

"Information redacted under FOI Act, S40 Personal Information and S43 Commercial Information"

## Agreed Work Order Form

In respect of the Food Standards Agency Call-Off Agreement dated 1<sup>st</sup> January 2017 between the **FOOD STANDARDS AGENCY** and **FERA SCIENCE LIMITED** (the "Call-Off Agreement")

### Customer to complete:

Parties to Additional Services:	The Food Standards Agency  and  Fera Science Limited a company incorporated in England and Wales (registered with number 09413107) and whose registered office is at Rochester Row, London, SW1P 1QT (the "Company").
Customer day to day contact (name, email, telephone):	[REDACTED] [REDACTED] [REDACTED]
Additional Services Title:	FS900258
Additional Services Ref:	CBD Sampling Survey
Start Date:	3 <sup>rd</sup> October 2022
End Date:	31 <sup>st</sup> March 2023

### Details of work requirement:

<b>FSA Call-Off</b>	A Request for Quote (RFQ) form will be completed by the FSA.
Main Deliverables and Performance Indicators	Annex 1 - Specification  Annex 2 - Suppliers Proposal  Annex 3 - Financial Template  Annex 4 - Revised Deliverables

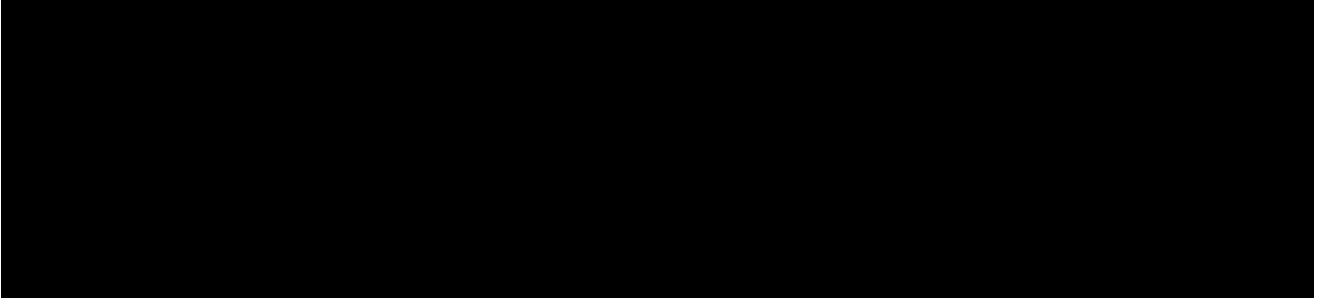
**Fera to complete:**

Fera day to day contact (name, email, telephone):	<div style="background-color: black; height: 1.2em; width: 100%;"></div> <div style="background-color: black; height: 1.2em; width: 100%;"></div> <div style="background-color: black; height: 1.2em; width: 100%;"></div>			
Total cost of Additional Services (Call-Off Day Rates set out in Schedule 10 of the Framework Agreement shall apply to the additional services set out in this Work Order).	£160,249.60			
	Total cost should be quoted less VAT which should be added to invoices at the prevailing rate.			
Cost by Financial Year	2022/23			
	£160,249.60			

**Fera to complete where proposed work will impact on Plant and Bee Health Call-Off Agreement and Specialist Facilities and Services Call-Off Agreement:**

Does the delivery of this additional work affect delivery of the agreed annual plan and/or use the facilities covered by the above agreements?	Yes/No  If yes please describe below:
Has abatement been discussed with Call-Off Manager (COM)?	Yes/No

**Authorising Signatures:**



## Annex 1 - Specification

<b><i>Specification Reference</i></b>
<i>FS900258</i>
<b><i>Specification Title</i></b>
<b><i>FSA survey of CBD products for which novel food applications have been received</i></b>
<b><i>Contract Duration</i></b>
August 2022 - 31 <sup>st</sup> March 2023

### THE SPECIFICATION

#### GENERAL INTRODUCTION

The Food Standards Agency is an independent Government department working across England, Wales and Northern Ireland to protect public health and consumers wider interest in food. We make sure food is safe and what it says it is.

- The Agency is committed to openness, transparency and equality of treatment to all suppliers. As well as these principles, for science projects the final project report will be published on the Food Standards Agency website ([www.food.gov.uk](http://www.food.gov.uk)). For science projects we will encourage contractors to publish their work in peer reviewed scientific publications wherever possible. Also, in line with the Government's Transparency Agenda which aims to encourage more open access to data held by government, the Agency is developing a policy on the release of underpinning data from all of its science- and evidence-gathering projects. Data should be made freely available in an accessible format, as fully and as promptly as possible. Consideration should be given to data management as new contracts are being negotiated. Resource implications for this should be taken into account. The mechanism for publishing underpinning data should allow the widest opportunity for

enabling its re-use. Where possible, underpinning data should be included in the final project report. Where data are included in the final report in pdf format, they should also be published separately in a format that can be used for further analysis. Large data sets can be provided separately in an annex to the report, and published, where possible, alongside the final report online. Where it is more appropriate to publish underpinning data in an existing database, archive, repository or other community resource, or for data to be saved in a specialist proprietary format, information will be provided on how the data can be accessed. There will be some circumstances where release of data may need to be restricted or anonymised for reasons of commercial and/or personal sensitivities.

## **A. THE SPECIFICATION**

### **1.0 Background**

To date the FSA has had over 12,000 novel food applications for CBD food products and these are held on a [public list](#). Although many of these are derived from the same CBD base oil and consist of the same product but at different concentrations. To inform our risk assessment of applications a survey is being commissioned of a snapshot of products on the FSA public list. The survey will provide the FSA with useful information on the quality of the applications, their supporting information and composition of the products.

### **2.0 The Project Specification**

We require the supplier to perform a tailored sampling study of 100 CBD products selected by the FSA from the public list (see Annex A). These products have been selected to provide coverage of both the base oils and the types and quantity of products on the FSA public list. The majority of samples will be focused on oils and tinctures, with the remaining products covering capsules, gummies, beverages and miscellaneous products.

We require UKAS accredited testing for CBD and other cannabinoids including, but not limited to:

cannabidiolic acid (CBDa), Cannabichromene (CBC), Tetrahydrocannabinol (THC), Delta-8 Tetrahydrocannabinol (delta-8-THC), THC Tetrahydrocannabinolic acid (THCA), Tetrahydrocannabivarin (THCV), Tetrahydrocannabivarinic acid (THCVA), Cannabigerol (CBG) and Cannabinol (CBN) and their precursors.

Products must also be tested for the following using accredited methods:

- Pesticides
- Naphthalene
- Residual solvents
- Heavy metals
- Polyaromatic hydrocarbons
- Mycotoxins associated with major *C. sativa*
- Fusarium mycotoxins, such as zearalenone and enniatin B1
- Furans

Products must also be assessed to check if they meet the legal definition of 'novel food' as per retained EU Regulation 2018/456 prior to analysis. Any health or wellbeing claims must be recorded.

### **3.0 Deliverables**

There are three main phases to the delivery of the survey: collection of samples, analysis, and a final written report. The required timescales for delivery are listed below. Any risks to the delivery of the project must be highlighted in the expression of interest along with measures for mitigation. Monthly meetings must be held between the contractor and the project officer to monitor the progress of the project.

#### **3.1 Purchase of Samples**

3.1.1 The contractor will be responsible for sourcing and purchasing the products in Annex A. If a product in Annex A is found not to be available on the market at the COB concentration listed, it can be substituted for a sample of the same product at the next lowest concentration available. If any samples listed in Annex A are not available at all they may be substituted for a similar product on the FSA list with prior agreement from the FSA project lead.

3.1.2 Samples can be taken by online ordering or collected physically. Details of when and where the sample has been purchased must be collected as described by the data standard below.

- 3.1.3 The contractor must ensure that no samples are taken from Scotland or from FBO's based in Scotland.

## 3.2 Analysis of Samples

- 3.2.1 Methods used to analyse the samples should be accredited, including under flexible scope. Information on the methods selected, accreditation and accuracy must be provided as part of the expression of interest. If a method is not accredited this must be made clear in the application and information on how the method has been validated must be provided.
- 3.2.2 Any results which exceed a prescribed limit and/or could present a significant risk to health, must be reported to the FSA immediately, within 24 hours. These will be reported in a format agreed with the FSA.
- 3.2.3 THC results should be reported against both the Government Chemist advice on analytical limits for controlled cannabinoids<sup>1</sup> and against the ACM<sup>2</sup> advice on CBD products<sup>2</sup> where possible. The comparison against ACM<sup>2</sup> is to understand whether current methods can measure to the required accuracy and is for internal FSA information, and not to be provided in the final report.
- 3.2.4 All results are to be presented at the end of the survey in a report and as a CSV file. Sample data returned to the FSA must comply with the following minimum data standard [GitHub - FoodStandardsAgency/sampling-data-standards: Data and metadata standards for sampling data collected by those directly commissioned by the FSA](https://github.com/foodstandardsagency/sampling-data-standards).

## 3.3 Written Report

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<sup>1</sup> <https://www.gov.uk/government/publications/guidance-on-analytical-limits-for-controlled-cannabinoids>

<sup>2</sup> <https://www.gov.uk/government/publications/acmd-advice-on-consumer-cannabidiol-cbd-products/consumer-cannabidiol-cbd-products-report-accessible-version>

3.3.1 A written report must be produced at the end of the project within the timescales given below. The structure of the report should be agreed between the contractor and the FSA. The report must meet the FSA's accessibility requirements, which will be shared with the contractor.

### 3.4 Retention of Samples

3.4.1 Samples must be retained by the contractor for 2 years and be made available to the FSA for additional analysis at their request.

### 4.0 Timescales for Project Delivery

Deliverable	Date for Delivery
Commencement of project	August 2022
Purchase of samples completed	31 <sup>st</sup> September 2022
Analysis of samples completed	30 <sup>th</sup> November 2022
Submission of Draft Report to FSA	31 <sup>st</sup> December 2022
Completion of report for FSA and supply of data in CSV format	3 <sup>rd</sup> January 2023

### 5.0 GDPR

'Please outline in your tender how you will comply with the GDPR, recognising the commissioning authority's role as the 'data controller' and the contractors role as the 'data processor', and responding to the sections below. If successful you may also be asked to carry out a Privacy Impact Assessment (PIA), and a privacy notice may be required, which will be reviewed by the FSA data security team.

### 5.2 Data security

Please confirm in your tender that you have in place, or that you will have in place by contract award, the human and technical resources to perform the contract to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects.

Please provide details of the technical facilities and measures (including systems and processes) you have in place, or will have in place by contract award, to ensure compliance with the General Data Protection Regulation and to ensure the protection



of the rights of data subjects. Your response should include, but should not be limited to facilities and measures:

- o to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- o to comply with the rights of data subjects in respect of receiving privacy information, and access, rectification, deletion and portability of personal data;
- o to ensure that any consent based processing meets standards of active, informed consent, and that such consents are recorded and auditable;
- o to ensure legal safeguards are in place to legitimise transfers of personal data outside the EU (if such transfers will take place);
- o to maintain records of personal data processing activities; and
- o to regularly test, assess and evaluate the effectiveness of the above measures.'

## **6.0 Dissemination**

The FSA is committed to being open and transparent. The report of survey will be published on the FSA's website.

## **7.0 Quality**

The laboratory must hold ISO 17025 accreditation relevant to this work. If ISO 17025 is not held for the specific analyses, the laboratory should hold ISO 17025 for comparable tests, and a justification provided as to the fitness for purpose of the proposed method.

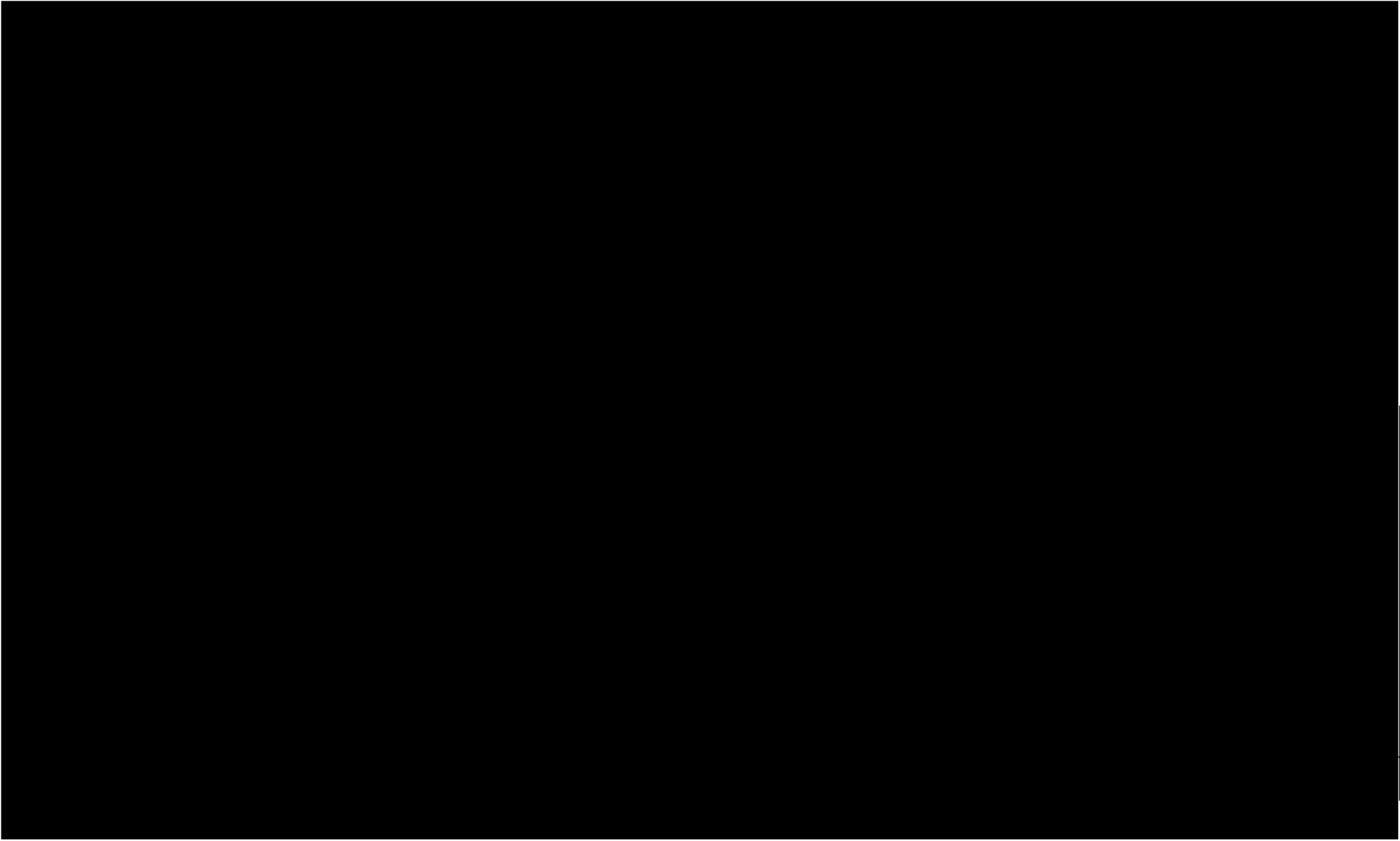
## **8.0 The Financial Template**

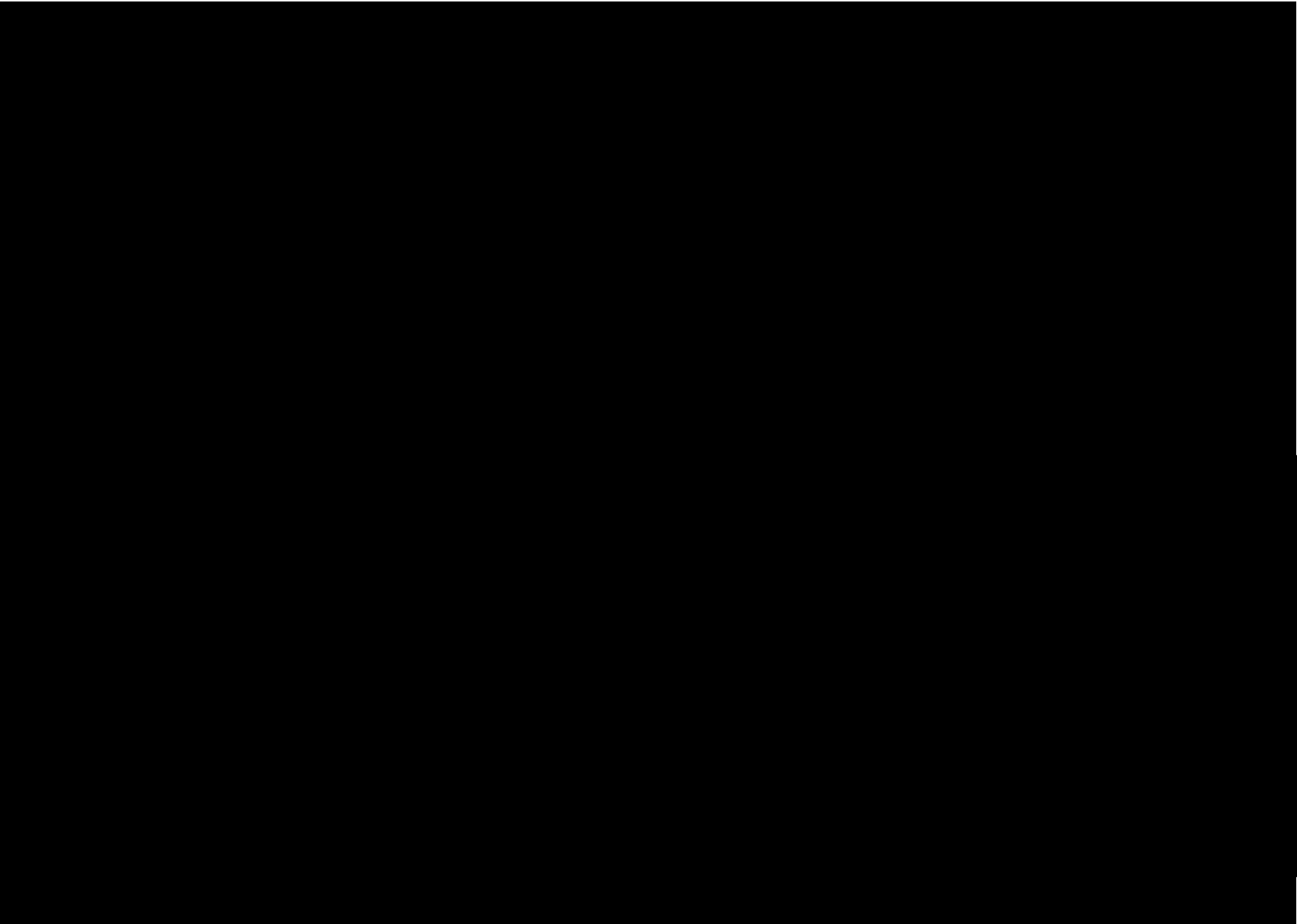
Please complete the Financial template provided. Costs should be quoted excluding VAT. The Agency's financial year runs from 1 April to 31 March. All costings should be recorded in line with this timescale.

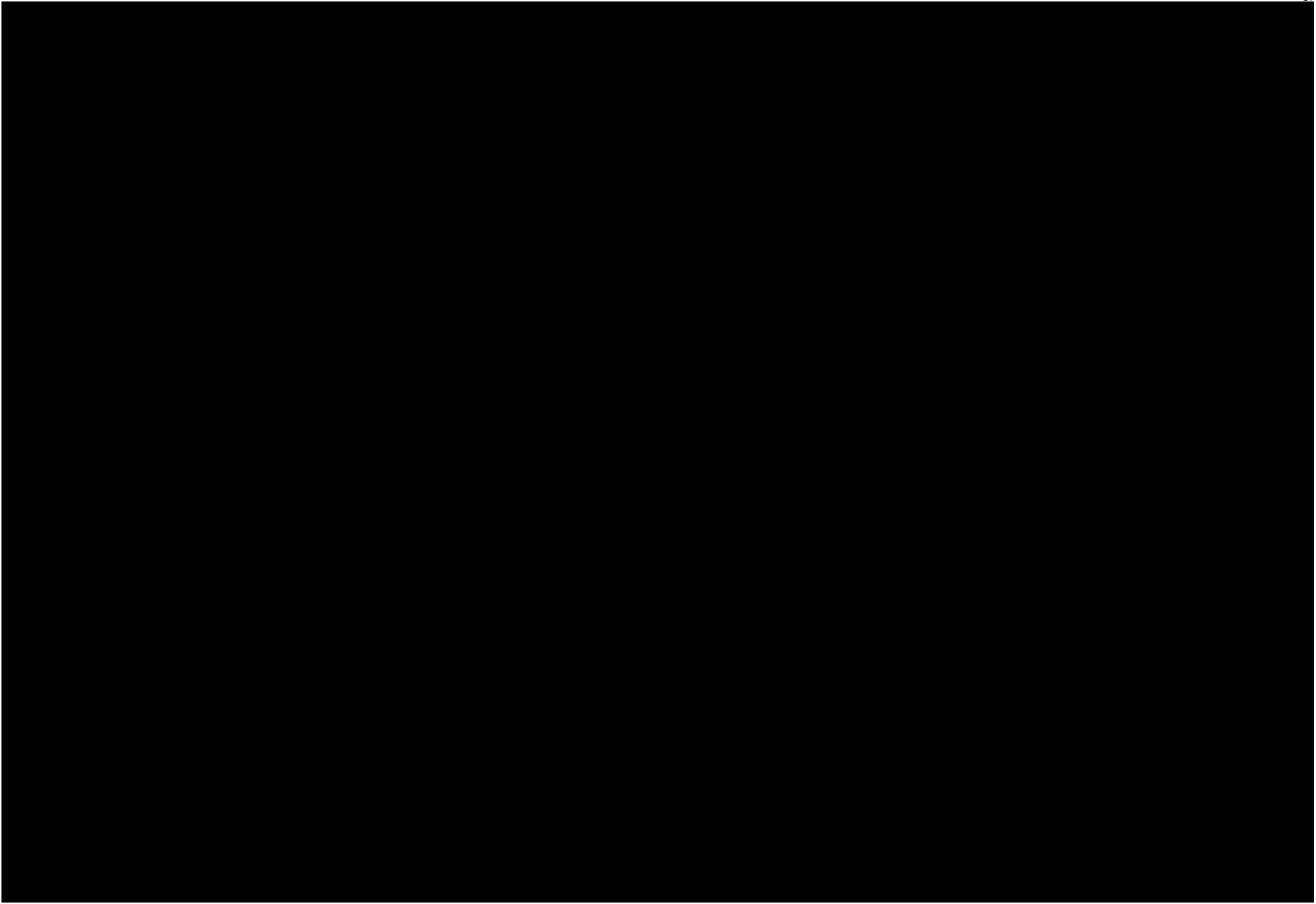
## **9.0 Evaluation**

The Proposal and Financial Template will be evaluated by the project officer to ensure all the requirements have been fully met.

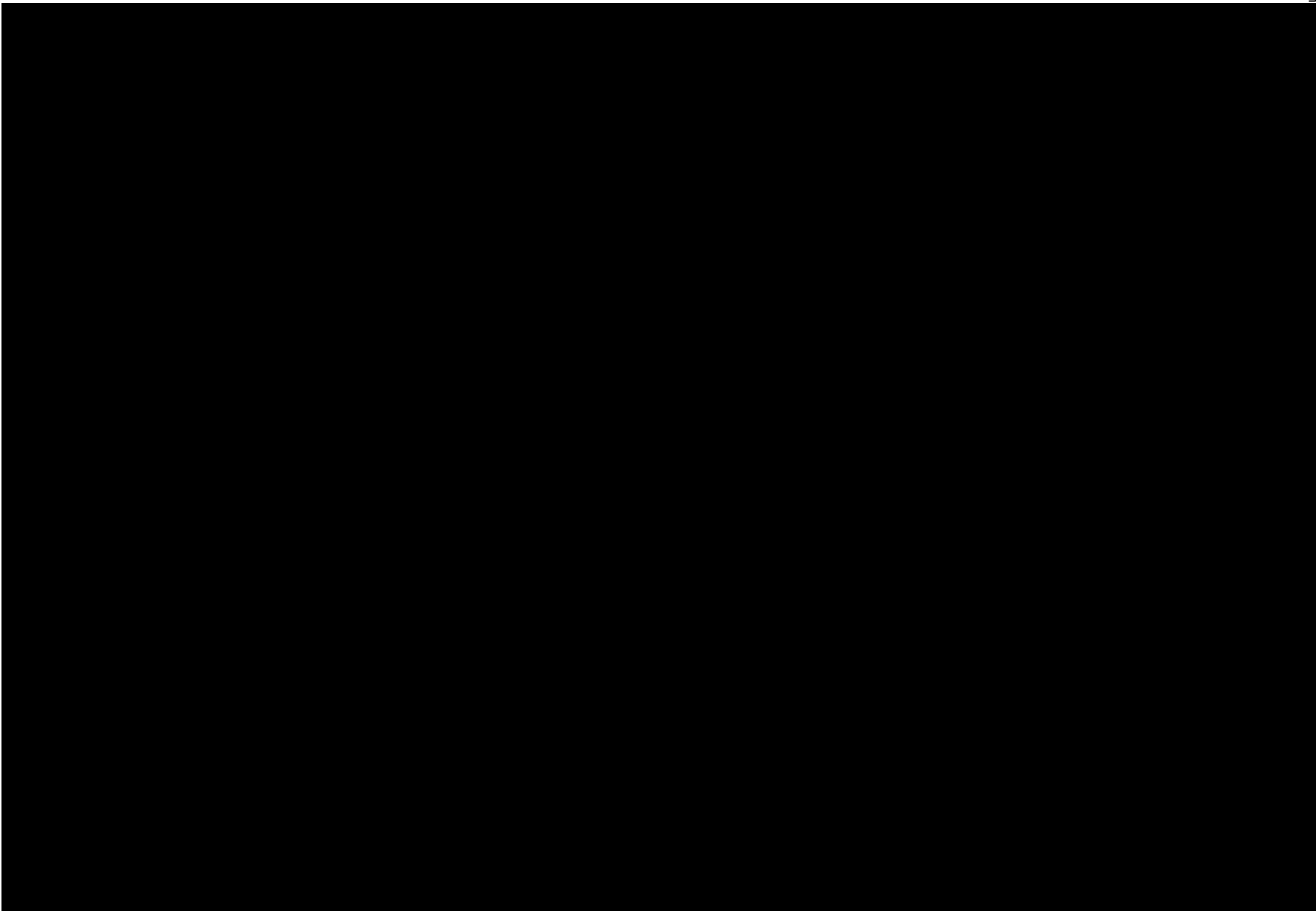


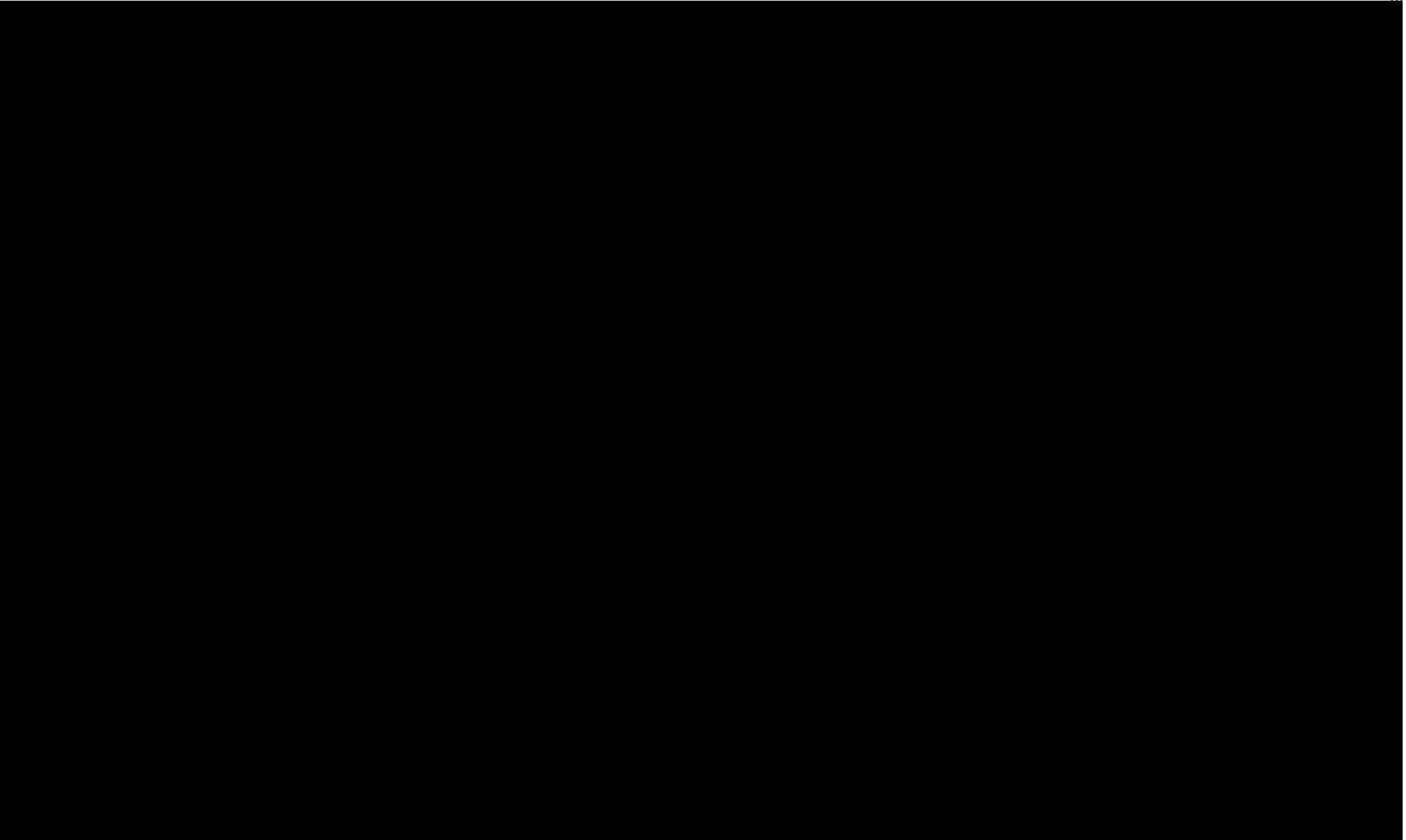




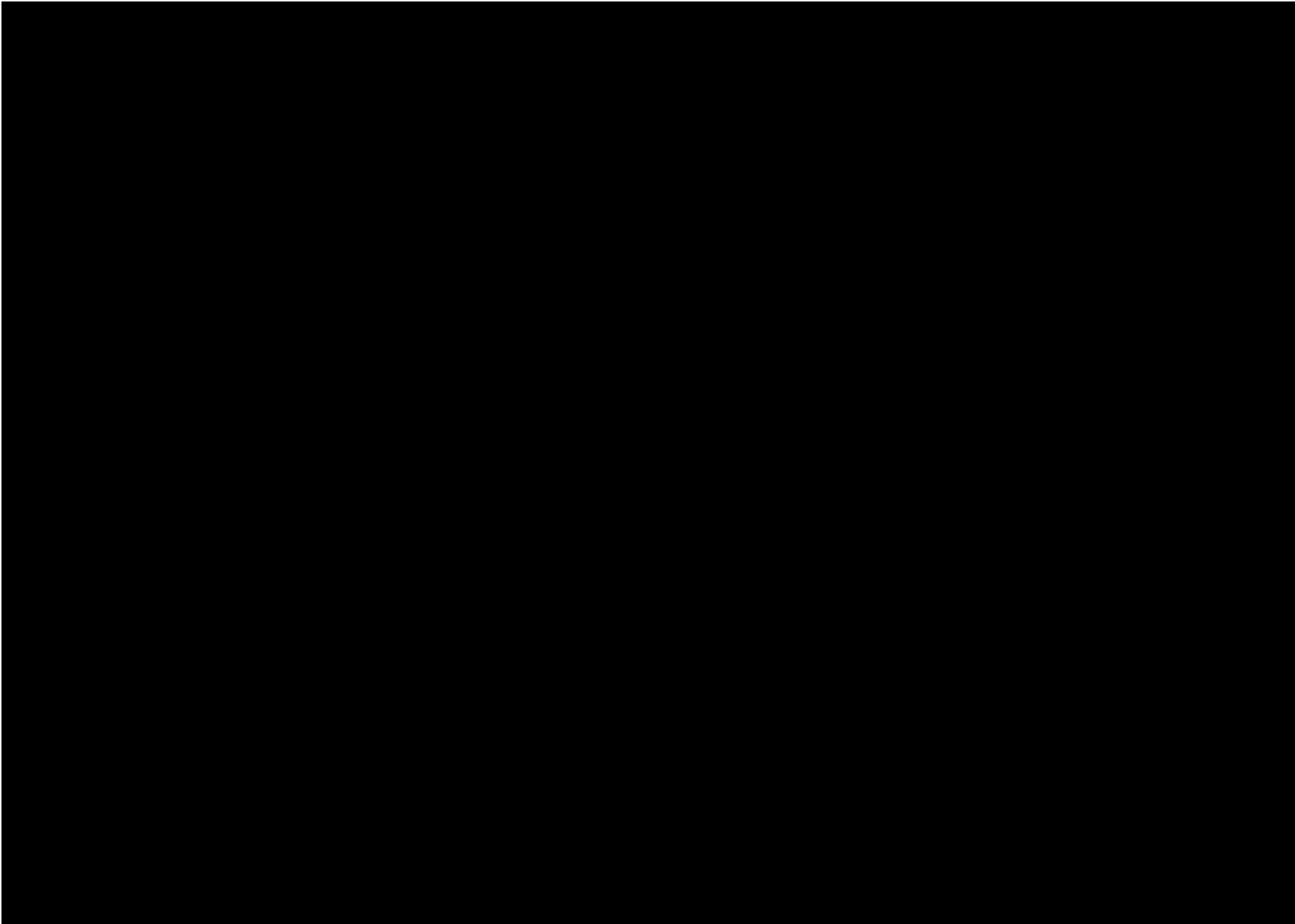


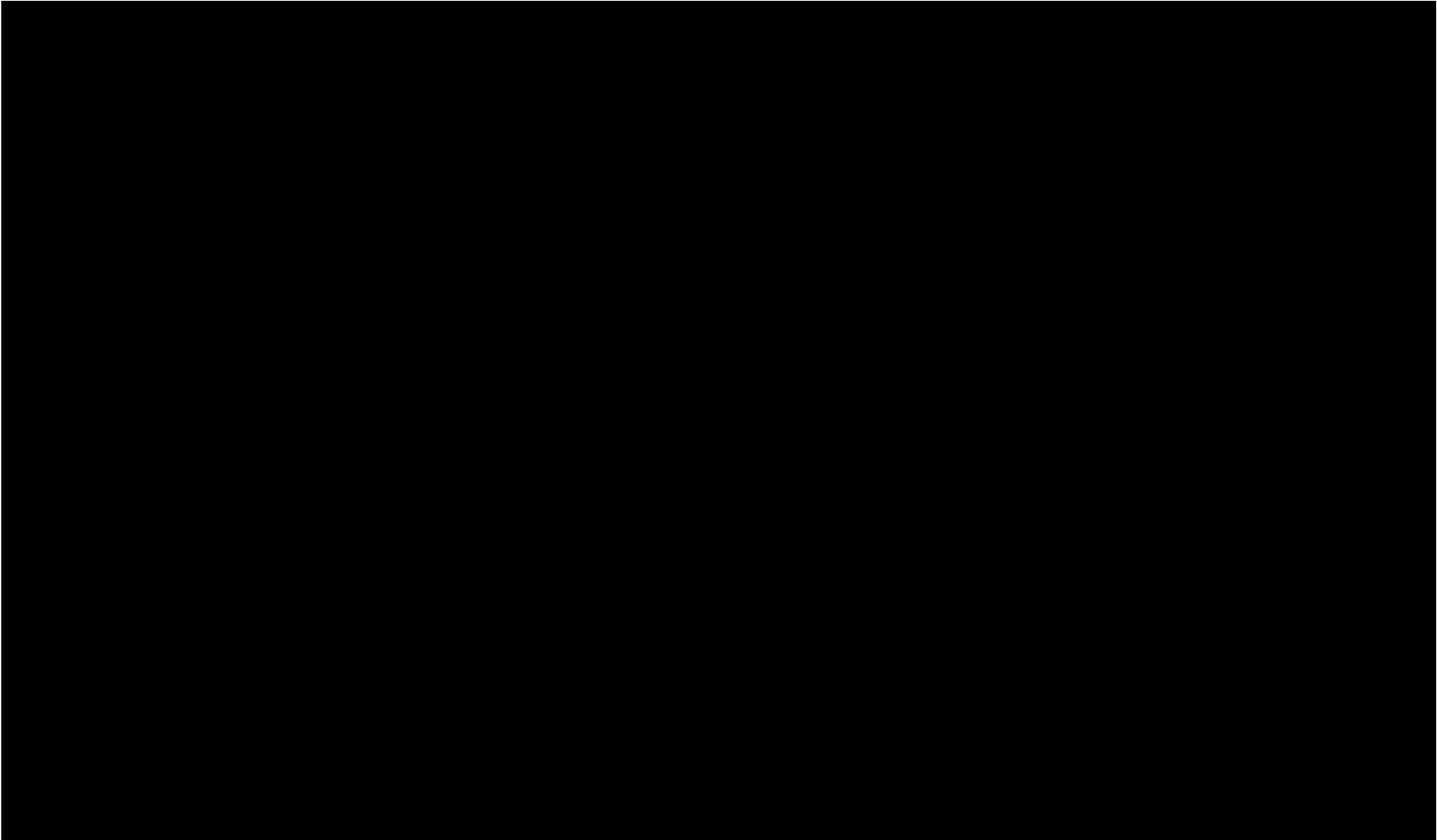


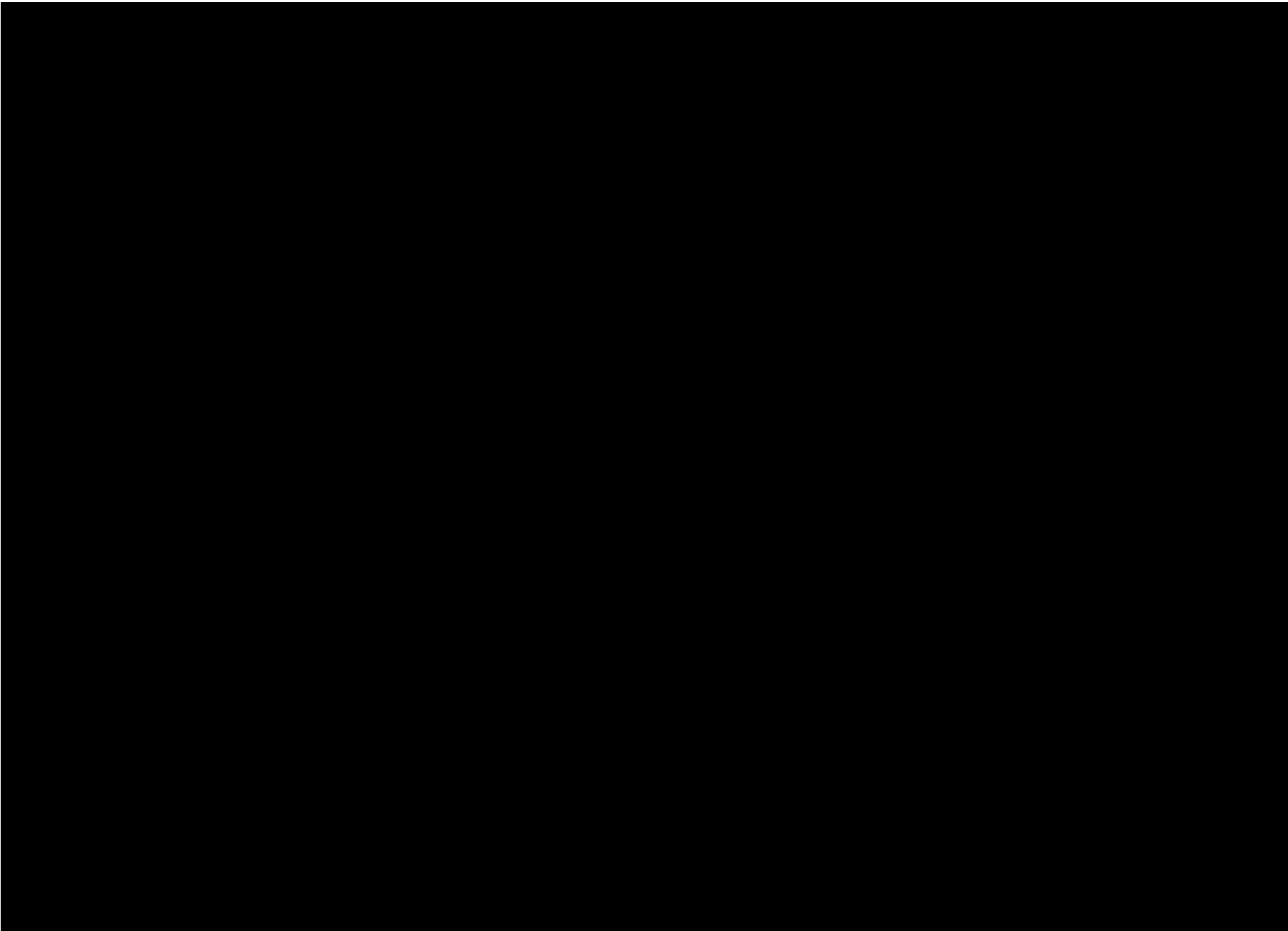


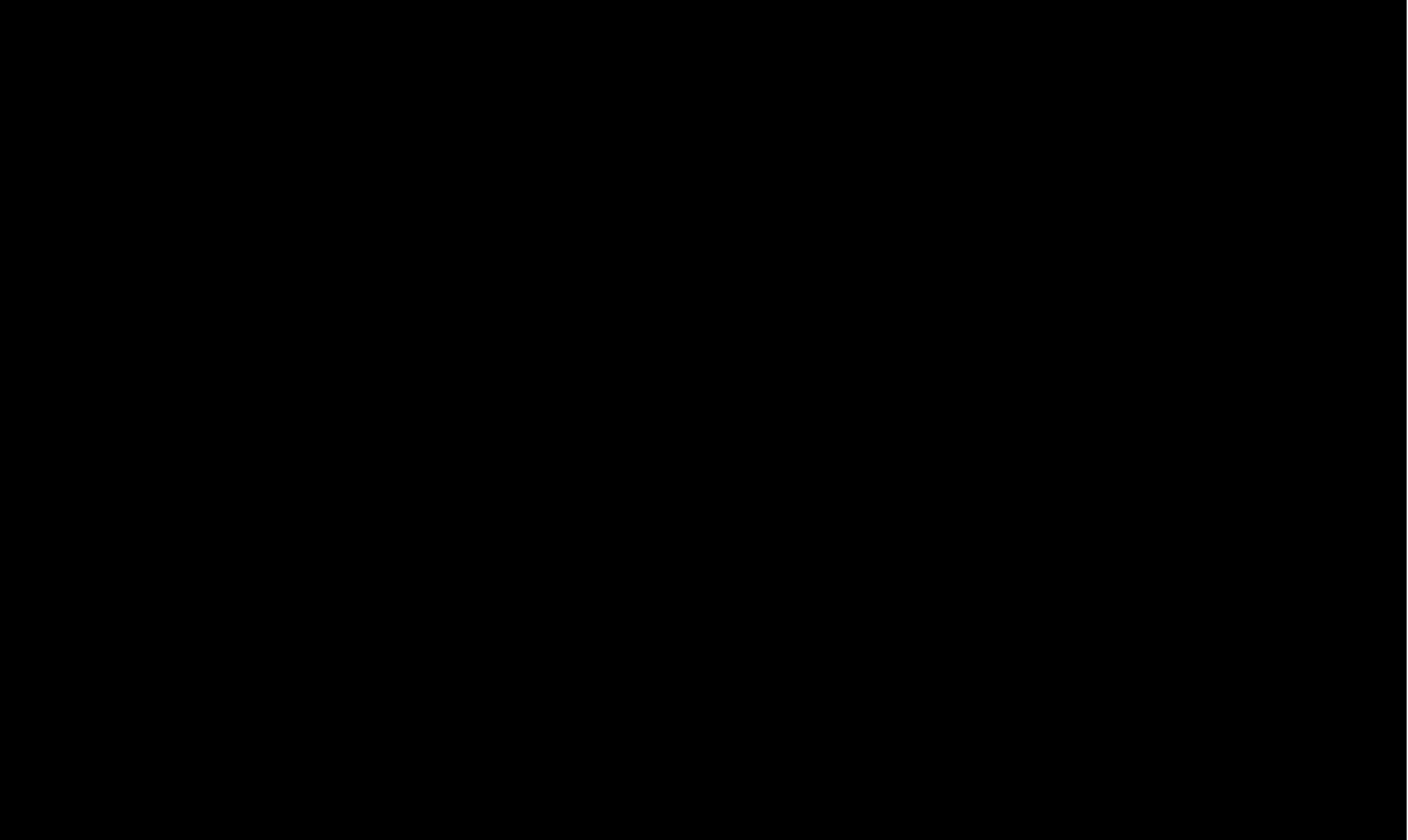








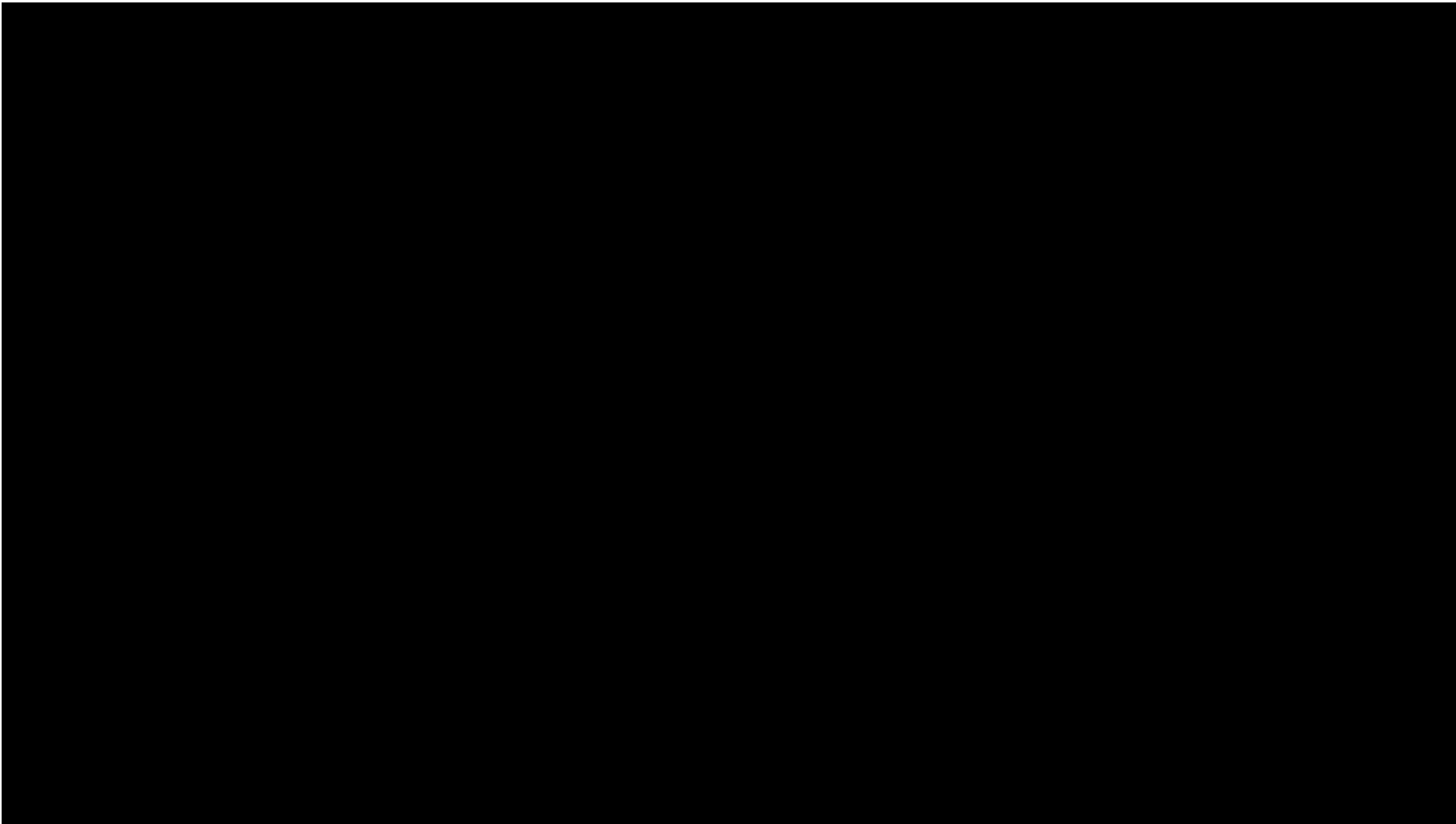














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## **Annex 2 - Suppliers Proposal**

### **Proposal**



For the provision of: **FSA survey of CBD products for which novel food applications have been received**

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- Applicants should complete this Proposal as fully and as clearly as possible.
- Please submit the completed Proposal (which shall remain valid for 30 days) via the Food Standards Agency's eSourcing portal; <https://food.bravosolution.co.uk/> by the deadline stated on the system.

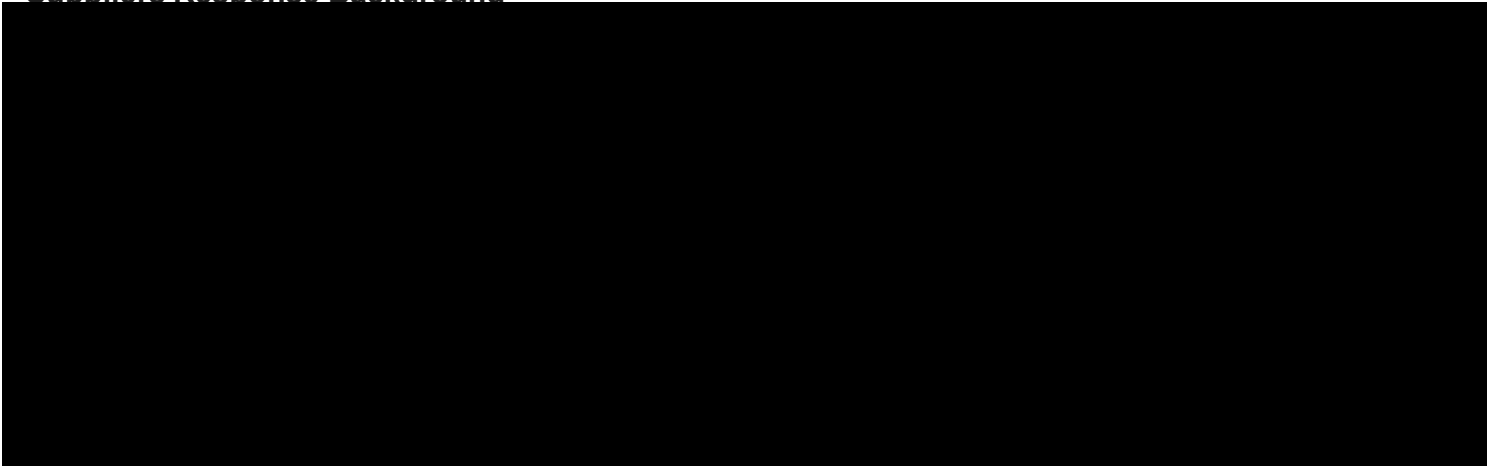
**Quotation Reference FS900258**

**Contract Title CBD SAMPLING SURVEY Name of**

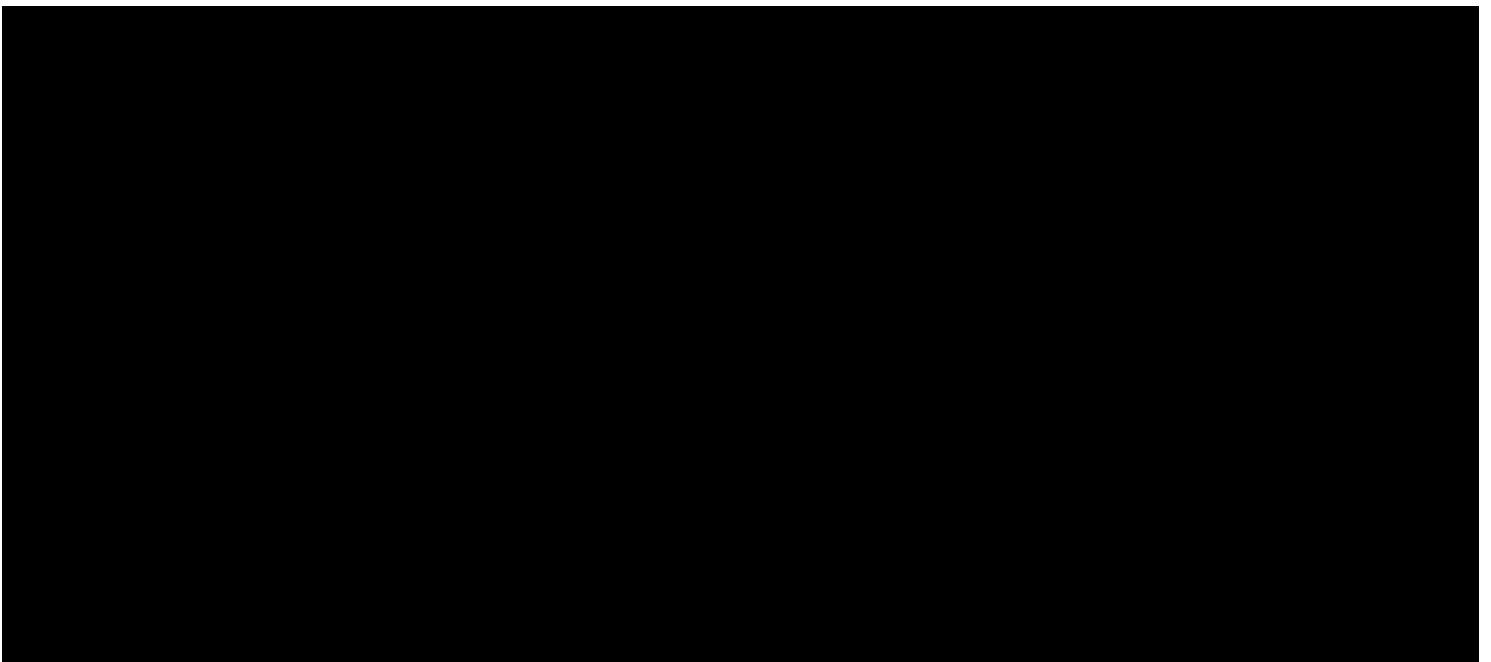
**Organisation FERA**

**Proposal**

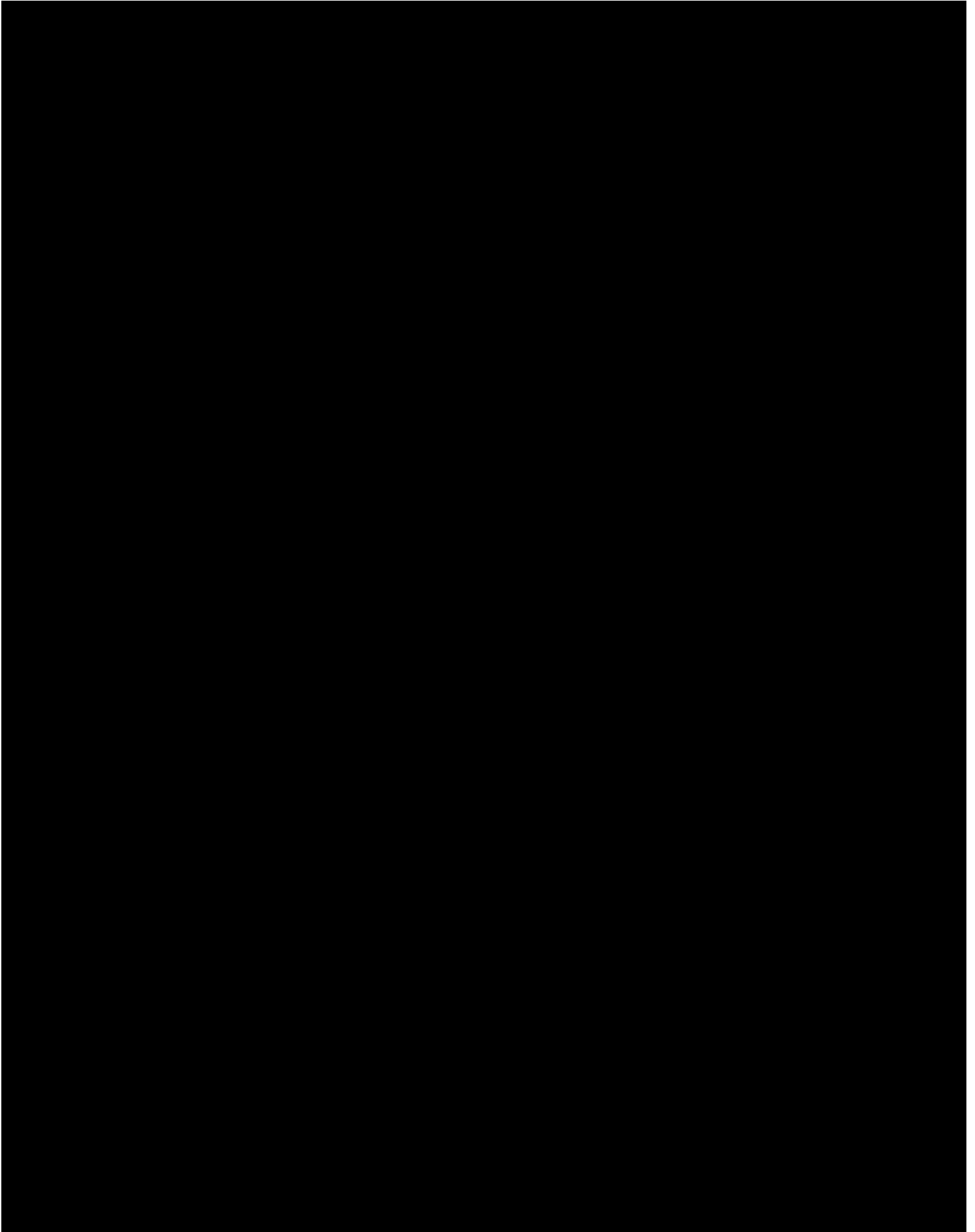
**Suppliers Response Background**

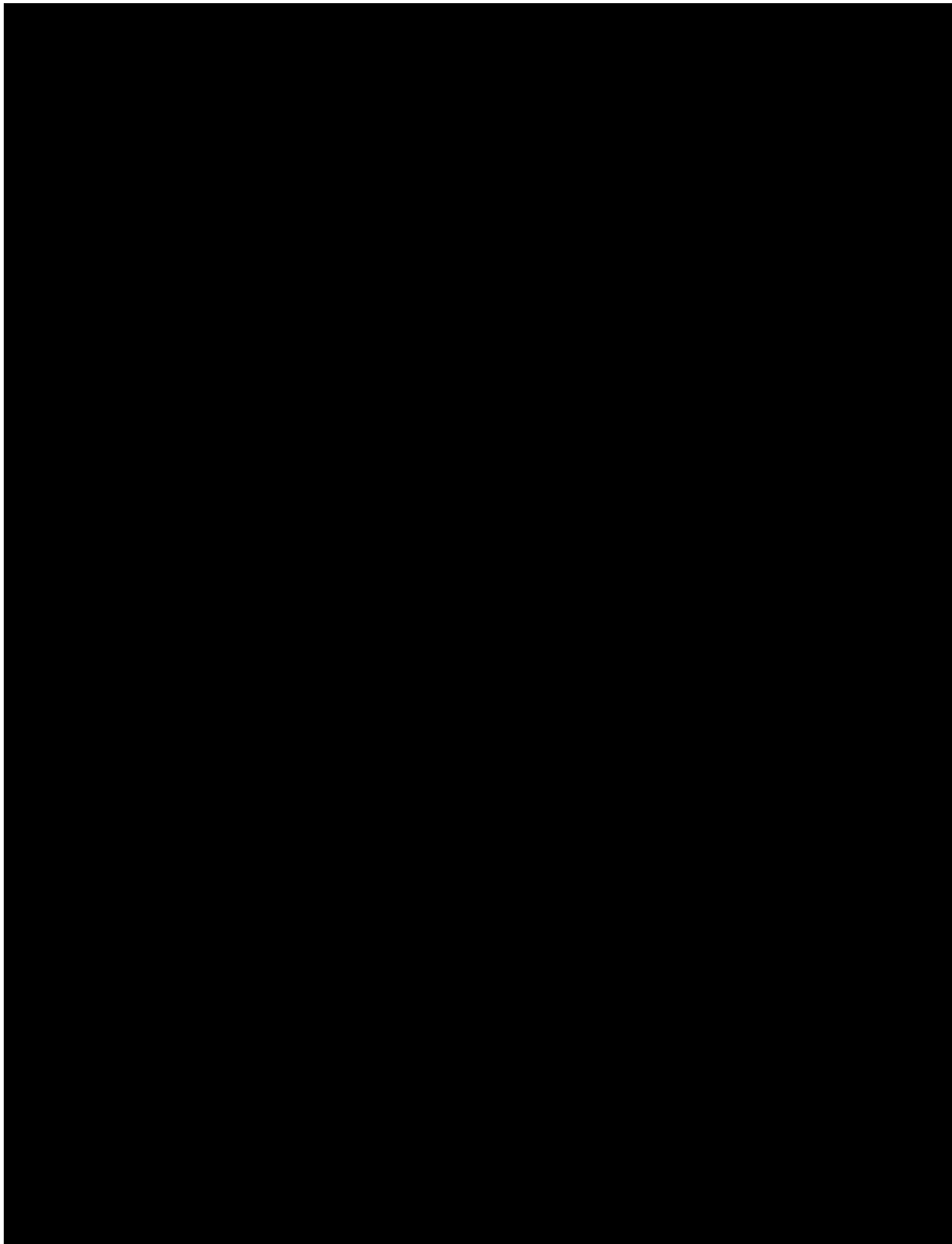


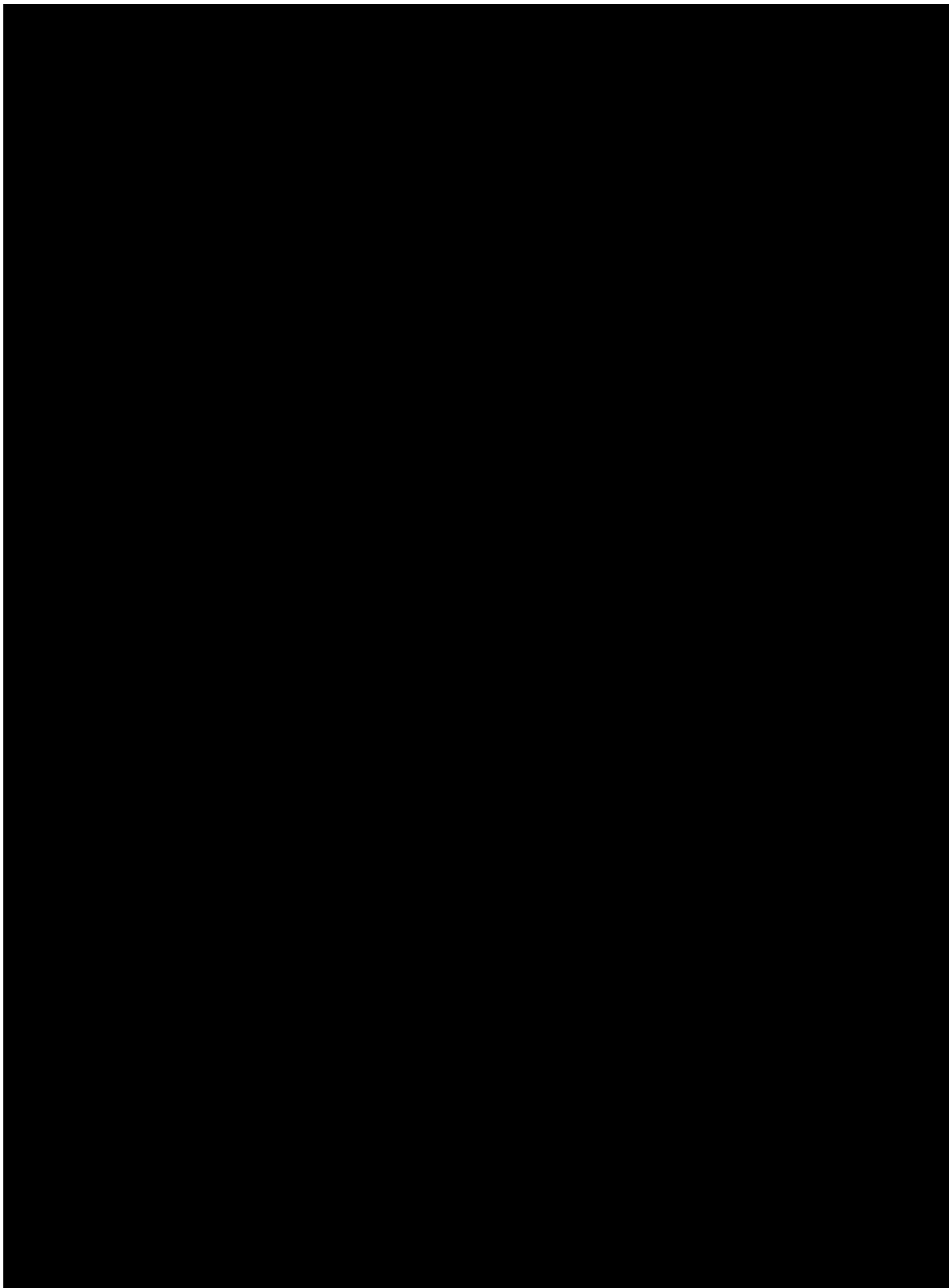
**Task 1. Purchase of samples**

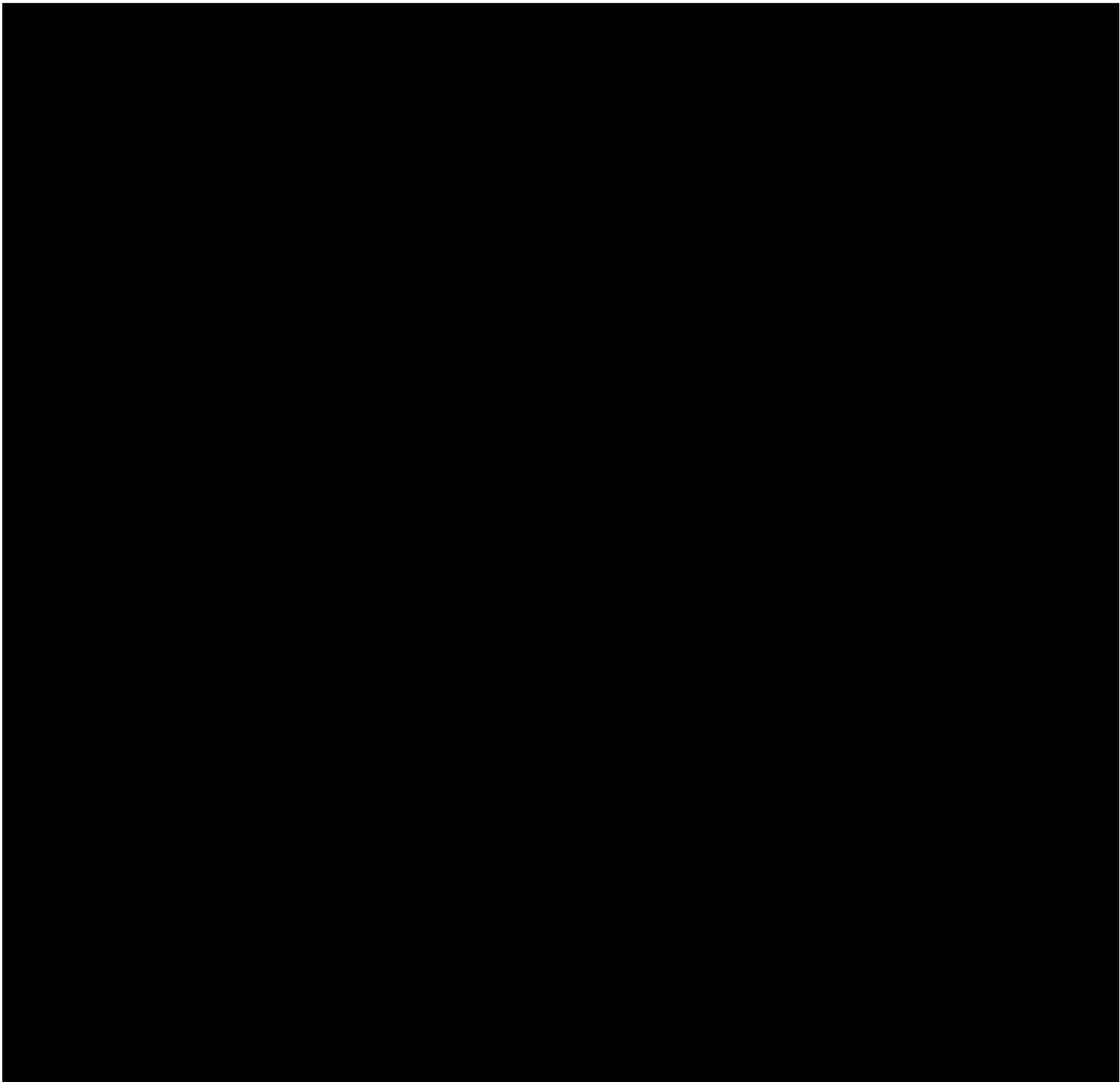


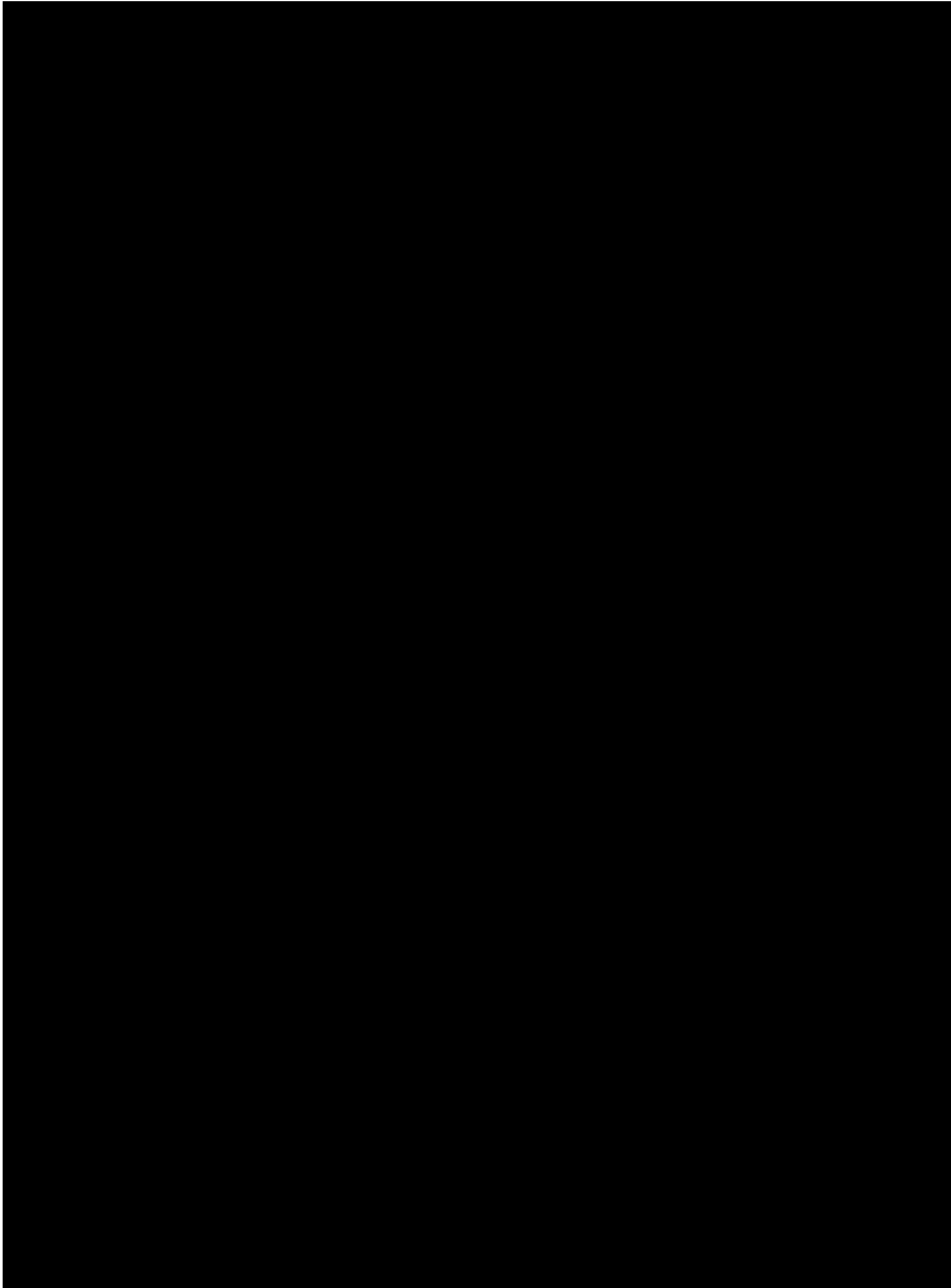
**Confidential**

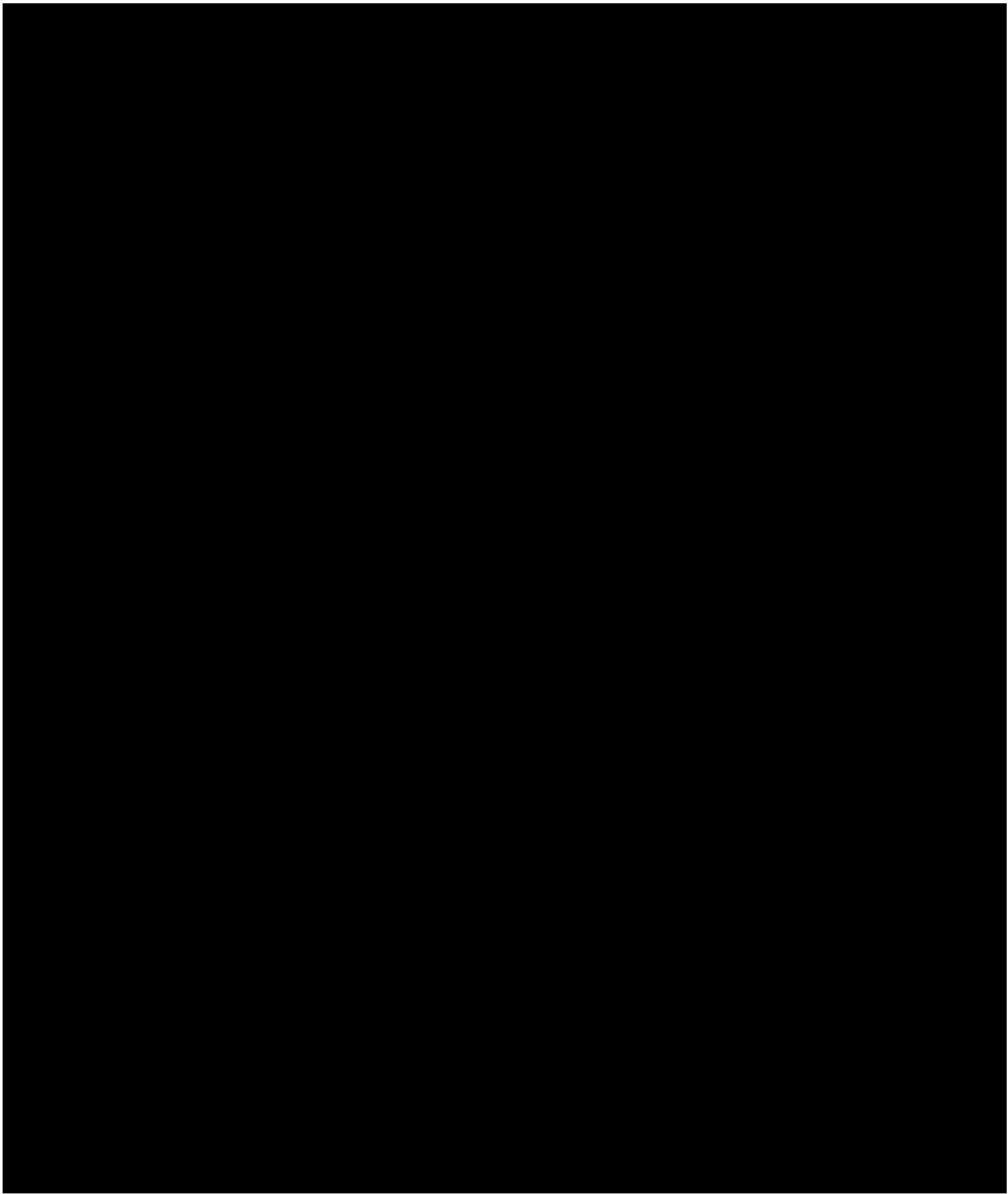




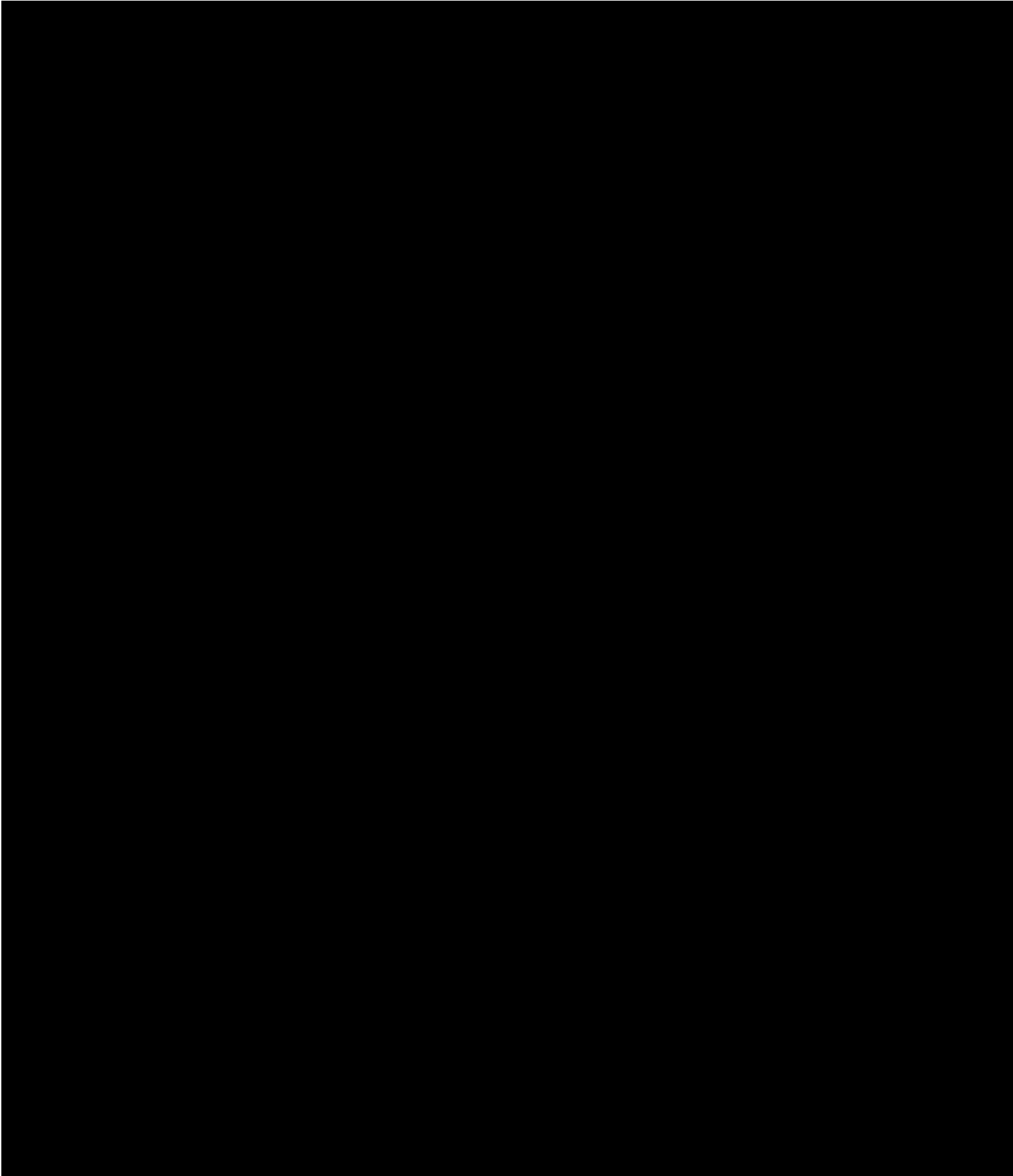


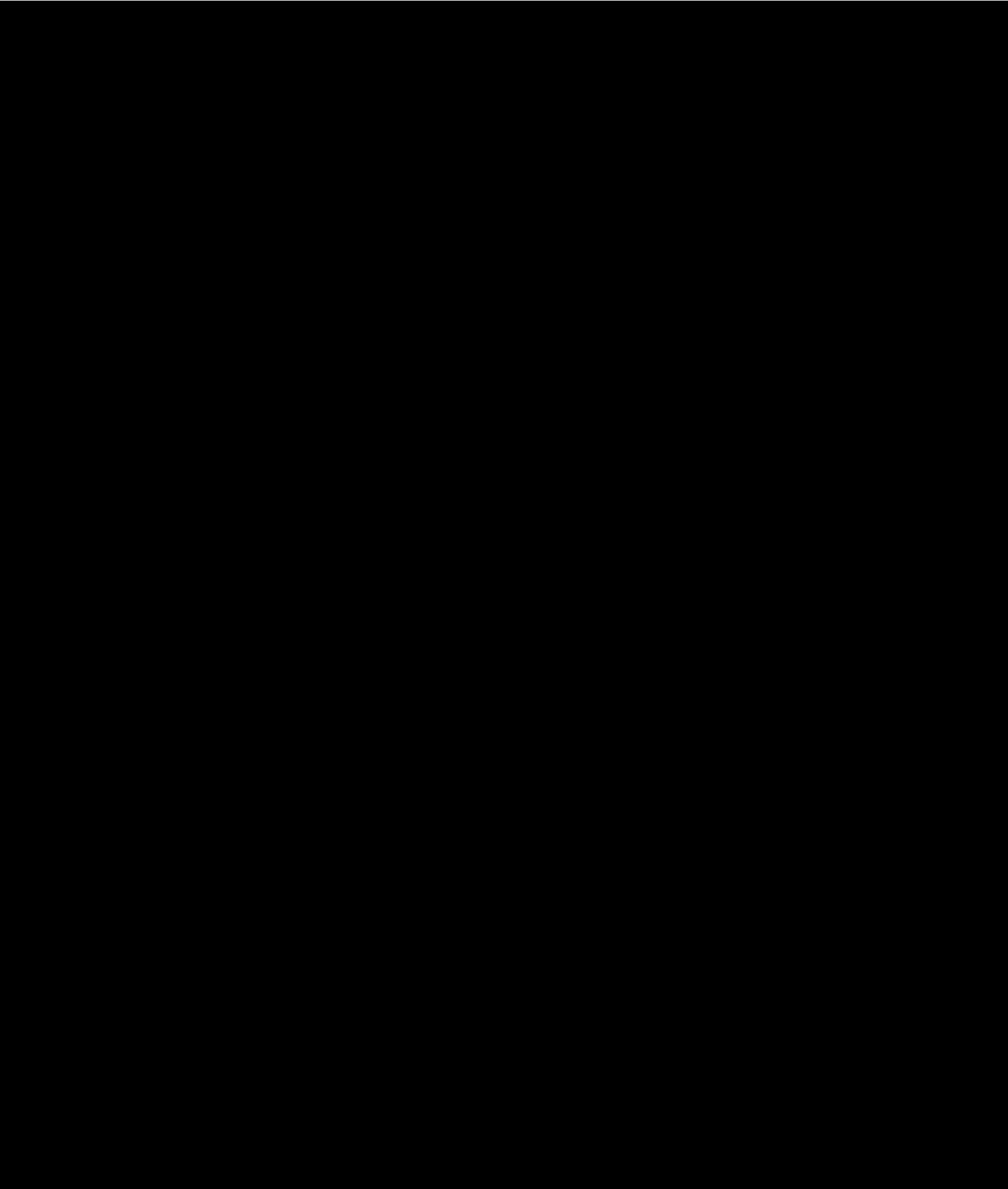














[staff Costs Table

"This should reflect details entered in your technical application section 4C  
Please Insert as many lines as necessary for the Individuals In the project team.  
Please note that FSA is willing to accept pay rates based upon average pay costs. You will need to indicate where these have been used.

Consumable/Equipment Costs

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Please provide a breakdown of the consumables/equipment items you expect to consume during the project

[Redacted content]

Please provide, in the table below, estimates of other costs that do not fit within any other cost headings

[Redacted content]

Please link all deliverables (singly or grouped) to each payment. Please ensure that deliverable numbers are given as well as a brief description e.g. Deliverable 01/02: interim report submitted to the FSA, monthly report, interim report, final report  
Payment will be made to the Contractor, as per the schedule of payments upon satisfactory completion of the deliverables.

Total	£	<u>160,249.60</u>
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Please insert the amount to be invoiced net of any VAT for each deliverable

• Please insert the applicable rate of VAT for each deliverable

§The number of weeks after project commencement for the deliverable to be completed

## Summary of Payments

## **Annex 4 Revised Deliverables**

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