

## **Theme 1 – Climate change and diet considerations Geoff/Heather**

### **Core messages**

- CCC recommendations to reduce meat and dairy intakes do not discriminate between different meat types, or between meat and dairy
- CCC recommendations have to take into account potential dietary implications or at the very least acknowledge they need to be looked at
- Current position is that SDG's been missed for years and hitting those would make a significant difference and be a positive step to CC recommendations
- Making changes without understanding which demographic groups need to change and how to persuade them need to underpin any implementation effort. There is a risk that those with already low micronutrient intakes could reduce meat and dairy intakes (without suitable dietary replacement) thereby worsening their micronutrient insufficiencies i.e. the consumers at risk of insufficiencies may change their diet but those who need to change their diet don't.
- Changing consumer behaviour is difficult. Dietary intakes in Scotland have not shifted significantly in the last 20 years, consumer advice alone will be insufficient to meet CCC recommendations
- The analysis that was carried out assessed the risk of adopting the climate change recommendations only and did not include risk management recommendations; it would be for SG to implement policies to achieve the required changes to meet both climate and diet aspirations.

### **Key Findings**

- Our research shows that by achieving our existing dietary advice for red and red processed meat to no more than 70g per day, we can make significant progress (-16%) towards the Climate Change Committee's recommendation to reduce total meat by 20%.
- The research showed that the impact of a reduction in dairy had a greater negative impact on micronutrient intakes than a reduction in meat intake.
- It is also very clear from the research that meat alternatives, and particularly dairy alternatives, are not well fortified enough to make them a robust substitute to meat and dairy. For example, fewer than half of milk substitutes on sale in Scotland have added calcium, which would seem pre-requisite for a 'milk' drink.
- Overall, this research complements Eatwell Guide advice on consuming a healthy balanced diet, which may include a small amount of meat and dairy. At present, the diet consumed by the majority of the adult population is far from meeting Eatwell Guide recommendations.
- Consuming a healthier diet, in line with the Eatwell Guide, would mean that meat and dairy intakes could be more safely reduced to support achievement of climate change goals; if the population consumed a diet more similar to the Eatwell Guide, there could be a reduction in greenhouse gas emissions of over 30% (data from Carbon Trust, 2016)

## **Further work**

- Further work will be conducted to explore the impact of reductions in meat and dairy intake in children and young people aged 2-15, as part of the analysis of our children's survey, which is in the field until the end of May 2024, results due autumn 2024.

## **Theme 2 – A sustainable food environment (i.e restricting promotions on HFSS foods, food processing, menu calorie labelling) Gillian/Heather**

### **Overarching lines on the food environment**

- Our March 2023 strategy very clear that addressing the food environment (both in and out of home) is essential to tackling the current dietary position in Scotland
- Actions which create a healthier food environment by making sure healthy, affordable options are always available where we live, work and learn have the best chance of reducing inequalities, and help everyone to live longer, healthier lives
- Of course personal responsibility is important but “eat less, exercise more” has not worked for 40 years and we also should recognise that accusations of “nanny state” will arise but we cannot avoid addressing the food environment if we want change to happen
- Physical activity alone has at best a modest impact on weight loss and therefore not be seen as the silver bullet that ‘cures’ obesity, but rather should be pursued because it helps to improve overall health and can help maintain a healthy body weight
- But it is not reasonable to expect individuals alone to change in order to solve our dietary challenges, nor is it realistic. Evidence from England also suggests that the focus on individual responsibility within diet policy is likely to have contributed to the lack of improvement in levels of healthy weight or related health inequalities over the past 30 years
- If we continue along the current path, then at what point will something be done? When obesity and overweight at 85% instead of current 67%?
- Certain issues are reserved but in our view need further action. Again addressed in our March 2024 Board paper but issues such further fiscal measures (where there is evidence that the sugar levy has worked for soft drinks), advertising, mandatory reporting of food and drink data and reformulation all need to be considered
- Nutrition education and public health campaigns routinely emphasise the benefits of a healthy diet. However, healthy eating messages are often widely understood – it is implementing them that is the issue (the ‘say-do’ gap).
- Evidence shows that knowledge and skills alone are not sufficient to change behaviours when we live in a food environment that is flooded with promotions and availability of food high in fat, sugar and/or salt, and barely a trickle of healthy options. What surrounds us, shapes us, so improving our food environment has to be the focus.
- On UPFs again covered this in our March 2024 paper. We’re following the science and evidence, but our core message is if people are concerned about UPFs then focus on eating less HFSS foods as they tend to be highly processed; ie less HFSS consumptions means less UPF consumption

- Many of the upstream actions required are reserved to the UK Government. However, given that the food system operates across the UK, making improvements requires a joined-up approach, including UK Government, devolved administrations and the food industry.

### **On Promotions and Current Consultation Gillian Lead**

- SG are consulting on restricting promotions of food and drink high in fat, sugar or salt where they are sold to the public, the consultation closes on 21<sup>st</sup> May.
- Right now, the places where we live and work do not support us to access healthy food as promotions and marketing activities are skewed towards unhealthy foods in our food environment.
- Our recently published report on trends in retail purchasing shows that we buy around a fifth of our shopping baskets on price promotion – such as multi-buys and price reductions – often skewed towards unhealthy products.
- Action is needed to help rebalance promotions in favour of healthy options. We support the commitment for action in this area by SG, and the current consultation on the detail of the proposed restrictions and call for future restrictions to go further than those already in place for England.
- The restrictions should capture a wide range of promotion types and not only value added, applying both in-store and online, and for restrictions to apply to discretionary foods at a minimum which typically contribute 15% to our energy intakes. Capturing a wider range of foods will increase the impact of this policy further.
- There is no silver bullet for improving diet in Scotland; rebalancing promotions is only one way that we can improve the nation's health, but it is a significant one.
- With costs rising for everyone, it is understandable that the idea of reducing promotions could be unpopular. Yet, promotions aren't saving us money if they encourage us to buy something we weren't planning to in the first place.
- Many promotions also tend to be on more expensive products to begin with. This means that there are often cheaper alternatives. This isn't about punishing consumers or even stopping people from buying particular products. It is about making it easier for us all to make our choices healthier.

### **Out of home and mandatory calorie labelling**

- Eating out of home is now commonplace with an average of four trips per week accounting for approximately 25% of calories. Foods served out of home tend to be more energy dense than those eaten at home.
- Evidence shows that calorie labelling can reduce both calories in menu items as well as the calories purchased by consumers. In England, from April 2022, businesses with over 250 employees are required to display the calorie information of all items prepared and sold for immediate consumption. An evaluation of the policy has been commissioned but has not yet been published.
- As a result of MCL in England, many larger businesses have implemented this in Scotland as well. Other businesses in Scotland also provide this information on a voluntary basis.

- However, it is important to note that concerns have been raised about the potential impact of the policy on those living with an eating disorders. FSS will be returning to advise to Minister later this year.
- FSS are also working with Public Health Scotland to support the promotion and uptake of the Eating Out, Eating Well framework and Code of Practice for Children's Menus by the out of home sector and specifically in priority areas such as low income communities and outlets visited most frequently.

### **Food processing**

- Reformulation is one of the most effective ways the food industry can help improve our diet. It involves making changes to an existing product or recipe to improve the nutritional content of it.
- Reformulation can include reducing the amount of calories, fat, sugar and salt in food products, reducing portion sizes or increasing the amount of fibre, fruit and vegetables in food products.
- It is often raised as a concern that reformulation will result in more ultra-processed foods but reformulation can also include replacing existing ingredients with healthier alternatives, such as replacing sources of saturated fat with sources of unsaturated fat.
- Also important to note that definitions for processed and ultra-processed food does not consider a product's energy or nutrient content – which are known and well-established risk factors for dietary ill health.

### **Ultra-processed food**

- Processed foods are those which have been prepared by a variety of methods and contain a number of ingredients. Definitions of processed and ultra-processed foods do not consider a product's energy or nutrient content.
- The UPF Board paper recognised the challenges in relation to the current evidence base on these types of foods, in particular the extent to which the risk associated with processed food is due to the processing itself or because these foods are often energy-dense, high in saturated fat, salt or sugars, high in processed meat, and/or low in fruit and vegetables and fibre.
- Many dietary causes of ill-health could be avoided with a healthier diet which includes much less consumption of high fat, sugar and/or salt (HFSS) foods.
- Given that many ultra-processed foods are also HFSS, following existing consumer facing advice for a healthy, balanced diet as outlined within the Eatwell Guide is also likely to substantially reduce the amount of ultra-processed foods consumed

## **Theme 3 – Social media, misinformation, and disinformation Geoff lead**

### **General position**

- 'Misinformation' sits on the FSS strategic risk register because we recognise that we cannot avoid the use and influence of social media and consumers reliance on it as a 'trusted' source of information.
- Negative publicity, unforeseen events or food related incidents, businesses with contradictory messages looking for commercial gain are all examples of

how this risk can manifest, and it applies mostly to digital channels, like social media.

- Our comms and marketing strategy works to mitigate the strategic risk and focuses on strengthening the FSS brand and reputation to cut through misinformation, stand out in a noisy landscape and be the voice of reason/ trusted source for information backed by science and evidence.
- We, like others, do not have the capacity or resource to proactively engage to counter every trend or fad, particularly from those organisations that have large marketing engines behind them seeking commercial gain.
- That said, we use monitoring and listening tools to keep abreast of developments, audience opinion and trends related to food ensuring we are part of topical conversations and well informed on attitudes and opinions where we have evidence and guidance to back our position, for example through effective running of our consumer tracker.
- An example would be UPFs where, given the surge of social media and news coverage, we agreed an FSS position statement, released a blog piece, shared a board paper, and developed new consumer comms and online resources to better inform and guide consumers.

### **Key tactics adopted**

- As above, social listening is as important as communicating for FSS to keep abreast of developments.
- Media monitoring is carried out daily seeking FSS mentions and other relevant articles which are highlighted to senior management and others in the organisation as appropriate. Information gathered informs the timing and tone of reactive and proactive comms e.g. social media posts or press releases to increase pick up, coverage and engagement.
- We are active across most social media platforms (LinkedIn, Meta, X, YouTube, and Instagram) and adopt an ‘always on’ approach as it is a quick and effective way to reach our target audience. We track our reach, following and engagement and we tailor content by channel. We also boost posts to key audiences to increase our reach as needed – particularly in the incidents space with hard-to-reach vulnerable groups.
- We continually work with external stakeholders to communicate our messages and influence behaviour change. This reduces costs but gives us wider reach and the amplification of messages through partner channels, including social media platforms

## **Theme 4 – Good Food Nation (Scotland) Act Heather lead**

### **General Position**

- We welcome the first national Good Food Nation Plan and appreciate the work that has gone into creating this. It shows the breadth of activity already happening in Scotland to support the vision for a Good Food Nation and shall be a practical aid for future policy making, realising the ambition of Scotland to build on this for the benefit of the public, food producers, food businesses, the economy and our environment

- Good Food Nation Plans which will be developed, present an opportunity to support Scotland's food and drink sector, transform our food landscape whilst driving the changes necessary to support achievement of the Scottish dietary goals and addressing the unsustainable trajectory of food-related ill health

## S30(b)(ii)

### Theme 5 – Eatwell Everyday – cost and nutrition Gillian Lead

- Price and people's ability to afford food are major determinants of the food people choose to purchase from shops and supermarkets, particularly for those on low incomes. Cost is often cited as a barrier to healthy eating within our [consumer trackers](#).
- Evidence shows that more healthy foods are over twice as expensive per calorie as less healthy foods. In addition, the most deprived fifth of the population would need to spend 50% of their disposable income on food to meet the cost of the Government-recommended healthy diet. This compares to just 11% for the least deprived fifth.
- FSS have published a number of evidence reports in relation to cost and affordability of a healthy, balanced diet. This includes an estimation of the cost of a healthy diet (based on the FSS [Eatwell Everyday resource](#)) which was [published on the FSS website in June 2023](#). This provided an estimate of £77 for a family of four. Recently published data from FSS estimates that the average household in Scotland spends around £79 per week on grocery shopping (2022 data).
- Note that these are average values so there are much of the population that spend far less than this figure and others that spend far more.
- Important to note that the cost of a food product itself if is just one consideration as consumers navigate a number of competing priorities influence our food choice, such as time, cooking skills and personal preferences. Further, for those who are struggling with income or living in challenging situations, the cost of preparing and cooking meals, availability of cooking equipment and lack of adequate fridge/freezer and cupboard space can also make choosing healthier foods more difficult
  - o Our evidence based consumer facing online resource, [Eat Well, Your Way](#) (EWYW) is designed to support people make small healthier changes to their diet in the context of their own lives. The resource was designed with a focus on affordability to support lower income groups, who are often most in need of support to make healthier food and drink choices and are at greatest risk of health inequalities.
- However, consumer advice alone is insufficient. We recognise that families are under significant pressure and are having to try and make their budgets stretch further. Actions to improve the food environment are needed to make healthier food more affordable and easier to access.

## Theme 6: Food crime Geoff Lead

- Was a key issue for us when we set up in 2015 based on our FSA experience of horsemeat
- We have brought together incidents, intelligence gathering and investigation under one unit given the importance and links between all three elements all supported by dedicated analysts
- Our approach is determined by our Strategic Threat Assessment and Control Strategy which determines and drives our priorities supported by horizon scanning and ongoing surveillance work
- The focus has been to address food crime like any serious crime, and use common law powers to investigate common law crimes such as culpable and reckless conduct and fraud rather than current food legislation which does not contain the provisions needed for enforcement and prosecution of criminal activity. This approach has been agreed and is supported by the Crown Office and allows for unlimited imprisonment and fine to be considered after trial
- For obvious reasons we don't "advertise" what we're investigating but our approach is based on the National Intelligence Model where prevention and deterrence are key aspects of what we are trying to do in this area
- Where proportionate and necessary, we use covert activities such as directed surveillance, the use of CHIS (Covert Human Intelligence Sources/informants) and the acquisition of communications data to gather evidence and enhance intelligence development. Inspections by oversight bodies (Investigatory Powers Commissioners Office – IPCO) are content that we use the powers lawfully and in line with their expectations
- We have a high standard of food safety and quality in Scotland and it is important that we protect that reputation by showing we have a robust approach to tackling food crime
- We have a number of investigations ongoing and reported crimes are under judicial process with many trial dates and these include crimes that will be heard at sheriff and jury (petition) level

Examples:

### Culpable and Reckless Conduct

re-identification of cattle / illegal smokie production

### Animal Welfare Offences

unnecessary suffering in lairage

### Fraud

- tea fraud / free range egg fraud
- We provide the intelligence and analytical support for APHA investigations in Scotland in a farm to fork concept. In that regard, we have developed a more effective multi-agency approach and increased intelligence sharing between the partners, in respect of fraud and livestock welfare investigations in Scotland involving LAs, APHA, FSS and SG departments such as RPID
- An active member in relevant government and agency partnerships achieving best value and outcomes

Example – Multi Agency Tasking and Delivery Board chaired by Police Scotland - 18 law enforcement partners to present a comprehensive analysis of the threats facing us

## **Theme 7: Meal replacement shakes, safety and health claims Gillian lead**

### **General lines**

- Food Standards Scotland (FSS) has responsibility for the policies surrounding general food labelling, nutrition labelling, food composition and health claims in Scotland and work closely with policy officials across GB
- The majority of food law which applies in Scotland stems from European Union legislation and the detail of the requirements, including those covering food information and labelling remains in place
- Whilst there are specific compositional and information requirements for foods intended for total diet replacement for weight control, meal replacement shakes for general use fall within the general food safety and labelling regulatory requirements
- Meal replacement shakes are generally not recommended for most members of the population. Rather, for most people, we advise following a healthy, balanced diet as shown by the Eatwell Guide which is based on the consensus of scientific evidence and is endorsed by the 4 UK administrations.
- However, we recognise that in some instances a meal replacement style diet will be appropriate – for example, to help reverse cases of type 2 diabetes.
- Consumers should only adopt this type of diet if advised to do so by a qualified health professional, to ensure that this is done so safely and that they are receiving regular support and supervision throughout.

### **Lines on T2D work by SG**

- With investment to date, boards have continued to deliver weight management services and incorporated digital platforms, in line with national standards.
- This includes the adoption of the innovative and effective Remission programme, a two year programme of diet replacement with shakes and soups, followed by careful healthy food reintroduction and long term maintenance led by specialist dietitians.
- It is helping people in Scotland recently diagnosed with type 2 diabetes to lose weight and make positive changes to their diet and lifestyle, supporting them to achieve remission and improving health.

## **Theme 8: Food safety Geoff Lead**

### **Overview of regulatory requirements for food safety**

- Ensuring food safety is the primary responsibility of food business operators (FBOs). FBOs must ensure that they have food safety management



procedures in place. These are based on the principles of Hazard Analysis and Critical Control Point (HACCP).

- HACCP is a system that helps FBOs identify potential food hazards and introduce procedures to make sure those hazards are removed or reduced to an acceptable level.
- Food safety management must take account of all potential hazards in food, which may be microbiological, chemical or allergenic in nature.
- Food law also sets out what information FBOs are required to provide on food packaging and labelling. Labelling is regulated to protect consumers who should have the correct information to make confident and informed food choices based on diet, allergies, personal taste or cost.
- The primary purpose of food safety legislation is to protect the public from the risks of foodborne illness and support consumer choice, but ensuring compliance with food law is also critical in protecting trade. The majority of Scottish food businesses invest in ensuring effective food safety management

### **Hazards in food**

- A food safety hazard is a substance present in food that may do you harm
- They can be grouped into microbiological, chemical, physical, allergenic or radiological hazards
- Microbiological hazards are some of the most common hazards we deal with at FSS, and include bacteria, viruses and certain parasites and moulds.
- Key bacterial pathogens include pathogenic E. coli (STEC), campylobacter, salmonella, norovirus and Listeria monocytogenes
- These pathogens can cause outbreaks of illness, where many people across the country can become ill
- They can also be detected in foodstuffs through sampling, leading to recalls and withdrawals
- There are many different types of chemical hazard that can be present in food, such as heavy metals, plant toxins, and industrial by-products
- They can be found in food, and although they do not typically cause outbreaks and acute illness, their consumption over longer periods of time can cause significant illness
- Allergens create an acute hazard for the allergenic population – we regulate for 14 key allergens in Scotland, including milk, eggs and peanuts.
- Physical hazards may be present in food and although most are unlikely to cause illness they may present a physical hazard such as choking
- Radioactive contamination of food is very rare and only likely to occur after nuclear accidents or leakages.

### **Risk Analysis - background**

- Since EU Exit, FSS and the Food Standards Agency (FSA) have been responsible for many of the food and feed safety functions that were previously undertaken by the European Commission and the European Food Safety Authority (EFSA) for EU countries.

- This means that in the event that legislative changes to food safety standards are needed to protect consumers, we will provide independent advice and recommendations for appropriate controls based on a robust risk analysis process, working collaboratively with the Food Standards Agency across the UK.
- The risk analysis process uses science and evidence to provide advice to government, business and consumers on food safety risks. It is the process of estimating risks to human health, finding ways to control these risks, and communicating both risks and controls to the people who need to know.
- As well as food safety, it will also take into account other factors such as consumers' wider food interests, animal welfare, environmental and economic impacts.

### **Risk Analysis - process**

- The risk analysis process is used to identify and manage public health hazards.
- Risk analysis is a three step process which estimates the risk of different hazards in food (risk assessment), manages those risks (risk management) and then communicates them to consumers, businesses or other key stakeholders (risk communication).
- In order to deliver these functions in accordance with international principles, FSS and FSA are structured to ensure there is a functional separation between risk assessment and risk management.

### **Risk Assessment**

- In the EU food safety risk assessment is undertaken by EFSA. EFSA employs around 550 staff members and works alongside over 1500 external experts to deliver this function for EU member states. In addition, member states have their own risk assessment functions which support the delivery of food safety law nationally, as well as contributing expertise to support EFSA. For example the German Federal Institute for Risk Assessment (BfR) has a budget of approximately 130M Euros and employs over 1000 staff including around 530 scientists to provide scientific advice and risk assessment to support the federal government and German federal states ("Laender") on food and feed safety issues and on the safety of chemicals and products.
- In the UK, food safety risk assessment is led by the FSA, which currently employs around 170 scientists including 80-90 risk assessors who are responsible for delivering risk assessments to support incident response, strategic risk analysis and the authorisation of regulated products. In contrast, FSS currently employs 18 scientists, 6 of whom are dedicated to delivering risk assessment. FSS risk assessors work closely with the FSA to provide the assessments and advice needed to support the UK risk analysis process, as well as providing the risk assessments needed to support FSS and Public Health Scotland in managing food safety incidents and outbreaks within Scotland.

- Risk assessment is the first step of the process and follows an internationally recognised framework (Codex)
- We estimate risk by examining the likelihood of a hazard causing harm combined with the severity of illness that it would cause
- We also explain the uncertainty around these estimates, for example some hazards are well known, but others might be novel or come about as a result of a new process or change in eating habits
- The completed risk assessment is then passed to the risk managers at FSS who combine the results of it with other considerations (such as economic or societal factors) to make decisions
- Management might take many forms, such as legislative change, consumer advice or to support a import or export requirement
- Finally this is communicated to the appropriate audience
- Risk assessments and risk management advice is published (except when there might be trade considerations)