

MINUTES OF THE BOARD MEETING, 13 DECEMBER 2007, HOTEL RUSSELL, RUSSELL SQUARE, LONDON

OPEN SESSION, 9:00 – 13:00

Present:

Dame Deirdre Hutton, Chair
Ian Reynolds, Deputy Chair
Tim Bennett
Chrissie Dunn
Maureen Edmondson
Graeme Millar
Michael Parker
Chris Pomfret
Bill Reilly
Nancy Robson
John Spence

Officials attending:

John Harwood, Chief Executive
Andrew Wadge, Chief Scientist
Corrine Vaughan, Deputy Head of Nutrition Division (item 2.1)
Alison Tedstone, Head of Nutritional Science Branch, Nutrition Division (item 2.1)
David Statham, Director of Enforcement (item 2.2)
Tom Murray, Head of Local Authority Liaison Division (item 2.2)
Terrence Collis, Director of Communications (items 2.3 and 2.4)
Stephen Humphreys, Head of External Affairs (items 2.3 and 2.4)
Alastair Cannon, Board Secretary

Others attending:

Professor Alan Jackson, Chair of the Scientific Advisory Committee on Nutrition (SACN) (item 2.1)

Chair's Introduction

1. The Chair reminded Board members of their obligation to declare interests before discussion of relevant items. The Chair noted that apologies had been received from Sandra Walbran.

Item 1 - Minutes and Actions Arising

1.1 - Minutes of Meeting on 17 October 2007, Belfast Hilton Hotel, Belfast (FSA 07/12/01)

2. The Board agreed the Minutes of the meeting held on 17 October 2007 as an accurate record.

1.2 - Actions Arising

(FSA 07/12/02)

3. In considering the table of actions the Chair updated Board members on the following changes:
 - *Index 20Sep07/O/338* had been completed. An intersessional paper on NI meat hygiene controls, following the discussion on TMHS, had been circulated to Board members on Friday 7 December.
 - *Index 15Mar07/O/316* and *Index 15Mar07/O/322* - the revised Code of Conduct and advice on conflicts of interest would be sent to Board members by January 2008.
4. One Board member suggested that the reasons for any slippages to due dates should be given in the actions arising table.

Action: Board Secretary

Item 2 - Discussion Items

2.1 - Trans Fatty Acids

(FSA 07/12/07)

[Prior to this discussion, Chris Pomfret declared an interest as being a previous employee of Unilever. The Chair did not consider this to be a material conflict of interest and agreed that he could participate in the discussion and determination of this issue.]

5. The Chair noted that the Board had received a factual briefing on trans fatty acids the day before, which had been audio-recorded and was available on the Agency's website.
6. Corinne Vaughan gave a presentation to Board members on the action the Agency had taken in response to the Secretary of State for Health's request to review trans fats following action taken in Denmark and New York to impose mandatory restrictions on these. This included an independent review by SACN of current health evidence, stakeholder engagement (including a meeting in October), and a re-estimation of the UK average dietary intakes.
7. Alan Jackson gave a presentation to Board members setting out SACN's conclusions and recommendations in respect of the health impacts on trans fats. SACN had recommended that the average trans fat intake should not exceed 2% of food energy.
8. Board members noted that a review of the evidence had shown that voluntary action by the UK food industry had already delivered consumer benefits

equivalent to the most restrictive legislation possible. Consequently, average dietary intakes in the UK had come down to just 1% of food energy. It was noted that it was not possible to eliminate trans fats completely from food, as they also occurred naturally in some meat and dairy products. However, saturated fats posed a greater health risk for the UK population, and were a major contributor to heart disease, because of the level of intake. Alongside continued monitoring of consumer intakes of trans fats, the FSA's priority should therefore be to work with the industry to step up its reformulation of foods to reduce saturated fat levels. The FSA would also continue to encourage consumers to choose a diet that was low in saturated fat.

9. Board members noted SACN's advice on the health effects of trans fats, the action taken internationally on trans fats levels in foods, and considered the options for action in the light of existing voluntary initiatives by the food industry.
10. Board members noted that the industry should be congratulated for the effective voluntary action it had taken to reduce trans fats and
 - agreed to recommend to UK health ministers the advice set out in paragraphs 48-53 of the paper;
 - agreed that voluntary actions to reduce trans fats in food had resulted in such low consumer intakes in the UK that mandatory restrictions were not necessary.
11. The Chair added this was a good example of a regulator and the industry working together for the benefit of public health, and would provide a springboard for future work on salt and saturated fat.

2.2 - Safer Food Better Business

(FSA 07/12/04)

12. The Chair noted that the Board had received a factual briefing on Safer Food Better Business the day before, which had been audio-recorded and was available on the Agency's website.
13. Board members noted the end of year financial compliance projections for options 1 to 3, and that it was possible to combine elements of options 2 and 3. However, Board members considered the main priority was to ensure the Agency met its strategic plan target of 75% compliance with the requirement for food safety management procedures by 2010. It was for the Executive to decide how best to target the resources to achieve this. Overall the resources provided in the projections demonstrated value for money compared to a relatively small amount of investment. Safer Food Better Business had proved to be a useful tool in driving up food safety standards. Encouraging other partners to spread the word

and act as facilitators in support of this initiative would also assist with improving compliance levels.

14. The Chair noted that the Board had agreed that:

- it was fundamental for the FSA to meet its strategic plan target of 75% compliance by businesses, and it was for the Executive to decide which option or combination of options would provide the most appropriate resources to achieve this;
- progress reports should be provided to the Board, particularly if the Executive had any concerns along the way that the target could not be met;
- Safer Food Better Business was an effective tool and represented a worthwhile investment of public money;
- it would be useful to bring other partners into this work to act as facilitators in spreading the message further on food safety management practices;
- in future reports, it would be helpful to receive details of the position on compliance across the UK.

2.3 - Communications Report

(FSA 07/12/05)

15. Board members welcomed the progress made on the Communications strategy.

The Board was pleased that it was now an integrated, focused and coherent strategy which was being applied internally, as well as externally with stakeholders. There had also been improvements in the way in which the Communications and Food Safety Groups worked together in handling food incidents. A protocol for joint working had been put in place which also allowed reviews of incidents after the event and consideration of lessons learnt.

16. Board members commented that it was crucial that the Communications strategy received appropriate resources over the next three years. Communications played a cross-cutting role in delivering all of the FSA's strategic objectives and reaching consumers. Stakeholder engagement and changing consumer behaviour remained significant challenges for the FSA to address. Board members noted that the FSA had been successful in presenting its advice in the media and on its website in a clear and easy to understand manner. The Citizens' Forum on Food would help to increase trust in the work of the FSA, but further work was needed to improve the FSA's understanding of consumer views.

17. The Chair of the Northern Ireland Food Advisory Committee was pleased to note the support which had been provided to the smaller communications teams based in SWANI¹ offices.
18. The Chair noted that the Board welcomed this report, but recognised the challenges ahead. The Board had expressed some concern in respect of resources, and asked the Director of Communications to alert the Board if there were any funding problems which arose in the future. The Chair also noted that the FSA's communications team was there to help change behaviour and to support consumers. Partnership was useful in spreading the FSA's messages, and the Women's Institute and other charities had been helpful in assisting in this respect.

2.4 - Stakeholder Engagement

(FSA 07/12/06)

19. Board members welcomed the programme of stakeholder engagement proposed for the Board. Board members agreed that providing feedback to stakeholders was an essential part of engagement, and it was right there should be a greater emphasis on this. The Chief Executive clarified that, further to the discussion at the October Board meeting, it had been decided it was important for the Board to continue to meet in Scotland, Wales and Northern Ireland, and to combine this with stakeholder engagement. Board members suggested that it would be useful to have themed meetings and workshops.
20. The Chair of the Northern Ireland Food Advisory Committee noted that her Committee had welcomed this paper, in particular the need to improve listening and feedback to stakeholders. However, it was essential for the Board to carry out stakeholder engagement when visiting SWaNs. Board members considered it also important to ensure there were mechanisms in place for engaging with the English regions.
21. The Chair noted that the Board supported the FSA's proposed programme of stakeholder engagement, and agreed the proposals for the Board's future involvement, but had suggested that, where possible, this should include themed meetings and workshops. The Board was there to lead the discussion and enquire, not to deliver messages to stakeholders. The Board had also expressed strong support for engagement in the English regions. As consumers are at the centre of all that the agency does, engagement with them was treated as a separate subject.

¹ Scotland, Wales and Northern Ireland

Item 3 - Oral reports

3.1 - Chair's Report

22. Details of the Chair's engagements had been provided in the bound papers for this meeting². The Chair reported on meetings held with the National Farmers' Union; Tim Lang, Professor of Food Policy, City University and Erik Millstone Professor in Science and Technology, Sussex University; and Gwenda Thomas, Welsh Deputy Health Minister. The Chair had also met with representatives of the dairy sector to discuss how reductions in saturated fat could be taken forward and widened to involve other sectors.

3.2 - Chief Executive's Report

(FSA 07/12/03)

23. The Chief Executive referred Board members to his written report, and provided the following updates and clarification.

Food Supplements

24. The Chief Executive noted that the Agency had written to the supplements industry on a number of occasions emphasising the importance of submitting dossiers if they wished their products to continue to be available for sale. The consequences of not submitting dossiers and receiving EFSA³ opinions was set out on in the written report. One Board member asked for details of the number of products involved which had not submitted dossiers. The Chief Executive said that the latest position on this would be checked and circulated to Board members.

Action: Clair Baynton

Sustainability Workshop: 11 December 2007

25. The Chief Executive noted that this had been a successful event and had been attended by six Board members. The Chief Executive would report back to the Board on the actions to follow, once the Executive had assessed the outcomes from the workshop.

Results from Defra⁴ studies on characterisation of sheep TSE⁵s

26. The Chief Executive updated Board members on recent results from Defra studies on the characterisation of sheep TSEs.

² standing order paper SO 07/12/04

³ European Food Safety Authority

⁴ Department for Environment, Food and Rural Affairs

⁵ Transmissible Spongiform Encephalopathy

27. The Chief Executive reminded Board members that in July, SEAC⁶ had considered some 'difficult to interpret' results from experiments using material from sheep diagnosed with classical scrapie. SEAC had concluded at that time that the significance of the results could not be determined and that further work was needed to clarify the findings. In October 2007, SEAC's Sheep Subgroup discussed the interpretation of the findings from the experiments to characterise the strain of infection in two particular cases diagnosed with scrapie in 1996 and 2000. The Subgroup also considered the implications for current understanding of sheep TSEs and the possible presence of BSE in sheep. The possible interpretations of the data considered by the Group were:

- experimental error;
- the features observed on passage in mice were characteristic of classical scrapie infection in sheep of the genotype and/or breed of sheep from which the isolates were derived;
- a conversion occurred of the classical scrapie strain that infected the sheep giving rise to strain with features similar to BSE when passaged in mice; and
- a mixed infection of BSE and classical scrapie was present in the sheep.

28. The draft sub-group report concluded that:

"The data from the strain typing study, while intriguing and not fully explained, provide no evidence for the presence of BSE in sheep as a single infection. Whilst these data may indicate the presence of mixed BSE and classical scrapie infections, this is one of several possible interpretations. These data should not give rise to concern that there is an appreciable number of mixed BSE-classical scrapie infections that would significantly influence estimates of the prevalence of BSE in the UK sheep flock."

The report from the Subgroup was to be considered by the full SEAC Committee the next day in open session. Defra had also informed the Agency that, since the SEAC Subgroup meeting in October, VLA⁷ had completed further analysis on this work, and intended to publish the results and submit them to a European Strain Typing Experts Group for consideration.

29. The Chair noted that sheep were now routinely brain sampled and tested. The Chief Scientist added that the samples were from 1996 before the feed ban had come into place and this therefore complicated the interpretation of results. The Chair noted that the Chair of SEAC would be providing his assessment of the results and proposals in the New Year. One Board member suggested that it would be useful for the Chair of the SEAC to provide an overview to the Board on

⁶ Spongiform Encephalopathy Advisory Committee

⁷ Veterinary Laboratories Agency

this work. The Chair agreed that it would be useful for this to take place in early 2008.

Action: Alison Gleadle

30. The Chief Scientist would keep the Board informed of further developments and seek further expert advice from SEAC on the possible implications for human health from the current sheep flock, if necessary.

Item 4 - Information Items

(SO 07/12/01-06; INFO 07/12/01-04)

31. The Chair drew Board members' attention to the standing order papers provided for this open meeting and to the 4 information papers on the Post Sudan I review – Progress Report (INFO 07/12/01) and the reports from the Chairs of the SWANI Advisory Committees (INFO 07/12/02-04).

Date of next meeting

32. The next scheduled meeting would be held in London on 13 February 2007.