

Food Standards Agency: Information released under the Freedom of Information Act

Date released: 15 November 2017

Request

Your request was:

**** Please provide copies of the minutes of all meetings in 2017 where the idea to alter the FSA's reporting of chickens contaminated with campylobacter was discussed;***

**** Please provide copies of all briefing/background papers in 2017 on this issue.***

Response

The information you have requested is provided in Annex B. It constitutes extracts from various meetings of the FSA's internal Campylobacter Programme Board from February 2016 to May 2017. The further document attached to this email is an example of a standard letter sent to industry representatives in April 2016.

We have provided material from a broader time span than you have requested because the main discussions on the policy changes which you are interested in happened in 2016 rather than 2017. Discussions on reducing the burden of Campylobacter testing on the public purse began internally at the beginning of 2016, was raised with the FSA Board (<https://www.food.gov.uk/sites/default/files/fsa160306.pdf>) and following that, the idea was raised with Industry.

Annex B

Campylobacter Programme Board

04 February 2016

Industry Data

- 6.8 MW set the scene by reiterating that the FSA never really had proper access to industry data. A paper from [s35(1)(a)] re data sharing is still awaited; a meeting will be arranged for March to press [s35(1)(a)] further. MW reminded the Programme Board that the FSA policy team had set out for the ACT Board in November what robust data would look like.
- 6.9 MW expressed the view that the FSA does not need access to industry data; instead the ideal would be for industry to share their data directly with consumers. KH observed that the FSA still needed to be assured of the robustness of the data, possibly through a third party audit.
- 6.10 KH suggested that the FSA could define the dates that industry data should be published on to coincide with the publication of the retail survey – and then we could provide links to industry’s own websites which contain their up to date data.
- 6.11 MJ suggested that the FSA could deal with retailers on an individual basis. She suggested that the FSA could publish a table in which some columns would be well populated, and others left blank, reflecting the extent of retailer co-operation.
- 6.12 MJ advised that Sian Thomas is due to accompany her on a visit to [s35(1)(a)] on 8/2/16 to discuss what information it was willing to share. MW pointed out that [s35(1)(a)] was involved in lots of trials; the data published would need to reflect the products that were actually available to the consumer. He was keen to ensure that Sian’s discussions with [s35(1)(a)] do not prejudice the aims of the Campylobacter Programme.

09 May 2016

Data Update

- 6.15 NT introduced the section explaining that the policy team had undertaken work to define a protocol that could be introduced to ensure that when industry started publishing their own data (and dropped out of the retail survey) there would still be data available that was meaningful to consumers and allowed for easy comparison between retailers. She explained the Programme Team are working with Sian Thomas on the open data agenda to determine how the necessary retailer’s data could be delivered in the wider open data context.
- 6.16 NT added that consultation on open data standards was scheduled for July but the publication of Campylobacter data may require lengthier negotiations with industry. She asked the Programme Board for guidance as to whether the

negotiations to get industry to publish their Campylobacter data should be started as part of the Campylobacter Programme (which will potentially close in mid 2017) or whether delivery should be part of the Open Data project that had longer delivery timescales.

6.17 CB advised that she would be comfortable for the work to be delivered under the Open Data Project, but would want to be advised by Sian and Julie Pierce as to whether this would fit with their plans.

6.18 GO advised that he had no view on this from an FSS perspective, as he sees this as an FSA governance issue. However, he questioned how the Campylobacter Programme Board would continue to have insight into this area if it was delivered under a separate project.

6.19 MW agreed to discuss with Julie Pierce the advantages of setting up a Campylobacter workstream within the Open Data project or keeping it separate and under the control of the Campylobacter Programme Board.

Action: to discuss with Julie Pierce the advantages/disadvantages of setting up a Campylobacter workstream within the open data project or keeping it separated and under the control of the Campylobacter Programme Board.

6.20 MW explained that the original intention from the Campy Programme had been that industry would be asked to publish summary data only - that would have been quality assured by a 3rd party auditor. A paper relating to industry data sharing had been discussed with the ACT Board in November 2015. This paper had suggested that industry would be asked to publish summary data only, and this proposal had been accepted in principle by industry.

6.21 MW explained that industry had identified an incentive for them by publishing summary data and falling out of the retail survey, but that it may be harder to incentivise industry to publish their full raw data.

6.22 JE explained that Sian Thomas was hoping to run a stakeholder engagement workshop to explore incentives and how to take industry on the journey of open data.

6.23 MW summarised the Programme Board's agreement that the retail survey (it had been discussed previously that this would continue until 2020) of the nine major retailers would continue until such a time as industry data publication is firmly established; and then individual retailers will be allowed to drop out of the retail survey. He explained that the retail survey sampling will continue to be monthly until Summer 2017 given the move to new methodology and the need to ensure this was robust, at which time the survey would move to a shorter, more impactful, vfm surveying period. This change would need to be included in the communications plan.

6.24 CG warned against a money saving exercise, explaining that the survey data had to be robust. ME agreed that whilst the integrity of the data must not be compromised, a more cost effective survey method should be considered. CB

stated that the FSA was seeking value for money, which did not mean robustness would be compromised.

31 August 2016

6.0 Update on Industry publishing its own data

- 6.1 KH introduced the paper on industry publication of robust data on campylobacter levels on chickens sold at retail (PB70).
- 6.2 The aim of the project was to set the standards to which the retailers would adhere when publishing their own data so that industry, consumers and public bodies could be assured that the information was reliable and consistent.
- 6.3 He explained that of the 8 major retailers, **[s35(1)(a)]** was not engaged and **[s35(1)(a)]** had indicated that it wanted to 'do its own thing'.
- 6.4 CB expressed concern over the lack of participation by **[s35(1)(a)]** and, to a lesser extent, **[s35(1)(a)]**, observing that this was an underlying weakness in the model. MW explained that at present the other retailers had only agreed in principle and, once data was actually published, **[s35(1)(a)]** and **[s35(1)(a)]** may change their minds. CB stated that pressure needed to be exerted now to mitigate the risk. It was suggested that a mention could be made in an FSA Board meeting re which retailers had and had not indicated their support for this initiative.
- 6.5 The other retailers support the initiative in principle but no one wants to be the first to publish data. Therefore, a 'hard launch' has been proposed at which all the retailers will publish at the same time.
- 6.6 SW observed that he had reviewed the timescale, and he did not think that this could be shortened. He added that the timescales reflected the need to manage the risk of any negative consumer perception, and demonstrate that the FSA remains in control and is introducing checks and balances to ensure that industry data is robust.
- 6.7 NB confirmed that the figures that are consistently provided to finance regarding spend in the remainder of 2016/17 and 2017/18 cover the continuation of the retail survey as set out in the paper.
- 6.8 The Programme Board agreed the recommendations in the paper, including the suggested timescale.

17 November 2016

5.0 Open Data Consultation

5.1 KH introduced the Summary of Open Data Consultation Responses paper (PB79). He summarised this report, noting that a number of proposals have been put forward as a result of the responses to the consultation.

5.2 The responses received from retailers indicate they do not want their raw data published, and they also indicate a desire to continue with the status quo in their individual sampling programmes. KH expressed concern that if data are provided from the industry under the current scenario, robustness could not be ensured for comparison purposes, and this would compromise the Agency's position and reputation.

5.3 [s35(1)(a)]

5.4 MW summarised the Board members' comments and decisions:

- Reconfirmed that the retail survey would continue until 2020.
- Retailers can only drop out of the survey if they comply with our data robustness criteria.
- Reconfirmed the principle that no retailer would drop out of the survey until they published their own data.
- Having consulted on what the Board wanted to see, comments will be reviewed and an amended proposal for a publication protocol would be generated which would identify 'red lines' and any compromise areas but will need to require publication of both raw data and summary data.
- Another round of bilateral meetings with selective retailers is needed.

5.5 Therefore, the Board agreed on Option A (from paper PB79) but with a modified protocol incorporating raw data and summary data. Once this is finalised and the Board is content with the robustness of the amended protocol, it was agreed that we'll aim to get 2 to 4 retailers on board to accepting the modified protocol. As part of this option, it was also agreed bilateral negotiation with retailers will be used to enhance our chances of getting a positive response.

22 February 2017

RETAIL SURVEY

6.1 KH provided a verbal update and explained that the plan is to publish the 5-month period results (i.e. August – December 2016) on 14th March 2017. The story is predominantly a positive one at this stage.

6.2 SW said this reinforces the point that we need to give appropriate credit to larger processors and shine a light on smaller processors and the actions being taken as a result.

6.3 Various observations were made by Board members, including where the focus of the messaging should be, e.g. 'in the home' versus 'in the shop'.

OPEN DATA

6.4 KH provided a verbal update and informed the Board there's going to be a further meeting with retailers later next week (3rd March). He identified that we're still in

somewhat of a quandary due to the fact some retailers appear willing to publish and some do not. However, there's still overall optimism we'll get 3 to 4 retailers on board.

6.5 KH mentioned the Board's previous decision to continue with the retail survey until 2020.

6.6 Sian Thomas has proposed a workable solution for the publication of their data which will be presented to the retailers at the upcoming meeting, and will hopefully be well received.

6.7 MW confirmed that if we don't get retailers on board prior to the Programme closure, the retail survey passes onto Policy team while the push for open data will discontinue.

18 May 2017

RETAIL SURVEY

7.1 KH provided a verbal update on Sampling and Publication as well as Open Data. The key points noted were:

- Retailers reporting quarterly versus annually, and the implications of both.
- At this stage it looks like 7 to 8 retailers will be sampling in accordance with FSA protocol, and can therefore potentially be removed from the retail survey.
- Implications of raw data being published anonymously and through a third party.

7.2 Further discussions took place regarding quarterly versus annual publication of raw data, and it was noted that although quarterly is preferable, we can't force the agenda and still need to be pragmatic.

7.3 KH stated that he's currently waiting for a response from BRC regarding this, and their answer will determine next steps.

7.4 MW brought up Risk 30, as it relates to this agenda item. The Board agreed to close this risk and hand it over to BAU. The Board also agreed to transfer the remaining milestones for this workstream to BAU.

John Allan
Executive Chairman
Tesco Stores Ltd
Tesco House
Shire Park
Kestrel Way
Welwyn Garden city
AL7 1GA

19 April 2016

Our ref: BC1333



Open publication of data on Campylobacter in chicken

Last month, the Boards of the Food Standards Agency and Food Standards Scotland held parallel meetings looking at progress on campylobacter. Both Boards welcomed the progress made by the UK poultry industry in taking action against campylobacter. It was particularly welcome to learn of the recent move by many processors and retailers to trim the neck skin of whole fresh chicken, a positive public health intervention, given that it removes the most contaminated part of the bird and therefore reduces cross-contamination risks in the kitchen. In the light of this welcome and accelerated development, we are reconsidering the methodology for our retail analysis and expect to move away from the use of neck skin from this summer. We will notify retailers and processors once we have identified the appropriate new analytical protocol.

We are writing to the Chairmen of all the major supermarkets, to make clear their commitment to open publication and transparency of data. We would like to see retailers taking responsibility for publishing not just the results of their testing for campylobacter in chicken, but also the data sets on which the results are based – similar to the publication by the FSA in September 2015 of the data set for our first retail survey of Campylobacter in chicken¹.

1

<http://www.food.gov.uk/science/research/foodborneillness/b15programme/b15projects/fs241044A>

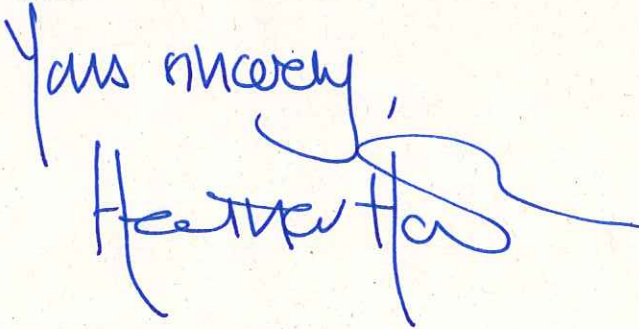
Aviation House
125 Kingsway
London WC2B 6NH
Tel: 020 7276 8010
heather.hancock@foodstandards.gsi.gov.uk

Food Standards Scotland
Pilgrim House, Old Ford Road,
Aberdeen, AB11 5RL
T 01224 285100
E Enquiries@fss.scot


We recognise that there is much work to do before such an approach can be implemented. In addition to developing the new analytical protocol we mention above, we would need to understand the correlation between our new methodology and those used by retailers and processors. We would also look to establish standards for open data on campylobacter in chicken, including standards for metadata, and an appropriate approach to independent third party verification of analytical results. We would also need to agree the timing of regular data releases to allow consumers to compare retailers' results on an equitable basis.

At this stage, therefore, we are looking to retailers to consider whether they are willing to commit in principle to making their data open once the above work is complete. Where retailers make this commitment and publish their data in line with agreed data standards, we will design our retail survey using the new methodology so that it does not include those retailers.

We look forward to your reply by 6 May and hope that you will reflect positively on this issue and feel able to commit in principle to publishing your data.

Yours sincerely,


Mrs H. J. Hancock LVO
Chair, FSA Board



Mr Ross Finnie
Chair, FSS Board
