



**Consumer  
Focus**  
Campaigning for a fair deal

# **Consumer Focus response to consultation on the Food Standards Agency strategy for 2010 to 2015**

June 2009

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## About Consumer Focus

Consumer Focus is the statutory organisation campaigning for a fair deal for consumers in England, Wales, Scotland, and, for postal services, Northern Ireland. We will be the voice of the consumer, and work to secure a fair deal on their behalf. We were created through the merger of three consumer organisations – Energywatch, Postwatch and the National Consumer Council (including the Welsh and Scottish Consumer Councils). The new approach allows for more joined- up consumer advocacy, with a single organisation speaking with a powerful voice and able to more readily bring cross-sector expertise to issues of concern.

[www.consumerfocus.org.uk](http://www.consumerfocus.org.uk)

# Consumer Focus response to consultation on the Food Standards Agency strategy for 2010 to 2015

Consumer Focus welcomes the opportunity to contribute to the Food Standards Agency (FSA) strategic plan 2010-2015 development.

## Summary

It is important that the FSA takes into account the consumer view and engage with consumers during this development phase.

Currently the plan, in the main, draws evidence from the physical sciences in setting priorities rather than the social sciences. The plan should include the consumer view and use consumer behaviour research in setting priorities.

Key FSA principles of openness, transparency and independence should be reiterated in the strategy to explain the way in which it will conduct its business.

## Introduction

The FSA has developed a regulatory framework for decision making which outlines how it will:

- put consumers first
- be open and transparent
- act as an independent voice acting upon the best available evidence

Some of these principles were found to be best in class when rated against the assessment framework in the Consumer Focus *Rating Regulators* report 2009. These important principles are not included in the current proposals and should be consulted upon during further development.

During additional development of the proposed strategy, the FSA will need to listen to consumers as it is not clear from the proposed strategy that there has been any ongoing consumer engagement. The FSA's main objective, as designated in the Food Standards Agency Bill, is to protect public health from risks which may arise in connection with the consumption of food. This includes risks caused by the way in which it is produced or supplied and it also has to protect the interests of consumers in relation to food. In order to achieve these aims, it is important that the FSA takes into account the consumer view in the strategic plan and engages with consumers during this development phase.

The Advisory Committee on Consumer Engagement (ACCE) noted in its paper to the Board in December 2008 that, '*We regard [this current] programme of engagement around the next strategic plan to be a crucial litmus test of how the Agency prioritises consumer engagement...we are hoping to see consumer views on priorities shape the strategy alongside policy and scientific input*'. The 10 citizens' forums mentioned at para 19 are welcomed, but it is not clear from the paper that there has been any continuing engagement since then.

## Responses to specific questions

Please find Consumer Focus response to specific questions posed in the consultation.

### **Q1 We intend to concentrate our efforts where we can have the most impact on public health. Do you agree that this should be our overall strategic approach?**

#### ***A clear priority of safeguarding the interests of the vulnerable***

Although the FSA statutes do not place explicit duty on it in relation to safeguarding the interests of individuals at higher risk, we would have liked to see in the plan a prominent signal of the FSA's approach to intervening on vulnerability grounds.

#### ***The precautionary principle should be utilised to ensure safe, healthy food for all***

The FSA often makes decisions on risk, based upon the precautionary principle. We would like to see this stated in the strategic plan as a key factor it will take into account when making interventions.

### **Q2 We have described the priorities on which we think we need to concentrate in the 2010-2015 period in order to make the most impact. Do you agree that these are the right priorities?**

We would suggest that the following priorities should be added:

#### **Sustainability should be embedded in the strategic plan architecture at a high level**

The FSA Board agreed in October 2008 to put sustainability in the heart of policy making. It is welcomed that the plan (at para 38-40) outlines how the FSA will take this forward however this should also be referenced as a key purpose, 'Safe **sustainable** food and healthy eating for all'.

The Government announced in the Cabinet Office report 'Food Matters, towards a strategy for the 21<sup>st</sup> century' a commitment to a food system that is more sustainable – economically, socially and environmentally. The report stated that future strategic policy objectives should be to secure:

- fair prices
- choice
- access to food and food security through open and competitive markets
- continuous improvement in the safety of food
- a further transition to healthier diets
- a more environmentally sensitive food chain.

The FSA needs to be at the heart of cross Government working to ensure a more sustainable food system therefore sustainable food must be a key purpose in its strategy.

#### **Consumers are not misled**

Currently there is no priority to engage with the issue of misleading consumers through food fraud. This includes labelling issues and food authenticity.

There is a need for work to ensure consumers are not misled. Concerns over nutrition and health claims, marketing terms and references and labelling data have been raised in the media, by NGOs and noted by the Agency's own research<sup>1</sup>. The recently published

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<sup>1</sup> Review and analysis of current literature of consumer understanding of nutrition and health claims made on food April 2007

research on comprehension and use of UK nutrition signposting labelling schemes found that trust in labels was a barrier to their use. Without confidence in the truth of marketing and labelling, consumers could be reluctant to make the informed healthy choices the Government would like to see. If consumers are to regain their trust in food labels, strong leadership by the Agency is needed.

Comments on the priorities under the various outcomes are as follows:

### **FS3 Consumers make informed choices about food safety when eating outside the home, prepare and cook food safely at home**

Ensuring informed choice is one part of engaging with consumers to enjoy safe food, another is changing behaviour and sustaining this change. A priority should be included using the underpinning science of understanding consumer attitudes and behaviour **and action appropriate improvements**. This may include for example funding initiatives to reduce listeria cases in the elderly.

#### ***Implement a single 'scores on the doors' scheme***

This priority appears misleading in that it is our understanding that the Steering Group for the development of the scheme will oversee the development of two national schemes with a view to shared learning and commonality of approach, as far as possible. We understand that Food Standards Agency Scotland (FSAS) will continue to support the Food Hygiene Information Scheme in Scotland, while FSA works to develop a six tier scheme for England, Wales and Northern Ireland.

### **A proportionate, risk-based regulatory system relating to food, which is clear about the responsibilities of food business operators and others, and which generates public confidence in food**

#### ***Stronger EU presence for negotiation and collaboration***

We welcome this priority given that much food legislation comes from the EU. We would recommend that this priority recognises the devolved arena in the UK and that FSAS also needs a presence. A current example of this would be the planned national food policy in Scotland where country of origin labelling is being discussed, which is also an issue in the draft food information to the consumer EU regulation.

### **HE1/HE2 Retail products and catering meals are healthier. Retailers, manufacturers and caterers provide nutrition information consumers need to make healthier choices**

The healthyliving award<sup>2</sup> which is managed and delivered by Consumer Focus Scotland is currently taking forward these outcomes in Scotland. The Healthy Options Award<sup>3</sup> is running along similar lines in Wales. Lessons can be learnt from both these schemes and similar, consistent approaches should be rolled out in other nations of the UK.

As the more established programme, the healthyliving award in Scotland is a rigorous robust scheme with effective, stringent and independent assessment procedures. It is important that a consumer focused quality assured mark is delivered across the UK; the healthyliving award in particular is already recognised as a scheme that does this.

### ***A single front of pack nutrition labelling approach: providing nutrition information consumers need to make healthy choices***

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<sup>2</sup> [www.healthylivingaward.co.uk](http://www.healthylivingaward.co.uk)

<sup>3</sup> [www.cieh-cymruwales.org/policy/Wales\\_healthy\\_options\\_award.html](http://www.cieh-cymruwales.org/policy/Wales_healthy_options_award.html)

Research indicates that there are demographic groups who have difficulty with front of pack labels. Although a single front of pack nutrition labelling scheme adopted by industry is to be welcomed, a further priority should be to use consumer behaviour methodologies to research and introduce successful improvements to reduce difficulties with understanding of nutrition messages.

### ***Increase the pace of change in eating out settings***

It is unclear what change is to be increased. Is this related to healthier menu opportunities, menu reformulation, or both?

### **Q3 The science and evidence strategy 2010-2015, gaps and analysis required**

It is not clear that consumer understanding and behaviour research is embedded within the document and forming a driver to the outlined priorities. The evidence base seems to be at present separate from consumer engagement and there is a real danger that evidence from research insight into consumer behaviour is lost. The proposed priorities are broadly defined by identification of risks to food safety through hard end points - death rates, number of cases, incidents and estimated prevalence - with passing reference to consumer concerns in relation to dietary health.

Evidence from consumers to be evaluated could range from understanding consumer's views on very general issues (for example, healthier eating) to public policy issues of emerging technologies such as cloning and nanotechnology and controversial areas such as genetic modification. We are pleased to see the recent founding of a Social Science unit within the FSA could aid this task.

The final priority is to increase understanding of how to change behaviour. This should be widened to cover sustained behaviour change.

In attending to sustained behaviour change, the FSA could look to take forward work in social marketing. This seeks to address both individual behaviour and the more general environment. It is the systematic application of marketing, alongside other concepts and techniques, to achieve specific behavioural goals for a social good. Social marketing seeks to have a sustained and measurable impact on the lives of those it tries to reach. Its core concepts include building a thorough understanding of people and their needs:

- **Insight** – what moves and motivates people?
- **Exchange** – what is being offered to people to encourage and support the desired behaviour? And what do they have to give up in order to receive the benefits being proposed?
- **Competition** – recognising the competition, ie, what competes for people's time and attention?

Social marketing techniques are being now successfully being used to tackle many types of challenging behavioural issues, from smoking cessation and alcohol abuse to increasing physical activity and improving nutrition such as Food Dudes,

<http://www.nsmcentre.org.uk/public/CSView.aspx?casestudy=37>

Finally, there is no indication as to how outcomes will be monitored and measured.

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