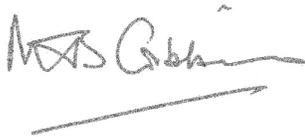


Food Standards Agency

Non-qualifying regulatory provision assurance statement: confirmed

The Regulatory Policy Committee (RPC) is content that, on the basis of the summary information provided, none of the measures or activities covered in the summary document should be considered as a qualifying regulatory provision for the purposes of the business impact target. The RPC has not been asked to provide a detailed view on any specific activity in this statement or to comment on any activities not covered in either this summary document or a separate assessment of a qualifying regulatory provision.



Michael Gibbons CBE, Chairman

Food Standards Agency (FSA) Non-qualifying Regulatory Provisions (NQRP) Summary Report

Business Impact Target Reporting Period Covered: 8 May 2015 – 31 May 2017

Excluded Category	Summary of measure(s), including any impact data where available*
<p>A – EU and International</p>	<p>In October 2016 the FSA brought in a provision for the execution and enforcement of Commission Implementing Regulation (EU) No. 2015/1375, laying down specific rules on official controls for Trichinella in meat. The provision was implemented through the Food Safety and Hygiene (England) (Amendment) Regulations 2016.</p> <p>On 1 October 2016 the FSA implemented its improved identification verification procedures for wild or semi-wild equine animals (equidae) presented for slaughter for human consumption. The procedures resulted directly to the Equine Passport Regulations¹ that came into force on 1 January 2016. No significant impacts to business were identified from the procedures (assessment attached at Annex A)</p> <p>In November 2015 The FSA revised its Wild Game Guide to take account of changes that were made to the directly applicable EU regulations that entered into force in 2014 regarding the export of unskinned bodies of large wild game animals. The Guidance update does not go beyond the requirements of the directly applicable EU legislation, and is therefore a Non-Qualifying Regulatory Provision (further detail is provided in an initial assessment that was undertaken by the policy team and is attached at Annex B)</p>
<p>L1 – Casework</p>	<p>The following routine activities are carried out by the FSA day-to-day and will vary in both scale and magnitude on a case by case basis. The activities largely relate to business non-compliance or suspected non-compliance and do not represent any change burden on business.</p> <ul style="list-style-type: none"> • The FSA leads on the 24/7 government response to food and feed incidents (<i>any event where, based on the information available, there are concerns about actual or suspected threats to the safety, quality or integrity of food and/or feed that could require intervention to protect consumers' interests</i>) and co-ordinates the management of all food/feed incidents in England, Wales and Northern Ireland, including liaison with

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R0262&qid=1466294639816&from=EN>

	<p>national and international stakeholders. FSA also supports investigations of other government departments, for example supporting Public Health colleagues in foodborne outbreak investigations. FSA ensures that robust plans and procedures in place to respond to incidents e.g. food and feed; CBR attack via the food or feed chain.</p> <ul style="list-style-type: none"> • The FSA National Food Crime Unit (NFCU) gathers, analyses and disseminates intelligence in relation to fraud and other offences of dishonesty within food supply chains. • The FSA carries out criminal investigations into legislative non-compliance at FSA approved establishments. Where necessary, it takes forward prosecutions or refers files to the Crown Prosecution Service. • FSA policy colleagues routinely respond to business enquiries and the FSA has a dedicated stakeholder helpline that deal with generic enquiries or direct callers to the relevant policy lead.
<p>L2 – Education, communications and promotion</p>	<p>The FSA uses a wide range of social media techniques to inform, educate and influence behaviours on a range of issues intended to support consumer protection and their other interests. A list of FSA campaigns can be found on the FSA website https://www.food.gov.uk/news-updates/campaigns.</p> <p>The FSA produces a range of factsheets and information leaflets that are published on its website https://www.food.gov.uk/about-us/publications.</p> <p>The FSA undertook a routine update of its Safer Food Better Business (SFBB) https://www.food.gov.uk/business-industry/sfbb_packs_in_2016. SFBB packs are a freely available resource for business choosing to utilise them. Routine updates are necessary to ensure that information such as food law requirements are kept up-to-date. This particular update also introduced some cosmetic changes to the style and layout of the SFBB packs (e.g. implemented colour changes to reduce printing costs etc.).</p> <p>The FSA routinely communicates with business on a range of subjects through industry forums, working groups, roundtable discussions and 1-2-1 meetings as well as written correspondence with FSA approved establishments on matters that directly affect them.</p>

	<p>The FSA consults stakeholders on all changes to UK food law and routinely consults with stakeholders when developing its regulatory approach and other policy changes that may impact stakeholders.</p>
<p>L3 – Activity related to policy development</p>	<p>A significant amount of FSA activity is directly related to policy development, including developing agreed UK lines for EU negotiation and influencing the EU Commission and other Member States during the negotiation process, developing UK legislation to provide enforcement provisions for directly applicable EU regulations and monitoring and reviewing business compliance as well as the delivery of official controls and enforcement to ensure the effectiveness of the UK Regulatory approach to food law.</p> <p>The FSA is currently focused on two key priority areas: preparations for exiting the EU and the FSA’s Regulating Our Future programme – a fundamental review of whole food law regulatory approach throughout England, Wales and Northern Ireland.</p>
<p>L4 – Changes to management of regulator</p>	<p>In November 2016 the FSA introduced a change of approach to the approval process for shellfish purification establishments by discontinuing contracted technical expertise to local authorities from CEFAS during the approval and routine inspection process of purification establishments in England and Wales. The change will have no direct impact for business as the shellfish industry are not charged for their approval or routine official control and will continue to be approved by their local authority and to receive local authority interventions at the same frequency as before.</p>