Next steps for UK food labelling policy and opportunities post-Brexit
12th September 2017

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About this Publication

This publication reflects proceedings at the Westminster Food & Nutrition Forum Keynote Seminar: Next steps for UK food labelling policy and opportunities post-Brexit held on 12th September 2017. The views expressed in the articles are those of the named authors, not those of the Forum or the sponsors, apart from their own articles.

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Westminster Food & Nutrition Forum
UK Headquarters
4 Bracknell Beeches
Old Bracknell Lane West
Bracknell
Berkshire RG12 7BW

T: 01344 864796
F: 01344 420121
publications@westminsterforumprojects.co.uk

Directors
Peter van Gelder
Chris Whitehouse
Westminster Food & Nutrition Forum Keynote Seminar: Next steps for UK food labelling policy and opportunities post-Brexit

Timing: Morning, Tuesday, 12th September 2017
Venue: The Caledonian Club, 9 Halkin Street, London SW1X 7DR

8.30 - 9.00 Registration and coffee

9.00 - 9.05 Session Chair’s opening remarks
Neil Parish MP, Chair, EFRA Committee

9.05 - 9.50 EU food labelling regulations and the implications of Brexit
Peter Rixon, Managing Editor, EU Food Law and Eurofood Monitor, Informa
Sue Davies, Strategic Policy Adviser, Which?
Stephen Pugh, EU Food Labelling Specialists
Questions and comments from the floor

9.50 - 10.40 Priorities for front-of-pack nutritional information - new approaches, consumer choices and the future regulatory framework
What is latest thinking on developing the UK’s approach to front-of-pack nutritional labelling in the context of competition and consumer choice, practical considerations for industry and public health policy? What does the latest research into nutritional labelling indicate that consumers expect from labelling, that provides clear information they are able to act upon, and that contributes most effectively to driving behaviour change in line with policy in areas such as obesity? What are the options for introducing alternative visual labelling design such as activity-equivalent calorie information or teaspoons to identify sugar levels going forward? How will policy and commercial strategies need to adapt going forward, taking into account trade and regulatory opportunities post-Brexit, changing retail environments - particularly growth in online grocery shopping, out-of-home and third party food delivery services - and developments in public attitudes and consumption patterns, in order to help consumers to make healthier food choices and also support the UK food and drinks sector?
Duncan Stephenson, Director of External Affairs, Royal Society for Public Health
Elspeth Macdonald, Deputy Chief Executive, Food Standards Scotland
Giles Quick, Director, Usage, Kantar Worldpanel
Sue Howlett, Technical Manager, WSH and Chair, BHA Nutrition Working Group
Questions and comments from the floor

10.40 - 10.45 Session Chair’s closing remarks
Neil Parish MP, Chair, EFRA Committee

10.45 - 11.15 Coffee

11.15 - 11.20 Session Chair’s opening remarks
Rt Hon the Lord Rooker, former Chair, Food Standards Agency

11.20 - 11.30 An international case study on mandatory country-of-origin labelling
Eric Giry, Agricultural Counsellor for the United Kingdom and Ireland, Embassy of France in London

11.30 - 12.25 The opportunities for UK food labelling policy after Brexit
What are the opportunities to develop the UK’s food labelling regulatory framework in light of Brexit - including in the areas of general transparency, country of origin, animal welfare and current EU rules on health, nutritional and other claims - and what are the most likely directions any change would actually take? If the UK did decide to diverge from current EU labelling standards what are the potential implications for the UK food industry, including its competitiveness in both the EU and wider international markets, costs, quality assurance and the British food brand, and relationships with consumers? What regulatory and enforcement frameworks will the UK need to put in place to replace those currently residing with EU institutions? What are the options for an independent UK to more clearly define and communicate production and animal welfare standards for consumers? How should the UK approach Brexit negotiations with regard to ensuring existing UK geographical indicators under EU regulation remain protected? What is latest thinking on developing a new UK scheme to promote UK food produce?
Fiona Carter, Consultant, CMS
Minette Batters, Deputy President, NFU
Michael Bell, Executive Director, Northern Ireland Food & Drink Association
David Clarke, Red Tractor Assurance
Questions and comments from the floor with Eric Giry, Agricultural Counsellor for the United Kingdom and Ireland, Embassy of France in London

12.25 - 12.55 Policy priorities for UK food labelling policy
Karen Lepper, Deputy Director, Access to Labour, Food Information and Standards, Defra
Questions and comments from the floor

12.55 - 13.00 Session Chair’s and Westminster Food & Nutrition Forum closing remarks
Rt Hon the Lord Rooker, former Chair, Food Standards Agency
Tom Overend, Associate Producer, Westminster Food & Nutrition Forum

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Westminster Food & Nutrition Forum opening remarks
Tom Overend, Associate Producer, Westminster Food & Nutrition Forum

Good morning ladies and gentlemen and welcome. I’m Tom Overend, an Associate Producer with the Westminster Food & Nutrition Forum and it’s a real pleasure to see you all here this morning.

We’ll get underway quite quickly, but just before we do I’ve got a few quick business announcements.

As you can see we are still waiting for some colleagues to join us here today, so if you could allow them to move through the aisles when they arrive, that would be very much appreciated.

Secondly we would be grateful if you could ensure that your mobile phones are turned to mute.

For those of you who are new to the Westminster Food and Nutrition Forum, everything that is said in the room this morning is going to be recorded, and later transcribed into a document. This will be emailed out to you in about 12 working days’ time. If you would like to ask a question at any point during the Q&A sessions, if you could raise your hand, wait for one of our microphones to reach you and then say your name and the organisation you are representing here today.

There’s also the opportunity to submit an article to the publication, details of how to do this are in your packs and we would suggest an article of around 600 words. If you would like to join the conversation on Twitter we are tweeting using the hashtag WFNFEvents.

And finally, just to let you know, when you do break for coffee there’s two rooms available, one on the left as you come down the stairs and the library room which many of you were in just now.

So that’s all from me, I am going to hand over now to our first half Chair, Neil Parish MP.
Session Chair’s opening remarks
Neil Parish MP, Chair, EFRA Committee

Thank you very much. Well good morning and like just said, very much welcome to this Westminster Food and Nutrition Forum.

I’m Neil Parish, I’m an MP and I Chair the EFRA Select Committee. It’s the Environment, Food and Rural Affairs Select Committee, not the Department of, so we follow Defra, we follow Government and we look at some own initiative reports as well ourselves. Of course, due to the Election, the Committee fell, I got re-elected back in July, but only got the Members back last night, so therefore we can now call for evidence. Well today we will have our first meeting and we’ve got Michael Gove coming in tomorrow, so we are getting started.

It’s good to be here this morning because I think food labelling regulations are very important, both from a food safety point of view, and also from an authenticity point of view. We did a sort of food waste inquiry and it’s interesting really where you’ve got to make sure that food is safe, but is the best before date always necessary, is it a used by where it’s safe, because I think some people throw the food out sooner than they should. On the other hand, you can imagine if you don’t have the labelling right and people were to become ill from eating that food, then you have got a major problem.

Also on the topic of authenticity, we’ve got to make sure, you know, in the 2010-15 Parliament, we had the sort of Horsegate scandal where horse meat was a lot cheaper to put into beefburgers. I’ve got nothing against horsemеat but probably if you buy a beefburger you expect there at least to be some beef in it don’t you? So that is absolutely key to it.

And I’m also very keen to see perhaps, as we Brexit (and of course the votes we finished in Parliament last night at 1 o’clock the process is going through) I think there is an opportunity to make sure that we can actually market our local food better and our labelling better. I’m not very keen on one or two of the major supermarkets, shall I say the major supermarket, when they have a fictitious farm which they market their food. It’s probably just about within the law because they’ve got good lawyers to check that, but I’m not entirely convinced it’s the best way of marketing and I think people need to trust what’s on the label. I think the labelling is getting better, but there are times when I pick up a product in a supermarket and wonder whether the label does more to confuse than it does actually to inform and I think that’s what… you know, the challenge, as we move forward.

So anyway very much welcome, I don’t want to speak for too long because I want to try and keep everybody up to their time and also make sure that you’ve got time for questions, and, as was said at the beginning, when you ask a question please state clearly who you are, name, rank, serial number, and then ask your question, and could I have questions please, not another speech if you can help it.

Okay, right I shall first of all introduce Peter Rixon, he is Managing Editor of the EU Food Law and Eurofood Monitoring - that sounds a very grand title Peter. Peter heads up this group as well as covering issues such as the changes to the labelling of food, legal debates on food technology, ruling on advertising and developments in nutrition strategy. Peter also focuses on broader questions such as how stakeholders are attacking the obesity epidemic, habitat destruction, social and ethical sources of food related illnesses. I think I will stop there Peter because that gives you a very good round up as to what we would like to hear from you. So over to you. You will get a yellow card and you will get a red card, when the red card comes you must stop.
EU food labelling regulations and the implications of Brexit
Peter Rixon, Managing Editor, EU Food Law and Eurofood Monitor, Informa

Our publication isn’t called EU Food Law anymore, it’s called European Food Law because we felt the EU was a bit restrictive. So I thought I’d start with the current position, and state some obvious things, namely, that EU food legislation continues to apply in the UK, for at least two years, until UK leaves the bloc and then starts making its own laws.

This, of course, includes the legislation that came into force last year, relating to nutritional labels on pre-packaged products, which is part of the Food Information to Consumers Regulation. I’d like to make another point, that Stephen Pugh has made before, namely that the EU Food Information to Consumers Regulation was brought in in 2014, and it seems that the UK was largely happy with it the outcome. And as Stephen said at one point, the UK got what it wanted largely, when it negotiated the legislation.

On the consumer side, food standards are viewed by consumers, generally, as good. I say that because Food Standards Scotland carried out a survey earlier this year and they found that, generally, people had a high level of satisfaction with current food safety and standards. So the current position is that people are generally happy with EU food law, and they want things like allergy advice to stay. And there’s little change expected, with the transposition of EU law into UK law, back into UK law.

Industry is hoping for minimal regulatory divergence, and that’s what we can expect at the moment. My final point here is that, the UK is probably going to be concentrating more on trade agreements, rather than tinkering with food law, in the immediate future. So what people are doing now they will continue to do, albeit, we can expect some departments to expand their capacity. But, for example, the Advertising Standards Authority will continue to refer to the EU Nutrition and Health Claims Legislation, when it comes to dealing with disputed health claims in advertising, for the foreseeable future.

On traffic light labelling, this is probably what Theresa May might have been alluding to last year, when she said that we can take back control, and label food the way we want to. It’s a very successful scheme that was introduced in 2013. Italy wasn’t happy with it because it felt it was discriminatory against its products, and there was this threat of legal action from the European Commission. And about 100 MEPS called on the Commission to push ahead with this legal action against the UK, to get rid of traffic light labelling.

But looking ahead, it’s looking like traffic light labelling is certainly not going away, in fact, it’s proliferating. And France, earlier this year, introduced something fairly similar, colour coding, a colour coding scheme. And it’s also been adopted by a lot of companies, across Europe as well. So post-Brexit, we’ll see a lot more of traffic light labelling, I should imagine. There have been calls for traffic light labelling to be made mandatory, but I’m not sure how necessary that is.

With traffic light labelling, it’s probably more important for companies to stop fudging the scheme. You probably notice when you into Co-op, or wherever you shop, that the traffic light labels aren’t always what you expect them to be, and you’re not sure whether the product is high in sugar or not. So it’s probably more important to make sure that people do it correctly, rather than making it mandatory.

Geographical indications, there’s been a development last Thursday, you probably know the European Commission issued a position paper on this. And that was basically saying that they want to continue this scheme, and they want the UK to continue the scheme, and make sure everybody’s protected names continue, and are not abused. That was a bit of good news really because it was, kind of, saying that the EU and the UK want the same thing, and are willing to talk about it before the UK exits.

The point the Commission was making, was that the UK doesn’t have any legislation related to this EU scheme, and it wants it to be introduced. And the scheme is not just appreciated in Europe, but globally. When the UK
goes to negotiate trade deals around the world, they’ll find that that scheme is very much valued elsewhere as well. In Canada, they’ve just agreed with the EU to protect that scheme too, so that’s going to continue.

Country of origin labelling is already in place for quite a few products, but it’s being expanded across Europe. And post-Brexit, the UK can, kind of, catch up with Europe, if it wants. France has already taken the lead, and is introduced mandatory labelling of meat and dairy on ingredients, so not just on meat in itself, but origin labelling on ingredients. And there are demands in the UK to follow other countries.

So we’re going to see a lot more country of origin labelling throughout Europe. And there is quite a bit of resistance to it, from industry, and from some MEPs. But in terms of the UK, it’s got to, sort of, really catch up, if anything, with other countries.

On the Nutrition and Health Claims Regulation, well, we can assume the UK will continue to follow this for a while. There could be an opportunity to review its legal basis because people are arguing that it puts a break on innovation, and deregulation could see spawn a load more new products. However, obviously, if you want to sell your products in the EU, you’ve still got to continue to comply with that regulation.

In terms of the European Food Safety Authority, and the UK, we can assume that the UK is going to stay very close to EFSA in the future, like other countries outside the Bloc do, such as the US, and Norway, and Switzerland. And it’s only going to be over time, that the UK would have a greater independence from EFSA.

One thing that concerns consumers about labelling is the prospect of a US/UK trade agreement, and what that will mean for food in this country. And you know the headlines are talking about chlorine treated chicken, GM food, and hormone treated beef, flooding the UK market. Well, how could labelling address this, if this is what’s to happen?

So the first point is that chlorine treated chicken is deemed by the scientific authorities as safe. And to turn to the US and say, but we want you to label it chlorine treated when chlorine washed could cause friction with the US. So it’s probably best for us to start labelling the food we already wash in chlorine, bagged salads, and things like that, as a precedent, to prepare for a US deal.

The hormone treated beef might not be a labelling issue because the science says that there’s a potential health risk, so it’s probably that’s where the UK should stand firm on. And on GM food, things are developing in the US already, whereby labelling will probably be introduced eventually in the US, and that will be accepted over there, so we can probably accept it over here as well.

Having made in the USA will alert people to the fact that products are likely to be, say, chlorine washed. But of course, fictional farms can fudge the issue about where something comes from. I know Morrison’s has already said that it’s not going to do fictional farms anymore. And it maybe other supermarkets will follow suit.

How can the UK take the lead on food labelling? What can we do that is potentially pioneering, and export to the rest of the world, in terms of labelling? Obviously, addressing the environmental impact of food is a big one, as Europe and the US have got huge footprints that extend far beyond their borders.

And there are various schemes across Europe, that try to raise awareness among consumers that food is having an environmental impact.

There’s three areas; there’s CO2 output, there’s biodiversity impact, and there’s packaging. I think the gap in the market is for a simple positive and voluntary scheme to address this, and emulates the success of traffic light labelling. Because we’ve got to look at ways in which we can avoid, for example, a repeat of the palm oil disaster.

Also, CO2 emissions are increasingly being linked to lower nutrient levels in plants and this will pose a serious problem in terms of feeding the world.
That’s it from me.

Neil Parish MP: Okay. Thank you very much, Peter. I think it’s very much key that, as we leave the European Union, I don’t think we intend to reinvent the wheel so therefore, a lot of the regulations are going to be the same. And it’s interesting, a trade deal should be easier to do as we leave, for the simple reason that all our rules are the same. But of course, it’s the politics of Europe, as well as the practicalities of actually leaving, which is part of the problem with getting the deal. And, of course, on chlorine chicken from America, it’s not so much, really, the chlorine, the chlorine doesn’t add to its flavour, I’m sure. But of course, it’s the fact that they are much more densely populated, their broiler chickens. So it’s an animal welfare issue, also their bio-sanctuary, their conditions on that are not as good, and then they, sort of, whack them with chlorine at the end, to make sure they’re safe to eat. I don’t think there’s any argument they’re not safe to eat, but it’s all the processes they go through to get there. And of course, our industry would be better from a welfare point of view, and from a bio-sanctuary point of view. So I think there’s quite a lot, but we’ve got to try and explain to the public, which may not be that simple.

Right then our next speaker is Sue Davies, and she’s Strategic Policy Adviser at Which? policy work on Brexit, she’s also responsible for food policy at Which?, and has presented consumer interests on a range of national and international committees. She was the Chair of the European Food Safety Authority from 12 to 16. She has been awarded an MBE in recognition of her work on food safety. So over to you, Sue.
EU food labelling regulations and the implications of Brexit
Sue Davies, Strategic Policy Adviser, Which?

Well, thank you very much, and thank you very much for the opportunity speak here today. I’m conscious that I might be covering quite a lot of issues that Peter has covered and potentially, that Steve may cover, but perhaps from a slightly different perspective.

So I just wanted, in the ten minutes, just to briefly give an overview of Which?’s wider priorities, in terms of Brexit. What we think some of the current strengths of food labelling regulations are at the moment. What the opportunities are to review and go further. Some of the challenges and operational issues that we need to address. And then draw some conclusions on what the priorities should be.

In terms of Which?’s focus, Which? has been completely neutral about leaving the EU, and it’s very important that we’re not political, as an independent organisation, and as a charity. We’ve prioritised three main areas, that we’ve been focusing on across a range of sectors. So as you can see here, it’s about maintaining and enhancing cross border consumer rights, and people’s ability to enforce them. The one, perhaps, most relevant here, upholding and enhancing the safety and standards of consumer products and of food. And then issues around affordability, and access to goods and services.

We want to make sure that we take the opportunities of Brexit to make markets work more effectively for consumers, and make sure that consumers have confidence in the products that they’re buying. And that’s, obviously, going to be absolutely critical for economic growth going forwards. One of the things that we think is absolutely essential, at all stages of the negotiations, from the discussions around the exit, the future relationship, the future regulatory regime, when we get into the trade deal side, is that the Government really understands and listens to consumers. Because potentially, we could be dealing with a lot of trade-offs, and it’s important that we really understand the consumer impact.

In terms of the strengths of the current labelling approach, as Peter has said, you know we’ve been very closely intertwined with the EU over many decades, as you will all appreciate. We’ve had a big review of food labelling regulation in recent years, with the Food Information Regulations. We think that, generally, the principles that we have for food law, through the general food law regulation, are the right approach. That’s, obviously, under review at the moment, as part of the refit exercise, but we think, generally, the way that that sets out the roles and responsibilities, and general obligations, is something that we should continue to apply at national level.

There’s a whole range of specific regulations that recognise that food labelling is important, for a whole range of reasons. So you know it’s about consumers basic right to choose, and we know that food can raise lots of different sensitivities, and it’s important whether it’s for health reasons, or whether it’s for ethical reasons, or whether it’s safety reasons, for example, that people can actually make the choices that they want, and have the information in the form that they want.

So through the EU Food Information Regulations, we had the review of a whole range of different issues. We had clarity around ingredients labelling, for example, allergen labelling, further measures around origin labelling, which campaigned for a long time for tighter controls over health and nutrition claims because we were concerned that, for many years, it was a bit of a free for all, where, as consumers became interested in healthier eating, a whole range of claims went on products, but couldn’t really be substantiated. Or, the difficulty was, you didn’t know which ones could be substantiated and which ones weren’t.

We had the regulation, which is subject to the refit exercise at the moment. But generally, we think that that is important. And Peter raised the issue about innovation, but we think you’ve got to think about it, you know consumers should be buying products, and have confidence that they can trust the claims that are made on products, so we think we should stick with the approach that we’ve got at the moment.
There’s a whole range of issues around production methods, and people’s ability to know how foods are produced. Obviously, GM labelling is a key issue. There’s requirements within the Food Information Regulations, around nanotechnologies. At EU level, obviously, we’ve got rules around organic production. So a whole range of different measures. And I think, generally, the EU approach to labelling, perhaps different to some other countries, recognises the, kind of, right to choose, and the ethical aspects, that will often underpin people’s choices, which sometimes need to be addressed through labelling.

And then as Peter mentioned, we’ve obviously got aspects, such as the protected food names, which the EU has already focused on, to some extent. We, of course, already have some flexibility at national level, to go beyond what is set out at European level. So meat products, I think is one aspect. in particular. where we’ve chosen to do that. And there are UK differences on a range of issues, so issues such as raw milk, for example, where we take a different approach in the UK and in Scotland.

So in terms of opportunities to review, I think, you know I just want to be clear that we don’t think that there’s a need for fundamental change. We think that, generally, what we’ve got serves consumer interests well. But it’s important to keep things under review, and to make sure that labelling is working for consumers, in the way that they’re shopping and buying food.

There’s some areas that I just wanted to highlight. Front of pack nutrition labelling, we do think that it’s really essential that we take the opportunity, and make sure that we have a mandatory front of pack traffic light nutrition labelling scheme. Because there are still several big companies, some of the ones that often produce the products that people think are healthy, but they’re not so healthy as they expect, that aren’t putting traffic light nutrition labelling on.

Mandatory country of origin labelling, as Peter said, some countries have started to go further. From the research that we’ve done over the years, it’s things like meat products, and dairy products, that people are most interested in, so there’s an opportunity to address that, and enable people to make more informed choices.

There’s a whole load of things that haven’t been addressed within certain legislation, like, health and nutrition claims legislation, food supplements legislation, that we need to finish off the job, where it’s got controversial, and stuck at EU level. So health and nutrition claims, we still don’t have nutrient profiles, to determine which products are healthy enough to carry the health claims. And there’s a whole load of botanicals where EFSA assessed the claims, decided that they couldn’t be substantiated, but have been put on hold. So we think that we need to sort that out, if we can.

Again, as Peter said, there’s the issue, that I think there’s been a lot of debate about, but not much progress on, which is about, is there a way that labelling can also help people make more sustainable choices, as well as making healthier choices, and how can we actually deal with that through a sensible labelling scheme. We have scope already to legislate around out of home, but we haven’t tended to do that. So as part of this, I think it’s a time to look more closely at out of home, particularly calorie labelling, for example, and make sure that we bring that in.

Obviously, there’s a massive caveat under all that I’ve just said, is that it’s still incredibly uncertain, and very difficult know what sort to relationship we’re going to have with the EU. Given the scale of trade with the EU, it, you know it’s questionable how much flexibility we may have, particularly with companies that are continuing to have to meet labelling requirements in order to sell products on the EU market.

Moving on to the Withdraw Bill, which is obviously a key issue, given the vote earlier this morning. In terms of when we’re transposing legislation into UK law, we think it’s really important that we ensure that we’ve got effective scrutiny. So the briefing that Which? has sent to MPs, is focused on three main issues; so making sure that we focus on enabling Ministers to make technical changes, but that we have effective scrutiny if we get into wider issues, or potential policy changes. And I think this is one area where, just with the Food
Information Regulations, and the amount of debate that went on around that, where things, you have to be careful not to define things as technical changes, when they can be more substantial.

Also protecting consumer rights. So at the moment, within the Charter on Fundamental Rights, but also within the EU Treaty, there’s some overarching rights that I think we take for granted, and which are repeated within specific pieces of legislation. But we need to hold on to those, and have those... make sure that those are still at a cross-cutting level. So the right to a high level of human health protection. The right to a high level of consumer protection, and of course, the precautionary principle. And we think that it’s important that there is a high level of engagement, across all stakeholders, and full consultation, as we look to bring this legislation into the UK, where it doesn’t exist already.

I think there’s several challenges and operational issues, that we need to address. And again, it’s very difficult until we have a clearer sense of what our relationship is going to be with the EU. From some of the papers that have come out so far, like the Data Sharing Paper, where the Government has suggested that the Information Commissioner’s Office would still be involved in regulatory discussions at European level. There’s some assumptions made that there still can be a high level of cooperation but obviously, that’s not clear at this stage.

I think, one thing that it will mean is that, we need to have enhanced capacity, and technical expertise at national level. Obviously, EFSA does a whole range of functions relevant to labelling, including the assessment of health and nutrition claims, so we need to decide how much we stay linked into that. And given the way we trade with the EU, I think it’s going to be important that we still continue to have cooperation.

The EU refit is ongoing, and unlikely to be resolved before we leave the EU, so there’s issues about how we then adapt beyond that. It doesn’t appear, at this stage, as though that’s going to mean fundamental changes, but obviously EU legislation will be evolving, and so how do we continue to influence that, if we’re going to have to apply it.

And then I think, there’s a whole range of issues around the, kind of, authenticity side, the fraud side, around cooperation and intelligence networks, such as Food Fraud. And Codex and international standards, and our engagement, are going to become more important.

I just wanted to highlight that, I think enforcement is particularly key. This is something that we’re concerned about a whole range of areas. So consumer product safety, food safety, but also in this area, where, again, it’s difficult to tell what some of the challenges are likely to be, or some of the opportunities, but we are likely to be in a more complex trading environment. We’re already seeing that food prices are going up, so need to think about whether or not that’s going to introduce new risks and the capacity in terms of national enforcement, but also border controls, and the kind of checks that already go on in third countries at the moment.

So just to conclude, I think there’s many strengths to the current approach. We need to take the opportunities to review them. We need to make sure that that’s driven by an understanding of consumer needs and attitudes. We need to make sure that we don’t have any undermining of standards, particularly if we start to get into negotiations around trade deals with countries that have quite different approaches to consumer information, and to types of products that are allowed on the market.

It’s absolutely fundamental that people can trust labels, and so we think we really ned to think about the enforcement regime, and the resources that are needed for that going forward, which I’m conscious the FSA and the FSS are starting to do, but I think that’s going to be a real challenge.

So thank you very much.
Neil Parish MP: Thank you Sue very much, thank you. And you make an interesting point about the Repeal Bill, is because it’s very keen to make sure that Ministers can act and change rules, but there does need to be scrutiny of what they do. We do have a very powerful executive in our governing system in Westminster and I think they are inclined to want to be even more powerful, so as Chair of a Select Committee and technically a sort of back bencher you do actually like to hold them to account as well. So it’s going to be fascinating. And of course you also talk about the single market and the fact that many nutritional companies in this country naturally trade across Europe and will continue to do so, so most of the rules will be the same, so the whole thing is interesting, shall we say. So thank you very much for that contribution.

Now I move on to Stephen Pugh, Stephen was Head of the Food Labelling team in the Department of Environment, Food and Rural Affairs until March 2016. He was representative of the UK during negotiations on the EU Regulation on the Provisions of Food Information to the Consumer. He has worked on the field of food labelling for UK Government since 2008, so over to you Stephen.
EU food labelling regulations and the implications of Brexit
Stephen Pugh, EU Food Labelling Specialists

Thank you very much Neil, and I have to say it’s nice to be in front of so many familiar and welcoming faces and I hope I get to chat to you throughout the morning.

I’m not going to actually repeat what Peter and Sue have said, but I will make a couple of points that I think are quite pertinent.

For those of you who were concerned that the EU regulation changed food labelling considerably, I suggest you look at the food labelling act prior to 1975 and look for the similarities between the regulations that we have now and those back before we joined the EU, they are remarkably similar and we did remarkably well in the negotiations.

There are a couple of changes, the minimum font size, nutrition labelling and front of pack labelling, but I think they reflect the importance these issues have for the modern consumer, and of course back in 1975 it was difficult to find a large supermarket, so the whole retail environment was very different.

That’s all I’m going to say, I think it’s important that we have consistency and we have similar regulations between ourselves and Europe, they are, at least for packaged food, one of our major trading partners. It would be a real barrier to trade if we started to introduce some of these technical issues that stop people importing into the UK, or ourselves exporting into Europe, and I think in that way it’s very important that we are actively involved with our European colleagues.

But also I would like to focus on the now and what’s happening at the moment, because we are still members of the EU, we do not leave until March 2019, according to the letter sent by Theresa May earlier this year, and so we still are governed by EU rules and we have to make sure that there’s a consistency of approach between ourselves and the EU.

And it’s at this point I’m going to make a little plug for my new career, because one of the things I do is tutor on a scheme called Better Training, Safer Food, and the point of this scheme is to get enforcement officers across Europe to talk to each other and to try and enforce EU rules in a consistent way, and we are very bad in the UK of attending these meetings. I’m not looking at any enforcement officers in particular. So, my push is to try and get enforcement officers to go and talk to our European colleagues and build up a network of contacts within the EU so they can see what’s happened, they get some intelligence of the issues that are being discussed in Europe. The Dutch, for example have a huge concern about supplements and especially about supplements coming from America where they haven’t had the rigorous safety evaluation that we expect in the UK. And it’s this sort of information that just generally helps, and I can never understand why enforcement officers don’t go and have a free week in Athens in the nice time in the spring, or a week in Madrid or Valencia. I have no idea why it’s not taken up, but I think it maybe an unwillingness of local authorities to invest in training. This is a false economy. Consistency is important and building networks with European colleagues may reap benefits. And remember it’s completely free, you don’t pay for anything. So please enforcement officers take full advantage of this, we are very bad at attending these meetings. And I have to say the quality of the tutoring is absolutely excellent.

And the last bit of my talk that I want to highlight is a personal experience I had last week as I attended a sugar summit at the European Parliament run by, I call them a firm but they are more of a lobbying organisation, called Sugarwise, and the idea of Sugarwise was that they gave you a stamp to put on your labelling if your product was free from added sugar, and that sounds like quite a simple task, you know look on the label, is there added sugar, no it isn’t simple. When you see all the things that have now taken the place of sugar, inverted corn syrup, hydrolysed corn syrup, fructose, maltose, the list is extremely long. I was reading the FDA guidance on added sugar and you wouldn’t believe how long and tortuous it was, there are so many ingredients that have taken the place of added sugar. So this company have a voluntary scheme that you can
join that certifies your foods, and I think they do it on a factory basis rather than individual basis as being free from added sugar, or to be honest less than 5% added sugar, so that if you don’t want to consume added sugar you get this stamp, excellent.

This is a sort of private individual scheme for labelling that the UK does so well, and this is, I think, our area where we should be pushing for additional labelling, but not mandatory labelling, people joining voluntary schemes. We already have some on Fair Trade, and I see somebody in front of me from Farms Not Factories, again a voluntary scheme around that area. Voluntary schemes about not using antibiotics in the production of food Have been proposed - an area that’s fraught with difficulties about animal welfare etc. Do you stop giving antibiotics to animals that are ill to cure them because you’ve got this label on your food and you don’t want to lose your certification? So it’s crying out for somebody to write a set of instructions that enables people who are very keen on not using antibiotics as growth promoters to develop a scheme for labelling so that consumers can make a choice. And if they’re successful, you bet your bottom dollar that the legislator will grab hold of it as a piece of good PR and develop some legislation around it, and it’s an opportunity to try and highlight to the legislator where these schemes are important.

So I guess this is a little plug for people to follow what we do on traffic light schemes, which I think is excellent, you just have to spend 5 minutes looking at the background of it and you will see how good it is. It’s been with us since 1988, which I found to be quite a shock as I discussed it with some ex MAFF colleagues last month.

So again areas where we can make a difference post-Brexit, which will not affect the legislation, which will not affect how people export their food, but will have a positive lead on, not just ourselves but also hopefully with our colleagues in Europe.

And I will try not to go over time Neil.

Thank you very much.
EU food labelling regulations and the implications of Brexit
Questions and comments from the floor

Neil Parish MP: Thank you Stephen very much. Thank you. You brought in some very interesting points. I mean, I think on sugar, it’s an interesting one because you know I mean, I’m a simple soul, and sometimes I think, you know we try to replace sugar with something, that we have to be absolutely careful that it is, actually not any worse for us than the sugar that was in there in the first place. And I think, you know it’s making sure that we’re not too clever, sometimes, in the way we put our formulas together. And also on antibiotics, I think, you know we are reducing the amount of antibiotics vastly that we use now especially in the poultry and pig industry, but you’ve also got to have a balance between that and welfare. And these things are also very often, trade-offs, and they’re not quite so simple as they first seem. So that was an interesting contribution, thank you very much.

Right, I’m going to open up now to questions. So we’ve got some mikes here, I think, haven’t we, somewhere? Right, there we are, in the doorway. So who’s going to be the first brave person to put up their hand? You’re all very shy this morning. Yes, there’s one back there, and then there’s one here in the front. I’ll take three questions at a time.

Bruce Beveridge: Chief Executive of the British Society of Animal Science. Really taking themes covered by all three speakers. We’ve heard of the potential for releasing further innovation. We’ve heard of the potential for private schemes. And the opportunities appear to be, most certainly, in welfare, human welfare from food standards. But also potentially, in commercial opportunity as well. How do we, actually leverage the balance between maintaining the quality of what we want to have through trade arrangements, everybody has acknowledged it’s very important. Whilst allowing us to reap the benefit of, perhaps, advanced labelling, regional identification, and our own quality schemes because I think that balance is very important. How do you go about delivering it?

Neil Parish MP: Right, okay. Thank you very much. Question here, please, lady with the microphone.

Liz O’Neill: I’m the Director of campaign group, GM Freeze. I’m wondering what Peter knows that I don’t, when he says that the US are coming round to GM labelling. Because from where we’re standing, both Federal Government and industry are fighting anything that looks like meaningful labelling for consumers very, very hard, and with huge amounts of money.

Neil Parish MP: Right. And one more question here somewhere, I think, wasn’t it? Yes, gentleman here, please.

Alistair Kenneil: Farms Not Factories. We advocate for better information for consumers, about methods of production. Methods of production, rather than methods of origin.
And I think there’s just a quick comment about the relationship between antibiotics and welfare. Of course, animals that are sick must be treated, but the problem is that, most antibiotics in… are used in intensive conditions, to compensate for those conditions because of the ill health suffered by animals when they’re overcrowded, and also because of the increased risk of diseases spreading in indoor intensive systems, particularly pigs and chickens. And then strangely enough, and counterintuitively, in America there’s a better system, which is the labelling of antibiotic free meat. And how they deal with this is that if a, in an otherwise antibiotic free environment, an animal is sick and has to be treated, then it is not offered to consumers as antibiotic free. And this would encourage the protocol of only treating animals who are already sick, and not mass treating animals in case they get sick, which is the case in Britain, and all over Europe, and certainly in America. And one more correction, in Europe farmers are not allowed to use antibiotics for growth promotion, so they can’t use sub therapeutic doses of antibiotics just because it makes the animals grow. But they are allowed to routinely, preventatively, prophylactically, dose routinely entire herds of indoor animals.

Neil Parish MP: Can you… This is not… You know it’s not a speech, it’s a question.

Alistair Kenneil: Sorry, I just wanted to correct that misapprehension from the panel.

Neil Parish MP: Right. Thank you very much. Right, I’ll put the middle question first because that was directed directly at Peter, on GM labelling. So if you’d like to answer that one, and then we’ll go onto quality versus regional, and then we’ll talk about the antibiotics and things, and then labelling of that in meat production. So Peter, over to you, first of all.

Peter Rixon: Yes. I was just wondering whether it was wishful thinking then on my part. But there’s a fight in the US because there’s two sides, obviously. And unfortunately, I don’t have my colleagues from our sister publication, US Food Policy, but as I understood the pro-GM labelling side was making some progress. And I suppose, I put that in the presentation because by the time a US Trade Deal comes about, which is, you know a few years’ time, I guess, we could be in a very different situation with labelling. The fight, I know has been going on for years, but I mean, that tells me that there’s either going to be a compromise struck, or the GM labelling will be finally introduced.

Neil Parish MP: Right. And then Sue, can I open you up on the first question, which is, sort of, quality and science, versus regional… not, actually versus regional labelling, but how do we, sort of… and regional food, how do we balance those from a, sort of, consumer point of view.

Sue Davies: Well, I think it, sort of, brings me back to, we really need to take the opportunity that we’ve got, to try and have a more joined up food policy, in general. I mean, I think, one of the things that will, obviously, be an opportunity from leaving the EU, is that we can come out to the Common Agricultural Policy, we can redesign the type of policy that we want, and how we incentivise different types
of food production. I think, at the moment, well, at EU level, but at UK level, these kind of quite mixed messages, in that, you know I sit on the Agri Food Technology Council, at the moment, which is, obviously, very focused on boosting production, and making the most of innovation. There’s a lot of separate discussions that go on, about Obesity Policy, we’ve got, you know separate environment plan. And I think, however much... We’ve got all the work the Food Standards Agency does. So we talk about food in quite different ways, and we haven’t really go a coherent view of what we actually want food production to look like, and what the priorities should be. And obviously, from Which?’s point of view, we think that has to be based on what consumers want.

I think, generally, we feel that on many levels, we’ve got quite a good balance, in that we encourage more local and quality production, and there’s been, you know a drive towards that. I think it’s absolutely crucial that, as we look to trade agreements, we focus on what real benefit it’s going to bring for consumers, but make sure that, you know it’s not a race to the bottom, and that we’re not undermining standards. And I think, a really interesting issue is, there’s a tendency to think, well, you can label products, and people can make their own choices. But I think, with a lot of things, whether it’s antibiotic growth promoters, or whether its hormones, or whether it’s the chlorine treated chickens, that have become such a focus, you know a lot of people, I think, just think, we don’t need those within our food system. So I think we have to, sort of go back to what the overall objectives are.

Neil Parish MP:

Right, thank you. And Stephen, if you’d like to, sort of, do the two questions together, and then if Peter wants to make a comment, and then we’ll move on to a few more questions.

Stephen Pugh:

Thank you. Particularly on the regional labelling, there’s nothing to stop you, in fact, freedom of information allows for voluntary labels with the proviso of course, that they’re correct. And we had a case, not long ago, about somebody who bred their pigs in Suffolk, and then sold them as Norfolk pigs, but they were only about ten yards, away from the border. So I thought it was a bit much. But as long as they’re true... as long as it’s correct, you can put voluntary labelling, and you can put voluntary designations of origin, as long as it follows the rules for origin declaration that are in the Food Information Regulation, or in the Beef Labelling Regulations, or anything else that covers origin, fish labelling comes to mind.

And it’s the same with the antibiotics, and I think, some of these labelling issues; is that you need to make sure that there’s consumer interest, and it’s not just your own personal crusade. So that’s the advantage of taking part in some private scheme. Then also you find somebody like Red Tractor cover it anyways, so maybe there’s no need for it.

Neil Parish MP:

Right, okay. Peter, any other comments? No. I would just say, on the antibiotics is, what we find in the industry is they’re actually reducing the amount they use. I also think it’s no good to just target
the production that is intense because people will also want a choice, when it comes to the price they pay as well. And so it’s making sure that we have a good system in this country, that’s probably as good and hopefully, better than anywhere else, as far as welfare is concerned. And Ministers are very much aware of that, and so I think, sometimes, the industry is not very hard on antibiotics, it’s actually reducing the amount it’s using. I’m not saying they can’t go further, but I think sometimes it’s not unduly. Right, I would like to have three more questions, and then we’ll move onto the next panel. So there’s a hand gone up over here, please.

Bob Salmon:

From Food Solutions.
Peter said, earlier, that food labelling is the responsibility of Defra. Firstly, is that actually true because the Food Standards Agency believe that they have responsibility, the Department of Health, believe that they have responsibilities. These, all three, and a few others as well, put out advice, and it’s very confusing to small businesses because they’re confused, the advice is conflicting. And the Commission tell me that, in future, Europe will only trade with a country which has one food authority.

Neil Parish MP:

Right. That’s a very interesting question. Is there any more questions, or are you running out? Yes, question at the back there, by the door, please, on the left as I’m facing you.

Bronwen Reinhardt:

From Compassion in World Farming.
I’m wanting to understand that there is existing a labelling scheme, that’s actually proved successful on method of production, which labels the X, 0, 1, 2, 3, 0 being organic, three being caged. Why has this not been extended before? And what is the opinion about extending this to meat and dairy? Because this gives the consumer choices, it stops misleading information, it stops fake farms, it stops many, many things, and I’d just like to hear your opinion on that please, Stephen?

Neil Parish MP:

Right, okay, any last question? Right, we’ll deal with those two questions. So first of all, food solution, who is answerable for food labelling, is it Defra, is if the FSA, is it the Department of Health, is it all three? Peter, you were targeted again, so you can start off with that one.

Peter Rixon:

It sounds like it’s all three, but I suppose my point with that slide was to say that people will carry on doing their jobs as usual, when the UK leaves the EU. But if anything is going to change over time, it’s the capacity of those departments to do their jobs. Anybody from...

Neil Parish MP:

Yes, you can come in. Just before you do, I think we had before, the Select Committee, we had the new Chair of the Food Standards Agency, and we did it jointly with the Health Committee. Because although it’s, sort of, answerable to health, the FSA, a lot that it deals with is down to Defra. And, of course, when it comes to Government, and Government Departments, sort of, crossing over, that can also be interesting. And so the FSA is an interesting beast really, so perhaps you’d like to step in a bit more, Stephen.
Stephen Pugh: Thank you very much for that. It’s quite easy really. The overall overarching Food Information Regulation, is a Defra responsibility, as far as negotiations go. But of course, for health labelling, traffic lights, nutrition labelling, that would come under the responsibility of the DH. Everything that takes part under food labelling in Scotland comes under Food Standards Scotland. The big difference is that, the department responsible for enforcement is the Food Standards Agency, the department that's responsible for labelling policy is Defra and DH, and FSS, and the other departments in Wales and Northern Ireland of course.

Neil Parish MP: And it all works seamlessly together, doesn’t it?

Stephen Pugh: Well...

Neil Parish MP: It’s a loaded question that.

Stephen Pugh: Well, we had a coordinating groups between all the different departments with an interest in food labelling. And at its height, we had 19 different departments all attending the meeting, and it worked seamlessly, everybody knew what everybody was doing. So yes, it does.

Neil Parish MP: I’ll believe you.

Stephen Pugh: We mustn’t forget...

Neil Parish MP: I’ll believe you, I’ll be very generous this morning, right.

Stephen Pugh: We mustn’t forget, of course, BDRO part of the Department for Business, Energy & Industrial Strategy, who do weights and measures.

Neil Parish MP: Yes. And also they need to be highly involved. Now Sue, you can talk to the first question, but I’d bring you in particularly on the comparison with egg labelling, could that be introduced for meat and dairy?

Sue Davies: I think it’s an interesting idea. I think it’s something that we haven’t actually asked people about. When we have done consumer research, asking people about labelling and welfare standards, I think people are often quite confused, and quite surprised at what they thought was a higher standard of welfare. So in the case of, when we showed people the stocking densities for free range, organic, and standard chicken production, people were quite surprised because they thought that it was a lot better than it actually was. So I think it’s an area that is worth exploring with people, but I think you have to be careful not to make it too complicated, and learn some of the lessons, obviously, with the traffic light labelling, which, I know is a completely different thing, but where there’s, you know making it as simple and easy for people to understand as possible, is really crucial. Yes, and I think, on the responsibilities side, I mean, I think, you know the key thing is to make sure that it is clear who is responsible, and
that there are effective coordination arrangements in place. And you’ve got a clear link between the enforcement side and the policy side as well, so that they’re working hand in hand. And there are, obviously, a lot of issues with horse meat, that came to light in relation to that, which have been addressed to some extent.

Neil Parish MP: Right, well, thank you. Yes, Stephen, very, very quickly.

Stephen Pugh: Very quickly on the method of production labelling. Obviously, for eggs, it’s a fantastic system, and it’s been going for several years. And there’s a push now to get things like grass fed cattle. I think these are great ideas, and we need to start off with the private schemes, which is what the egg laying scheme is, of course, originally. So I think that’s important, let’s start off at ground level, let’s get it going, and let’s see if there’s a need for it. Because there’s already Red Tractor, there’s already organic labelling, so...

Neil Parish MP: They’ve got to be recognisable, and they’ve got to be policed, and that’s the key to all these private labelling systems, and assurance schemes. Right, well, thank you very much to the panel, Peter, Sue and Stephen, and thank you very much for coming this morning. We will now have the next panel, and thank you very much. Thank you.

Right well we will move straight on to our next panel. The first speaker is Duncan Stephenson, he’s Director of External Affairs for the Royal Society for Public Health. Duncan is a Director of its External Affairs, Duncan has the responsibility of developing the organisation’s voice on public health issues. Duncan has been behind many of the RSPH’s new policies including campaigning for alcohol calorie labelling, creating outdoor smoking exclusion zones, Health on the High Street and a national campaign to make high streets more healthy, more health promoting, and more recently drug policy reform and calls for the introduction of activity equivalence calorie food labelling and drink. I think we will stop it there, so over to you Duncan.
Priorities for front-of-pack nutritional information - new approaches, consumer choices and the future regulatory framework

Duncan Stephenson, Director of External Affairs, Royal Society for Public Health

Good Morning everyone.

I'm here to flog you an idea, activity equivalence calorie labelling.

Before I begin, just a bit about us, we're the Royal Society for Public Health. We're an independent public health body. Our vision is for everybody to be able to optimise their health and well-being.

In terms of the public's health, the biggest challenge we’re facing currently is obesity and Simon Stevens described it as the new smoking. Last year, we reimagined Hogarth's famous cartoon, Gin Lane to reflect the public health challenge of our time, which is namely the obesogenic environment that we're living in.

So, it’s clearly a key issue and we know that obesity has many causes, there's no magic bullet, and as well as the obesogenic environment, the social determinants, we also have genetic well-being factors that are at play as well. And then in terms of today's discussion around nutrition labelling, that feeds very much into personal behaviour and individual choice.

Probably the most recent policy pronouncement on obesity was the Childhood Obesity Plan, published last year. Before we saw that from the Government, we actually developed our own childhood obesity strategy written by young people. And it was actually probably more comprehensive than the one the Government did. We put it out on Brexit day as well, the day of the vote.

And it’s interesting because labelling did crop up quite a bit from young people. They're quite a cynical bunch actually, and they did have some quite radical and creative ideas should I say. There’s some statistics there. They'd like nutritional information presented for young people, they would like it per serving and per portion size, and they even suggested teaspoons of sugar or sugar cubes on soft drinks to show how much sugar is actually in there. Probably a bit too radical for us is they thought that foods in high fat and salt and sugar should be in plain packaging. So, I’m sure that will go down like a lead balloon.

So, we know that the evidence around food labelling... we know that in the UK we probably go above and beyond what happens in the rest of the EU, which is good, but we do also know that the evidence out there for the impact of nutrition labelling, front of pack labelling, the evidence is fairly limited and we need further research to better understand that. We know that some retailers have done some research into this, but we're not sure whether it's the nutrition labelling or purchase pricing that's at play in terms of influencing purchasing decisions. We know that the females and the more health conscious are more likely to make use of food labels.

But we are bamboozled by, kind of, presented with a raft of different types of information, and we have six seconds to make a purchasing decision. So, simplicity and consistency is absolutely key. And particularly for those from lower socio-economic groups who aren't as literate and those who are nutritionally illiterate, for example two thirds of the public underestimate or don't actually know how many calories they need to maintain a healthy weight, or they don't know the calorie content of some basic foodstuffs. We know, however that the public do look at calorie information above everything else, consistently depending on the foodstuff that they're looking at. Sugar is also important but calories are important too.

And this is not necessarily accurate, but 3,500 calories equal to a pound of body fat. We know it's not technically correct, but it's a good rule of thumb. And that's why we happened upon the idea of Activity Equivalence Calorie Labelling. We know that you can't outrun a bad diet, but we know also that if you... the more active you are, the more calories you need and vice versa is true.

We suggested this last year, we launched our campaign, which is a simple pictorial icon of how much activity you do, whether it's running, walking, swimming to burn the calories in basic food items. We know it's not a perfect solution. We know there may be limitations or concerns, we got that when we put it out. We know
for example that it might be slightly dispiriting because the biscuit I just ate has about 100 calories and I'd have to walk 25 flights of stairs to burn the calories off. We also know that the quality of calories, the nutrition quality varies. We also know that there's some concerns about this leading to a disordered relationship with food and exercise. But the problem is we don't have an ideal world at the moment either. Two thirds of us are overweight or obese.

There is some emerging evidence out there, so there's some evidence in the States and there's some evidence from Austria, which shows that using physical activity calorie labelling does increase likelihood of choosing healthier options and reduce the likelihood of choosing unhealthy options.

As a public health body, what we often do is test our ideas out with the public. So, this is what the public think.

[Video playing]

I have to run for 19 minutes or cycle for 23 minutes.

I really hate running so...

I think, yes, I will think twice about buying crisps if I have to run 19 minutes just to burn the calories I eat from there.

I have to say that was 100% [Transcript gap] about buying crisps because I hate running and it would definitely make me think twice. When I start running 5 minutes is suddenly hellish, the fact that I would have to do that for a continual 15 minutes definitely makes me think twice before having a packet again.

I think having these mini icons so suggesting what you’d need to brush off after eating eat will make me think twice about eating some crisps. I’d either consider working out those 19 minutes or not eating crisps at all, so I think it’s a good idea.

Exercise if I wanted to exercise, but I think I’d still have crisps if I wanted them. It does make me think twice though, I’m not sure.

Personally I would definitely think a little more about what I eat if they have that on there, it would really affect me think twice about snacking and stuff like that.

[Video ends]

Great, so that’s it thanks. Food labelling for thought.

Thank you.

Duncan Stephenson’s PowerPoint presentation can be downloaded form the following link: http://www.westminsterforumprojects.co.uk/forums/slides/Duncan_Stephenson_Sep17.pdf

Neil Parish, MP: Thank you very much, that’s an interesting thing isn’t it, to put that on the label and think right, now we've got to do a run for 19 minutes because we eaten a packet of crisps. It might well make me think twice about the packet of crisps.

Right, Elspeth now, Elspeth Macdonald, Deputy Chief Executive of the Food Standards Scotland. So, Elspeth has been Deputy Chief Executive for Food Standards Scotland since it was created in 2015 and is part of FSS’ Senior Management team, she leads on policy. Elspeth joined the Food Standards Agency in Scotland in April 2001 having previously worked in the Scottish Government’s Marine Laboratory in Aberdeen. So, Elspeth, over to you.
Priorities for front-of-pack nutritional information - new approaches, consumer choices and the future regulatory framework
Elspeth Macdonald, Deputy Chief Executive, Food Standards Scotland

Thank you.

Food Standards Scotland was indeed created in April 2015, and we took over the functions that were previously carried out by the FSA in Scotland before that. And as part of the Act that created us, the Food Scotland Act gave us a statutory duty to improve the extent to which the Scottish population have diets conducive to good health, so that’s quite a big challenge.

It’s no secret that we have an obesity problem in Scotland, and with two out of three of us are overweight or obese and 28% of children are also overweight or obese. And we know that being overweight or obese increases the risk of certain illnesses including thirteen different types of cancers, type 2 diabetes, stroke, high blood pressure and coronary heart disease.

Obesity rates in Scotland have levelled, but set against the backdrop of an ageing population and evidence of lack of progress towards the dietary improvements that we think are necessary, we can expect to see levels increase. And this is unsustainable for Scotland, due to increased demands for NHS resources and due to the loss of earnings and revenue from people being unfit to work.

In particular, we published a situation report in December 2015 and that made the case for reducing the consumption of what we called discretionary food and drinks, to make significant measurable improvements to diet and health. And we defined discretionary food and drinks as those that are high in calories and low in nutritional value, and currently account for around 20% of the calories that we eat.

So, it's clear, and Duncan has also alluded to this, there is not one single simple solution to improve diet. And there’s a need for collective action, from consumers, from industry, from Government, and from others to address the problem if Scotland is to realise the vision of a healthier, more prosperous nation.

In January 2016, Food Standards Scotland recommenced a suite of areas for action, targeted at changing both the food and drink environment and also consumer behaviour. And these include a range of actions outlined here, which we consider are needed to make positive progress towards the Scottish dietary goals. And the voluntary front-of-pack nutritional labelling initiative seeks to help consumers make healthier choices and is one tool in this package of actions that we believe can help improve our deep-rooted poor diet in Scotland.

Its main role is in empowering consumers, however it does address some of the other actions outlined here, in terms of it plays a role in driving reformulation and also in decreasing portion size. So, the UK front-of-pack nutrition labelling scheme, provides an at-a-glance summary of nutrition information for consumers, and the Food Standards Agency first recommended front-of-pack in 2007 as a voluntary principles-based approach, and by 2010 around 80% of products in the UK contained some form of front-of-pack label. However, many retailers and manufactures had developed their own versions of the label, and there was little consistency. Different formats were used, different colours, different criteria, and these are outlined there in terms of what we saw before 2013 and what we've seen since then.

Research has indicated that this multiplicity of approaches was confusing for consumers, and it also showed that consistency and wide use was key to people being able to use the information. So, the current scheme that was recommended in 2013 is the result of an extensive development process with all four Governments across the UK, working together with industry, stakeholders and with consumer organisations. And the scheme was developed to provide greater clarity and consistency and it’s designed to present key nutritional information to consumers in a format that immediately conveys the essential information needed to make informed choices. It has consistently been shown to be the format that UK consumers like best and are best able to use.
A number of speakers in the earlier session spoke about the EU Regulation on Provision of Food Information to Consumers, and that Regulation indeed provides the basis for this scheme. The EU Commission, during negotiation of that Regulation, was keen on having mandatory front-of-pack labelling information. However, the negotiations ended up in mandatory back-of-pack nutrition information for most pre-packed foods, with scope to voluntarily repeat key pieces of information elsewhere on the pack. And that requirement for mandatory back-of-pack nutrition information for most pre-packed foods, came into effect in December last year.

So, by including that mandatory nutritional information, the Food Information to Consumers Regulation, provides a platform for giving more information to consumers, and sets out conditions on how additional and voluntary nutrition information might be presented.

So, provided that this mandatory nutrition information is present, certain elements may be repeated on the front of the pack alongside a percentage of reference intakes. And additional forms of expression are also permitted subject to meeting certain requirements, and the UK has recommended colour-coding and the optional use of the words 'High', 'Medium', and 'Low' as additional forms of expression. And as I've said the UK scheme is based on the best available evidence and extensive consultation with the food industry and with the public.

In terms of what's happening in Scotland, well there have been challenges to the UK scheme in Europe, but Food Standards Scotland and Scottish Ministers continue to support the UK scheme and recognise the key role that it has to play in helping consumers make informed decisions to enable a healthy, balanced diet. The scheme was developed jointly across the UK in partnership with industry and other stakeholders, following public consultation, and was based on several years' worth of robust research. So, we want to continue to work in this partnership basis as long as this helps consumers in Scotland make healthier choices.

Disappointingly we are starting to see a wider variety of labels on our supermarket shelves again, and whether this is due to labelling changes, or new products being introduced is perhaps hard to ascertain. I don't know how well you can see these images here, but just to give an example of a monochrome label, and another label that uses a rather different colour scheme now to the one that is recommended in the UK Scheme. And these don't go unnoticed by the public. We do get queries from consumers who come to us and say they've seen other schemes and they're perhaps harder to understand.

In terms of developments in Europe, we know that there are plans to develop a front-of-pack labelling scheme in France, that also has run into some opposition in Europe, so that's on hold pending further discussions, and we're aware that also six major food companies are working to develop their own scheme, and evolved colour scheme based on portion size, rather than on per 100 grams.

So, in terms of future approach in Scotland, changing the food and drink environment in which consumers make their food choices, including where consumers buy and what they eat out of home, we believe are essential steps to improving the Scottish diet. We need to be bold, ambitious and innovative, and need to consider all the options including regulatory approaches where they might be appropriate, as experience has shown that insufficient progress is being made with current voluntary measures across the wide-range of actions.

The UK Government's Childhood Obesity Plan will bring about some of the changes we've recommended, for example sugar reduction as a result of the Soft Drink Industry Levy, and plans for calorie reduction. And we welcome these, but it's still our view that they don't go far enough.

They're... I'm getting my red card so I'll have to wrap up.
FSS seeks to achieve a broader scope of actions to benefit the whole population in Scotland and our work will include engaging across a wide-spectrum of interests to build consensus and support to address the current situation in Scotland and working with partners including the food and drink industry.

And we consider that an evidence-based, consistent, colour coded, front-of-pack scheme will continue to play an important role of this multi-faceted approach.

Thank you.

Neil Parish MP:

Thank you Elspeth, thank you very much for outlining the situation in Scotland, that labelling needs to be recognisable, and of course it’s also a balance between what do we need to be mandatory and what do we need to be voluntary, and that’s always a conundrum for Government.

Right now then we move on to Giles Quick now, Director, Usage, Kantar Worldpanel. 30 years in food and drink research, professionally responsible for the Worldpanel Consumption Service covering food, drink and personal care and also health and nutritional tracking. Past Member of Expert Panel for the House of Commons All-Party Parliamentary Foods Group reviewing food inflation and the consumer response. So over to you Giles.
Priorities for front-of-pack nutritional information - new approaches, consumer choices and the future regulatory framework

Giles Quick, Director, Usage, Kantar Worldpanel

Thank you Neil.

I feel a bit like an imposter in a room full of knowledgeable, august and well qualified people and I’m none of those things.

What I have done is spent my career understanding consumers, understanding consumers’ purchasing and consumption behaviour, and I want to start with some context, some of which has already been covered, so I will be brief.

There’s no question that we have an obesity crisis which in turn is partly responsible for the level of diabetes in the country. There are also some social and societal contextual pieces of information that are important, again some of which have been referred to. We make our choices at the supermarket shelves incredibly quickly, seconds not minutes, typically between about 9 and 50 seconds to choose a product, so whatever front of pack labelling is, it needs to make an immediate impact.

The average time to prepare and cook our main meal of the day has declined over the past 20 years from 60 minutes to 34 minutes, so our time engagement with food is declining.

We talk about the dominance and the concentration of trade in the UK grocery market, and that’s true, but the average shopper is shopping across four facias, so four distinct brands of supermarket in a typical four weekly period. So whatever front of pack labelling we have needs to be consistent because consumers are exposed to lots of different outlets regularly.

So that’s just some context. What I want to do is share very quickly with you some research that we undertook for DH, so with thanks to DH for allowing us to share that with you. It’s quite simple, it’s looking at consumer research, it’s both claimed behaviour and engagement with front of pack labelling, and also the trick and the value add really of this research, is that we can connect it to their purchasing behaviour, and in particular their nutritional purchasing behaviour, so we can see the impact that it has on purchasing behaviour.

So to begin with, claimed engagement, claimed reading, claimed use of front of pack labelling, there’s a hard core of consumers who claim they regularly interact with front of pack food labelling, about one fifth of the population, but broadly speaking about 80% of the population claim that they reasonably frequently use front of pack food labelling to guide their food choices. So it has pretty significant uptake.

As you would expect, and whether this is cart, horse, chicken or egg, I’m not quite sure, but maybe it’s self-evident, but those that engage most highly with front of pack food labelling tend to have more positive nutritional profiles, so their shopping behaviour is nutritionally more balanced, so the benchmarking here is against per head of population. What is also true and what is also important to outline is that typically, if we are looking at take home food and drink, so food and drink that I’m buying from the major malts and taking home to consume, typically of the macro nutrients that are less desirable, like saturated fats and so on, we are buying a third too much, and that’s excluding the whole food service sector. So we are buying a third too much. So clearly change is needed, but the benchmarking here is against per head of population.

So if I engage with front of pack food labelling my purchasing behaviour is likely to be nutritionally more advantageous.

There are two key moments of choice where nutritional labelling comes into play. The first moment, but helpfully the second, I’ve got them backwards, the first moment is at the point of purchase, the second moment of interaction is at the point of consumption, and both are important, and actually consumers tell us that at the point of consumption it has a greater influence on dietary behaviour rather than simply on the
point of purchase. So there are two points of consideration to be made, so you can see the differences there, a 20 point difference, point of purchase versus point of consumption.

If those that engage with front of pack food labelling have a more positive nutritional purchasing behaviour, then of course that don’t engage have less positive, here’s the picture for the less positive. I think probably the consumer group that is most important is this consumer group, in fact the 20% of the population who say, frankly don’t give a damn about front of pack food labelling and they don’t engage with it whatsoever; tending to be lower income groups, tending to rely on high fat, salt, sugar foods, tending to rely more on promoted foods. How we engage with a group of population that don’t want to be engaged with I think at least partly to the heart of the matter.

Penultimate slide, we asked which elements of front of pack food labelling are read most regularly and have a greater impact on your food choices. The number of calories in the food tops the list, quite often, particularly to maybe the less engaged with, the topic calories are a shorthand for good health, so the number of calories most engagement. Secondly traffic light style colour coding, I know it’s quite controversial and arguably simplistic, frankly from a consumer angle simplicity works, arguably you need to simplify it even more, front of pack food labelling, bearing in mind that very short window of opportunity you have, short window of engagement. And then a tail where the minority of consumers are engaged, percentage reference intake, portion size and so on.

So my final slide, just three observations.

First of all front of pack food labelling does receive endorsement and engagement from consumers, about 80% of the population appear to engage with front of pack food labelling.

Simplicity works best, I would urge the audience, I would urge Government, I would urge retailers and manufacturers not to let political correctness stand in the way of simplicity and driving change. Change is very hard to drive in this market, in an average supermarket there are 30,000 skewers available, as a shopper I avail myself of 300 in a year, 300, 1% of what’s available. My purchasing behaviour is highly predictable and highly habitual, so trying to interrupt that at the point of purchase is difficult, change is hard to drive.

And my final point is think about those two points of consumer interaction, not only when I buy, but when I consume.

Thank you.

Neil Parish MP:

Thank you very much Giles. Interesting point you make, we are very much creatures of habit as well. Also it’s interesting too though the way we engage, try to get and engage more consumers in actually looking at what they’re eating, what they’re buying, because you can take so many of the population to... those horses to the water and they drink and the others don’t quite, and I think it’s how we engage them in the nicest possible way without actually sort of dictating, and that’s the problem, I think, sometimes, not without preaching, but we try to get people more aware.

Now the last but no least speaker today is Sue Howlett, she is currently Technical Manager for WSH, the largest independent food service caterer in the UK. I can’t see with my paper here, with 20,000 employees operating over 2,500 sites with a turnover of 700 million, so the trade brands include high street names like BENUGO, Searcys...

Sue Howlett: Searcys.

Neil Parish MP: ...and Hix restaurants, along with caterers baxterstorey, caterlink and Holroyd Howe. I won’t read the rest of the CV, it’s very long, but very much welcome Sue.
Priorities for front-of-pack nutritional information - new approaches, consumer choices and the future regulatory framework

Sue Howlett, Technical Manager, WSH and Chair, BHA Nutrition Working Group

Thank you very much Neil. Thank you very much Westminster Forum for inviting me today.

So WSH is one of the largest food service providers in the UK, and my session is aimed at looking at how we provide nutrition information from an out of home food service perspective.

So very quickly we're going to look at what consumers expect, out of home labelling strategies, global approaches, and then a quick summary.

As a background, from these figures you can see that for many people, eating out of the home now has become an integral part of everyday modern life, especially for millennials who eat out sometimes two/three times every day. It's difficult for consumers to make sense of nutritional profiles of meals and as well as accessing information on the nutrition of the meals that they are eating out.

Often consumers can underestimate and rarely check the calorie content of some of these out of home meals and drinks as well. So, we've recently had the survey on out of home high street coffee shops, where the number of teaspoons of sugar was shown for coffees, these luxury flavoured sweetened coffees. And a lot of consumers were surprised that some of these coffees had so many teaspoons of sugar. They know about it in cans of fizzy drinks, but not so much in the coffee drinks. And some of those consumers are each having these coffee drinks every day on their way to work, so running up the sugar level there.

The Government Responsibility Deal looked at calories on menus. And since then there has been evidence that displaying symbols showing nutritional quality of food, or providing statements about the daily calorie requirements in addition to the calories on the product, is actually able to help consumers make more healthy choices.

So consumer expectations. Well food service can play an important role in helping consumers to eat a healthy diet. It's also seen now as part of company's corporate social responsibility or ethical responsibilities to provide this information.

Nutrition messages need to be clearly and quickly communicated, we talked about the time aspect again. It's important to provide this information in a quick and easy manner. So, we have things like coffee machines, interactive coffee machines now where you put in your choice of coffee, and your specific calories for that drink come up for you, so you can see how that compares.

Labels need to be consistent, whether that's across a company, across an outlet, or across chains of companies. Because you can't have it different for different sites, because people go to numerous sites nowadays and expect the same information. Simple logo messages work well when decision time is short, people are in a rush to buy food on the go, in a rush when it's work time, lunchtime, and need to make a quick choice as mentioned previously.

So labelling strategies. What are people out there looking at? And what are they doing now? Well, consumers are looking for clear consistent nutritional information and signposting. Ranges can be signposted by means of specific names, by means of highlighting in colours, in bold, in boxes on the menu with healthy choices. Logos and icons can be used, whether this is healthy hearts, apples, amber, red or green flags on buffet style dishes, that you help yourself to, self-service, physical activity equivalents has been mentioned as a possible way to go forwards, comparing how many calories and how many miles you need to run as it's been said for a bar of chocolate. Bold colouring again and highlighting healthy eating ranges with their maximum calories in those ranges, is also seen to be used nowadays.
Wording needs to be subtle though. You can’t necessarily put ‘healthy’ on menus, because that would put some consumers off, because they think it’s not going to be as tasty, if it’s healthy. It might be good for you, but it might not be as tasty. Something to think about. So, using things like ‘fresh’, ‘seasonal’, ‘delicious’ as alternatives, without going over into legal definitions. Don’t use ‘low’ unless it actually is, low fat, low sugar, or whatever. So, some research has actually shown that 43% of adults would be more likely to eat at premises that showed nutrition information, so it could be a route to go down.

What are other countries doing? Well, some of them are actively legislating or voluntarily providing guidance on their calories. So these countries here have legislation in place and Ireland is considering legislation. It’s currently negotiating between guidance or legislation. So, the basics for those schemes are all around restaurant groups as part of a group of at least 20 locations. Calorie or Kilojoule information provided for standard menu items that are on the menu for at least 30 days, some countries have chosen 60 days, but at least 30 days. Nutrition information displayed at point of choice, when you’re in a restaurant, whether that’s on a menu, whether that’s on a label or a tag on the food. Calorie information per portion or per meal, and then information provided on how many calories an average person needs in a day. So, that’s contextual information as well.

The USA have found that when calories are on menus, consumers ate 6% less calories a day from having that information. And in Ireland research done has shown that calorie provision prompts healthy choices, but again that could be more for the switched on, healthy, already well community, rather than some of the less interested demographic groups.

And what’s the UK doing? Well, calorie labelling was going to be in the Childhood Obesity Plan, but it didn’t come out in the final version. And then the FIR was looking at it as well, but it didn’t come through as requirement.

So conclusions. We have an ever more demanding and health conscious consumers in retail and in out of home, especially the younger generations. Voluntary front-of-pack labelling for pre-packed foods has been shown to help consumers, so it’s now time for the out of home, catering community to strongly consider ways of identifying healthier menu options, and several countries are going down the legislative route.

Thank you very much.

Neil Parish MP

Thank you Sue very much, interesting what you raised over the last 30 years, I mean our eating habits are totally different. We don’t eat as much at home, not only as individuals, but as families. And of course then you’ve got the sort of, all the fast-food outlets and all these things that have come on and it’s making sure. Because naturally each company will want to promote its product, but it’s making sure that it’s honest and actually healthy what’s actually being put on there. But it’s fascinating the way society has changed over the last 30 years, in their eating habits.
Priorities for front-of-pack nutritional information - new approaches, consumer choices and the future regulatory framework

Questions and comments from the floor

Neil Parish MP: Right, I've got some time for some questions, so questions to the panel, please. So, we've got microphones over there in the doorway, who's going to be the first brave person? You haven't gone to sleep yet, have you? Anybody? There must be somebody with a question... there's a question there, just by the doorway.

Bruce Beveridge: They only let me in if I promised to ask the first question. In the context... this is perhaps a slightly provocative one, but in the context of a bill, a cost-benefit from keeping people healthier to start with that runs into tens of billions of pounds, annually, the need to drive behavioural change on the part of consumers, but also in industry. Can I go back to the notion of blank labelling for the higher salt content, higher calorie products and that we shied away from, yet it came from our younger members of society. Do we need to be radical? That sort of radical approach drives innovation in industry, R&D and health benefits. Is it time to be that radical?

Neil Parish MP: Good question, thank you very much. Right, any more? You all waiting for your coffee, are you, or not? Any more questions? I'll give you one more chance. Right, okay so we've got a good question there which we'll take through the whole panel which is really, there is a huge cost when people are not healthy, a huge health to the NHS and all our institutions really. So, how do we actually highlight much more what people are eating and the healthiness of it? Because in the end it's not only good for the individual, but it's good for the state as well. So, who wants to, I'll start with Elspeth, you can tell us what you're doing in Scotland, and we'll move across, alright?

Elspeth Macdonald: Thank you. Yes, I think when FSS was set up to focus specifically on Scotland, we had this new responsibility to look very much at diet and health and I think that did make us step back, and think we've been doing the same things for a number of years and we haven't seen change, or haven't seen sufficient or significant change.

So, the recommendations that we've made to Government in Scotland, I think are a bit more radical. In terms of we have been vocal in saying that we think voluntary approaches don't work terribly well, and that there are some actions that Government may wish to consider more on a regulatory or legislative basis. I think we've also tried to be a bit more radical in how we present what we know about the Scottish diet. So, I talked about the situation report that we drew together, which wasn't any new information. There was a lot of information about what we know about diet and health in Scotland, but it was a bit of a more radical way of just presenting it in a way that perhaps demonstrated the scale of the challenge that we face. And we were quite bold, I think, in saying that we really want to tackle the difficulties with discretionary foods, these things that produce... that generate a lot of energy into the diet but no
nutritional benefit. And we took quite a hard-hitting approach to a... our first public health marketing campaign in Scotland last year, which was hard-hitting and very much focused on trying to get parents to think about their children's health futures, in terms of their diet. So, yes, I think there is a time for us to be more radical and I think we've started on that journey in Scotland.

Neil Parish MP: Thank you very much. Sue, would you like to comment please?

Sue Howlett: Yes, I mean from the younger generation or the generation on the radical side. I think young millennials and Z generation young people are very switched on now about environmentally and sustainable food and innovative food. It's partly through social media that's driving it. So, photographs of new innovative food with people's selfies as well. It's all pushing towards new, exciting products and that age group are very much interested in health. I don't know where it's coming from because I can't think it's actually from school. It's not from the new GCSE in Food Preparation and Nutrition, but it's coming from somewhere and I think it's social media led. But they're very receptive to new and radical thinking and that's where we're going to have to go.

Neil Parish MP: You make an interesting point on the social media, don't you? Right, okay then, Giles please then, next. Sorry, Duncan.

Duncan Stephenson: That's okay. So, yes I think one of the things that's driving the health conscious nature of young people is this increasing obsession with body image, kind of the body image ideal and actually going to the gym and all of that. And so you're right, young people are increasingly health conscious.

In terms of the question about the plain packaging, I mean I did say that would go down like a lead balloon and yes it probably would. Because, you know, food is not the same as cigarettes. You know, we need to eat, and from my Unilever days I know that's there's no such thing as a bad food, it's a bad diet, so you shouldn't necessarily tarnish foods like that. But we do need radical action given the state of play. So, yes, so, I think that's why we're looking at the Activity Equivalence Calorie Labelling. We think that that's a simple solution.

The other thing to say is about linking this to business, because business needs to be incentivised. Businesses make profit and ultimately we're not stupid, we know that if anything hits the bottom line, you're not going to be interested in doing it. So, if we can incentivise business to do the right thing and have a win-win situation, for example linking some of the out of home stuff to business rates, and whether or not we could incentivise or penalise those that don't do it. And I think that could be a win-win situation.

Neil Parish MP: Yes, thank you very much. Giles?

Giles Quick: Radical. Yes, radical change is clearly needed, but clearly there are two sides to the equation and there's a very important competent in this whole issue. The two sides of the equation are calories in and
calories out, so radical just for calories in probably not, but radical change certainly needed. Ultimately the consumer is going to determine what they're prepared to do, and what they're not prepared to do. So, if we're going to legislate about the number of calories I can consume, are we also going to legislate for the amount of exercise that I'm for enforced to do? And how on earth are we going to enforce that? So, I buy the idea of radical change, but the consumer can be incredibly resistant to change. My call I think would be to, simplify, to make things consistent, and also to build on our understanding. Manufacturers and retailers understand very well the triggers to change behaviours, so let's utilise on the understanding and the behavioural techniques that are already used. And probably let’s be a bit more radical into pumping public money into social marketing, to try and counterbalance some of the spend that manufacturers and retailers spend.

Neil Parish MP: Right, well thank you Duncan for your presentation, Elspeth, Giles and Sue for yours, and I think it’s been a very good panel.
Session Chair’s closing remarks
Neil Parish MP, Chair, EFRA Committee

It’s interesting that we live in a society where you’ve got part of society that’s very interested in health and the way they look, and another part of society that’s not, and it’s how we sort of engage with all.

And what we’ve reinforced this morning is that we need clear labelling, we need to be able to identify, not only country of origin, where it’s come from, but the nutrition in that food and what you should be eating, and I think as a politician for me it’s how much do we need to, to a degree perhaps say preach to people, but we don’t want to preach too much, and it’s how we get them to engage with it and want to engage with it.

But it’s interesting the point that Sue made on coffees and things, you know, very fashionable to have all these types of coffee but are they actually doing us any good, but of course, you know, social media is probably promoting those like mad in certain sections of our community.

And so it is fascinating and it’s a minefield for politicians, you know Governments of all colours, is how far... if you go too far and you sort of try and legislate and make people do these things there’s a resistance, if you don’t do enough then people don’t change quickly enough. But I do actually think we are living in a world now where people are getting more receptive and it’s how we... it’s like when we did an inquiry on food waste and recycling and you know you get to the first 30% of the population quite easily, the next 20 not too badly, but after that, the next 50 have got quite a resistance to actually the recycling and things that we need to do, and yet lots of society think that that’s absolutely essential, and it’s how we build on that and make it happen.

So the Westminster Food & Nutrition Forum I think has been very good this morning, you’ve got Geoff Rooker coming in later and a very good panel after coffee. And so thank you very much for some very good questions this morning, and also some very good answers from both panels and thank you for attending so far and carry on the rest of the day.

So thank you very much.
Session Chair’s opening remarks
Rt Hon the Lord Rooker, former Chair, Food Standards Agency

Well good morning and welcome to the second session.

I haven’t got a lot to say for a couple of minutes, but I was reminded this morning listening to some of the answers, I Chaired the Food Standards Agency between 2009 and 13, which meant of course I crossed over the 2010 General Election and I was in a unique position because the FSA is a Government department, of being the only Labour Party Member to attend Cabinet Sub-Committees which was a bit of a shock to some members of the Coalition I have to say.

And previous to that I had had a session at MAFF, 20 years ago now, and Defra at the end of my period in Government.

So I’m not a specialist, far from it, but I think that some of the issues being raised here today are absolutely fundamental. The Brexit complications are slowly dawning on the policymakers, I think they have always been there with industry and others, and I think we’ve heard some of the implications from what we’ve heard from the panel this morning, and we are going to now hear the second part which will just probably add to the complications, there will be a good many debates on this.

But we are going to kick off with a one off session, Eric Giry, who is the Agricultural Councillor for the UK and Ireland at the London Embassy of France. Eric the floor is yours.
An international case study on mandatory country-of-origin labelling

Eric Giry, Agricultural Counsellor for the United Kingdom and Ireland, Embassy of France in London

Thank you very much Mr Chair.

Good morning everyone, it’s a great pleasure being here today to present you the on-going French pilot scheme on the mandatory country of origin labelling for milk and meat in processed products.

So as I have a very few time, first I will tell you how the backdrop which... what was the backdrop which pushed the French authorities to set out such a system and then I will tell you about what is the labelling, what is the provision of this mandatory labelling system and how it has been implemented.

As earlier it was said, origin of provenance labelling for foodstuff falls under the exclusive authority of the EU, and country of origin or place of provenance indications are mandatory only in cases where the omission would be likely to mislead consumers. That is the case under the European Regulation for certain specific product categories such as beef, pork, mutton, lamb, goat, poultry meat, honey, fruit, vegetables, olive oils and to meet a special need for consumer protection or information, but such rules do not exist for ingredients used in processed products.

So two European Commissions, after following the Horsegate scandal, two European Commission reports regarding the possible establishment of mandatory indication of the origin of meat, of milk ingredients were published in 2013 and 2015 and in its conclusion the European Commission chose to prioritise voluntary labelling, considering the labelling complexity, its excessive cost for manufacturers, the interest of consumers and their unwillingness to pay for this information.

So nothing happened at the EU Level despite two resolutions by the European Parliament adopted in 2014 and 2016 which called for European legislative proposals to be adopted extending the obligation to indicate the origin of meat in ready meals.

At the same time several consumer surveys have confirmed high consumer expectations of quality products and particularly of the original of the main ingredients in processed products. For example, a survey carried out in 2013 by the French consumers group, CLCV, showed that 81% of consumers would like to know the origins of the main ingredients in processed products and according to March 2014 special Eurobarometer on the CAP, 84% of Europeans would like to be able to identify the origin of milk or dairy products.

Risks and scandals such as the Horsemeat scandal, have led to a 30% fall in the consumption of Lasagnes for example, and so we think that consumer confidence would be easier to restore in the event of a crisis if consumers had information about the origin of ingredients as part of a target for transparency in the food chain.

In the absence of progress at European level, France wanted to address this consumer expectation, and this concern for transparency. In accordance with the procedure laid down by the INCO Regulation it therefore informed the European Commission of a draft Decree on trialling origin labelling for milk and for milk and meat used as ingredients in foodstuff.

The Commission did not advise against implementation on this draft Decree and so the Decree was published on the 21st August 2016.

So the scope of the Decree. It concerns milk, milk used in the manufacture of dairy products, yogurt, cream, butter, cheese etc. beef, pork, mutton, lamb, goat and poultry meat used in food products. The finished products, (prepackaged products) concerned are the items of merchandise due to be presented as they stand to end consumers and to local authorities.
Are excluded from the Decree products with PDO, protected designation of origin because all stages in the production of the products concerned necessarily take place in the geographical areas identified. Organic products as well because they are already subject to labelling requirements under the organic farming regulations and non-pre-packaged products, or products pre-packaged for immediate sale are not also subject to the Decree. Are also not subject to the decree finished products manufactured outside France and products manufactured in France but sold exclusively outside France.

So origin labelling is mandatory for foodstuffs whose ingredients account for a percentage which is above a certain threshold. Following consultation with professionals and consumers this limit have been fixed at 50% for milk of all varieties and types in dairy products, 8% for meat of all species and types in foodstuffs, so when the limit is exceeded indication of origin is mandatory where appropriate for each species and type of ingredient whatever their individual limits.

To calculate the limits we define milk as fresh milk, semi-skimmed or skimmed milk, partly or wholly dehydrated milk, rehydrated dried milk and cream. So lactose, whey, buttermilk and milk proteins are not considered to be milk ingredients. As well meat covers uncut meat, muscle tissue, meat preparations, mechanically separating meat and meat based products, but bones, Viscera offal and blood are not considered to be meat ingredients.

The origin of the country of the meat has to be indicated at the following stages. The stage of the birth, of rearing, slaughter and as far as milk is concerned at the stage of collection, stage of production at farm level, at the stage of packaging or processing.

There are also some particular cases, for example if at the same stage more than one country is involved it’s possible to use the indication EU, non-EU, and EU and non-EU, for example if milk is collected in France and Belgium to make cheese the following indication may be used, country of collection France and Belgium or country of collection EU.

If for all stages the origin corresponds to one or more countries it’s possible to use as appropriate the indication: origin country, origin EU or origin non-EU. For example if milk is collected and processed in France to make cheese, the following indications can be used, country of collection France, country of processing France, or origin France.

As far as labelling procedures are concerned, indications of origin can be either in the list of ingredients, immediately after the name of the ingredients concerned, or in a note at the end of the list.

So the Decree came into force on the 1st January 2017 and it applies until 31st December 2018.

There was of course the question of foodstuff already on the market when the Decree came into force, so foodstuffs whose labelling did not comply were allowed to be sold until stocks ran out, but no later than the 31st March 2017.

So as it is a trial there will be an appraisal on the trial which will be carried out and sent to the European Commission. It’s purpose will be to, among other things, study the feasibility of putting in place this information, estimate the cost incurred for various stakeholders in the sectors concerned, assess the measure’s possible knock on effect on the price paid by end consumers and determine possible changes to consumer’s buying habits.

The appraisal will enable discussion about how feasible it is to extend these measures nationwide and at European level and also we have to notice that five EU countries, Italy, Finland, Greece, Lithuania and Portugal, have already notified the European Commission of a similar system, mainly as regards dairy products.

So I thank you for your attention.
Eric Giry’s Power Point Presentation can be downloaded from the following link:
http://www.westminsterforumprojects.co.uk/forums/slides/Eric_Giry_Sep17.pdf

Rt Hon the Lord Rooker: Thank you very much Eric, that was a fascinating exposition. Eric is going to join the panel for questions at the end of the panel, but the one thing that came to my mind listening to that, of course the UK is a country of four countries, which raises other issues.

So we will commence with the second panel. Our first speaker is Fiona Carter who is Solicitor Advocate specialising in food and beverage law. Fiona.
The opportunities for UK food labelling policy after Brexit
Fiona Carter, Consultant, CMS

Thank you for inviting me to kick off our discussion, the opportunity for UK food labelling policy after Brexit, what are the opportunities, and what are the likely directions that any change would actually take. My opening proposition, is that you can only make and take the opportunities that Brexit affords if we reach a consensus on what the purpose and point of food labelling is, who is it for, what are we trying to communicate.

The speakers who have gone before me have all set the position up very nicely, there are all sorts of issues, who is it for, is it for the nutritionally aware, is it for the ethically alert, is it for the uninformed, is it for the ignorant. Is about safety, is it about health, is it about marketing information, sustainability, packaging, a gain, a question about whether we’ll take the precautionary principle of science or whether we’ll branch out, whether we’ll say other legitimate factors include the nation’s health, include sustainability, include ethical awareness, include flagging how much exercise you should do, what are the other legitimate factors that dictate what goes on the label. And the soft drinks levy’s about sugar and I don’t think it was driven by the European legislation, it’s in fact been copied quite generally around Europe and so the fact that we may not be obliged to follow the EU doesn’t necessarily mean that we won’t be innovative and ground breaking.

I’ve only got a few minutes so I’m going to romp through the law as it is, we’ve dealt with most already, others speakers have looked at the overarching principles of food safety, so is labelling about food safety?, but there is lots more legislation that I won’t go into, but affects the label. Turning to March 2017 to 19 and the Bill that got its successful Second Reading this morning the two keys to the Withdrawal Bill, are – “a Bill to repeal the European Communities Act and make other provision in connection with withdrawal”, the Henry VIII clause. And the other interesting point from this morning’s point of view, the UK court need not have regard to EU courts, the ECJ for example, in its decisions, but may consider them if they do so.

Those two options, what are the pointers we’ve got so far on the opportunities to be taken? The Childhood Obesity Report, again we’ve heard about that and that actively flagged up and I’ve quoted it there on the power point in bold, the idea that the UK’s decision to leave will give us greater flexibility to determine information that should be presented on packaged food, and how it should be displayed on food. So there’s a real opportunity and a lot of people have spoken this morning about traffic lights, front of panel information that can be made available driven a lot by sugar at the moment, although remember the so called Mary Poppins Bill, that had a very short life, so that’s an issue, but how long might sugar as a driver for labelling last?.

Some academics, three, led by Professor Tim Lang have put together a paper, Food Brexit: time to be real and they propose that we will” sleepwalk into Brexit “and there’ll essentially be a collapse of markets unless we adopt a one nation food approach, which I take to mean the policy that I talk about in terms of labelling, that we need to decide what we want to achieve from labelling and we need to decide now so that we can take the opportunities.

The FSA has its own framework and it sees Brexit as an opportunity to streamline and improve regulation. Again, here reflected on the power point it’s talking about the opportunities of regulation, credit for previous good performance essentially to be given to businesses, an enhanced food registration scheme. Again, in terms of regulation, into that framework we need to put our intentions, what do we want the regulator to do and achieve through food labelling?.

For The Big picture so far, I’m simply going to pick up the principle that food law has always been about protecting health, it’s a scientific approach as encouraged by the Regulation 178/2002, the general food law approach, that’s how we get positive lists, that’s how we get nutrition and health claims and so on approved. Is labelling primarily about science? Pretty straightforward, but without some additions the science alone is not enough it seems, nutrient profiling still hasn’t been brought into back up the nutrition and health claims.
And recently we’ve had manufacturers and retailers calling for both nutrient profiling and traffic light systems to be adopted by the UK in any event, is Brexit an opportunity to complete this?

I really like the Dextro Energy case, because it illustrates the point that science is not enough or has not been enough in Europe. You’ve got five scientifically approved claims, it’s gone through a whole series of Courts and appeals, but the ECJ, and that has been upheld by our own Courts, say that even though “glucose contributes to normal energy yield in metabolism.” It cannot be approved because For example, to use that as an approved claim which is scientifically accepted would create confusion “because it’s a contradictory and ambiguous message,” because it’s generally accepted that encouraging people to consume sugar is contrary to public policy. And so as part of the risk analysis it is acceptable to take account of “other legitimate factors” and it seems to me that again we have to decide what are those “other legitimate factors,” if it’s not just science that affects labelling?

So in conclusion, what do millennials want since they’re the young generation? Apparently, this is what The Grocer says, “the millennials are calling the shots and they’re at the forefront of the drive for all those things, there’s also some new language that I love, flexitarianism, shrinkflation, disintermediation, so maybe our labels will just have completely new words that we don’t even use yet.

To conclude, Brexit should be the opportunity to identify a consensus of legitimate factors that we as a country, manufacturers, retailers, consumers consider to be important and that will dictate what happens and what direction labelling takes post-Brexit.

Thank you very much

Fiona Carter’s PowerPoint presentation can be downloaded from the following link: http://www.westminsterforumprojects.co.uk/forums/slides/Fiona_Carter_Sept17.pdf

Rt Hon the Lord Rooker: Thank you very much, Fiona. Our next contributor is Minette Batters, Deputy President of the National Farmers Union.
The opportunities for UK food labelling policy after Brexit
Minette Batters, Deputy President, NFU

Well a very good morning everyone and sorry for chuckling then, Michael was just saying well I’m up next so I’ll go off and then he wasn’t and it was me.

So, I’m Minette Batters, I’m Deputy President of the National Farmers Union and a farmer myself based in Wiltshire, predominantly beef, but we also have a flock of sheep and arable rotation. And my background has been very much in food, we run a bespoke catering business on the farm and we have a wedding business as well, so I have been entrenched in this if you like for many years and it’s something that I feel absolutely passionately about.

So, it’s important I think to look at where do we start this process from and actually in the last 20 years we’ve made gigantuan strides if you like, it’s interesting to hear what Fiona says about what do we want out of this and of course we will all have different demands. For me as a farmer I want people to know that they are buying what I feel passionately about, what I have great pride in, and that they feel readily available to buy British food, whether that was within retail, food service, online, I want them to have that option that is honest in its approach.

Well you saw me gathering up various bits and pieces and I raided a friend’s fridge rather than my own, I’m at home so rarely at the moment my fridge is pretty empty. But if we take you know Activia, readily available and where is the country of origin labelling on it? Obviously the main ingredient is milk, it has the EU health mark on it, but you’d have no idea where that milk has come from except that it has come out of Europe.

And the same here with the lovely chicken and mushroom pie, now if that was a chicken breast obviously it would have to say the country of origin labelling, here it is in a product with other things and again, you have no idea where that chicken breast has come from.

And again here another, chicken and bacon parcels and the same approach. I actually did have a full pot of Philadelphia cream cheese in my fridge, which I couldn’t part with so I left it intact, but again, no country of origin labelling. I’ve looked into cream cheese a bit and actually we have stopped in the UK, we don’t process cream cheese anymore, there’s nothing to say that we couldn’t go back to it in future, but ultimately again, no idea where that milk is coming from.

So if I go back to what I want as a farmer, I want people to know that and there are huge opportunities to change it and it’s great to see David Clarke here, but obviously you see on the slide at the bottom the picture of the Red Tractor logo, something that we feel passionately about and something that will be crucial in the whole of the Brexit debate.

Now, clear labelling online, online is in massive growth, so we currently look at sales of 10.5 billion, that is set to double by 2020 and we’re looking at sales of in excess of 17 billion. Many of you will have heard Minister, Farming Minister, George Eustace, talk about the opportunities of an online button, so we’re very much exploring that opportunity with retailers to see if we could have a British filter button. But obviously, and Eric pointed it out as well, there is massive demand from UK consumers, so it’s back to Fiona’s point, what do we want, we know that across Europe and consumers across the UK want to be able to know what country of origin they are sourcing from. So I think that’s a great help with Brexit because there is clear evidence that everybody from primary producer through to end consumers they do want to know.

Now this is a really important part of this debate for me as a producer as well and farming in the South West region I was involved for many years in the process of achieving PGI status for the South West. Obviously in Scotland it’s incredibly important for Scotch beef, for Wales with Welsh lamb, the PGI status, the PDO status, the TSG status is absolutely crucial for protecting our marketplace, but also massive opportunity for growing it. And we look at Brexit and the new opportunities across the world of opening up other markets of added value.
and protected food names are going to be very important and I’m delighted that politically and across Europe we’re getting strong assurance that they will be maintained.

And just a sort of closing slide from me, Lord Rooker made the very good point that we are a country of four countries and don’t be under any illusions to the challenges that reside there. We are going to leave the EU as the UK, we are going to negotiate trade as the UK so it is absolutely essential that we really do come together as farming organisations and be very clear about what that future looks like. And when we look to a British brand you know ultimately what we have at the moment is the Red Tractor and we really do want it to be the flagship for British food. I’m delighted to see David here, in theory I went to his retirement party, but I think it’s wonderful that you’ve come out of retirement, David and you’re here representing the new Chief Exec, Jim Moseley.

But there are great opportunities here and I think when we talk about British brand we have to look at this to a certain extent as a commercial Brexit and the opportunities of creating if you like a UK Bord Bia structure which has been a phenomenal success in Southern Ireland, so there is much I think of a shared ambition for the UK, for farmers and consumers, but we must be very, very aware of the threats that we face as well and the lift and shift that took place early this morning is the starting of that process if you like. And as we look to the potential of a cliff edge and not having the same relationship with Europe and other trade deals opened up across the world, clear country of origin labelling has never been more important. What we do not want to see is product that is produced to very different standards and you look at the examples that I’ve shown you, it could be a real minefield going forwards as to what are we eating, what is coming onto our marketplace.

The slide that Eric showed about Horsegate, you know, we know the food system has been subject to food fraud and many would say with massive downward pressures on price it’s at risk from it as ever. We should be very proud of our food system in the UK and it is a great opportunity to drive that forwards, but clear country of origin labelling will be paramount to the success for farmers, the success for Government and ultimately, the success for the British consumer.

So thank you very much for listening, I will now head back with all my props.

Thank you.

Minette Batters’ PowerPoint presentation can be downloaded from the following link: http://www.westminsterforumprojects.co.uk/forums/slides/Minette_Batters_Sep17.pdf

Rt Hon the Lord Rooker: Thank you very much Minette. You raised the issue of chicken. I have to say one of the things that I’ve picked up, both when I was at Defra and the FSA, literally located where we are in central London, you go out and buy a chicken sandwich here in London, it’s a cast iron cert that chicken was actually cooked in the Far East, it certainly wasn’t from here, it was cooked in the Far East. A massive amount is imported, not fresh anymore because of the issues we had, but massive amounts were processed, manufactured foods, from the Far East, and perfectly safe, checked out by EU inspectors, but we will have to pay for our own inspectors to go and check that out later on. We’ll now invite Michael Bell, Executive Director of the Northern Ireland Food & Drink Association.
The opportunities for UK food labelling policy after Brexit
Michael Bell, Executive Director, Northern Ireland Food & Drink Association

Lord Rooker and the Westminster Forum, thank you very much for the invite.

I want to move the debate up two or three notches because we’ve talked about price, quality, we’ve talked about portion, we’ve talked about country of origin legislation, we’ve talked about nutritional and all the ramifications of that, we’ve talked about animal welfare, we’ve talked about environmental welfare, we actually haven’t touched on religious welfare, which is yet another dimension to be brought in, but we’re kind of missing some of the really big stuff that’s in front of us.

Recently I had the privilege of hearing F. W. de Klerk, and he was asked the question, what made the difference in South Africa, what enabled you to actually begin movement, and he said, Mikhail Gorbachev, and we all sort of looked very puzzled. When Gorbachev announced that communism was dead, de Klerk’s opposite organisation had no foundation and it had to politically move, and that was the beginning of everything moving. My point is the external environment has a huge impact and we are quite focused on the internal UK environment.

So what has happened in food in the last, well let’s take 43 years, which is our time in Europe, but actually let’s take the last 25 years. WTO; WTO has transformed how food is traded around the planet, it has completely transformed how food works.

Recently in February this year I had the privilege of giving the City Food Lecture on behalf of Professor Chris Elliott, he who wrote the Horsegate report. It’s up on YouTube, I would encourage you to go and watch it, not because I’m breathtakingly brilliant, but Chris’ material is. He asks the question, does it matter where our food comes from, and have we really got completely disconnected from food, and I think these are all very germane and very high level things about our food.

My organisation is a trade organisation, I think in terms of this audience probably the nearest analogy is FDF.

Okay, so for 43 years agrifood had dropped off Westminster’s agenda, it’s not politically important. Give me some evidence, I hear you say. In Ireland you have the Taoiseach, the Finance Minister and the next most important player is the Agriculture Minister. 32 in the Cabinet, anybody like to tell me where they think the Agriculture Secretary of State or the Agriculture Minister comes in the league table of 32 Cabinet Ministers?

Then what have we devolved during that period and did we actually devolve the right things. So what we gave the regions to manage in terms of the agrifood agenda was done when we were part of Europe. We’re about to change that, have we actually put the right things under regional control? Should some things that are currently national be moved regional or vice versa? The Food Standards Agency came up this morning and the very good presentation, thank you, but I note we are moving in the completely opposite direction of travel to Australia and New Zealand who have combined their Food Standard Agencies into a dual national jurisdiction. We are in the process of breaking up our Food Standards Agency into what could potentially be four regional ones. Is that good governance?

Opportunities then, and I think the opportunities for us are huge. If I talk about my own industry which is manufacturing based in Northern Ireland, we’ve doubled output since the recession hit, so from 2008 until last year we’ve doubled our turnover. We are supplying about a fifth of the dairy product that’s consumed on this island. So there is significant growth potential and opportunity for the food industry in the United Kingdom.

In order to access that we need one set of standards. You’ve heard a lot so far in the debate this morning about confusion, multi-standards, multiplicity of things, well we need one set of standards, if the United Kingdom is going to be one market there needs to be one clear set of standards and that is across
environment, animal welfare, labelling, standards, nutrition, all of it. I fail to see how breaking up control is going to help us get there.

The world wants more food integrity, we’ve just discovered that we’ve got plastic in everything, I don’t know if any of you have been following that story recently. We aspire to be world leaders in that, in the food industry, and interestingly the Australian and New Zealand Food Standards Agency has a slightly different objective to the UK one, it’s first objective is protect the consumer, it’s second objective is protect the reputation of Australian and New Zealand food. I think the UK should become a world leader in its reputation for food.

We need a National Food Plan, we are at a T junction with Brexit. What does the Government want to do with our agrifood industry, 4 million by the way work in it in farming, food and retailing, or as I call it the eating ecosystem in the United Kingdom. It is bigger than aerospace and car manufacturing put together.

What’s the plan? I haven’t seen one yet, there was supposed to be a paper come out of Defra alongside the BEIS manufacturing plan, it disappeared, in fact I have had some fun with senior civil servants who brought a new definition to a four letter word, the four letter word, by the way, is soon.

Food security, we are less than, depending what product you’re talking about, we are the region of 40-60% self-sufficient. We are not self-sufficient in eggs, we’re not self-sufficient in beef, we’re not self-sufficient in dairy. We can afford to spend billions upon billions defending ourselves, but there’s no plan to become secure in food, and if you listen to Professor Elliott’s lecture, which as I say I gave brilliantly, and it’s on YouTube, he argues that extending supply chains around the planet is inherently risky, child slave labour, fraud, crime and politics as we’ve seen recently with Russia and £5 billion worth of food is just suddenly not there anymore and climate events, as we saw recently with Spanish lettuce, earlier this year.

Okay, regional labelling, country of origin labelling, yes, brilliant, I couldn’t agree more Minette, the trouble is it’s a minefield. We produce four whiskys in the United Kingdom, Scotch, the biggest one by far, from our friends in Scotland, followed by Irish, produced in Northern Ireland, followed by Welsh, not quite a big, I have to be honest, and then there’s English, which frankly infinitesimal, but anyway. But the point is we produce all four, quite legally, quite properly and quite correctly in the United Kingdom. They are even spelt differently. Northern Ireland is a dual national region, people in Northern Ireland have the right to call themselves Irish and carry an Irish passport, or British and carry a British passport, or both. So our products from Northern Ireland are allowed to be called Irish and/or British. Everybody is running a country mile from that one at the minute.

UK market support body, we’ve heard the Bord Bia. Bord Bia is indeed worthy of praise, it’s an organisation I’ve worked with for two decades, currently led by Tara McCarthy very, very well indeed. They have a budget of 50 million Euros a year, they have 110 staff, and of the 110 staff 70 of them are not based on the island of Ireland, so for example they have four full-time people in Spain, just helping Irish food sell in Spain. There is no equivalent in the UK. Indeed there is a Scottish organisation, Scotland Food and Drink, led by James Withers, which is a great organisation. The Welsh have just set up an organisation. Northern Ireland has Ministerial agreement to set up an organisation, but then our Ministers on absent without leave, so we are parked at the minute. But it begs the question, what are we going to do for our food? It begs an even bigger question, are we going to put Union Jacks on everything and call it Great British. I can tell you, my friends in Scotland aren’t that impressed with that idea, nor are my friends in Wales, and when you get to Northern Ireland Union Jacks are a bit of a problem. You’re not allowed legally to display them in workplaces for fear of offending the workforce. So we need to have a think about this.

We need to increase our exports based on quality and integrity, as I’ve said, carcass balance gains will increase home market potential. At the minute we have about 60% of the animals we choose not to eat, because we don’t want to, there are lots of places in the world who would choose to eat that, we are very poor at selling that, if we could sell it the value of the carcass goes up, the farmer gets more, but actually the price for steak could go down in the UK market.
More non-urban employment, I would re-establish agrifood within Westminster.

Thank you very much.

Rt Hon the Lord Rooker: Thank you very much Michael, I think you raised some, I’m going to say really sensitive, potentially difficult issues there, which certainly Westminster and everybody is going to have to face up to.

The final speaker from the panel is David Clarke on Red Tractor Assurance. David, the floor is yours.
The opportunities for UK food labelling policy after Brexit
David Clarke, Red Tractor Assurance

Okay, thank you.

I’ve been asked briefly to speak on the suggestion that the time is right for some new animal welfare labelling and that cuts across what we do in Red Tractor and I will just briefly address that. I think Stephen Pugh must have seen my script because he’s covered a number of the points already.

I mean to cut a long story short, I think it is both unnecessary and impractical to introduce new legislation at the moment and I will go through both of those points and explain why I say that. It’s unnecessary because I think we already have excellent legislation on animal welfare, it’s followed by farmers, it’s tracked by industry schemes like Red Tractor as well as by official inspectors and yes of course we’ve got to translate those rules, those regulations into UK law and that is already being done. And that is our frontline defence for animal welfare, it is regulation on the farm, labelling will just be frittering around the edges.

We also have excellent controls of fair and honest labelling, 50 years ago we had the pioneering Trades Description Act, Food Information Regulations now and as Steven pointed out, the 2011 regulations are no different to what we’ve had in the UK for decades. And the central tenet of Article 7 of Food Information Regulations is food information shall not be misleading. Peter at the start of the day mentioned the Advertising Standards Authority and they should not be ignored, effective control of advertising and they have been active in the area of animal welfare claims, and have helped everyone to understand where we stand.

I don’t think we should forget media scrutiny, many businesses might think appearing in front of the magistrates is a slap on the wrist, their worst nightmare is being on the front page of The Daily Mail, and they play an important role in keeping everyone honest.

We also have excellent labelling of animal welfare already, we have either mandatory or as Stephen was pointing out, we have many voluntary schemes that serve a very useful purpose. Schemes like Organic, which is quasi regulated, Red Tractor, both of which cover a number of attributes of production, including animal welfare, or schemes like the RSPCA assured scheme that focus entirely on welfare are all there, and those labels and that choice of product appears on supermarket shelves widely across the UK.

I think free range is a really good example, you will see the word free range applied to both poultry and to pigs, most people will not know that their status is completely different. So with poultry the term free range is an EU prescribed marketing term highly defined in regulation and controlled in that way. When it comes to pigs there is no reference in legislation to what a free range pig is. So to fill that void some 12 or 15 years ago the industry worked with the RSPCA and developed a code of practice with the definition for what a free range pig might be and at the same time introduced definitions for terms like outdoor reared, outdoor bred. That terminology has been followed to great success by the industry, by retailers for the last decade and you will find that range of choice on the supermarket shelves, and that’s probably a greater range of choice of different pig meat systems that you’ll find anywhere else in Europe.

More recently, and again Stephen got there before me, but more recently you’ll see terminology like grass fed beef and free range dairy appearing, because small groups of producers believe that there is a consumer interest in that system of production and have introduced a system of labelling.

I just want to address two questions, two arguments that I have heard for a new system of labelling. One, higher welfare will be a USP for UK post-Brexit. Well in my view businesses are in a far better place to decide what provides a USP than special interest groups and regulators. Those voluntary descriptions like the grass fed beef that I just mentioned are flexible, we can try them, if they work and shoppers are interested and shoppers buy that product then they will proliferate, more people will subscribe to that system, more product will be available, it will become a great success. If no one is interested, if the products don’t sell then they will
fade away and that is flexible and that is right, and that’s how markets work. Legislation is far more rigid and we cannot afford to shackel ourselves at this moment in time.

The other argument I hear is that consumers do not have enough information and therefore they don’t choose higher welfare options. I have to say I think that’s poppycock, there is a very wide range of choice available, there’s a very wide range of information available in the UK, if shoppers do not choose to act on it that must be a disappointment to the lobby groups, but that is their prerogative.

I was looking on a retailer website only yesterday, you pay more money for higher welfare product, it costs more to produce higher welfare product therefore it costs more money. Using chicken as an example, yesterday the price of a free range chicken was half as much again as a standard chicken. The price of an organic chicken was three times, £7 for an oven-ready chicken compared to £2.35. And I don’t believe, I will not be convinced that it’s just lack of information that persuades 99% of shoppers to buy something other than an organic chicken.

I also said I think the proposed labelling systems are impractical and the first question that you’re challenged with is, what are you going to label, are you going to label the system of production, or are you actually going to label the welfare of the flock, the herd irrespective of the system it was produced in. And everything that I have referred to so far, all of the labelling that we currently use as a surrogate for welfare is actually simply production systems. Does welfare always relate to the system of production, is one system inherently more welfare-friendly than another? Not necessarily, it is more complicated than that. Most people and most of the systems of labelling that I’ve referred to seem to prefer outdoor production over indoor production, but exposure to weather, exposure to predation, having your head bitten off by a fox is not actually good for welfare, and exposure to infection are all risks that apply to outdoor reared animals that don’t apply to indoor reared animals. And you will remember that most of our free range poultry flocks for the first three months of this year were mandatorily kept indoors, locked in doors because of the risk of Avian and influenza.

So if you don’t label systems of production, can we measure welfare, can we label the actual welfare of a particular herd or flock? Well, the EU thought that was a good idea and expressly set up a project in the early part of the last decade to research that with a view to introducing a labelling system. They spent 20 million Euro on it over about eight or nine years and the system that they developed is impractical for routine use, it takes a day at least to inspect a single farm. And it is totally impractical as a basis for labelling and I can say that with some authority, because Red Tractor has pioneered welfare outcome measures in the pig industry in particular in the UK, we have been measuring welfare outcomes for three years now, the RSPCA has only been doing it for a year and we believe it provides an excellent management tool, it provides excellent feedback to farmers, but it is a lousy basis for consumer labelling and it will not work as such.

So just finally, any new system of labelling is also worthless without an ability to monitor it. And as Sue Davies said this morning, our monitoring systems, our enforcement systems are under strain and I think we have got greater priorities without adding additionally to that burden, we have a system that works well at the moment.

And one system that has been mentioned in the last few minutes is origin. I think origin is important to consumers as we’ve seen from the French research, it provides a surrogate for all sorts of things, including animal welfare, generally shoppers trust home producers and some of you might say well that trust is misplaced, but at least if shoppers are favouring British product the farmers are under the control of our regulatory authority, they’re not coming from the other side of the world.

So in conclusion, I think yes good welfare is absolutely important, honest labelling is absolutely important whether it’s voluntary labels or mandatory labels, but we do not need new regulation on animal welfare.

Thank you very much.
The opportunities for UK food labelling policy after Brexit
Questions and comments from the floor with Eric Giry, Agricultural Counsellor for the United Kingdom and Ireland, Embassy of France in London

Rt Hon the Lord Rooker:

Thank you very much, David. I think one of the things that came out of a recent Lords Brexit enquiry was this point about people’s reliance on the WTO if need be. Well, on the animal welfare as I understand it you can’t use animal welfare as a situation in terms of market access under WTO rules, it’s just not allowed, so you know the idea of putting up barriers to assist with that is a non-runner. Anyway, we’ve now got the panel of five and including Eric and available for questions. Who wants to kick off? We’ve got one at the front, another one so we don’t get a monopoly, one there and another one there. Okay.

Alastair Kenneil:

So, yes I would certainly agree with David that we are, I mean I’m just restricting these remarks to pork by the way, to pigs, we do have phenomenally good pork labelling, much better than any other country in Europe maybe the world and part of the reason for that is that 40% of British sows are outdoors in systems which don’t require routine antibiotics, which don’t require routine tail docking, both of which are illegal under EU and British law.

Rt Hon the Lord Rooker:

Have you got a question for the panel?

Alastair Kenneil:

Right, the question for the panel is do we concede that a lot of so-called cheap and therefore, according to, you know, to the market, it would be advantageous to be able to supply cheap pork. Do we concede that a lot of this pork is being produced illegally and or without the statutory enhancement and with routine tail docking, and therefore the origin of this pork should be labelled as such in order for consumers to understand that intensive indoor production of pigs involves routine antibiotics, which is causing antibiotic resistance and affecting human health in a drastic way already. Secondly, that this system routinely operates outside the law with the routine tail docking of pigs and the failure to provide enrichment?

Rt Hon the Lord Rooker:

Okay, thank you. Lady there.

Ursula Arens:

I’m a Nutrition Writer for a publication for Dieticians. I want to ask Minette a question. One of your slides showed a product, I don’t know if it’s hypothetical or a real product, packed in Northern Ireland with ingredients that came from the UK, Egypt, France, Israel and Spain. And I want to ask you with a consumer hat on, meaning someone that eats and buys food, I would not have the faintest idea in what way I was supposed to react to being given that information on a product that contained ingredients from all of those countries. I would have no idea whether I should buy that, or not buy it, or pay more for it, or pay less for it. It’s just too much, it’s contradictory, it’s a huge quantity of information that I would as a consumer have no idea what use that was to me in any way in
making a judgment on that food or any other food, it just seems crazy. But as I say I'm speaking there as a consumer, not with my professional hat on.

Rt Hon the Lord Rooker: Okay, thanks very much. I've got a third question over there.

Elliot Gardner: From Food Processing Terminology.com. Yes, I had a quick question about protected product names after Brexit. You mentioned PDOs and things like that, how much do we need to worry about those kind of products, such as stilton say, because prior to being a member of the EU I know there was certain national legislation in place as well as those products were protected under international trademark law. So yes, just asking whether we actually need to be worried about that coming out of the EU?

Rt Hon the Lord Rooker: Okay, thank you. As we had a specific question to a panel member I’ll ask Minette to go first. Minette.

Minette Batters: Well, on your point I mean that's why I guess we are constantly saying to look out for the Red Tractor logo because that way you know that it has been produced on a British farm, you can trace it all the way back through the food system to the farm that it was produced on. But I think you know there is a bigger challenge around all of these and the slide that you noticed about you know consumer understanding of what they’re buying, does the consumer care, does the consumer totally buy on cost. And ultimately, I think we need to be much clearer about what our food integrity is all about and what actually does market. And that isn’t about having a plethora of more labels as David says, it’s about getting better understanding of what we've got in the UK. And actually we start this point, and I think every panellist has made this point, we start in a really, really good place as long as we can create better understanding of the labels that we have at the moment and things like Red Tractor is crucial that consumer understanding of what that means to avoid as you say the confusion that you found.

Rt Hon the Lord Rooker: Thank you very much. Who wants to kick off on the pigs?

David Clarke: Well, I mean the heart of the question as I understood it was do we concede that most pig production is illegal and it’s probably a question for Defra or the Animal and Plant Health Agency, but I see no evidence for that, there are no prosecutions been taken on those issues, so I can’t concede that production is being done illegally.

Rt Hon the Lord Rooker: Anybody else? No. Okay. What about the third question on the names after Brexit, protection of products?

Minette Batters: We’ve had good assurance and you were saying the same that we will maintain them, but I think it’s absolutely crucial that we do maintain them.

David Clarke: I’ll respond that. I sat on behalf of the NFU in the EU committee that discussed GIs three times a year. I wouldn’t have any worry about that, they’ve got more to lose than we have, they are absolutely the
Europeans, particularly Southern Europeans are absolutely concerned that their GIs will not be respected outside of Europe, particularly by the Americans who are making Parma ham, who are making parmesan cheese and they would have some worries that we might turn our hand to that, so I don’t think we will have a problem in getting reciprocal protection.

Rt Hon the Lord Rooker: Thanks very much. Another round, has anybody got any specific questions regarding Eric’s presentation on what’s happening in France?

Rob Blacklock: From North Yorkshire Trading Standards. Just on the enforcement side of the scheme, the scheme looked very good from my perspective, did you have any issues with persuading all the companies to toe the line on the scheme, or did you have any sort of people that didn’t want to do that?

Eric Giry: It’s tough, it’s difficult to answer your question now because as you can see the trial has just begun eight months ago, so it’s just the beginning and the trial has to go to its end to give the appraisal I talked about. But what I can say is there was a huge debate within the supply chain, so it’s clear that the farmers as well as consumers wanted the mandatory country of origin. But there are parts of the processors didn’t want to get this mandatory process, because some of them were speaking about the difficulties to the cost, how it could cost to the, it could be much more expensive to label, to try to get the origin of the products. Some of them thought that it was difficult because they need to make their products to have different origins of supply, so they need to get pork coming from France but also coming from Germany and so on. So for them they said that it would be for them much more difficult and costly to put in place. But it was the choice of the State and so that’s what I said at present we will have a look on the cost for the consumers because maybe the production labelled maybe could be more expensive and also the cost for the processors putting in place new labelling and so on. So we’ll see, but I think at that stage it’s too early to answer your question.

Rt Hon the Lord Rooker: Okay. Minette, do you want to comment?

Minette Batters: David.

Rt Hon the Lord Rooker: David.

David Clarke: I don’t know if the panel should be asking each other questions. But I think the thing that intrigued me and it was raised at a Brussels meeting a few weeks ago that I was at, is thinking about the single market rules and the original Cassis de Dijon decision, if I was manufacturing a product outside of France would I be obliged to meet the French legislation?

Eric Giry: No, as I said, the legislation is applying only for products which are produced on the French territory, so for the foreign products it doesn’t apply.

Bronwen Reinhardt: From Compassion in World Farming. I actually want to ask Minette about this, what does COOL actually mean to the consumers, actually picking up on your question what does county of origin labelling mean to a consumer when it relies on the perception of that consumer of that country, if you had pork made from China, do you think that you would have a different consumer reaction? And on that note, what farming method do you use on your farm that you’re so passionate about, that makes the UK a good branded farming method county of origin for people to choose British?

Minette Batters: Okay. Well.

Rt Hon the Lord Rooker: I’ve got one at the back, I’ll take the other one at the back, please.

Dr Jean Kennedy: From Devenish Nutrition. Michael Bell mentioned that there was a need for a coherent food plan, I’m wondering is there anything like that in the pipeline?

Rt Hon the Lord Rooker: Okay, thank you. Minette.

Minette Batters: Well, consumers buying behaviour to a certain extent is driven by the major retailers and a lot of that is driven by finding points of difference. But if we look at things like fictional farm branding and I look at the journey that farming has been on and consumers have been on it’s now used as a real driver to push sales is incorporating that word, farm. And I have a big Tesco store close to me and I’ve watched their value line evolve into, for beef the Boswell Farm line, and the sales were meteoric, you know quite extraordinary and really surprised Tesco and that was all off the back of using the word, farm. Now, had you done that 20 years ago it just wouldn’t have worked, so it shows how far farming has come in the eyes of the consumer. You say, and I think the consumer really does not only in the rise of cooking shows Bake Off and everything else, there is far more interest in food than there was. And you then ask me why I am passionate about what I do, so I am a beef farmer and I do have a big frustration in the fact that I felt it was a story to a certain extent that hadn’t been told and when I look at other parts of the world and their production systems and the auditing that we have in the UK, so I’ve got my Red Tractor farm assurance in a month’s time, it will frustrate me as it always does, because you never sail through it, there is always something that you haven’t got right. But if you look at that from a consumer point of view it’s quite good that we have that rigid checking process. And if I compare myself with a New Zealand farmer or an Australian farmer, well they have drones, they don’t have those individual inspections. So I think it’s really important that we recognise what is going on that’s good at the moment. We’ve talked about pigs, I can talk about beef and I am really proud of that, have we shouted enough about what we do and opened our farm doors enough? No we haven’t and we need to do it
much more, you know we have things like Open Farm Sunday, they’re a step in the right direction, but our education system has failed us, we don’t talk about food, we don’t understand food. We’ve, as you rightly say, 43 years politically we haven’t engaged with food, we’re set to be over 70 million people within the next ten years, so it’s a great opportunity, but you know that in a nutshell is why I think there is this drive to be able to know what country your food is being produced in.

Rt Hon the Lord Rooker: Michael.

Michael Bell: If I could just add one other dimension to that, I agree with that, we’ve said publicly you cannot view farming in isolation. In the case of Northern Ireland the average farm size is 58 acres, which is not particularly efficient, but it’s a family farm structure, it’s actually the fabric of rural society. You’ve got to look at food production, environmental sustainability, and rural society sustainability as three legs on one stool and if you take away any one of them the stool will fall over. So there are other dimensions to farming other than just the food production bit and I think it’s very, very important that Government grab that and we communicate that to the public, because at the minute the public have no concept of that. We’re in a room full of experts, we have a public who don’t understand that a chicken breast once had feathers, we’re in a world where butter, brackets, contains milk, close bracket, for allergen information, you know we’re an elite in this room and I think we’re a bit disconnected from what’s going on out there.

Rt Hon the Lord Rooker: And nobody makes popular documentaries about the inside of the meat industry, the final stage as it were, you know it’s closed, it’s a closed area and we talk about it, but it’s a closed area to the public. What about the answer to the, or the comment to the question at the back about, or the comment to the question at the back about, which was the issue you raised really, about the overall packaging of UK food but we haven’t done it.

Michael Bell: Yes a couple of comments. Firstly, all of us want to buy four things when we go into a shop, we all want to buy local, national, international and global foods, all of us. And we want the global ones to be the same wherever we go on the planet, in fact in The Times today there is spat in the European Union between the Eastern European countries and Germany and France where there are some products which have a different specification for the Eastern European countries than they do for the German and French markets despite the fact the packaging is identical and it’s quite a heated row. If we say well let’s just have local food that’s great, the only problem is in the UK we’re at about 12% of disposable income spent on food, America is at 11%, France is at 16%, and Japan is at 18%, Japan by the way having one of the longest life spans of any Western country. And if you compartmentalise the food market up and we all buy just local then it gets a lot more expensive. So there’s a trade-off here and it’s a dilemma for the retailers, the retailers are constantly battling how much do they put national lines, how much do they put global lines and how much do they put local lines, and that’s a problem for them all the time. So I think there’s a real tension in there and to some
degree it’s fashion and to some degree it’s driven by the messaging that we’re putting out.

In terms of where’s Government, I wish I knew, we’re waiting on the Agriculture Paper. The Agriculture Paper is the most important document in my working lifetime, which is 34 years in food for the United Kingdom, because it will define where we’re going. And to put it into Janet and John language, we can turn left, which is import more food, effectively decommission parts of agriculture and instead pay farmers to do environmental sustainability rather than food production because it’s cheaper. Or we can turn right, which is we produce more food in the UK to the standards that we want, but we will accept that we won’t be able to do that as cheap as other parts of the world. Now that’s a political decision, right at the top.

Rt Hon the Lord Rooker: Anybody else want to comment on that point?

Minette Batters: I think that it’s an absolutely key point to the whole of this debate and I think there is a concern you know there is so much to do in the whole of the Brexit process and to a certain extent food is so taken for granted, it’s available 24/7, it’s not top of most people’s concerns, you know the NHS, education are all things that resonate with people, food is taken for granted. And it is up to all of us as the experts in this room to make sure that politically one of those legs on your stool does not fall off, because that’s what will shape the landscape, you know that’s what will shape the landscape for years and years to come, so we all have a huge part to play in that. And in a confused landscape, Lord Rooker, sometimes we’ve had mixed messages coming out, we all have a duty to really shout about what we do have in the UK, because we should be proud of it and it mustn’t be forgotten or worse still, the sacrificial lamb as things happen over the next five years.

Rt Hon the Lord Rooker: Okay, thank you very much. Can I ask you to thank the panel, please? We’re now going to hear from the Government, Karen Lepper, Deputy Director, Access to Labour, Food Information and Standards at Defra. I have to declare an interest, 20 years ago this month Karen and I started working together in MAFF on these issues prior to the Food Standards Agency, so that’s my declaration of interest. The floor is yours, Karen.
Policy priorities for UK food labelling policy
Karen Lepper, Deputy Director, Access to Labour, Food Information and Standards, Defra

Thank you very much.

Okay, so obviously some of what we have already discussed today I shall try and flip through quickly in my talk today. What we’re talking about is where we are now, where the possible differences are at the moment and then approach the EU exit and beyond.

So, most important thing, consumer confidence is a key aspect of the food supply chain. Defra’s ambitions are very clear here, they’re set out in our strategy document Creating a Great Place for Living where we say we want a world leading food and farming industry, and for the British food industry to be an exemplar in maintaining consumer confidence. This is delivered through accurate labelling, recognised compositional standards and robust mechanisms for implementation.

Now, I just want to stop on the robust mechanisms because just to mention Defra’s food authenticity research programme, because this supports our robust mechanisms by making sure we’ve got fit for purpose methods to verify food labelling, I know this was something that was brought up earlier. Now, these tools are specifically there to help law enforcers and industry to protect consumers and the programme invests in developing cutting edge methods and has a focus on knowledge transfer to make sure that our methods are taken up and actually used.

We’ve got the EU exit obviously our principle focus for the moment. And in the lead up to EU exit we’re wanting to make sure we continue to ensure we have clear labelling, accurate compositional standards and robust mechanisms, but also we want to make sure we’ve got certainty and continuity and control so that the UK brand can be even stronger.

We’ve already been through the food regulations a number of times, there are a lot of them. If we turn to the food labelling in particular, I think the key thing here is that the consumer should not be misled and that is the principle that we want to build on now going forward.

So, we’ve already discussed a number of times this morning where difference is possible, already the rules are harmonised across the EU but we still have some degree of autonomy. So we’ve already heard helpfully about the French example on dairy, we’re watching this pilot with interest and the UK also already has a derogation on mince meat, the degree of fat and collagen in it.

Again, we already export internationally and have to deal with the labelling requirements of other countries. Two examples are of the US where the nutrition information needs to be declared in terms of serving instead of weight and volume as in the EU, so this requires a bespoke label for the US market. And also Australia has recently introduced new rules on country of origin labelling which has a standard way of making sure people know where products are grown in Australia via their Kangaroo label.

So, exiting the EU, the UK is choosing as you’re aware to have the existing rules on labelling remain in place when the UK exits and this is to provide certainty and continuity for consumers and businesses. We’re doing this through the European Union Withdrawal Bill which converts European law into UK law as at the moment. But no decisions have yet been taken about the UK’s future relationship with the EU as you’re all very well aware, but beyond day one we obviously have the opportunity to develop labelling rules in the UK that better meet our needs but which also maintain access to key markets.

So, when we’re looking at the kind of things that we need to take into account, again people have mentioned this at various times, we need to be looking to make sure that we consider the issues of divergence and non-tariff barriers, because the UK could choose to set its own rules on food labelling, for example, to improve...
transparency. But if our domestic regulations diverge too much from the EU then non-tariff barriers may arise which might create friction for trade, the labels might need to be checked every time or just be unacceptable to the EU market.

Now we’ve heard today quite a lot of suggestions which have been very helpful around environmental, methods of production pros and cons and of course, nutrition has been a big one as well as the potential for increasing our country of origin labelling. The other issue is always, oops I’ve gone too far, World Trade Organisation rules, someone mentioned those as well, we need to make sure that any new labelling rules don’t contravene WTO rules, because if we were to grant one country a special favour we’d have to do the same obviously for all the WTO countries.

So, other factors as well. Business views, the main message that we’ve been getting is they want certainty and they want continuity. We’ve got the issue of how we can deliver Government policy and their objectives through using things like labelling, for example of again, nutrition and childhood obesity. And then we’ve got consumers and what they want. Now, Sue already gave a good outline of this earlier, but just to reinforce the fact that evidence shows that consumers choose on the basis of price and then on quality. On things like country of origin labelling it’s not always information on which they base their purchases, but at the same time it’s quite a mixed position, because people place quite high importance on quality and they do quite often as we’ve heard, link quality to British produce.

Finally, we’ve got the international aspect. Labelling is governed generally by Codex, we’re doing a lot on Codex at the moment, you may have heard that our candidate Steve Wearne has just been elected Vice Chair of the Codex Alimentarius Commission this is something we’re very keen on. We’ve got the food labelling working group happening in the next couple of months as well in Paraguay and we’ve also hosted a physical working group on antimicrobial resistance,

Sorry I’m losing my voice.

All of that means is that today actually has been fantastic from our perspective. We’re very much now focusing on EU exit and getting that right, but we’re also keen to engage with everyone and hear everyone’s views about where you think we should be going next. I’m very much getting the impression from what I’ve heard that generally the labelling rules are pretty good at the moment, they’re fine, but that there are opportunities going that people might want to use to improve things. But then we also have to consider trade-offs with trade, which is also beneficial obviously for consumers as well.

So I think my message here is very much we’re in a listening time where we want to hear more of your views on what you think should be done, but today has been great.

So thank you very much.
Policy priorities for UK food labelling policy
Questions and comments from the floor

Rt Hon the Lord Rooker: Questions? One there, we’ll take them one at a time.

Rob Cockerell: I’m a Business Analyst from Ten Kites. And I was just wondering have there been any thoughts of discussions about any changes to food labelling for the food service sector, like restaurants?

Karen Lepper: Yes, so this is part of our interest obviously on country of origin labelling, we’ve been talking to the out of homes sector as well as a lot of other stakeholders, including looking at the internet issue. It’s a complicated area, but we’re looking to work with them to see what we can do.

Rt Hon the Lord Rooker: Next? We have one at the front here please.

Delegate: I could just speak up but. I am actually interested in the concept of what the legitimate factors are that influence what we think should go on a label, so the fight against obesity, the fact that we shouldn’t consume sugar at the moment is accepted by Europe, by the ECJ, and then presumably by the UK as being something that overrides just the science. Have you given any thought as to how that sort of consensus, what if it’s salt, or fat, or something we haven’t thought about, or GM, that society thinks is a legitimate factor to influence labelling?

Karen Lepper: Yes, I think that’s a really important point and something that we’re definitely thinking now about, certainly we’ll have more freedom once we leave in theory bearing in mind the trade restrictions etc. How do we, number one, find out what people want most of all and also then weigh them up, so it’s something that is very much about the developing issue. I talk to the Department of Health a lot as do my teams, but equally we need to make sure that we’re focusing on what the consumers actually want and need and making sure that we don’t overpromise and say, right we’ll have a pack full of lots of labels that actually no one understands anyway.

So it is something that we’re looking at but that’s why we need to make sure that we have factored in all the people who have a view in this.

Rt Hon the Lord Rooker: Another one?

Peter Wight: From Marks & Spencer. Going forward with divergence, possible divergence of UK labelling rules, would you be looking to follow the French approach and exempt imports from those rules, or are you looking to impose UK rules on all imports?

Karen Lepper: So I just really reinforce at the moment that at the moment we’re just intending to roll over our labelling rules as they exist at the
moment, any future changes that we made at all would have to make sure that they’re compatible with any future trade agreements, so I think that would be quite a big determinant there.

Rt Hon the Lord Rooker: 

Thanks. Next? There’s a gap so I’ll ask one. Just before I left the FSA in 2013 when the negotiations were going on about the food labelling regs, it was the case I think here in the UK on a voluntary basis we had a front of pack logo warning about allergens. And that turned out, we understood from our own research at the FSA was very, very helpful and fits in with what Giles said this morning, it was simple. And of course we weren’t allowed to do that, with the way the negotiations went, Europe wouldn’t stand for it. And I know the allergen materials are on the back of the label now in bold, but that front of pack warning actually was quite useful and it was something we were doing voluntary. Would that be something that would be looked at again or not?

Karen Lepper: 

It’s something that could be looked at, I mean again it’s within the bounds of everything else and whether actually it was too confusing to have things on the front and depending what consumers found easiest to read.

Rt Hon the Lord Rooker: 

Anybody else? I’m not working on Parkinson’s by the way, we shall finish soon, but you know I don’t want anyone to leave the room thinking oh I wish I’d asked about so and so.

Steve Pugh: 

And I was the guy who got rid of the allergen box.

Karen Lepper: 

Interesting.

Steve Pugh: 

And the reason we got rid of it was quite simple, it was quite an expensive box for industry because they were always getting the wrong allergens in the allergen box and so for a completely safe food which had the information in the ingredients list they would have to withdraw it from the market because the allergen box was wrong. So having it in one place just made life simpler and it was more trustworthy for the consumer. And I know everybody disagreed with it, but that was the reason why we did it because it was actually quite helpful and I think people have come to terms with it now and automatically go to the ingredients list. So bringing it back again would be retrograde.

Rt Hon the Lord Rooker: 

Yes. No, I’m not in favour of turning the clock back I’m in favour of progress and the system is now you know operating, but it’s something that no one has raised the issue of allergens today and we are talking about labelling. I mean it’s a pretty serious issue, I mean believe you me people and families with an allergy they read the label and ask about it, it’s a serious issue. We’ve got a question.

Julia Kitchenham: 

From Allergy UK.

So quite topical for me. I think that we really need to be working, and I know that the Food Standards Agency are already on top of this, but we need to be working towards the minimum threshold levels that people can have a reaction too, because we obviously know that
it’s five parts per million for the gluten, so we can say that’s gluten free or you know it does contain or doesn’t. But at the moment we are unsure of the other allergens that people could react to, so I think that’s probably, you know, a big important piece of work going forward.

Karen Lepper: No that’s really helpful. Thank you.

Jane Mary White: From Glasgow Scientific Services. I’m a Public Analyst and from my point of view it’s important to have these kind of standards to work to, because if you’re trying to enforce legislation it’s really difficult if you don’t have a limit that’s actually seen to be safe and the methods that are robust enough to work with.

Karen Lepper: Yes we’re getting onto our authenticity programme, but no I totally agree with you on that one.

Julia Kitchenham: I just want to say one more thing. I think from a manufactured products point of view we still see a lot of companies just using a blanket, may contain statement, and they’ll just kind of do that to cover themselves from a legal perspective and obviously that’s something we really feel very passionately about. So yes, really if there are any manufacturers in the room please you know if your factories or your products don’t contain do say they don’t contain, because one in three people affected by allergy, 21 million people in the UK it’s a very loyal audience, so if you get it right you are going to actually you know have repeat customers etc.

Karen Lepper: Thank you. Should I just mention briefly people keep talking about our new food plan you know that kind of thing?

Rt Hon the Lord Rooker: Yes sure.

Karen Lepper: Just talk about and just to check that everyone is aware that the kind of the next steps on that as part of the industrial strategy where obviously BEIS are leading that, but we’re working with them from the food and farming point of view, both on the cross-cutting issues like infrastructure, but also around bringing forward proposals for a sector plan. So that’s kind of the next steps on food and farming, it’s not my area, but I know that that is what we’re doing on that.

Rt Hon the Lord Rooker: It’s a plan for the four countries is it? I mean there are four countries, I mean that’s one of the issues what gets devolved. I mean the fishing industry in this country is Scottish in the UK, it’s Scottish. I mean I know there’s some fish ports in Ireland, I do accept that, but especially it’s crucial, what gets devolved when it comes back from Brussels? I mean it’s unfair to ask you that which is why I’m doing it.

Karen Lepper: Well, what I can say on devolution, I mean obviously it’s you know it’s tricky, it’s very complicated, but we’re all working really closely together. My team had a meeting with all the devolves yesterday and I had one very recently, it’s something that we are all discussing together so.

Rt Hon the Lord Rooker: Thank you very much, Karen. Thank you.
Session Chair’s closing remarks
Rt Hon the Lord Rooker, former Chair, Food Standards Agency

Thank you all very much, and thank you to the speakers.

I think there’s enough material been raised there for the Forum to think about a pretty quick follow up, early part of next year, because this is not going to stand still, it’s the biggest, as we’ve heard, it’s the biggest manufacturing sector in the UK, when the totality of food is put together, employing hundreds of thousands of people, massive exports, and the maintenance of confidence, as Karen’s very first slide said, in food is absolutely crucial, because we know what happened in the past.

Well can I thank everyone for their contributions and the questions, and wish you a safe journey.

Thank you very much.

The chap from the management.
Westminster Food & Nutrition Forum closing remarks
Tom Overend, Associate Producer, Westminster Food & Nutrition Forum

Sorry to keep you ladies and gentlemen. I’m as keen as you are to get to our lunch after all that talk about lovely British food.

Just a few quick business announcements before we go, and to say thank you to everyone who took part.

Further to Lord Rooker’s comments just at the end, we are in fact planning some more conferences, we’ve got one on the impact of Brexit on food security, that’s taking place shortly, and we’ve got another one on high fat, salt and sugar products.

Michael Ryan who is the Deputy Editor for the Forum, he’s the chap that sends you all the emails, he’s hoping to return to look at more issues to do with Brexit, so if you are keen to be involved or have any ideas, please do drop Michael an email or give the office a call.

As a quick reminder, if there was a point you wished to make today but you didn’t get the chance, please do feel free to take up the opportunity to put an article in today’s publications. Details of how to do that are in your packs and we would suggest an article of around 600 words.

You will also find in there feedback forms, please do feel free to fill them out and leave them at reception, we always appreciate feedback, whether good, bad or ugly, and also we would be grateful if you could return your badges for recycling.

I’m sure you will agree that all the speakers today have been excellent from first until last, so I would like to thank them for giving up their time to be with us here today, and I would like to thank our two Chairs, Neil Parish MP and Lord Rooker, for guiding us so well through today’s sessions.

Thank you.
Press Links


“Changes to food labelling will be a delicate issue post-Brexit”
Comments

Katrina Walsh  
Policy & Market Intelligence Executive  
The International Meat Trade Association

IMTA View on Country of Origin Labelling Post-Brexit
The UK meat sector is already facing the unique challenge of Brexit; now is not the time to consider introducing expensive and burdensome mandatory country of origin labelling for processed meat. Any potential changes to labelling that do not directly result from the UK leaving the European Union should be considered at a later date. Labelling country of origin of meat used as an ingredient should be voluntary and an option for businesses to use as a marketing tool.

Though Brexit does present an opportunity for the UK to reassess its labelling policy, the fact that many businesses will still wish to trade with the EU and will need to comply with EU labelling should be factored into any decision. Divergence on labelling could add cost burden to the industry and careful evaluation of this must take place. IMTA has issued a policy paper on Brexit which covers various areas and includes some potential opportunities for future UK policy. On the whole we do not want to see divergence in labelling but there are a few areas where tweaks could be made.

The financial implications of introducing mandatory country of origin labelling for processed meat were considered in detail as part of the Commission’s review linked with The Food Information to Consumers Regulation. It concluded that consumer willingness to pay for mandatory origin labelling for meat used as an ingredient is questionable. Due to the need to label origin businesses may opt to use fewer origins for a given product, thus reducing their supply chain options and thereby possibly meaning higher prices brought on by the lack of flexibility in supply. These costs would need to be passed on to the consumer. See here a report produced on the subject by the European Commission.

Whilst the UK is currently still within the single market we have seen several other member states move to introduce their own mandatory origin labelling for meat used as an ingredient which goes against the principles of the single market.

This cost would ultimately be passed on to the consumer. There would also be a significant cost implication for the public authorities to enforce such legislation (10-30% increase in control costs according to EU analysis).

The meat industry already works on very slim margins compared to other sectors, the additional administrative and manual burden of updating labelling could result in the losses of jobs in the sector. The European Commission report mentions this as a possibility.

When any changes to labelling requirements come in, businesses all have to update their packaging at roughly the same time, this can make it difficult and quite expensive to make changes.

Country of origin labelling can already be used as a voluntary marketing tool for processed meat products. Businesses are already facing a great deal of change with Brexit so any future opportunities for change must be considered carefully.

Biography
Katrina Walsh is the Policy & Market Intelligence Executive at The International Meat Trade Association. She has worked representing the meat sector in London and Brussels for more than three years.
## List of Delegates Registered for Seminar

<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Position</th>
<th>Company/Agency</th>
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<tbody>
<tr>
<td>Sherok Abbas-Majid</td>
<td>Manager, NPD Regulatory Affairs &amp; Product Compliance, EMEA</td>
<td>Herbalife Nutrition</td>
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<tr>
<td>Rufina Acheampong</td>
<td>Exposure Assessment Advisor</td>
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<td>Ruth Adewale</td>
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<td>Dr Katie Adolphus</td>
<td>Nutritionist</td>
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<td>Nancy Angelopoulou</td>
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<tr>
<td>Ursula Arens</td>
<td>Nutrition Writer</td>
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<tr>
<td>Ozlem Aytac</td>
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<tr>
<td>Dr Sarah Barber</td>
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<td>Kleio Bathrellou</td>
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<td>Northern Ireland Food &amp; Drink Association</td>
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<td>Bruce Beveridge</td>
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<td>British Society of Animal Science</td>
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<td>Dr Alan Bullion</td>
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<td>Sue</td>
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<td>Dr Emily</td>
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<td>Isaac</td>
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<td>Jason</td>
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<td>Emma Hill</td>
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<td>Dr Sheena Leek</td>
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<td>University of Birmingham</td>
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<td>Dr Anusha Panjwani</td>
<td>Publicising and Communication Lead, Chief Scientific Adviser’s Office</td>
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<td>Neil Parish MP</td>
<td>Chair, EFRA Committee</td>
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<td>Samira Salbi</td>
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<tr>
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<td>Nicola Smith</td>
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<td>Ian Thomas</td>
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<td>6 Pump Court</td>
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<td>Lesley Thompson</td>
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<tr>
<td>Paul Tossell</td>
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<td>Alex Turtle</td>
<td>Labelling and Enforcement Manager</td>
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<td>Debby Webb</td>
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<tr>
<td>Ben Webster</td>
<td>Environment Editor</td>
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<tr>
<td>Robert Wells</td>
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<td>Jane Mary White</td>
<td>Public Analyst</td>
<td>Glasgow City Council</td>
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<td>Peter Wight</td>
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<td>Marks &amp; Spencer</td>
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<tr>
<td>Anna Williamson</td>
<td>EU Exit &amp; Trade Coordinator</td>
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<td>Jennifer Wilson</td>
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<td>United States Department of Agriculture</td>
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<td>Bob Witney</td>
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<td>Tate &amp; Lyle</td>
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<td>Ross Yarham</td>
<td>Allergy &amp; Intolerance Research Programme Manager</td>
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<td>Michelle Young</td>
<td>SEO</td>
<td>Food Standards Agency</td>
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<tr>
<td>Suki Zayer</td>
<td>Undergraduate Nutrition Student</td>
<td>University of Nottingham</td>
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</table>
Contributor Biographies

Minette Batters, Deputy President, NFU
Minette grew up living and working on-farm, with no succession tenancy available. It wasn’t until 1998 that she was able to secure a long-term Farm Business Tenancy. She built the business from nothing to over 300 head of stock, finishing Angus cattle on a premium scheme for a major retailer. Minette has also diversified into horse livery, converted a 17th century tithe barn into a wedding and corporate events venue, and runs a catering business which specialises in using home grown produce. Minette now employs two full time and up to 20 part time staff. More recently Minette has worked with industry and retailers to develop ‘Ladies in Beef’ and the ‘Great British Beef Week’. She has been an NFU member from grassroots through to County Chairman; she served as Wiltshire’s Council delegate and also as Regional Board Chairman for the South West. Minette has also been a member of NFU Governance Board and the agricultural representative on the SW Environment Agency Flood and Coastal Committee. She is also a focus writer and is regularly interviewed for local and national media.

Michael Bell, Executive Director, Northern Ireland Food & Drink Association
Michael Bell has over thirty two years’ experience in the food industry. He worked in Northern Ireland and Malta for twelve years working closely with major retailers and was a member of the Board of Ormeau Bakery. He has been Executive Director of the Northern Ireland Food and Drink Association Ltd for over 20 years. He has a primary honours Degree in Food Science. He is a Fellow of the Institute of Food Science and Technology (FIFST). He is a Chartered (Food) Scientist (CSci). Michael holds a diploma in Company Direction from the Institute of Directors and has recently achieved his Chartered Directorship. He holds a Leaders in Industry programme Food and Drink Manufacturing sector award from The Queens University of Belfast. He is Chairman (Designate) of the Northern Ireland Agricultural Research and Development Council. He is a member of Safefood Advisory Committee. He is a member of the Northern Ireland Food and Feed Advisory panel for the Food Standards Agency Northern Ireland. He is a board member of Agri-Quest - the Food Innovation Competence Centre. He is an elected Trustee of the Northern Ireland Assembly and Business Trust. In his spare time he enjoys sailing, hill walking, good food and drink.

Fiona Carter, Consultant, CMS
Fiona is a Solicitor-Advocate who specialises in Food and Beverage law particularly in the context of regulatory issues which may affect brand value. As an Independent Consultant Fiona’s practice draws on her experience and successes in representing clients in all courts to ensure that wherever possible litigation and proceedings are avoided in favour of good compliance and resolution. Fiona understands the importance of protecting clients’ business and brand reputation. Her preferred model is not simply to give accurate advice but also to understand and proactively work with her clients to add value to their business. Fiona’s experience reflects over 20 years during which she devised and developed a highly regarded regulatory team. Fiona advises on a wide range of legislation implemented by Regulatory Bodies as diverse as Trading Standards, CMA/OFT, FSA, HSE, VOSA, ASA and EA focussing on Food, Health, Safety and the Environment. Her broader compliance work encompasses consumer legislation, advertising and marketing.

David Clarke, Red Tractor Assurance
David Clarke has had a 40-year career in food quality and supply chain management. After a short spell in meat processing he worked for over 20 years in the food service industry with the Forte Group. Moving on in 1997, he became involved in assurance, certification and accreditation and took up a post in farm assurance the following year, becoming chief executive of the Company operating the Red Tractor scheme at its inception in 2000. David has been a member of several industry and governmental advisory bodies and has been a regular contributor to trade publications.

Sue Davies, Strategic Policy Adviser, Which?
Sue Davies, Strategic Policy Adviser at Which? is leading Which?’s policy work on Brexit. She is also responsible for food policy at Which? and has represented consumer interests on a range of national and international committees. She was the Chair of the European Food Safety Authority from 2012-2016. She has been awarded an MBE in recognition of her work on food safety.
Eric Giry, Agricultural Counsellor for the United Kingdom and Ireland, Embassy of France in London

Eric Giry is agricultural counsellor at the French Embassy in London and is in charge for the UK and Ireland of all issues or concerns dealing with agriculture, the agrifood industry, food, rural development, forestry and fisheries. He was appointed in July 2015 by the French Ministry of agriculture where he exercised for 25 years many responsibilities in areas as diverse as CAP, common market organisations, multilateral trade agreements, food regulations, food quality, production and supply chains, and environmental issues. Before coming in London, he was for the 6 last years at the head of the directorate in charge of agrifood strategy and sustainable development.

Sue Howlett, Technical Manager, WSH and Chair, BHA Nutrition Working Group

Sue Howlett is currently Technical Manager for WSH, the largest independent food service caterer in the UK with 20,000 employees operating in 2500 sites, with a turnover of £700 million. Our trading brands include high street names like Benugo, Searcys, and Hix Restaurants along with contract caterers Baxter Storey, Caterlink and Holroyd Howe. Since joining WSH nearly four years ago, Sue has been involved with overseeing the introduction of a new supplier management system for the 1000 food and drink suppliers to the business. She has also written and integrated thirty food technical policies into the business, along with carrying out an extensive programme of supplier audits. WSH supplier complaint investigation also comes under her remit. Sue also sits on the BHA Nutrition Experts Group and has chaired their working group in the development of a healthy eating guide for the food service industry. Sue has 25 years’ experience in the food industry across a range of functions. Prior to WSH she worked for Pabulum, an independent schools contract caterer as their Health, Safety & Environmental Manager. She has also worked for national food retailers, several food manufacturers and for various environmental health departments. Sue studied at Reading University, graduating with a BSc in Food Technology and an MSc in Nutrition & Food Science. Sue is an active member of the IFST, the CIEH, the Food Club and the Nutrition Society.

Karen Lepper, Deputy Director, Access to Labour, Food Information and Standards, Defra

Karen Lepper is Deputy Director responsible for food standards and consumers in Defra, part of the Food Chain Directorate. She leads on policy on compositional standards, food labelling and non-animal derived food commodities. Her previous posts in Defra, the Office of Climate Change and MAFF have included policy on CAP, flood recovery, waste and climate change as well as transformational change within the Department, customer insight and private secretary to the Minister of State.

Elspeth Macdonald, Deputy Chief Executive, Food Standards Scotland

Elspeth has been Deputy Chief Executive for Food Standards Scotland (FSS) since it was created in 2015, and as part of FSS’s senior management team, she leads on FSS’s strategy and policy. Elspeth joined the Food Standards Agency in Scotland (FSAS) in April 2001, having previously worked in the Scottish Government’s Marine Laboratory (now Marine Scotland Science) in Aberdeen. In 2011 she was appointed as FSAS’s Head of Policy and Operations, before undertaking a secondment to FSA HQ in London as Head of FSA’s Regulatory and International Unit. There, she led the development of the FSA’s future Regulatory Strategy and coordinated FSA’s EU and international work. Elspeth is a science graduate of the universities of Stirling and Aberdeen.

Neil Parish MP, Chair, EFRA Committee

Neil Parish has been the Member of Parliament for the constituency of Tiverton and Honiton since May 2010. Before entering politics, Neil was a farmer in his native Somerset and still lives on the family farm to this day. Prior to entering Parliament, Neil was a Member of the European Parliament for the South West of England and a local councillor. During his first term as MP, Neil sat on the Environment, Food and Rural Affairs (EFRA) Select Committee. He was Chair of the Associate Parliamentary Group for Animal Welfare from 2010 to 2015 and he also established three farming All Party Parliamentary Groups (APPGs) for ‘Beef and Lamb’, ‘Eggs, Pigs and Poultry’ and ‘Dairy’. Upon his re-election in 2015, Neil was elected as Chair of the EFRA Select Committee. In his time as EFRA Chair, Neil has led inquiries into flood prevention, air quality and the EU’s Common Agricultural Policy. Neil is married to Sue and has two children and two grandchildren.
Stephen Pugh, EU Food Labelling Specialist
Stephen Pugh was head of the food labelling team in the Department for Environment, Food and Rural Affairs (Defra) until March 2016. He represented the UK during the negotiations on the EU’s Regulation on the Provision of Food Information to Consumers (FIC). He has worked in the field of food labelling for the UK government since 2008 years. Although Stephen has retired from Government he still works and presents in the field of food labelling. He is the Course Coordinator in the European Commission’s training initiative on food information which is part of the Better Training, Safer Food programme.

Giles Quick, Director, Usage, Kantar Worldpanel
Director Kantar WorldPanel. 30 years in food and drink research (age does not bestow wisdom). Professionally, responsible for the Worldpanel consumption services - covering food, drink and personal care, and also health and nutritional tracking. Past member of expert panel for the House of Commons All-Party Parliamentary Foods Group reviewing food inflation and the consumer response. Papers on health and nutrition, obesity and a past member of the expert panel @ the City Food Lecture. W.H.O papers on causes and correlates of obesity. Numerous papers and lectures on food and food consumption in the UK and Internationally. TV appearances in a number of documentaries including The Men Who Made Us Fat.

Peter Rixon, Managing Editor, EU Food Law and Eurofood Monitor, Informa
Peter Rixon heads up the European Food Law channel on IEG Policy. As well as covering issues such as changes to the labelling of food, legal debates on food technology, rulings on advertising and developments in nutrition strategy, Peter also focuses on broader questions such as how stakeholders are tackling the obesity epidemic, habitat destruction, socio-ethical sourcing, food-related illness and demands for more localized production. Peter also hosts webinars and meetings on food-related issues. Before joining Informa in 2000, Peter worked on UK newspapers covering environmental, health, crime and political issues. Since then he has covered pharmaceuticals, medical technology, clinical trials, political lobbying, animal pharmaceuticals, and GM food in Europe.

Rt Hon the Lord Rooker, former Chair, Food Standards Agency
The Rt Hon the Lord Rooker was born Jeffrey William Rooker on 5th June 1941 in England, and is a Labour Life peer sitting in the House of Lords since 16th June 2001. He previously sat in the House of Commons as MP for Birmingham Perry Barr. He was Chair of the Food Standards Agency between 2009 to 2013. In the past, Lord Rooker has held the position of Minister of State (Department for Environment, Food and Rural Affairs) (Sustainable Farming, Food and Animal Welfare) (2007 to 2008), Minister of State (Department for Environment, Food and Rural Affairs) (Sustainable Farming and Food) (2006 to 2007), Minister (Office of the Deputy Prime Minister) (Regeneration and Regional Development) (2003 to 2005), Minister (Office of the Deputy Prime Minister) (Housing & Planning) (2002 to 2003), Minister (Home Office) (Asylum & Immigration) (2001 to 2002), Minister of State (Department of Social Security) (1999 to 2001), Minister of State (Ministry of Agriculture, Fisheries and Food) (1997 to 1999) in Government.

Duncan Stephenson, Director of External Affairs, Royal Society for Public Health
As Director of External Affairs for the Royal Society for Public Health, Duncan has responsibility for developing the organisation’s voice on public health issues. Duncan has been behind many of RSPH’s new policies including: campaigning for alcohol calorie labelling; creating outdoor smoking exclusion zones; Health on the High Street - a national campaign to make High Streets more health promoting; and most recently drug policy reform, and calls for the introduction of activity-equivalence calorie labelling for food and drink. Duncan has over ten years’ experience in campaigns, media relations and public affairs working mainly on health and wellbeing issues. Prior to joining RSPH, Duncan looked after parliamentary and stakeholder relations for the Care Quality Commission. As Head of External Affairs at the YMCA, Duncan set up the All-Party Parliamentary Group on Body Image and was instrumental in the Campaign for Body Confidence, now the BeReal Campaign. He has previously worked for industry and at Unilever UK supported their response to the Public Health White Paper, covering issues such as food labelling, marketing and advertising to children and product reformulation. Outside of work, Duncan is a volunteer for OCD Action and a trustee of the People's Health Trust.

All biographies provided by speakers