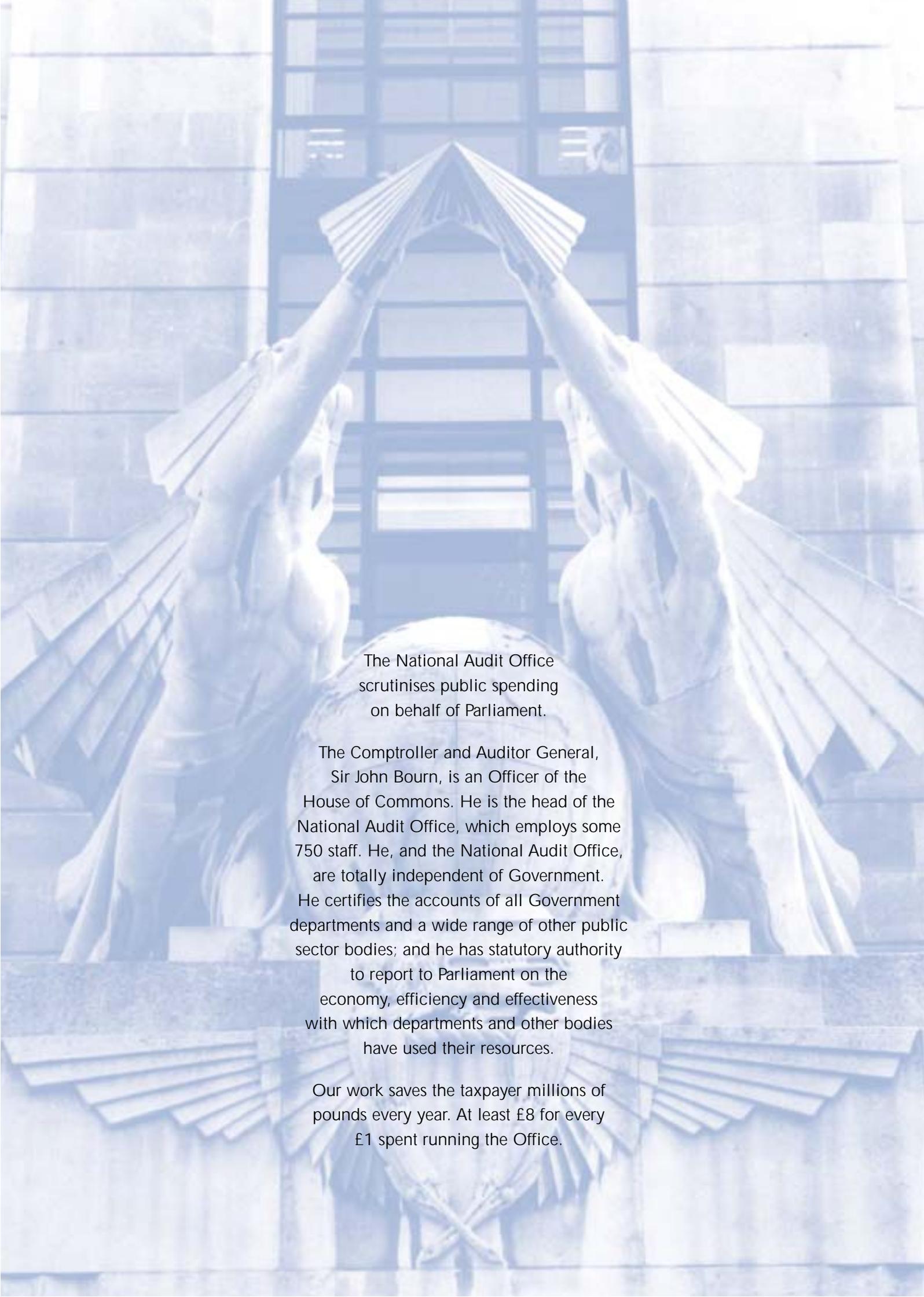


Improving Service Delivery The Food Standards Agency

REPORT BY THE COMPTROLLER AND AUDITOR GENERAL
HC 524 Session 2002-2003: 28 March 2003





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Improving Service Delivery
The Food Standards Agency



REPORT BY THE COMPTROLLER AND AUDITOR GENERAL
HC 524 Session 2002-2003: 28 March 2003

This report has been prepared under Section 6 of the National Audit Act 1983 for presentation to the House of Commons in accordance with Section 9 of the Act.

John Bourn
Comptroller and Auditor General

National Audit Office
18 March 2003

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Preface

This report is one of four¹ which consider the action government bodies are taking to improve the services they provide to the public.

The Food Standards Agency is a Non-Ministerial Department responsible for protecting public health and consumer interests in relation to food. It was established in April 2000 when public confidence in the safety of food had been seriously undermined by the Bovine Spongiform Encephalopathy (BSE) crisis and other food safety problems and scares. Operating at arm's length from Ministers the Agency is free to publish advice without the need for political agreement. It employs 667 staff² with annual expenditure of some £97 million. The Agency has a wide remit, involving food safety across the whole supply chain - 'from farm to fork', nutrition, food standards and food labelling. The Agency is both a government department and a regulator, with responsibilities for negotiating in the European Union on behalf of the UK Government. The Agency then leads on the implementation of European Union food law as applied through domestic legislation.

The effectiveness of the Agency depends in part on the extent to which it is trusted by the public to provide reliable and impartial advice. Improving public confidence in food safety and standards arrangements is therefore one of its main aims.

Overall, the Agency has made progress in meeting this objective. In 2001-02 some 506 recorded incidents with the potential to affect food safety were investigated and 47 Food Hazard Warnings were issued to local authorities alerting them to potential dangers to health, or requiring them to remove food from sale. Some £6 million is spent annually on research and surveys into nutrition.

The Agency has also sought to demonstrate its openness and independence by ensuring that its decision-making is transparent, both through holding its Board Meetings in public and through regular consultation with a wide range of stakeholders, particularly organisations representing consumer interests.

When asked the question "have you ever heard of the Food Standards Agency" in 2002, 76 per cent of the population said that they had, compared with 58 per cent in 2000. Sixty per cent said they were very or fairly confident in the role played by the Agency in protecting public health with regard to food safety (compared with 50 per cent in 2000); one third considered that the Agency provided advice that was independent and unbiased. In respect of the public's awareness of the Food Standards Agency as a possible source of information about food standards and safety, 13 per cent identified the Agency as a possible source of information in 2002 (compared with 8 per cent in 2000).

¹ The other three related reports are: *Improving Service Delivery: The Veterans Agency (HC522)*; *Improving Service Delivery: The Forensic Science Service (HC523)*; and a summary report *Improving Service Delivery: the Role of Executive Agencies (HC525)*.

² 570 in London, 19 in Wales, 50 in Scotland and 18 in Northern Ireland. Excludes the Meat Hygiene Service. (Source: Food Standards Agency Annual Report and Accounts, 2001-02).

There is scope for the Agency to make further progress by (i) setting out the approach used to reach judgements about where to concentrate the Agency's efforts to improve food safety and standards and determining priorities when responding to food incidents; (ii) having comprehensive information on the costs of its work to assist in deciding how best to match its resources to priorities; (iii) developing more focused indicators to monitor and manage its operational performance covering, for example, the balance between planned and reactive work; and (iv) adopting a more systematic approach to assessing the impact its specific actions have on improving food safety and standards.

The report examines how the Agency identifies risks to food safety and standards; the action it takes in response to such risks; the ways it provides advice to consumers; and the transparency of its decision-making. The report also highlights good practice which other public bodies might adopt to improve service delivery.

Food Standards Agency website: www.food.gov.uk

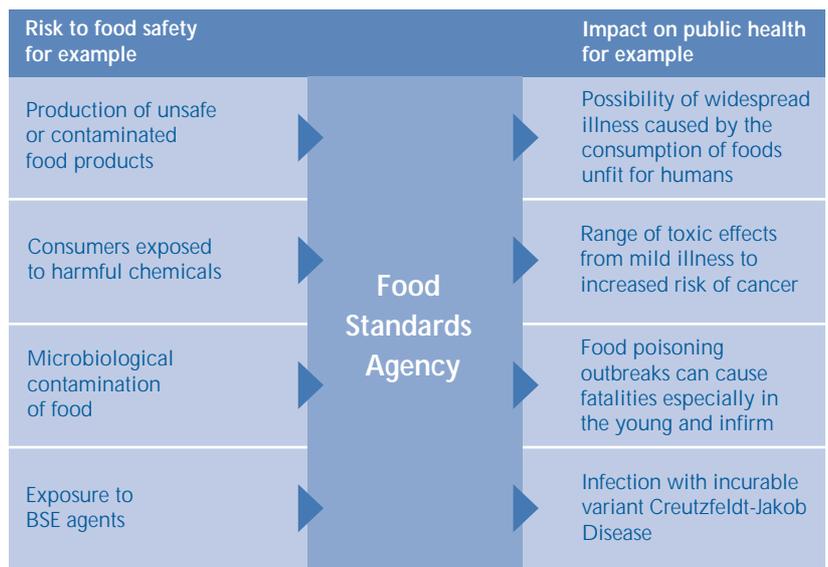
executive summary

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1 UK households spend some £1.5 billion a week on food, of which £0.8 billion is spent on food purchased from supermarkets. Changes in the way food is produced - for example, chickens may be reared outside the European Union, packaged in another country and imported into the UK or incorporated into processed food sold in the UK - the potential contamination of food from chemicals; and the number of reported cases of food poisoning have all led to growing public concern over food safety. The Bovine Spongiform Encephalopathy (BSE) crisis, in particular, seriously undermined the public's confidence in scientific advice provided by departments.

1 Risks to food safety and their potential impact on health



Source: Food Standards Agency

2 To help restore public confidence in the regulatory system, the Food Standards Agency was established in April 2000 to promote food safety and food standards as a Non-Ministerial Department - at arm's length from Ministers - focusing on the protection of consumers and their interests. The Agency has wide powers to publish information and advice, including advice to Ministers. The Agency is led by a Board appointed to act in the public interest. The Board is required to be independent and its openness is subject to public scrutiny at Board meetings held in public. The Agency is accountable to Parliament and the devolved administrations through Health Ministers. The Agency's key performance targets are set out in **Figure 2**.

2 The Food Standards Agency's performance against its 2001-02 targets

Target	Achievement
<p>AIM 1</p> <p>Measurably improve public confidence in the national food safety and standards arrangements</p>	<p>Public confidence has improved as measured by the three surveys of consumer attitudes so far commissioned by the Agency for 2000, 2001 and 2002.</p> <p>These surveys show an increase in confidence in the Agency between 2000 and 2002 from 50 per cent to 60 per cent amongst the general population. Just under one third of the public considers that the Agency provides information which is independent and unbiased.</p>
<p>AIM 2</p> <p>Reduce foodborne illness by 20 per cent over the next five years, including reducing levels of salmonella in UK produced chickens on retail sale by at least 50 per cent by the end of 2004-05.</p>	<p>The Agency's achievement against the 20 per cent target will be assessed on the number of laboratory reports about five main foodborne bacteria (salmonella, campylobacter, <i>E.coli</i> O157, listeria and <i>clostridium perfringens</i>) recorded each year over a five year period, excluding cases reported to have been acquired abroad. This only includes a small proportion of actual cases since most are not confirmed by laboratory testing.</p> <p>Based on the cases reported in 2000, the baseline figure against which progress will be assessed is 65,209. In 2000, the levels of salmonella in UK produced chickens on retail sale was some 20 per cent. By June 2001 this had reduced to an average of 5.8 per cent across the UK. Since the Agency has achieved this target ahead of schedule, it has now shifted its focus to campylobacter, which is the single biggest identified cause of food poisoning in the UK.</p> <p>The Agency published its five-year campaign to reduce the incidence of foodborne illness in humans in July 2001.</p> <p>The Agency launched its five-year food hygiene campaign in February 2002.</p>
<p>AIM 3</p> <p>To protect consumers through improved food safety and standards by:</p> <ul style="list-style-type: none"> a) Improving local authority enforcement, by developing a new framework agreement with local authorities to promote consistently high enforcement standards; b) Promoting the use of HACCP (Hazard Analysis and Critical Control Points), by implementing HACCP standards in 30 per cent of food premises; and, c) Improving the safety of meat through Meat Hygiene Service action to ensure the effective enforcement of hygiene controls, by setting targets to ensure the application of clean livestock policy, health marking and strict enforcement of controls. 	<p>Framework Agreement with local authorities operational from April 2001. The Agency monitors the enforcement performance of local authorities and carries out audits of them. In England in 2001-02, the Agency audited ten per cent of local authorities, meeting its target. Food Standards Agency Scotland, Wales and Northern Ireland will each operate their own audit programme within the Framework Agreement in parallel with that for England.</p> <p>The Agency's strategy for HACCP implementation was published in November 2001.</p> <p>Targets are set on an annual basis in consultation with key stakeholders, including the Department for Environment, Food and Rural Affairs. They are published in the Meat Hygiene Service Annual Report.</p>

Source: Food Standards Agency

3 The Agency provides services to the public in four ways (Figure 3).

3 How the Food Standards Agency delivers its services

	The Agency:
 <p>1</p> <p>Food safety</p>	<ul style="list-style-type: none"> ■ Investigates food-related incidents ■ Takes action to ensure consumers are protected in relation to food safety incidents ■ Conducts surveys examining the chemical and microbiological safety of food ■ Issues information and advice for consumers on the safety of food ■ Runs campaigns promoting improved food hygiene in the catering industry and at home ■ Develops, negotiates and implements relevant national and international controls on contaminants in food and the means to enforce them properly
 <p>2</p> <p>Public information, labelling and choice</p>	<ul style="list-style-type: none"> ■ Negotiates for the UK internationally on labelling initiatives such as for genetically modified foods ■ Works with consumer organisations, local authorities and food manufacturers to improve information for consumers ■ Surveys food in shops to check that it is what it says on the label
 <p>3</p> <p>Nutrition and diet</p>	<ul style="list-style-type: none"> ■ Shares responsibility for nutrition with UK Health Departments ■ Conducts research into nutrition ■ Provides advice to consumers about healthy eating ■ Works with industry to improve the nutritional value of processed foods
 <p>4</p> <p>Food law enforcement</p>	<ul style="list-style-type: none"> ■ Ensures consistent and effective enforcement nationally ■ Liaises with local authorities and others to ensure food standards are enforced locally ■ Tests effectiveness of food import controls ■ Is responsible for the Meat Hygiene Service and takes enforcement action where meat hygiene legislation is breached ■ Provides guidance and technical support to enforcement officers

Source: Food Standards Agency

4 The Agency's effectiveness depends, in part, on the extent to which it is trusted by the public to provide reliable and impartial advice. Securing this trust largely depends on how the Agency identifies and takes appropriate action in response to risks to food safety and the public's concerns; the extent to which the public recognise the Agency as the authoritative source of advice and information on food standards; and how transparent the Agency is in its decision-making and engages those who have an interest in food standards. This report considers how well the Agency meets these requirements, examining in detail how the Agency responded to protect the public in six cases (Annex 1). The report also highlights some good practice which other agencies might adopt in the drive to improve the delivery of public services.

Findings

On identifying risks to food safety

- 5 The Agency carries out annual consumer surveys to identify the public's main concerns about food safety. The risk of food poisoning, BSE, the use of pesticides, the use of additives and the feed given to livestock were the five top concerns of consumers in 2002. In addition, the Agency typically has 50 scientific surveys of specific foods underway throughout the year, intended to identify risks which affect (i) food safety such as the levels of chemicals in foods and (ii) food authenticity - that the description of food is accurate so the public are not misinformed.
- 6 In 2001-02, 84 per cent of survey work covered risks to food safety covering, for example, chemical contaminants, microbiological safety and organic environmental contaminants. The remaining 16 per cent addressed food authenticity and nutrient value. The Agency is also notified by local authorities of serious localised food incidents and those where there are wider problems, for example where a local producer supplies outlets nationally. The Agency also receives notifications of food and feed incidents arising in other European Union Member States and third countries via the European Commission's Rapid Alert System For Food and Feed (RASFF). In 2001-02 there were 1,622 rapid alert notifications of which 22 resulted in some action in the UK, whilst the remainder were assessed as not representing a risk to the UK public or were for information purposes only. To assist it in reviewing procedures for responding to the findings of its scientific food surveys or to incidents notified to the Agency, the Agency has recently set up a stakeholder group on incidents and surveys including representatives from industry, enforcement and consumer groups. The first meeting of the stakeholder group was held in February 2003.

On the action taken in response to risks

- 7 The Agency responds to risks to food safety and standards, and public concerns in the following ways:
 - **Informing the public** so that they can take action based on impartial advice to protect themselves. In 2001-02 the Agency informed the public through, for example, press releases, media campaigns and its website. Examples ranged from the "Beat the Barbecue Bugs" campaign³ which advised the public how to deal with food safety risks from barbecuing food, to sending direct mailshots to farmers living in proximity to pyres used to dispose of cattle during the foot and mouth outbreak.
 - **Enforcing food standards.** Local authorities are responsible for enforcing food safety, hygiene and standards in their areas but the Food Standards Act 1999 gives the Agency powers to influence and oversee local authority enforcement activity. Since April 2001, the Agency has had a framework agreement with local authorities which sets out national standards for food law enforcement and against which the Agency monitors and audits local authorities. If the Agency's surveillance work indicates that a food represents a risk it may alert local authorities through a Food Hazard Warning which can, for example, lead to a product being removed from sale⁴. In 2001-02 the Agency issued 47 such warnings covering food ranging from confectionery products found to be contaminated with salmonella (August 2001) to a batch of Bramley apple juice found to contain a toxin - patulin - which was recalled by the manufacturer. The public was advised not to drink the product (March 2002). In 2001-02 the Agency investigated 506 food incidents with 180 arising from manufacture or processing.

³ Food Standards Agency campaign - Beat the Barbecue Bugs, 21 May 2002.

⁴ In many cases once the food manufacturer or retailer is alerted to a food risk they will recall the product.

- For the six cases we examined in detail it took the Agency between 17 days and ten months from identification of the safety issue to a point when the Agency issued a response. The response time was affected by, for example, whether it was necessary to tender for and commission a new scientific survey once a potential problem had been identified; the complexity of the relevant tests involved (for example, time might be needed to grow cultures of the relevant micro-organisms for analysis); and the degree of uncertainty in the science (it might be necessary to consult national or international experts).
- **Working with stakeholders to promote best practice.** The Agency works with food manufacturers, retailers, consumers and local authorities to promote and encourage best practice. For example, the Agency publishes advice to industry and consumers on clear labelling.
- **Seeking legislation and taking regulatory action.** Where necessary, the Agency seeks improvements to legislation or takes regulatory action to protect consumers and consumer interests. Improving legislation usually means making the case for changes to European Union rules. For example, in September 2000 the Agency called for compulsory European Union rules requiring listing of all ingredients in food that could cause allergic reactions.

- 8 The Agency provides advice to consumers through advertising, awareness campaigns, targeting particular sectors of the population who are most at risk because of their consumption of certain foods, and through information circulated to local authorities. The Agency has a website receiving an average of 100,000 visitors each week and a call centre which responds to requests for literature on food safety advice. The call centre (telephone: 020 7276 8000) received 16,000 calls in 2001-02. Separate telephone lines may be set up to respond to specific food incidents which the public can telephone for advice.

On how the Agency provides advice to consumers

- 9 The Agency was established to act at arm's length from Ministers so that its advice is impartial and is not perceived by the public to represent any vested interest. To reinforce this independence, the Agency seeks to promote openness and transparency in reaching decisions on food safety. It does so by holding its Board meetings in public; convening an annual stakeholders' meeting (to hear the views of all those who have an interest in food safety including consumers representative groups such as Sustain, the Consumers' Association and the National Consumer Council); having lay representation on its scientific advisory committee, and publishing all of its research findings on its website. The Agency commissions annual consumer surveys of views on food safety, standards issues and the regulatory system for food.

On how the Agency demonstrates transparency and openness

Conclusions

- 10 The Agency has taken a range of actions to address the public's concerns about food safety and food standards and to protect them from food risks. Since it was set up, the Agency's ability to respond to a major nation-wide food alert affecting the public's health has been tested through the Agency's participation in government exercises (for example post September 11 exercises assessing how a radiological threat would be addressed), although it has not, as yet, been tested in a major real-life situation. The Agency is confident, however, that it is well prepared to deal with such an eventuality. It considers that it could quickly redeploy staff to respond to a crisis and, building on existing practice, it would work closely with local authority enforcement officers.
- 11 The public's awareness of the Agency and its role has increased. In 2002, a representative consumer survey of the UK population found that 76 per cent of people (58 per cent in 2000) when prompted had heard of the Food Standards Agency. Awareness of the Agency as a source of information about food standards and safety was much lower at 13 per cent (an increase from eight per cent in 2000). Sixty per cent were very or fairly confident (50 per cent in 2000) in the role played by the Agency in protecting health with regard to food safety compared with ten per cent who were not very confident (11 per cent in 2000). One third of the public considered that the Agency provided information that was independent and unbiased. Nineteen per cent in 2002 perceived the Agency to be reflecting the views of consumers and 28 per cent considered that the Agency reflected the views of the Government. Twenty three per cent thought it reflected the views of the food industry. The Agency recognises the importance of maintaining the public's confidence in the national food safety and standards arrangements, including raising the public's awareness of the Agency's role as an authoritative, independent voice.

Recommendations

12 We make four recommendations intended to assist the Agency in continuing to improve its performance.

- 1 **Set out the approach used to reach judgements about where to concentrate the Agency's efforts to improve food safety and standards and determine priorities when responding to food incidents.** The Agency has well developed systems for obtaining scientific information on risks to food safety and standards through its annual scientific survey work. It also keeps under review public concerns so that it can respond with appropriate action. The Agency's risk management decisions do, however, need to take account of many potentially conflicting factors such as the relative priority assigned to the risk or issue by the various Advisory Committees and the public's perception of the risks to their health. The Agency should set out the conceptual framework underlying its approach to dealing with different types of food risks, and clarify how it decides on their relative importance. To enhance transparency, such a framework should be made available to the public.
- 2 **Have comprehensive costing information available to assist in the allocation of resources and to support assessments of the cost effectiveness of its work to promote food standards and safety.** The Agency has focused its efforts on action most likely to secure public confidence in its work following a period when people's trust in scientific advice on food standards had been seriously undermined. In putting a priority on this the Agency has not always given as much attention as it might to assessing the value for money of its activities. Comprehensive cost information should be an important factor informing the Agency's decision-making process about how best to match its resources to priorities and deliver maximum benefit to the public. The Agency therefore needs to improve the range of costing information available about its programmes and other initiatives to promote food standards and safety.
- 3 **Develop more focused performance indicators to monitor and manage its operational performance.** Many factors can influence the Agency's operational performance, including how resources are allocated to different functions and productivity achieved; the length of time it takes to respond to a food incident (allowing for the differences in risk and underlying science associated with each incident); the performance of laboratories undertaking scientific analysis, and the balance between planned and reactive work. Although the Agency monitors its operational performance in some areas, its current monitoring systems do not cover all of its key functions. This should be remedied by developing a series of indicators to provide a basis for assessing how the Agency's resources are prioritised and used to deliver key activities or services.
- 4 **Adopt a more systematic approach to evaluating the impact of its work in promoting food safety and standards.** The Agency assesses the impact of its work in various ways. These include commissioning consumer surveys, evaluations of the impact of specific food safety initiatives and estimating the potential size of the audience reached. Some of this work, particularly evaluations, is somewhat selective in its scope.
 - (i) More needs to be done by the Agency to identify lessons from evaluations of specific food incidents which have a wider applicability across the Agency's work (for example, the Agency has drawn on a case where warnings of the risks in using certain brands of soy sauce required targeting of the Agency's communication to Chinese and South East Asian communities).
 - (ii) The Agency should make sure that arrangements are in place to enable it to assess its contributions to wider government programmes (such as the Food and Health Action Plan which the Government has agreed should be developed in the light of the Policy Commission's report on Farming and Food)⁵.
 - (iii) Although changes in consumer behaviour may take long periods to achieve, the Agency should examine how to assess the impact of its activities on consumers' behaviour and on improving standards in the food industry.

⁵ "Farming and Food: a sustainable future": Report of the Policy Commission on the Future of Farming and Food, January 2002.

Annex 1

Summary of case study findings

Case example	Type of issue	Identification of risks and concerns	How the Agency responded	Providing advice and information	Promoting transparency and openness
Infant botulism	Food safety - risk from bacteria	A case of suspected infant botulism was diagnosed by a hospital and the Department of Health and the Public Health Laboratory Service informed the Agency.	It took the Agency two months from first identification of the case to a product recall being issued by the manufacturer in August 2001. Product recall was supported by an Agency media campaign to promote public awareness.	The issue generated publicity with a combined potential audience of 17.8 million ⁶ . Coverage in newspapers, while using attention grabbing headlines, accurately reported the Agency's advice in the body of the article.	The Agency contacted the manufacturers of the suspected products to help identify the source of contamination. The Agency consulted the Food Safety Authority Ireland to discuss what action should be taken, informed the European Commission, and met with the baby food industry to identify lessons learned.
Hygiene in catering	Food safety - risk from bacteria	The need to take action was identified as part of the Agency's strategy to reduce foodborne illness. Hygiene in food outlets has been a public concern raised consistently in the Agency's consumer surveys.	It took the Agency six months from collection of survey data to publication of the results of its Catering Workers Hygiene Survey in October 2002.	The Agency sought to promote awareness by sending a 'sick bag' campaign flyer followed by an information pack to every food establishment in the country. The Agency targeted information at catering workers by promoting information through a media campaign, including television advertising. Coverage of the campaign appeared in over 200 separate sources with a combined potential audience of 45 million, and the Agency received over 26,000 hits on its food hygiene website.	The Agency convened focus groups of catering workers to determine how best to engage catering staff in its campaign.
Dioxins in milk	Food safety - risk from chemicals in food	There was considerable uncertainty surrounding the initial assessment made by the Department of Health in April 2001 of possible risks to public health from pyres used to dispose of carcasses during the foot and mouth outbreak. The Agency therefore convened a meeting of external experts from government agencies and academia which concluded that, although the assessment was based on the best available science, the uncertainties were sufficiently great to give potential cause for concern.	As any changes in levels of dioxins could take some months to reach their peak, the Agency issued precautionary advice to consumers in May 2001 about the additional risk to exposure for populations around the foot and mouth pyres, based on a theoretical risk assessment. Evidence from the Agency's investigation was published periodically with the first report issued on 5 July 2001. By September 2001, sufficient evidence was available for the Agency to lift its precautionary advice issued four months previously as its testing had identified that there was no measurable effect on food from foot and mouth pyres.	The Agency issued precautionary advice to target populations by sending a direct mailshot to 30,000 farmers in the areas around foot and mouth pyres. It also provided information for consumers nationally through the media and on the Agency website. The Agency intervention generated publicity with a combined potential audience of 11 million people. The Agency won praise from consumer groups for its handling of the issue.	The Agency issued precautionary advice before it began its testing programme, and was open about the planned testing with consumers and local populations. The Agency sent a direct mailshot to 30,000 farmers in the affected areas to inform them of the risks and how the Agency was addressing them.

Case example	Type of issue	Identification of risks and concerns	How the Agency responded	Providing advice and information	Promoting transparency and openness
Illegal veterinary medicines: chloramphenicol in honey	Food safety - risk from chemicals in food	A European Commission inspection visit to China identified a lack of controls on the use of veterinary medicines.	It took the Agency 17 days from commissioning the survey work to publishing a response removing honey containing the illegal veterinary drugs from sale in February 2002.	Local businesses were asked to remove honey from China from sale. The Agency's intervention generated publicity with a combined potential audience of 7.7 million.	The Agency sought advice from in-house and external scientists to identify the risks to consumers and issued precautionary advice explaining the risks before it began testing products. After the results of testing emerged, action was agreed with major retailers and further advice was issued to consumers.
3-MCPD in soy sauce	Food safety - risk from chemicals in food	3-MCPD, a chemical known to cause cancer in animals, was found at significant levels in some soy sauce products in an earlier survey carried out in 1999. Alerts from other European Union Member States from late 1999 suggested that this remained a problem.	The Agency took ten months from starting the sample collection to publishing advice in June 2001. It issued targeted mailshots to importers and mounted a targeted information campaign to reach higher risk groups in the South East Asian and Chinese communities.	The Agency mounted an information campaign targeted at higher risk groups in the South East Asian and Chinese communities by issuing bilingual advice in English and Chinese. It also issued targeted mailshots to importers. The Agency won praise from the British Chinese community for its approach and generated publicity with a combined potential audience of 42 million.	The Agency engaged the Chinese community before publication of the results to determine how best to reach groups of the population at greater risk. The Agency also informed producers immediately prior to publication of the survey results.
Water in chicken	Food authenticity - misdescription of products	Consumer concerns were identified by the Agency's Working Party on Food Authenticity and Local Authority Trading Standards Departments also raised concerns.	It took nine months from collecting samples to publishing results in October 2000 (the work was originally commissioned by the Ministry of Agriculture, Fisheries and Food). A follow-up survey about water in chicken used in catering took five months from collecting samples to publication in December 2001.	The issue generated publicity with a combined potential audience of 24 million, and the Agency published information about products and brands covered by its survey to inform consumers. Some local authorities carried out prosecution of companies mislabelling produce following the survey results.	The issue was first raised as a consumer concern by an Agency Working Party. The Agency carried out its survey jointly with local authorities and Public Analysts. The Agency informed retailers and companies of the survey results, and published details of the brands and companies covered to inform consumer choice.

6 The Agency measures the potential audience reached using a method ("Weighted Opportunities To See") which assesses how many people are likely to have seen a news item.

Annex 2

The Food Standards Agency: Good practice in improving service delivery

Public bodies often need to build the trust and confidence of the public if they are to perform effectively. Some may need to act proactively to pre-empt issues which may be of concern to the public and which may escalate. To help secure public confidence, public bodies need to engage with a wide range of stakeholders to help ensure that their actions are soundly based, practical, and will reach the target audience - and that, overall, the public considers the organisation's services to be of real benefit. The approach the Food Standards Agency is following to build public confidence demonstrates a range of good practice which agencies and other public bodies delivering services where public trust and confidence are key should find useful. This includes:

<p>The need to demonstrate transparency in decision-making</p>	<p>The Food Standards Agency holds decision-making Board meetings in public and all its scientific advisory committees include lay or consumer members. Transparency of decision-making is crucial in strengthening the credibility of the Food Standards Agency and helping to engender confidence in the Agency's evidence-based approach. Lay and consumer members on the Agency's scientific advisory committees can ask the sort of questions that a member of the public would want to ask, and help to ensure that expert members address issues which are of concern to the public.</p>
<p>The need to build trust by open and active engagement with all stakeholders</p>	<p>The Food Standards Agency develops policy through actively engaging with a wide range of stakeholders. Stakeholder input is secured through a range of activities including formal groups, workshops, informal discussions and written consultations. In the development of policy, the Agency recognises the importance of engaging such stakeholders from an early stage - including consumer representatives, those involved in enforcement of food law and industry representatives. This helps to build trust and confidence. It also makes for more informed decision-making as it enables the Food Standards Agency to seek the views of stakeholders on the practical implications of different options to manage risks.</p>



The need to provide clear, unambiguous information and advice to the public

The Food Standards Agency always seeks to explain why it is issuing advice so as to promote greater understanding of what the advice means. It evaluates the effectiveness of its communications to help it learn from experience. The Agency's website has been developed with a different 'look' and interactive features for consumers. Food Standards Agency staff, who are often expert scientists in their own right, give interviews to the media and explain the basis of the Agency's decisions or advice to consumers. The Agency sets out scientific uncertainties and what is being done to resolve them, basing its advice on the current state of knowledge, updating it as necessary.

The need to tailor information and advice to reach target groups for whom it is most relevant

Where a food issue puts specific groups in the population at potentially greater risk, the Food Standards Agency targets its information and advice at these groups. While the Agency seeks to reach a wide audience, it also targets groups which may be at higher risk because of their consumption of certain types of food or their behaviour, and tailors the information accordingly. For example, advice about the food risks in using some brands of soy sauce was targeted at Chinese and South East Asian communities likely to be using more of these products, including bilingual promotion of the Agency's advice involving the Chinese media. The Agency also seeks to engage actively to reach specific stakeholders during the design stage of campaigns to help target campaigns more effectively (such as the focus groups held with catering staff to determine the best way to communicate food hygiene messages to the catering industry). Targeting information also builds credibility and confidence that the Food Standards Agency is acting in the interests of all consumers.



Part 1

Role of the Food Standards Agency

- 1.1 Each year, UK households spend £81 billion on food - some £1.5 billion a week (an average of £62 per household) of which £0.8 billion is spent on food purchased from supermarkets⁷. The protection of public health from risks which may arise in connection with the consumption of food depends upon trust in the arrangements for food standards and safety, and on high-quality, reliable scientific advice being communicated to consumers about food.
- 1.2 The Food Standards Agency was set up in April 2000⁸ as a Non-Ministerial Department at arm's length from Ministers with responsibility to promote food safety. It does not report to a specific Minister and is free to publish advice as it sees fit, including advice provided to Ministers. The Agency is accountable to the Westminster Parliament through Ministers at the Department of Health and to the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly through their relevant Health Ministers.
- 1.3 The Agency is led by a Board whose members have been appointed to act in the public interest. The Board is required to be independent, and its openness is subject to public scrutiny at open Board meetings around the UK, attracting an average of 100 people at a time. The Board only discusses and decides on policy in public and further underpins its independence by publishing its scientific advice.
- 1.4 The Agency has a wide remit, involving food safety across the whole supply chain- 'from farm to fork', ranging from pesticides and veterinary medicines to food safety and hygiene standards in shops, restaurants and takeaways, as well as the home kitchen. The Agency was formed mainly from food safety and food standards responsibilities transferred from the Ministry of Agriculture, Fisheries and Food (MAFF) and the Department of Health (DoH) and from the relevant authorities in Scotland, Wales and Northern Ireland. Many of the Agency's staff were transferred from these Departments when the Agency was established. The Agency is both a Government Department and a regulator, with responsibilities for negotiating in the European Union on behalf of the UK Government. The Agency then leads on the implementation of European Union food law as applied through domestic legislation.

The role of the Agency as a Government Department

The Agency undertakes the usual duties of a Government Department such as advising Ministers on answers to Parliamentary Questions, drafting legislation, briefing Ministers for debates in Parliament and Assemblies of Westminster and the devolved administrations and for European Council negotiations. The Agency also represents the UK Government in other international fora such as the World Health Organisation. This means that Agency staff represent the UK Government when negotiating on European matters, but otherwise they are accountable to and represent the views of, the Food Standards Agency Board. The Agency's Board makes its views known in public debate but these views may or may not be adopted by the UK Government.

Source: Food Standards Agency

⁷ National Statistics, *Family Spending, 2000-01*.

⁸ Under the Food Standards Act 1999.

4 The Food Standards Agency - Chronology

March 1996	The first link between Bovine Spongiform Encephalopathy (BSE) and variant Creutzfeldt-Jakob Disease (vCJD) was identified.
April 1997	The James report ⁹ identified the fragmentation and lack of co-ordination between government bodies involved in food safety as contributing to the erosion of public and producer confidence in food control systems, in particular the potential for conflicts of interest within the Ministry of Agriculture, Fisheries and Food arising from its dual responsibility for protecting public health and promoting the agriculture and food industries.
January 1998	Government White Paper "Food Standards Agency: A Force for Change" ¹⁰ sets out Government's detailed proposals for a powerful and independent new body to protect consumers' interests.
April 2000	Food Standards Agency established under the Food Standards Act 1999, including the Meat Hygiene Service as its Executive Agency, reporting to Parliament through Health Ministers.
October 2000	The report of the BSE Inquiry ¹¹ (the Phillips report) published. Key factors identified as contributing to the scale of the crisis were the Government's erroneous belief that the risk to human life from BSE was remote, and a lack of rigour and timeliness in turning policy into practice.

1.5 The Agency provides services to consumers in four main ways:



Food safety

679 incidents recorded with the potential to affect food safety were investigated in 2000-01, and 506 in 2001-02.



Public information, labelling and choice

101 UK press releases issued in 2000-01, over 1.5 million contacts on the Agency's website, and some 100 public consultation exercises across the UK.



Nutrition and diet

Over £6 million spent annually on research and surveys into nutrition, including fat, heart disease and bone health.



Food law enforcement (excluding the Meat Hygiene Service)

47 Food Hazard Warnings were issued to local authorities and 13 letters issued to Environmental Health Departments in 2001-02.



⁹ Food Standards Agency: An Interim Proposal, Professor Phillip James, 30 April 1997.

¹⁰ Food Standards Agency: A Force for Change, Ministry of Agriculture, Fisheries and Food/Department of Health, 14 January 1998 (Cm 3830, 1998).

¹¹ The BSE Inquiry. Report of the Inquiry into the emergence and identification of Bovine Spongiform Encephalopathy (BSE) and variant Creutzfeldt-Jakob Disease (vCJD) and the action taken in response to it up to 20 March 1996, Lord Phillips of Worth Matravers, Mrs June Bridgeman CB and Professor Malcolm Ferguson-Smith FRS, October 2000.

Food Safety



1.6 The Agency's responsibilities relating to food safety cover four key areas:

- Reducing foodborne illness;
- Managing the risk to human health from BSE (not a part of this report¹²);
- Protecting consumers against harmful exposure to chemicals in food; and
- Ensuring that food products are safely produced.

Reducing foodborne illness

1.7 For the Agency, priorities in reducing foodborne illness are to reduce the overall incidence of foodborne disease and to reduce salmonella contamination of UK produced retail chicken. The Agency estimates that there could be up to 4.5 million cases of food poisoning every year, although this figure is hard to verify. An Agency survey in February 2002 found that one in twelve people said that

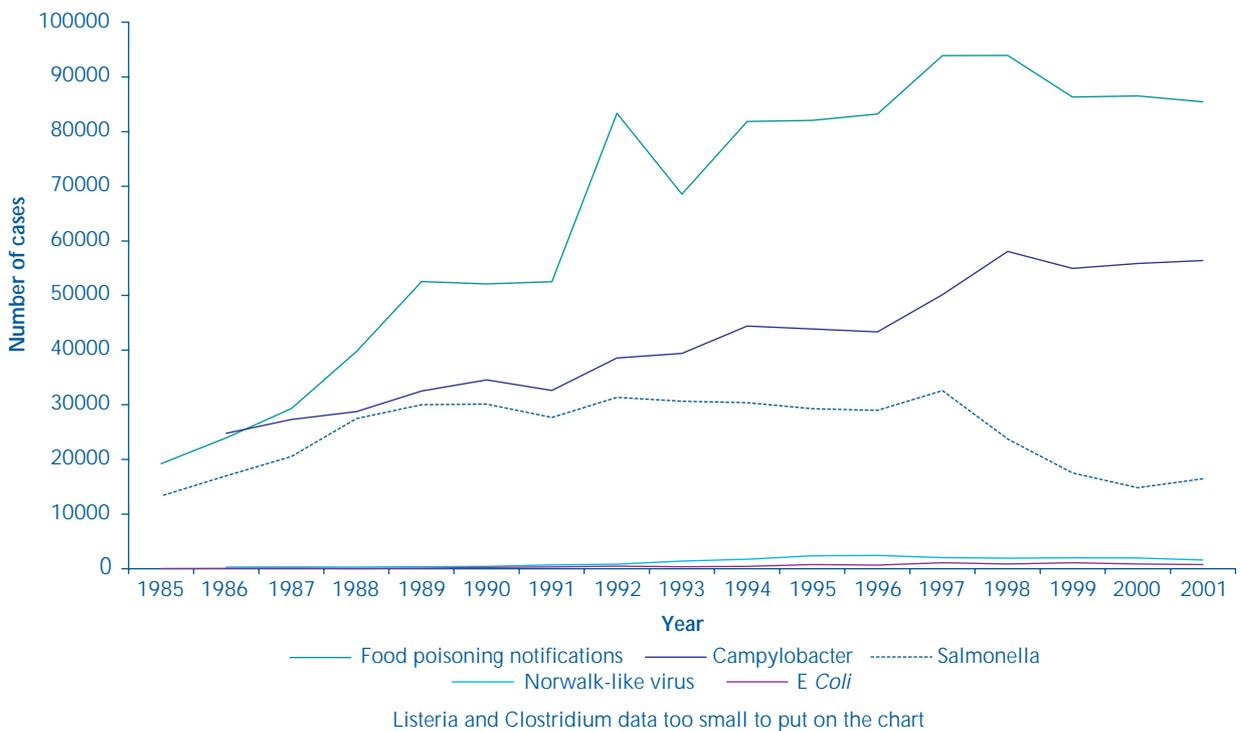
they had suffered from food poisoning in the previous year. **Figure 5** shows recorded cases of food poisoning in recent years, and **Figure 6 on page 18** shows six common causes of foodborne illness.

1.8 In pursuit of the reduction of foodborne illness, the Agency aims to:

- Reduce microbiological contamination of foods;
- Promote better food safety management and practice;
- Promote hygienic preparation of food commercially and in the home;
- Fund research into its causes and consequences (22 per cent of the Agency's research expenditure was committed to foodborne illness in 2001-02); and,
- Secure high quality and reliable scientific advice.

5 Reported cases of food poisoning, 1985 to 2001

In 2001 there were some 80,000 notifications of food poisoning.



Source: Data from the Public Health Laboratory Service, whose remit covers England and Wales

¹² The National Audit Office report "BSE: The Cost of a Crisis" (HC 853, 1997-98) examined the administration and cost of schemes and measures taken in respect of BSE.

6 Common types of foodborne illness

Micro-organism (bacteria or virus)	In which food is it found and what is the source?	How does it reach humans?	Occurrence	Consequences
 <p>Campylobacter</p>	<p>Found in raw poultry, and meat, unpasteurised milk and untreated water.</p> <p>Bacteria may be present in the food chain or may be introduced by cross contamination of food, for example, from pets.</p>	<p>Infection by consuming contaminated products or meat which has not been properly cooked, and non-foodborne transmission where infections which are initially foodborne are then transmitted from person to person.</p>	<p>56,420 reported cases in 2001.</p>	<p>Fever, headache and general unwell feeling, followed by severe abdominal pain and diarrhoea. Symptoms take 2 to 5 days to appear but can last 10 days and return over a number of weeks.</p>
 <p>Salmonella</p>	<p>Found in raw meat, poultry, unwashed vegetables, unpasteurised milk, eggs and other dairy products. Bacteria may survive refrigeration but are killed by thorough cooking and pasteurisation.</p>	<p>Infection by consuming contaminated products, or non-foodborne transmission from person to person.</p>	<p>16,465 cases in 2001.</p>	<p>Symptoms include fever, diarrhoea, vomiting and abdominal pain, taking 12 to 48 hours to develop. Infection may be severe and in some cases fatal, especially in the young and old. Symptoms may last three weeks and can include reactive arthritis.</p>
 <p>Norwalk-like virus</p>	<p>Found in fresh produce and shellfish, from contaminated water, or via sewage contamination.</p>	<p>Transmitted from person to person (for example by an infected food handler or through contact with vomit). Outbreaks occur most frequently in hospitals and nursing homes, and may also occur in schools.</p>	<p>1,604 cases in 2001.</p>	<p>Acute gastro-enteritis. Symptoms include vomiting and diarrhoea, taking 12 to 48 hours to develop and lasting around two days.</p>
 <p>E. coli</p>	<p>Found in raw vegetables, undercooked meats, unpasteurised milk and dairy products. Uncommon types cause food poisoning (such as verotoxinogenic E. coli (VTEC) O157).</p>	<p>Infection by consuming contaminated products, for example, food that has not been properly cooked, and through non-foodborne transmission from person to person.</p>	<p>768 cases in 2001.</p>	<p>Main symptom of VTEC is diarrhoea, which can be bloody and severe, leading to kidney failure and sometimes death, with the young and elderly particularly at risk. Symptoms take two days to develop, but may vary from 1 to 5 days.</p> <p>An E. coli O157 outbreak in Lanarkshire in 1996 killed 17 people and made 500 others seriously ill.</p>
 <p>Clostridium</p>	<p>Found in gravies, large joints of meat, stews, pies, raw meat and poultry. Found in animal excretion, soil, sewage and manure. May not be destroyed by cooking.</p>	<p>Infection by consuming contaminated products, for example, cooked food that is not eaten straight away.</p>	<p>214 cases in 2001.</p>	<p>Abdominal pain, diarrhoea and sometimes nausea starting 8 to 18 hours after eating food. May be fatal in the elderly and debilitated.</p>
 <p>Listeria</p>	<p>Found in raw milk, poultry, patés, cheeses and salad vegetables. Widely present in the environment; in soil and vegetation. Listeria will grow at fridge temperatures.</p>	<p>Bacteria are killed by cooking so infection is usually from consuming contaminated cold foods.</p>	<p>136 confirmed cases in 2001.</p>	<p>Symptoms range from mild flu like illness to meningitis and septicaemia and in pregnant women may lead to miscarriage.</p>

Source: Food Standards Agency and National Audit Office.

Protecting consumers against harmful exposure to chemicals in food

1.9 Concerns about chemical contamination of food can arise at any point in the food chain from the raw materials which may contain natural toxins produced by food crops or by moulds or other pests growing on them, to cooking and preparation in the home, which may induce chemical changes in the food. **Figure 7** shows some examples of chemical contaminants found

in food. The Agency needs to understand the science of chemical contamination of food to ensure its actions are soundly based. Twenty-two per cent of its research expenditure was on the chemical safety of food in 2001-02, covering research on, for example, effectiveness of existing controls, exposure of consumers to contaminants, and the concentration of specific contaminants in food. Research results were published with explanations of their implications for food safety.

7 Examples of chemical contaminants found in food

Chemical contaminant	Where chemicals are found and what is the source	Consequences
Dioxins	Dioxins are formed as unwanted products of combustion such as waste incineration, bonfires and cigarette smoke. Over 95 per cent of exposure to dioxins are through diet. Animals and fish take up dioxins present in their food and from any soil or sediment they eat during feeding. The compounds then pass into milk, meat, fish and eggs and concentrate in fatty tissues and are taken up by humans when such tissues are consumed.	Short term exposure can result in skin lesions and altered liver function. Long term exposure is linked to impairment of the immune system, the nervous system and reproductive functions. Chronic exposure can cause a variety of cancers.
Tin	Canned foods make the biggest contribution to dietary intakes of tin. Many factors can affect the amount of tin taken up from the can such as the type of food, the type of can, the canning process used and the length and conditions of storage. Higher concentrations are often found in canned acidic foods.	High concentrations of tin in food irritate the digestive tract and may cause stomach upsets in sensitive people. At higher concentrations effects include short-term fever, headache, nausea, vomiting, diarrhoea, abdominal cramps and bloating.
PCBs (Polychlorinated Biphenyls)	PCBs are chemicals that do not break down easily and are therefore widespread in the environment. They are found in low concentrations in fatty foods such as milk and meat. PCBs have been used since the 1930s in electrical equipment and carbonless paper. Manufacture was banned in the UK in 1986, and their remaining use inside some older electrical equipment was phased out in 2000. However they are still produced as unwanted by-products of industrial processes.	PCBs have been shown to cause cancer in animals and there is supportive evidence for similar effects in humans. Non-carcinogenic effects include inhibition of the nervous and immune hormonal system, reduction in birth weight and conception rates.
Mercury	The largest contribution to dietary intakes of mercury is made by fish, in which mercury is found in the form of methylmercury. Large predatory fish at the top of the food chain can build up higher levels of methylmercury in their bodies. Species that contain high levels of mercury include shark, swordfish and marlin.	Adverse effects may include inhibition of the nervous system in unborn babies and young children that may lead to impaired mental capacity.
Acrylamide	Acrylamide is a chemical used in industry in the production of gels. In 2002 it was discovered that it could also be produced naturally in food as a result of baking, frying, grilling or roasting.	Considered to be a probable human carcinogen, it has caused nerve damage to people exposed to it at work and has been shown to impair fertility in male animals.
Nitrofurans	Nitrofurans are veterinary antibiotics effective against a range of bacteria. Evidence of the use of nitrofurans has been found in a variety of imports of chicken, shrimp and prawns imported from South East Asia and Brazil.	Banned in the European Union because of a perceived risk of cancer in humans through long-term consumption.

Source: National Audit Office and Food Standards Agency.

Ensuring food is produced safely

- 1.10 The Agency has a role in the licensing and approval of food products and processes in the UK to ensure that procedures to protect consumers are fairly applied, are trusted, and reduce discharges of chemicals at source where these could find their way into the food chain. As with other areas of food safety, high priority is attached to the quality of scientific advice on which the Agency's action is based. Eight per cent of the Agency's research budget is spent on studying food products and processes.
- 1.11 The growth of the global food market means that consumers can now buy a wide variety of food all year round imported from abroad, regardless of the season. Many food processes are part of a complex global production chain, for example, raw materials such as chicken may be reared outside the European Union, packaged in another EU country and imported to the UK or incorporated into processed food sold in the UK.
- 1.12 Food safety rules apply to imported food as well as to food produced in the UK, and the Agency carries out checks at border posts and at retailers. The Agency works with international bodies such as the World Health Organisation to influence their approach to these issues. Almost all food safety law emanates from the European Union. Involvement of Agency staff in negotiations in Brussels on behalf of the UK Government is a substantial component of the Agency's work to protect UK consumers.

8 The Agency's role with regard to genetically modified (GM) food

Genetic modification is used in a variety of ways to assist food manufacture and to improve storage or nutritional value of food. All GM foods need to be approved under EU regulations before they can be sold in the UK. This approval is done by Advisory Committee on Novel Foods and Processes (ACNFP), an independent body with members appointed by the Agency. The Agency's interest focuses on food safety and consumer choice. The two main roles the Agency has are:

- It works with the European Union to establish regulations with regard to labelling and testing, and advise the Government on changes in EU policy; and,
- It works with the ACNFP to interpret and enforce European regulations and establish UK priorities for GM foods that require discussion at European level.

Source: Food Standards Agency



Public information, labelling and choice

2

1.13 Consumers need clear and accurate information on which to make choices about the food they buy and their diet. Consumers may go to a number of sources to find out information about food standards and safety, for example the supermarket, their local council, or the print and broadcast media (Figure 9). The Agency has three objectives in this area:

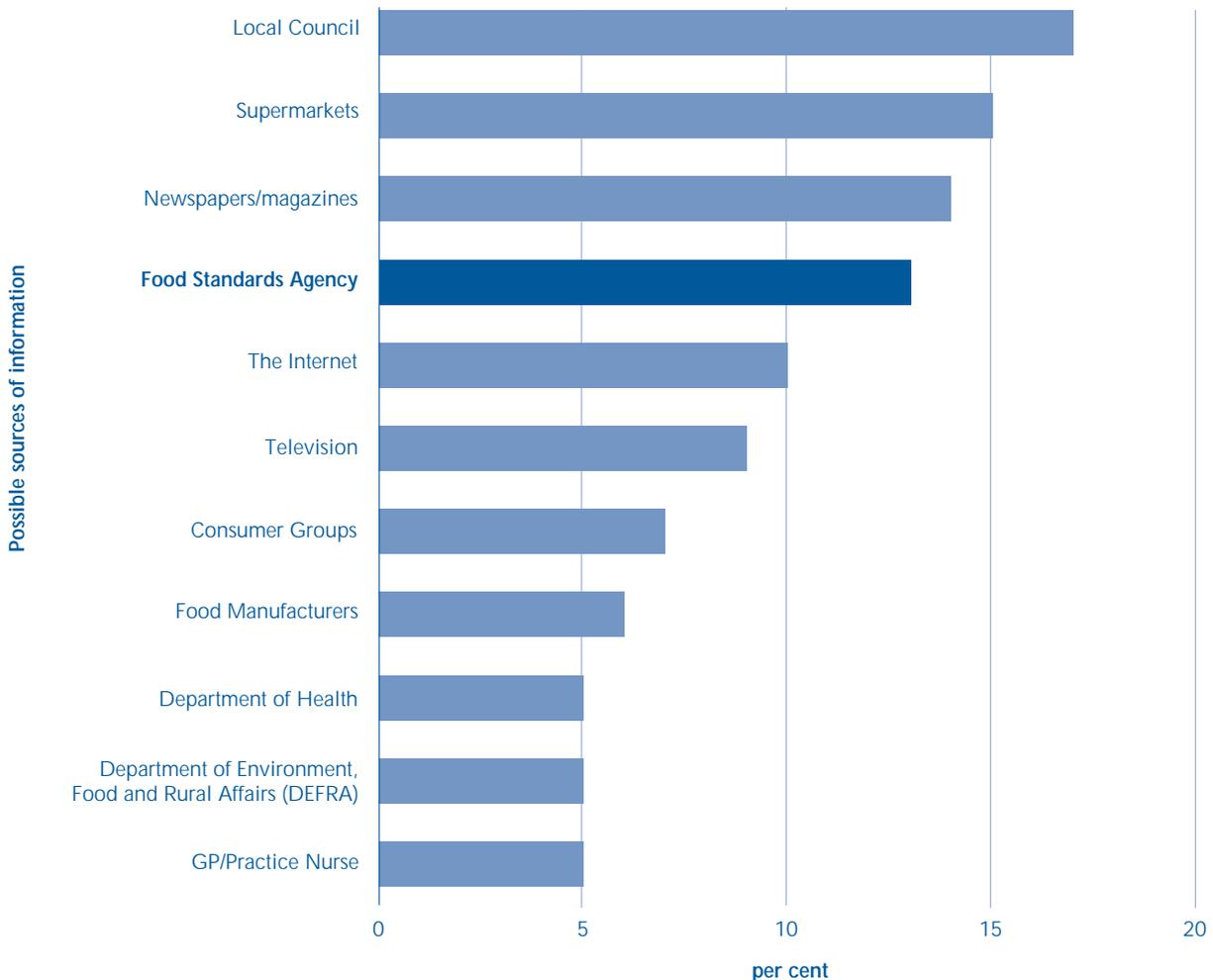
- To promote honest labelling;
- To initiate, develop, agree internationally, and implement rules on food composition, labelling and advertising; and,

- To protect consumers by controls on health foods or other foods (such as baby foods).

1.14 The Agency has a surveillance programme which is aimed at checking whether the food purchased by the consumer matches the description on the label. False or misleading descriptions are illegal. It is important for consumers to have adequate information to enable them to make informed choices and to assess the value for money offered by different products.

9 Possible sources of information about food standards and safety, 2002

The main sources of information for the public on food standards and safety in 2002 were local councils, supermarkets, newspapers and magazines.



Source: Food Standards Agency consumer survey, 2002

10 Ways in which the authenticity of foods may be misdescribed

Potential authenticity problem	Example of potential misdescription	Consequences
Cheaper ingredients may be substituted without being declared.	Added water may be undeclared or under-declared. Offal or mechanically recovered meat may be declared as, for example "pork" or "turkey" rather than that labelled.	Consumers are misled about what products contain and cannot make fair comparisons between products.
The origin or source of the food may be incorrectly described.	The country of origin of products such as olive oil may be inaccurate or not declared. It may not be clear whether salmon is wild or farmed.	Consumers are misled about where products come from or how they have been raised.
Treatments or processes may be incorrectly described or not declared.	It may not be clear whether meat is fresh or has previously been frozen. The processing technique of irradiation may have been used illegally to help reduce disease causing organisms in foods such as herbs, spices, prawns and shrimps.	Consumers buy products which they did not know had been processed or treated in a certain way.
Ingredients may not be declared.	Processed vegetarian foods may contain added meat products.	Consumers making choices for ethical or religious reasons may eat food they would avoid if it was properly labelled.
The label may include an incorrect quantitative description.	Meat pies and other meat products may not be accurate about the amount of meat they contain. The added water content of chicken may not be labelled or may be labelled inaccurately.	Consumers cannot compare products effectively.

Source: Food Standards Agency and National Audit Office

Foods may be misdescribed in a number of ways (Figure 10). The results of the Agency's authenticity surveys enable the Agency to work with local authorities to tackle fraud. They also provide information to consumers about products and help the Agency to set priorities for action to improve labelling.

1.15 Rules on the provision of clear and accurate information for consumers are generally set at European Union level, for example in relation to labelling of food. The Agency also works with food manufacturers and retailers, local authorities and consumers to promote best practice. The Agency makes information directly available to the public (through its website, leaflets and by telephone), or indirectly, through press releases. It also ensures that other agencies have access to appropriate information, for example briefing local authorities that would often be the first point of contact for consumers locally.

Nutrition and diet

3

1.16 The Food Standards Agency shares responsibility for nutrition with the four UK Health Departments. The Agency's precise nutrition remit is based on the split in responsibilities set out in the White Paper "The Food Standards Agency: A Force for Change"¹³, that is:

- Functions relating to information needs of the public about diet and food rests with the Agency;
- Public Health function such as the link between diet and health outcomes rests with Health Departments; and,
- Interface between the two is a shared responsibility.

1.17 The Agency promotes information and support for healthy eating by seeking to inform and educate consumers about better eating habits. To address growing medical and public concerns about unhealthy diets and, specifically, obesity (especially amongst children), the Agency has strategic objectives to achieve improvements in the diet and nutrition of the UK population and to encourage lower income groups in particular to improve their diets. A new "food and health

action plan" was announced by the Government in December 2002¹⁴ which will be developed and implemented with the involvement of the food industry. This follows from the recommendations of a report published in January 2002 by the Policy Commission on the future of farming and food¹⁵.

1.18 The Agency identifies existing data and generates new data on diet and nutrition and communicates this within government and to the wider community. It spends over £6 million a year on research and surveys about nutrition. Diet and nutrition is, however, not solely a responsibility of the Agency as other public services such as the National Health Service also play a role, for example in relation to obesity¹⁶. Some £5 billion annually is now spent on food outside the home, and the Agency has a role in promoting healthier food in the catering industry, for example, the Agency funded 'Catering for Health' guidance targeted at the industry¹⁷. The Agency also encourages the food industry to agree to salt reduction targets as three quarters of the salt in diets comes from processed food.

¹³ *Food Standards Agency: A Force for Change, Ministry of Agriculture, Fisheries and Food/Department of Health, 14 January 1998 (Cm 3830, 1998).*

¹⁴ *Downing Street press release, 12 December 2002, "Plan sets out healthy future for farming".*

¹⁵ *"Farming and Food: a sustainable future": Report of the Policy Commission on the Future of Farming and Food, January 2002.*

¹⁶ *The National Audit Office examined Obesity in its report Tackling Obesity in England (HC 220, 2000-01, 15 February 2001).*

¹⁷ *British Nutrition Foundation Guidelines "Catering for Health".*

- 1.19 The Agency is responsible for ensuring that regulations on food safety and standards across the UK are enforced to protect consumers, by working through the Meat Hygiene Service (an Executive Agency of the Food Standards Agency), with local authorities, and the Department of Agriculture and Rural Development, Northern Ireland. The Agency seeks to minimise unnecessary burdens on businesses by proportional and consistent enforcement in the interests of consumers.
- 1.20 Enforcement of food law is the responsibility of local authorities, each acting independently in their own area. Since April 2001, the Agency has had in place with local authorities a Framework Agreement on Local Authority Food Law Enforcement which sets national standards for food safety enforcement by requiring the UK's 499 local authorities to work to a common standard in ensuring food safety in over 600,000 food establishments. The Agency is carrying out a rolling audit programme in all local authorities to monitor the standards set in the Framework Agreement (**Figure 11**).
- 1.21 The Meat Hygiene Service enforces food law in licensed meat premises (for example slaughterhouses and cold stores). Elsewhere, the Agency undertakes surveillance by using scientific surveys of foods to check what they contain and whether they are accurately labelled. It does this through a planned programme of work and by making other more spontaneous checks on food to verify or confirm local authority findings. In 2000, a total of 544,840 on-the-spot inspections were carried out by local authorities at 385,507 establishments, 61 per cent of which were restaurants and catering establishments and 32 per cent of which were retailers. If necessary, local authorities take enforcement action such as prosecution when retailers and outlets such as restaurants are selling foods which do not meet food standards. 174,417 infringements led to formal action by local authorities in 2000 (two thirds of these in relation to restaurants and catering establishments).
- 1.22 The Agency seeks to provide a national overview of potential or real problems in relation to particular foods where concerns have been expressed across local authority boundaries (either by the public, the Agency's expert panels, or local authorities). The Agency helps local authorities target their work, by helping to develop innovative methods to monitor food standards, for example the use of DNA to identify and verify the authenticity and origin of certain products, such as types of rice (for example, if basmati rice is labelled as such but is not actually basmati rice).

11 The Agency's Framework Agreement with local authorities

Since April 2001, the Agency has had in place a Framework Agreement on Local Authority Food Law Enforcement. This is a mechanism for implementing the Agency's powers under the Food Standards Act 1999 to influence and oversee local authority enforcement activity.¹ The Agreement is updated regularly to reflect latest food law practice (most recently in March 2002). The Agreement provides for:

- Local authorities to publish service plans to increase transparency of local enforcement services - service plans should focus on delivery, financial planning, future objectives, performance comparisons and performance management;
- Agreed food law enforcement standards for local authorities - including authorised enforcement officers, regular inspections of food and feeding stuffs, provision of advice to local business and control of food related illness;
- Monitoring data focusing on inspection outcomes and details of local authority enforcement performance; and
- Audits of local authorities aimed at securing improvements and identifying good practice.

NOTE

- 1 The Agency has powers under section 11 of the Act to carry out investigations under certain circumstances

Source: Food Standards Agency

Organisation and resources of the Food Standards Agency

1.23 The Agency's first Chief Executive was appointed by the Secretary of State for Health and the appropriate authorities (Health Ministers) in Scotland, Wales and Northern Ireland acting jointly, prior to the Agency's establishment in April 2000¹⁸. The Chief Executive is responsible for the efficiency and effectiveness with

which the Agency is run, the day to day activities of the Agency, and is the Agency's Accounting Officer. The Agency Board is responsible for the overall strategic direction of the Agency, ensuring that it fulfils its legal obligations and that its decisions or actions take proper account of scientific advice, the interest of the consumer and other relevant factors. The Board consists of a Chair, Deputy Chair and up to 12 other members (Figure 12).

12 The role of the Food Standards Agency Board

The Board:

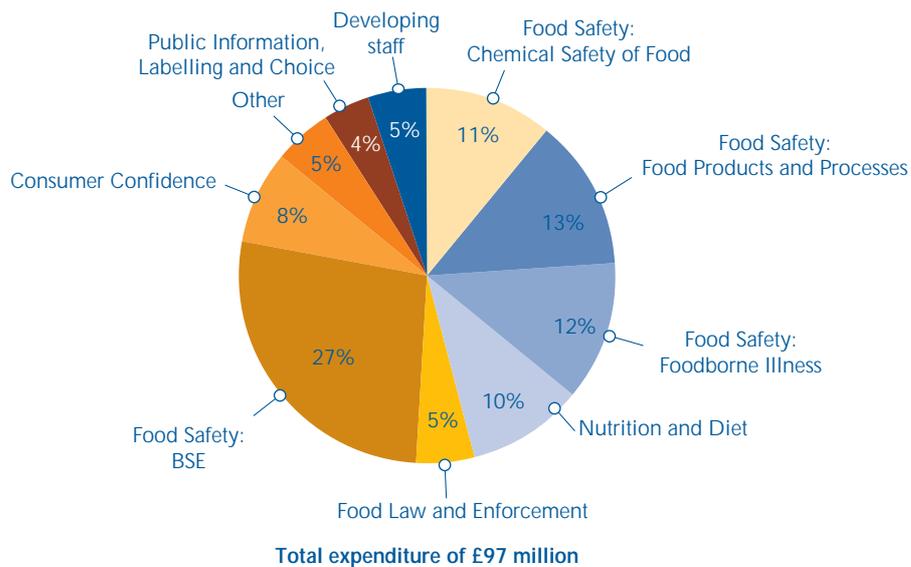
- Appoints the Chief Executive;
- Develops a vision and values for the Agency and reinforces its core values by its own decisions and actions;
- Makes decisions which protect consumers and which respect the Agency's legal responsibilities and reinforce its core values; and,
- Holds the Executive to account for all that it does on behalf of the Board.

The Chair:

- Acts on behalf of the Board in relation to day to day running of the Agency;
- Provides leadership to the Board in Board meetings and otherwise and in particular ensures it acts consistently with its formal responsibilities and accountabilities;
- Represents the Agency in dealing with Ministers and externally;
- Holds the Chief Executive to account for the Executive's day to day operations; and,
- Is expected to be beyond reproach on the question of independence.

Source: Food Standards Agency

13 Food Standards Agency Expenditure, 2001-02



NOTE

Includes expenditure of The Food Standards Agency in London, Wales, Scotland and Northern Ireland. Excludes the Meat Hygiene Service.

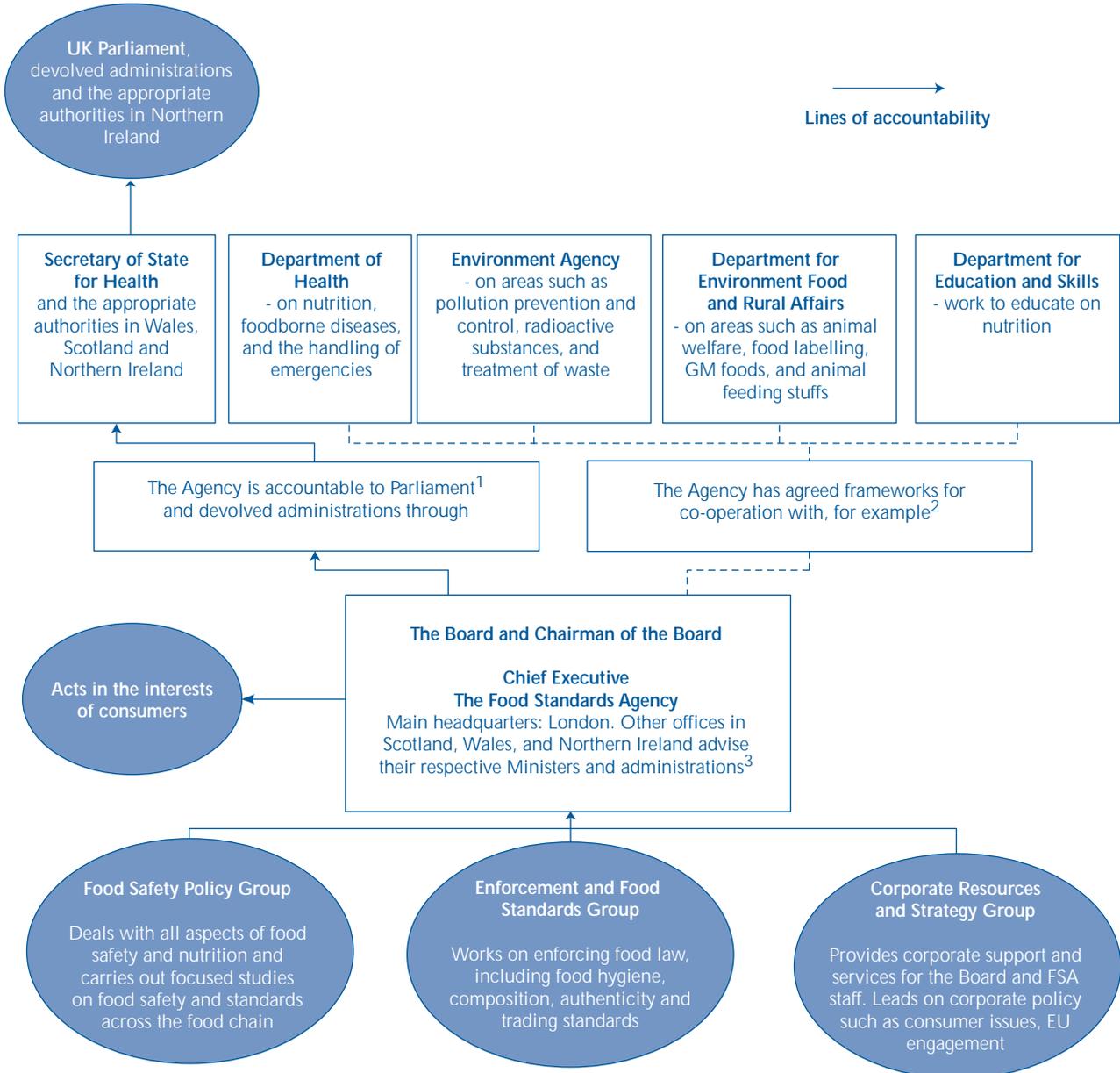
Source: Food Standards Agency Departmental Report Spring 2002

18 Subsequent Chief Executives will be appointed by the Agency Board.

1.24 The Chair and Deputy Chair are appointed jointly by the Secretary of State for Health and Health Ministers in Scotland, Wales and Northern Ireland. Of other Board members, eight are appointed by the Secretary of State for Health, two by Scottish Health Ministers, and one

each by Ministers in Wales and Northern Ireland. The Board is subject to public scrutiny through its open Board meetings. Eight public Board meetings took place around the country in 2001-02.

14 Organisation and accountability of the Food Standards Agency



NOTES

1. The Agency is accountable to the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly through the appropriate Ministers.
2. Framework Agreements are also in place with the Public Health Laboratory Service (PHLS) and the Health and Safety Executive (HSE).
3. FSA Scotland, FSA Wales and FSA Northern Ireland provide advice on proposed legislation to the appropriate Minister within the administrations, and carry out food safety, food standards and nutrition functions formerly discharged by public health and agriculture staff of the respective administrations. FSA Northern Ireland works closely with the Food Safety Promotion Board on relevant all-Island issues and with the Food Safety Authority of Ireland on cross-Border issues.

Source: National Audit Office

1.25 The Agency¹⁹ employed 570 staff in its London Office in 2001-02, 50 staff in Scotland (based in Aberdeen), and 19 in Wales, and 18 in Northern Ireland. Most staff were formerly in the Department of Health or the Ministry of Agriculture, Fisheries and Food and other relevant departments in Wales, Scotland and Northern Ireland. Other staff are from a mix of backgrounds outside Whitehall, including consumer groups, non-governmental organisations and local authorities. The way the Agency is organised, how it is accountable and its links with other departments is set out in **Figure 14**.

Obtaining expertise

1.26 To carry out its functions effectively, the Agency seeks to base its evidence on the best scientific information and advice available. The Agency does this by obtaining advice from its own in-house specialists, its scientific advisory committees (**Figure 15**), from experts in academia, from the European Union and international bodies such as the World Health Organisation.

Food standards in other countries

1.27 Food safety organisations in other countries are involved in setting food standards, and most have a wide remit covering all aspects of food, from farming to the safety of animal feed, pesticides and plant safety and covering the entire food chain from 'farm to fork.' A specific remit to protect consumers is common to most other international bodies we examined, though in the UK this protection of consumers is underpinned by legislation establishing clear independent authority for the Agency's activities, and a focussed and systematic programme of food surveillance (**Figure 16 overleaf**).

Focus of the NAO examination

1.28 Government bodies often need to maintain their profile and reputation with the public if they are to perform effectively. The Food Standards Agency is a good example of this in that if it fails to build public confidence and trust by the way it carries out its activities, this can have an adverse impact on consumers in terms of whether they believe and accept its advice. Lack of public confidence can also adversely affect the markets for food and the economic performance of the food industry if the demand for certain foods is reduced. We therefore, looked specifically at the action which the Agency has taken to provide services directly to consumers, and how this delivery is underpinned by the way the Agency organises itself to respond to consumers' concerns. We also identified lessons and good practice which other agencies can draw upon to improve their service delivery.

15 The Agency's scientific advisory Committees

The following offer scientific advice to the Agency:

- Advisory Committee on Microbiological Safety of Food;
- Advisory Committee on Novel Foods and Processes;
- Expert Group on Vitamins and Minerals; and,
- Advisory Committee on Research.

The following report jointly to the Agency and other Government Departments:

- Advisory Committee on Animal Feedingstuffs;
- Committee on Carcinogenicity;
- Committee on Mutagenicity;
- Committee on Toxicity;
- Scientific Advisory Committee on Nutrition; and,
- Spongiform Encephalopathy Committee.

Source: Food Standards Agency

1.29 Our examination consisted of three main types of analysis of the services provided directly to the public by the Food Standards Agency:

- Data and information about selected activities and outputs of the Agency, including analysis of press releases and an assessment of action taken by the Agency in six specific cases;
- A review of the structures and processes which the Agency uses to underpin these outputs and activities; and,
- The views of those representing consumers - interest groups including the Consumers' Association, the National Consumer Council, Sustain, and leading academic commentators.

Our analysis excluded examination of the activities of the Meat Hygiene Service. More detail on our methodology is provided in Appendix 1.

¹⁹ excluding the Meat Hygiene Service, whose activity is not covered in this report.

16 International food agencies and similar organisations

United States of America

Two different government departments, the Department of Health and Human Services (DHHS), and the U.S. Department of Agriculture (USDA), control food safety. Four different government agencies (dating back to 1862) within these departments have responsibility for food health as a whole. The Food and Drug Administration (FDA) is involved in labelling, regulation and safety of foods except those under the remit of the Food Safety and Inspection Service (FSIS) which has responsibility for meat, poultry and egg products. The Environmental Protection Agency (EPA) provides protection by regulating pesticides and promoting safer pest management along with the Animal and Plant Health Inspection Service (APHIS) whose primary role is to guard against plant and animal diseases.

Goals

- The agencies work to ensure co-ordinated food safety across the US with the different authorities having complementary and interdependent missions in partnership with state and local government counterparts.
- Food agencies in the US are accountable to the president, congress, the courts and directly to members of the public. The whole system is closely regulated to provide authority for the executive agencies and the necessary levels of control.

Swedish National Food Administration

The National Food Administration (NFA) was established on the 1 January 1972. The administration is a government agency under the Ministry of Agriculture and the central administrative authority for matters concerning food and drinking water. Under the NFA, individual county administrations co-ordinate at the regional level, with municipal Environment and Health Protection Committees responsible locally.

Goals

- Safe foods of high quality.
- Fair practices in the food trade.
- Healthy dietary habits.
- The NFA is closely involved in co-ordinating food safety with similar international organisations especially within the European Union.

Australia and New Zealand

In July 1996 an agreement signed between the Governments of Australia and New Zealand came into force to harmonise food standards between the two countries. Signing the agreement produced a bi-national independent authority called Food Standards Australia and New Zealand (FSANZ), which develops regulations relating to food composition, labelling and contaminants that apply to all foods produced or imported for sale in New Zealand and Australia.

Goals

- FSANZ works with Australia's Commonwealth, State and Territory governments and the New Zealand Government to protect in collaboration with others, the health and safety of people in Australia and New Zealand through the maintenance of a safe food supply.
- Food standards in Australia are co-ordinated across the States and Territories, which adopt without variation food standards approved by the Australia New Zealand Food Standards Council.

New Zealand

The New Zealand Food Safety Authority (NZFSA) is a new controlling authority set up from 1st July 2002 to produce a "Whole of Government Approach" to administer legislation covering food for sale and export on the New Zealand domestic market. The authority is involved in regulating the primary production of plant and animal products, export assurances, and controls on the use of agricultural compounds and veterinary medicines.

Goals

- The stated mission of the NZFSA is to protect consumers and enhance New Zealand's position as a trusted supplier of food.
- Food safety is particularly important in New Zealand as 80 per cent of production is exported which makes up nearly half of total export income. The NZFSA was set up to safeguard this position by providing a regulatory framework to enhance the position of New Zealand in the food export market.

Canada

The Canadian Food Inspection Agency (CFIA) is a government agency formed in April 1997, administered and regulated by the Ministry of Agriculture and Agri-Food which establishes policies and standards for: the safety and nutritional quality of food; the administration of the provisions of the Food and Drugs Act relating to public health; safety and nutrition, and for assessing the effectiveness of the Agency's activities related to food safety.

Goals

- Protecting consumers, stepping-up emergency alerts and safeguarding Canada's plants and animals.
- The role of the CFIA is to deliver inspection programs relating to food, plants and animals across Canada with involvement in the enforcement of food safety and the nutritional quality standards established by Health Canada.

Part 2

Performance achieved by the Food Standards Agency

"Everyone cares about food and food safety. The Government has set up the Food Standards Agency to 'put an end to the climate of confusion and suspicion about the way that food safety standards have been handled'. In other words, we are here to protect the public and earn public trust and confidence. We will earn this trust by doing and not simply being. We will earn it by the way we do things, as well as what we do".

Sir John Krebs, Chairman, The Food Standards Agency Board²⁰

- 2.1 Since being established in 2000 the overriding objective of the Food Standards Agency has been to protect public health and the interests of consumers in relation to food. A key element of this is the need to secure confidence in the national regulatory system and in the credibility of the Food Standards Agency as an organisation. This is essential if the public are to accept and act on its advice. This part of the report examines how the Agency has sought to gain the public's trust.
- 2.2 At the time the Agency was set up, public confidence in scientific advice on food safety had been seriously undermined by the BSE crisis. The Select Committee on Science and Technology report *Science and Society*²¹ had identified that the public often did not trust the scientific advice provided by departments. In January 1999 a survey carried out by MORI on behalf of the Cabinet Office found that 38 per cent of the population trusted scientists employed by departments to "generally tell the truth", whilst 46 per cent did not. People were more likely to believe information on food safety provided by television programmes and the wider media than information from departments.
- 2.3 Establishing the public's trust and confidence generally requires:
- **Risk identification.** The public's concerns and risks to food standards and safety are clearly identified;
 - **Appropriate action.** Food risks and concerns are responded to promptly and effectively;
 - **Authoritative advice.** The public can get authoritative information and advice and is aware of the Agency as a source of such advice; and,
 - **Transparency.** The Agency is fully transparent in the way it operates and how it engages with all those who have an interest in food standards.
- 2.4 This part of the report assesses how well the Food Standards Agency meets these four requirements. In addition to examining the Agency's overall approach, we also considered in more detail six cases where the Agency had taken action to protect the public. The results of these case examinations are summarised in Appendices 2 to 7.

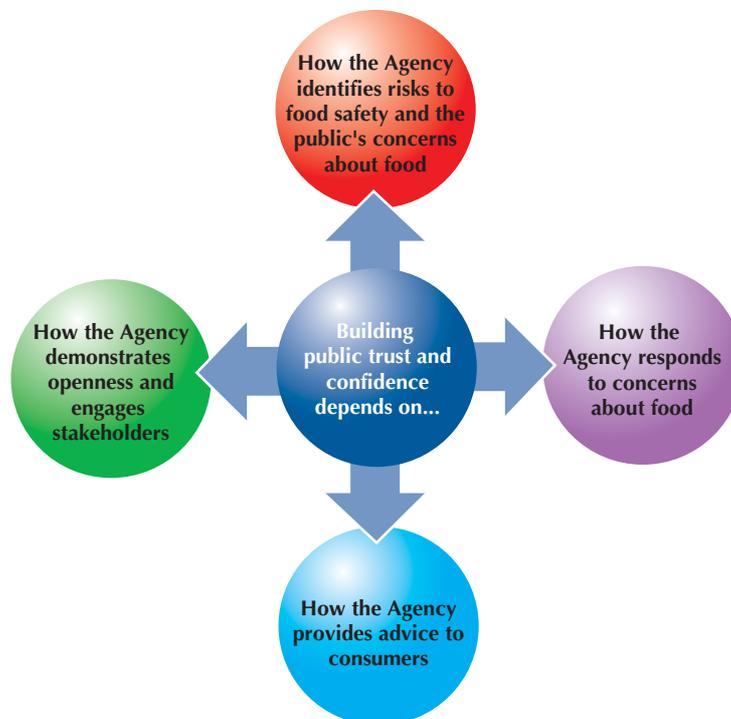
²⁰ Agency press release, 3 April 2000 - the day the Agency started its work.

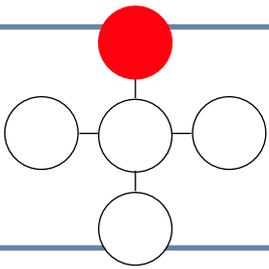
²¹ House of Lords, Select Committee on Science and Technology report, *Science and Society*, February 2000.

The six case examples we examined:

- A case of infant botulism which the Agency traced back to bacteria in baby food;
- A planned campaign to promote better hygiene in catering;
- A potential food safety risk from dioxins introduced into the food chain as a result of pyres burned during the foot and mouth crisis;
- A banned veterinary product found in imported honey from China;
- A cancer causing carcinogen found in soy sauce; and,
- Consumers being sold chickens with higher than permissible levels of water

17 Building trust and confidence in the Food Standards Agency





How the Agency identifies risks and concerns about food

If the Agency does not adopt a proactive approach based on reliable and comprehensive evidence to identify risks to, or concerns about, food standards early enough, it will not be able to take preventative action including alerting the public to minimise the dangers to public health.

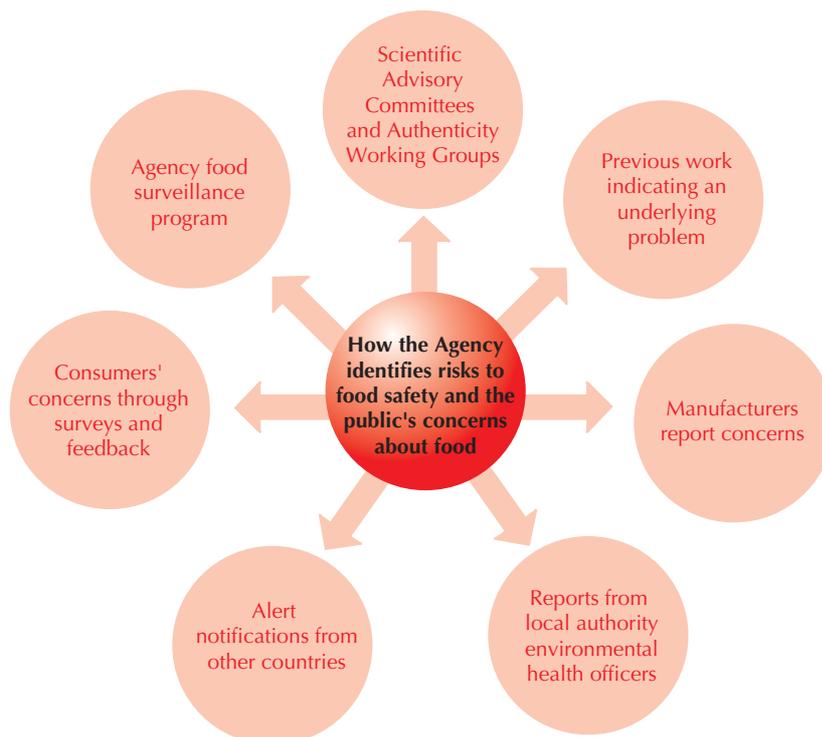
2.5 The main ways by which the Agency identifies risks to food safety and the public's concerns are summarised in **Figure 18**. To assess the effectiveness of the Agency's approach we reviewed:

- The surveys the Agency carries out to identify and monitor the public's concerns;
- The Agency's scientific surveys of specific food and food products to determine their safety;
- Concerns expressed through scientific advisory committees, working groups or by consumer groups such as the Consumers' Association and Sustain;
- Rapid alert notifications about risks to food safety; and,
- The costs of work intended to identify risks to, and concerns about, food safety.

Consumer surveys

2.6 One of the Agency's main ways of understanding the public's concerns about food safety and the risks to health which they perceive to exist is to commission annual representative surveys of consumers. It is by addressing the concerns identified by these surveys that the Agency seeks to strengthen the public's confidence in its work. Reliable information on consumers' concerns and attitudes to food safety is also a good indicator of potential risks which the Agency may need to address - for example, increasing public concern about hygiene in fast food establishments might suggest that this was an aspect of food safety requiring some remedial action.

18 How the Agency identifies risks to food safety and the public's concerns about food



2.7 The most recent annual survey, carried out in 2002, indicated that the public was most concerned about risks of food poisoning, BSE and the use of pesticides to grow food (**Figure 19**). The survey indicated that less than half of those consulted considered that food safety had improved over the last 12 months. More specifically:

- The number of people who expressed concerns about hygiene in food outlets rose from 42 per cent in 2000 to 50 per cent in 2002;
- Sixty-nine per cent of those surveyed were concerned about the safety of meat, 19 per cent about the safety of eggs and 23 per cent about the safety of food made with genetically modified ingredients; and,
- Food safety in the home was a concern for just over one in ten people.

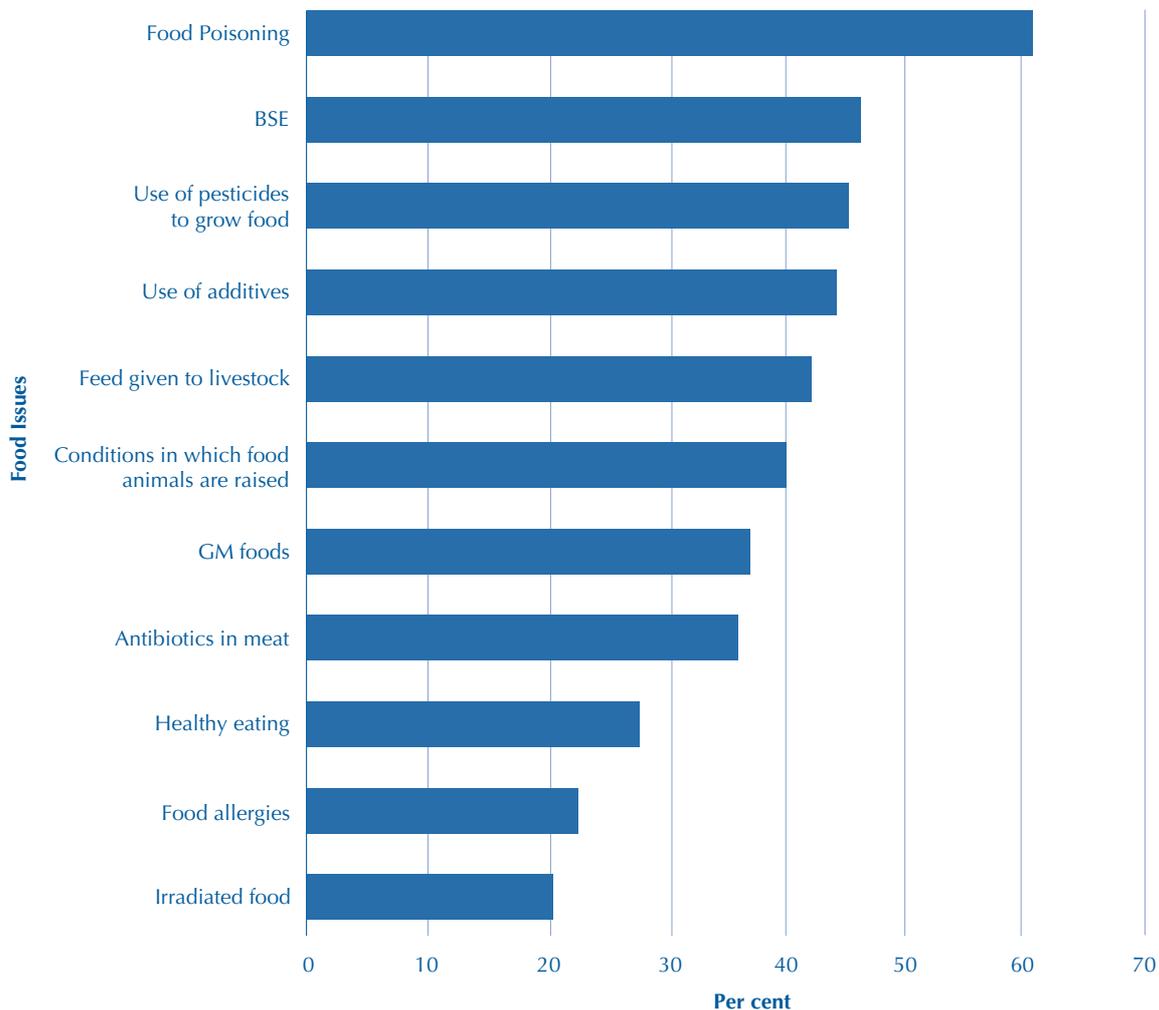
2.8 The Agency also conducts monthly surveys to monitor how public concerns are changing. These indicate that the issues raised in the annual surveys remain of similar concern to the public.

Scientific surveys of food

2.9 The Agency conducts or commissions scientific surveys of specific food issues. These surveys are intended to identify risks which affect (i) food safety such as the levels of chemicals that exist in food and (ii) food authenticity - that the description of food is accurate so that the public are not misinformed - such as the levels of added water in chicken, or whether products contain genetically modified material. The Agency also conducts surveys about diet and nutritional value of foods (**Figure 20**).

19 Concerns which the public have about specific food issues, 2002

In 2002, the public were most concerned about food poisoning, BSE, the use of pesticides to grow food and the use of additives in food.



Source: Food Standards Agency consumer survey, 2002

20 Typical stages in carrying out a scientific survey of food, for example surveys of chemical contamination

■ How are items for survey decided upon?

The Agency discusses proposals for food surveys with its expert advisory committees (for food safety) and its working parties for food authenticity. The membership of each committee includes scientific experts, consumer groups, enforcement (local authorities), food industry and Agency officials. A range of factors determine the priority for one survey over another, such as the levels of consumption in consumers' diets, the scale of the potential risk to consumers, whether some groups are more at risk than others, the size of the market and consumers' perception of the problem.

■ Who does the surveys?

The collection and analysis of samples for surveys are contracted out by the Agency to external laboratories, such as the Central Science Laboratory, and the Agency selects contractors after open competition on a contract by contract basis. Local Authority Trading Standards or Environmental Health Officers may collect samples in some surveys. Contractors have to demonstrate that they quality assure their analytical methods, are accredited by a third party (such as the UK Accreditation Scheme - UKAS) and they must supply ongoing quality control information to the Agency during the survey.

■ What is their geographical coverage?

Surveys usually cover the United Kingdom with samples taken from different regions.

■ Who do they report to?

Survey results are reported to the Agency's Committees before publication, such as the Committee on Toxicity (COT), so that the significance of the survey results for consumers can be assessed. The results of the survey are then published and the actions which follow depend upon the significance of the results, and the statements made by the

Committees. If a food safety problem is identified during a survey, the Agency makes an immediate announcement to consumers to highlight interim findings and, if necessary, to issue precautionary advice. Surveys take on average 15 months to complete from starting a tender exercise to publishing results, although the Guidelines for Food Standards Agency Technical Surveys issued for consultation in early 2002 proposed a shorter timetable for completion of survey work, critically that the results of a survey and an assessment of their significance should be published within 20 weeks of samples being collected.

■ What happens after results have been assessed?

Survey results requiring emergency action - If a food safety problem is identified, senior Agency officials agree action (involving the Chairman and the Board on issues which may be contentious or novel), for example warning consumers by issuing a news release with Question and Answer briefing, setting up a helpline and contacting the company responsible for the products to agree action required, such as removal of products from shelves or product recall.

Survey results not requiring emergency action - The Agency publishes all results from surveys with information for consumers (a Food Survey Information Sheet). Survey results are routinely published with details of the brands sampled. These form part of the public record and are one way in which the Agency demonstrates transparency and openness.

After the survey - The Agency evaluates the survey and its impact, for example the action taken to protect the consumer and the need for a follow-up survey. The Agency also asks companies what steps they are taking where a survey identifies a need for them to take action, for example changing their production processes or their suppliers, and works with local authorities to monitor action taken.

Source: National Audit Office, Food Standards Agency

2.10 Each year, the Agency publishes its food survey programme, setting out the types of safety issues it will be examining. This information is available on the Agency's website and is regularly updated. These surveys will not all be completed in the year they are commissioned; although, if early results indicate a food safety risk, the Agency will publish interim results and may issue precautionary advice for consumers. In 2000-01 the Agency completed 11 food surveys, and eight in 2001-02 covering food safety issues ranging from high levels of tin in some canned fruit and vegetable products to pistachio nuts imported from Iran which contained high levels of cancer-causing mycotoxins (Figure 21 and 22). At any point in time, the Agency typically has over 50 surveys in process but only reports on those that are completed during the year.

2.11 The Agency's scientific survey work is commissioned in different ways depending on factors such as the relative priority assigned to a risk or issue by the various Advisory Committees and the public's perception of the risks to their health. For example, the Food Authenticity Working Group selects food items for examination by ranking them according to issues which are likely to be most important to consumers. This analysis is combined with other data such as demand for the food product; whether it is marketed nationally through major supermarket chains or by smaller outlets only in certain parts of the

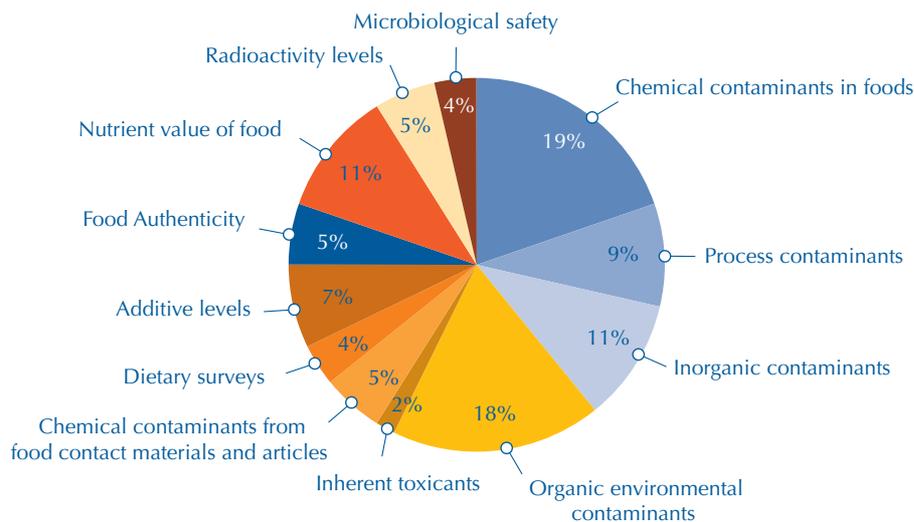
country; the potential for the product to be mislabelled and whether certain groups of consumers such as those on low income or the elderly could be disadvantaged. In this way, different foods identified as requiring investigation will be given a priority ranking. The need for other surveillance work is often influenced by a range of factors such as public concern and emerging scientific evidence, although the Agency does not have a clear framework demonstrating how it reaches judgements about where to concentrate its efforts to improve food safety and standards and determine priorities.

21 Examples of food surveys

- In January 2002 the Agency called for a ban on pistachio nuts imported from Iran after a survey found 10 per cent contained high levels of cancer-causing mycotoxins;
- In November 2001 a study on levels of salt in bread found that levels had dropped by up to 21 per cent since 1998;
- In March 2002 the Agency asked local authorities to remove from shop shelves a particular batch of apple juice after a survey found unacceptably high levels of patulin;
- In January 2001 high levels of tin were found in some canned fruit and vegetable products. The manufacturer withdrew batches of the product and the Agency advised consumers against eating them.

Source: National Audit Office

22 Issues covered by the Agency's food survey programme for 2001-02¹



NOTE

1. Percentages reflect the broad proportion of survey work focusing on each food issue.

Source: NAO examination

Rapid alerts

2.12 The Agency may find out about risks to food safety and other food-related problems arising in other European Union Member States or third countries through a "rapid alert" notification procedure²² which operates between member states via the European Commission. The Agency receives and issues alerts through this system. The Agency is not required to take specific action in response to such notifications as the response will vary between member states depending on whether the alert is relevant to them and on the level of risk assessed. A food safety issue recommended for action by one member state may be not be acted on in the UK if the issue is not relevant for UK consumers, or where the Agency has already taken action to protect the public. In 2001-02, the Agency received 1,622 rapid alert notifications from the European Commission, of which 22 resulted in some action in the UK (for example alerting a local authority to take action with an importer who may be in receipt of contaminated foods). Of the remaining 1,600 alerts, most were not relevant for the UK or were assessed as for information only (**Figure 23**). The Agency issued 20 rapid alert notifications in respect of food safety issues identified in the UK in 2000-01 and 62 in 2001-02.

23 Examples of rapid alert notifications

- Polycyclic aromatic hydrocarbons in olive-residue oil from Greece 25 February 2002 - Original communication from Greece, batch of oil sent to the UK with unacceptably high levels of PAHs, product recalled in UK
- Polycyclic aromatic hydrocarbons in canned Baltic Sardines in oil from Latvia, 21 February 2002 - Outcome of investigation in Germany, product recalled by distributors in UK
- Nitrofuran-metabolite Amoz in salted frozen chicken breasts from Brazil, 14 October 2002 - Original investigation in Germany, product recalled in the UK

Source: National Audit Office

²² The Rapid Alert System for Foodstuffs (RASFF).

Costs of identifying risks to food safety and standards

2.13 Comprehensive information on the costs of food surveillance work is important to help the Agency decide how best to target its resources. For example, some food surveillance work may be more effective than others when its costs are compared with its overall impact in protecting the public. The Agency allocates and monitors some costs - it spends £6 million annually on food surveys including food authenticity and the accuracy of food labelling. Our examination found,

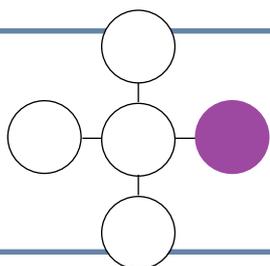
however, that not all costs such as staff deployed on managing surveys, the cost of publishing and disseminating survey findings - together with follow-up work in response to surveys - were routinely identified and used to assess whether the Agency's activities represent value for money. The Agency intends to improve its business planning so that the full cost of all its work can be ascertained and kept under review.

2.14 The six case examples which we reviewed reflect the different ways by which the Agency identifies risks to, or concerns about, food safety and standards (Figure 24).

24 Examples of how the Agency identifies risks to, or concerns about, food

Issue examined	Type of issue	
Infant botulism	Food safety - risk from bacteria	A case of suspected infant botulism was diagnosed by a hospital and the Department of Health and the Public Health Laboratory Service informed the Agency.
Hygiene in catering	Food safety - risk from bacteria	The need to take action was identified as part of the Agency's strategy to reduce foodborne illnesses. Hygiene in food outlets has been a public concern raised consistently in the Agency's consumer surveys.
Dioxins in milk	Food safety - risk from chemicals in food	There was considerable uncertainty surrounding the initial assessment made by the Department of Health in April 2001 of possible risks to public health from pyres used to dispose of carcasses during the foot and mouth outbreak. The Agency therefore convened a meeting of external experts from Government Agencies and academia which concluded that, although the assessment was based on the best available science, the uncertainties were sufficiently great to give potential cause for concern.
Illegal veterinary medicines: chloramphenicol in honey	Food safety - risk from chemicals in food	A European Commission inspection visit to China identified a lack of controls on the use of veterinary medicines.
3-MCPD in soy sauce	Food safety - risk from chemicals in food	3-MCPD, a chemical known to cause cancer in animals, was found at significant levels in some soy sauce products in an earlier survey carried out in 1999. Alerts from other European Union Member States from late 1999 suggested that this remained a problem.
Water in chicken	Food authenticity - misdescription of products	Consumer concerns were identified by the Agency's Working Party on Food Authenticity and Local Authority Trading Standards Departments also raised concerns.

Source: NAO examination. More detail is provided in Appendices 2 to 7 to this report.



Action taken in response to food risks and concerns

If risks to food safety or the public's concerns about food are not responded to promptly with appropriate action, there could be an adverse effect on public health and people's confidence in the Food Standards Agency could be seriously undermined.

2.15 The Agency responds to risks to food safety and public concern in four main ways:

- **It informs the public** so that they can take action based on impartial advice to protect themselves;
- **Enforcement:** The Agency intervenes to have products removed from sale which are a risk to the public's health, do not meet food standards, or are mislabelled;
- **It works with the food industry** to seek, for example, modification to food processes to minimise risks to food safety and improve food standards; and,
- **It seeks new legislation**, where appropriate, to improve food safety.

2.16 In assessing how the Agency responds to concerns about food and risks to food safety we examined:

- The action taken;
- The extent to which the Agency's work is reactive or planned;
- How the risks to food safety are managed;
- How long it typically takes the Agency to respond to a risk or concern; and,
- How the Agency reviews the impact of its work to promote food safety and acts on lessons learned.

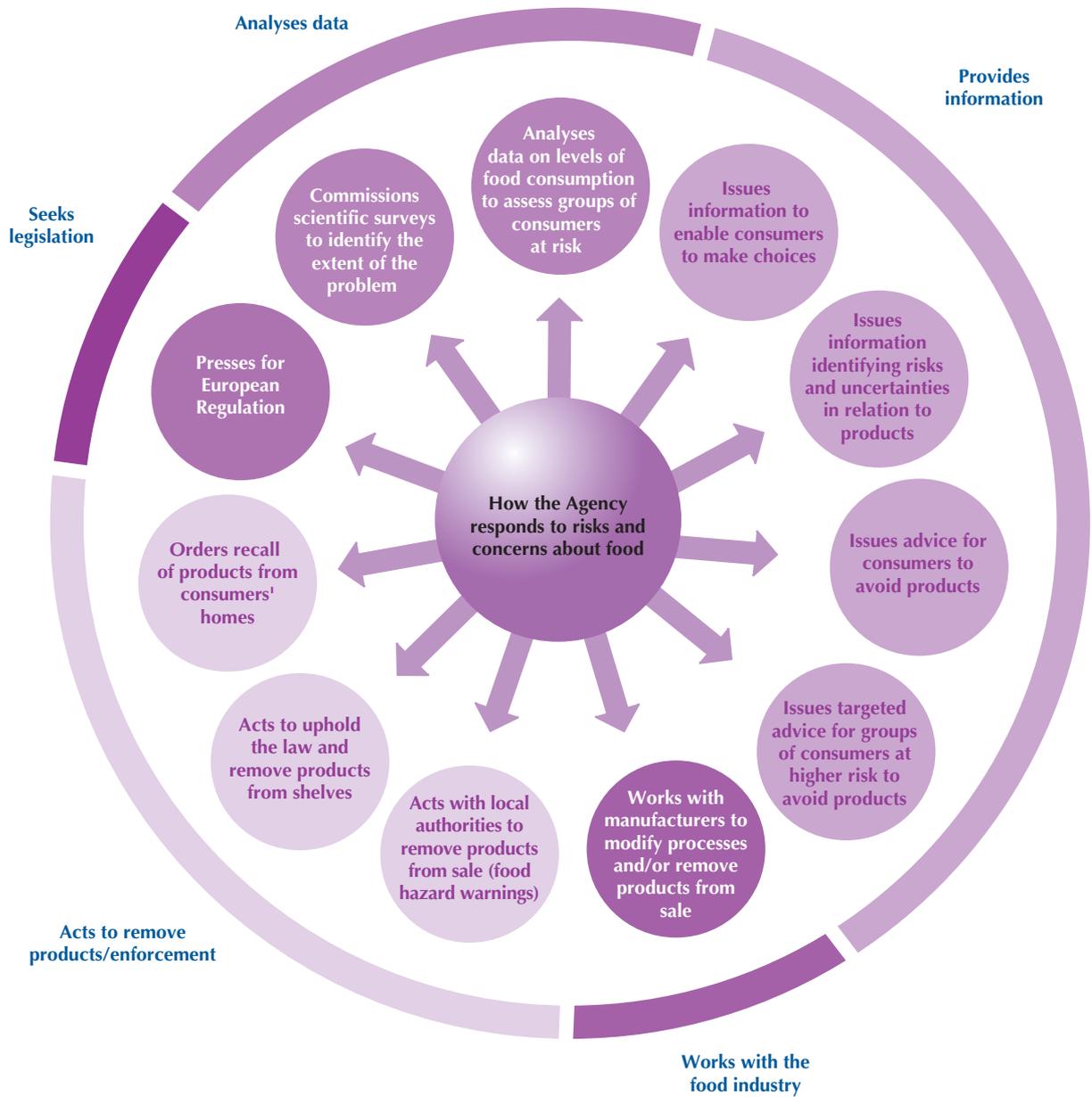
Action taken

2.17 The action the Agency takes or initiates in response to food safety risks or concerns will be influenced by many factors. These include:

- The potential level of food risk exposure, for example the extent to which daily consumption of contaminants such as dioxins can be tolerated with no significant health risks;
- The severity of the hazard, in particular whether the risk is life-threatening or not;
- Whether some specific groups in society may be more vulnerable, such as pregnant women, children or ethnic minorities;
- People who, through choice or because of medical conditions, have special dietary requirements which could result in acceptable consumption levels of contaminants in some foods being exceeded; and,
- How best to communicate with the public so that they understand the action they need to take, ensuring that this is done sensitively so that unnecessary concerns or fears are not raised.

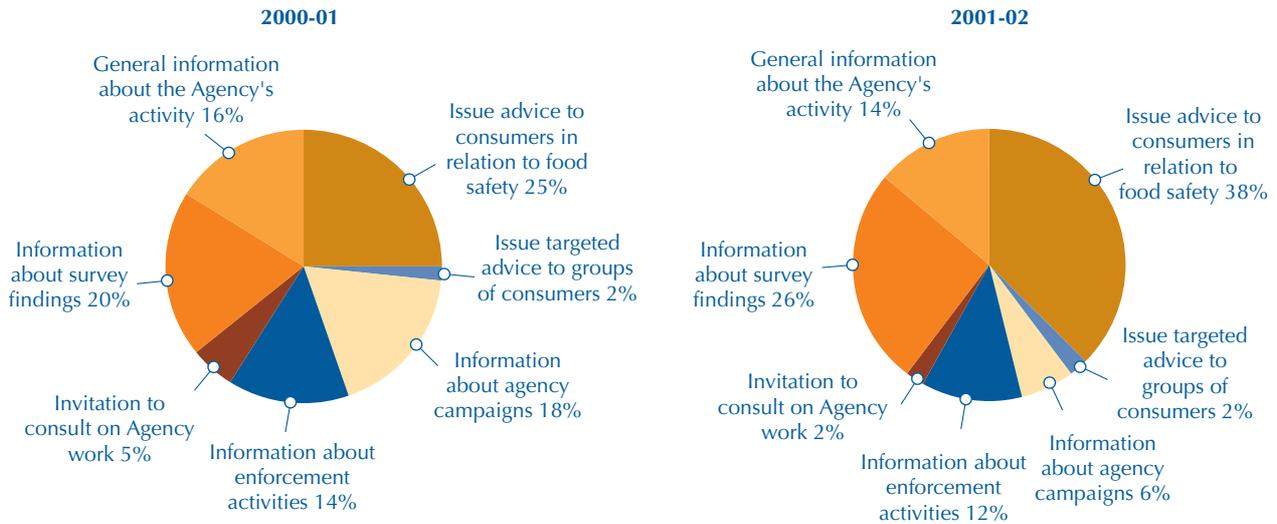
2.18 The public may have concerns about food safety which scientific analysis may prove to be groundless. In such cases, the Agency may decide that it has to act to dispel such misunderstanding if public confidence in food safety and standards is not to be undermined. There is also a risk in such circumstances that if the Agency does not respond in some way, the public's confidence in it will be eroded. The Agency therefore has to balance carefully scientific evidence and consumers' perceptions about what constitutes a food safety risk in deciding its response to public concerns.

25 How the Agency responds to risks and concerns about food



Source: National Audit Office

26 Food Standards Agency initiatives to inform the public¹



NOTE

1. Initiatives announced in 56 Agency press releases in 2000-01 and 93 in 2001-02. Excludes initiatives relating to BSE, the Meat Hygiene Service and initiatives not related to food (such as staff announcements).

Source: NAO examination

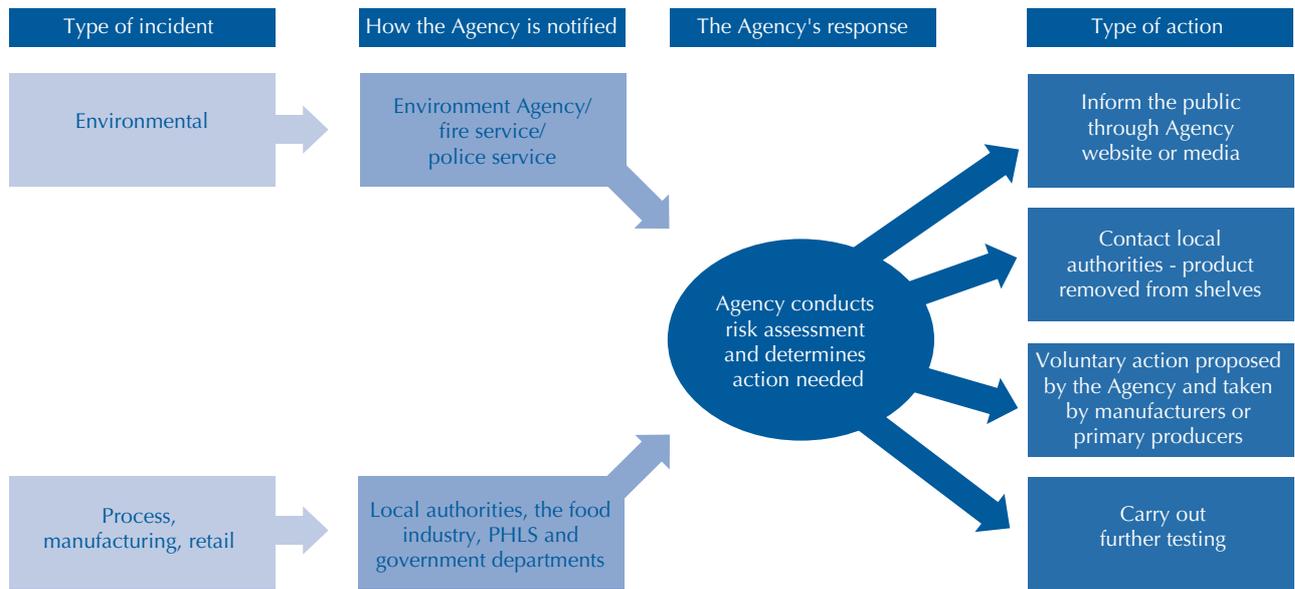
2.19 Since it was established in April 2000, the Agency's main responses to food safety issues have been:

- Investigating food safety incidents** - The Agency does not carry out day to day enforcement activity other than that carried out through the Meat Hygiene Service. However, the Agency has powers²³ to carry out investigations under certain conditions. The Agency investigates two main types of food safety incident - those arising during food manufacture, processing, distribution, or retail; and incidents arising from environmental contamination where there is the potential for contaminants to enter the food chain, such as a chemical spill or fire (Figure 27). Once the Agency receives information about an incident it then assesses the risks and options for managing them, which may include, for example, contacting local authorities to carry out tests, asking them to remove or recall products and, if necessary, informing consumers through the Agency's website and the media. Follow-up action may include further tests or checks to ensure products have been removed from sale or use. In 2000-01, the Agency investigated 679 incidents with the potential to affect food safety, with 171 arising from manufacture or processing and 508 from environmental contamination. In 2001-02, the Agency investigated 506 incidents, with 180 arising from manufacture or processing.

- Informing the public** - the Agency informs the public in a number of different ways (Figure 26) including issuing food safety advice to consumers, information about survey findings and specific safety awareness campaigns, such as the Agency's hygiene catering campaign (Appendix 3).
- Enforcement** - The Agency's enforcement role is carried out through the Meat Hygiene Service. The Agency also ensures the effectiveness of food law enforcement across the UK (Figure 28 shows examples of Agency enforcement activity). It sets standards of performance on the enforcement of food law and monitors and audits the performance of local authorities, who are responsible for enforcing laws on the safety, composition and labelling of food and animal feed at the local level. In 2001-02 the Agency carried out 40 audits.
- Food Hazard Warnings** are used by the Agency to inform local authorities of problems associated with food and, in some cases, to provide details of specific action to be taken. Warnings are issued under four categories:

 - A: For immediate Action
 - B: For Action
 - C: For Action as deemed necessary
 - D: For Information.

27 Investigation of food safety incidents



Source: National Audit Office

28 Examples of Agency enforcement activity

The Agency:

- Carried out audits of local authorities examining how well they protect consumers and enforce food hygiene and safety laws - July 2001.
- Announced a package of measures to tighten laws preventing unfit poultry meat entering the human food chain (for example including a requirement to stain 'high risk' unfit poultry) - September 2001.
- Announced £7.5 million extra funding to help local authorities carry out more checks on animal feeds and compliance of imported animal feeds with feed law - November 2001.
- Tightened laws on production of poultry meat to reduce the risk of foodborne illness to consumers by banning production and sale of uneviscerated poultry at 'off farm' slaughterhouses - November 2001.

Source: Food Standards Agency

Food Hazard Warnings are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor. The Agency issued 31 food hazard warnings in 2000-01 and 47 in 2001-02. **Figure 29** shows some examples of food hazard warnings.

- **Working with the food industry** - co-operation with the food industry is important to improving the standard of food and the processes used in production. **Figure 30** shows some examples where the Agency has worked with industry to improve food standards and safety.
- **Seeking new legislation** - the Agency will seek UK or European Union legislation or regulation where appropriate such as measures to protect against BSE (**Figure 31**).

The extent to which the Agency's work is reactive or planned

2.20 Some food safety concerns may arise unexpectedly from, for example, outbreaks of food poisoning. In such cases, the Agency will have to respond quickly with appropriate measures to ensure safety. The remainder of the Agency's programme of work should largely be preventative by anticipating potential food risks and educating the public in how to deal with them. Such work typically includes food surveys, audits of local authority enforcement of food standards and food safety campaigns to promote, for example, better hygiene. The balance between planned and reactive activities will change from year to year and in 2001-02 it was broadly 80:20.

29 Examples of food hazard warnings issued to local authorities

- The Agency asked local authorities to remove from sale specified soy sauce products after an Agency survey found that nearly a quarter of samples contained high levels of cancer-causing chemicals - 20 June 2001
- The Agency asked local authorities to ensure removal from sale or use of Spanish olive-pomace olive oil after the Spanish authorities found they contained high levels of cancer-causing polycyclic aromatic hydrocarbons - 6 July 2001.
- The Agency asked local authorities to ensure removal from sale or use specific brands of helva products found to be contaminated with salmonella - 22 August 2001.
- The Agency advised against consumption of a specific batch of mixed spices used in Asian curries and asked local authorities to remove the product from sale or use. The product was found to contain high levels of cancer-causing aflatoxin - 20 September 2001.
- The Agency ordered a product recall of a batch of Bramley Apple Juice, and advised consumers and caterers against its use. Local authorities were asked to check the products had been removed from sale - 15 March 2002.

Source: Food Standards Agency

30 Examples of co-operation between the Agency and industry

- **Statement issued jointly by the Food Standards Agency and a major supermarket**, 13 May 2000. *E. coli* O157 was found on mushrooms sold in stores. The Agency co-operated with the company quickly to remove the produce and issued a joint press release outlining the problem and action required by consumers.
- **Information for people with Phenylketonuria, mislabelling of soft drinks containing aspartame**, 6 August 2001. The Agency liaised with a major drinks producer and placed adverts in national newspapers illustrating the mislabelled products.
- **Agency plans action on milk bug**, 29 September 2000. The Agency organised a conference of industry experts to look at ways of stopping bacterium linked to Crohn's disease entering the food chain.

31 Examples of food-related legislation

- **Consultation starts on EU-wide ban on "pithing"**, 6 November 2000 - proposals being developed to prevent a practice that may transfer BSE agents into the food chain.
- **Agency to press for action on food labels to protect consumers**, 2 September 2000 - Agency calling for compulsory EU listing of all ingredients in food that could cause allergic reactions.
- **Consultation on Europe-wide BSE protection measures**, 21 August 2000 - a three-pronged approach announced to change UK legislation on BSE to bring it into line with measures covering the EU.

Risk management

2.21 How the Agency responds to concerns about food safety is influenced by an assessment of the degree of risk associated with different foods. The Agency's aim is to reduce food risks to those that a reasonable consumer would find acceptable. Determining what is reasonable can be difficult, but to help do so, the Agency has developed a checklist drawing on lessons learned from the BSE crisis (**Figure 32**). It aims to apply this checklist in determining its response to specific public concerns about, or risks to, food safety.

32 Applying BSE lessons to food risk management: Key principles applied at each stage of food risk management - the Agency's checklist (with selected examples of questions)

The Agency has identified **five stages** to be applied to situations requiring food risk management:

1. Setting the agenda
2. Assessing the risk
3. Deciding what action to take
4. Implementing the decision
5. Monitoring and reviewing the impact of the decision

The checklist sets out the **five key principles** to be applied at each stage, and includes questions for Agency staff to ask to check that each principle is being applied at each stage of food risk management:

- **Getting the facts right** - for example, is the Agency taking steps to clarify areas of scientific uncertainty?
- **Keeping an open mind** - for example, is the Agency listening to the views of all interest groups before deciding what action is appropriate?
- **Applying rigour** - for example, is the Agency considering the practicality and enforceability of the options for action?
- **Acting openly** - is the Agency being open and honest about areas of uncertainty?
- **Involving stakeholders** - is the Agency asking stakeholders and those who have an interest in the safety of specific foods to contribute to its risk assessment?

Source: Food Standards Agency

How long it takes the Agency to respond to a food risk or concern

2.22 How long it takes the Agency to respond to a specific public concern about food safety or an emerging risk depends on a number of factors. These include: when the Agency first became aware of the issue; the reliability of the evidence on which the concern is based, and the group of people most likely to be affected by the food safety risk. For example, in May 2002 the Agency issued precautionary advice to pregnant women to advise them to avoid eating shark, swordfish and marlin because of the high levels of mercury found in these fish which can harm an unborn child. This advice was issued within two months of this potential risk being identified. Consumers' concerns about a particular food may need to be examined in more detail by commissioning a food survey. Analysis to determine the presence of some toxins may be completed quickly because substances such as dioxins have a single specific and accurate test, whereas some types of bacterial investigations such as tests for *c. botulinum* may take longer as suspect foods need to be cultured and further tests then need to be carried out if bacterial growth occurs.

2.23 For the six cases we examined in detail it took between 17 days and ten months from when the issue was identified to when the Agency issued a response (Figure 33). As Figure 33 illustrates, the length of time required to respond will be affected by, for example, the length of time needed for a survey; the time required to undertake or validate scientific tests or investigations; the need for independent verification and additional expert scientific advice (especially where new or previously unknown risks are identified); the time needed to identify sources of microbiological outbreaks, and the time needed to discuss action with stakeholders, manufacturers or producers to ensure appropriate action is taken.

2.24 The Agency told us that it had contingency plans in place to deal promptly with a major widespread food crisis affecting the public's health. This included the ability to redeploy staff quickly to respond to a crisis together with working closely with local authority enforcement officers. The Agency said it was also planning to monitor the incidence of telephone calls received so that it could quickly identify if a particular area or location represented a high food safety risk.

33 Examples of the length of time it takes to respond to food risks and concerns

Issue examined	Type of issue	How long it took the Agency to respond
Infant botulism	Food safety - risk from bacteria	It took the Agency two months from first identification of the case to a product recall being issued by the manufacturer in August 2001. Product recall was supported by an Agency media campaign to promote public awareness.
Hygiene in catering	Food safety - risk from bacteria	It took the Agency six months from collection of survey data to publication of the results of its Catering Workers Hygiene Survey in October 2002.
Dioxins in milk	Food safety - risk from chemicals in food	As any changes in levels of dioxins could take some months to reach their peak, the Agency issued precautionary advice to consumers in May 2001 about the additional risk to exposure for populations around the foot and mouth pyres, based on a theoretical risk assessment. Evidence from the Agency's investigation was published periodically with the first report issued on 5 July 2001. By September 2001, sufficient evidence was available for the Agency to lift its precautionary advice as its testing had identified that there was no measurable effect on food from foot and mouth pyres.
Illegal veterinary medicines: chloramphenicol in honey	Food safety - risk from chemicals in food	It took the Agency 17 days from commissioning the survey work to publishing a response removing honey containing the illegal veterinary drugs from sale in February 2002.
3-MCPD in soy sauce	Food safety - risk from chemicals in food	The Agency took ten months from starting the sample collection to publishing advice in June 2001. It issued targeted mailshots to importers and mounted a targeted information campaign to reach higher risk groups in the South East Asian and Chinese communities.
Water in chicken	Food authenticity - misdescription of products	It took nine months from collecting samples to publishing results in October 2000 (the work was originally commissioned by the Ministry of Agriculture, Fisheries and Food). A follow-up survey about water in chicken used in catering took five months from collecting samples to publication in December 2001.

Assessing the impact of the Agency's action to promote food safety

2.25 It can be difficult to determine the extent to which action taken by the Agency has a direct impact on improving food safety. This is largely because improvements may arise from many different actions such as better food processes introduced by manufacturers or developments in food technology. The Agency is required under its Service Delivery Agreement with the Treasury to establish a system for auditing its response to major food incidents involving the relevant stakeholders.

2.26 The Agency seeks feedback on its performance in a number of ways ranging from analysis of media reports and senior agency staff reviewing lessons learned, to commissioning formal evaluations. To assist it in reviewing procedures for responding to the findings of its food surveys - or to incidents notified to the Agency - the Agency has recently set up a stakeholder group on incidents and surveys including representatives from industry, enforcement and consumer groups. The first meeting of the stakeholder group was held in February 2003. The Agency also aims to conduct one major review a year to ascertain what can be learned from a particular food safety incident. For example, in 2002 this was the risk of BSE in sheep (**Figure 34**). None of this work to review performance or impact is, however, brought together and analysed systematically. At a meeting held by the Agency in May 2002, to seek feedback from its stakeholders including for example, the Consumers' Association, the Food and Drink Federation, and the Chartered Institute of Environmental Health, it was suggested that there was a need for post mortem reviews of significant food safety cases to learn lessons for the future, and that these reviews should involve consulting key stakeholders. The Agency has established a formal process for post-incident reviews which involve stakeholders, including reviews of major incidents. The first review meeting took place on 16 August 2002.

34 BSE and Sheep: Review of the policy-making process

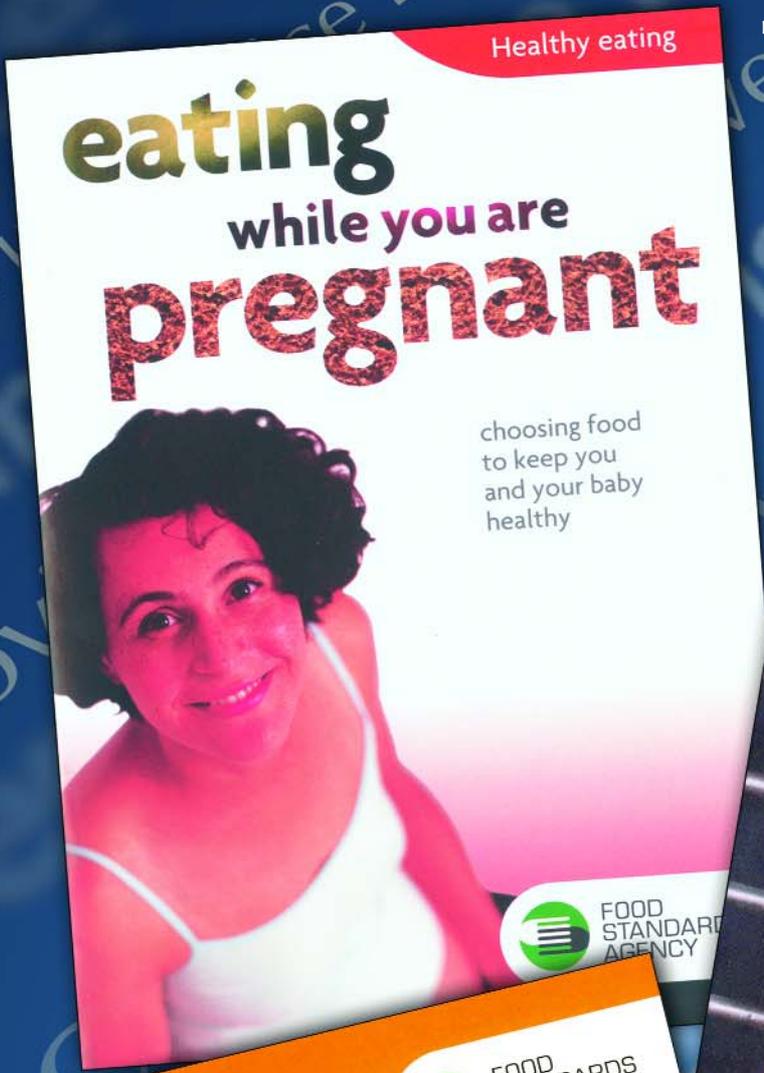
In early 2002 the Agency Board reviewed the decision-making process employed when developing policy on BSE and sheep, as part of its work to ensure that the lessons of the Phillips Inquiry were taken into account by the Agency and its staff. The review was carried out independently¹. Key findings included:

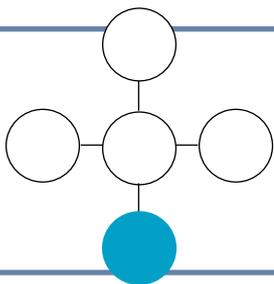
- The Agency had established itself as an independent voice which had the confidence of the public;
- The Agency had made an excellent start in trying to improve the risk management process and increase the degree of openness and consultation involved in developing policy;
- The Agency was encouraged to develop a greater understanding of the effect of cultural issues and values on decision-making and on the acceptability of policies;
- The Agency should develop a policy-making process that is not unduly rushed and gives time to consider the relevant data in a calm and unhurried fashion;
- The Agency's risk checklist was not very effective at identifying new aspects of issues when tested. The review suggested the checklist be tried in one of the ongoing reviews of the Agency and reviewed in the light of this experience; and,
- The Agency needed to communicate the lessons it had learned and experience gained to others in Whitehall so that they can benefit from its original and successful approach.

NOTE

1. By Dr Eileen Rubery of the University of Cambridge.

Source: Review of the Policy Making process used by the Food Standards Agency with respect to BSE and Sheep, May 2002.





How the Agency provides advice to consumers

If consumers do not receive authoritative advice about food safety and standards, they may seek and act on advice from other sources which may be inaccurate, misleading and generally unreliable. If the Agency's advice is not easily accessible and presented in a way which the public can easily understand, the advice may not be used with the consequence that the risks to food safety and public health increase.

2.27 The Agency seeks to provide advice to consumers in various ways (Figure 35). In undertaking these activities, the Agency aims to:

- Protect consumers' interests and help them make informed choices;
- Put openness into practice through an open approach to policy development and decision-taking; and,
- Encourage and facilitate involvement of consumers as stakeholders.

2.28 The Agency works mainly through third parties such as the media and local authorities as a means of providing advice and information to the public. The main approaches used by the Agency to provide advice to consumers are:

- **Publishing the findings of food surveys.** These surveys are intended to identify particular risks to food safety and it is therefore important that the public has early warning of these risks. For example, in May 2002 the Agency issued interim precautionary advice to consumers after a survey found relatively high levels of mercury in some species of fish.
- **Targeting specific consumer groups.** While the Agency seeks to reach a wide audience, it also targets certain groups which may consume certain types of foods. For example, the campaign to warn of the food risks in using soy sauce was targeted on Chinese and South East Asian communities. This was the Agency's first bilingual campaign and involved television advertising to promote awareness (Appendix 6).
- **Having dedicated press officers.** The Agency has allocated press officers to each of its 19 divisions such as those dealing with chemical safety or microbiological safety. Press officers are required to establish close contact with scientists working in the divisions and to develop a reasonable understanding of the science underpinning their work. This can help in considering how best to communicate issues in a way that is accurate and likely to be understood by the public.

- **Communicating with the public in a range of different ways.** The Agency provides information on food and its safety through leaflets, mailshots, posters, information circulated by local authorities and television advertising (the Agency spent £1.05 million on television advertising in 2001-02). The Agency also has a call centre dealing with requests for literature mainly from trade organisations and local authorities. The call centre handled 16,000 calls in 2001-02.
- **Having a well developed website.** The Agency's website www.food.gov.uk receives some 180,000 visitors each month and on average 660,000 page impressions a month²⁴. The number of visitors has increased nearly five-fold since the beginning of 2002. The website gained widespread approval from the stakeholders whom we consulted for its different 'look' and its ease of access. It received a commendation from the New Statesman New Media Awards 2002. The Agency's website provides easy access to information on:

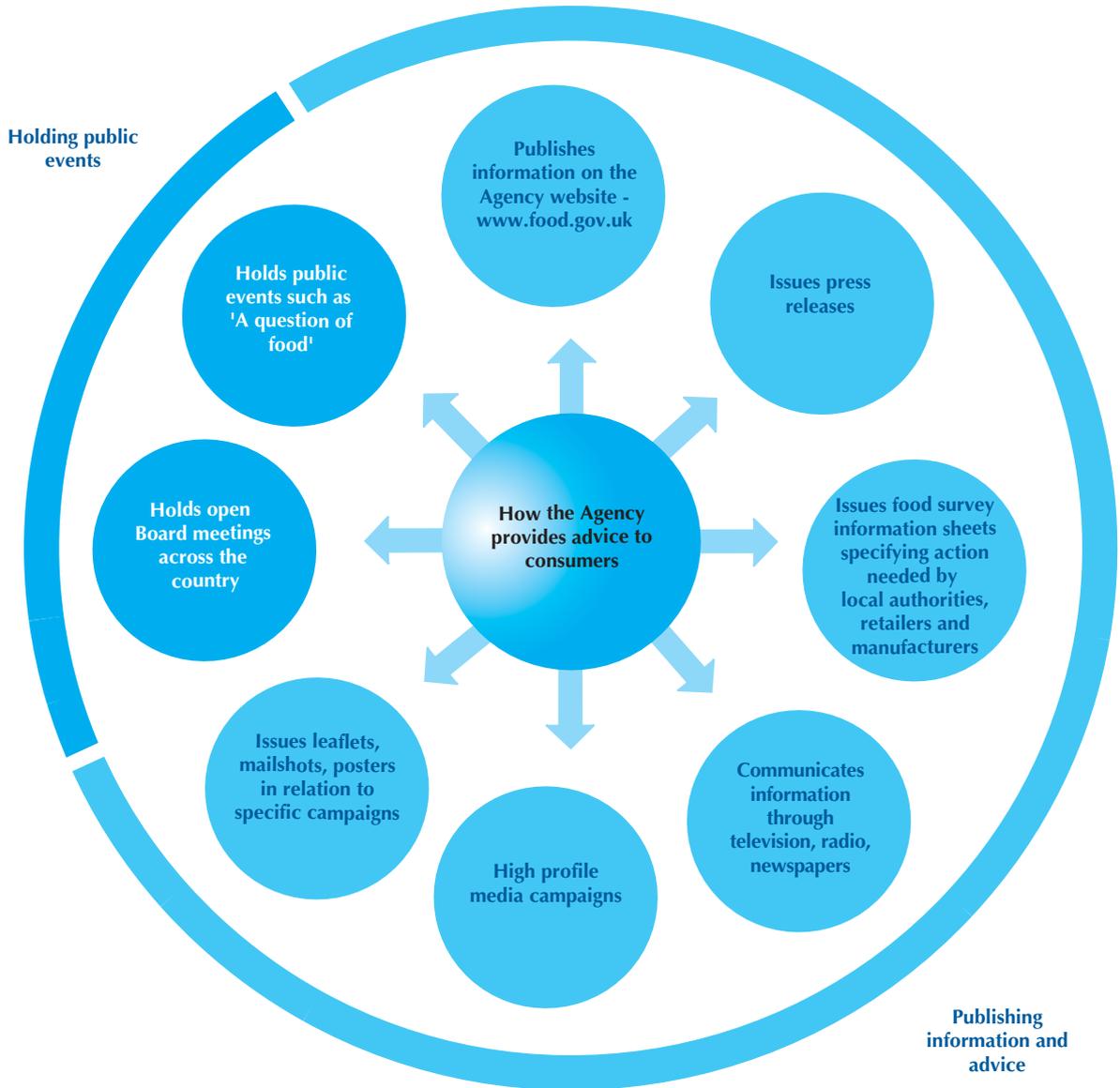
36 Lessons learned by the Agency about communicating risk and building trust

- Do it early;
- Expose the key issues early;
- Do it right through the process, don't wait until the end;
- Don't be patronising;
- Be honest when there are uncertainties and the answers are not known;
- Say what you are doing about your ignorance of the facts;
- Involve staff throughout the organisation;
- Involve experts; and
- Get engagement with the full range of stakeholders, not just the 'usual suspects'.

Source: NAO interviews with Food Standards Agency staff

24 A page impression occurs when a website user views a complete page from a website.

35 How the Agency provides advice to consumers



Source: National Audit Office

- Top stories from and about the Agency and current food-related issues;
 - Recent high profile food crises, such as BSE and Foot and Mouth;
 - A media centre with a back-catalogue of media releases dating back to the organisation's inception with the ability to carry out searches;
 - Answers to frequently asked questions on food safety; and
 - Organisational information including a description of the Agency's responsibilities and those of its Board.
- The site also has features which enhance the accessibility of information, such as:
 - A search facility and fully functional index which provides relevant links for each section and includes subheadings on the Agency's main activities;
 - It is clear and easy to use with a sensible and uncomplicated structure;
 - It has links to international food safety organisations;
 - The opportunity to contact the Agency through e-mail; and
 - A number of interactive features including online questions, quizzes and the opportunity to ask experts from the agency about any aspect of food safety.

2.29 The Agency monitors the effectiveness of its communications strategy mainly in terms of coverage (the size of potential audience reached) and to some extent in testing the public's recall of information which it has disseminated by conducting follow-up surveys about specific campaigns, for example the Agency's campaign to improve hygiene in catering.

2.30 The Agency commissions annual representative surveys²⁵ of consumers to identify concerns about food and to assess awareness of the Agency. Three annual surveys were carried out in 2000, 2001 and 2002. The Agency's surveys show that, in 2002, 60 per cent of respondents were very or fairly confident in the role played by the Agency in protecting health with regard to food safety, compared with 50 per cent in 2000. The surveys also show a small decrease in the proportion of consumers who were very or quite concerned about food (from 71 per cent in 2000 to 68 per cent in 2002). In 2002, 22 per cent of respondents expressed no concerns about the safety of

37 The home page of the Food Standards Agency website



specific types of food (compared with 17 per cent in 2000). Concern about food scares has declined from 11 per cent in 2000 to 4 per cent in 2002.

Public awareness of the Agency

2.31 Evidence from the Agency's consumer surveys indicates that:

- (i) Awareness of the Agency itself and of information issued by the Agency has increased in the two years since it was established; and,
- (ii) More needs to be done to reinforce the Agency's position as an authoritative source of information on food standards and safety and to widen the public's understanding of its role.

2.32 In particular, when asked about where they had got information about food standards and safety, awareness among the population of the Agency as a possible source of information was low, with just three per cent of the public claiming to have used the Agency as a source of information in 2002 (representing no change from 2000), compared to three per cent for consumer groups and two per cent for food manufacturers. The most common sources of information used were newspapers and magazines (19 per cent) television (18 per cent) and supermarkets (15 per cent). When asked the question in 2002 "have you ever heard of the Food Standards Agency", however, 76 per cent of the population said that they had compared with 58 per cent in 2000. The Agency recognises that the public obtains information on food issues from a wide range of sources. It therefore

25 Three surveys have been carried out by Taylor Sofres Nelson for the Agency, in 2000, 2001 and 2002. The surveys each interviewed over 3,100 adults in the UK and are statistically representative of the population.

communicates messages to the public through the media, local authorities, and schools in addition to communicating directly with the public through its website and specific campaigns about food.

2.33 Awareness²⁶ of the Agency as a possible source of information about food standards increased from eight per cent in 2000 to 13 per cent in 2002, with awareness of the Agency being higher in England, Scotland and Wales

(13 per cent for each) than Northern Ireland (six per cent). There is no one dominant source for information about food standards and safety, with around a third of people (32 per cent) unaware of where to find such information. The Agency was mentioned by almost half of the public as having responsibility for setting food standards, although in some cases this may be a straightforward reaction to the name rather than due to any specific knowledge of the Agency's responsibilities.

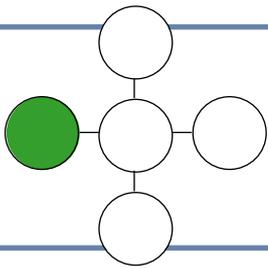
38 Examples of how the Agency provides advice to consumers

Issue examined	Type of issue	How the Agency provided advice
Infant botulism	Food safety - risk from bacteria	The issue generated publicity with a combined audience of 17.8 million ¹ . Coverage in newspapers, whilst using attention grabbing headlines, accurately reported the Agency's advice in the body of the article.
Hygiene in catering	Food safety - risk from bacteria	The Agency sought to promote awareness of its campaign to improve food hygiene in catering by sending a 'sick bag' campaign flyer followed by an information pack to every food establishment in the country. The Agency targeted information at catering workers by promoting information through a media campaign, including television advertising. Coverage of the campaign appeared in over 200 separate sources with a combined potential audience of 45 million, and the Agency received over 26,000 hits on its food hygiene website and 7,000 calls to the Agency's helpline.
Dioxins in milk	Food safety - risk from chemicals in food	The Agency issued precautionary advice to target populations by sending a direct mailshot to 30,000 farmers in the areas around foot and mouth pyres. It also provided information for consumers nationally through the media and on the Agency website. The Agency's intervention generated publicity with a combined potential audience of 11 million. The Agency won praise from consumer groups for its handling of the issue.
Illegal veterinary medicines: chloramphenicol in honey	Food safety - risk from chemicals in food	Local businesses were asked to remove honey imported from China from sale. The Agency's intervention generated publicity with a combined potential audience of 7.7 million.
3-MCPD in soy sauce	Food safety - risk from chemicals in food	The Agency mounted an information campaign targeted at higher risk groups in the South East Asian and Chinese communities by issuing bilingual advice in English and Chinese. It also issued targeted mailshots to importers. The Agency won praise from the British Chinese community for its approach and generated publicity with a combined potential audience of 42 million.
Water in chicken	Food authenticity - misdescription of products	The issue generated publicity with a combined potential audience of 24 million, and the Agency published information about products and brands covered by its survey to inform consumers. Some local authorities carried out prosecution of companies mislabelling produce following the survey results.

NOTE

1. The combined potential audience measured by the Agency is the likely number of people who will have seen coverage of the Agency in a broadcast or press article in relation to specific subjects. This measure is the Weighted Opportunities to See (WOTS) and is usually expressed in millions

Source: NAO examination. More detail is provided in appendices 2 to 7 in this report



How the Agency demonstrates transparency and openness

If the Agency is not perceived to be open and transparent in carrying out its responsibilities the public is less likely to regard it as impartial and have the confidence to trust its advice.

2.34 The Agency was established to act at arm's length from Ministers so that its advice is totally impartial and not perceived by the public to be influenced by the food industry or other stakeholders to the detriment of consumer interests. The extent to which the public trusts the Agency's advice will also depend on how transparent it is in reaching decisions on food standards and safety. Particularly important is how open the Agency is in consulting stakeholders such as

organisations representing consumer interests and the scientific community. Such transparency should help to demonstrate that the Agency acts impartially in the interests of consumers and is not influenced by vested interests.

2.35 The Agency seeks to demonstrate transparency and openness by engaging with key stakeholders in a variety of ways (Figure 39).

39 How the Agency demonstrates openness and engages with stakeholders



Source: National Audit Office

- 2.36 **Open Board meetings.** The Agency holds Board meetings in public on average eight times a year at different locations. In 2001-02 there were eight board meetings held in the UK and Europe and on average 100 members of the public attended. The Agency also holds other open meetings and conferences, for example 'A Recipe for Success' was a series of events organised during 2001 and 2002 in Scotland designed to attract members of the general public where they had the opportunity to ask questions of food experts.
- 2.37 **Involving stakeholders at early stages of policy development.** Stakeholder input is secured through a range of activities including formal groups, workshops, informal discussions and written consultations; for example, in March 2002 a stakeholder meeting was held to discuss folic acid in flour. This makes for more informed decision-making as it enables the Agency to seek stakeholder views on the practical implications of policies.
- 2.38 **Annual stakeholder meeting.** The Agency convenes annual stakeholder meetings (the most recent was held in May 2002) which makes it possible for organisations with an interest in the work of the Agency to convey their views. Stakeholders typically include representatives from consumer groups, the food industry, local government representatives and research institutions. Feedback from these stakeholders is that, while they value this opportunity to discuss the Agency's work in a spirit of openness, it is difficult to determine the extent to which they have influenced the Agency's policy or decision-making. There was also a risk that consumer groups may pursue their own particular interest and, if openness is to be really effective, the Agency also needed to engage with smaller, less visible groups.
- 2.39 **Lay representation on scientific and other Advisory Committees.** The Agency's scientific Advisory Committees include lay members and non-specialist members who can help ensure that in considering technical aspects of food standards and safety, issues of practical significance to consumers, such as allergies to ingredients in food, are not neglected. The Agency currently has 12 lay and non-specialist members of its committees that were selected through open appointment after advertising²⁷.
- 2.40 **Board members appointed to act independently.** There are currently 14 members of the Agency's Board. The Chair and Deputy Chair are appointed by the Secretary of State for Health, Scottish Ministers, the National Assembly for Wales and Northern Ireland Office Ministers. Scottish Ministers appointed two Board members, one by the National Assembly for Wales and one by Northern Ireland Office Ministers. The other eight were appointed by the Secretary of State for Health. Their terms of office are that they are appointed for a fixed-term renewable once - in line with guidance from the Office of the Commission for Public Appointments²⁸.
- 2.41 **Expert staff deal directly with the media.** Selected Agency staff, who are often expert scientists in their own right, give interviews to the media and explain the basis of the Agency's decisions or advice to consumers. The Agency sets out scientific uncertainties and what is being done to resolve them.

²⁷ In accordance with Nolan procedures.

²⁸ The Commissioner for Public Appointments is independent of the Cabinet Office and monitors, regulates, reports and advises on Ministerial appointments to public bodies.

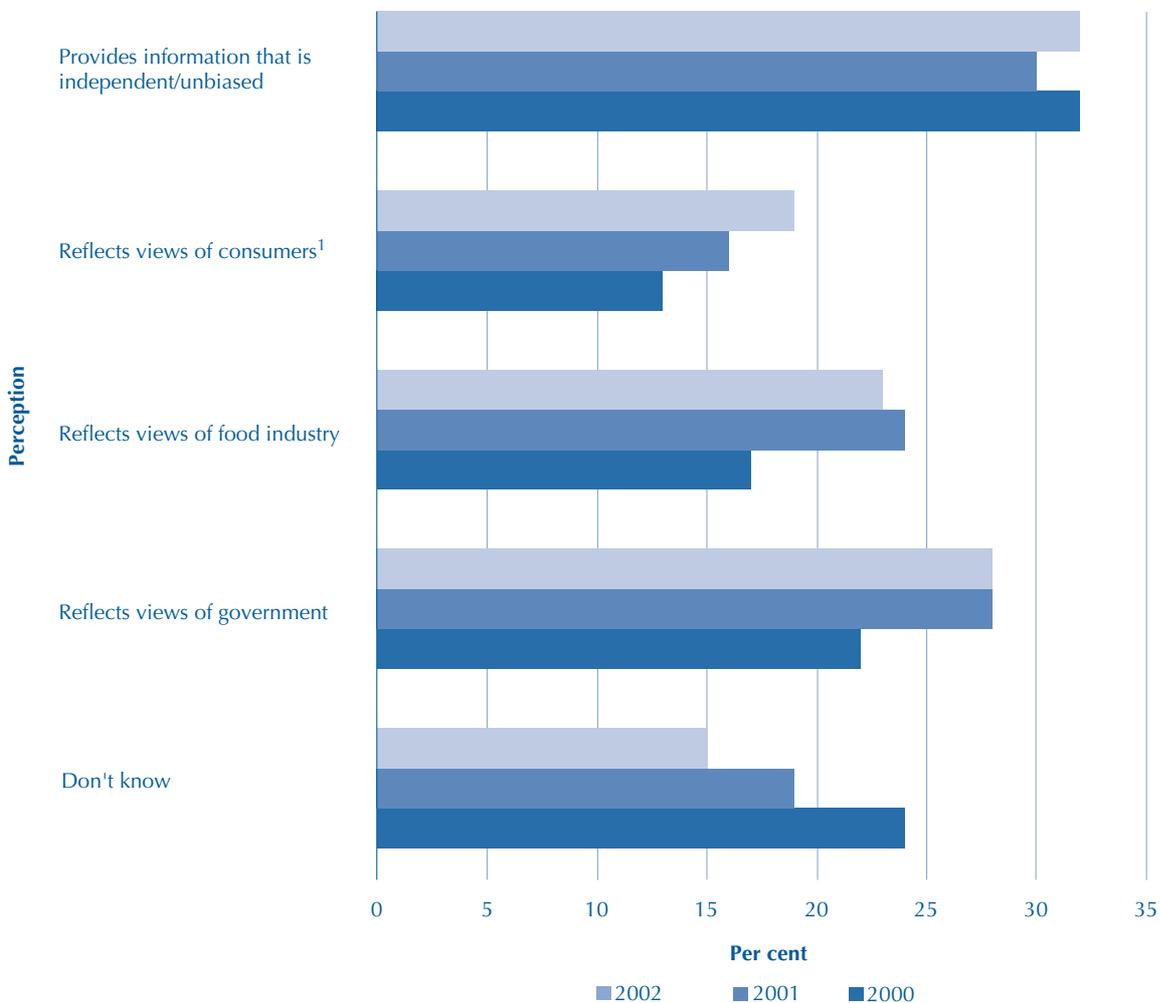
2.42 **Publishing research findings.** The results of all the Agency's research is made available to interested parties at the earliest opportunity. In 2001-02, the final reports from 225 research projects and ten surveys covering a diverse range of issues such as BSE, microbiological safety and labelling, were placed on the Agency website and/or made publicly available through the Agency's library.

How the Agency is perceived by the public

2.43 The Agency commissions annual surveys of consumer views on food safety and the regulatory system for food²⁹. Just under one third of the public considers that the Agency provides information which is independent and unbiased. Half perceive the Agency as reflecting the views of government or the food industry (Figure 40).

40 How the public perceives the Food Standards Agency

In 2002, one third of the public considered that the Agency provided information that is independent and unbiased. Nineteen per cent perceived the Agency as reflecting the views of consumers and 28 per cent considered the Agency reflects the views of the Government. Twenty three per cent thought it reflects the views of the food industry.



NOTE

1. In 2000, referred to 'consumer groups'.

Source: Food Standards Agency consumer survey, 2002

²⁹ Three surveys have been carried out by Taylor Sofres Nelson for the Agency, in 2000, 2001 and 2002. The surveys each interviewed over 3,100 adults in the UK and are statistically representative of the population.

41 Examples of how the Agency seeks to promote transparency and openness in reaching decisions on food standards and safety

Issue examined	Type of issue	What the Agency did to promote openness and transparency
Infant botulism	Food safety - risk from bacteria	The Agency contacted the manufacturers of the suspected products in Ireland to help identify the source of contamination. The Agency consulted the Food Safety Authority Ireland to discuss what action should be taken, informed the European Commission, and met with the baby food industry to identify lessons learned.
Hygiene in catering	Food safety - risk from bacteria	The Agency convened focus groups of catering workers to determine how best to engage catering staff in its campaign.
Dioxins in milk	Food safety - risk from chemicals in food	The Agency issued precautionary advice before it began its testing programme, and was entirely open about the planned testing with consumers and local populations. The Agency sent a direct mailshot to 30,000 farmers in the affected areas to inform them of the risks and how the Agency was addressing them.
Illegal veterinary medicines: chloramphenicol in honey	Food safety - risk from chemicals in food	The Agency sought advice from in-house and external scientists to identify the risks to consumers, and issued precautionary advice explaining the risks before it began testing products. After results of testing, action was agreed with major retailers and further advice was issued to consumers.
3-MCPD in soy sauce	Food safety - risk from chemicals in food	The Agency engaged the Chinese community before publication of the results to determine how best to reach groups of the population at greater risk. The Agency also informed producers immediately prior to publication of the survey results.
Water in chicken	Food authenticity - misdescription of products	The issue was first raised as a consumer concern by an Agency Working Party. The Agency carried out its survey jointly with local authorities and Public Analysts. The Agency informed retailers and companies of the survey results and published details of the brands and companies covered to inform consumer choice.

Source: : NAO analysis. More detail is provided in Appendices 2 to 7 in this report

Appendix 1 Methodology

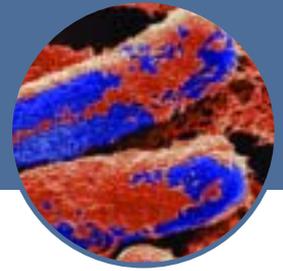
Issue	Approach
<p>How the Agency identifies risks and concerns about food</p>	<p>Analysis of six case examples where the Agency had taken action to protect or inform the public, including semi-structured interviews with key Agency staff to identify how concerns about food had been identified in practice.</p> <p>Review of the Agency's surveys of consumer attitudes and of specific foods to assess the main food concerns highlighted.</p> <p>Analysis of the Agency's risk identification mechanisms by reviewing documentation and semi-structured interviews with Agency staff.</p> <p>Review of documentation about the arrangements for the Agency's scientific advisory committees and interviews with key Agency staff.</p> <p>Examination of cost information held by the Agency about identifying risks and concerns about food and food safety.</p>
<p>Action taken in response to food risks and concerns</p>	<p>Analysis of six case examples of action taken by the Agency to protect or inform the public, including semi-structured interviews with key staff to assess how the level and type of response to issues of concern are determined, and the length of time taken to respond.</p> <p>Analysis of the approaches taken to respond to concerns and risks identified to evaluate the scope of action taken by the Agency.</p> <p>Review of initiatives announced in Agency press releases to inform the public about action being taken.</p> <p>Examination of cost information held by the Agency about responding to risks and concerns about food and food safety.</p>
<p>How the Agency provides advice to consumers</p>	<p>Analysis of six case examples to review the approaches used in different circumstances to inform the public and provide advice, including the extent to which information was targeted at specific groups more at risk.</p> <p>Semi-structured interviews with the Agency's communications team and scientific divisions to evaluate the relationships between the science-facing and public-facing parts of the Agency.</p> <p>Evaluation of the Agency's website against criteria in previous NAO reports on the Government's use of the internet to deliver services³⁰.</p> <p>Analysis of the Agency's surveys of consumer attitudes to determine the extent to which the public are aware of the Agency and what the Agency does.</p>
<p>How the Agency demonstrates transparency and openness</p>	<p>Consultation with stakeholders - consumer groups, the food industry and leading commentators³¹ about their engagement with the Agency to evaluate the extent to which the Agency demonstrates transparency, openness and credibility with its stakeholders.</p> <p>Observed an Agency Public Board meeting to assess the openness of the Agency Board's procedures in practice.</p> <p>Review of documentation on Agency scientific committees and their operation to assess the extent to which they include external representation and are transparent.</p>

³⁰ NAO Report. *Government on the Web II (HC 764, 2001-02)*

³¹ *We consulted the Consumers' Association, The National Consumers' Council, Sustain, the Food and Drink Federation, a local authority environmental health officer, Dr Eileen Rubery (the University of Cambridge) and Tim Lang (Professor of Food Policy).*

Appendix 2

Case example: Infant botulism bacteria in baby food



This issue demonstrates how, in a food incident, there may be a variety of responses that unfold over time. The Agency was consistently treated as the source of authoritative information throughout the media and information in Agency press releases was used accurately in much of the coverage of the issue (with the one limit being that the headline writers in some of the press gave the story a much more alarmist context than the story suggested).

Infant Botulism is an infection of the infant gut caused by the common bacteria *Clostridium botulinum* that causes a type of paralysis, with 95 per cent of cases in infants under six months old. Fatal cases are rare but it leaves the infant listless and weak and requiring medical attention (giving rise to the popular name 'floppy baby syndrome').

How the concern was identified

In mid June 2001, the Agency first heard about a case of a five-month old child admitted to hospital in the North of England with 'floppy baby syndrome'. On 22 June the Department of Health informed the Agency that the Public Health Laboratory Service (PHLS) had detected the presence of *C. botulinum* bacteria 'type B' in a sample from the infant. A Communicable Disease Team visited the infant's home to examine for the source of the bacteria.

How the Agency responded

In this particular case, the Agency needed to identify the food product involved before it could take action. Following tests, traces of the bacteria were found in two different baby food products in the infant's home. One, an opened packet of dried rice pudding contained type A *Clostridium botulinum* spores, a different form of the bacteria. This product was not withdrawn because repeat testing and testing of unopened packets was negative.

The second product was a sample of infant milk formula. On 14 July the Public Health Laboratory Service informed the Agency that the milk formula contained type B *Clostridium botulinum* spores. As the product was manufactured in Ireland the Agency liaised with the Food Safety Authority Ireland and commissioned the Central Science Laboratory and the Public Health Laboratory Service to carry out further tests on unopened tins of infant milk formula from the same batch. Type B *Clostridium botulinum* spores were isolated from an unopened can. On 10 August, the Agency met with the manufacturers and the Food Safety Authority Ireland, the outcome of which was that the manufacturers voluntarily agreed to a Product Recall (on 15 August) backed up with a helpline for consumers, and the Food Safety Authority Ireland notified the European Commission under the Rapid Alert System.

How the advice provided by the Agency was received

The issue was widely publicised and received substantial coverage in the press and broadcast media. The Agency's intervention generated publicity with a combined potential audience of 17.8 million. We examined coverage of the issue on the day the product recall was announced (15 August 2001). The story was covered in ten different newspapers. Each of the articles mentioned the Agency as an impartial source of information and all referred to the Agency's view with a quote. The coverage given in headlines the newspapers used was often sensational (for example, "Poison alert over baby food" in The Express) compared to the content of the article itself, which did accurately report the Agency's advice.

Openness and engagement of stakeholders

The main stakeholders were:

- Infant milk product manufacturers - engaged once the source of the problem was discovered, set up a helpline included in the Agency's press release, involved in recalling products from sale and peoples' homes.
- Rice pudding manufacturers - involved in testing of the rice product, and was to be involved in recalling the product; however it was discovered that unopened batches did not contain any botulinum spores making a recall unnecessary.
- Baby food manufacturers - were involved in a conference in Ireland with the Agency and FSAI, and met with the Agency in November 2001 and March 2002 to discuss the problem and identify lessons learned.
- The Food Safety Authority Ireland - engaged once it was discovered the source was manufactured in Ireland.
- The Public Health Laboratory Service (PHLS) - ran tests to establish the nature of the problem and subsequent tests on some unopened tins of milk formula.
- The Department of Health - worked with the Agency and PHLS to establish the nature of the problem.
- The Central Science Laboratory - ran tests on unopened tins of infant milk formula which yielded spores of the same type of *Clostridium botulinum* as those found in the child.
- The European Commission - notified via the Rapid Alert System.
- The public - informed via the media as a result of the Agency's press release. Were able to contact the product manufacturers and the Agency via contact lines on the press releases.

No other cases of botulism were linked to the outbreak during this time. Any response less than a full product withdrawal, however, may have reduced confidence in the industry because the risk of infant botulism is such an emotive issue.

Source: National Audit Office and The Food Standards Agency

Appendix 3

Case example: Hygiene in the catering industry



This Agency campaign is a part of a larger Hygiene Campaign which includes, for example, information campaigns on keeping food safe, seasonal safety issues focusing on better preparation of food at home such as barbecues and stuffed turkey, and an interactive resource for children aged seven to fourteen and their teachers. It also involves consumer research and an annual catering hygiene survey to inform the Agency's strategy and to inform change more widely. The campaign's objectives over the long-term are to raise awareness of food poisoning as an issue, to increase understanding of how food poisoning can occur and to change the behaviour of people who prepare food both at home and in catering establishments by informing them of how food poisoning can be stopped by improving hygiene.

How the concern was identified

One of the Agency's key targets is to achieve a reduction in foodborne illness of 20 per cent over five years. Food poisoning and hygiene in food outlets is also a major concern of consumers. A key element in the Agency's strategy for reducing foodborne disease is a high profile publicity campaign to raise awareness and increase understanding of the importance of food hygiene and change behaviour. At any one time some two million people work in the catering sector, they tend to be young, work part-time and tend to be transitory. The Agency used focus groups of catering workers to determine what approach would most influence them to change behaviour. The focus groups told the Agency that conventional lines of communication with the industry, such as information in the trade press, were unlikely to reach the intended audience of the campaign - catering workers - as they received most of their information from the mass media.

How the Agency responded

The first phase of the Agency's food hygiene advertising campaign ran from 11 February to 14 April 2002. This was primarily targeted at the catering trade, but the use of television, radio and national press also exposed the general public to the campaign and cost £2.67 million. The Agency carried out surveys of both the general public³² and the catering trade before and after its campaign to assess the effectiveness of the campaign in getting its message across. To raise awareness at the start of the campaign, the Agency sent to every catering establishment in the UK (some 250,000) a 'sick bag', followed up with an information pack to explain the Agency's campaign to improve food hygiene in catering. The campaign attracted immediate widespread mass media interest, and the Agency reinforced its message through television advertising, information on the Agency website, a helpline and direct mail - the Agency sent out 100,000 items of literature about the campaign. The purpose of the public information campaign was to inform consumers' expectations so that consumers would apply additional pressure on the catering industry to improve standards of hygiene.

A follow-up survey, of food hygiene knowledge among catering industry workers was carried out between 15 April and 25 May 2002³³. It took the Agency six months from collection of the survey data to the publication of the results of its Catering Workers Hygiene Survey in October 2002, although this is just one part of a longer-term campaign.

How the advice provided by the Agency was received

Publicity generated by the first phase of the campaign was the equivalent of providing every UK adult with one opportunity to see coverage of the campaign as it appeared in over 200 separate sources, with an estimated combined audience of 47 million. The Agency's website received around 26,000 hits specific to the food hygiene campaign by early May, and 7,000 calls to the Agency's campaign helpline. The Agency carried out pre and post campaign evaluation for both surveys covering consumers in general and caterers. This found that for:

- **Consumers:** 37 per cent recalled the campaign and their awareness of the Agency increased from 23 per cent to 34 per cent, and was higher among the youngest age group, 16-25 year olds (increasing from 14 to 54 per cent).
- **Caterers:** knowledge of food hygiene issues increased among both managers and staff, and recognition of the Agency's logo increased to two thirds of managers and half of staff. There were, however, no significant reported changes in behaviour and very few catering managers or staff took action following the campaign, for example only three per cent called the Agency for more information. The Catering Workers Hygiene Survey published in October 2002 revealed that more than a third of staff (39 per cent) were still neglecting to wash their hands after using the toilet and half of those interviewed did not appear to wash their hands before preparing food.

Openness and engagement of stakeholders

The target population was catering industry workers. The Agency identified how best to engage with them through focus groups to target its messages about improving hygiene. Consumers were targeted by the Agency through a media campaign and television advertising.

Source: National Audit Office and Food Standards Agency

32 A nationally representative sample of adults in Great Britain was interviewed at the two stages of the campaign, with 1,987 interviews in February and 2,003 interviews in April.

33 The survey included 1,016 interviews with staff in the UK, stratified by the type of establishment, time in business and number of employees.

Appendix 4

Case study: Dioxins in milk from Foot and Mouth Pyres



This incident was extremely unusual and one for which the Agency had no precedent. It is an example of the Agency's precautionary approach to issuing advice to consumers whilst collecting direct scientific evidence to determine whether predicted levels of dioxins in milk occurred in practice. The issue was driven by the need to obtain quickly relevant scientific data to confirm whether further action was needed by the Agency. It required prompt, transparent communication of the Agency's actions throughout the testing period to specific local consumers and the wider community.

Dioxins are very toxic substances and cause a wide range of harmful effects. They are formed as a by-product of burning material and are prevalent in the environment and, as a result, are found in food. Dioxins were formed from the pyres used to burn animal carcasses during the foot and mouth outbreak of 2001, and would have been deposited in the ground around the pyres. Dairy cattle grazing on this ground therefore had the potential to pass on dioxins to humans in their diet³⁴.

How the concern was identified

In April 2001 the Department of Health concluded that any additional exposure to dioxins through food as a result of the foot and mouth pyres would be minor when compared to background exposure from the rest of the diet. There were, however, large uncertainties in the models used to make this assessment. The Agency therefore convened a meeting of external experts from Government Agencies and academia which concluded that although the assessment was based on the best available science, the uncertainties were sufficiently great to give potential cause for concern. To understand and assess the degree of uncertainty in the calculations, the Agency undertook a programme of monitoring dioxins in food produced in the vicinity of pyres. Milk is an ideal indicator because:

- milk would be the first product to come out of the farming chain after exposure to dioxins;
- milk is drawn every day, so it could be monitored; and,
- milk is drunk in large amounts and there are few products that people consume more of. In particular, children drink a lot of milk compared to their body weight so are more likely to be at risk from additional dioxin intake.

How the Agency responded

As any changes in levels of dioxins could take some months to reach their peak, on 25 May 2001 the Agency issued precautionary advice suggesting that people who consume local whole milk and whole milk products from animals within two kilometres of foot and mouth pyres may wish to vary their diet to include products from other sources, explaining the risk assessment and the proposed monitoring programme.

Sampling teams and local authority Environmental Health Officers began collecting samples of milk at the end of May 2001 up to around four kilometres from the pyres (because it was known that the risk of additional exposure was local to the pyres³⁵). Local milk products were the only source of a potential problem as national dairies combine milk from numerous sources

reducing the dioxins below levels of concern. The samples were tested to detect dioxins at low levels in food and any small variations from the levels normally expected (the background levels). The first samples were taken before cows were put to pasture to establish the background levels. If dioxins had been having a significant effect on cows' milk, the levels in milk would have increased over a period of several weeks once the cows were put to pasture. Therefore, evidence needed to be collected over a similar period before definitive conclusions could be drawn from the work. Evidence from the Agency's investigation was published periodically with the first report issued on 5 July 2001. On 20 September 2001, the Agency published findings concluding that there was 'no additional risk' from exposure to dioxins arising from the foot and mouth pyres and that the precautionary advice issued in May was no longer necessary. This response displaced most other Agency work on chemical contaminants during this period and ongoing survey work was suspended as a result.

How the advice provided by the Agency was received

The Agency did not give specific advice in this case but presented its evidence of what it had found, including the risks to particular groups of consumers, whilst maintaining consumer choice by not directing the avoidance of whole milk products or by removing the products from sale (which was not, in any case, justified by the Agency's findings). It provided information for consumers nationally through the media and on the Agency's website. The Agency's intervention generated publicity with a combined potential audience of 11 million people.

The Agency made no specific assessment of the effectiveness of its advice. The Agency would not have expected to detect any changes in behaviour, as the action it took provided information to consumers to enable them to make choices rather than advising them to take a certain course of action. The Agency received praise from commentators such as Friends of the Earth for its approach to this issue.

Openness and engagement of stakeholders

The target population in this instance consisted of owners and customers of farms within four kilometres of the foot and mouth pyres, who produce 'green top' milk and directly pasteurised milk, or who were selling farm-gate pasteurised milks or products such as ice cream and cheese. The Agency sent a direct mailshot to 30,000 farmers in these areas to inform them of the risks and how the Agency was addressing them, and suggested that they pass the advice on to those people who consumed their products. The Agency announced its intention to monitor the incidence of dioxins in milk and explained the risks on its website and to the media to keep the public informed.

The analysis and testing of milk cost £1,000 per sample, at a total cost of around £175,000. With staff costs of monitoring, planning and reporting the cost would be £300,000. There has been no formal review by the Agency of the lessons learned from this incident.

Source: National Audit Office and Food Standards Agency

34 In 1990, the Ministry of Agriculture, Fisheries and Food (MAFF) found what were then the highest levels of dioxins ever found in the world in milk from cattle grazing nearby to a factory involved in production of chlorinated chemicals in Bolsover, Derbyshire. In that case, the milk from the farms involved was removed from the national milk supply.

35 Department of Health press release, 31 May 2001 "Foot and Mouth Disease: Monitoring programme to protect public health announced".

Appendix 5

Case example: Illegal veterinary medicines: chloramphenicol in honey



This example illustrates how the Agency secured information and expert opinion about the extent of a problem from the European Commission, and identified risks to consumers from engaging in-house and external experts. In the event the Agency acted to remove illegal products from sale.

Chloramphenicol is an antibiotic used to control a range of animal diseases. It can cause cancer, but the main known risk relates to a fatal blood disorder aplastic anaemia (which affects between 50 and 100 people a year in the UK) and has therefore been banned from use in veterinary practice in Europe since 1994. Its presence in honey is therefore illegal.

How the concern was identified

In September 2001 the European Commission published a Decision requiring European Union Member States to test for chloramphenicol in shrimps and prawns from China, Vietnam and Indonesia. Subsequently the European Commission's Food and Veterinary Office paid an inspection visit to China in November 2001. The report of the visit highlighted the lack of controls on the regulation and use of veterinary medicines in food production animals and informed the Commission Decision, agreed by Member States on 25 January 2002 proposing to prohibit imports of certain animal products to the European Union. The Agency began precautionary checks on Chinese products already on sale in the UK in advance of the Decision being adopted. Honey was quickly identified as one of the biggest Chinese animal products in the UK.

On 30 January 2002, the European Union suspended imports of all animal products from China. The Agency had to decide how to treat Chinese products already present in the UK, or which would be arriving over the next six weeks, which would be allowed to enter under EU rules.

How the Agency responded

The Agency initially lacked clear evidence to advise consumers against eating Chinese honey and so it issued a press release explaining the risks, making it clear that the Agency was not advising against eating Chinese food or using Chinese restaurants, but that immediate safety checks were being undertaken of Chinese honey.

On 6 February, the Agency issued a further press release. Seven of fifteen samples tested positive for an illegal veterinary medicine, streptomycin. In itself this did not present a threat to human health but its presence reinforced the concern about the lack of effective controls on the use of veterinary medicine in animal products from China. The Agency therefore told relevant companies and industry of the test results and advised them to remove all affected products from shelves. The following day the Agency advised the local authority Heads of Environmental Health Services and Directors of Trading Standards of the position.

On 18 February the Agency commissioned a full medical risk assessment by external experts, which concluded that the risk of adverse effects for consumers (aplastic anaemia) was "vanishingly small". On 19 February, the Agency issued a Food Hazard Warning to all local authority Heads of Environmental Health Services asking them to request all local businesses to withdraw Chinese honey, including all blended honey unless labelling specifically excluded a Chinese component. This action was agreed with all major food retailers. Based on expert opinion, the Agency also announced that people could carry on eating honey that they had already bought because the risk was so small. However, the Agency needed to take action as the use of chloramphenicol is banned in the European Union.

It took the Agency a little over a fortnight (17 days) from commissioning the survey work for chloramphenicol to publishing the responses that led to the removal of honey containing the illegal veterinary drugs from sale in February 2002.

How the advice provided by the Agency was received

The Agency's intervention generated publicity with a combined potential audience of 7.7 million. The Agency has not measured the impact on consumer behaviour as a result of its intervention.

Openness and engagement of stakeholders

The main stakeholders for this issue were:

- The European Union - the EU was the source of initial information and was responsible for the initial ban;
- Agency and external scientists - involved in testing the honey and associated products and judging the scale of response;
- Environmental Health - notified of the Agency's decision;
- Trading standards - notified of the situation and associated problems;
- Industry - who acted swiftly on the advice of the Agency by withdrawing all affected products; and,
- The public - the general public was informed by Agency press releases including precautionary advice.

There is no evidence of an 'after action review' following this incident. The affected products would have gradually disappeared following the withdrawal and there is no evidence of any adverse effects to consumers following the discovery.

Source: National Audit Office and Food Standards Agency

Appendix 6

Case example: 3-MCPD in soy sauce



This case, because of its timetable and characteristics, is typical of Agency surveys in general. The significance of the issue and where lessons can be learned is in the way that the Agency targeted and communicated its findings and advice to reach the people most likely to be affected - the Chinese and South East Asian communities.

3-monochloropropane-1,2-diol (3-MCPD) is a chemical contaminant formed in the production of soy sauce. 3-MCPD is known to cause cancer in animals and it may also cause cancer in humans. For most members of the population the health risk is low, although those groups which use more soy sauce more regularly may be at higher risk of exposure (for example in Chinese and South East Asian communities).

How the concern was identified

The issue arose from one of the Agency's biannual Working Party meetings after consultation with its Advisory Committees which illustrated the potential effects of 3-MCPD. A survey conducted in 1999 found that just over a third of soy sauce samples exceeded Government guidelines. Alerts from other European Union Member States from late 1999 indicated that this was a continuing problem.

How the Agency responded

The Agency acted on the results of the 1999 survey by issuing advice to industry to examine how levels of 3-MCPD could be reduced in their processes. In late 2000, the Agency commissioned the Central Science Laboratory to test 100 brands of soy sauce on sale in the UK and the results were published in June 2001. The Agency found that the soy sauces with the highest concentrations tended to be those imported from South East Asia and China, sold through specialist retail outlets. The Agency assumed that people of South East Asian and Chinese origin in those communities who used those specialist shops would have, because of their dietary patterns, a far higher than average intake of these products.

The response was to target an information campaign at the Chinese and South East Asian community in the UK to raise awareness of the risks and highlight brands of soy sauce with higher levels of 3-MCPD. The Agency had direct discussions with Chinese community leaders and representatives of the Chinese media in the UK.

In June 2001 the Agency issued a press release and a food survey information sheet containing details of what the survey found, its implications and the brands which should be avoided. It took the Agency ten months from starting the sample collection to publishing advice in June 2001. It issued targeted mailshots to importers and mounted a targeted information campaign to reach higher risk groups in the South East Asian and Chinese communities.

How the advice provided by the Agency was received

The Agency received 800 follow-up calls and e-mails from those seeking advice about soy sauce, including members of the public. They received praise from the British Chinese community for the way in which the issue was handled and, in particular, for the usability of the information provided. This was the first time the Agency had issued information in dual language and targeted one ethnic community as well as the general population. The Agency's intervention generated publicity with a combined potential audience of 42 million people.

As part of a follow-up examination, the Agency found that one third of a sample of the general population could recall that there had been an alert about soy sauce and two thirds of these accurately remembered the message that only certain brands of soy sauce were affected. A measure of the impact and the extent to which the Agency's advice was trusted was that the Governments of Malaysia, Australia, New Zealand and the Philippines took action to protect their own citizens based on the Agency's findings about soy sauce.

Openness and engagement of stakeholders

The Agency engaged the Chinese community before the publication of the results to determine how best to reach groups of the population at greater risk. The Agency also informed producers immediately prior to publication of the survey results. The main stakeholders were:

- The Agency's Working Party which first identified the issue;
- The British Chinese community who received bilingual advice issued in English and Chinese;
- The general public, who were advised through the media and the Agency's press releases and website; and,
- Manufacturers, who were engaged in the process in order to improve processes and reduce the 3-MCPD content of soy sauce.

The campaign as a whole cost around £40,000. There has been no specific follow up of the effectiveness of the communication since the initial campaign in June 2001. Recently, the Agency has used the lessons learned in this case to issue advice to the Turkish community about microbiological hazards in Turkish helva.

Source: National Audit Office and Food Standards Agency.

Appendix 7

Case example: Water in chicken



This case examines how the Agency seeks to make sound, robust and defensible statements to promote food authenticity - whether the descriptions on food labels are accurate or misleading. There is an element of potential subjectivity in this work and the Agency has to be able to demonstrate how it has arrived at its findings and that these are defensible. This is because reporting that a product has been mislabelled may adversely affect its sales and may be subject to legal challenge by retailers or manufacturers if the Agency's findings suggest that the law has been broken.

When chickens are processed for sale they are spray washed and chilled, which includes water chilling, and there is some take up of water into the chicken in this process. European Union Regulations permit two to seven per cent of added water in chickens which is unavoidable depending on the method of chilling. Chickens are normally sold by weight, so there may be a commercial incentive to have more water than is allowed by the Regulations or to deliberately inject and tumble the chicken with water and other ingredients to increase the apparent weight of the chicken. If this is the case, chicken should be accurately labelled so that the consumer can make an informed choice about the value for money of the product they are buying.

How the concern was identified

The Agency has a Working Party on Food Authenticity to represent stakeholder views on the accuracy of food labelling. The group includes representatives from the Agency, other government departments, consumers, the catering industry, local authority enforcement, public analysts and food manufacturing and retailing. Stakeholders, including consumers on this Working Party, raised water in chickens on retail sale as an issue. After discussion and prioritisation, the Working Party decided the issue required attention at a national level.

How the Agency responded

The Agency has carried out two food surveys on the levels of added water in chicken to respond to these concerns. The first survey, published in October 2000, collected retail samples of whole chickens and chicken portions, which were then compared to levels of water permitted in the Regulations. The Agency found that 51 per cent of frozen whole chickens analysed had more than the EU limit for added water. The survey also found that 17 per cent of chicken parts analysed had water levels ranging from 2 per cent to 37 per cent. All suppliers and retailers whose products were found to contain added water were informed of the results, and the Agency invited their comments. The Agency then published all the results, stating the product, including its brand, what tests had been undertaken and what was found in the product.

The second survey, published in December 2001, and also carried out jointly with local authorities, investigated the true levels of meat content in chicken breasts sold to the catering trade from wholesalers and cash and carry stores around the UK. This was based on problems identified for chicken breasts in the first survey. The Agency found that 46 per cent of the samples had a meat content of between 5 and 26 per cent less than that

declared on the packaging. Twenty four per cent were incorrectly labelled in that they contained added ingredients which were not declared. The Agency also found that some of the chicken breasts contained hydrolysed protein which has the effect of increasing the meat content of the chicken breasts. In the worst case, a 100 gram portion of chicken breast became 182 gram through these additions. It also found that two chicken breast samples contained pork ingredients.

It took nine months from collecting samples to publishing results in October 2000 (the work was originally commissioned by the Ministry of Agriculture, Fisheries and Food). The follow-up survey about water in chicken used in catering took five months from collecting samples to publication in December 2001.

How the advice provided by the Agency was received

The Agency's intervention in the second survey generated publicity with an estimated combined audience of 24 million people, and the Agency published information about products and brands covered by its survey to inform consumers. Some local authorities carried out prosecution of companies mislabelling produce following the survey results.

Openness and engagement of stakeholders

The issue was first raised as a consumer concern by an Agency working party. The Agency carried out its survey jointly with local authorities and Public Analysts. The Agency informed retailers and companies of the survey results, and published details of the brands and companies covered to inform consumer choice.

The main stakeholders were:

- Consumers and religious groups who were informed of the Agency's results through press releases and a website report; their concerns were responded to through the Working Party;
- Importers and retailers of chicken products, and the catering industry, who were informed of the results and their products were named on publication;
- Local authorities, who participated in the survey and in enforcement activity where there was evidence of the law being broken; and,
- The Agency also wrote to the European Commission and enforcement authorities in the Netherlands and Belgium with the findings of the survey, as the samples came from processors mainly in the Netherlands, Belgium, UK and Spain (most of the chicken breasts originated from third countries such as Brazil and Thailand).

Source: National Audit Office and Food Standards Agency