liaison Committee (SFELC) as long as there is clarity of purpose in the terms of reference and to avoid any duplication.

One of the main functions of the new food body would be to focus on improving the quality of services and therefore its role in strengthening audit procedures would be advantageous.

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 would be advantageous for the current arrangements to continue i.e. for the FSA, as representative of the UK as Member State, to provide assurance to the European Commission of delivery of official controls in the UK unless there is a proven negative impact for Scotland as a result of 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.

Given the proposal that the new food body takes a wider public health approach to improving diet, nutrition and health, it should establish and make clear its working relationship with the territorial NHS Boards. It may also wish to consider its relationship with established national advisory groups such as the national Public Health Nutrition Group, hosted by NHS Health Scotland. Links with industry are also important but the new body needs to resist any attempts by industry to determine policy or influence its practice.

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?

The new body need to look at different ways of engaging with consumers and the public which would involve different media and forms including specific issues e.g. related to a particular topic and ongoing engagement e.g. though committees or groups.

When consulting with and providing information and advice to consumers, it must be presented in a way that is easily understood and accessible to all that it will affect. Particular thought should be given to the consultation and communication methods used for hard to reach populations and the format of materials.

It is important that difficult to reach groups and those 'seldom-heard' are fully engaged to allow inequalities to be tackled effectively. Consumer panels should be representative of the population they are serving. Working in partnership with territorial NHS Boards and Local Authorities will assist the new food body in engaging effectively with consumers, as local staff and agencies (including the Third Sector) are working directly with target audiences.

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 arm's length part of Government? Please give reasons.

It is absolutely critical that the new body is independent and seen to be independent regarding its work and the advice it provides to ensure its credibility and enhance public confidence in its ability to discharge its various functions in relation to food safety, nutrition, enforcement and management of infectious diseases outbreaks.

The public must be given clear, timely, accurate and consistent messages about public health issues.

The new food body must have the autonomy to act on scientific evidence independently of the current political environment. We agree with the safeguards which are proposed for legislation and it is important that a two-way flow of communication and information is established between the new food body and experts in the field (whether they be academics or professionals from other public sector agencies).

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?

It would be beneficial if the new food body had a lead role in driving a public health nutrition strategy for Scotland and presented a joined-up view of policy to improve food, nutrition and health so that professionals and the public alike are clear about the direction of travel including the approach to obesity prevention and management, achievement of Scottish dietary targets, food poverty and inequalities, and food and environmental sustainability.

It should be clearly set out which organisation/department has responsibility for each area of the food and health programme of work, including policy development, public information, communications, research, surveillance and supporting the implementation of programmes and activities at local level.

Key links need to be made with Local Authorities, NHS Boards and relevant Third Sector organisations.

There must be a clear and complementary function with NHS Health Scotland, CoSLA and relevant Government departments.

It should be set out clearly how the new food body will support and contribute to key agendas, such as, early intervention activity and the Early Years Collaborative and inequalities in health (including getting back to basics and developing the food knowledge and practical skills of the population).

Further detail is required to show how the new food body will respond to the needs of the Scottish population and the needs of specific population groups.