

Note of the External Stakeholder Reference Group Meeting held at Aviation House London on 15 June 2017

Present

Simon Dawson – Food Standards Agency FSA (Chair)

Richard Hoskin – Food Standards Agency

Kathryn Baker – Food Standards Agency

David Lowe – Food Standards Agency

Tim Johnston – Food Standards Agency

Eamonn Maloney – Food Standards Agency

Chris Simpson – Food Standards Agency

James McGregor – Kantar Public

Heidi Hasbrouck – Kantar Public

Rachel Feechan – Kantar Public

Kaarin Goodburn – Chilled Food Association

Simon Wright – Gluten Free Industry Association

Sue Davies – Which?

Andrew Collinson – Wycombe District Council

Elizabeth Andoh-Kesson – British Retail Consortium

Sue Powell – Oxfordshire County Council

Diana Axby – Provision Trade Federation

Kerina Cheesman – Food and Drink Federation

Karen O'Connor – Cambridge City Council

Andy Morrison – Scottish Food

Enforcement Liaison Committee

Martin Forsyth – British Frozen Food Federation

Julie Byers – Association of Convenience Stores

Moira Austin – Anaphylaxis Campaign

Kathryn Miller – Coeliac UK

Tony Lewis – Chartered Institute of Environmental Health

Amena Warner – Allergy UK

Tracy Bishop (Food Standards Agency)

Apologies

James Bielby (Federation of Wholesale Distributors)

Corrine Lowe (Chartered Trading Standards Institute)

Sian Thomas (Fresh Produce Consortium)

Ryan Bruce (Food Standards Scotland)

Agenda Item 1 - Introduction and Apologies

- 1.1 The Chair welcomed the group and asked individual members to introduce themselves.

Agenda Item 2 – Minutes and actions points from the previous meeting

- 2.1 **David Lowe** covered the action points from the minutes:

4.5 *Consider extending the review of other country systems to non-English speaking countries' including other EU members who work within the same regulatory framework* – outstanding, to be taken forward through discussions at routine EU network meetings

4.7 *Allergens accounted for 63 of the 121 recalls in 2015. It was queried whether mislabelling or contamination was the dominant reason and Tim agreed to check if this information was available* – Tim explained that a definitive answer on this was not possible, but it was fairly evenly split, with slightly more labelling issues than contamination issues

5.2 *Amendments to Communications and Engagement Plan* – the plan has been updated.

- 2.2 Some comments have been received electronically on the previous meeting's minutes. The Chair suggested final comments by close next week, after which time they will be published on the FSA website.

Agenda Item 3 – Internal research findings: In-depth case reviews

- 3.1 **Tim Johnston** presented a paper on in depth case studies undertaken by the FSA's Science, Evidence and Research Division. He explained the methodology used – researchers 'live-tracked' 10 incidents, speaking to incident handlers in the FSA, the local authority, and in half of the cases studied, a representative of the business involved. The aim of the research was to identify issues connected with a recall in real time. The incidents selected had a wide geographic distribution, both in terms of origin/FBO location and product distribution, and covered a range of incident types.
- 3.2 The research showed that in most cases large businesses decide to conduct a recall before contacting the FSA. Smaller businesses generally took longer to do this. In terms of consumer notification, recall notices were not always prominently displayed, and there was no evidence found of businesses using loyalty card data to reach consumers.

3.3 Evidence gathered from the live case studies would indicate that the following may be potential areas for improvement:

- a. Point of sale notices – promoting a consistent approach to where such notices should be displayed in stores; length of time they should be displayed for and guidance on where they should best appear online;
- b. Notification – provide clarity on when food businesses should notify the competent authority of an issue where food needs to be recalled;
- c. Provide good practice/recommended timescales for when a product should be removed from sale after a store has been notified that product is being recalled;
- d. Improving the effectiveness of communications with customers about food recalls; and
- e. Providing guidance on roles and responsibilities within food recall processes including ownership of recalled food in relation to disposal and reprocessing.

3.4 Tim took questions on the paper.

Andy Morrison asked whether the cases were selected using any specific criteria. Tim pointed to the criteria in paragraph 2 of the paper and explained that the aim was to cover a wide range of incidents in terms of their nature.

Sue Powell asked whether Trading Standards officers were contacted in the course of the research and Tim confirmed that they were in a number of cases.

Karen O'Connor pointed out that loyalty card information is quite sophisticated, and that it was harsh to imply that its non-use represented a missed opportunity. Action: The Chair asked that the wording of the paper be nuanced to reflect this.

Richard Hoskin clarified that the purpose of in-depth case reviews was not to provide a full representative picture of the recalls process but rather to identify potential areas for improvement.

Liz Andoh-Kesson pointed out that businesses do need to be careful from a legal standpoint about how they use loyalty card data, and that in any event it is only generic and wouldn't give batch or date code data.

Kaarin Goodburn suggested the report should use the word consumer rather than customer to make the distinction between consumers and trade customers. Action: report to be amended

Kerina Cheesman suggested it may be too easy sometimes to identify the FBO involved in each incident, in spite of them being anonymised, as various links could be made. Tim explained that the FSA legal team was satisfied that the paper sufficiently protected FBOs' anonymity.

Agenda Item 4 – External Research findings: Presentation from Kantar Public

- 4.1 **James McGregor** introduced the presentation for Kantar. **Kerina Cheesman** asked whether the presentation would be shared with ESG members, and this was confirmed. James explained that Kantar would present an overview of their findings, and thanked those ESG members who were involved in the research.
- 4.2 In introducing the research James explained that three phases of qualitative and quantitative research had been conducted. The presentation was broken down into five stages based on a simplified withdrawal and recall process. The definition of a recall used in the presentation reflected whether the product was in the consumer's possession or not.
- 4.3 Overview of the process: The research shows that the process is led by larger FBOs, whereas smaller FBOs tend to need more support. Relationship with competent authorities and individuality of business also matter. There is no single 'recall process'.
- 4.4 Consumers are not being reached effectively. FBOs do not assess the impact of their reach and there is a feeling of 'calling out into the ether'. **Sue Davies** asked for clarification on the impact of relationships between regulators and FBOs, and James responded that individual relationships at a local level seem to have a big influence on the way a recall is conducted.
- 4.5 Findings from FBO and consumer research phases: FBOs are overall confident in the process and their ability to conduct a recall, but there are no measures for whether consumers act on recalls, and the basis for this confidence is therefore questionable. **Andrew Collinson** asked whether large or small FBOs were being referred to here, and James confirmed that it was both. **Kerina Cheesman** asked whether the perception of smaller FBOs requiring greater support came from smaller FBOs themselves, or larger ones, and James clarified that it was both. **Martin Forsyth** pointed out that

these results may be influenced by the question of whose responsibility FBOs perceive recalls to be – ie, sometimes it is not their own but that of their manufacturer, for instance. He also queried the definition of ‘effectiveness’ the FBOs were using when giving their answers on this.

- 4.6 Consumers are not engaged in the process and show low levels of awareness of it. There is evidence to show that standardising messaging may help. When notified by a recall that affects them, consumer behaviour depends on a number of factors, like cost, convenience and recall reason.
- 4.7 Step 1: issue identification and triggering: The research indicates this phase of the process is very strong. Manufacturers generally take the lead but again, smaller FBOs are perceived not to have the infrastructure to lead this phase.
- 4.8 **Andrew Morrison** asked whether small FBOs had corresponding perceptions about large ones. James replied that they didn’t, as they don’t have the same ‘view of the landscape’ as large FBOs. **Kathryn Miller** suggested that the involvement of 3rd party certified organisations might affect capability, which Kantar representatives agreed was demonstrated in part.
- 4.9 Step 2: Notification: FBOs feel confident in this step but do not collect evidence to evaluate the effectiveness of what they do. Evidence shows that consumers are generally not being reached effectively.
- 4.10 **Martin Forsyth** noted the distinction between tracing specific batches and product traceability more generally where process break down is concerned. **Kerina Cheesman** noted that there is a need to amend the language used as this point is more about ‘reachability’ than traceability.
- 4.11 Step 3: Removal and destruction: Kantar’s research showed that the removal and destruction of affected products is led by manufacturers and becomes more difficult as it gets further down the supply chain. FBO confidence in this part of the process is again high, but difficulties contacting trade customers and consumers would tend to counter that. **Liz Andoh-Kesson** noted that the role of relabelling was not really covered here, and it is an important alternative to destruction where possible.
- 4.12 Step 4: Consumer action: Consumers have a high degree of trust in the process but their awareness of recalls is low. There is evidence that recalls can have a positive or no impact on FBO brand image, if handled well. Step 5: Feedback and route cause analysis: This step is usually undertaken by the recall process owner, but with little involvement of authorities and no mechanism for sharing learning, which could prevent future incidents.

- 4.14 Conclusions: Kantar representatives summarised the findings from the five steps of the process. **Karen O'Connor** asked if more information could be included about the LA role, particularly with respect to quality controlling the process, and Kantar noted this. **Sue Davies** asked whether more information was available on FBOs' use of online vs instore data, and Kantar replied that references are made to this in their draft report. **Simon Wright** noted that consumers did not seem to have a worse impression of an FBO for being involved in a recall, although **Moira Austin** noted that consumers with allergies are different in this respect.

Agenda Item 5 - ESRG workshop / to consider research findings from a stakeholder perspectives and identify possible improvements

- 5.1 The Chair commenced the workshop session, with group members breaking in to industry, regulator and consumer groups to give initial feedback on the Kantar findings and suggest potential areas for improvement to the recalls and withdrawals system.

Agenda Item 6 – ESRG workshop feedback

- 6.1 The Chair reconvened the groups. **David Lowe** fed back on behalf of the regulator group. He noted that the two pieces of research agree and complement each other well. The regulatory group noted some terminology issues with the report. Potential improvements suggested by the group were:
- better use of electronic data
 - standard templates/consistency in form
 - further exploration of how technology could be used, eg loyalty cards
 - clarification of LA roles re food alerts
 - manufacturers to be required to demonstrate ability to conduct a recall, with LAs as the regulator.
 - template material for FBOs for how to conduct recall
 - making it easier for consumers - could they be able to return a recalled product to any shop, or post it back? Consumer rights should appear on POS notices. Auto refunding on credit cards?
 - a retailer could trial/pilot one of these systems?
- 6.2 **Martin Forsyth** presented the results from industry group's discussion. The group had some concerns about the results of the research and what can be achieved, particularly around metrics. Recovery of product is just one metric – consumer responsibility comes into it – and it is difficult to say what success looks like. Potential improvements:

- a common approach to risk assessment across industry
- LAs could play a greater role supporting hard to reach sections of retail
- better root cause analysis – overcome industry reluctance to involve the authorities in this and share information to the benefit of all.
- greater guidance from the FSA including a list of standard questions for FBOs to address as part of recall process and a clearer explanation of the FSA’s risk assessment process
- use of earned recognition
- standardised recall information for consumers
- further consumer education around food waste in respect of allergen recalls

6.3 **Simon Wright** spoke on the consumer group’s discussion. He noted that the research findings focused chiefly on the differences between small and large FBOs, and wondered if other characteristics could be explored. Simon also sought assurance that research participants were selected randomly, and this was received. Suggestions for improvement from the group:

- standardisation of the process, particularly timeframes
- clear and public distinction between legal and voluntary recalls for every recall
- FBO feedback/publicity on the cause of every recall
- best practice guidance for traceability.
- individual product tracking, as opposed to just batches
- use of loyalty card data
- published evidence that lessons are being learned

6.4 **The Chair** summarised common points that had arisen, namely ideas around the exploitation of technology, standardising notifications, and introducing metrics to measure success. He noted that the findings of Kantar Public’s research seemed to have broad acceptance among the group. He explained next steps following today’s discussion would be for the project team to synthesise each group’s feedback. Kantar’s draft report will be received by the project team next week, and another ESG meeting is scheduled for the end of July to discuss and agree its content. ESG are to be the ‘owners’ of the report, and as it will go to FSA Board for final approval, it’s important that everyone in the group agrees with the recommendations.

6.5 **Richard Hoskin** added that the project team would now also move into an action planning phase. He said that ESG members will have the opportunity to feed in to this process, as well as opportunities to comment on the draft report ahead of the next ESG meeting. Richard confirmed that ESG members can circulate draft report for comment within controlled

environments. Today's presentation would be circulated but the group was requested not to share it more widely. **Simon Wright** asked when the report will be able to be shared widely, and the Chair replied that this would be possible at the time it is scheduled to go to FSA Board, as the Board's papers are public. **Julie Byers** enquired whether the FSA case studies paper would also be published, and Richard confirmed this, and that further opportunity to comment would be given before this is done.

Agenda Item 7 – Any Other Business

- 7.1 **Diana Axby** asked if the paper on Data Analysis of FSA Alerts (Appendix 2) could be amended to include some further detail on page 5 on 'Numbers of FSA food alerts by food commodity type'. This currently states that "Milk & Milk Products accounted for 26% of Microbiological & hygiene food alerts; much more than any of the other food categories." Diane explained that her understanding was that the higher number of alerts relates to raw milk and this skews the data. It was agreed that a sentence would be added stating this and providing clarification.