

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 new food body should extend beyond the current scope of the FSA in Scotland to include all food and feed regulation, dairy and egg hygiene, port controls and food security, although delivery could be maintained through existing bodies by means of appropriate contracts or SLAs. The new food body could also have responsibility for welfare and surveillance in abattoirs. Extending the jurisdiction of the new food body to incorporate all aspects of food safety and security will lead to improved efficiency and effectiveness in the delivery of food safety controls both generally and in the event of a food safety threat or incident.

We believe that the key priorities for the new food body should be ensuring that food safety and animal welfare controls are sufficiently robust in all sectors. The veterinary profession already performs roles around food safety and animal welfare and are ideally placed to contribute to other aspects of the food chain, including food standards.

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?

Yes, the current collaborative approach appears to work well.

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.

We don't feel that our remit extends to suggesting improvements in this regard although we are likely to be supportive of any new initiatives which the food body may introduce aimed at improving the diet and nutrition of people in Scotland.

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.

It would be a duplication of effort and therefore highly inefficient for the new food body to work completely independently of the FSA and commission its own expert groups. The work of the independent committees and working groups that advise the FSA, such as the Veterinary Products Committee

and the Veterinary Residues Committee, help ensure that FSA advice is based on the most up-to-date scientific evidence and this work must be accessible to the new food body to underpin its work on food safety. A mechanism must also be in place to ensure feedback from groups such as the Advisory Committee on the Microbiological Safety of Food. If it were necessary for the new food body to commission its own expert group then this should be done with a view to taking the lead for the whole of the UK. We acknowledge that it may be appropriate to commission research with a Scottish bias depending on the project.

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 essential that the UK has a coordinated research and surveillance strategy, irrespective of funding. As already stated, it would be wasteful for the new food body to replicate the work of the FSA but in instances where there is a specific Scottish interest which is unique to Scotland then the associated research and surveillance should be funded by the new food body.

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.

Yes. All food safety and public health nutrition research in Scotland must be coordinated and the new food body would be best placed to facilitate this. Although the new food body will be a research funder it will be one of many and unlikely to be the largest. We are aware that the FSA Scotland already works in close liaison with other research institutions in Scotland, and this could be effectively built upon. There is a wealth of excellent data available from the food sector itself and methods of utilising this data, where it is considered reliable and adequately peer reviewed, should be explored.

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.

See answer to question 6.

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.

We fully support the proposal that the new food body will retain responsibility for food labelling and food standards as well as food safety and will have the same statutory powers as the FSA as a minimum. Although the responsibility for the content of a food product lies with the food business operator the new food body should have powers to audit and inspect as appropriate, and powers to detain food and prevent it from entering the food chain if there are concerns regarding its safety. In addition, we support the FSA proposal in their 'Consultation on new proposed enabling primary food and feed legislation provisions' to extend the existing powers of authorised officers to detain food to areas where the food is considered safe but there are doubts over either its composition or its description or labelling. We also support FSA proposals to provide powers to allow for foods to be seized or destroyed for non-compliance with food standards and labelling rules, similar to those that already exist for foods not meeting safety requirements. We will be responding to the FSA consultation separately.

We believe in general that the new food body will have sufficient powers under existing Scottish Statutory Instruments although it would be prudent to verify that those powers allow for unannounced visits to all food premises based on an appropriate risk management strategy. Such visits should include robust traceability and provenance checks and investigations as appropriate.

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.

We support proposals for the development of a robust regulatory enforcement strategy to deal with contraventions of food standards and safety law as part of the preparations for creating the new food body. See also question 8 above.

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.

In the long term, consideration could be given to bringing all government funded veterinary services from farm to fork into the new food body, including animal health and welfare controls and veterinary laboratory services, creating a multi-skilled and flexible pool of staff.

A joined up approach to on farm regulatory visits and disease surveillance is highly desirable. Animal health and welfare together with food safety and animal feed controls should be coordinated and the new food body could be the ideal umbrella organisation to achieve this. If animal health in Scotland

was regulated by the new food body substantial efficiencies could be generated. Similarly, food labelling, traceability and provenance could be most effectively and efficiently delivered by the new body, with the veterinary profession ideally placed to contribute.

Increasing the scope of work of the new food body could facilitate greater job progression for staff which could contribute to maintaining staff motivation and therefore retention. We believe that exemplary frontline delivery will be key to the success of the new body and retaining well trained, respected and highly motivated staff is of paramount importance.

In the wake of the recent horsemeat crisis the issue of horse identification, has come into the spotlight. Traceability of all meat, including equine, is the cornerstone of food security and it is on that basis that we would support a more rigorous equine passport system in Scotland. Sending horses for slaughter in England, for human consumption is an important part of the equine industry in Scotland. As the current equine passport system is fundamentally flawed and open to fraudulent activity all equine carcasses must currently be tested for the presence of phenylbutazone before entering the food chain. A more robust system of equine identification would help ensure food safety for consumers throughout the European Union and would strengthen the equine industry.

We believe that all horses in Scotland should be microchipped and that there should be a single Passport Issuing Organisation (PIO) covering all equine animals born or living in Scotland. A Scottish National Equine Database would be required to support this and would help horse owners and vets ensure that only horses that are signed out of the food chain are prescribed those medicines with known or unknown health risks to humans. Enforcement of such a system could come under the remit of the new food body which would have ultimate responsibility for the safety of horsemeat and the security of food produced in Scotland, from whatever source.

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.

We believe that the delivery of official feed and food controls should move towards a fully joined up farm to fork system and the veterinary profession is ideally placed to oversee the priority elements.

We support the rationalisation of current local authority controls as outlined in the consultation document and believe that the new food body could deliver a more efficient, effective system rather than relying on differing approaches taken by thirty two different local authorities. For example, if controls relating to animal feed, dairy and eggs were taken in house and outsourced as appropriate, local authorities could then compete for work with other providers of outsourced services, creating a healthy element of competition. The new food body could offer a different approach where

responsibility for the delivery of Official Controls is shifted to the food body itself. Local Authorities could still be responsible for setting local priorities as required and deliver through a competitive environment, seeking best value for money.

If controls are left with Local Authorities to administer, it would be advantageous for them to have a greater choice of supplier. By utilising more outsourced services, controls could be delivered more efficiently and consistently across local authority boundaries. Currently, it appears that individual Local Authorities cannot benefit fully from economies of scale. The aim should be to achieve higher levels of performance improvement through competition, innovation, and the use of specialists as required. While Local Authority boundaries will remain fixed a new model could be effective across those boundaries.

We understand that there is a shortage of Environmental Health Officers across the country. As there is no such issue with the supply of veterinarians, many of whom have had substantial university training and practical experience in food related controls, veterinarians could represent better value in the future than training many new EHOs. Very substantial cost savings could be generated while maintaining, or perhaps even enhancing, the quality of frontline delivery. The economies of scale achievable by combining the food safety controls currently undertaken by veterinarians with other food related tasks generate huge potential for the new body to consider.

We fully appreciate the specialism and knowledge currently held by Environmental Health Officers, and we acknowledge that retaining this is absolutely vital to successful frontline delivery. We would envisage EHOs and veterinarians working together with specialist roles being developed for each. Where necessary, veterinarians could receive additional training, for example in health and safety, should local gaps in coverage of related official controls emerge.

We believe that controls in the meat sector should remain firmly under the control of the new food body and agree with proposals for the approval of food and feed establishments. In approved establishments the new food body should be responsible for official controls of all food commodities and for all official controls including food standards. We support the other suggestions under paragraph 48 of the consultation document.

We would require more information to be able to comment on extending the legal remit of the Scottish Food Enforcement Liaison Committee. Governance arrangements for the new food body will need to be further explored.

The principle of strengthening audit procedures is fully supported and robust audit should be a core function of the new food body.

In summary, we believe that there is substantial scope to redesign the

delivery of Local Authority based controls and to have veterinarians play a much more active role.

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.

We believe that robust audit processes will be pivotal to successful assurance of delivery of official controls under the new food body. While we fully accept that FSA will represent the UK in Europe we believe that in Scotland the new food body should create its own risk based audit system. Meat and shellfish sector audits, alongside other sectors identified post-consultation, should be undertaken by a Scottish verification team. The new food body must be able to demonstrate exemplary levels of compliance with EU regulations not only to satisfy EC 882/2004, but also to give confidence to all markets, including developing countries, to which Scotland may export.

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.

We fully support the approach being taken to generate effective working relationships with all applicable organisations and anticipate the list being added to in light of experience in operating the new food body. We believe that outsourced operational delivery partners should be included as key stakeholders as they are integral to effective frontline delivery of operational requirements and employ significant number of veterinarians in Scotland.

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?

We agree with the approach being taken by FSA Scotland to date.

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.

The new food body must continually demonstrate its independence by open and transparent decision making. This should include independence from both Ministers and from industry. It could be beneficial to create a forum where industry can have input into policy decisions, fully accepting that

those decisions will ultimately be for the competent authority to take. We are supportive of the approach outlined in the consultation paperwork.

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?

The creation of a new food body for Scotland represents an excellent opportunity to make better use of outsourced resources. There is a wealth of veterinary and official auxiliary experience within suppliers to the FSA including OVs, meat hygiene inspectors and shellfish sampling officers. Furthermore veterinarians provide invaluable frontline resource for animal health controls. There is considerable scope to better utilise the expertise of the veterinary profession within university research institutes, and both private practitioners and OVs, who are ideally placed to take a holistic approach to the frontline delivery of public health, animal health, and animal welfare. We would be happy to discuss this further if appropriate.

