



Hayley Atcheson
Executive Support Unit
Food Standards Agency in Northern Ireland
10A-10C Clarendon Road
Belfast BT1 3BG

hayley.atcheson@foodstandards.gsi.gov.uk

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FOOD STANDARDS AGENCY NORTHERN IRELAND CONSULTATION

The Food Law Code of Practice (Northern Ireland) Review 2015

Response from the Government Chemist

As Government Chemist, I am responsible under certain Acts of Parliament¹ for providing independent analytical measurement and expert opinion to help avoid or resolve the disputes over scientific data which arise from time to time between local authorities and the businesses that they regulate. My public remit also covers wider advice to UK government and other affected parties on the role of analytical measurement in effective policy, standards and regulations. My staff liaise with regulatory services involved in sampling, analysis and product testing linked to the investigation of alleged non-compliances. I am pleased to be able to respond to this consultation particularly as many of the aspects covered appear frequently as the subject of referee casework².

Thank you for the opportunity to comment on the above proposed changes to the Food Law Code of Practice in Northern Ireland. The detailed questions relate largely to District Councils in Northern Ireland and to official controls carried out by their officers. While I do not have the granularity of information to comment on each question the proposals appear sensible.

The training of officers will cover regulatory obligations as set out in European directives and the associated UK regulations. You might find our website (<https://www.gov.uk/guidance/submit-a-referee-sample-to-the-government-chemist>) helpful in this respect, specifically in the details of how to submit a referee sample. The Government Chemist website is now part of Gov.UK and it may therefore be opportune in Chapter 8 – Sampling and Analysis, to remind officers of the availability of the Government Chemist as a mechanism of technical appeal should there be grounds raised by a food business operator to dispute the findings of the Public Analyst. The landing page of the website is <https://www.gov.uk/government/organisations/government-chemist>.

If the Code of Practice does not appear to be the vehicle for this information perhaps the

¹ Boley, N. Government Chemist Legislation, Annual Statement of Statutory Scope, January 2015, available at <https://www.gov.uk/government/publications/government-chemist-annual-statement-of-statutory-scope-2015>

² Michael J Walker and Kirstin Gray, 2013, *Quis custodiet* – a Review of the Resolution of Disputed Chemical Results in the UK Official Feed and Food Control System 2010 – 2011, *J Assoc Public Analysts* (Online) 2013, 41, 1-27



Food Law Practice Guidance (Northern Ireland) may be appropriate?
<http://www.food.gov.uk/sites/default/files/multimedia/pdfs/ni-coppg1012.pdf>

Thank you for this opportunity to comment.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Derek Craston".

Derek Craston
The Government Chemist