

ADVISORY COMMITTEE ON THE MICROBIOLOGICAL SAFETY OF FOOD

FOOD STANDARDS AGENCY REVIEW OF SCIENTIFIC COMMITTEES

FIRST IMPLEMENTATION REPORT

1. The scientific advisory committees reporting to the Food Standards Agency (FSA) are being asked to report on how they are implementing the recommendations flowing from the Agency's review of scientific committees. Members were recently consulted by the Secretariat on the content of the ACMSF's contribution to the first implementation report.
2. A copy of the ACMSF's contribution, submitted to the FSA on 28 August, is attached for the information of Members.

**Secretariat
September 2002**

ADVISORY COMMITTEE ON THE MICROBIOLOGICAL SAFETY OF FOOD

| No | Recommendation | Action / responsibility identified | Complete | In progress | For future | Current position / action towards implementation |
|----|---|--|----------|-------------|------------|--|
| | <i>Role of the secretariat</i> | | | | | |
| 1 | each secretariat should include, or have immediate access to, people with relevant scientific / technical expertise (para 20) | <u>Secretariats</u> with support from HoD | ✓ | | | The ACMSF Secretariat includes a Medical Secretary. Secretariats of Working/Ad Hoc Groups have Scientific Secretaries. The Secretariat also has access to medical, scientific, veterinary and other specialist expertise through its Departmental Assessors and from within the FSA and other Government Departments. |
| 2 | committee papers should be drafted by the secretariat, drawing on the expertise of members as appropriate (para 21) | <u>Secretariats</u> | ✓ | | | ACMSF members do not draft ACMSF papers; although they do draft parts of ACMSF subject-specific reports. The Secretariat will continue to produce drafts, drawing on the detailed expertise of members, where this is practicable. In addition, many checks and balances exist to prevent unrepresentative views being advanced in the collective name of the ACMSF. |
| | <i>Appointment of Committee Members</i> | | | | | |
| 5 | the Agency should actively search for suitable experts and encourage them to apply (para 31) | <u>Secretariats</u> are best placed to identify suitable experts | ✓ | | | The ACMSF Secretariat already supplements open competition with other means of identifying potential candidates for ACMSF appointment (eg. Cabinet Office Public Appointments Unit lists). |
| 6 | the possibility of learned societies and Research Councils helping to identify individuals with particular expertise should be explored further with them (para 31) | <u>Secretariats</u> to contact the societies and Councils when advertising for members | | | ✓ | ACMSF will take forward this recommendation, which will add to the existing suite of options. |

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| 7 | each advisory committee should have at least two non-specialist members, one of which should have a background in consumer affairs (para 33) | <u>Secretariats</u> | ✓ | | | ACMSF has 2 non-specialist members, one a past member of the MAFF/DH Consumer Panel and the other from the Consumers' Association. |
| 8 | the Agency should specify clearly what is expected of all members, focussing particularly on the role of non-specialist members (para 34) | <u>Secretariats</u> (with advice from Consumer Branch) | | ✓ | | ACMSF Secretariat has prepared guidance notes for members and also issues an information pack when advertising membership vacancies. These are being reviewed in the light of this recommendation and will be updated as necessary. |
| | <i>Training and support for members</i> | | | | | |
| 10 | the Agency should provide induction for new committee members and this should include training in consumer issues for scientific members, and possibly facilitated sessions in effective committee functioning (paras 37, 38 & 40) | <u>Secretariats</u> (with advice from Consumer Branch) | | | ✓ | The Secretariat will identify appropriate induction and training opportunities, in consultation with FSA. |
| 12 | training in media skills should be offered to Chairs and certain other committee members (para 39) | <u>Secretariats</u> (with support from COMS) | | | ✓ | The Secretariat will identify appropriate training opportunities, in consultation with FSA. The ACMSF's Chair and some members already have media experience/training but would welcome refresher opportunities. |
| 13 | the Agency should obtain feedback from committee members on the adequacy of the support and training they receive and should take the necessary action to address any deficiencies (para 41) | <u>Secretariats</u> (some overlap with #3 above?) | | | ✓ | The Secretariat will liaise with the ACMSF Chair and members. This recommendation will also be reflected in the action taken in relation to Recommendation 3. |

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| | <i>Cross-membership of committees</i> | | | | | |
| 17 | where appropriate, permanent links should be maintained between Committees in the form of cross-membership through <i>ex-officio</i> appointments (para 48) | <u>Secretariats</u> to consider whether such links are needed and identify suitable members | ✓ | | | An ACMSF member currently provides <i>ex-officio</i> cross-membership with ACNFP. |
| | <i>Remuneration of members</i> | | | | | |
| 18 | the Agency should make employers aware of the valuable contributions made by committee members (para 51) | <u>Secretariats</u> to draft letters for FSA Chairman to write to relevant employers when appointment / re-appointments are made [<i>and when members reach the end of their period of office?</i>] | | | ✓ | ACMSF Secretariat will incorporate this into the appointments procedures. |
| | <i>Indemnities</i> | | | | | |
| 20 | statements of indemnity should be drawn up and kept up to date for committees, their sub-groups and other <i>ad hoc</i> expert groups (para 55) | <u>Secretariats</u> to ensure indemnities are kept up to date | | ✓ | | The ACMSF indemnity appears as Annex III of the ACMSF's 1999 Annual Report. The ACMSF Secretariat is currently reviewing the indemnity with FSA's Legal Services, and Corporate Resources and Strategy Group. |

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| | <i>Devolution and international issues</i> | | | | | |
| 21 | committees should receive regular updates on the work of their EU and international counterparts (para 59) | <u>Secretariats</u> | ✓ | | | The ACMSF Secretariat regularly provides the Committee with information papers on developments in international fora (most recently, in CODEX and WHO). In addition, FSA made a presentation to the ACMSF in June 2002 on EU food hygiene legislation and consolidation. The Secretariat will continue to provide briefing/presentations on similar issues, including those identified by members as of particular interest. The next planned briefing will deal with food law enforcement. |
| | <i>THE COMMITTEES' RESPONSIBILITIES – CONDUCT OF COMMITTEE BUSINESS</i> | | | | | |
| | <i>Openness</i> | | | | | |
| 22 | committees should follow standard practices in making their documents available, by publishing agendas and committee papers in advance of each meeting, and minutes and/or summary reports afterwards (para 63) | <u>Secretariats</u> to implement as appropriate for each committee | | ✓ | | ACMSF complies, except that papers are not currently made available until after they have been considered by members. This will be rectified from the ACMSF's next meeting. |
| 23 | the data used as the basis for risk assessments and other committee opinions should be made freely available (para 64) | <u>Secretariats</u> to implement as appropriate for each committee | ✓ | | | ACMSF papers are already made available (with few exceptions on grounds of confidentiality). Full supporting data, including risk assessment material and a comprehensive reference section, are provided in the Committee's subject-specific reports. |
| 24 | applications to committees [for approval of new products] are published for public comment prior to any substantive discussion by the committee (para 64) | <u>Secretariats</u> to implement as appropriate for each committee | ✓ | | | The ACMSF has no role in the approval of products. It is a risk assessment body and its function is purely advisory. |

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| 25 | whenever possible, draft opinions are published for all interested parties to comment (para 65) | <u>Secretariats</u> to implement as appropriate for each committee | ✓ | | | <p>This seems impracticable for handling important/urgent issues concerning the microbiological safety of food. For example, Annex B of the Code of Practice for Scientific Advisory Committees stipulates that 12 weeks should be the standard minimum period for public consultations. Delays of this magnitude would be unacceptable where urgent advice on the microbiological safety of food was required.</p> <p>The ACMSF proposes to adopt an alternative approach, as follows :-</p> <ul style="list-style-type: none"> • ACMSF issues “provisional” advice to FSA; • minutes and papers posted on website and public comment invited (through ACMSF e-mail address); • ACMSF considers any comments at following meeting; • ACMSF issues supplemental advice to FSA, as necessary. <p>The ACMSF could post its subject-specific reports in draft on its website prior to submission to FSA. However, this would add significantly (>6 months) to the timetable and could result in unacceptable delay in the submission of urgent food safety advice.</p> |
| 26 | all committees should move to a position where they conduct as much of their business as possible in open sessions (para 66) | <u>Secretariats</u> to implement as appropriate for each committee | | ✓ | | <p>The ACMSF currently holds 1 of its 4 meetings each year as an open meeting. From 5 December 2002, all of its meetings will be held in public. Budgetary constraints mean that 3 of the meetings will be held in Aviation House, which may mean limiting attendance. The fourth will however be held externally and it should not be necessary to limit numbers of members of the public wishing to attend external meetings.</p> |

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| 27 | committees should draw up clear guidelines to define what material can justifiably be regarded as confidential (para 68) | <u>Secretariats</u> to tailor guidelines for individual committees | ✓ | | | The guidance for ACMSF members drawn up by the ACMSF Secretariat covers this point. |
| | <i>Setting agendas / work programmes</i> | | | | | |
| 28 | committees should, at least once a year, publish a forward work plan (para 72) | <u>Secretariats</u> | ✓ | | | All ACMSF Annual Reports contain a Forward Look section, and horizon scanning will be a routine feature of future ACMSF business. The horizon scanning process for 2002 is already under way. It should be noted, however, that much of the Committee's work is demand-determined and is not always foreseeable. As the FSA seeks <i>ad hoc</i> advice from the ACMSF, the Committee hopes that the Agency will feel able to contribute to the forward planning process by identifying areas of work/topics on which it expects to seek ACMSF advice in the outlook period. |
| | <i>Communicating the committee's conclusions</i> | | | | | |
| 29 | committee advice in complex areas should be accompanied by a summary that sets out the main points of the committee's conclusions in simple language (para 74) | <u>Secretariats</u> (with advice from COMS) | ✓ | | | The ACMSF already endeavours to do this, and will continue to do so. The Committee's press releases assist this process. |

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| 30 | committee chairs should be offered professional advice on publicity and media handling and should normally act as the Committee's spokesperson (para 76) | <u>Secretariats</u> (with advice from COMS) | ✓ | | | The ACMSF Chair is the Committee's spokesperson. The ACMSF Secretariat will liaise with FSA's Communications Directorate to ensure that the ACMSF Chair has appropriate professional support as and when required. FSA has already provided appropriate assistance in the past (eg. in connection with the press launch of the ACMSF's Second Report on <i>Salmonella</i> in Eggs). |
| | <i>Handling conflicts of interest</i> | | | | | |
| 31 | committee guidelines should reflect that relevant declarable interests include links from which members benefit materially, including those with pressure groups and non-governmental organisations as well as industry (para 80) | <u>Secretariats</u> to tailor guidelines for individual committees, as necessary | ✓ | | | The ACMSF already operates on the basis of Cabinet Office model guidance. ² The Secretariat reviewed the ACMSF's code of practice in March 2002, in consultation with FSA legal advisers, and issued a revised version. |
| 32 | the Agency should produce guidelines upon which decisions can be made on the handling of members' interests (para 82) | | ✓ | | | The ACMSF operates on the basis of Cabinet Office model guidance. |
| 33 | interests should be declared by prospective committee members to enable a sensible balance to be achieved on the committee at the time that appointments are made (para 83) | <u>Secretariats</u> to obtain information and use it during appointment procedure | | | ✓ | The ACMSF Secretariat will consult the Office of the Commissioner for Public Appointments on how best to amend the application form it sends to applicants for ACMSF vacancies to reflect this recommendation. |

² Cabinet Office (2000). Non-Departmental Public Bodies : a guide for Departments; 203.

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| 34 | chairs of the Agency's advisory committees should not be employed by, or receive personal remuneration from, industrial organisations or pressure groups during their term of appointment (para 85) | <u>Secretariats</u> to apply this principle during appointment procedure and to monitor interests thereafter | | ✓ | | The ACMSF Secretariat will need to state this precondition clearly in future material advertising ACMSF Chair vacancies. The current ACMSF Chair has terminated his industrial consultation work. |
| | <i>Data that has not been reviewed</i> | | | | | |
| 35 | wherever possible, Secretariats should ensure that committees have access to comments from appropriate external experts before considering novel research which has not been peer-reviewed (para 86) | <u>Secretariats</u> | ✓ | | | The ACMSF Secretariat will arrange for data from any novel research of the kind envisaged by the Review Group to be reviewed by external experts whose views can then be considered by ACMSF members alongside those of the researchers. Where appropriate, and with the agreement of the ACMSF chair, the relevant experts will be invited to participate in discussion of the novel research at the meeting at which the issue is to be addressed. |
| | <i>Role of the chair and members</i> | | | | | |
| 36 | committee chairs should ensure that committee decisions include an explanation of where differences of opinion have arisen during discussions and why conclusions have been reached. They should also ensure that any assumptions and uncertainties are clearly spelled out. (para 89) | <u>Secretariats</u> to advise Chairs on best practice | ✓ | | | It is current ACMSF practice to record the main strands of the discussion, the assumptions made, any uncertainties, and the consensus view reached in the minutes of the Committee's meetings. Similarly, the breadth of argument, the assumptions made, and the uncertainties inherent in the conclusions reached are also all detailed in the Committee's subject-specific reports. |

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| 37 | when expertise is not available within the committee, the chair, in consultation with the secretariat, is responsible for ensuring advice is sought from additional experts (para 90) | <u>Secretariats</u> (in discussion with Committee chairs) | ✓ | | | <ul style="list-style-type: none"> ACMSF membership is regularly reviewed to identify any shortage of expertise. This process led recently to the appointment of new members with expertise in virology, catering and SMEs. Where, in the past, additional expertise has been required to enable the Committee to advise on a particular issue (eg. infectious salmon anaemia), external expert opinion has been obtained. External experts are routinely co-opted on to ACMSF Working Groups. |
| 38 | at the end of their first year of membership, members should be asked to prepare a report that reflects how they perceive their role within, and contribution towards, the work of the committee (para 91) | <u>Secretariats</u> to arrange meetings between members and Chairs | | ✓ | | Arrangements are already in place for the ACMSF Chair and Secretariat to discuss members' performance when re-appointment is being considered, as part of the information-gathering process to inform the FSA Chairman's decisions. The ACMSF Secretariat will facilitate the discussion of performance between Chairman and members, as required. |
| | <i>Specialist members</i> | | | | | |
| 39 | each committee has access to advice on quantitative analysis and modelling (para 94) | <u>Secretariats</u> with advice from EA Division | | ✓ | | This recommendation will need to be reflected when future ACMSF vacancies are advertised. The ACMSF already has some expertise in these areas within its current membership. In addition, additional advice will continue to be available to the ACMSF from within Departments through Departmental assessors. |

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| | <i>Attendance at meetings</i> | | | | | |
| 40 | the number of officials attending a meeting should be kept to a minimum and their attendance limited to those particular items where they are required (para 97) | <u>Secretariats</u> | ✓ | | | Steps were introduced some years ago to achieve this objective. The attendance of officials not making presentations is rare and at the discretion of the Chair (with advice, as necessary, from the ACMSF Secretariat). |
| 41 | the seating at meetings should be arranged so that the presence of observers does not inhibit the committee's discussions (para 97) | <u>Secretariats</u> | ✓ | | | This is already done. |
| 42 | the Chair should limit contributions by non-members during discussions (para 97) | <u>Secretariats</u> to advise Chairs on best practice | ✓ | | | <ul style="list-style-type: none"> • This already happens. Discussions at ACMSF meetings is routinely conducted through the Chair. • Guidance on the role of Departmental assessors is contained in the Committee's 1999 Annual Report. • Other non-members may attend parts of ACMSF meetings to make presentations and respond to members' questions. |
| | <i>SEEKING AND USING THE COMMITTEES' ADVICE</i> | | | | | |
| | <i>Uncertainty</i> | | | | | |
| 43 | when offering advice, committees should highlight any uncertainties identified during their deliberations, and explain how these uncertainties have been handled in reaching their final conclusions (para 100) | <u>Secretariats</u> to advise Chairs on best practice | ✓ | | | The ACMSF already does this and will continue to do so. A recent example can be seen in the ACMSF's Report on <i>Mycobacterium bovis</i> . ³ |

³ ACMSF. Report on *Mycobacterium bovis*. January 2002. FSA/0400/2002; 25-26.

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| 44 | committees should spell out the assumptions that have been made in each assessment and identify any gaps in the current knowledge, and the action that might be taken to address them. These should be made public (para 100) | <u>Secretariats</u> to advise Chairs on best practice | ✓ | | | See response to R.43 |
| 45 | the Secretariat, assisted by committee members, should take responsibility for identifying when new data becomes available that might justify the committee reviewing its earlier advice (paras 25 & 101) | <u>Secretariats</u> with Committee | ✓ | | | The ACMSF Secretariat already endeavours to do this, in conjunction with Departmental assessors and other Departmental officials. An example is the regular updating of information on the thermal inactivation of <i>Mycobacterium avium</i> subsp. <i>paratuberculosis</i> in milk. |
| | <i>Relationship between the Committees, executive and the board</i> | | | | | |
| 46 | the current arrangements should continue with information being conveyed from the committees to the Board via the executive. This may be supplemented from time to time by direct briefing of the board by the Chair of the committee (para 102) | <u>Secretariats</u> with Board Secretariat | ✓ | | | This reflects current practice. The ACMSF Chair has provided direct briefing to Board members at their invitation. |
| | <i>Responsibilities for risk assessment / risk management</i> | | | | | |
| 48 | committees should not be asked to manage risks although they may be asked to consider risk management options and provide scientific advice (para 104) | <u>Secretariats</u> | ✓ | | | This reflects current practice. |

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| 49 | the Agency, in consultation with committees, should develop a formal approach to risk assessment (para 105) | <i>Secretariats to take forward in the light of the Agency's risk statement?</i> | | ✓ | | The ACMSF has set up an <i>Ad Hoc</i> Group to develop proposals for taking this forward. |
| | Research | | | | | |
| 50 | the Agency's Advisory Committee on Research should monitor whether committee research recommendations are being suitably implemented by the Agency (para 107) | <u>Secretariats or Policy Divisions</u> to provide information to ACR Secretariat at [annual?] intervals | | | ✓ | Await FSA decision on what is required of ACMSF. |

Colin Mylchreest
Administrative Secretary
28 August 2002
On behalf of the ACMSF

