

October 2016

**The Food Information (Wales) (Amendment) Regulations 2016**  
**SUMMARY REPORT OF STAKEHOLDERS RESPONSES**

**The draft consultation on the proposed Regulation was issued on 30<sup>th</sup> March 2016 and closed on 12<sup>th</sup> May 2016.**

- 1 The FSA is grateful to those stakeholders who responded and sets out in the table below responses in order of the group responding.
- 2 The key proposals on which the consultation sought views were:
  - To provide enforcement for Commission Implementing Regulation EU 828/2014
  - To introduce improvement notices for provisions of 828/2014
  - To revoke the Foodstuffs suitable for people intolerant to gluten (Wales) Regulations 2010
- 3 The Food Standards Agency's considered responses to stakeholders' comments are given in the last column of the table. A summary of changes to the original proposal(s) resulting from stakeholder comments is set out in the final table.
- 4 A list of stakeholders who responded can be found at the end of the document.

**SUMMARY OF SUBSTANTIVE COMMENTS TO THE FSA CONSULTATION – INSERT CONSULTATION TITLE**

GROUP

Respondent	Comment	Response
<p>Coeliac UK</p>	<p><b>Q1 – Do you have any comments on the proposals?</b>                      The group confirmed that the rules regarding information on the absence or reduced presence of gluten sits well within the Food Information (Wales) Regulations 2014.</p> <p><b>Q2 – Do you have any comments on the proposal to use improvement notices as a method of enforcement?</b>                      The confirmed that improvement notices are a sensible approach as they allow business the opportunity to rectify any issues whilst retaining hierarchy of enforcement and allow for a criminal offence where necessary.</p> <p><b>Q3 – Do you have any information on costs and benefits of the proposals?</b>                      No</p> <p><b>Other comments:</b>                      The group would welcome clarification on use of terms such as ‘no gluten containing ingredients’ (NGCI).</p>	<p>The FSA has noted the contents of this response and confirm that we have been doing more work with industry and local authorities on the use of terms such as NGCI and have written out to stakeholders on their use.</p>

**SUMMARY OF SUBSTANTIVE COMMENTS TO THE FSA CONSULTATION – INSERT CONSULTATION TITLE**

GROUP

Respondent	Comment	Response
Wales Heads of Trading Standards (WHoTS)	<p>The group has suggested that the FSA allergen guidance is amended in light of these Regulations to ensure cross contamination of allergen is covered.</p> <p>The group do not believe that improvement notices can be relied upon to ensure continued enforcement or deal with more serious offences. Because of this the group has suggested that an offence is included in the statutory instrument in addition to the offence for non-compliance with an improvement notice.</p>	<p>The FSA has noted the contents of the response and has amended the draft SI to include an offence for non-compliance to ensure that food safety offences are treated in the same way with the Food Information (Wales) Regulations and these new amendment regulations.</p>

**ACTIONS TO BE IMPLEMENTED:**

- Ensure businesses and Local Authorities are made aware of FSA policy on use of terms such as NGCI
- Amend SI to include offence
- Amend existing Gluten free guidance to reflect these new regulations.

**List of Respondents:**

1.	Coeliac UK	34.	68.
2.	Wales Heads of Trading Standards (WHoTS)	35.	69.
3.		36.	70.
4.		37.	71.
5.		38.	72.
6.		39.	73.
7.		40.	74.
8.		41.	75.
9.		42.	76.
10.		43.	77.
11.		44.	78.
12.		45.	79.
13.		46.	80.
14.		47.	81.
15.		48.	82.
16.		49.	83.
17.		50.	84.
18.		51.	85.
19.		52.	86.
20.		53.	87.
21.		54.	88.
22.		55.	89.
23.		56.	90.
24.		57.	91.
25.		58.	92.
26.		59.	93.
27.		60.	94.
28.		61.	95.
29.		62.	96.
30.		63.	97.
31.		64.	98.
32.		65.	99.
33.		66.	100.
		67.	