

## 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?

NFU Scotland fully supports a food standards function for Scotland in the form of a New Food Body. The primary focus of the New Food Body should be an ongoing responsibility for food safety, standards and nutrition in Scotland, however there may be scope to expand this remit for the benefit of the Scottish food industry as a whole.

NFU Scotland welcomes the opportunity to contribute to how we believe these aims can best be achieved.

### **Meat Hygiene Service**

NFU Scotland considers that a standalone Meat Hygiene Service (MHS) for Scotland will help to deliver a more streamlined service that is fit for purpose, cost effective and that has the potential to deliver better standards than we currently see. A standalone MHS is an ambition we have strongly supported and is well suited to Scotland with its close-knit food industry.

A Scottish MHS will have the autonomy to build on relationships within the Scottish processing sector; to adopt risk based approaches and a greater focus on microbial standards as the European Commission open up change within Official controls.

However, a more radical approach to hygiene services may deliver greater flexibilities and improve information flows, while creating dividends for other sectors. As part of the review process for a New Food Body, this may be the time to consider in detail how veterinary services as a whole are delivered in Scotland.

NFU Scotland suggests now is the time for due consideration to be given to the possibility of surveillance activities, disease controls, hygiene inspections, animal welfare inspections and so on being delivered under one single veterinary delivery body.

NFU Scotland believes there is merit in considering how monitoring of retailers and processors might be better co-ordinated. One option would be to look at multi function inspectors who are equipped to look at hygiene requirements, who can take samples, who can check food labelling and so on. This would echo the SEARS delivery model. These inspectors should have access to a smaller bank of highly specialised inspectors for detailed advice and support as needed.

The benefit of this approach is that there is avoidance of unnecessary duplication in terms of inspection footfall for businesses, a flexible and co-ordinated vet service delivery, a holistic approach to vet delivery services allowing more pro active

advisory work, the potential to strip out costs, improved information flows and arguably more career progression opportunities for the best candidates.

Whether a single veterinary delivery body would be best placed under the New Food Body, or as a standalone service is up for debate. But with discussions on the future of the various strands of vet services currently ongoing, now is the time to consider whether a single channel surveillance and control service would give the best result.

### **Food Labelling**

The New Food Body for Scotland would be well placed to take overall responsibility for food labelling, particularly relating to Country of Origin Labelling and products showing Protected Geographical Indications (PGIs) and Protected Designation of Origin (PDOs). Whether responsibility for these important aspects lie within Scottish Government or the Food Standards Agency is undefined and this would be a good opportunity to remedy that situation.

### **Export certification**

Opening export channels is becoming increasingly important for the ongoing expansion of the high quality Scottish export brand and increased resource is required to ease the process of export certification. Given the limited resource in Defra currently allocated to export certification, and the high priority Scotland has given to growing Scottish food exports, increased resource in this area under the New Food Body would be highly beneficial. This could see Scotland taking the lead on issues related to export controls, freedom of movement and so on, following a similar model to negotiations in Brussels on animal health for Scotland.

### **Streamlining**

To incorporate the additional functions NFU Scotland are suggesting it is important that other processes currently held by FSA Scotland, to be adopted by the New Food Body, are streamlined to free up time, reduce financial burden and decrease bureaucracy.

One area where there is scope for efficiencies to be made is in the area of Local Authority on-farm inspection requirements.

Some of the present spot-checks by trading standards are hugely beneficial. For example, sampling to check feedstuffs comply with certified declarations are an important point of use check to ensure misinformation or adulteration doesn't occur in the food supply chain. This is particularly the case for beef and sheep farms where the problem may not otherwise be detected for some time. There are other areas, however, where inspections can feel like a direct duplication of industry led farm assurance inspections, which is arguably not the best use of resource.

While a risk based approach to inspections has been adopted to an extent, it can go further – most notably in taking greater account of Farm Assurance Schemes to reduce the requirement for additional on-farm inspection regimes on low risk premises. Finding a way of improving communication flow between Independent Farm Assurance Schemes and Local Authorities, for the purpose of avoiding duplication, would be beneficial.

NFU Scotland believes the focus for inspection regimes should be at critical control points such as feed mills and ports, as opposed to lower risk individual farms – particularly in the case where those farms have already received an independent farm assurance inspection.

It has been suggested that the New Food Body might take a more active role in areas such as food poverty, food security, sustainability or wider environmental matters. NFU Scotland believes that specialist agencies with appropriate expertise already exist for these and duplication of effort is not beneficial.

While the New Food Body should be available to contribute to those agencies when their specific expertise is requested, in our view it should not consider this a standard part of their responsibility. The New Food Body should offer policy advice but should not be responsible for policy creation and it must not lose focus from its overall principle aims of food safety and nutrition.

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?

- The division of roles and responsibilities on diet and nutrition appear to be fairly complex, with numerous agencies taking an active role. A strategic review of activity in this area would be appropriate.
- The New Food Body should in the first instance maintain its information provision on a balanced diet.

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 comment

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.

NFU Scotland believes it is important for the New Food Body to link into existing agencies and scientific communities across the UK, as well as EFSA. This will avoid the New Food Body merely duplicating effort, and is an appropriate reflection of the integrated nature of our food supply chain within the UK.

That said, there is considerable scientific expertise within Scotland and the New Food Body should seek to build and maintain strong links with these research facilities and academic institutions – particularly when looking at Scotland-specific policy priorities.

While independence of research is important, industry-led research should not be

automatically discounted if it is of good quality, peer-reviewed and published. As part of its commitment to being at arms length from Government and independent, the New Food Body should have a duty to publish the positions and advice that have been put forward to the Scottish Government for consideration.

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.

- Given the limited resources NFU Scotland recommends that research should be focused primarily on Scottish issues, many of which crossover onto priorities within the UK and Europe. Science and research efforts should work to safeguard our export potential e.g added value health declarations.

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.

- It is right that the New Food Body should have a pivotal role in ensuring research into food safety and public health nutrition is co-ordinated. However, NFU Scotland would encourage wide stakeholder engagement to ensure new research opportunities, or smaller research projects, are not ignored and funding is used to best effect.

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.

- No further comments

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.

NFU Scotland does not believe that additional statutory controls are necessary. The appropriate regulations are in place; but we need increased enforcement and compliance.

The horsemeat incident was not just a failure in controls but rather a combination of factors including cost pressures, unnecessarily long supply chains and fraudulent activity.

Increased enforcement of labelling controls would be beneficial. The suggestion of a multi function inspection regime made earlier in this document, if implemented, may help through auditing product flows to pick up labelling issues more quickly. NFU Scotland is concerned by the increase in disingenuous labelling, which is

often not technically illegal, but couldn't be considered wholly truthful either.

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.

- No further comments

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.

- See response to Question 1

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.

If the New Food Body does take on additional responsibilities of delivering official controls we would recommend that a key priority would be to look at communication with, and strategic direction given to, the inspectors. NFU Scotland suggests that one way to improve this would be to have a small but highly skilled inspectorate to shadow the Local Authority inspectors, perhaps 10% of the time, which would allow local relationships to remain but offer greater support to on the ground inspectors.

This would tie inspectors into specialist expertise, give consistent ongoing training opportunities and a personal contact if a particular specialist issue needed to be looked at in detail. This would also help to ensure that the holistic delivery of environmental health services is maintained. As Scotland is relatively small, only a small specialist team would be required to fulfil this function.

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.

NFU Scotland sees assured delivery of official controls via two strands; expert advice for providing inspectors with consistent monitoring, and ongoing support and surveillance/ data collection spot checks to ensure outcomes in establishments such as cutting plants are hitting requirements.

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.

While NFU Scotland agrees that the new food body should maintain its independence to give complete consumer confidence. The New Body should deliver evidence based policy development through transparent consultation processes. The New Food Body should canvass industry opinion and expertise from a wide variety of stakeholders, and then take informed decisions. Consultation with

consumers, farmers, industry bodies and so on is completely appropriate as long as an independent decision based on what is learned is then taken.

It is also important that the New Food Body has a clear route into European policy developments.

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?

Consistency of communication is key when engaging with consumers. If the new food body is to take responsibility for, for example, delivering health information messages then it must become the 'one stop shop' for trusted, accurate advice. Advice offered on both the Food Standards Agency website and also via Scottish Government directly is an unnecessary and potentially confusing duplication of effort.

The New Food Body should look at the different ways they communicate e.g. the New Food Body might consider more focus on, for example, information points at supermarkets, as opposed to via their website.

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.

NFU Scotland agrees with the approach being taken to ensure the New Food Body is independent from Government and food industry. However, maintaining and improving upon existing links with Government and the food industry should be continued; these deliver a means of informing and being informed, without compromising the ultimate independence of the new food body.

It is important that the New Food Body can demonstrate transparency and objectivity in its structure. A small independent board, with a broad spectrum of expertise is advised, keeping food safety and nutrition at the heart of the organisation. NFU Scotland would also recommend that advice or recommendations given by the Board be published.

For specific work streams it may be useful to consult with ad hoc expert groups, and again any recommendations or meeting outcomes should be made publicly available.

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?

- No further comments