

Potential Divergence of Food Safety Regulations Within the UK: Chapter 1

Introduction

Background

The FSA is committed to protecting consumers and ensuring food is safe and is what it says it is. It does this by developing policies related to food safety, food standards, nutrition, food labelling and hygiene. Prior to the UK's exit from the European Union (EU), all four nations of the UK adhered to the regulations of the EU Single Market. This effectively limited any food policy differences between the four nations. However, the UK leaving the EU creates scope for different nations to adhere to different regulations.

The FSA has differing responsibilities across all devolved nations of the UK. It is responsible for food and feed safety in England, Wales and Northern Ireland. It is responsible for nutrition compositional standards and labelling in Northern Ireland, whereas this is led by DHSC in England and the government in Wales. It is also responsible for food compositional standards and labelling in Northern Ireland and Wales, a remit under Defra in England. Scotland has a separate food standards authority, FSS, which was established in 2015 and is responsible for providing these policies and consumer advice in relation to food in Scotland. The FSA has worked with colleagues from the FSA in Wales and Northern Ireland plus FSS and other Cross-Whitehall colleagues to develop a set of common frameworks which are enduring agreements which lay down principles, requirements and procedures that underpin decision-making in matters of devolved policy areas. A Memorandum of Understanding is also in place between the FSA and FSS. The FSA commissioned Ipsos UK to conduct qualitative research to explore and capture consumer views on the impact of potential regulatory divergence across the UK to increase the FSA's understanding of consumer perceptions and concerns. The main objectives of this research were to:

- understand how the FSA should approach communicating issues of divergence with consumers
- assess the generalisability of previous research to other food sectors
- understand common and divergent themes within these other sectors
- increase the FSA's understanding of what factors influence consumers views on divergence

Methodology

Our approach involved conducting four online workshops between 26 January and 7 February 2023. We recruited 84 members of the public from England, Wales and Northern Ireland, with a total of 78 participants attending the workshops. The sample was divided by nation (England, Wales and Northern Ireland) and there were quotas on the type of area lived in as well as participants' attitude towards EU exit. Scotland was excluded from the research because

consumers there fall under the remit of FSS, not the FSA. There were additional quotas on age, gender, ethnicity, socio-economic group, and number of children in the household. The breakout rooms were divided based on participants' attitudes towards EU exit, reflecting the political sensitivities involved in the topic. Table 1 provides further details about participants at the sessions.

Table 1: Workshop schedule and total number of participants and breakout rooms

Date	Region	Area lived in	Number of breakout rooms	Attitude towards EU exit and number of participants for each breakout room	Total number of participants
26 January 2023	England	Urban/semi-urban	4	Positive: 6 Neutral: 5 Negative: 6 Negative: 5	22
31 January 2023	Wales	Urban and Rural	3	Positive: 6 Neutral: 6 Negative: 4	16
2 February 2023	England	Rural	4	Positive: 6 Positive: 5 Neutral: 6 Negative: 5	23
7 February 2023	Northern Ireland	Urban and Rural	3	Positive: 5 Neutral: 6 Negative: 6	17

Each workshop lasted three hours, bringing participants together in smaller groups and plenary sessions to hear from each other and listen to presentations about key concepts. We used a deliberative design where participants were given information about regulatory divergence, had an opportunity to ask the FSA questions and discuss hypothetical scenarios before reaching a view. This reflected the complexity of the subject matter and anticipated low levels of understanding of the UK food system and regulation. There are further details on the achieved sample (appendix 1), scenarios used (appendix 2) and discussion guide materials (appendix 3) included in the appendix.

The research took place before the [Windsor Framework](#) (UK Government, 2023) was agreed. This means at the time of the research, the Protocol on Ireland/Northern Ireland ('Northern Ireland Protocol') meant that any food produced in Northern Ireland or exported or moved into Northern Ireland had to adhere to EU regulations.