

Note of the External Stakeholder Reference Group Meeting held at Aviation House London on 20 September 2016

Present

Jason Feeney - Chief Operating Officer
FSA (Chair)

Richard Hoskin - Head of Incidents &
Resilience FSA

Kathryn Baker - Head of Consumer
Protection FSA in NI

David Lowe - Senior Programme and
Project Manager FSA

Chris Simpson – Secretariat FSA

Jackie McCann – FSS

Sue Davis - Which?

Lindsey McManus - Allergy UK

Moira Austin - Anaphylaxis Campaign

Kathryn Miller - Coeliac UK

Kaarin Goodburn - Chilled Food
Association

Elizabeth Andoh-Kesson - British Retail
Consortium

Martin Forsyth - British Frozen Food
Federation

Andrew Collinson - Wycombe District
Council

Sue Powell - Oxfordshire County Council

Karen O'Conner - Bracknell Forest
Council

Earl Legister - Southwark Council

Apologies

Sian Thomas - Fresh Produce
Consortium

James Bielby - Federation of Wholesaler
Distributors

Agenda Item 1 - Introduction and Apologies

- 1.1 The **Chair** welcomed everyone to the first meeting of the External Stakeholder Reference Group (ESRG) and all members provided round table introductions. Apologies were received from Sian Thomas (Fresh Produce Consortium) and James Bielby (Federation of Wholesaler Distributors).
- 1.2 The **Chair** explained that the project involved a UK wide review of withdrawal and recall procedures within the retail sector, with involvement from both FSA and FSS. He explained that the main items on the agenda were intended to set the scene for the project and to provide an opportunity for ESG members to share their experiences with the current system and their initial thoughts on how to shape the future system.

Agenda Item 2 - Overview of the review of withdrawal and recall processes

- 2.1 **Richard Hoskin** gave a presentation setting out the scope of the review and anticipated outcomes. In particular he emphasised that the scope of the review related to withdrawal and recall in the retail sector. In addition to covering unsafe food the scope extended to food that was 'not what it says it is' therefore bringing in authenticity issues, for example, horse meat.
- 2.2 On the scope of the project, a concern was raised that it should include the food service sector. It was accepted that improvements could be made in this sector but the scope was being restricted to the retail sector initially, as retail covered a large market share within the food industry. There was also a view that given the very different type of market in the food service sector, including different delivery methods and partners involved, inclusion of this sector would complicate the project. Finally it was noted that given available resource for the project, the scope was being contained to ensure the project could be delivered on time. It was agreed that lessons learned from this project could be extended and applied across other sectors in the future. The ERSG secretariat agreed to consider this further.
- ACTION: ESRG Secretariat**
- 2.3 On the scope relating to withdrawal and recall of food that is 'not what it says it is' a view was expressed that this would need to be considered on a case by case basis and would depend on whether it was in the public interest. The example of horse meat was given as an example of being in the public interest but not a food safety issue. It was also considered that by issuing recalls in the future for non-food safety issues, this would mean there could be potentially many more recalls and this would in effect dilute their significance.

Agenda Item 3 - Terms of reference and Working Arrangements

- 3.1 **David Lowe** took the Group through the Terms of reference. He confirmed that the External Stakeholder Reference Group was being established so that FSA could work in partnership with consumer bodies, the food industry and with Local Authorities (LAs) to improve the current withdrawal and recall processes. In terms of working arrangements, he confirmed that Jason Feeney would Chair the Group, the FSA would provide the Secretariat, meetings would be held quarterly with additional business being conducted by correspondence, and all agendas, papers and notes of meetings would be published on our website.
- 3.2 Comments were invited from the group. Members requested that the papers for the meeting be provided two weeks in advance of the meeting, so that for example, trade association member views could be gathered in advance of

and provided at the meeting. The terms of reference would be updated and recirculated to members. The remainder of the terms of reference were agreed. Terms of reference, along with the agenda and additional papers would be published on the FSA website.

ACTION: ESRG Secretariat

Agenda Item 4 - Process Mapping

- 4.1 **Kathryn Baker** introduced this paper and highlighted that one of the first steps undertaken to help gather evidence necessary to assess the effectiveness of current processes was to process map the current system of withdrawals and recalls. The draft process map in the Annex to the paper was developed through internal discussions with colleagues across the FSA. The aim of mapping the process was to help gain a fuller understanding of what was involved, where potential issues/weakness may be and what data was needed to evaluate these. Members of the group were invited to comment on the process map.
- 4.2 A range of views were provided, including the sequencing of activities as detailed in the map in that they may not be correct from all stakeholders perspectives. The LA representatives confirmed that the decision to recall may often be made by business before they approached the LA or the FSA. For smaller businesses LAs may be involved in validating a business' risk assessment and a Primary Authority would likely play a key role.
- 4.3 It was confirmed that the process map was a first draft and would be subject to change, especially during the evidence gathering phase of the project, when stakeholder views would be sought to refine it further. Members of the group were invited to reflect on any other issues relating to the process map and to feed comments back to the ESRG secretariat.

ACTION – All Members

Agenda Item 5 - Evidence and Research Gathering

- 5.1 **Kathryn Baker** introduced this paper confirming that the first phase of the FSA's review involved gathering the evidence needed to assess the effectiveness of current withdrawal/recall processes. Research work would be carried out by both the FSA and through an external contractor and that further details were provided in the paper.
- 5.2 A number of issues were highlighted by members for consideration within the research phase. LA representatives confirmed that withdrawal and recall should be considered for different ethnic groups. Often these groups may be

difficult to reach and views around throwing food away and waste may impact on withdrawal and recall actions.

- 5.3 Industry representative confirmed that only Trade Association bodies were represented at the ESRG and information and views should be sought from individual businesses through this phase of the project.
- 5.4 In relation to the internal FSA review of other countries, it was noted that this should include countries outside the EU for example USA, especially considering Brexit and implications from that.
- 5.5 It was also considered that during this phase of the project it would be useful to identify good practice from other sectors.

Agenda Item 6 - General Discussions

- 6.1 The Chair introduced this item and explained that time had been provided as an opportunity for Members to reflect on what they had heard, and to obtain their views on key issues/problems/weaknesses with the current system from their own perspectives, and on what 'good' would look like. There were a range of discussions under a number of themes:
- 6.2 Recalls for persons with allergens or gluten intolerance: In relation to allergens it was considered that for some recalls there was a gap in notifying consumers as not all businesses used allergy organisations to promote the recall to their members. In relation to recalls involving gluten, Coeliac UK might not be aware of a recall from smaller companies until the FSA publish the food alert. Could this be improved? It was noted that it would be useful to understand how a problem with an allergenic ingredient was identified. For example, was it identified because a consumer had a reaction, or was it identified by a business or LA?
- 6.3 Providing clear guidance/code of practice on withdrawal/recall: A view was expressed that it was unclear where responsibilities currently lay for notifying consumers of recalls. Where did business responsibility stop and competent authority/LA responsibility take over? In general it was considered that the system would benefit from there being clear guidance or a code of practice setting out roles and responsibilities. The guidance could cover the following:
 - An explanation of the various elements of the process to ensure consistency of approach;
 - Clear roles and responsibilities;
 - Approximate target times identified for the various steps in the process (it was suggested there was a lack of a defined timelines when dealing

with withdrawal and recall scenarios. Different trade bodies/assurance bodies required different timelines and could guidance provide some alignment to this?);

- Templates provided – for example to assist in conducting risk assessment.

6.4 Attention was drawn to existing best practice guidelines, for example BRC Global and European chilled foods guidance.

6.5 Large retailers versus smaller retailers: It was suggested that there was a perception that larger retailers went beyond legal requirements while smaller retailers would work to the legal requirement. It was commented that most recalls seemed to originate from the larger retailers. Did this mean that small and medium retailers did not publicly declare when they had an issue? It was also considered more difficult to get recall messages to smaller retailers. In general there was a view that the research should explore these perceptions.

6.6 Identifying success: The question was raised – What would success look like? For example, would this include the percentage of foods returned in a recall? This would likely be different across the retail sector. Would it relate to the number of consumers contacted or actions taken by consumers? It was agreed that this would be difficult to quantify because of the wide range of products and people's attitudes to returning low value items.

6.7 Consumer Segmentation: It was considered that recall communications needed to target different consumers based on their needs. For example the elderly would be more difficult to contact through digital means and it could prove more difficult to target messages to ethnic groups.

6.8 Learning and sharing information: It was noted that industry could benefit from improved sharing of information. For example, if one company had an issue with a product from a specific region/supplier then it was likely that others would also. When the root cause of an incident was identified this would be useful information to share. Could such information be shared in an anonymous way?

6.9 Members were invited to consider further and to share any additional thoughts with the ESRG secretariat.

ACTION – All Members

Agenda Item 7 – Any Other Business

7.1 It was suggested that representation for small retailers could be strengthened on the ESRG. ESRG secretariat agreed to approach the Federation of Small

Businesses for a representative.

ACTION: ESRG Secretariat

Agenda Item 8 - Date and Time of Next Meeting

- 8.1 **Chris Simpson** agreed to canvas for dates for the next meeting, likely to be late December or early January.

Draft