

Health, Social Care and Sport Committee
Tuesday, 10 June 2025
18th Meeting, 2025 (Session 6)

Food Standards Scotland – Note by the Clerk

Background

1. The Committee will be holding an evidence session with representatives of Food Standards Scotland (FSS), providing an opportunity for an update and discussion about various topics under its remit.
2. FSS is a non-ministerial public body, reporting directly to the Scottish Parliament and working closely with Scottish Ministers on various areas of its remit. FSS operates independently of Ministers and industry, providing impartial, evidence-based advice. As the public sector food body for Scotland, its remit covers all aspects of the food chain concerning public health, aiming to protect consumers from food safety risks and to promote healthy eating.
3. Under the [Food \(Scotland\) Act 2015](#), FSS has three objectives to protect the health and wellbeing of consumers. These are:
 - To protect the public from risks to health which may arise with the consumption of food.
 - To improve the extent to which members of the public have diets which are conducive to good health.
 - To protect the other interests of consumers in relation to food.
4. [FSS last appeared before the Committee on 7 May 2024](#). A panel provided evidence on topics including, but not limited to, the following:
 - Climate change and diet considerations
 - A sustainable food environment
 - Social media, misinformation and disinformation
 - The Good Food Nation (Scotland) Act
 - Eatwell Everyday – cost and nutrition
 - Food crime
 - Meal replacement shakes, safety and health claims.

10 years of Food Standards Scotland

5. 1 April 2025 marked [a decade since Food Standards Scotland \(FSS\) was established](#). In the latest Chair's Report, Heather Kelman outlined plans to mark this anniversary at the launch of the 4th joint FSS/FSA report on Food Standards at the Scottish Parliament on 24 June 2025.
6. Key achievements highlighted in the Chair's Report included:

- The Scottish Food Crime Hotline
 - Eatwell Guide
 - Direct employment of Official Veterinarians and Meat Hygiene Inspectors
 - Introduction of legislation requiring the fortification of bread and flour with folic acid
7. In March 2025, a [regulatory sandbox was launched by FSS and the FSA](#), to make sure that cell cultivated products (CCPs) are safe for human consumption. [CCPs are new foods made without using traditional farming methods](#) such as rearing livestock or growing plants and grains. Using science and technology, cells from plants or animals are grown in a controlled environment to make a food product.

Food Standards Scotland strategy

8. Food Standards Scotland's Strategy for 2021 to 2026, [Healthy, safe, sustainable: Driving Scotland's Food Future](#) includes five outcomes:
- Food is safe and authentic
 - Consumers have healthier diets
 - Responsible food businesses are enabled to thrive
 - Consumers are empowered to make positive choices about food
 - FSS is trusted and influential
9. A [corporate plan 2021 - 2024](#) was published alongside the strategy and this was followed in 2024 by publication of a [corporate plan 2024 - 2026](#).
10. FSS is currently developing the 2026 – 31 strategy. The Board papers from March 2025 note:

“Our previous strategies focused on both what FSS are here to do and how we were going to deliver. Although a reasonable approach, our previous strategies were de-railed by external events such as EU Exit and the pandemic. It is therefore our proposal to focus this strategy on the purpose of FSS i.e. our statutory objectives, our operating environment and utilise separate annual delivery plans to detail how we are going to deliver”.

Healthier diets and positive food choices

11. Two of the outcomes of Food Standards Scotland's 2021 to 2026 strategy are:
- Consumers have healthier diets
 - Consumers are empowered to make positive choices about food
12. Obesity continues to be a significant public health concern in Scotland. [The Scottish Health Survey 2023 results](#) found that almost a third of adults (32%) were living with obesity, the highest level recorded and an increase from 24% in 2003. It also found that 14% of adults reported experiencing food insecurity, an increase from 9% in 2021 and the highest level since the time series began in 2017.

13. The Food Foundation published its [Broken Plate Report](#) in 2005. This looks at the trends impacting the UK's food system. It found that:
- Healthier foods are **more than twice as expensive** per calorie than less healthy foods and less available
 - The most deprived fifth of the population would need to spend 45% of their disposable income on food to afford the government-recommended healthy diet - rising to 70% for households with children.
14. [The Food in Scotland Consumer Tracker \(Wave 19, 2025\)](#) also highlighted that affordability, food safety, and healthy eating remain top concerns for consumers, and increasing concerns about ultra-processed foods and food poverty.
15. In 2018, the Scottish Government stated its aim was to [halve childhood obesity by 2030](#). In the school year 2023/24, 76.5% of Primary 1 children measured had a healthy weight, 22.3% were at risk of overweight or obesity and 1.2% were at risk of underweight ([PHS, 2024](#)). In [2018/19, 22.4%](#) were at risk of overweight or obesity.
16. In addition, in January, the results of the [Dietary Intake in Scotland's Children survey were published](#). These revealed significant health inequality, with children in the most deprived areas experiencing the highest levels of food insecurity and struggling the most to meet dietary goals compared to those in the least deprived areas.
17. In response to [question S6W-32408](#) concerning efforts to restrict availability of high salt, fat and sugar food, the Scottish Government stated:
- “The Scottish Government and COSLA are co-producing the Population Health Framework which will be published in Spring 2025. Extensive engagement has been undertaken throughout 2024 with public, third and private sector partners to support development of priorities and areas of action.
- “The public consultation on detail of proposed regulations to restrict promotions of food and drink high in fat, sugar or salt (HFSS) closed on 21 May 2024. The Scottish Government will publish an independent analysis report of these consultation responses in early 2025, alongside next steps and timelines for future regulation.”

Ultra-processed foods

18. In recent years, discussions around the relationship between the consumption of ultra-processed foods (UPFs) and adverse health outcomes – including cardiovascular events, overweight/obesity and mortality risk – have increased.
19. Ultra-processed foods include soft drinks, sweet and savoury packaged snacks, reconstituted meat products and pre-prepared frozen dishes. The NOVA classification considers these as formulations made mostly or entirely from

substances derived from foods and additives such as colouring, artificial sweeteners, anti-caking agents and emulsifiers. Although the term 'ultra-processed foods' is specific to the NOVA classification system, it is now commonly adopted terminology.

20. The [Scientific Advisory Committee on Nutrition \(SACN\) published a statement on processed foods and health](#) on 11 July 2023.
21. The Parliamentary Office of Science and Technology (POST) has published a research briefing on the [health impacts of ultra-processed foods](#). This reported:
 - Evidence shows that regular or high consumption of UPFs is associated with poor dietary patterns and an increased risk of negative health outcomes, including obesity, type-2 diabetes, cardiovascular disease, poor mental health and various cancers.
 - Emerging research suggests that UPFs may also affect gut health by interacting with the gut microbiome.
 - The role of UPFs in human health is not yet fully understood, and experts call for further research to investigate the mechanisms by which UPFs interact with human biological processes.
22. FSS outlined its [position on the topic of processed and ultra-processed foods](#) at its public Board meeting in March 2024. The position agreed by the Board was to not propose changes to existing dietary recommendations at this time. However, it said it would continue to monitor the evidence base going forward and revisit if necessary. A formal [position statement](#) was subsequently published, alongside consumer facing advice outlining ['5 key facts' on processed foods](#).

Good Food Nation Plan

23. The Scottish Government has committed to laying the [draft Good Food Nation Plan](#) before Parliament by the summer and to establishing a Scottish Food Commission.
24. The [Good Food Nation Plan](#) will aim to set out the ways in which the Scottish Government will work with businesses and organisations across society to help connect people to locally produced, high-quality food. It is intended to cover everything from farm to fork and beyond and to draw together a range of different policies. It will also require key public bodies, particularly local authorities and health boards, to set out their own local plans.

Fortification

25. The WHO describes [fortification](#) as the practice of deliberately increasing the content of one or more micronutrients (i.e., vitamins and minerals) in a food or condiment to improve the nutritional quality of the food supply and provide a public health benefit with minimal risk to health. As well as increasing the nutritional content of staple foods, the addition of micronutrients can help to

restore the micronutrient content lost during processing.

26. In the [Public Health Nutrition Strategy](#), June 2023, FSS states:

“FSS has a history of making recommendations which are taken on board by government, for example our work on improvements to diet and folic acid fortification have led to real change in policy direction and legislation”.

27. [The Bread and Flour Amendment \(Scotland\) Regulations 2024](#) introduced the mandatory fortification of non-wholemeal wheat flour with folic acid as a public health intervention to work alongside other public health measures to help to reduce the incidence of foetal neural tube defects in Scotland by increasing the dietary intake of folic acid, and therefore blood folate levels in women of child-bearing age. The regulations allowed for a transitional period from December 2024 to December 2026.

28. The [Dietary Intake in Scotland's Children \(DISH\) report](#) found that the intake of protein and micro-nutrients was at or above the Reference Nutrient Intake (RNI) except for zinc, which was below the RNI. In both females and males aged 11 to 15 years old, vitamin A, iron, calcium, magnesium, potassium and selenium were below the RNI, with some below the Lower Reference Nutrient Intake (LRNI). Additionally, folate and iodine were below the RNI in females of this age group.

Internal Market Act 2020

29. The Market Access Principles set out in the UK [Internal Market Act 2020](#) include:

- The mutual recognition principle for goods is the principle that goods which have been produced in, or imported into, one part of the United Kingdom, and can lawfully be sold there, should be able to be sold in any other part of the United Kingdom. Any different requirements that would otherwise apply to the sale in the other part of the UK are disapplied.
- The non-discrimination principle for goods is the principle that the sale of goods in one part of the United Kingdom should not be affected by relevant requirements that directly or indirectly discriminate against goods that have a relevant connection with another part of the United Kingdom.

30. In relation to these principles, Food Standards Scotland has argued:

“Where the common framework programme is collegiate, the Internal Market Act (IMA) undermines that relationship by disapplying any rules proposed/agreed (by common frameworks or otherwise) in one part of the country (e.g. Scotland), to goods produced elsewhere in the UK and sold here. Unlike the common framework programme, the IMA gives the Secretary of State a veto over policy choices made elsewhere. In effect it means that there is less scope to develop bespoke policy for Scotland under this UK internal market regime than under EU single market arrangements where the principle of subsidiarity provided flexibility for member states in certain circumstances.”

31. In its [position statement on the IMA](#) the Scottish Government said:

“There is no equivalent mechanism to impose, or even encourage, higher standards across the UK. Indeed, any attempt by any administration to increase standards potentially disadvantages their own producers. Any higher standards introduced in Scotland can effectively be ignored by those introducing goods and services from other parts of the UK. This is particularly significant for key sectors of the Scottish economy, such as food and drink, where success is built upon the quality guarantee that comes with the Scottish brand.”

Financial sustainability

32. FSS baseline resource allocation for 2025/26 was £22.7m. This is the same resource budget that was allocated for 2022/23, 2023/24 and 2024/25.

33. In the last external audit of FSS, published in December 2024, in relation to financial sustainability, it was noted:

“Financial balance has been achieved in 2023/24 and funding confirmed for 2024/25, however there remains a gap between the funding confirmed and the expected costs to deliver the services. Consequently, there remains a risk that FSS is not financially sustainable”.

34. In response to question [S6W-37419](#) (To ask the Scottish Government what its position is on whether Food Standards Scotland currently receives enough funding to carry out all of its responsibilities), the Scottish Government said:

“The Scottish Government and the whole of the public sector faces a very challenging situation as we continue to manage our finances through the current financial year, in 2025-26 and beyond.

“Operating within a fixed budget, we have had to manage Scottish public finances in the face of higher inflation and cost of living pressures, making tough decisions to protect the most vulnerable in society.

“As part of the Scottish Government 25/26 budget, Food Standards Scotland (FSS) was given a flat budget. FSS have notified the Scottish Government of a pressure due to increased staffing and delivery costs and the Scottish Government will work with FSS to manage the pressure. This has included the set-up of the FSS policy forum with relevant policy teams across Scottish Government to provide a co-ordinated response to the issues FSS face and facilitates the exchange of soft intelligence and problem solving. Scottish Government have also committed to review the allocated budget in year.”

Today's meeting

35. In advance of today's meeting, Food Standards Scotland was invited to make a written submission about its work which can be accessed [here](#). This submission focused on:

- Food crime
- Creating a healthier food environment
- Food safety and public health
- Four country working
- New foods.

36. At today's meeting, Members will have an opportunity to put questions to representatives from Food Standards Scotland regarding its work and areas within its remit that have an impact on health outcomes in Scotland.

Clerks to Committee and SPICe
June 2025