

Terms of Reference for the review into the integrity and assurance of food supply networks

To advise the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Health (“the Secretaries of State”) on issues which impact upon consumer confidence in the authenticity of food products, including any systemic failures in food supply networks and systems of oversight with implications for food safety and public health; and to make recommendations.¹

In particular:

1. To provide advice to the Secretaries of State on:
 - a) any inherent weaknesses in the current regulatory/ enforcement framework that leave food supply networks vulnerable to fraudulent activity (such as the recent horsemeat frauds);
 - b) how best to support consumer confidence in the integrity of their food, taking into account issues of concern to consumers and the relevant responsibilities of various bodies involved in oversight²;
 - c) the audit, testing and other verification within supply networks by regulatory and enforcement authorities, drawing on the FSA review of events and lessons learned; including the role of intelligence-led and routine testing and implications for how institutions work together and exchange intelligence;
 - d) the roles and responsibilities of food businesses including manufacturers, catering suppliers and retailers throughout food supply networks to consumers, including:
 - i. meat and meat product supply networks and practice;
 - ii. other food supply networks and practice, where there may be significant incentive for fraudulent activity;
 - iii. audit, testing and other verification within supply networks by those supplying food, in order to discharge both legal commitments and to meet consumer expectations;
 - iv. the legislative framework in Europe and the UK including how legal responsibilities are interpreted, discharged and enforced;
 - v. the role, operations and control over non-food businesses, such as brokers and traders involved in food supply networks and their relationship with the regulatory framework;
 - vi. any implications for food safety and public health, and
 - vii. any implications for public sector procurement.

¹ These recommendations will be relevant to the exercise of their responsibilities: i.e. reserved matters relating to the United Kingdom as a whole (including the EU legal framework governing food safety and authenticity); and devolved matters in England

² i.e. not restricted to labelling

2. To make recommendations to the Secretaries of State on:

- i. any changes required to the current regulatory framework and its implementation by the UK government, and to interactions between institutional players – in particular, industry, regulator, wider government, and the EU.
- ii. how Government should work with industry and others to implement change;
- iii. how the UK (and other Member States in Europe) might increase the resilience of their food systems, specifically against comparable challenges.

3. In formulating advice to the Secretaries of State, the Reviewer will be expected to:

- a) take evidence from the widest range of views and interest, including drawing on related review work in this area by the FSA, the private sector and civil society.
- b) take account of emerging findings from investigations into horsemeat and other frauds, primarily through FSA and other enforcement agencies (respecting the confidential nature of such investigations);
- c) highlight to Ministers any lessons relevant to the EU regulatory framework as these emerge or are required to inform EU negotiations;
- d) look to identify good practice [and the circumstances that support it], including the effectiveness of approaches taken within other jurisdictions;
- e) bear in mind constraints and competing demands on public expenditure currently and beyond the Spending Review and the need for an approach that is proportionate to the risks involved;
- f) recognise that issues relating to horse passports, phenylbutazone, and equine databases are outside the scope of the review.

4. The Review will begin in early June, provide an interim report in December jointly to the Secretaries of State that will form the basis of a final report by Spring 2014, as well as offering emerging advice as the Review proceeds on issues relevant to the EU regulatory framework.