

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?

- No – see answer to Q16

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?

- There has been little progress on improving diet and nutrition in Scotland since 1996. More of the same is unlikely to produce a different result.
- Although the consultation paper suggests that the new food body could have a wider role in promoting public health through nutrition, it is not clear what new activities it would undertake, and why this would lead to better results than continuing to invest in bodies like Health Scotland. Greater clarity on this point would be helpful.
- It is essential that Scottish Government, local authorities and the NHS continue to be responsible for leading on health improvement policy, including improving nutrition.
- The new FSA can be one important source of advice in this process but should not be seen as leading on health improvement

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

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.

- One important step is to ensure the involvement of different voices both in the main FSA board and the expert advisory committees. Human nutrition is a contested area, and there is always a danger that the majority current perspective appears as self-evident truth. Encouragement of dissent and debate makes it more likely that received wisdom continues to be tested for cracks, and that new lines of enquiry are not shut off prematurely.

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.

- The new body should focus its activities on ensuring that human and animal feed is safe, and is what it says on the tin. In doing that, it will collect evidence which is relevant to UK, European and global agencies. The new food body should both share this evidence and be an active participant in the wider community of practice. However, other agencies in Scotland have a wider scientific and research role and are better equipped to undertake and collaborate in broader international science programmes.

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. Through discussions with Scottish Government it should commission a programme of food safety and food labelling research. Wider research activity should form part of the existing research partnership arrangements established by Scottish Government.

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.

As stated above, Nourish would not see the new body having a unique or privileged position regarding nutrition policy, which by definition is far broader than the composition and integrity of human and animal food. Any panel within the new food body which is commissioning research should have broad representation with members who are not aligned to industry in the majority. The research itself should be peer-reviewed and made accessible to the public.

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.

- Not sure. From the public's perspective, it is hard to understand why companies have not yet been prosecuted under Trading Standards legislation for selling adulterated food.

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.

- As above. It seems that small traders are more likely to be prosecuted than large companies.

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.

- No. The lesson from the horsemeat scandal is that continued vigilance is needed regarding food safety and authenticity, and this should be the focus of the new body's work.

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.

- No comment

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.

- No comment

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.

- As stated above, it is not clear from the consultation paper what new activities the new food body might undertake in relation to public nutrition, or how this new body's expertise, authority or modus operandi would help to make difference.

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 FSA was established as a dedicated non-ministerial government department, with a mission encapsulated by three guiding principles: to 'put consumers first'; to be 'open and accessible'; and to be 'an independent voice'. This is an ambitious mandate, and while aspects of the FSA's work have been open and inclusive, there is a constant danger that the food industry (which has the largest stake in the FSA's work) and those elements of the science community working most closely with the food industry will come to dominate the agenda and mindset.
- As well as continuing the tradition of holding meetings in public and publishing minutes, the new body could use new methods to engage citizens – for example through citizens juries on issues such as labelling of pesticide residues and maximum residual levels, additives and allergies, use of enzymes, taxing sugar, labelling of animal products where GM has been used etc.
- An ongoing programme of action research should be commissioned, with an agency such as Scottish Community Development Centre working alongside FSA to evaluate and report on the level and quality of citizen engagement

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.

- Yes. The new food body should be a non-Ministerial department, with members of the main board and sub-boards recruited through the public appointments process. People employed within, or with close connections to, the food industry should be excluded from governance of the organisation. Servicing of the body's activities should also be undertaken independently of government or industry. None of the new body's research should be funded by industry.

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?

Nourish Scotland is a non-profit organisation set up to develop and promote a fairer and more sustainable food system in Scotland. Around 1200 people from across Scotland are registered on the Nourish website - a mix of concerned citizens, community groups concerned with food, the environment and climate change; and small food businesses including producers, processors, retailers and caterers. Nourish campaigns for and supports greater access to local food that is produced sustainably, in all parts of Scotland.

Nourish is committed to the principles of food sovereignty as outlined in the Nyeleni declaration and endorsed by a growing range of European, UK and Scottish food and farming organisations.

In summary, food sovereignty means putting people's nutrition and health at the heart of the food system rather than treating food as simply a commodity to be traded. It brings citizens and producers closer together; values diversity and supports agro-ecological production methods; and sees the contribution of small-scale farmers, growers and fishers as key to a secure future.

Nourish welcomes this opportunity to comment on the Scottish Government's proposal to set up a new food body in Scotland.

Nourish supports the proposal to establish a new stand-alone Scottish body, independent from government and industry, which fulfils the original functions of the FSA.

We note the suggestions in the pre-consultation discussions that the new body could extend its remit to a wider role in public health, could track and measure food poverty, and could include considerations of environment, provenance, sustainability or food security.

However, we see a danger in expecting the new food body to carry out both its important regulatory role and this more wide-ranging food policy role. Partly, this is because the organisational cultures required for the two roles are very different: partly, because of the practicalities of establishing the governance and operations of

the new regulatory body will be sufficiently challenging without extending the role further.

Since its inception, Nourish Scotland has highlighted the need for independent food advocacy to address these wider concerns, many of which were highlighted in the original public response to the consultation on 'Choosing the Right Ingredients'.

In 2008 the Food and Drink Leadership Forum was set up by the Cabinet Secretary to help formulate the National Food and Drink Policy. In its 2009 report the Leadership Forum noted that Scotland has little current capacity for independent advocacy on food and would benefit from an active and well-resourced advocacy sector to work in partnership with others to increase the engagement of Scottish people with food issues and support for the implementation of the Scottish National Food and Drink Policy.

The Leadership Forum suggested setting up:

- a leadership group of experts to support the Scottish Government in order to continue and deepen policy integration at national level and
- an independent advocacy organisation to scrutinise and challenge the delivery of the National Food and Drink Policy and provide an independent voice on all aspects of food.

Various stakeholders across Scotland have subsequently discussed this subject and agreed that a greater emphasis on Food Advocacy is needed.

More recently (March 12, 2013) the Cabinet Secretary announced the establishment of a new food council.

Nourish Scotland encourages Scottish Government to continue discussions of how best to deliver these broader functions of advising on, advocating, promoting and researching a fairer, greener and healthier food system in Scotland; and to do this in parallel with, but separately from, discussions of the establishment of this new food body.

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