

FSA launches new consultation on additional NFCU investigatory powers

Have your say by 6 August.

This consultation asks for views on NFCU's access to limited further additional powers that would allow food crime officers to be lawfully on premises and assist with searches, following an arrest by the police.

This follows on from last year's consultation on enhanced investigatory powers for the NFCU. [Responses were broadly supportive.](#)

The FSA is seeking to secure further appropriate legal powers for the NFCU which are critical if they are to investigate food crime effectively, with autonomy and independence, and to reduce the dependency of support on partners such as local authorities and the police.

FSA's Acting Head of the NFCU, Andrew Quinn said:

"We've launched this consultation as we want to protect consumers and businesses from food fraud more effectively. This additional power of search and entry would be a vital tool to make sure that investigations can be progressed more directly, while also freeing up local police services so their vital resources can be diverted to other priorities."

"At the same time any use of these powers of entry and search will be restrained, focusing on effective regulation to prevent and detect food crime, and subject to robust controls and external scrutiny. We remain committed to using any enhanced powers in a proportionate way that keeps the public safe, with strengthened safeguards and oversight arrangements to guard against their abuse. We encourage everyone who wants to have their say to respond so that they can inform our work in the future."

The NFCU currently relies on a partnership agreement with the National Police Chiefs' Council that provides support as an interim measure. If the NFCU are granted section 18 powers of search and entry, while a police presence is still likely to be needed in case arrests are required, this would be much smaller. Additional powers are a more sustainable long-term solution and would strengthen the NFCU's ability to tackle food fraud and protect the consumer.

The NFCU is the law enforcement unit of the FSA and it tackles serious, organised, or complex cases of crime in relation to food. Its role is to detect, investigate and disrupt serious fraud and related criminality within food supply chains, across England, Wales and Northern Ireland.

Stakeholders in England and Wales are invited to respond to the four-week consultation. Separate legislation governing investigatory powers applies in Northern Ireland. The FSA

intends to hold a consultation for Northern Ireland in due course.

This consultation does not apply to Scotland, where Food Standards Scotland's dedicated Scottish Food Crime and Incidents Unit is responsible for delivering the food crime response.

The consultation is [available on the FSA website](#), where you can also find out about the work of the [NFCU](#).