

DRAFT

**FSA SIMPLIFICATION REPORT AND
PLAN FOR 2008/09**

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1. Chair's Forward

By Chair

[To be drafted by Better Regulation Team]

Deirdre Hutton - Chair

December 2008

2. Chief Executive's Report

[To be drafted by Better Regulation Team]

Tim Smith – Chief Executive

December 2008

3. Introduction

This is the Food Standards Agency's (FSA) third annual Simplification Report and Plan which outlines the progress we have made in simplifying compliance with food law over the past year. As with earlier reports the primary focus is on England. However, many of the initiatives will effect other parts of the UK, and we report on specific initiatives from Scotland, Wales and Northern Ireland.

The FSA was set up with the objective to protect public health and consumers' other interests in relation to food and drink. All the simplification measures in this report underpin this objective. We develop regulations, guidance or alternative approaches (such as our salt and nutritional labelling campaigns), and the means by which these are enforced, to deliver this protection. This cannot be done without working closely with all our stakeholders.

While some regulation is necessary, the FSA is aware of the burdens that regulation and enforcement can place on business, the public and third sectors. As the initiatives in this report highlight, it is possible to reduce both administrative and policy burdens without compromising public health or consumer protection. Where simplifying the rules reduces burdens this makes it easier for businesses to understand and act on legal requirements, which should make it easier for them to comply and boost consumer protection.

3.1 Our continuing commitment to minimising regulatory burdens

It is the statutory objective of the FSA to protect public health and consumers' other interests in relation to food and drink. Making regulations easier to understand and apply will help to secure commitment to comply and so improve consumer protection.

The FSA supports and actively participates in the central Government better regulation agenda, for example the administrative burdens reduction project which is reported on in Chapter 4. We actively engaged with the Better Regulation Executive and other regulators on the Regulation Enforcement and Sanctions Act 2008. The Act provides a legal basis for a suite of new administrative sanctions that may be applied by national regulators (the Macrory sanctions). The FSA's Hampton Implementation Review, published on 20 March 2008, found that the FSA regulates broadly in accordance with the Macrory characteristics (see Chapter 9). The FSA is beginning the process of gaining access to the Macrory sanctions which will allow alternative and flexible approaches to enforcement and will benefit both enforcers and business. The Agency has also welcomed the formation of Local Better Regulation Office (LBRO) and in Chapter 7 we report on progress in developing a memorandum of understanding with LBRO. In September 2007 the Board agreed the criteria for the FSA to be judged as a world-class regulator and identified areas for improvement. Progress on this and delivering other FSA better regulation projects is reported in Chapter 9.

3.2 Introducing our Simplification Report and Plan

This is the FSA's third report on its rolling programme of simplification. It reports on areas where we have delivered the initiatives promised in earlier Simplification Reports and on new initiatives that have been identified. We have continued to focus on reducing policy and administrative burdens where they will not impact on consumer protection. The burden of regulation often falls disproportionately on small businesses and the report highlights initiatives aimed at reducing the burdens on this sector. Local authorities play a vital role in ensuring consumer protection and there are a number of initiatives to reduce the burden on them. The report describes how we have successfully engaged with the European Commission (EC) and with other Member States to deliver simplification.

Our first two Simplification Reports^{1 2} included initiatives with estimated savings of over £400 million. We have reassessed the data in last year's Report and have made two adjustments. We have corrected an error, due to double counting, in the savings for Over Thirty Month (OTM) rule from the £291 million reported to £148 million. We have also adjusted the estimated savings of £5 million across the UK for the changes to specified risk material (SRM). We now have an estimated saving for England of £3.4 million, and given the English focus of this report, we are using this new figure. With these adjustments we now estimate our savings from our first two reports to be around £300 million for the public and private sectors in administrative and policy costs.

This Simplification Report describes the FSA's achievements in delivering estimated simplification savings of nearly £40 million including £28 million in administrative burden reductions since October 2007. It also identifies further potential savings of up to £120 million **[DN: to be confirmed]** from simplification initiatives still to be delivered.

3.3 Structure of the Simplification Report

Chapter 3, reports on how the FSA is reducing administrative burdens on business. It highlights progress since the last Simplification Report and further action we are taking to reduce the costs of our most burdensome regulations. It includes a trajectory showing progress on reducing these burdens. To date we have delivered £44 million in administrative burdens of the £136 million required and identified further possible savings of £81 million.

The trajectory shows that we estimate that we are likely to be around £13 million short of the £136 million administrative burden reduction target. As reported last year the target was always going to be extremely challenging after the total administrative burden cost increased by some £100 million with the introduction of food and feed hygiene legislation after the baseline had been set. If the FSA manages to realise estimated savings of up to £125 million it will be a major achievement.

¹ <http://www.food.gov.uk/multimedia/pdfs/simplan.pdf>

² <http://www.food.gov.uk/multimedia/pdfs/simplify2007.pdf>

Reducing the administrative burden of regulations on business is only one part of our simplification programme. Chapter 5 reports on other initiatives that benefit business, with Chapter 5 focusing particularly on our work on reducing burdens on small businesses. Better regulation measures to benefit local authorities and the wider public sector are in Chapter 7 and the third sector in Chapter 8.

Chapter 9 describes the FSA's World Class Regulator Initiative and the outcomes of the Hampton Implementation Review. It also reports on progress on implementing the outcomes of three reviews – on forms, on guidance, and on the burdens of regulation in specific sectors.

To achieve simplification gains we need to work in partnership with others. Chapter 10 describes the work we are doing with the European Commission and other Member States, Chapter 11 on wider better regulation initiatives and work in Scotland, Wales and Northern Ireland (SWaNI) and Chapter 12 on our work with other Government departments on issues that cross departmental boundaries. The initiatives in the Simplification Report could not have been developed without the help of our stakeholders and the scrutiny from internal and external groups, which is described in Chapter 13. We are very grateful for their assistance and input, and for providing the case study material used in the report.

Finally in Chapter 14 there are a number of tables which show in detail the simplification measures that have been delivered, measures in the pipeline, and new measures we have identified. For example:

- based on scientific evidence to assess the risk, from April 2008 the age at which some specified risk material (SRM) needs to be removed from cattle takes place was increased to over 30 months saving cutting plants and butchers an estimated £1.8m (see Table A, item 20); and
- in early 2009 exemptions for small slaughterhouses without detained facilities for meat, or cleansing or disinfection facilities will be introduced, with estimated annual savings of over £180,000 (see Table B , items 7 and 8).

We recognise that simplification should deliver benefits not only for business, but for other stakeholders too and therefore include our work on reducing the burden for the wider public sector and third sector, for example the continued development of the GRAIL (Guidance and Regulatory Advice on Import Legislation) database for Port Health Authorities and Local Authorities (see Chapter 7 and Table A, item 3) and working hard during the European Commission's review of EU food labelling to retain exemptions for the third sector (see Chapter 8).

3.4 Summary of delivered measures

The initiatives identified in this Simplification Report have generated over [£340 million – to be confirmed] in annual savings between May 2005 and October 2008 which are summarised in the tables below.

Table 1: Summary of delivered simplification savings from May 2005 to October 2008 [DN: Figures to be confirmed and updated]

| Sector | Policy Cost Saving* | Administrative Burden Reduction* | Total Savings* |
|---------------|---------------------|----------------------------------|----------------|
| Private | £186.7 ¹ | £44.0 | £230.7 |
| Public Sector | £111.5 | £ 0.2 | £111.7 |
| Total | £298.2 | £44.2 | £342.4 |

¹ Including £6.3m of one-off savings

* Figures are rounded

Table 2: Where the simplification savings have come from. (All savings are annual and, unless stated, relate to England) [DN: To be updated when Tables A and B (Chapter 14) are finalised]

| Simplification Measure | Savings identified in 2006 and 2007 Simplification Reports | | Savings identified in 2008 | | Where further details can be found in the Simplification Report [DN: details to be added] |
|--|--|-----------------------|---|---------------|---|
| | Private Sector | Public Sector | Private Sector | Public Sector | |
| Replacement of the Over Thirty Month rule | £39.2 | £108.63m ³ | | | |
| Butchers licensing | £1.376m | | | | |
| Development of GRAIL (Guidance and Regulatory Advice on Import Legislation) database. | | £0.018m | | | |
| Changes in specified risk material (SRM) controls. | £3.4m (£5m for the UK) | | £1.930m, including £0.130m of administrative burdens. | £0.065m | |
| Incorporating the work of the Wine Standards Board (WSB) into the Food Standards Agency. | | £0.110m | | £0.040m | |
| Reduced Official Veterinary (OV) Presence in Cutting | £1.3m | £2.3m | £1.8m | | |

³ Average annual saving over three years from 2006 to 2008.

| Simplification Measure | Savings identified in 2006 and 2007 Simplification Reports | | Savings identified in 2008 | | Where further details can be found in the Simplification Report <i>[DN: details to be added]</i> |
|--|--|---------------|--------------------------------------|---------------|---|
| | Private Sector | Public Sector | Private Sector | Public Sector | |
| Plants. | | | | | |
| Safer Food Better Business | £128m | | £28m of administrative burdens. | | |
| New enforcement regime for farms under EU Food Hygiene legislation | £0.301m | £0.580m | | | |
| New registration regime for farms under EU Food Hygiene legislation ⁴ | £1.466m | £0.213m | | | |
| Removal of botulism restrictions in cattle | £0.150m | | | | |
| Production of UK Guidance Notes for Regulation (EC) 178/2002 (Traceability) | £15.6m of administrative burdens | | | | |
| Consolidation of bottled water regulations | £0.008m | | | | |
| Revised information requirements when registering as a food business | | | [£0.157m of administrative burdens.] | | |
| New registration regime for feed businesses under EU Feed Hygiene Regulations ⁴ | £4.869m | | | | |

⁴ One-off saving

4. PROGRESS ON REDUCING ADMINISTRATIVE BURDENS

4.1 Making a difference

In considering how best to focus its effort to reduce the administrative burden of food legislation the FSA has consulted a wide range of stakeholders from industry through to consumer groups. The FSA is acutely aware that administrative burden reduction has to be carefully balanced against our statutory duties to protect the consumer (many of the administrative requirements for businesses are to give consumers information to help them make informed choices) and our obligations in Europe.

This year the FSA has devoted its resources for administrative burdens reduction to the areas that will make a big difference to businesses, in particular small businesses. The key administrative burdens reduction projects have focused on making it simpler for businesses to provide the right information to consumers and concentrate on the key risks that could jeopardise food safety.

Feedback from stakeholders on our initiatives has been positive and has borne out the FSA's approach that through simpler, clearer legislative requirements we can secure greater compliance with food legislation. It is hoped that by continuing to address areas of legislative uncertainty we can help simplify the requirements for industry and reduce the administrative burden on them.

"It was great to have a food safety management template already available and it was of great benefit to me as a small business. As a result, it has been a massive time-saver and has freed us up to focus on what I came in to the business for, which is to operate a successful food business and produce safe food."

4.2 Administrative burdens history

In 2005, the FSA participated in a cross-Government exercise to measure the administrative burden of its regulation. The results of the measurement exercise provided the FSA with a baseline, which could be used as an indicator for monitoring these burdens on business.

In September 2006 the FSA agreed that it would attempt to reduce the administrative burden of its regulation by a net 25 per cent by April 2010; reducing the total administrative burden imposed by its regulations to no more than £68 million.

Successful administrative burden reduction in the first year resulted in the FSA being on track to meet the reduction target. However, directly applicable EU hygiene legislation introduced in January 2006 added significant further administrative burdens costs to the reduction total (see table below for further information).

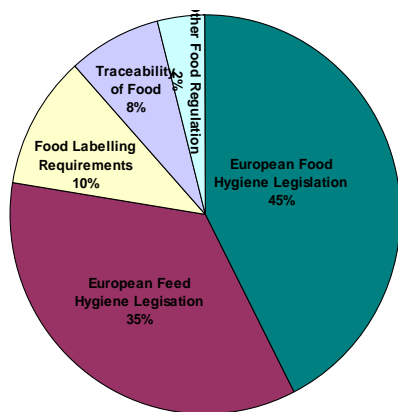
| Description | Administrative Burden* |
|--|------------------------|
| Initial Administrative Burden Total | £86 million |
| Additional regulations omitted from original baseline calculation | £ 5 million |
| Total Administrative Burden in May 2005 | £91 million |
| <i>FSA's administrative burdens target for a net 25% Reduction on 2005 Figures</i> | <i>£68 million</i> |
| Regulations introduced between May 2005 and May 2007 | £165 million |
| Regulations that have been revoked between May 2005 and May 2007 | (£52 million) |
| Total administrative burdens savings required to meet 25% net target | £136 million |

* figures rounded

The FSA acknowledges that the significant increase in the reduction target has made delivering a net 25% reduction target a challenging prospect, but given the major reductions achieved over the last twelve months it is too early to conclude it is not achievable.

4.3 Focusing Our Efforts

Measurement Exercise Results -
Where the burdens lie



The FSA is keen to target its administrative burden reduction in the areas that will make the biggest impact for our stakeholders. Taking into account the measurement exercise findings and feedback from stakeholders we have been focusing our resources on tackling the paperwork requirements linked to the European Food and Feed Hygiene Legislation and the general labelling requirements. The measurement exercise estimated that the information requirements contained in these pieces of

legislation account for over 90% of FSA's total administrative burden. We are therefore hoping that our simplification initiatives in these areas will deliver

significant administrative burden reduction and improve consumer protection for all our stakeholders.

Food Hygiene

Article 5 of EC Regulation 852/2004 on food hygiene, which requires all food businesses to keep appropriate records of their food safety management procedures, is estimated to cost businesses annually £81 million. FSA worked hard to ensure that the burden of these requirements did not fall disproportionately on small food businesses and launched a simple record keeping diary – Safer food, better business (SFBB) – at the same time as the food hygiene requirements were introduced to help reduce the burden of the Article 5 requirements.



A recent exercise undertaken by independent consultants on behalf of the FSA to measure the impact SFBB has had on reducing the paperwork requirements on small businesses indicates that using SFBB reduces businesses' administrative burden by over a third. This has reduced the annual paperwork burden on business by £28 million. It expected that further savings will be possible as SFBB continues to be in.

Feed Hygiene

Article 5(1) read with Annex 1 of the EC Feed Hygiene Regulation (183/2005), requires primary producers (farmers) to keep records of the measures they have put in place to control hazards in relation to the animal feed they use or produce. Amongst other things, this requires farmers to maintain records on the feed they buy or sell and the use of plant protection products such as pesticides. This requirement is estimated to cost those businesses £58 million annually.

Following this assessment initial investigations by the FSA found that some farmers were unsure about the exact requirements of the Regulation and how best to comply (i.e. they were not clear about what information had to be kept, in what format and for how long). To address the issue the FSA is considering a range of actions. We will carry out a study in England to establish farmers' existing record-keeping practices, in particular the form that records are kept, how they are maintained and the time resource for farmers. The Study will help identify ways that record keeping systems can be rationalised to reduce the work involved for farmers. Using the finding of the study FSA will design, consult and publish simple guidance to help farmers meet the record keeping requirement, of the regulations, with minimal administrative burden on farmers.

In Northern Ireland the FSA has piloted a simple notebook that outlines the legal requirements of record keeping for farmers, as well as the potential

benefits. The notebook will act as an aid for farmers to make the necessary records to comply with the legislation. If the pilot is successful the FSA will consider rolling this initiative out to other parts of the UK. For more details on the notebook see Chapter 10.

Food Labelling Requirements

General

Labelling requirements are currently spread in over 40 different pieces of food legislation. The estimated total burden for labelling on business was £22 million. During the European Commission's review of Food Labelling most businesses agreed that changes to law that required labels to be updated could be included in their general print run cycles and therefore did not impose additional administrative burdens.

Since the review the European Commission has now published a draft Regulation intending to consolidate and simplifying the existing labelling rules. FSA is keen to encourage the Commission to look for further areas for simplification to the existing requirements. It is also keen that the Commission explore ways to reduce administrative burdens to offset the key new requirements. An example of an additional administrative burden might be the double labelling of sweeteners (costing businesses £3 million annually according to the measurement exercise). FSA is also pushing for long implementation dates so that any changes can also be included into businesses' usual systems and not impose additional burdens.

We are aware that certain product specific legislation (e.g. Meat Product Regulations) and the Lot Marking Regulations are the pieces of legislation that are the most confusing and burdensome to implement. To reduce the burden of these pieces of legislation on industry FSA is exploring possible simplifications. Further details are given below.

Meat Products Regulations

The complexities of regulation 5 of the Meat Product Regulations have been identified as placing a large administrative burden on businesses, particularly small businesses. Investigations by the FSA with stakeholders have outlined that due to the technical wording in the regulation businesses struggle to understand the legal requirements of the legislation and identify which products need to be labelled. Due to the complexity of the requirement senior management are spending much time familiarising themselves with the law and implementing the labelling requirements

"In ensuring compliance with regulation 5, businesses have to go through a large number of decisions which can become increasingly complex it can be particularly difficult for smaller businesses to understand and to reach a decision on what to label in the name of the food under this legislation".
Food Business Operator

for their products. We expect that our work to simplify regulation 5 of the Meat Product Regulations will reduce the administrative burdens by approximately £9 million.

FSA is addressing the problem by clarifying and simplifying the legal requirements so that these can be implemented by the relevant staff in a business rather than senior management. As regulation 5 is largely about providing labelling information for consumers to make informed choices it will be important that in reducing the burden on businesses we do not remove any of the key information consumers use to inform their purchasing decisions.

To ensure we achieve a meaningful balance between reducing administrative burdens and protecting consumer information the FSA is consulting stakeholders on various options ranging from removing all the requirements of regulation 5 to keeping the existing requirements but , updating guidance to help businesses understand further how to comply more easily with the requirements.

Food (Lot Marking) Regulations

Under the new Food Information Regulation proposal the requirement to lot mark products has been removed as it is considered that lot marking provides little benefit to consumers and indeed is more confusing than helpful.

Savings to date and anticipated future savings

To date the Agency has delivered £44 million in administrative burden savings. While this is some way short of the £136 million target, our current assessment is that the work on food and feed hygiene will deliver considerable further savings, which will take us closer to the target.

These savings will of course take longer to be felt by businesses as culture change and guidance-based initiatives take time to bed in. The FSA will also consider savings other regulatory regimes may offer.

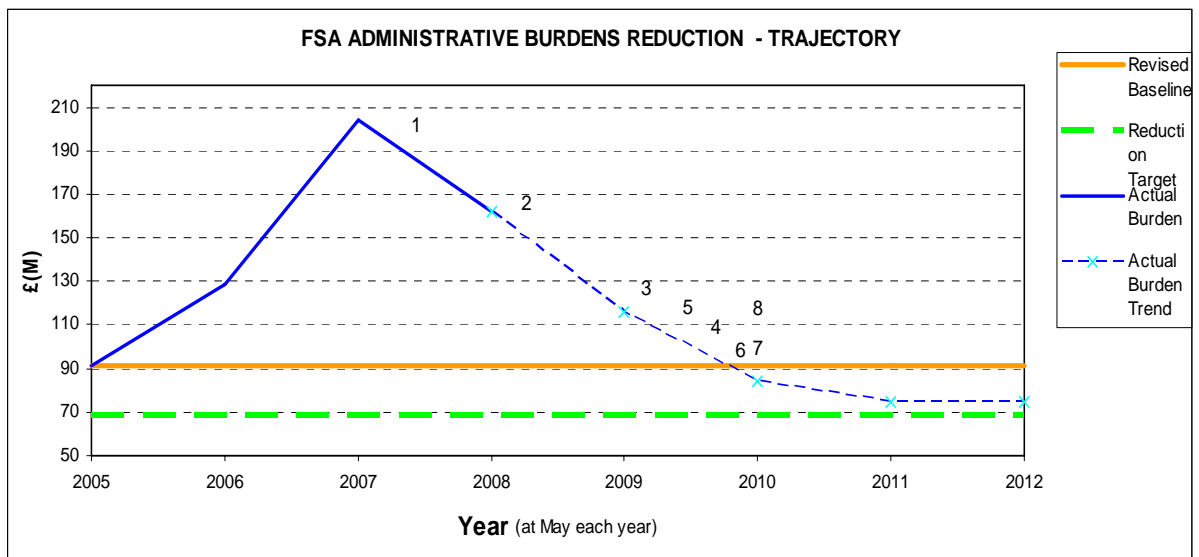
The table below outlines our progress on delivering administrative burdens savings.

| Initiative | Administrative Burdens Saving (rounded) | Implemented/ Expected | Number on graph |
|--|--|------------------------------|------------------------|
| Traceability Requirements - UK Guidance on businesses obligation under Article 18 of EU General Food Law | £16 million | July 2007 | 1 |
| Food Hygiene – Safer Food Better Business: simple diary and guidance for small businesses on how to keep a documented food safety system | £28 million | May 2008 | 2 |
| Feed Hygiene – considering simple guidance to clarify what and how feed | £35 million | Summer 2009 | 3 |

| | | | |
|---|----------------------|------------|---|
| records should be kept for farmers on feed record keeping requirements | | | |
| Meat Products - clarifying and simplifying the legal requirements | £ 9 million | Late 2009 | 4 |
| Feed ingredient – Removal of the requirement to list quantities of feed ingredient | £2 million | Early 2009 | 5 |
| Removal of various labelling requirements (lot marking, double labelling of sweeteners, etc) | £10 million | Late 2009 | 6 |
| Further savings from SFBB embedding further | £15 million | By 2010 | 7 |
| Various other simplification initiatives - simplifying the food business registration form; removing TSE requirements, etc. | £10 million | By 2010 | 8 |
| TOTAL | £125 million* | | |

* Totals may not add due to rounding

Administrative Burden Reduction Trajectory to 2010



5. SIMPLIFICATION FOR THE PRIVATE SECTOR

The reduction of administrative burdens is only one part of the FSA's simplification programme for the private sector. Other initiatives which have already reduced, or will reduce, burdens on business are described in this chapter. Chapter 6 highlights specific initiatives aimed at small businesses.

5.1 Reducing the burden for the meat industry

The FSA and the Meat Hygiene Service have been working with the meat industry to minimise the burden of the European Food Hygiene Regulations. These came into force in January 2006 and placed a number of new requirements on meat plant operators and on producers sending animals to slaughter.

Helping Meat Plant Operators

The FSA has worked with representatives of the meat industry, other government departments and enforcement bodies to produce a single guide to the Food Hygiene legislation – the Meat Industry Guide⁵ - to assist meat plant operators whose premises require approval and veterinary control. The guide covers all relevant legislation and sets out the legal obligations that apply to food business operators in the meat sector and provides advice on how these obligations can be met.

The legislation emphasises that it is the responsibility of every food business operator to produce food safely by applying good hygienic practices and food safety management procedures based on hazard analysis and critical control point (HACCP) principles. To help meat producers meet this responsibility and to document their food safety management systems a Food Safety Management Diary for Meat Producers has been produced⁶.

Food Safety Management Diary for Meat Producers

Documentation is an important part of food safety management. To help meat producers to document their procedures the FSA worked with business to develop the Food Safety Management Diary for Meat Producers. It contains daily and four weekly checklists. Daily record keeping is based on 'exception reporting', only requiring a record to be made when there is a problem or something unusual happens and noting the corrective action taken.

“Supporting documentation is a statutory requirement in all forms of food safety management. The Food Safety Management Diary for Meat Producers is a positive example of where the FSA and industry have worked together to produce an easy to understand document which is a genuine attempt to minimise the burdens on business which has not always been the case in the past ”.

Association of Independent Meat Suppliers

⁵ <http://www.food.gov.uk/multimedia/pdfs/mig16aug07.pdf>

⁶ <http://www.food.gov.uk/multimedia/pdfs/foodmandiary2008.pdf>

Reducing the burden of providing food chain information to slaughterhouses

Last year's report explained how the FSA and the Meat Hygiene Service (MHS) are working together to minimise the burden of providing food chain information (FCI) to slaughterhouses. The EU Food Hygiene Regulations require slaughterhouse operators to 'request, receive, check and act upon' FCI of animals sent to slaughter. This is used by slaughterhouses to ensure animal welfare and assess any potential hazards to human health. Implementation of FCI was initially required only for poultry, with progressive implementation of FCI for other species: pigs from 2008; cattle and sheep from 2010.

Food Chain Information on pigs sent to slaughter

Working together, the FSA, MHS and the British Pig Executive (BPEX) developed an IT system to reduce the amount of paperwork that would be required. The system went live on 1 January 2008 for FCI and for the collection and communication of inspection results. Approximately 80 per cent of pig producers are BPEX members and can use the system through the BPEX website⁷. The MHS has provided the same system for non-BPEX members⁸, with over 500 registrations being requested in the first few months of being introduced.

*"The online FCI service developed in partnership by industry and government agencies provides a cost effective, tangible and significant reduction to regulatory burden for pig producers and food businesses operators and assists in the supply chain optimising food safety for consumers of English pig meat and enhancing animal welfare. The service also provides a platform on which further regulator burden may be reduced in areas such as pig movement traceability and the Zoonoses National Control Plan⁹ which are currently being explored". **British Pig Executive***

The MHS has built on the work it has done on FCI for pigs to develop a very flexible IT portal which will be extended during the coming year for other species. This will allow the rapid transmission of information collected from inspections in slaughterhouses to the centrally held Single Information Repository. This information will be entered once at source (for example in a slaughterhouse) and then be disseminated instantly to farmers, their veterinarians, policy/veterinary organisations and other stakeholders. This initiative will deliver three types of benefits:

- The information received by farmers/producers and their veterinarians will act as an early warning system that will support a more effective control of animal diseases on farms, with potential for links in the future to be made to Animal Health¹⁰, a Government Executive Agency for animal health.

⁷ <http://www.bpex.org.uk/>

⁸ <https://partners.mhs.gov.uk>

⁹ <http://www.defra.gov.uk/animalh/diseases/zoonoses/ncp.htm>

¹⁰ <http://www.defra.gov.uk/animalhealth/>

- The increased speed of information flow will improve the surveillance of diseases that must be notified (e.g. Foot-and-Mouth) or emerging (e.g. for BSE in the past), allowing improved control of animal diseases at a national level
- Information will not have to be re-keyed into different stakeholders' IT systems saving time and money, especially on paper and postage, as well as giving choice to all stakeholder groups of where, when and how they access the information required.

Additionally, this will result in a reduction of duplication across a range of businesses and Government Departments.

The FCI initiative is an example of joined-up electronic business information systems that can be shared across Government to make procedures more efficient and effective, thereby reducing the administrative burden.

[DN: Possible Meat Plant Case study]

5.2 Reducing the burden of inspection

In order to maintain consumer protection, inspection is necessary to ensure that food business operators are not breaking the law. Inspections also provide an opportunity for businesses to ask questions and for enforcement officers to provide advice and guidance. However, unnecessary inspection creates an unwelcome burden on industry and does not protect consumer health.

The FSA continues to consider ways in which the burden of inspection can be reduced without removing any of the protections to consumer health or other interests.

5.2.1 Food and Farm Assurance Schemes

In last year's Simplification Report we explained how we were reducing the burden of food inspection for farms who are members of approved assurance schemes. Food assurance schemes do not apply to dairy or egg production.

Following a report on UK food assurance schemes in 2002, the FSA produced best practice guidance notes for food assurance schemes in 2003. This advice has two key strands:

- consumer involvement in standard setting
- clear and honest consumer information about scheme standards and what is being delivered.

A review of the uptake of this guidance by UK food assurance schemes was carried out in 2007, with the final report from this work available on the Food Standards Agency website at

<http://www.food.gov.uk/foodlabelling/researchandreports/foodassureguidreview>

Although the report was finalised before changes to the governance of some schemes took effect, the overall conclusion was that food assurance schemes have increased their conformance with Agency guidance significantly since 2002. The Agency intends to review its guidance in the light of these findings to determine whether any changes would be helpful.

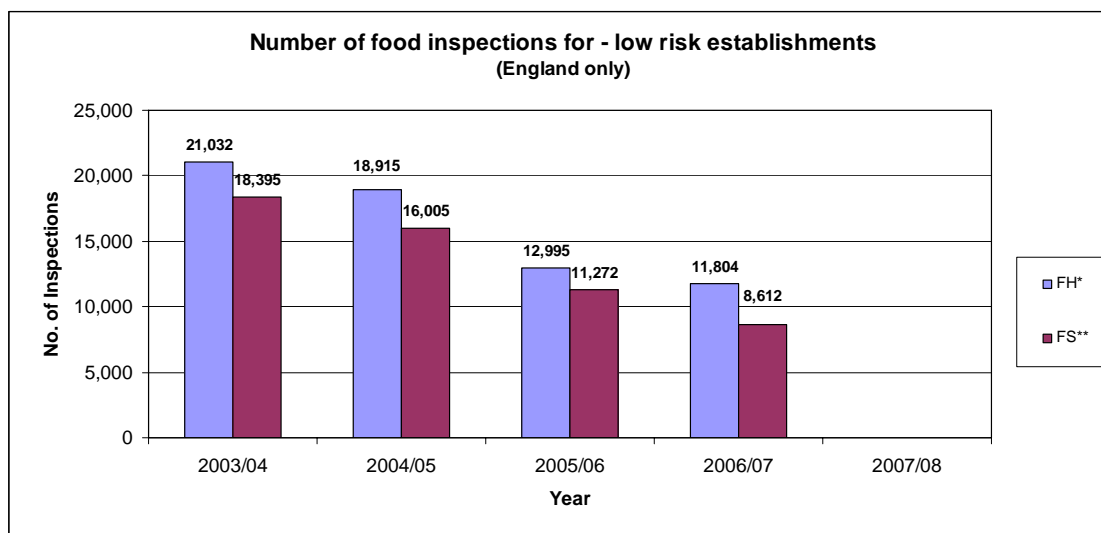
5.2.2 Reducing Feed Hygiene Inspections

[DN: to be drafted]

5.2.3 Reducing the burden of inspection on low-risk businesses

Risk-based enforcement helps local authorities to target “high-risk” businesses that do not comply with regulations and reduces the administrative burden on those that do comply.

Our first two reports highlighted the reduced number of inspections for the businesses rated as lowest risk following the introduction of the alternative enforcement strategies (AES). This showed a considerable reduction in the number of inspections between 2003 and 2007. **[DN: need to add 2007/08 data, which will be available by November. However, because of a change in method of collection, only 9 months data will be available. Explanatory text will be provided]**



5.3 Reducing the burden of meat enforcement - Transforming the Meat Hygiene Service

Ensuring that meat is safe to eat is a top priority for the FSA, but it is important to make sure that the burden on business is not greater than it needs to be.



As reported last year the FSA Board supported the recommendations of a review looking at transforming the way meat hygiene regulations are enforced in England, Scotland and Wales. The Review of the Delivery of Official Controls in Approved Meat Premises in Britain¹¹ recommended that enforcement of meat hygiene regulations should be delivered by a transformed Meat Hygiene Service. Since then the FSA and the MHS have been working to deliver these recommendations. The MHS has initiated business improvements to reduce costs in real terms, excluding inflation, from some £91m in 2006/07 to around £74m by 2012/13.

Under EU Food Hygiene Regulations official controls in meat premises are the responsibility of the competent authority. During the negotiations for these regulations attempts by the FSA to transfer the responsibility to plant operators were blocked by the European Parliament, and there is no prospect of change to this requirement before 2010. However the FSA will continue to work at a European level to obtain a more risk-based approach to meat hygiene enforcement. The FSA is preparing a strategy for achieving risk-based meat hygiene regulations and is working with MHS and industry to identify areas where pilots would be most productive in the UK within the current regulations. Securing legislative change will take a number of years and will be dependent on developing robust evidence to support our case for change. We anticipate that by the end of 2008 we will have reached a point where we can review progress and determine how to take our strategy forward.

The EU Hygiene Package does allow the requirements of the Regulations to be adapted where it can be shown that these will not compromise the objective of protecting public health. The FSA has taken advantage of these flexibilities for low-throughput slaughterhouses (see Chapter 5: Helping Small Firms).

The FSA and MHS have been looking at way they can work more efficiently together. This includes sharing information on approval of food business operators.

¹¹ www.food.gov.uk/multimedia/pdfs/fsa070706.pdf

Data Sharing - Approval of Food Business Operators

The FSA will enter data relating to the Approval of Food Business Operators and their establishments via the MHS Extranet direct into the MHS Electronic Enforcement System. This will reduce duplication of data entry and duplication of business systems. In addition all MHS enforcement data will be input direct on MHS IT equipment installed in the plant. This can be entered by MHS Veterinarians or Meat Hygiene Inspectors and will be progressed electronically through the MHS Enforcement System giving intelligent alerts to staff at various stages of the procedure. It is also planned that the FSA's legal team will join the network and will have access to the MHS Enforcement System. This will:

- remove the need to keep two different systems up to date;
- enable the MHS and FSA staff to work from the same shared single source of information; and
- enable staff at all levels to access the information they require reducing the need to interrupt the working day for progress reports normally done by phone or email.

5.4 Consolidation of bottled water legislation

Last year's report included the consolidation of bottled water legislation. The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007 (SI 2007/2785)¹² consolidated a number of previous Regulations which laid down requirements for the exploitation, bottling, labelling and sale of natural mineral water, spring water and bottled drinking water. This legislation, along with new FSA guidance¹³ for industry and enforcement authorities, has made the regulations easier to interpret and comply with. Bottled water producers estimate annual savings of £80,000 and consumers benefit from increased confidence in the standards of bottled water. Retailers and enforcement authorities also benefit from the increased compliance and simpler legislation.

The British Soft Drinks Association welcomed the implementation of the consolidated bottled water regulations in 2007. They acknowledged in their Annual Report for 2007-2008 that, together with the accompanying FSA guidance, the regulations are now much easier to interpret, ensuring that bottled water companies can maintain their commitment to good manufacturing practice.

<http://www.britishsoftdrinks.com/Default.aspx?page=652>

¹² <http://www.opsi.gov.uk/SI/si2007/20072785.htm>

¹³ www.food.gov.uk/multimedia/pdfs/waterguideeng07.pdf

6. HELPING SMALL FIRMS

Over 80 per cent of food business the FSA regulates are small¹⁴. To protect public health and to improve hygiene standards small businesses need to be able to understand and comply with food legislation. The FSA is also aware that regulations and unclear or complicated guidance can result in a disproportionate burden on small businesses. The Government's Enterprise White Paper¹⁵, published alongside the 2008 Budget, included a commitment to reduce the burden of existing and new regulations on small businesses. In Chapter 9 we report on the Agency's sector-specific report¹⁶ and our world-class regulator initiative¹⁷ which both highlighted the need for the FSA to establish effective and practical ways to engage small businesses in policy development.

This chapter highlights some of the work the FSA is already doing to minimise burdens on small businesses and how we plan to ensure that their needs and views are taken into account during all stages of policy development, including delivery.

6.1 Targeting our information campaigns to the needs of small businesses

In March this year the FSA launched an information campaign to help small businesses focus on the key food safety requirements and understand why good food safety is important to a successful food business. Entitled 'starting up' the campaign aimed to provide advice and guidance on how to set up as a food business, including how to register with a local authority, and provided simple guidance on how to comply with various pieces of general legislation.



Working closely with Business Link, the FSA developed simple guidance outlining the key things businesses need to consider when setting up – including sensible health and safety management and VAT issues. Produced in English and nine other languages the guidance offers small businesses a quick-reference booklet on key food safety

requirements. Since the guidance has been re-issued with the information campaign over a thousand copies have been requested by stakeholders. A copy of the guidance can also be found at www.food.gov.uk/multimedia/pdfs/startingup0208.pdf

[DN: include quote from use of the guidance]

¹⁴ Employ fewer than 20 people

¹⁵ http://www.hm-treasury.gov.uk/media/E/3/bud08_enterprise_524.pdf

¹⁶ <http://www.food.gov.uk/multimedia/pdfs/simplifysectorrep.pdf>

¹⁷ <http://www.foodstandards.gov.uk/multimedia/pdfs/board/fsa070905.pdf>

6.2 Exemptions for Small Slaughterhouses

As we said in last year's report, the FSA negotiated flexibilities in the European food hygiene legislation for small slaughterhouses. The FSA proposed national measures to derogate some 40 small slaughterhouses from the requirement to have refrigerated facilities and livestock vehicle cleansing and disinfection facilities. This will result in estimated total annual savings of up to £180,000 for these plants. The FSA has consulted on these proposals¹⁸, and domestic legislation to allow these exemptions will be introduced in early 2009.

6.3 Cold Inspection

Official supervision of specified risk material (SRM) controls prevented 'cold' inspection of cattle, sheep and goats. There was a requirement for an Official Veterinarian (OV) to be present during anti-mortem inspection and to wait while the animals are slaughtered and the carcasses dressed before carrying out a post-mortem inspection. With cold inspection the OV will be able to leave after carrying out the ante-mortem inspection and return later to carry out post-mortem checks once the carcasses have been dressed.

As part of the move to a more risk-based audit and inspection regime the practice of cold inspection is being re-introduced in certain red meat slaughterhouses processing pigs, under thirty-month cattle, sheep or goats. While there are no hard and fast rules on where cold inspection will be possible we expect it will only be practical in smaller businesses, for example processing 10 or fewer animals a day, where there is a delay between ante- and post-mortem inspection and where adequate detention facilities are available to store and correlate all the parts of the carcass pending final official inspection.

The possibility of introducing cold inspection at individual slaughterhouses will be jointly explored with the businesses by the Meat Hygiene Service. A leaflet explaining the scheme was distributed to businesses on 16 July 2008¹⁹.

6.4 Food Safety Management Systems

European Union Food Hygiene Regulations, which came into force in January 2006, introduced a new requirement on all food businesses to have documented food safety management procedures in place, based on HACCP (Hazard Analysis Critical Control Points).

This means that Food Business Operators must be aware of all the food safety hazards in their food operations and have systems in place to control them. Recognising the challenge this posed for small businesses, the FSA negotiated in Europe the flexibility to allow proportionate food safety approaches for small businesses. Working closely with small caterers and Local Authority enforcement officers the FSA developed the Safer food better business (SFBB) programme.

¹⁸ <http://www.food.gov.uk/consultations/consulteng/2007/hygieneenglandamend08>

¹⁹ <http://www.food.gov.uk/multimedia/pdfs/mhscoldinsp.pdf>

An A4 pack and diary - *Safer food, better business* - specifically aimed at small food caterers and retailers allow them to comply with the requirement in an effective and proportionate way. The pack uses pictures and simple language, consisting of a series of Safe Method factsheets together with a diary for record keeping. SFBB is underpinned by the risk-based HACCP approach so that a business using the pack correctly is complying with the law.



As well as packs for various cuisine types, the FSA has also developed an interactive DVD to complement the packs and provide an additional training resource. It has voiceovers in those 16 different languages found most commonly in the diverse catering industry. In addition to the pack the FSA has also provided training and coaching advice to small businesses to help them feel confident when carrying out their legal duties and to minimise the regulatory burden on them.

The FSA has funded a £12m, three-year support programme in England.

Local authorities (LAs) were supported with a toolkit, containing template promotional and other materials. A national programme also equipped over 1,400 enforcement officials with the coaching skills considered necessary to deliver SFBB support to small businesses.

Feedback has been extremely positive. Formal evaluation has shown a significant increase in businesses with effective food safety management controls in place - from 30% in 2002 to 48% in 2007- with a further 43% making satisfactory progress towards full compliance.

Independent national market research has shown that 92% of respondents receiving an SFBB pack found it helpful in implementing their food safety management system, providing them and their customers with greater confidence in their food safety controls.

SFBB in Camden

Camden Council included SFBB as part of their food safety programme to improve compliance. When SFBB was introduced and formed the foundation for bespoke training they found that 69% of non-compliant high-risk food businesses that received this training improved their compliance rating within 6 months.

Over 400,000 packs have now been requested by businesses and LAs. Face-to-face coaching support, using food safety seminars and 1:1 coaching in their premises, has been provided to over 50,000 small food businesses via 88 Agency-funded projects, run by LAs working with a range of local and regional partners including colleges, Regional Development Agencies, community groups and trade associations. At least a further 50,000 small businesses have been offered direct assistance by LAs using the Agency support materials but without Agency grant funding.

6.5 General Food Law Guides for Small Business

Although the FSA Guidance Notes for Regulation (EC) 178/2002 (the General Food Law Regulation) included a summary for small businesses, some stakeholders considered that the Notes were too complex and too extensive for

small businesses such as farmers to use easily. As a result, the Agency decided to produce two short guides for SMEs, one for farmers and growers, and the other for caterers and their employees. These are being developed in consultation with the appropriate trade bodies for these sectors and summarise the key elements of the Guidance Notes in a user-friendly form, together with guidance on relevant aspects of the Food Safety Act 1990. These are likely to be available on the FSA website in autumn 2008 **[DN: include link when published]**.

[DN: include reference to Guidance on Vacuum Packed Chilled Foods leaflet]

6.6 Engaging with Small Businesses

Most of the food business FSA regulates are small businesses. The Agency is acutely aware that in order to improve hygiene standards and protect consumers small businesses need to be able to understand and comply with food legislation. FSA knows it needs to do more to involve small businesses in policy making as certain legislative approaches are confusing and difficult for small businesses to implement.

To help FSA engage better with small businesses FSA is in the process of piloting an approach to set up regional small businesses fora. The Agency wants to give small businesses the chance to be involved in the policy-making process and highlight any policy that may be tricky to implement due to the small size of their business. The FSA would also like to give small businesses a chance to market test any key pieces of guidance we produce to check that it is 'small business friendly'.

[DN: include details of how to get involved]

[DN: will include further details on progress before publication].

7 SIMPLIFICATION AND THE PUBLIC SECTOR

Simplification should benefit all stakeholders, not just business, and this chapter describes the work being undertaken to reduce the burdens on the wider public sector, primarily the enforcement community.

7.1 Incorporating the work of the Wine Standards Board into the Food Standards Agency

As noted in our previous reports, the Standards Board (WSB) merged with the FSA on 1 July 2006, which was one of the first mergers to be implemented following the recommendations in Sir Philip Hampton's report 'Reducing Administrative Burdens: effective inspection and enforcement', published in March 2005²⁰. The Hampton Report identified overlapping areas of responsibility between the FSA and the WSB and synergies including ease of access to FSA experts, and the potential for improved co-operation with other enforcement bodies.

WSB office-based staff are accommodated within the FSA's headquarters building. A reduction of staff by two in the first year, and a further reduction of staff by one in the second year has brought estimated savings to the public sector of £110,000 in year one, and £150,000 in year two. This merger has resulted in improved access to legal and technical advice in wine-related matters and improved co-operation with other enforcement bodies.

Following a public consultation the FSA published, in May 2008, a revised Wine Standards Enforcement Policy²¹. The policy sets out the role of the FSA and its Wine Standards Branch Inspectors in enforcing regulations governing the production, labelling and documentation of all wines marketed in the UK. The aim of the policy is to ensure that enforcement is in line with Hampton principles of risk-based enforcement and the Regulators' Compliance Code, while protecting consumer health.

7.2 Food law enforcement by Local Authorities

Local authorities (LAs) are responsible for carrying out the majority of food law enforcement. The FSA works with LAs in several ways:

- in partnership helping LAs to deliver proportionate risk-based enforcement;
- supporting LAs by funding training, providing grants and making other resources available, and
- by monitoring and auditing LAs' activities.

The FSA has introduced a number of initiatives to help LAs to deliver their services and improve the way the FSA works with them.

²⁰ <http://www.hm-treasury.gov.uk/media/7/F/bud05hamptonv1.pdf>

²¹ <http://www.food.gov.uk/multimedia/pdfs/wineenforcement.pdf>

7.3 The new vision for food law enforcement

The “vision” for food law enforcement provides a more flexible approach which will enable LAs to focus their resources more effectively on the areas of greatest need based on local knowledge. The overarching objective remains to protect consumers, but the primary focus is on raising levels of business compliance with food law. The FSA is working closely with LA representatives to deliver this objective through the Changes to Local Authority Enforcement (CLAE) project.

The CLAE project co-ordinates four different linked reviews. Progress on these is described below.

A review of enforcement policy

During 2007 the FSA carried out a review of enforcement policy. Following a public consultation a revised Food Law Code of Practice for England was published on 17 June 2008²². The new code takes account of the Hampton principles of inspection and enforcement, replacing an inspection-focused approach with a more flexible one. This enables LAs to use a wider range of interventions to allow them to direct resources at those food businesses that present the greatest risk to public health and consumer protection. The Agency has also published training material on the new approach²³.

The new Code also reduced the amount of information required when registering a new food business establishment, with an estimated reduction in the administration burden placed on new businesses of [£157,000] annually.

The parallel Food Law Code of Practice for Northern Ireland was published in August [DN: *insert footnote*]. The parallel Codes for Scotland and Wales will be published in due course.”

The review of the monitoring system for food law enforcement

This review introduces a simpler system for data returns, to help LAs provide more accurate data and save costs. The new web-based system of automated data transfer was introduced in April 2008, removing the need for LAs to complete a manual return. The first results of the new monitoring system will be seen in the data for 2008/09.

Administrative savings for LAs are estimated to be up to £56,000 in year one (2008/09), and up to £29,000 per year thereafter. There will be one-off initial increased costs of approximately £343,000 for LAs in setting up and in training their staff on how to use the new system.

A review of audit arrangements The FSA has reviewed the audit arrangements for LAs. EU obligations require each enforcement body to be audited every five years. FSA consulted²⁴ on proposals to minimise the burden of these rules by:

- taking more account of local authorities' own audit arrangements;

²² <http://www.food.gov.uk/multimedia/pdfs/codeofpracticeeng.pdf>

²³ <http://www.food.gov.uk/multimedia/presentations/fsainterventions.ppt>

²⁴ <http://www.food.gov.uk/consultations/consulteng/2008/fsalocalaudit>

- taking a more risk-based approach to the selection of local authorities; and
- adopting a greater focus on outcomes.

Following the end of the consultation in April 2008, these principles are already being applied to the FSA's audits of LAs.

A review of the Framework Agreement

This agreement between the LAs and the FSA sets out the structure within which enforcement policy, monitoring and audit are delivered. The purpose of the review is to ensure that the Agreement is updated to take into account the principles of good regulation and Government better regulation initiatives including Hampton principles, the Regulators' Compliance Code and Local Better Regulation Office (LBRO). This review should be completed by December 2008, and the updated Agreement effective from 1 April 2009.

7.4 Local Better Regulation Office

The Local Better Regulation Office (LBRO) has been established to 'drive improvements in local authority regulatory services in accordance with the principles of better regulation' (see Regulatory Enforcement and Sanctions Act 2008 - Guide to the Act²⁵ - page 9). The FSA supports the aims of LBRO in seeking to ensure that food law is enforced in an effective, consistent and proportionate manner by local authorities. The work of LBRO will complement the good working relationship the FSA has with LAs.

The FSA is in the process of drafting a Memorandum of Understanding (MoU) with LBRO to clarify the position of the two organisations in relation to a number of areas, including the responsibility for provision of advice and guidance and the role of the FSA when required to consider differing views between a LA and a Primary Authority on the application of food law.

The MoU needs to be in place by April 2009 and will be published on both our websites.

7.5 Retail Enforcement Pilot

The Retail Enforcement Pilot (REP) is a methodology which encourages one inspection to cover more than one area. It is being piloted in a number of LAs with the aim of reducing the number of inspections experienced by low-risk compliant businesses. REP encourages more joined up inspection in the areas of food hygiene, food standards, health and safety, alcohol licensing, trading standards, and fire safety. Inspectors who are carrying out inspections in premises which they consider high risk are able to act as 'eyes and ears' for their colleagues in other regulatory services who consider these premises low risk. The aim is to reduce the number of inspections, thus allowing the better targeting of resources at high-risk premises. The REP is being managed by LBRO.

²⁵ <http://www.berr.gov.uk/files/file47135.pdf>

By allowing enforcers to concentrate resources on non-compliant and high-risk businesses, LAs can more effectively address the areas where there is greater risk to public health. The Agency supports the REP pilot exercise and has been working closely with the LAs in the pilot, supporting them in taking a more flexible approach when inspecting low-risk compliant food businesses, while still maintaining public health protection.

The Agency supports REP and has clarified with LAs the circumstances in which participants can default from the requirement, set out in the Food Law Code of Practice, that food hygiene inspections must be carried out by a qualified food officer. The increased flexibility allows the benefits of REP to be extended while fully protecting public health.

7.6 Reducing the burden of information from Local Authorities/Public Sector Strategy

The FSA is committed to reducing the number of unnecessary requests for information received by front-line staff. The FSA has carried out a limited informal consultation with a number of LAs on how to minimise burdens on them caused by information requests from the FSA. Key issues of concern to LAs are:

- timing of requests;
- duplication of requests for similar information;
- style of returns; and
- need for an overall reduction in communication.

As a result the FSA is developing an action plan for a revised policy across the FSA for communicating with LAs, which aims to:

- reduce the number of individual communications to LAs and requests for information;
- develop criteria for identifying “urgent” communications;
- develop a more co-ordinated mechanism for non-urgent communications from across the FSA, taking into account the current review of incident-handling communications;
- develop a mechanism for targeting e-Coms at specific personnel within LAs;
- improve co-ordination in respect of surveys and other information gathering exercises; and
- improve and co-ordinate timing of resource-intensive requests to avoid LA peak times;

An update on progress will be included in next year’s Simplification Report.

7.7 On-line food allergen training for enforcement officers

The Agency has developed a simple interactive, on-line training package for enforcement officers on food allergen control, both in the factory and catering settings, as well as making decisions on allergen labelling²⁶.

This on-line training programme allows enforcement officers to learn about food allergens in their own workplace and at a time that is convenient to them. The benefits of this way of learning include:

- training at a convenient time, without the requirement to travel to a central location;
- no need for printed materials; and
- quick and easy updating if new legislation or guidance is introduced.

Food business operators will also be able to access the package to work in partnership with enforcement officers when they visit the food premises and as a training aid for their own staff.

GRAIL (Guidance and Regulatory Advice on Import Legislation)

Each year, two and a half million containers arrive at the UK's biggest port, Felixstowe, on the Suffolk coast, bringing in food imports from all over the world.

Much of the food that arrives here will eventually make its way to UK supermarket shelves. Yet the process by which such food imports must be checked, inspected and authorised at UK ports like this is detailed and complex.

Rigorous import controls involve many different areas of legislation and guidance: an administrative burden which was, until recently, time consuming for local authority enforcement officers involved in monitoring and checking the food imports.

"This is a highly complex area" says Richard Jacobs, Service Manager at Suffolk Coastal Port Health Authority, Felixstowe, who helps oversee the Port Health service and the inspections of containers bringing in products of non-animal origin, as well as fish and fishery products, from outside the EU.

"We do around 70 inspections of containers each day. And they contain anything you'd find in a supermarket, from fresh apples or grapes to frozen fish, tinned fish or specialist foods from ethnic markets."

"Previously, all the information our enforcement officers would need to check on the correct import legislation and guidance was paper based. And it was kept in four different places, all in ring binders and files. So accessing it took up time."

Now, however, thanks to GRAIL (Guidance and Regulatory Advice on Import

²⁶ <http://allergytraining.food.gov.uk/>

Legislation) an internet-based searchable database of up-to-date imported food legislation and guidance from the Food Standards Agency, accessing this detailed import information is both easier and much faster.

“GRAIL has put everything we need to look up in just one place” says Richard, who has worked at the Port for 17 years.

“The fact that we can go to one place for accurate and up-to-date imported food information in what can be a rapidly changing legislative environment -- and we don’t need to go through lever arch files to find it --is a real benefit for us.”

“It means our officers are freed up to carry out inspections –and that minimises inspection delays at the Port.”

Suffolk Coastal Port Health Authority, Felixstowe

8. SIMPLIFICATION AND THE THIRD SECTOR

The third sector – which includes charities, voluntary and community organisations – is important as it often plays a vital role in the local community. Many third-sector organisations raise money, at fêtes and other public fund raising events, by selling home-produced foods. This means they can be affected by food legislation.

Food Labelling

Current EU legislation on food labelling allows Member States some flexibility about what and how labelling information should be provided for foods sold non-pre-packed or pre-packed for direct sale including in catering establishments. Although the third sector is not specifically mentioned in this legislation, the UK Food Labelling Regulations 1996, as amended, provides a general labelling exemption for food prepared which may be sold by charities and public fund-raising events, such as school and church fêtes. The Agency believes that this is a proportionate approach, which is welcomed by both organisations and consumers.

As this exemption originates from EU law, there had been concerns that it could be lost as part of the overhaul of EU food labelling legislation that is currently taking place (see Chapter 9). The removal of this exemption could result in an unwillingness to contribute foodstuffs to charity events for sale if contributors had to spend time listing and labelling the ingredients for each item they donate. Depending on size, individual schools for example, can raise around £150 to £1,000 per year through sales of foodstuffs at fund-raising events. This income could be lost.

The FSA therefore worked hard during the European Commission's review of the EU food labelling legislation and in the run-up to their publication of the proposal to gather third sector and other stakeholder views to support the Agency's view that this flexibility or a similar one should be adopted at EU level. A public consultation was held²⁷, the result of which supported this recommendation.

The Commission's proposal for a Regulation on the Provision of Food Information to Consumers was published in 4 February 2008²⁸ and the Agency was pleased to note that the flexibility for the third sector has been included. The FSA will be supporting this proposal during negotiations in Brussels.

Nutrition and Health claims

Article 11 of Regulation 1924/2006 on nutrition and health claims made on foods leaves control of recommendations of or endorsements by national associations of medical, nutrition or dietetic professionals and health-related charities to relevant national rules. In the UK there are currently no specific national rules to address this issue. Rather than introduce legislation to address the absence of rules the Agency will be developing best practice

²⁷ <http://www.food.gov.uk/consultations/ukwideconsults/2007/uklabelling2007>

²⁸ http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/proposed_legislation_en.htm

guidance in consultation with the relevant national associations, charities, industry and enforcement. The cost benefits of introducing this guidance rather than legislation is being currently being assessed.

9. FSA SIMPLIFICATION PROJECTS

This chapter describes the Agency's World-Class Regulator initiative and the outcomes of our Hampton Implementation Review. It also provides updates on progress in delivering the outcomes of three FSA simplification initiatives reported in our 2007 Simplification Report: a Sector-Specific Review, the Review of FSA Guidance and the Review of FSA forms.

The World Class Regulator initiative, Hampton Implementation Review and the Sector-Specific Review highlighted many similar issues and one action plan to deliver the recommendations of all three reports has been developed.

9.1 World-Class Regulator, the Hampton Implementation Review and Sector-Specific Review

In September 2007 the FSA Board agreed that the FSA should aspire to be a world-class regulator²⁹. The Board also discussed areas where the FSA was already meeting or close to meeting the criteria, and considered the areas where improvement was necessary.

Since the September 2007 Board discussion the Hampton Implementation Review and the Sector-Specific Review have been published.

Sector-Specific Review³⁰

Published alongside last year's Simplification Report in December 2007 the Sector-Specific Review looked into the regulatory issues faced by craft bakery and butchery sectors producing and selling locally. The review highlighted the need of these businesses to have clearer FSA guidance on hygiene approvals, an easier way to access relevant guidance and legislation and a better level of engagement between the FSA and SMEs on policy issues.

Hampton Implementation Review³¹

The FSA's Hampton Implementation Review, published on 20 March 2008, reported on a review by the National Audit Office and Government's Better Regulation Executive on FSA's performance against the Hampton principles³² and Macrory characteristics³³.

The review found that FSA continues to improve its performance on the better regulation agenda, in particular for:

- adopting innovative alternatives to classic regulation, highlighting the FSA's salt campaign, front of pack labelling, and accreditation schemes;

²⁹ <http://www.food.gov.uk/multimedia/pdfs/board/fsa070905.pdf>

³⁰ <http://www.food.gov.uk/multimedia/pdfs/simplifysectorrep.pdf>

³¹ <http://www.berr.gov.uk/files/file45357.pdf>

³² Box 2.2, page 49, Reducing administrative burdens: effective inspection and enforcement, published, Philip Hampton, published 16 March 2005. <http://www.hm-treasury.gov.uk/media/7/F/bud05hamptonv1.pdf>

³³ <http://www.berr.gov.uk/bre/reviewing-regulation/compliance-businesses/summary-recommendations/page44621.html>

- a strong evidence-based culture, which is used to develop a risk-based approach to regulation;
- being effective at negotiating at the European level (see Chapter 9 for examples); and
- transparency.

The report did suggest some areas for improvement, including:

- engagement with business;
- providing tailored advice and guidance;
- risk-based inspection;
- providing strategic direction to local authorities; and
- progress on the Changes to Local Authority Enforcement (CLAE) project.

Many of the issues raised had previously been identified as areas of action under the world-class regulator and sector-specific initiatives and action is already being taken to address these areas. An update on progress of the CLAE project can be found in Chapter 6.

Becoming a World-Class Regulator

At its meeting on 17 September 2007 the FSA Board agreed that the Agency should aspire to be a World-Class Regulator. This aspiration is about what the FSA wants to achieve through continuous improvement of our end to end regulatory performance. It is the journey that is important rather than the arrival. Key areas the Agency has identified that need improvement are getting a better understanding practicalities of running a food business; improving partnership working with all our stakeholders; for policy officials to gain a better understanding of market failure and to better evaluate our regulatory interventions.

We have developed one action plan to deliver the recommendations of the World Class Regulator (WCR), Hampton Implementation Review (HIR) and the Sector-Specific Review (SSR). The key targets and progress to date are summarised below:

| Key Targets | Action |
|---|--|
| Improved partnership working | This is being taken forward in several initiatives, such as the Small Business Engagement Panel (see Chapter 5) and the CLAE project (see Chapter 6). |
| Improved provision of advice and guidance to business | In an effort to ensure the European Food Safety Authority's opinions on colours were easily accessible to business, in December 2007 we set up a system to alert businesses by text to their mobiles when an opinion was published. The SMS text service now has 145 people signed up to it. So far EFSA has issued only one opinion and we received a number of calls thanking the FSA for this service, and comments that it was very helpful. |

| | |
|---|---|
| Improving the understanding of FSA policy makers of the practicalities of running a food business | <p>[3 and counting – to be added] speakers from a range of food businesses have given presentations to FSA staff about running their businesses and welcomed the initiative of business interchange.</p> <p>[2 and counting – to be added] FSA staff have been on business interchanges and are going to share their experiences with the rest of the Agency.</p> |
| Better evaluation and learning from the success of our regulatory interventions | Guidance has been provided for FSA staff on carrying out post-implementation reviews and evaluating the implementation of policy is included in the stakeholder-focussed delivery project under the <i>Tomorrow's Agency</i> change programme. |
| Embed an understanding of market failure | A workshop took place in April and then [7 and counting – to be added] internal seminars with policy officials were held throughout the year. |

9.2 Review of FSA Guidance

The report of the review was published on 11 December 2007³⁴, alongside the FSA's 2007 Simplification Report. FSA is embedding the recommendations from the review into FSA policy making:

- a new guidance template has been introduced, which includes standard paragraphs at the beginning to explain clearly the legal status of the guidance;
- guidelines have been issued to staff on producing guidance and a seminar held to promote their use;
- findings about each of the pieces of guidance analysed during the review have been fed back to relevant officials, to ensure that any identified weaknesses are addressed; and
- a central repository of all FSA guidance is being set up. This will help us monitor when obsolete guidance should be withdrawn as well as when guidance is reviewed and updated.

³⁴ <http://www.food.gov.uk/multimedia/pdfs/businessguidereview.pdf>

Guidance on Vacuum Packed Chilled Foods

One example of best practice guidance produced in the new template is that on vacuum-packed chilled foods, published in July. The guidance was specifically designed to help small businesses and local authority environmental health officers assess the risks associated with these foods. Alongside the guidance the FSA produced a quick reference two-page factsheet aimed at small businesses. The guidance and factsheet can be found on the FSA Website at <http://www.food.gov.uk/foodindustry/guidancenotes/foodguid/vpguide>

In July the Better Regulation Executive published a Code of Practice on Guidance on Regulation³⁵ and a guide on using the Code³⁶. The 'golden rules' in the Code were very much in line with the findings and recommendations of our own review of guidance. The guidance toolkit delivered by our review was mentioned in a case study in the associated BRE guide (page 17). The FSA has also contributed to the Anderson Review of Guidance³⁷.

Nutrition and Health Claims and Addition of Vitamins and Minerals Guidance

In 2006 two new European Regulations controlling nutrition and health claims made on foods and the addition of vitamins and minerals to foods were adopted. These Regulations, in particular the nutrition and health claims Regulation, are complicated and so to help industry comply with the new

Comments on the Nutrition and Health Claims Guidance

Our members believe it to be a useful and useable document in which relevant information can readily be found. **Food and Drink Federation**

Very useful. I believe that the legislation requires a step by step explanation which this guide provides. **Kellogg's**

controls the Agency produced detailed guidance^{38,39}. In producing the guidance the Agency had extensive dialogue with stakeholders to ensure that it was helpful and clearly explained the controls the Regulations introduced. In addition the guidance was formatted so that industry could easily find the information relevant to them. This has been welcomed by industry as a useful tool in understanding the Regulations and what they require.

³⁵ <http://www.berr.gov.uk/files/file46950.pdf>

³⁶ <http://www.berr.gov.uk/files/file46951.pdf>

³⁷ <http://www.berr.gov.uk/whatwedo/bre/reviewing-regulation/Review%20of%20guidance%20provision/page45278.html/reviewing-regulation/Review%20of%20guidance%20provision/page45278.html>

³⁸ <http://www.food.gov.uk/multimedia/pdfs/ec19242006complianceguide.pdf>

³⁹ <http://www.food.gov.uk/multimedia/pdfs/ec19252006complianceguide.pdf>

9.3 Review of FSA Forms

Last year's Simplification Report described reported progress of our review of FSA forms and included examples of where we had worked with stakeholders to identify unnecessary burdens and taken action to reduce these.

As a result of the review we committed to introduce staff guidance on creating and reviewing FSA forms, to ensure, as recommended by Hampton that all forms are as short and simple as possible⁴⁰ are followed, and to establish a forms gatekeeper, to monitor and control FSA forms. An FSA Data Collection Gatekeeper (DCG) was established at the beginning of 2008 and guidance was published shortly afterwards. The DCG is required to approve all new forms that impact on business and has the authority to prevent any new form, which does not comply with FSA forms guidance, from being implemented/published.

Wine Industry Forms

As part of the FSA's review of forms we also committed to review forms aimed at the wine industry which came with the Wine Standards Board (WSB) when it joined the FSA in July 2006 and with it **[X]** forms for businesses to complete. We have now revised all **[X]** wine forms, in liaison with affected businesses in the wine industry, and produced an accessible online version of each of the forms. **[DN: To be updated]**

FBO Registration Form

The new Food Law Code of Practice (see Chapter 7) includes a revised application form for the registration of a new food business establishment minimising the amount of information required with an estimated reduction in the administration burden placed on new businesses by £157k annually.

Notification of Medical Foods Forms

As stated in last year's Simplification Report we have developed a revised version the Notification of Medical Foods form, in a format that allows it to be completed electronically. This was done following consultation with stakeholders, which showed that the form was time consuming to complete by hand. We have applied the same simplification measure to the Notification of Foods for Particular Nutritional Uses (Parnuts) form.

⁴⁰ To ensure that all forms are as short and simple as possible, regulators should:

- design forms with simple standardised designs, that are easy to use;
- use plain language;
- only collect the data they need; and
- understand how the forms will affect businesses.

(see Chapter 3, paragraph 3.11 in Reducing administrative burdens: effective inspection and enforcement, published, Philip Hampton, published 16 March 2005. <http://www.hm-treasury.gov.uk/media/7/F/bud05hamptonv1.pdf>)

10. BETTER REGULATION IN EUROPE

10.1 Reducing burdens of EU legislation

Over 90% of food law comes from the European Union (EU) and the FSA actively engages with our colleagues at the European Commission (EC) and in other Member States to reduce the burdens from the stock of current regulations and the flow of new ones. Below we highlight examples where we have engaged and where we continue to engage to deliver such simplification now and for the future.

EU Review of Food Labelling Legislation

Following the completion of its review of general and nutrition labelling, in January 2008⁴¹ the EC published a proposal for a Regulation on the Provision of Food Information to Consumers and an accompanying impact assessment. The proposal aims to update and simplify food labelling legislation, primarily by bringing general and nutrition labelling together into one directly-applicable Regulation.

The key elements of the proposal include:

- consolidation and simplification of existing legislation;
- the introduction of mandatory nutrition labelling on front of packs;
- the extension of allergen labelling requirement to foods sold loose including in catering establishments,
- the introduction of a minimum font size;
- proposing criteria for voluntary origin declarations;
- the extension of ingredients listing and energy declaration requirement to alcoholic drinks excluding beer, wine and spirits;
- the extension of food labelling rules to distance selling.

The Agency carried out a 12-week public consultation on the proposal⁴² and has published the results⁴³.

The Executive has been working with other officials across Government to develop a strategic approach to negotiations in Brussels, which takes into consideration the need to balance consumer interest with better regulation principles. This was discussed and agreed by the FSA Board at its open meeting in June 2008.

⁴¹ http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/proposed_legislation_en.htm

⁴² <http://www.food.gov.uk/consultations/ukwideconsults/2008/infoprovision>

⁴³ <http://www.food.gov.uk/multimedia/pdfs/consultationresponse/foodinforesponseuk.pdf>

The views of the Board combined with consultation responses and the views of other Government Departments will form the basis of UK negotiating lines which in turn form the basis of substantive negotiations with the EC.

[DN: to be updated]

Consolidation of food additives legislation

Food additives legislation is complex. There are three European Parliament and Council Directives on “miscellaneous” additives, colours and sweeteners. All three Directives set out in their annexes positive lists of approved additives, and in most cases specify the foods in which they can be used and the maximum level of use.

These annexes have to be amended every time a change is made including change to the conditions of the additive’s use. The miscellaneous additives list for example has been amended six times since the regulation was introduced in 1995. Each time a list is amended there is a lengthy decision procedure, involving agreement by the Council and European Parliament before the legislation is finalised.

On behalf of the UK, the FSA is working with other Member States, the European Parliament and the European Commission to consolidate the existing legislation into just one Regulation. The key changes will be:

- the existing EU harmonised legislation will be simplified;
- decisions on new additives will be made faster; and
- the annexes of permitted additives will be re-structured so it is easier to see which are permitted in any given category of food.

The FSA estimates that if these proposals are adopted, annual savings of around £1 million for business and £100,000 for local authorities could be realised. We hope the Regulation will come into force in early 2009.

Revised EC Guidance on General Food Law Regulation (EC) 178/2002

EC Regulation 178/2002 came into force in February 2002, although certain key provisions applied only from 1 January 2005. This Regulation lays down the general principles and requirements of food law, establishes the European Food Safety Authority, and lays down procedures in matters of food safety.

The principal aim of this Regulation is to protect human health and consumers’ interests in relation to food. The key provisions of this Regulation concern defining food safety requirements; responsibilities of food and feed business operators; traceability; product recall/withdrawal and notification; and the import and export of food and feed. In order to assist Member States on the implementation and interpretation of the Regulation, the EC developed guidance on these provisions during 2004.

To assess how well the EC guidance has been working in practice, a Commission review began this year. The UK is playing a significant role in the Commission's review of its own guidance on the General Food Law Regulation, helping to draft initial proposals to clarify the guidance on requirements for unsafe food and feed, traceability and export of food and feed as part of a Commission 'mini-group' of Member States, for later discussion by all Member States. The UK input on these proposals takes account of comments by stakeholders on the EC Guidance, and also on the separate FSA Guidance Notes for the Regulation. Further meetings of this 'mini-group' will develop draft guidance on these topics, starting in the autumn.

[DN: Update before publication]

Simplification of the legislation on the Marketing and Use of Feeds

In March 2008, the European Commission published a proposal to modernise and simplify legislation on the marketing and use of animal feed. The proposal is intended to replace four existing EC Directives with one Regulation which will apply directly in all Member States. The purpose of the Regulation is to reduce administrative burdens on industry by removing a number of unnecessary requirements and introducing a more flexible approach to some provisions. The Regulation, as drafted, will:

- repeal the existing requirement to declare on feed labels the ingredients of manufactured feed by their percentage weight of inclusion;
- replace the current list of names and descriptions of feed materials, with a voluntary Community catalogue of feed materials; and
- introduce a formal procedure for the addition of new nutritional purposes which will help businesses to develop new products.

[DN: Include potential savings]

The FSA has a good record of negotiating in Europe to minimise the burden of regulations. The Simplification Report has already highlighted the work the Agency did in negotiating flexibilities in the food hygiene regulations to allow proportionate food safety systems for small businesses and flexibilities for small slaughterhouses. Another example below shows how else we have effectively negotiated in Europe.

Case Study - Negotiating in Europe - reducing the burdens of EC Feed Hygiene Regulations - Financial Guarantees

The original European Commission proposal included a mandatory requirement for feed businesses to have financial guarantees (e.g. insurance) to cover the costs of withdrawal of unsafe animal feed from the market and its subsequent destruction, and where necessary the withdrawal/destruction of animals fed contaminated material and associated livestock products (e.g. meat, milk, and eggs). This came out of a number of feed incidents on continental Europe, where enforcement authorities, rather than the offending feed businesses, had been required to cover the cost of withdrawals, etc. No equivalent requirement was proposed for food businesses.

The FSA consulted feed businesses and other key stakeholders to assess the impact of this proposal. Recall insurance does not exist, and if provided would be prohibitively expensive for many feed businesses, especially small and medium size enterprises. The estimated cost of this proposal for the UK was estimated at £61.6 million over a 10 year period. With no cover some businesses would have to close or operate illegally.

During the negotiations the UK was in the forefront in arguing against the measure, including lobbying key MEPs. As a result a majority of Member States supported the UK position and the proposal was replaced by a provision that required the Commission to draw up a report on the feasibility of financial guarantees in the feed sector. The report, which was published in August 2007, acknowledged that current systems are not in place to provide financial guarantees and proposes to open a broader public debate on the issue within the next two years.

11. THE WIDER BETTER REGULATION AGENDA

11.1 Allergen advisory labelling guidance

Best Practice Guidance on Allergen Management and Consumer Information

In earlier Simplification Reports we have covered guidance

Rather than being a burden on business I view them as a good example of how businesses can be given positive information and guidance, regulators can be given a practical toolkit to help business and consumers given the chance to make more informed choices, based on input from interested parties.

David Pickering
Buckinghamshire County
Council

on food allergen information. *Best practice Guidance on Allergen Management and Consumer Information*⁴⁴ was published in July 2006. Alongside this guidance we produced an information leaflet, which small businesses have found particularly useful.

The guidance has been welcomed by business and local authorities. It is expected that clearer labelling will benefit consumers. Early indications are that the

number of anaphylactic shocks have fallen from over 4,500 in 2005 to around 3,500 in 2008, although reliable figures on the cost savings resulting from the guidance alone are not yet available. Legislation on labelling of deliberate allergenic ingredients came into effect at the end of 2005, **[DN include full name of regulations]** and may have also have has an effect the number of anaphylactic shocks.



⁴⁴ <http://www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/maycontaininguide>

The production of simplified guidance on a technically challenging and complex subject is never an easy task – particularly when that guidance seeks to address an emergent issue for the food industry as allergen management, control and the provision of information to the consumer. However with the “May Contain” guidance the FSA has provided a useful, pragmatic and easy to understand document which allows businesses to evaluate their products and processes and develop meaningful control systems to address an area of particular concern to a substantial group of vulnerable consumers.

Of particular note was the development of the decision tree on page 11 which provides a clear path for food producers to determine whether the application of precautionary labelling was necessary or advisable to ensure consumer protection. The unfortunate over-use of this precautionary labelling is in no way a detriment to the guidance but rather a symptom of the nervousness being displayed by the industry towards this emergent issue.

Peter M Littleton
Technical Services Manager
Holchem

Best Practice Guidance on the Provision of Allergen Information for Non Pre-packed Foods



The *Best practice Guidance on the Provision of Allergen Information for Non Pre-packed Foods*⁴⁵ was published in January 2008. Alongside this guidance we produced an information leaflet and a poster. It is too early to assess the benefits of this guidance.

Consolidated guidance to support labelling legislation on allergenic ingredients

The Food Labelling (Declaration of Allergens) Regulations 2008 implemented Commission Directive 2007/68/EC, of 27 November 2007, which amended Annex IIIa of Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients that must be indicated on the label of foodstuffs as they are likely to cause adverse reactions in susceptible individuals. This brought all of the previous allergen legislation into one place, making it easier to find and understand, and it established a list of permanently derived allergenic ingredients, which would not require labelling. This list was based on the previously temporarily exempt allergenic ingredients and includes

⁴⁵ <http://www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/nonprepacked>

most, but not all, of the temporarily exempt ingredients. This meant that in most cases labelling changes were not required and thus there was no increase in the burdens on businesses, especially with regard to the labelling of alcoholic drinks.

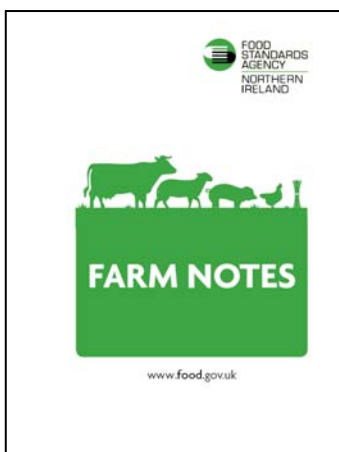
The new legislation is supported by revised guidance on allergen labelling. This guidance brought together all of the previous guidance on allergen labelling legislation into one place⁴⁶. The guidance was also simplified to make it easier to understand and tips on best practice were added. It is too early to assess the benefits of this simplification.

11.2 Better regulation in other parts of the United Kingdom

The primary focus of this Simplification Report is England. However, as a UK-wide non-ministerial Government Department, the FSA pursues better regulation initiatives UK-wide. Many of our initiatives, such as the reviews of forms and guidance, also take account of our activities around the UK. Similar approaches to Safer food better business (SFBB) (see Chapter 5) have adopted throughout the UK, with Scotland introducing the 'CookSafe'⁴⁷ manual and Northern Ireland with their 'Safe Catering' guide⁴⁸ (Wales uses SFBB). There are initiatives happening independently in the other countries and these are highlighted below. Last year we reported risk-based shellfish testing scheme in Scotland. This year we are highlighting two exciting examples from Northern Ireland:

Farmers notebook in Northern Ireland and Wales

The record keeping requirements of the Feed Hygiene Regulations fall most heavily on farmers (see Chapter 3). In Northern Ireland the FSA has piloted a simple notebook that outlines the legal requirements of record keeping for farmers, as well as the potential benefits. The 'Farm Notes'



notebook helps farmers to keep written records to comply with hygiene regulations. and has advice and examples to make complying with food and feed hygiene easier.

Farmers Take Note

'We are pleased to see that the Food Standards Agency have produced this resource to help farmers. We are always trying to keep farm paperwork to a minimum, but when we are dealing with necessary legislation our task is to keep record keeping as simple and stress free as possible. By using this notebook, farmers can make timely and accurate records and I think the notebook will be a helpful resource for farmers.'

Ulster Farmers' Union President Graham Furey.

FSA Northern Ireland Press Release, 6 June 2008.

<http://www.food.gov.uk/northernireland/aboutfsani/pressreleases/2008/jun/takenoten/>

⁴⁶ <http://www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/allergenlabelguide2008>

⁴⁷ <http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/cookretailscotland/cooksafe/>

⁴⁸ <http://www.food.gov.uk/northernireland/safetyhygieneni/safecateringni/>

Information in the note book includes useful information such as:

- the importance and benefits of record keeping
- information on the type of records required
- examples of records
- advice on simplifying record keeping
- calendars for forward planning

FSA Wales have adapted the Northern Ireland notebook and launched it at the Royal Welsh Show in July. The booklet, produced in English and Welsh, has proved popular and so far over 1,000 booklets have been distributed to farmers through the Welsh farming unions and from direct requests for copies.

FSA Northern Ireland Training Manual on Food Composition and Labelling Legislation



Working in partnership with Environmental Health Officers the FSA in Northern Ireland developed a reference manual to food standards legislation in Northern Ireland.

The manual 'A Reference to Food Composition and Labelling Legislation' gives Environmental Health Officers an insight into practical applications of the enforcement of the legislation and identifies other sources of useful information. The manual was introduced to Environmental Health Officers during Food Standards Training in Northern Ireland in February 2008.

The manual is a great benefit to the officers and the partnership approach taken in the development of the document has raised awareness of food standards for Environmental Health Officers (EHOs) in Northern Ireland. The reference manual in conjunction with other initiatives has helped raise competence and officer confidence in this technical area of food law enforcement.

Damien Connolly, Head of Environmental Health Food Control, Belfast City Council

The Sector Specific Review (see Chapter 8) recommended that the FSA should improve its guidance on labelling and look at the need for a route map to regulation for small businesses. FSA is considering the potential for introducing something similar to the Northern Ireland manual to meet this need.

Official Controls for Shellfish in Scotland

[DN: to be drafted]

12. LINKS TO OTHER SIMPLIFICATION REPORTS

Working with other Government Departments

Food hygiene and safety issues often cross departmental boundaries and the FSA works closely with other Government departments, in particular with the Department of Health and the Department for Environment, Food and Rural Affairs.

[DN: to be drafted]

Registration and inspection of child minders as food business operators

As stated in last year's Simplification Report we have been working with Ofsted, the Department for Children, Schools and Families and others on the simplification of the registration and inspection of child minders as food businesses.

The FSA is currently exploring the potential costs and benefits of undertaking a datasharing exercise with Ofsted to create a single point of registration. This would allow a single submission of data which will register them as both a child minder and a food business operator if they choose to do so.

The FSA is also looking at effective local arrangements that allow further Ofsted inspections to act as information gathering sources for the purpose of monitoring food hygiene conditions at a child minder. The Agency is in the process of reviewing its current guidance available to both LAs and business working in this area.

The FSA piloted a version of the Safer food better business diary (see Chapters 3 and 5) for child minders and results are still being analysed.

13. QUALITY ASSURANCE AND ENGAGEMENT WITH STAKEHOLDERS

There has been both internal and external scrutiny of the initiatives in this Simplification Report.

Internal scrutiny

- Better Regulation Programme Board. Membership from senior staff from across the FSA and MHS. The Board monitors all better regulation projects in which the FSA takes part. This group reports to FSA Directors.
- Simplification and Administrative Burdens Project Board. Membership at working level from across the FSA and MHS and is responsible for management and monitoring role on the FSA simplification and administrative burdens reduction programme. The Project Board reports to the Better Regulation Programme Board.

External scrutiny

- Better Regulation Advisory Group (BRAG). Chaired by Chris Pomfret, FSA Board member, and with membership including two small businesses, trade body organisations, enforcement and consumer representatives BRAG provides external scrutiny and challenge of FSA's better regulation initiatives.

Stakeholder Event

We value the input of our stakeholders into this Simplification Report, which has been developed in collaboration with stakeholders. We are grateful for their contributions and continuing interest and support for our work in this area.

The FSA held its second simplification stakeholder event in June this year, following on from the success of our original event in 2007.

This year's event focused on taking forward simplification in Europe and considered how the FSA can best work with its stakeholders. The focus on taking forward simplification in Europe is significant because more than 90% of the UK's food law originates from Brussels and delivering successful simplification at the source will deliver the most benefit to UK stakeholders.

One of the key objectives of the event was to bring together representatives from all our stakeholder groups, to share their ideas and experiences and to help us shape our forward programme of simplification.

The event was introduced by Chris Pomfret, FSA Board Member and Chair of the FSA's Better Regulation Advisory Group. Jonathan Back, European Commission for Health & Consumer Protection, and Oriel Petry, Better Regulation Executive Europe Team, gave presentations at the event.

A key message from the event was the need for better evidence from stakeholders to be produced at an early stage of European negotiations, so that meaningful impact assessments could be produced to provide the necessary evidence to influence the European Commission.

Photograph
from
stakeholder
event

How to submit simplification proposals

The Better Regulation website invites individuals across the public, private and voluntary sectors to submit their ideas for reducing or simplifying regulation. This is the best method for you to submit ideas for FSA-led legislation as well as to other departments, as you can track the progress of your suggestion online www.betterregulation.gov.uk

You will need to register your details on the Better Regulation Website in advance to set up an account but this should only take a few moments to complete. Once your account is set up you can make suggestions for different departments as well as view other suggestions that have been made by other stakeholders.

If you would prefer to discuss ideas or suggestions for simplification you can also contact the FSA directly we will be happy to answer any questions. However, any suggestions that the FSA does take forward will be submitted to the Better Regulation Website.

14. DETAILS OF SIMPLIFICATION INITIATIVES

This chapter shows in more detail those initiatives that have been delivered since the last Simplification Report; gives progress of initiatives identified in the last Simplification Report, but not yet delivered; and describes the new initiatives that we have subsequently identified for action. This information is included in the following tables:

- Table A: Simplification Measures delivered between May 2005 and October 2008.
- Table B: New simplification measures identified, and measures previously identified and yet to be completed.
- Table C: Regulatory Flow Grid - Flow of New Regulations coming into force between October 2007 and end March 2010.
- Table D: Regulations introduced since May 2005 with additional Administrative Burden

TABLE A - Simplification Measures delivered between May 2005 and October 2008

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
|---|--|--|--|---|---|
| 1. Replacement of the Over Thirty Month rule. | The Over Thirty Month (OTM) rule protected consumers from BSE by banning the sale for human consumption of meat from cattle aged over 30 months at slaughter. Farmers were compensated for OTM cattle destroyed. | <p>Following a review of the OTM rule, in July 2004 the FSA advised Government that replacing the OTM rule with BSE testing for cattle born on or after 1 August 1996 was justified on grounds of the food borne risk to consumers and proportionality. This was subject to the putting in place of a robust testing system. Ministers agreed. Legislation has been introduced that replaces the OTM rule with a BSE testing regime for cattle born on or after 1 August 1996.</p> <p>The earlier legislation contained derogation from the OTM rule which allowed cattle aged up to 42 months to be slaughtered for human consumption under certain circumstances. Businesses applying for this derogation were required to complete two forms; an application form and a separate form for each animal slaughtered. This requirement has now been removed.</p> | <p><u>Livestock farmers</u> as cattle born on or after 1 August 1996 can enter the food chain as long as they test negative for BSE. Revenue from the sale of cattle for human consumption is greater than that which farmers received through the compensation scheme.</p> <p>Savings to the Exchequer due to fewer compensation payments being made.</p> | <p>The overall savings from this initiative have been split between the FSA and Defra. Below is FSA's share:</p> <p><u>Business</u> Total benefits to farmers in terms of increased revenue from sale of cattle are estimated at £39.2 million annually.</p> <p><u>Government</u> Estimated cost savings post OTM rule abolition are £103.5 million in 2006, £110 million in 2007 and £112.4m 2008.</p> | Legislation to replace the OTM rule came into force on 7 November 2005. http://www.food.gov.uk/foodindustry/meat/otmreview/ |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
|--|--|--|--|---|--|
| 2. Discontinuation of butchers' licensing. | Licensing of Butchers was introduced across the UK in 2000 and 2001 following a fatal outbreak of E.coli O157 food poisoning in central Scotland in 1996. | Remove the requirement for butchers' to obtain a license. The EU food hygiene legislation, introduced on 1 January 2006, provided equivalent levels of public health protection to those available under the previous legislation | <u>Butchers</u> are no longer required to pay the £100 annual licence fee and no longer have to complete license applications. <u>Local Authorities</u> no longer have to process license applications. However, some local authorities claimed that the administrative cost of the system exceeded the £100 annual licence fee. | <u>Private sector</u> Estimated annual saving for butchers of £1.376 million. £1.3 million saved from removing the annual license fee and £75,800 from no longer having complete the license application forms. | Butchers' licensing was discontinued From 1 January 2006. |
| 3. Development of a central database (GRAIL) to store legislation and guidance on UK food imports. | Enforcement Officers in Port Health Authorities (PHAs) and Local Authorities (LAs) were required to keep large quantities of paper records. These records were time consuming to search and it was difficult to ensure they had up to date information. This resulted in inconsistent enforcement between enforcement officers and PHAs/LAs. | The development of a computer based, searchable resource of all information on imported food controls for enforcement authorities - the Guidance and Regulatory Advice on Imports Legislation (GRAIL) Database. The database also gives officers clear guidance on the import controls relating to specific products. This was initially made available as a pilot exercise to enforcement authorities at all major points of entry into the UK. A new browser-based version, which is available to all UK LAs, and anyone wishing to access the system via the internet, was launched in March 2008. | PHAs which have been using GRAIL since Summer 2004 have indicated that they have found the system to be an invaluable tool in providing them with clear, comprehensive and up to date guidance on import controls. Their feedback has been used to inform development of the updated version of GRAIL. Companies importing certain food products through the Ports where GRAIL is in use may also have benefited from a more effective enforcement process. As of end June 2008 there were over 900 registered users of GRAIL, including | Four of the PHAs at the busiest points of entry for food stuffs have indicated total annual savings between them of £18,000. The remaining 21 PHAs have found it difficult to quantify the savings made, but have indicated that savings have been made both in terms of staff time and in other resources e.g. paper, printing etc. | Version 1 of GRAIL was delivered to the PHAs at major points of entry into the UK for foodstuffs in Summer 2004. A web based version of GRAIL was launched in April 2008 https://grail.fooda.pps.co.uk/grail/general/home.aspx The FSA is now exploring the possibility of adding feed law to the system by |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
|--|--|---|---|--|---|
| | | | enforcement and trade organisations, both in the UK and overseas. | | the end of 2008/09 |
| 4. Changes in specified risk material (SRM) controls associated with the lifting of the export ban on beef in spring 2006. | Limiting the removal of bovine vertebral column (VC) SRM to MHS approved premises only. | Derogation taken up to permit removal of bovine VC SRM from animals aged 24 to 30 months in authorised butchers' premises. | <p>Continuity in market opportunity for butchers to hang carcasses prior to VC removal on premises to achieve traditional matured beef flavour.</p> <p>Main benefits are for traditional butchers, farm shops, on line sales and smaller food service outlets (for example pubs), via independent butchers or wholesalers.</p> <p>Up to 26 April 2008, when the age limit changed, 509 butchers premises had been authorised in England, and 908 in the UK as a whole, (see Table A item 18).</p> | Estimated annual savings for England of £3.4 million (£5 million for the UK as a whole). | <p>July 2007 Commission Regulation 999/2001 (as amended) Annex V Point 4.3 (b).</p> <p>Enforced in England via the Transmissible Spongiform Encephalopathies Regulations (No 2) (Amendment) Regulations 2007 http://www.uk-legislation.hmso.gov.uk/si/si2007/pdf/uk_si_20071998_en.pdf</p> |
| 5. Incorporating the work of the Wine Standards Board (WSB) into the Food Standards Agency | The Wine Standards Board (WSB) was a small NDPB, funded by Defra and the Vintners' Company, responsible for wine regulation enforcement. It had an annual budget of around £530,000. | Being stand alone imposed unavoidable costs, for example administrative support, payroll and accounting, pension scheme administration, and the periodic use of advisers/consultants e.g. use of IT consultants to augment in-house skills. Hampton identified synergies by joining the | Transfer to the FSA achieved economies of scale. The headcount was reduced by two in the first year and a further one in the second year, as the same level of dedicated office support was no longer required. | Around £110,000 reduction in running costs in 2006/07 and £150,000 in 2007/08. | The WSB merged with the FSA on 1 July 2006, one of the first Hampton recommendations to be implemented. In May 2008 June, |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
|--|--|---|---|--|--|
| | | FSA. | Benefits include improved access to legal advice and to FSA technical experts in wine related matters. As well as increased interaction with Trading Standards. The bespoke pension scheme was closed and members transferred to the PCSPS, with cost savings. | | a revised Wine Standards Enforcement Policy was published http://www.food.gov.uk/multimedia/pdfs/wineenforcement.pdf |
| 6. Reduced Official Veterinary (OV) Presence in Cutting Plants | The requirement for veterinary presence throughout post mortem inspection in cutting plants of 1 hour per day for high throughput and 1 hour per week for low throughput establishments. | Following the introduction of the EU food hygiene legislation in January 2006 a risk-based auditing system was introduced which reduced the requirement for veterinary supervision in cutting plants. | <p><u>The Meat Hygiene Service (MHS)</u> benefits from having to visit cutting plants less often relying on audit-based systems rather than presence at the cutting plant. This is estimated to reduce the number of hours spent by the MHS at cutting plants by approximately 88 percent.</p> <p><u>Cutting Plants</u> There may be an increased burden for the business, as the onus will be on the operator to demonstrate compliance as part of the MHS audit. However, better managed plants will be audited less frequently, driving the earned autonomy envisaged in the Hampton report.</p> | <p><u>The Meat Hygiene Service</u> The net saving realised as a result of the introduction of the EU food hygiene legislation was £2.3m. The annual saving (Jan-Dec 2005 vs Jan-Dec 2006) was £3.9m. However, only £2.3m of this was realised as the effect of the legislation on co-located sites was to move the hour a day spent at the co-located Cutting Plants (worth £1.6m) directly to the co-located Slaughterhouse. This was because the OVs still had to remain on the site through ante and post mortem.</p> <p><u>Cutting Plants</u> Between 2004/05 and 2006/07 fees paid by Cutting Plants to the MHS have gone down by £1.3 million, from £3.5 million</p> | From 1 January 2006 |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
|-------------------------------|---|--|---|--|--|
| | | | | to £2.2 million. These fees have reduced by a further £1.8m to £0.4m during 2007-08. This reduction in fees is partly a result of reduced OV attendance, but also due to other changes in the charges made by the MHS to Cutting Plants. It is not possible to estimate what proportion of the lower charges is specifically a result of reduced OV attendance at Cutting Plants. | |
| 7. Safer Food Better Business | Requirement in EU Food Hygiene Legislation introduced in January 2006 on food business operators to document their food safety management systems | Development of Safer Food, Better Business tools that allow small businesses to implement these hygiene procedures in an effective and proportionate way | <p>The <i>Safer Food, Better Business</i> packs provide a number of benefits, both to business and consumers:</p> <p>Improved hygiene standards in <u>small food businesses</u> such as caterers and retailers. The number of businesses reported as having satisfactory food safety procedures increased to 45% in the period to April 2006, then to 48% in April 2007.</p> <p>Feedback from businesses shows general improvements – reduced waste etc., making businesses more sustainable.</p> | The FSA estimates that the administrative burden of implementing the regulations using a classic HACCP system would have been £1.04 per food business, per day. Introducing Safer Food Better Business so far for small caterers and food retailers has reduced this to an estimated 25p per business, per day. This represents a saving for every food business of some £288 per year, or 75 per cent of the original - an estimated total saving of £171 million. These costs were agreed by the Expert Panel which met in September 2006 to measure the administrative burden of the EU Food Hygiene Regulations and a subsequent | Following recent evaluation of the programme the FSA has developed an interactive DVD to complement the packs in 16 different languages. http://www.food.gov.uk/foodindustry/regulation/hygiene/hygienelegresources/sfbb/sfbbcaterers/ |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
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| | | | <p><u>Local authorities</u> and businesses benefit from improved consistency and easier inspections.</p> <p><u>Consumers</u> benefit from reduced incidence of food poisoning.</p> | review by independent consultants in early 2008. | |
| 8. New enforcement regime for farms | The EU food hygiene regulations from January 2006 applying for the first time to most primary production (i.e. farming) sectors and consequent need for enforcement procedures, such as inspections, to enforce the regulations. | The FSA, in partnership with local authorities and the farming industry, has developed enforcement procedures so that those farmers that are members of a recognised farm assurance scheme would be subject to a lower frequency of food hygiene inspections. The initial proposal is to visit 2 per cent each year of farms who are members of recognised farm assurance schemes as opposed to 25 per cent of farms who are not members of such schemes, or when other positive intelligence is not held. This does not apply to dairy or egg production. | Reducing burden of inspection on approximately 60,000 <u>farms</u> in England and those 150 <u>local authorities</u> in England containing farms. | <p>The saving to <u>farmers</u> from the reduced number of inspections in England is £300,594 per annum.</p> <p>The savings to <u>local authorities</u> through the reduced need for inspections is £ 580,150 per annum.</p> | Procedures put in place from 1 December 2006. |
| 9. New registration regime for farms | The food hygiene regulations require all farms to register their premises with the 'competent authority' (i.e. the local authority.) | FSA received confirmation from EU Commission that existing lists/registers of farms held for other purposes (e.g. by Defra or its agencies) would cover the requirement for food businesses to be registered. | Reducing burden of registration on approximately 107,000 <u>farms</u> in England and those 150 <u>local authorities</u> in England containing farms. | <p>Savings to farmers from not having to undertake the requirement to register is a <u>one-off</u> saving of £1,465,900.</p> <p>One-off savings to <u>local authorities</u> from not having to</p> | Procedures put in place from 1 December 2006. |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
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| | | | | record each farm individually on databases etc in England is estimated to be £213,108. | |
| 10. New registration regime for feed businesses under feed hygiene regulations | The EC Feed Hygiene Regulation requires all feed businesses to register their premises with the 'competent authority' (i.e. the local authority.) This includes farms that manufacture animal feed. | Negotiated provision in the EC Feed Hygiene Regulation means that existing lists/registers of farms held for other purposes (e.g. by Defra or its agencies) would cover the requirement for feed businesses to be registered. | Reducing burden on approximately 83,500 <u>farms</u> registered as feed businesses in England and those 150 local authorities in England containing farms. | More information is required to register as a feed business than a food business. The Administrative Burdens Measurement exercise estimated that it costs a feed business £58.31 to register. 83,500 farms were registered as feed businesses. The total estimated <u>one-off</u> saving for these farms not having to re-register was £4,868,885. There would be savings to <u>local authorities</u> , but these have not been estimated. | Procedures put in place from November 2005. |
| 11. New enforcement regime for farms under feed hygiene regulations. [DN: To be updated] | EC Feed Hygiene regulations include requirements for inspection and enforcement which, apply to many feed businesses (which include farms and feed hauliers) for the first time. | The new FSA Feed Code of Practice sets out a risk-based enforcement policy and allows for alternative enforcement strategies for low risk businesses. A memorandum of understanding between enforcers and the Veterinary Medicines Directorate (VMD) will increase the number of joint inspections between enforcers. | Businesses with good records of compliance will benefit from simpler and less intrusive and time consuming interventions. Joint inspections will benefit both <u>business</u> and <u>enforcers</u> . | Local Authorities will be able use existing resources more effectively Business with good records of compliance should have reduced cost. | |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
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| 12. Removal of botulism restrictions in cattle - Voluntary restrictions for healthy cattle from farms where cases of botulism are suspected | Milk and meat from healthy cattle was prevented from entering the food chain. This resulted in a loss of revenue and disposal costs of milk which was not allowed to enter the food chain. | Following advice by the Advisory Committee on the Microbiological Safety of Food (ACMSF) that public health would not be compromised, the Agency removed the requirement to place voluntary restrictions on milk and meat from <u>healthy</u> cattle from farms where cases of botulism are suspected. | Public health protection is maintained. Farmers no longer incur disposal costs and loss of revenue for milk produced by healthy cattle. | Estimated savings of £150k annually, approximately £77k of which is from milk revenue and £73k from disposal costs that would otherwise have been incurred. | Amended advice issued in December 2006 http://www.food.gov.uk/news/newsarchive/2006/dec/botulismcattle |
| 13. Production of UK Guidance Notes for Regulation (EC) 178/2002 (Traceability) | <p>The FSA's 2005 public consultation on the European Commission's guidance for Regulation (EC) 178/2002 that includes food traceability requirements, revealed costs that were not raised in previous consultations on the Regulation itself.</p> <p>The consultation also revealed that the overall view was that the European Commission's guidance was complex, not as helpful as it could be and did not necessarily help businesses comply with the legislative requirements.</p> | <p>The FSA has published Guidance Notes which take account of the EC guidance and are clearer, simpler and more appropriate for UK businesses.</p> <p>The new Guidance Notes provide advice on compliance with legal requirements covering food safety, traceability provisions and the need to withdraw and/or recall products not conforming to the food safety requirements under the Regulation.</p> | <p>The Guidance Notes are the principal non-statutory guidance to UK food businesses on compliance with the requirements of Regulation (EC) 178/2002.</p> <p>The Guidance Notes remove the additional burdens resulting from the best practice recommendations of the EC guidance, which has led to a decrease in the administrative burden borne by food businesses.</p> | <p>The cross-Government Administrative Burden Measurement Exercise conducted in 2006 estimated the administrative burden for all <u>food businesses</u> to comply with the EC Guidance to be £16 million annually. This does not include the burden incurred by business in complying with the legal requirements of the Regulation.</p> <p>It is estimated that the introduction of the new FSA Guidance Notes has removed the majority of the administrative burden created by following the EC guidance. However, business start-up costs, which include reading guidance, are estimated to be £365,000 per year. There are estimated to be 34,600 food business start-ups per year.</p> | New FSA guidance notes were published on 20 July 2007 http://www.food.gov.uk/foodindustry/guidancenotes/foodguid/generalfoodlaw |

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| 14. Consolidation of UK legislation on bottled water into the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 2007. | <p>The requirements of previous Regulations on bottled water were extensive and complex and had to be read in conjunction with the EU legislation that it implements.</p> <p>Amendments to these Regulations complicated interpretation of these requirements by imposing significant amendments to the original legislation.</p> | <p>The FSA consolidated the UK legislation into one Statutory Instrument to simplify interpretation.</p> <p>In addition, the FSA also produced guidance for industry and enforcement authorities in consultation with stakeholders (including LACORS) to increase understanding of the consolidated legislation.</p> | <p><u>Bottled water producers</u> (64 in total in the UK) and <u>retailers, enforcement authorities</u> and the <u>competent authorities</u> benefit from this consolidation and associated guidance as the legislation is easier to comprehend. <u>Consumers</u> also benefit, as simpler compliance increases consumer safety elements of the legislation.</p> | <p><u>Consumers</u> benefit from having safer bottled water.</p> <p>Estimated annual saving for the <u>bottled water industry</u> of £80k.</p> <p>Through consultation with stakeholders, it is estimated that the reduction in staff time (in hours) required to comprehend the new consolidated legislation compared to existing legislation generates an administrative cost saving of £80,000 per year for the private sector.</p> <p>There are also savings for enforcement authorities and the FSA but these have not been quantified.</p> <p>The Impact Assessment can be found at: http://www.food.gov.uk/multimedia/pdfs/waterregs07ria.pdf</p> | <p>31 October 2007. www.opsi.gov.uk/SI/si2007/20072785.htm</p> |
| 15. Pesticide residue minimisation Development of best-practice guidance on pesticides residue minimisation for 5 | <p>Diverse guidance on pesticide residue reduction made it difficult for business and consumers to understand and access the range of information available.</p> | <p>The FSA produced pesticide residue minimisation guides for 5 UK grown crops in recognition of consumer preference for minimal residues on and in food.</p> <p>FSA Board agreed a residue minimisation action plan in 2004 -</p> | <p><u>Food industry</u> (wide audience from farmer to retailer) will benefit from the guides as they will raise awareness of the issue across the industry, support delivery of existing pesticide residue minimisation</p> | <p><u>Food industry</u> (farmer to retailer) savings</p> <p>There are potential financial benefits from time saved because the guides offer a single consolidated source of information on residue</p> | <p>The crop guides were published in November 2006 http://www.food.gov.uk/safereating/chemicals/pesticides/pesticide/minimisehome/cropguides</p> |

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| crops: apples, pears, tomatoes, cereals and potatoes | | <p>the crop guides are key to the action plan.</p> <p>The guides were the outcome of an FSA study, involving a wide range of stakeholders, to determine where the Agency could provide the most effective lead to reduce residues.</p> | <p>initiatives, and link together available relevant information in one place.</p> <p>Apple, pear, cereal and potato sectors continue to promote ways of reducing pesticide residues through meetings with growers and other on-going initiatives.. Retailers continue to promote pesticide residue minimisation through their own initiatives with suppliers..</p> <p><u>Consumers</u> will benefit in terms of increased access to lower residues without necessarily an increase in price and increased consumer confidence in UK grown crops in relation to pesticide residue levels.</p> | <p>minimisation for the 5 UK-grown crops, though these savings have not been quantified.</p> <p>Discussions with stakeholders to determine how the guides can be best used as a source material to extract appropriate information for specific sectors have indicated that further documents were not needed. Future meetings will explore the cost savings associated with the initiative.</p> | <p>Assured Produce Scheme are reviewing their protocols in the light of FSA crop guides in 2008.</p> <p>The crop guides are on Defra's Whole Farm Approach (WFA) 'adlib' library.</p> |
| 16. Publication of best practice guidance on allergen management and consumer information | Need to assess food production processes to assess whether there is any risk of cross-contamination of products with an allergen, to try to eliminate that risk and, if it is not possible to eliminate the risk, to develop appropriate labelling to inform the food allergic | <p>Best practice guidance on assessment of allergen cross-contamination and appropriate labelling of pre-packed foods</p> <p>Previously, the food industry had been working to a variety of guidance documents produced by industry groups, however, these were inconsistent in terms</p> | <p>The guidance is voluntary but industry is encouraged to work towards it.</p> <p>It also benefits <u>enforcement bodies</u> by providing clear guidance to use when discussing allergen management with <u>food businesses</u>, resulting in a</p> | <p>The Agency plans to evaluate the impact of this guidance. Potentially, savings to the industry could be made by reducing the number product recalls, due to incorrect allergen information, and there will be a saving in the terms of the improvement to the quality of life for those with food</p> | <p>The guidance and the leaflet were published July 2006 http://www.food.gov.uk/foodindustry/guidancenotes/labelregs/guidance/maycontainguide</p> |

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| | consumer of the nature of the risk. | <p>of the advice given and aspects covered. The Food and Drink Federation (FDF) and British Retail Consortium (BRC) asked the Agency to co-ordinate the production of a consistent, centralised guidance document.</p> <p>A simplified leaflet was also produced to help smaller businesses.</p> | <p>more consistent approach to allergen management.</p> <p>The guidance also benefits <u>consumers</u> by encouraging clearer, more consistent labelling that helps them make safe food choices.</p> | <p>allergies by providing them with better, more reliable, allergen information on food packs and potentially improving choice if unnecessary warnings are removed.</p> <p>The reduction in the estimated number of anaphylactic shocks from over 4,500 in 2005 to around 3,500 in 2008 indicates that clearer labelling is benefiting <u>consumers</u>. (Legislation on labelling of deliberate allergenic ingredients came into effect at the end of 2005 [DN: include name and link], and may have also have has an effect the number of anaphylactic shocks).</p> | |
| 17. Publication of best practice guidance on provision of allergen information for non-prepacked foods | Need to provide food allergic customers who ask about the allergen content of food products with information on the ingredients used in products, as well as those present in part-prepared ingredients that are bought in. | <p>Best practice guidance on the provision of allergen information for non pre-packed foods.</p> <p>Previously there was no guidance for industry in this area. Industry therefore had no ready source of information to help them deal with requests from consumers about allergens used in the food that was being prepared.</p> <p>A simplified leaflet and poster</p> | The guidance is voluntary, but if followed will help the <u>industry</u> improve their management of food allergens. <u>Industry</u> will be able to provide clear and accurate information for those <u>consumers</u> whose health is dependent on accurate knowledge about whether or not particular allergenic foods are used in products. | It is too early to estimate the cost-health benefit savings of these pieces of guidance. However, during the later half of 2009 the Agency plans to evaluate the benefits. | The guidance and the leaflet were published January 2008. http://www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/nonprepacked |

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| | | were also produced to help smaller food businesses. | | | |
| 18. Consolidated guidance to support labelling legislation on allergenic ingredients. | Industry need to read, understand and amend the labels on the food they produce in order to comply with the requirements of the legislation. | This document has brought together all of the guidance on allergen labelling legislation into one place. The guidance has been simplified to make it easier to understand and contains tips on best practice. | This measure has benefited both the <u>food industry</u> and <u>enforcement officers</u> as all the guidance accompanying the various pieces of allergen labelling legislation are now in one document. It is therefore easier to find the information needed, read and understand it, thus helping the food industry comply with the legislative provisions. | Having all the information in one place rather than in several separate documents makes it easier to find and saves reading time. | This guidance was published in November 2007 http://www.food.gov.uk/foodindustry/guidancenotes/labelregsguide2008 |
| 19. Review of Enforcement Policy. Replacement of the inspection-focussed approach with a more flexible one whereby authorities can use a wider range of interventions to monitor, support and increase business compliance. | Risk-base enforcement of inspection of food premises. | The new Code of Practice sets out the risk-based enforcement policy. This provides Local Authorities with a range of interventions, allowing them to choose what is appropriate for the individual premises. They will then be able to focus resources and work on areas of greatest need. | <u>Local authorities</u> benefit by being able to use existing resources to maximum effect, by focussing on areas of greatest need, and selecting the intervention that will be most effective in increasing compliance. <u>Businesses</u> with good records of compliance with the law should benefit from simpler and less intrusive and time consuming interventions. | <u>Local authorities</u> . Will be able to use existing resources more effectively. <u>Businesses</u> with good records of compliance with the law should have reduced costs. The proposed reduction in amount of information required when registering a food business establishment will reduce administrative burdens for new businesses by an estimated [£157,000] per year. The Impact Assessment can be found at http://www.food.gov.uk/multimedia/pdfs/flcopia.pdf | New Code of Practice in England published on 17 June 2008 http://www.food.gov.uk/multimedia/pdfs/codeofpracticeeng.pdf New Code for Northern Ireland published in August 2008 [DN: insert weblink] . Scotland and Wales to follow |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Cost saving (admin or policy) | Delivery |
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| 20. Changes in specified risk material (SRM) controls. | <p>Bovine vertebral column (VC) required be removing from all animals over 24 months of age at slaughter and removing and disposing of as SRM.</p> <p>(See also Table A, item 4]</p> | Age at which SRM designation takes place increased to over 30 months at slaughter from 26 April 2008. | <p>Stabilisation of the market. <u>Industry</u> said that 24 month age limit caused a price differentiation of up to £100 per carcase between over and under 24 month animals.</p> <p>The 24-30 month sector was a significant proportion of the total cattle slaughtered (45% in 2004 – prior to ending of Over Thirty Month (OTM) rule)</p> <p>All butchers now able to receive and sell bone in carcase meat from 24 – 30 month animals, without the need to remove and dispose of VC as SRM.</p> | <p><u>Cutting plants and authorised butchers</u> will no longer be required to remove, stain and dispose of vertebral column (VC) of 24-30 months bovines as SRM. The <u>Meat Hygiene Service</u> and <u>local authorities</u> will no longer need to enforce SRM controls in relation to VC from 24-30 months bovines in cutting plants and butchers respectively. Estimated annual savings of £1.8 million, plus £130,000 reduction in administrative burden.</p> <p><u>Local authorities</u> are no longer required to inspect butchers premises, with an estimated annual saving of £65k</p> <p><u>Consumers</u> will benefit from increase in choice Impact Assessment can be found at http://www.food.gov.uk/multimedia/pdfs/tseia.pdf</p> | <p>26 April 2008 in the Transmissible Spongiform Encephalopathies (No. 2) (Amendment) Regulations 2008 http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081180_en.pdf</p> |
| 21. Re-introduction of cold inspection in red meat slaughterhouses. | The requirement for an Official Veterinary (OV) /Meat Inspector needed to be present at slaughterhouses processing under thirty month (UTM) cattle, sheep and goats throughout ante- and post-mortem inspection. | Re- introduction of cold inspection. | <u>Red meat slaughterhouses</u> OV is able to leave after carrying out ante-mortem inspection and t return later on that day (or the next day) to carry out post-mortem checks once the carcasses have been dressed. | Currently too early to assess any cost savings to business or the Meat Hygiene Service. | Changes being introduced from July 2008. http://www.food.gov.uk/multimedia/pdfs/mhscoldinsp.pdf |

Table B: New simplification measures Identified, and measures previously identified and yet to be completed

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Estimated Cost saving (admin or policy) | Implementation timeline |
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| <p>1. Review of the Monitoring System for food law enforcement</p> <p>Simplifying the method by which local authorities submit monitoring data on food law enforcement to the FSA.</p> | <p>Local Authorities are required to make an annual return on their food law enforcement activity.</p> | <p>The FSA has reviewed both the content of the returns and the means of delivery, to make it simpler and easier to use, so leading to more accurate and reliable data.</p> <p>The new monitoring system will allow direct data transmission, reducing the time Local Authorities spend on their returns, saving administrative costs.</p> | <p><u>Local authorities</u> will benefit from less time being required to submit data to the FSA</p> <p>The <u>FSA</u> will benefit as data will be easier to manage.</p> | <p>Difficult to estimate, as reductions in staff time will vary between <u>local authorities</u>, depending on existing systems and operators. Administrative savings are estimated at up to £56,000 in year one, and up to £29,000 per year thereafter.</p> <p>However, there will be one-off initial increased costs of £343,000 for <u>local authorities</u> in setting up and in training for the new system.</p> | <p>The review has been completed, and the new monitoring system was released to all LAs on 30 April 2008.</p> <p>Initial set-up costs will arise in 2008/09.</p> <p>Administrative savings will begin in 2009/10, when the first annual returns under the new system are made.</p> |
| <p>2. Food Additives Regulations</p> <p>Proposal for a regulation of the European Parliament and of the Council on food additives</p> | <p>The requirement for the authorisation of additives before they are placed on the market, currently under Directive 95/2/EC.</p> | <p>There is currently a framework Directive and three separate pieces of legislation governing additives – colours, miscellaneous additives and sweeteners. The Miscellaneous additives and the Sweeteners Regulations have each been amended a number of times. These separate pieces of</p> | <p>Industry and enforcement authorities will benefit from having the legislation consolidated into one document to simplify understanding and interpretation.</p> <p>Increases consumer</p> | <p><u>Business</u></p> <p>The FSA estimates that if these proposals are adopted annual savings of around £1million per year could be achieved. Savings for industry as a result of the introduction of comitology procedures are in the region of hundreds of thousands of</p> | <p>Still in negotiation between the European Council and Parliament. It is hoped there will be agreement at second reading, which would lead</p> |

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| | | <p>legislation will be consolidated into one single piece of legislation.</p> <p>The structure to the annexes will be changed so that food categories will appear and show which additives are permitted to be used in each food category. (This is a change from most of the current annexes which list food additives and show the food categories in which they can be used.)</p> <p>To confer on the Commission powers to update the EU list of authorised food additives i.e. comitology (this is currently carried out under co-decision procedure).</p> | <p>protection as the new legislation will be easier for industry to use and comply with, and also make enforcement easier for the authorities.</p> <p>Savings for industry – they will potentially be able to bring to the market new additives earlier than under the present system.</p> | <p>pounds for each new additive.</p> <p><u>Enforcement bodies.</u> Savings for authorities are likely to be in the region of one hundred thousand pounds</p> | <p>to coming into force in early 2009.</p> |
| 3. Regulation on the marketing and use of animal feed | Remove inconsistencies and redundant provisions in current legislation resulting in a reduction in compliance costs for both industry and enforcement authorities. | The proposed EC Regulation will replace four existing Directives concerning aspects of the marketing and use of animal feeds (Directive 79/373/EC on the marketing of compound feed; Directive 82/471/EC concerning certain products used in animal nutrition; Directive 93/74/EC on feeding stuffs for particular nutritional purposes; and Directive 96/25/EC on the circulation of feed materials). These will remove inconsistencies and redundant provisions. | <u>Business</u> will benefit from simplification of technical requirements and removing unnecessary administrative burdens. This will facilitate the functioning of the internal market by increasing the competitiveness of the EU feed sector and enable <u>purchasers</u> to make informed choices about the feed products they buy. | Estimating savings to <u>business</u> of £43m in policy costs and £2m in reduction in administrative burden as a result of the removal of the requirement to list quantities of feed ingredients on the label. | It is expected that the Regulation will be adopted during the course of 2009 and would come into force 12 months later. |

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| 4. Development of a UK Food Surveillance System (FSS) to provide standardised data capture, storage, querying and reporting functionality for the microbiological and chemical analysis of food samples. | <p>Local Authority Enforcement officers are required to take food and animal feed samples for analysis to ensure all food and feed sold is safe and of an appropriate standard. Historically, this process has involved large quantities of paper being passed between Local Authorities (LA's) As and their respective public analysts/microbiological testing lab, which ultimately must be stored by the LA.</p> <p>To date the process of determining what to sample has generally been carried out by LAs in isolation, with little or no intelligence of national sampling priorities.</p> | <p>In order to simplify and improve the management of LA sampling process, the Agency is funding a 3 year contract to roll out a UK Food Surveillance System. The system enables the electronic transfer of sampling data (both chemical and microbiological) between local authorities and public analyst laboratories, ultimately to be stored both in the originating authorities IT system and a national centralised database.</p> <p>The system is being delivered to all of the LAs in the UK in a phased roll-out, with all LAs having received training and with full access to the system by end of 2008.</p> | <p>The potential benefits to LA's are far reaching. FSS will provide a single data entry point for LAs from which all aspects of food sampling can be managed and stored. and earchable centrally held data can be used to identify trends and hazards in real time, enabling immediate UK response to potential public health issues. This will allow identification of trends and emerging potential public health issues and enable better targetting of resources and prevent duplication of sampling where no safety concern exists.</p> <p>The system will also allow faster and more standardised and accurate exchange of information between LAs, public analysts and government agencies.</p> | <p>The target date for delivery is end 2008 and it is too early to estimate cost savings. However potential savings are large.</p> <p>Approximately £10 million is spent per year on sample analysis. This figure does not represent LA officer time spent in taking and managing food samples.</p> | <p>The project will not be complete until end 2009. The system has been operational in 32 Scottish and 24 English LAs for 3 years and 26 LAs Northern Ireland authorities since January 2007. The remainder of the Scottish, English and Welsh LAs will come on to the system by end 2009.</p> |
| 5. Irradiated foods consolidation and rationalisation | <p>The existing regulations Food (Control of Irradiation) Regulations 1990 have two separate amendments and are complicated for business to understand. The legalisation also sets out the</p> | <p>A change to the legislation is necessary to correctly implement EU Directive 1999/2/EC, in terms of officially recognised third country irradiation facilities. This opportunity is also being taken to remake and rationalise the</p> | <p>Two beneficial outcomes for industry:</p> <p>(i) The legislation will be easier for industry to use and comply with, and also make enforcement easier for the</p> | <p>There will be a small initial cost to industry and regulators estimated at £35 to £50 per organisation in familiarising themselves with the new regulations. There will be an estimated</p> | <p>Target date for consultation is September / October 2008 [DN: include weblink]. Target date for</p> |

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| | fees to be charged for license applications and inspections. | regulations into a single Statutory Instrument. | authorities. (ii) The fees charged for licence applications and official inspections in the current legislation will be removed. | saving to industry of £5750 over 5 years relating to licensing and inspections, but these costs will be transferred to the Agency. There will also be non-monetised savings relating to the simpler, consolidated regulations. | implementation is April 2009. |
| 6. Childminders required to register with Environmental Health Departments (EHD). | Childminders are required to register with the local authority as a Food business operator (if appropriate) This is in addition to registering with inspections carried out by Ofsted inspectors. | Data sharing of registration details between Ofsted and EHDs. | Reduced burden to the approximately 80,000 registered childminders in England. Possible savings to local authorities and Ofsted. | These are currently unknown. | This work is expected to be concluded during 2008. |
| 7. Exemptions for Small Slaughterhouses without detained facilities | The requirement for small slaughterhouses to have facilities for detained meat and facilities for cleansing and disinfection of livestock vehicles. | Small slaughterhouses will be exempted from the requirement to have facilities for detained meat. | Up to 40 small slaughterhouses without detained facilities. | Estimated to be from £120k to £200k. The consultation, including Impact Assessment, can be found at: http://www.food.gov.uk/consultations/consulteng/2007/hygieneenglandamend08 | Early 2009, in the Food Hygiene (England) (Amendment) Regulations 2009 |
| 8. Exemptions for Small Slaughterhouses without cleansing and disinfection | The requirement for small slaughterhouses to have facilities for detained meat and facilities for cleansing and disinfection of livestock vehicles. | Small slaughterhouses will be exempted from the requirement to have facilities for cleansing and disinfection of livestock vehicles. | Up to 36 small slaughterhouses without facilities for cleansing and disinfection | Estimated to be from £108k to £180k The consultation, including Impact Assessment, can be found at: http://www.food.gov.uk/consultations/consulteng/2007/hygieneenglandamend08 . | Early 2009, in the Food Hygiene (England) (Amendment) Regulations 2009 |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Estimated Cost saving (admin or policy) | Implementation timeline |
|--|--|--|--|--|---|
| 9. Amendment of the fruit juices and fruit nectars Directive (2001/112/EC) | European legislation is out of line with the more flexible requirements of the Codex standard. | In Europe, the composition of fruit juice and fruit nectars is controlled under Council Directive 2001/112/EC. Codex Alimentarius Commission has similarly agreed an international standard. Although there is a lot of common ground between the Codex Standard and the EC Directive, there are some differences. In particular, the Codex Standard includes a category of water extracted fruit juices from dried fruits (eg prunes), it has greater flexibility in relation to certain technical processing aspects and it sets out certain additional quality standards that are not in the EC Directive, but are used by European industry. | Overall the Codex Standard offers greater flexibility for <u>industry</u> and recognises more fully technical aspects of fruit juice production, while still providing protection for the consumer. The Agency has been pressing for amendments to be made to the EC Directive to bring it into greater alignment with the Codex Standard. The Agency has been working closely with the UK industry. They support the potential amendments as these would provide welcome simplification of the fruit juice legislation. | Too early to estimate the cost savings | Awaiting European Commission proposal [DN: include link if proposal received before publication] |
| 10. On-line food allergen training for enforcement officers | Time and cost of providing training to enforcement officers | The FSA has developed a simple interactive training package on food allergen labelling for enforcement officers | Enables <u>enforcement officers</u> to learn about handling food allergens in the workplace at a time that is convenient to them. <u>Food producers</u> are able to use the system to find out more about the legislation and to train their own staff. | Too early to estimate the cost savings | Launched 18 September 2008 [DN: include weblink] |

| Title/Policy/ Initiative | Nature of Burden | Description of Simplification Measure | Outcomes (incl. sectors to benefit) | Estimated Cost saving (admin or policy) | Implementation timeline |
|-------------------------------------|--|--|---|--|------------------------------------|
| 11. Possible change in UK TSE rules | SRM spinal cord must be removed from sheep and goats only after splitting the carcass or by removing the vertebral column in its entirety. | Dependent on assessment of alternative methods of removal without splitting in use in France and Holland. May decide to allow removal by suction in UK. | Would allow older lamb carcasses to retain a much higher value and not be reduced to the value of mutton when the carcass has been split. | Too early to estimate the cost savings | Mid 2009 |

Table C: Regulatory Flow Grid. - Flow of New Regulations [DN: to be updated]

This table lists the flow of new regulations coming into force between October 2007 and end March 2010.

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|---|--|---|---|---|---|
| 1. Official Feed and Food Controls (England) Regulations 2007 | None | Applies in England certain elements of Regulation (EC) 882/2004 on Official controls ⁴⁹ for which domestic legal measures are necessary. | Contributes to delivering a more effective and consistent application of official feed and food controls. Contributes towards a reduction in food-borne disease and incidents of contamination leading to an increase in consumer protection and confidence. | None. The impact assessment can be found at: http://www.food.gov.uk/multimedia/pdfs/offcria2007eng | Came into force on 14 December 2007 http://www.opsi.gov.uk/si/si2007/uksi_20073185_en_1 |
| 2. Food Labelling (Declaration of Allergens) (England) Regulations 2007 Parallel legislation exists in Scotland, Wales and Northern Ireland. | Increased the number of ingredients which must be declared in on the labels of pre-packed foods from 12 to 14. | Added lupin and molluscs to a list of allergenic ingredients that must be labelled in pre-packed food | Ensure that those consumers with lupin or mollusc allergies are properly informed about the allergens in the foods they buy and are protected from false or misleading descriptions | Labels and/or ingredient lists of pre-packed foods containing these ingredients will have to be amended to indicate the specified allergens, or product formulations changed to remove or replace them with non-allergenic materials. | Came into force on 23 December 2007. Implementation by 23 December 2008 http://www.opsi.gov.uk/si/si2007/uksi_20073256_en_1 |
| 3. The Food Labelling (Declaration of Allergens) (England) | Permanently exempts certain food ingredients from allergy labelling | Implement the provisions of Commission Directive 2007/68/EC into English law. | Permanently exempts ,most of the ingredients which had previously been temporarily exempt,and, in these cases, no labelling changes are | For those temporarily exempt ingredients which were not granted permanent exemption status the labels and/or ingredient lists will have to be | Came into force 31 May 2008 Implementation by 31 May 2009 |

⁴⁹ Regulation (EC) 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules. Official Journal L191, 28.5.2004, 1-52.

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|--|--|--|--|--|--|
| <p>Regulations 2008</p> <p>Parallel legislation exists in Scotland, Wales and Northern Ireland</p> | | | needed | <p>amended to indicate the specified allergens, or product formulations changed to remove or replace them with non-allergenic materials.</p> <p>For those products requiring re-labelling, the British Retail Consortium has estimated the costs to be approximately £1000 per product. However, the transitional period will cushion the impact and the Regulations allow that any products placed on the market before 31 May 2009 may remain on the market until stocks are exhausted, thus ensuring that no extra costs are incurred as a result of having to remove products from sale.</p> | <p>http://www.opsi.gov.uk/si/si2008/uksi_20081188_en_1</p> |
| <p>4. The Meat (Official Controls Charges) (England) (No 2) Regulations 2007.</p> | <p>Change systems to record throughput data (minor simplification of throughput categories).</p> | <p>To introduce revised throughput categories and minimum standard charge rates by 1 January 2008 to ensure continued compliance with the EC requirements for charging for meat hygiene official controls.</p> <p>The throughput rates applicable to adult bovines, boars, low/middle weight ruminants (other than cattle, sheep and goats) and low/middle weight turkeys, will be increased to the required EC minimum level of charge.</p> <p>Revokes The Meat (Official</p> | <p>Will affect <u>operators of approved meat establishments</u> in England - slaughterhouses that process cattle, boars and some ruminants (mainly deer), slaughterhouses that process turkeys and game handling establishments that process boars and/or ruminants (mainly deer).</p> | <p>Estimated increase charges to <u>business</u> by an estimated £380k per annum at current rates. The impact assessment can be found at:</p> <p>http://www.food.gov.uk/multimedia/pdfs/meatocc2ia.pdf</p> | <p>Came into on 31 December 2007.</p> <p>http://www.opsi.gov.uk/si/si2007/uksi_20073385_en_1</p> |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|--|--|---|--|--|---|
| 5. Fishery Products (Official Controls Charges) (England) Regulations 2007 | Recovery of some costs of official controls. A completed written return to enforcement authorities by food business operators relating to the tonnage of fish landed or throughput entering a processing establishment in an account period. | <p>Controls Charges) (England) Regulations 2007.</p> <p>The recovery by enforcement authorities of contributions towards the cost of official controls carried out on direct landings of fish and tonnages of fish entering processing establishments.</p> <p><u>Revokes</u> Fishery Products (Official Controls Charges) (England) Regulations 2006.</p> | <p>Recovery of contributions by <u>enforcement authorities</u> closer to the actual cost of official controls.</p> <p>The policy allows for full cost recovery by <u>local authorities</u> if lower than the fees calculated using the specified minimum legal rates.</p> <p>Industry benefit by being required to pay the lower of the two amounts.</p> | <p>Up to £27k per annum to <u>business</u> in total. There will be an equal benefit to <u>local authorities</u> reflecting the move to full cost recovery. The impact assessment can be found at: http://www.food.gov.uk/multimedia/pdfs/fisheryiaeng07.pdf</p> | <p>Came into force on 1 January 2008. http://www.opsi.gov.uk/si/si2006/uksi_20062904_en.pdf</p> |
| 6. Infant Formula and Follow on Formula (England) Regulations 2007 | New requirements on infant and follow-on formula manufacturers | <p>Requires formula manufacturers to change the composition of their products; change the labelling and to notify new products to the Agency.</p> <p>Updates compositional requirements;</p> <p>Clarifies the provisions on health and nutrition claims on infant formula;</p> <p>Introduces a new national notification requirement for infant formulae which will allow EC countries to monitor the marketing of new infant formula more effectively; and</p> | <p><u>Consumers</u> will benefit from increased protection.</p> | <p><u>Business</u>. Estimated administrative cost of completing and submitting a notification form will be in region of £70-£130 each time, with an estimated 12 notifications per year the total annual cost is estimated to be in the region of £840-£1,560 per annum.</p> <p>There will be a cost of preparing scientific dossiers to submit to EFSA for assessment, but this is difficult to calculate because the level of information that EFSA will require is not yet known.</p> | <p>Came into force on 1 January 2008. http://www.opsi.gov.uk/si/si2007/uksi_20073521_en_1</p> |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|--|---|--|---|--|--|
| | | Introduces a new requirement that infant formula and follow on formula be labelled, presented and advertised in such a way as to avoid confusion between them. | | <p>Estimated cost of relabelling a product line between £1k and £50k per product. The Agency considers that approximately 25 infant formula and follow-on formula product lines marketed by the major companies may need to be relabelled . Total estimated cost of between £25k (which the Agency considers the most realistic estimate) and £1.25m)..</p> <p>The impact assessment can be found at: http://www.food.gov.uk/multimedia/pdfs/informiaeng07.pdf</p> | |
| 7. Condensed Milk and Dried Milk (England) (Amendment) Regulation 2008 | Amending existing legislation to permit modifying the protein content of preserved milk | The ability to remove protein from preserved milks will benefit UK industry as any protein extracted can be used to manufacture other dairy produce. | <p><u>Businesses</u> that choose to modify the protein content of their milk will potentially benefit from being able to utilise any extracted protein for use in the production of other fresh dairy produce or by selling the extracted milk protein. It is currently not possible to fully quantify the benefits.</p> <p><u>Consumers</u> may be able to benefit from potentially lower prices of preserved milks such as skimmed milk powder.</p> | <p><u>Businesses</u> Based on Defra's modelling in Annex A to the impact assessment, it is expected that the annual benefits could range from £0 - £47.5 million</p> <p>The impact assessment can be found at: http://www.food.gov.uk/multimedia/pdfs/milkia.pdf</p> | <p>Came into force on 22 February 2008. http://www.opsi.gov.uk/si/si2008/pdf/uksi_20080085_en.pdf</p> |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|---|---|---|--|---|---|
| 8. The Meat Products (England) (Amendment) Regulations 2008 | Labelling meat products that look like a cut, joint slice, portion or carcass of meat to be labelled in accordance with regulation 5, including added water or ingredients from another animal species are mentioned in the name of food. | Brings labelling requirements for added starch and protein in certain meat products into line with European labelling requirements. | <p>The proposed change involves removal of the name of the food labelling requirements related to added starch and protein from regulation 5 of the Meat Products Regulations 2003.</p> <p>The general labelling provisions of the food Labelling Regulations 1996 will continue to apply, as will the Food Safety Act 1990.</p> <p>There are an estimated 9310 businesses in the UK who will be affected, including retailers, wholesale meat suppliers, manufacturers of meat products and producers of ingredients mixes.</p> <p>Due to a possible misunderstanding of current legislation, there may be a slight increase in required labelling.</p> | <p>Estimated additional administrative burden cost to businesses of £125k per year.</p> <p>Estimated cost to business from slight increase in inspections £35k per year</p> <p>Estimated increase in enforcement costs to local authorities of up to £150k per year.</p> <p>The impact assessment can be found at: http://www.food.gov.uk/multimedia/pdfs/meatprodregia.pdf</p> | <p>Came into force on 6 April 2008. http://www.opsi.gov.uk/si/si2008/uksi_20080517_en_1</p> |
| 8. The Transmissible Spongiform Encephalopathies (No. 2) (Amendment) Regulations 2008 | Reduction in enforcement requirement. | <p>A change to age at which bovine vertebral column is classified as SRM from 24 to 30 months.</p> <p>Revocation of the Beef Bones Regulations.</p> <p>Introduction of a provision on rules on trade.</p> | A reduction in enforcement requirement. Operators of approved meat premises; slaughterhouses, cutting plants and authorised butchers benefit from the change. | See Table A, item 18 Impact Assessment can be found at http://www.food.gov.uk/multimedia/pdfs/tseia.pdf | <p>Came into force on 26 April 2008. http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081180_en.pdf</p> |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|--|---|---|--|--|--|
| 9. The Plastic Materials and Articles in Contact with Food (England) Regulations 2008 | Harmonisation of rules between Member States of the EU. No new burdens created. | <p>Implement the provisions of Commission Directive 2009/19/EC into English law.</p> <p>Ensure that the potential for consumers being exposed to harmful levels of substances migrating from food contact plastics to the food itself, are minimised.</p> | <p><u>Enforcement authorities</u> will be affected as they are responsible for enforcement of food safety legislation.</p> <p><u>Businesses</u> that manufacture plastic materials and articles intended to come into contact with food, <u>importers</u> and <u>distributors</u> of such materials and articles.</p> <p><u>Consumers</u> –reduce the risk health arising from the consumption of harmful levels of chemicals in food.</p> | <p><u>Business</u>. One –off cost of reading and familiarisation £172k.</p> <p><u>Local authorities</u>. One –off cost of reading and familiarisation £17k.</p> <p>The measures will not place any other new burdens on businesses or local authorities. Regulations simply amend or elaborate the requirements for existing EU provisions on food contact plastics.</p> | <p>Came into force on 1 May 2008. http://www.opsi.gov.uk/si/si2008/pdf/uksi_20080916_en.pdf</p> |
| 10. The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (England) Regulations 2008 | No change to current burdens | This amendment is an administrative revision to update references within the regulation to point to codified EC Regulation. There will be no changes to the requirements as a result of the amendment. The FSA plans a consolidation of the original 1999 SI and its amendment. | Updates references to EC regulation only. | None. | <p>Came into force 1 July 2008. http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081287_en.pdf</p> |
| 11. The Feeding Stuffs (England) (Amendment) Regulations 2008 | None | The SI will transpose Commission Directive 2008/4/EC of 9 January 2008 amending an existing entry for feeding stuffs for the reduction of the risk of milk fever. | Permits two additional types of dietetic feed to be marketed for the reduction of milk fever in dairy cows. | None. | 2008/2009 |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|---|---|---|---|--|---|
| 12. The Official Feed and Food Controls (England) (Amendment) Regulations 2008 | Data sharing | The Regulations include an 'information gateway' which permits the local and port health authorities to exchange information received in the course of their food law regulatory duties. It is proposed that the Regulations are amended to extend this 'information gateway' to include Her Majesty's Customs Revenue and Customs (HMRC). This will mean that Customs can pass information to the relevant local/port health authority regarding consignments of imports of products of non-animal origin that have been presented for customs controls but have not been public health controls | The proposed amendment will provide the legal basis for officers of <u>HMRC</u> to cooperate with the <u>enforcement authorities</u> (local and port health authorities) as regards feed/food imports of non-animal origin. This cooperation is particularly important in relation to the import of 'high-risk' products which are subject to specific safeguard or emergency control measures in feed/food law. | None | Summer 2008 [DN: check status before publication] |
| 13. Commission Regulation to establish implementing rules under Regulation (EC) No 882/2004 on official controls for feed and food products of non-animal origin. | Official controls and payment of fee at designated ports. | Commission Regulation to establish implementing rules under Regulation (EC) No 882/2004 on official controls for feed and food products of non-animal origin (non-POAO) where there is a known or emerging risk ('high-risk') being imported from outside the Community. | Designated ports who will have to carry out additional inspections. <u>Businesses</u> importing products to the UK would will have pay a mandatory inspection fee for imports of 'high-risk' products <u>Consumers</u> . Will contribute towards a reduction in food-borne disease, a reduction in contamination incidents and to increased consumer protection, and to a reduction in the costs associated with these. It should also lead, in | <u>Business</u> . Cost to importers estimated at £2 million annually | Summer 2008 [DN: check status before publication] |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|---|---|--|--|--|---|
| | | | turn, to increased consumer confidence in food produced within the Community and in imported food. | | |
| 14. Nutrition labelling for food stuffs as regard recommended daily allowances, energy conversion factors and definitions. (Amendment to Council Directive 90/496/EEC) [DN: to be confirmed] | Will bring the Nutrition Labelling Directive into line with Regulations and scientific and technical advances subsequent to 1990. May require some products to be relabelled. | New measures will update technical aspects of the current Directive to recognise scientific and technological developments since 1990 and ensure coherence with other Community legislation. Changes include a new definition of dietary fibre, new energy conversion factors for fibre and erythritol and updating the list of vitamins and minerals and their Recommended Daily Amounts (RDAs) currently found in the Annex of Directive 90/496/EEC. | Implementation will bring benefits to consumers through more accurate labelling and industry, enforcement authorities and government by providing coherence in legislation and clarity to both businesses and enforcement bodies on the application of legislation | <p><u>Business.</u> Estimated one off costs of approximately £103k associated with reading and understanding the new regulations. Re-labelling costs are expected to minimal because the regulations allows for current packaging stocks to be used and new requirements incorporated into existing commercially scheduled label re-design. (+ £4600 admin costs for LAs).</p> <p><u>Local authorities.</u> Cost of around £5k associated with reading and understanding the new regulations.</p> <p>The impact assessment can be found at: [DN: include weblink]</p> | Came into force on ?? – [DN: Include weblink to legislation] |
| 15. The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2008 | Provisions to allow voluntary labelling of bottled water as suitable for preparing infant or follow-on formulae. | To allow bottled water to state that it is suitable for making up infant/follow-on formulae where it meets set criteria and establish labelling/marketing requirements. | <p><u>Business.</u> Legislation will ensure that, where a company wishes to use this claim, they will have to ensure that the water is safe for infants.</p> <p><u>Consumers.</u> Ensure consistent application of a voluntary</p> | <u>Business</u> Minimal one-off familiarisation costs estimated £2k | Due to come into force by 1 October 2008 [DN: check status before publication] |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|---|---|--|---|--|--|
| | | | labelling provision that will help inform parents as to whether bottled water meets the necessary safety standards to be used to prepare infant or follow-on formula. | | |
| 16. The Food Hygiene (England) (Amendment) Regulations 2008 | Makes various amendments to the Food Hygiene (England) Regulations 2006 | <p>Introduces exemptions for low throughput slaughterhouses.</p> <p>Prescribe the format for a special health and identification mark to be used on carcasses of animals subject to emergency slaughter outside a slaughterhouse and on the meat derived from such carcasses; and,</p> | Small slaughterhouses will be exempted from the requirement to have facilities for detained meat and facilities for cleansing and disinfection of livestock vehicles. | <p>Estimated annual savings to slaughterhouses without detained facilities – up to £200k.</p> <p>Estimated annual savings to slaughterhouses without cleansing and disinfection facilities – up to £180k.</p> <p>See Table B, items 9&10</p> | <p>A draft form of the regulations has been out for consultation, which closed on 4 January 2008 http://www.food.gov.uk/consultations/consultenglandamend08</p> <p>Implementation in early 2009</p> |
| 17. Food Irradiation (England) Regulations 2008 | Rationalisation of current regulation and removal of inspection fees. | A change to the legislation is necessary to correctly implement EU Directive 1999/2/EC, in terms of officially recognised third country irradiation facilities. This opportunity is also being taken to remake and rationalise the regulations into a single Statutory Instrument. | <p>Two beneficial outcomes for industry:</p> <p>(i) The legislation will be easier for industry to use and comply with, and also make enforcement easier for the authorities.</p> <p>(ii) The fees charged for licence applications and official inspections in the current legislation will be</p> | The estimated savings to industry of these outcomes are currently estimated to be around £150 per year. | <p>Target date for consultation is September / October 2008 [DN: include weblink].</p> <p>Target date for implementation is April 2009.</p> |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|--|---|--|--|---|--|
| | | | removed. | | |
| 18. Commission Regulation (EC) No. 2023/2006 on good manufacturing practice for materials and articles intended to come into contact with food | Amending regulatory proposal for updating food contact plastics rules across EU | Minimise the chemical migration from food contact materials and articles through EU-harmonised controls in order to protect public health and ensure the effective functioning of the internal market for businesses. | <u>Business</u> sectors primarily involved with food contact plastics and plastic-based coatings, | <u>Business</u> . One-off estimated cost of £172,000 from familiarisation with the regulations. | Coming into force in England by 7 March 2009 |
| 19. Amendment of the Fish Labelling (England) Regulations 2003 to add new fish names | Requirements for fish labelling using list of designated fish names. | All Member States are required by the fish marketing legislation to maintain a list of designated fish. Measure will update list of current commercial species and clarify current labelling allowed for cod species, where labelling can mislead the consumer as to exactly which fish it is. | <u>Business</u> will be able to use new names. <u>Consumers</u> : will benefit from clearer labelling of cod | <u>Business</u> Annual: No significant ongoing costs One-off: £45K (in relation to adding new fish). Plus possibly up to £500K in relation to amending the labelling allowed for cod. | October 2009 |
| 20. Listeria Controls - Amendments to EC Regulation 2073/2005 | Amendments to EC Regulation 2073/2005 to tolerance levels of listeria. | To achieve harmonised interpretation and implementation across Member States of the criteria for Listeria in ready to eat foods. | <u>Industry</u> will have to comply with stricter tolerance levels than currently in place. Harmonisation will ensure the safety of these foods when placed on the market is assessed on a consistent basis and any subsequent | Options still being considered, but costs to business will be significant. | Consultation currently ongoing. Implementation expected late 2009/early 2010 |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|--|---|--|---|---|-------------------------|
| | | | action taken will be consistently applied across Member States removing any barriers to trade. | | |
| 21. Meat (Official Charges) (England) Regulations 2009 | Official control charges in approved premises | A new system of charging for official controls carried out in approved meat premises; increasing meat hygiene and animal welfare charges to recover a greater proportion of their costs; and introduces charges for Specified Risk Material official controls. | <u>Meat processing businesses</u> (approved abattoirs, game handling establishments and meat cutting plants). will incur a time-based charging system (currently most businesses pay a charge per animal or per tonne of meat that is processed); | <u>Business</u> Estimated increase of £0.75m (inflation only increase) upto £3m (12% increase to meet MHS financial target). | April 2009 |
| 22. The Plastic Materials and Articles in Contact with Food (England) Regulations 2009 | No new burdens introduced. | To implement the provisions of European Commission Directive 2008/39/EC into English law. This Directive amends European Commission Directive 2002/72/EC on food contact plastics for the fifth time. | <u>Enforcement authorities</u> will be affected as they are responsible for enforcement of food safety legislation. <u>Businesses</u> that manufacture plastic materials and articles intended to come into contact with food, <u>importers</u> and <u>distributors</u> of such materials and articles. <u>Consumers</u> –reduce the risk health arising from the consumption of harmful levels of chemicals in food. | <u>Business</u> . One –off cost of reading and familiarisation £172k. <u>Local authorities</u> . One –off cost of reading and familiarisation £17k. The measures will not place any other new burdens on businesses or local authorities. Regulations simply amend or elaborate the requirements for existing EU provisions on food contact plastics. | 2009 |
| 23. The Contaminants in Food (England) Regulations 2009 | No new burdens to be introduced. | The inclusion of enforcement provisions for two further Commission Regulations amending Commission Regulation | [DN: to be updated] | [DN: to be updated] | 2009 |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|---|---|---|--|---|-------------------------|
| <i>[DN: to be updated]</i> | | 1881/2006 | | | |
| 23. The Recycled Plastic Materials and Articles in Contact with Food (England) Regulations 2009 (working title) | No new burdens to be introduced. | Will make provisions for the Enforcement of Commission Regulation (EC) No 282/2008 in England by the enforcement authorities | <i>[DN: to be updated]</i> | <i>[DN: to be updated]</i> | 2009 |
| 24. Regulatory proposal for authorising EU food contact plastic recycling processes in England. | Familiarisation only. | Minimise the chemical migration from food contact materials and articles through EU-harmonised controls in order to protect public health and ensure the effective functioning of the internal market for businesses. | <u>Business</u> sectors primarily involved with food contact plastics and plastic-based coatings, | One-off: Estimated at £172,000 from familiarisation with the regulations. | March 2010 |
| 25. The Meat Product (England) (Amendment) 2009 | Labelling of meat products that look like a cut, joint slice, portion or carcass of meat to include added water or ingredients from another animal species to be mentioned in the name of food. | Amendments to Regulation 5 of the Meat Products (England) Regulations 2003. Retains key information to be required in the name of food on food labels for continued consumer protection. | Reduce amount of time required to decide what labelling is required for some meat products eg for the presence of added water or ingredients from different animal species (eg pork proteins in chicken) | Estimated savings to <u>businesses in England</u> of £ 9 million from a reduction in administrative burden resulting from the removal of the requirement to declare non-key ingredients in the name of the food. However, general labelling rules in Food Labelling Regulations 1996 and the Food Safety Act 1990 will continue to apply. | Late 2009 |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|--|--|--|---|--|---|
| 26. Proposal for an EC Regulation 1490/2007 Traceability requirements of Products of Animal Origin | Proposal extending traceability requirements in Regulation (EC) 178/2002 | Additional traceability requirements for food businesses producing and distributing Products of Animal Origin. | Increase in record keeping requirements for food businesses | <i>[DN: to be updated]</i> | Consultation on UK legislation enforcing Regulation during 2009 |
| 27. EC Regulation 1489/2007 on labelling of frozen products of animal origin. | Labelling | Additional labelling requirements for frozen products of animal origin. | Additional labelling requirements applicable to frozen food of animal origin intended for human consumption. | Estimated at £600 per business per year. Total cost of <i>[DN: tbc]</i> | Informal consultation 2009/10 |
| 28. EC Regulation on the Marketing and Use of Animal Feed. | Remove inconsistencies and redundant provisions in current legislation resulting in a reduction in compliance costs for both industry and enforcement authorities. | The proposed EC Regulation will replace four existing Directives concerning aspects of the marketing and use of animal feeds (Directive 79/373/EC on the marketing of compound feed; Directive 82/471/EC concerning certain products used in animal nutrition; Directive 93/74/EC on feeding stuffs for particular nutritional purposes; and Directive 96/25/EC on the circulation of feed materials). These will remove inconsistencies and redundant provisions. | <u>Business</u> will benefit from simplification of technical requirements and removing unnecessary administrative burdens. This will facilitate the functioning of the internal market by increasing the competitiveness of the EU feed sector and enable <u>purchasers</u> to make informed choices about the feed products they buy. | Estimating savings to <u>business</u> of £43m in policy costs and £2m in reduction in administrative burden as a result of the removal of the requirement to list quantities of feed ingredients on the label. | It is expected that the Regulation will be adopted during the course of 2009 and would come into force 12 months later. |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|-----------------------------------|---|--|-----------------------------------|--|---|
| 29. Food Flavourings Regulations. | Provide EC with information on the extent of use of flavourings; labelling. | Introduces general criteria and safety requirements for the use of flavourings; introduces provisions for the labelling of flavourings sold as such to food manufacturers or to the final consumer, and for the responsibilities of food business operators in respect of these products; updates maximum levels in particular foods placed on the market of certain undesirable substances; refines existing definitions of flavourings; introduces a requirement for industry to supply information concerning usage information when requested by the Commission and another for Member States to monitor the consumption and use of flavourings and requires the authorisation of new food flavourings that consist of, contain or are produced from a genetically modified origin (GMO) to be evaluated prior to authorisation. | | <u>Business</u> – estimated annual costs of £6m. | The Regulations are expected to come into force in early 2009, with some provisions applying then and others later. |
| 30. Food Additives Regulations. | Creates a single instrument for principles for authorisation and use of additives; confers on the Commission powers to update the EU list of authorised food additives; makes clear the role of the European Food Safety Authority (EFSA) in the evaluation of the safety | | | <u>Business</u> – estimated annual costs of £660k. Estimated annual benefits of £1,080,000. <u>Local authorities.</u> Estimated annual benefits of £72,500. | The Regulations are expected to come into force in early 2009, with some provisions applying then and others later. |

| Title/ Policy/ Initiative | Nature of Burden | Description of the measure | Outcomes (incl. sectors impacted) | Estimated Cost (admin or policy) | Implementation timeline |
|---|--|--|--|---|---|
| | aspects of food additives; requires the authorisation of additives that consist of, contain, or are produced from a GMO; introduces controls over the use of all additives used in other additives. | | | | |
| 31. Food Enzymes Regulations. | <p>Informing the EC of any new evidence which might affect the assessment of the safety of the food enzyme.</p> <p>Requirement for producers or users of food enzymes, when requested to inform the EC of the actual use of a food enzyme.</p> <p>Labelling of enzymes and enzyme preparations</p> | <p>Introduces general criteria and safety requirements for the use of food enzymes.</p> <p>Rules allow for the evaluation, approval and control of enzymes used in food, including the establishment of a positive list of all food enzymes used in food for a technological purpose, based on favourable scientific opinions from EFSA. The proposal also includes requirements for the labelling of food enzymes other than those used as processing aids.</p> | Business – harmonisation of EU market. Able to offer “EU approved “ product on international products. | Business – estimated annual costs of £1,800 | The Regulations are expected to come into force in early 2009, with some provisions applying then and others later. |
| 32. The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2008 | No changes to current burdens | Recast EC Directive consolidating EC legislation on bottled water necessitates revision of existing UK legislation to update references to the new recast Directive. There will be no changes to the requirements as a result of the amendment. | Updates references in legislation only | None. | Due to come into force by 30 November 2008 |

Table D: Regulations introduced since May 2005 with an additional Administrative Burdens

| New/amended regulations and In force date | Source of legislation | Summary description | Estimated administrative burden increase/decrease | In force Date |
|--|--|---|---|----------------|
| 1. EU Food Hygiene Regulations | European - Implementing EU Regulations 852/2004, 853/2004 and 854/2004). | European Regulations that modernise and consolidate the previous sector specific EU food hygiene legislation. The regulations apply effective and proportionate controls throughout the food chain, from primary production to sale or supply to the final consumer. Regulations focus controls on risk areas to ensure public health protection. | Increase - £90 million per year additional administrative costs | 1 January 2006 |
| 2. EU Regulation 183/2005 on Feed Hygiene | European – directly applying EU Regulations | Applying the same standards of hygiene to the Feed industry. | Increase - £ 72 million per year additional administrative costs. | 1 January 2006 |
| 3. Feeding Stuffs Regulations (England) 2005 | European – Consolidating previous legislation and Implementing EU Directive 2004/116 and /EU Regulation 1831/2003 | Regulations that simplify and consolidate the Feeding Stuffs Regulations 2000, which have been amended several times, and provide for the enforcement of EC Regulation 1831/2003 on feed additives. | Increase - £2 million per year additional administrative costs. | 1 January 2006 |
| 4. The Transmissible Spongiform Encephalopathies (No 2) Regulations 2006 | European – directly applying regulation EC 999/2001 | Regulation (EC) 999/2001 and its amendments set out the requirements for the monitoring, control & eradication of TSEs as well as the controls on feeding stuffs and specified risk material (SRM) in relation to TSEs | Increase - £29 thousand per year additional administrative costs. | 3 May 2006 |

| New/amended regulations and In force date | Source of legislation | Summary description | Estimated administrative burden increase/decrease | In force Date |
|--|---|--|---|----------------------|
| 5. The Plastic Materials and Articles in Contact with Food (England) (No.2) Regulations 2006 | European - implementing Commission Directive 2005/79/EC | Regulations to consolidate and simplify regulations in England governing substances used in food contact plastics, adhesives and coatings. | Increase - £41 thousand per year additional administrative costs | 19 November 2006 |
| 6. Fishery Products (Official Control Charges) (England) Regulations 2006 | European – implementing Article 27 of European Council Regulation 882/2004 on Official Feed and Food Controls (OFFC) | Regulations to outline the application of hygiene inspection charges for direct landings of fish and fishery products in England. | Increase - £463 thousand per year additional administrative costs | 1 January 2007 |
| 7. Meat (Official Controls Charges)(England) Regulations 2006 | European – implementing Regulation 882/2004 on Official Feed and Food Controls (OFFC). | Regulations to outline the charging for meat hygiene official controls at approved meat establishments | Increase - £108, 000 thousand per year additional administrative costs | 1 January 2007 |
| 8. Addition of Vitamins, Minerals and Other Substances Regulations 2007 | European - Implementing | | Requirement to submit a scientific dossier to the European Food Safety Authority. Increase in annual burden by £10k. | 1 July 2007 |
| 9. The Nutrition and Health Claims (England) Regulations 2007 | European - Implementing | | Requirement to submit a scientific dossier to the European Food Safety Authority. Increase in annual burden by £10k. | 1 October 2007 |

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|--|--------------------------------|--|---|------------------|
| 10. The Natural Mineral Water, Spring Water and Bottle Water Regulations 2007 | European - Implementing | | Consolidation in water regulations. Reduction in burden £x? | 28 November 2007 |
| 11. Fishery Product Charges 2007 | European - Implementing | | Reduction in burden £x? | |
| 12. Infant Formula and Follow on Formula Regulations 2007 | European - Implementing | | Requirement on infant formula manufacturers to notify and requirement to submit a scientific dossier to the European Food Safety Authority. Increase in annual burden by £11k. | 1 January 2008 |
| 13. Meat Products Amendment Regulations 2008 | Domestic - | | | 6 April 2008 |
| 14. Transmissible Spongiform Encephalopathies (No. 2) (Amendment) Regulations 2008 | European - Implementing | | Reduction in burden £x? | 26 April 2008 |