

Title: Review of retained Regulation 2016/6 imposing special conditions on the import of food and feed from Japan IA No: FOOD0163 RPC Reference No: Lead department or agency: Food Standards Agency Other departments or agencies: Food Standards Scotland (FSS)		Impact Assessment (IA)																						
		Date: 27 th August 2021																						
		Stage: Consultation																						
		Source of intervention: Domestic																						
		Type of measure: Secondary legislation																						
		Contact for enquiries: Christopher Thomas																						
Summary: Intervention and Options		RPC Opinion: RPC Opinion Status																						
Cost of Preferred (or more likely) Option (in 2019 prices)																								
Total Net Present Social £0.018m	Business Net Present Value £0.018m	Net cost to business per year -£0.002m	Business Impact Target Status -£0.010m																					
What is the problem under consideration? Why is government action or intervention necessary? <p>A statutory review was required by 30 June 2021 for emergency legislation introduced following the Fukushima nuclear accident. It was necessary to introduce emergency controls on food imported from Japan to protect public health from the risk of contamination. The controls require testing of food prior to export to the UK, and for UK food importer to obtain correct import certification; as well as additional mandatory UK official controls to be carried out.</p>																								
What are the policy objectives of the action or intervention and the intended effects? <p>The policy objective is to fulfil the legal requirement to review these controls to take into account of the latest situation following the accident and data on radioactivity in food since the last review in 2019 to establish whether the emergency controls remain proportionate to the risk.</p>																								
What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base) <ul style="list-style-type: none"> Option 1 – Do nothing and retain the current controls Option 2 – Remove the existing controls on food which specifically apply to contamination as a result of the Fukushima nuclear accident (Preferred Option) Option 3 – Retain the maximum levels of radiocaesium on imports of food from Japan but adjust the list of foods and prefectures covered by the controls 																								
<table border="1"> <tr> <td colspan="2">Is this measure likely to impact on international trade and investment?</td> <td colspan="3">Yes</td> </tr> <tr> <td>Are any of these organisations in scope?</td> <td>Micro Yes</td> <td>Small Yes</td> <td>Medium Yes</td> <td>Large Yes</td> </tr> <tr> <td colspan="2">What is the CO₂ equivalent change in greenhouse gas emissions? (Million tonnes CO₂ equivalent) N/A</td> <td colspan="2">Traded: Not quantifiable</td> <td>Non-traded: Not quantifiable</td> </tr> <tr> <td colspan="5">Will the policy be reviewed? It will not be reviewed. If applicable, set review date: N/A</td> </tr> </table>					Is this measure likely to impact on international trade and investment?		Yes			Are any of these organisations in scope?	Micro Yes	Small Yes	Medium Yes	Large Yes	What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent) N/A		Traded: Not quantifiable		Non-traded: Not quantifiable	Will the policy be reviewed? It will not be reviewed. If applicable, set review date: N/A				
Is this measure likely to impact on international trade and investment?		Yes																						
Are any of these organisations in scope?	Micro Yes	Small Yes	Medium Yes	Large Yes																				
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent) N/A		Traded: Not quantifiable		Non-traded: Not quantifiable																				
Will the policy be reviewed? It will not be reviewed. If applicable, set review date: N/A																								

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible

SELECT SIGNATORY:

_____ Date: _____

Description: Do nothing and retain the current controls

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: N/A

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	N/A		N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

There are no costs or benefits associated with this option. This is the baseline against which all other options are appraised.

Other key non-monetised costs by 'main affected groups'

There are no costs or benefits associated with this option. This is the baseline against which all other options are appraised.

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	N/A		N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no costs or benefits associated with this option. This is the baseline against which all other options are appraised.

Other key non-monetised benefits by 'main affected groups'

There are no costs or benefits associated with this option. This is the baseline against which all other options are appraised.

Key assumptions/sensitivities/risks	Discount rate	3.5
Costs and benefits in the baseline are constant throughout the lifespan of the policy.		

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual)			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	N/A

Description: Remove the existing controls on food which specifically apply as a result of the Fukushima nuclear accident (Preferred Option)

FULL ECONOMIC ASSESSMENT

Price Base Year 2019	PV Base Year 2020	Time Period Year: 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £0.002m	High: £0.034m	Best Estimate: £0.018m

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

There are no costs identified for this option. Familiarisation costs are assumed insignificant for both food businesses and port health authorities, given that existing controls specifically as a result of the Fukushima nuclear accident are **removed** under this option. Therefore, parties only have to be aware of this change.

Other key non-monetised costs by 'main affected groups'

There are no other non-monetised costs identified for this option.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	£0.000m	£0.002m
High	N/A	£0.004m	£0.034m
Best Estimate	N/A	£0.002m	£0.018m

Description and scale of key monetised benefits by 'main affected groups'

All costs for official controls are borne by the importer. Ports charge a fee to the importer and these fees differ depending on the type of check. Removing these controls would result in savings for importers of Japanese controlled commodities.

The Present Value of the total benefit of this option is estimated at between £1,800 and £33,500, appraised over a 10-year period.

Other key non-monetised benefits by 'main affected groups'

- Perishability savings – it is not considered a significant saving as, in the baseline scenario, less than 5% of controlled products are laboratory tested. Due to a lack of data on how many products spoil at ports as a result of this specific regulation, we are unable to monetise this benefit.
- Trade Facilitation – the reduction of controls pertaining to retained Regulation 2016/6 could facilitate trade and result in increased trade between Japan and the UK.

Key assumptions/sensitivities/risks	Discount rate	3.5
-------------------------------------	---------------	-----

- Historic TRACES (TRAdE Control and Expert System) data was used for this IA. As TRACES is an EU system, the FSA's access has changed post-transition period. Since 1st January 2021, only the FSA's Northern Ireland office has retained restricted access to TRACES (to NI-related information). This report uses historic data previously downloaded from TRACES, whilst the FSA still had access to TRACES, covering the years 2018 to 2020. TRACES is **not an official statistic**.
- Compound products have not been considered in this analysis due to a lack of robust data and policy steering.
- Official controls are performed on a "random" basis, which is assumed to be less than 5% of consignments.
- If the controls were removed, some of the controlled commodities would still be subject to certain checks (unrelated to radioactivity), as they are high-risk products.

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual)			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: £0.002m	Net: -£0.002m	-£0.010m

Description: Retain the maximum levels of radiocaesium on imports of food from Japan but adjust the list of foods and prefectures

FULL ECONOMIC ASSESSMENT

Price Base Year 2019	PV Base Year 2020	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £0.001m	High: £0.016m	Best Estimate: £0.009m

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	£0.000m	N/A	£0.000m
High	£0.001m	N/A	£0.001m
Best Estimate	£0.000m	N/A	£0.000m

Description and scale of key monetised costs by ‘main affected groups’
Familiarisation Costs for Port Health Authorities (PHAs) and Food Business Operators (FBOs) – As the list of products and prefectures covered by the controls have changed, PHAs and FBOs will need to familiarise themselves with which products are still subject to controls and which are no longer subject to controls.
The total familiarisation cost is between £70 and £420 for PHAs. For FBOs, the upper bound familiarisation cost is £170.

Other key non-monetised costs by ‘main affected groups’
There are no other non-monetised costs identified for this option.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	£0.000m	£0.001m
High	N/A	£0.002m	£0.017m
Best Estimate	N/A	£0.001m	£0.009m

Description and scale of key monetised benefits by ‘main affected groups’
All costs for official controls are borne by the importer. Ports charge a fee to the importer and these fees differ depending on the type of check. Removing these controls would result in savings for importers of Japanese controlled commodities. The savings for Option 3 are estimated as a 50% proportion of Option 2.
The Present Value of the total benefit of this option is estimated at between £900 and £16,800, appraised over a 10-year period.

Other key non-monetised benefits by ‘main affected groups’

- Perishability savings – it is not considered a significant saving as in the baseline scenario, less than 5% of controlled products are laboratory tested. Due to a lack of data on how many products spoil at ports as a result of this specific regulation, we are unable to monetise this benefit.
- Trade Facilitation – the reduction of controls pertaining to retained Regulation 2016/6 could facilitate trade and result in increased trade between Japan and the UK.

Key assumptions/sensitivities/risks	Discount rate	3.5
--	----------------------	-----

- Historic TRACES (TRAdE Control and Expert System) data was used for this IA. As TRACES is an EU system, the FSA's access has changed post-transition period. Since 1st January 2021, only the FSA's Northern Ireland office has retained restricted access to TRACES (to NI-related information). This report uses historic data previously downloaded from TRACES, whilst the FSA still had access to TRACES, covering the years 2018 to 2020. TRACES is **not an official statistic**.
- The savings for Option 3 are estimated as a proportion of the savings for Option 2, based on the assumption that 50% of the previously controlled consignments remain controlled.
- Compound products have not been considered in this analysis due to a lack of robust data and policy steering.
- Official controls are performed on a "random" basis, which is assumed to be less than 5% of consignments.
- If the controls were removed, some of the controlled commodities would still be subject to certain checks (unrelated to radioactivity), as they are high-risk products.

BUSINESS ASSESSMENT (Option 3)

Direct impact on business (Equivalent Annual)			Score for Business Impact Target (qualifying provisions only) £m:
Costs: £0.000m	Benefits: £0.001m	Net: -£0.001m	-£0.005m

Evidence Base

Problem under consideration

1. Regulation 2016/6 imposing special conditions on the import of food and feed from Japan become retained law in the UK following the UK's exit from the European Union (EU) (note: while the legislation title refers to feed, none of the products listed in the current regulation are likely to be used as animal feed). This regulation replaced previous controls which were first implemented shortly after the Fukushima nuclear accident in March 2011. The initial regulation was an emergency measure to protect consumers in the EU from food which may have become contaminated with radioactive material released following the nuclear accident.
2. These controls were an emergency intervention measure to protect public health in relation to contamination following the Fukushima nuclear accident. As an emergency measure, intervention was intended to be temporary and only apply so far as required to protect public health. The intervention places a cost on importing food from Japan from the testing food prior to export, obtaining the correct import certification and official controls carried out on import into the UK. The controls should be reviewed to consider if intervention in this area remains necessary.
3. Review dates have been included in the legislation so the appropriate level of intervention can be considered. The European Commission have regularly reviewed these controls to take account of the changing situation as the local area recovered following the accident. At each review, data on the contamination of food in Japan have been considered and the controls amended. In recent reviews, the range of foods covered by the controls and the prefectures (regions) where enhanced checks are required prior to export have reduced as monitoring has shown that fewer foods are contaminated.
4. The current enhanced controls require declarations to be presented on import for certain foods, including mushrooms, wild vegetables and certain species of fish, from Japan. The declaration must certify that the product either did not originate in the listed prefectures (regions) or, if it did, that the product has been tested and the level of radioactive caesium is below the maximum level of 100 becquerels per kilogram (Bq/kg).

5. The most recent review was in 2019 and a new review date was set in the legislation for 30 June 2021. Following the UK's exit from the EU, the responsibility for reviewing these controls has now been repatriated.
6. This review has followed the risk analysis process established by the Food Standards Agency (FSA) and Food Standards Scotland (FSS). This included an assessment of the risk to public health from consuming Japanese food imported into the UK, if the 100 Bq/kg maximum level on radiocaesium (caesium-134 and caesium-137) for food imported from Japan was removed.
7. FSA risk assessors have produced a risk assessment and are carrying out further work to complete its quality assurance. The draft risk assessment has been independently reviewed by the Committee on Medical Aspects of Radiation in the Environment (COMARE), a scientific advisory committee of the Department of Health and Social Care. The FSA will be requesting a further review of the finalised risk assessment by COMARE in the next few weeks. Following this final review, the FSA intend to publish the risk assessment on the FSA website.
8. **The conclusion of the risk assessment is that based on this assessment, the removal of the 100 Bq/kg maximum level on radiocaesium for imported Japanese food would result in a negligible increase in dose and any associated risk to UK consumers.**

Rationale for intervention

9. There is a legal requirement to review the enhanced controls of retained Regulation 2016/6 imposing special conditions on the import of food and feed from Japan. The rationale for the review will be to consider whether this intervention and the associated costs remain justified on the basis that the risk assessment indicates a negligible increase in risk to the UK consumer if they were removed.
10. The preferred option is to remove the existing controls on food which specifically apply to contamination as a result of the Fukushima nuclear accident (Option 2 in this IA).

Rationale and evidence to justify the level of analysis used in the IA (proportionality approach)

11. The economic impact of controls on imports of specific commodities from stipulated prefectures in Japan following the Fukushima accident in Japan in 2011 was estimated to be very small. We have sought to fully appraise the costs and benefits for all policy options. However, due to proportionality, we have estimated the official controls cost savings for Option 3 as a proportion of the savings for Option 2, based on the assumption that 50% of the previously controlled consignments (under retained Regulation 2016/6) remain controlled. In other words, the number of controlled consignments for Option 3 is estimated as half that of the baseline scenario.
12. The direct impacts of the non-quantifiable costs of perishability and trade facilitation are included qualitatively. The direct impact on the domestic market is considered negligible, and is therefore not discussed in this IA. This is due to the assumption that demand for controlled commodities is constant, as a significant proportion of it comes from Japanese restaurants or members of the Japanese community living in the UK.
13. Where aspects have been considered out of scope or certain assumptions have been made, these have been clearly identified throughout this Impact Assessment.

Policy objective

14. The policy objective is to fulfil the legal requirement to review these controls to take into account of the latest situation following the accident and data on radioactivity in food since the last review in 2019 to establish whether the emergency controls remain proportionate to the risk.
15. As a result, this will ensure a proportionate approach where there no longer exist unnecessary burdens to businesses nor distortions in the market.

Scope of the IA

In Scope

16. The food products in scope for this analysis are subsequently referred to as 'controlled commodities' or 'controlled consignments', whereby consignments are the unit of measurement for a delivery of products covered by the same document(s). The controlled products in scope for this report are specific Japanese food and feed products (being imported into the UK) for which official controls including sampling and analysis

regarding the presence of caesium-134 and caesium-137 are required, under the retained Regulation 2016/6.

17. The types of sanitary and phytosanitary (SPS) checks in scope for this analysis are identity, physical and radioactive caesium laboratory tests.

Out of Scope

18. Compound products containing more than 50% of a controlled product are controlled under retained Regulation 2016/6. However, compound products have not been considered in this analysis due to a lack of robust data and policy steering regarding the assumption that very few Japanese compound products would contain more than 50% of a controlled commodity, given the very specific nature of these commodities. For this impact assessment, compound products are not relevant for quantifying the cost of official controls as controls will not take place unless a product contains more than 50% of a controlled commodity code.
19. The cost of documentary checks has not been considered, as they would still occur for fish products (which comprise the majority of controlled commodities) irrespective of retained Regulation 2016/6. However, documentary checks may not still occur for food not of animal origin products listed under retained Regulation 2016/6, as they are not currently controlled under any other regulation. This caveat does not affect the lower bound estimate for the savings of official controls fees (for which 100% of consignments were fish products) but does affect the upper bound estimate, resulting in a potential underestimation of the upper bound cost of controls.
20. Prior notification is a requirement of retained Regulation 2016/6 whereby the cost is borne by the UK importer, however, it is not included in this analysis as the cost is considered negligible.
21. The cost of a declaration and other requirements occurring pre-arrival of the consignment are borne by the Japanese exporting business, and these costs could be passed onto the UK importer, in the form of higher prices. However, we do not know how responsive the demand of a party within the supply chain would be to any change in price of a controlled commodity. Therefore, we cannot estimate the size or significance of the costs being passed on (if they are in fact being passed on) and as a result, this consideration is out of scope for this analysis.

Methodology

22. Analysing the impact of removing or reducing the controls (as stipulated in retained Regulation 2016/6), the savings for importers of the official controls have been estimated. Savings were measured as the (past) cost of controls conducted on imports over the period 2018-2020.
23. The cost of controls was estimated using data on the number of controlled consignments, the percentage of consignments receiving checks at the border, and the average cost per check.
24. The percentage of consignments receiving checks at the border was estimated as less than 5%. As per retained Regulation 2016/6, physical, identity and (radiocaesium) laboratory tests are performed on a “random” basis, which is assumed by FSA to be less than 5% of consignments. This is because the level of checks was introduced in Regulation 322/2014 (now revoked) and prior to this requirement, check frequencies were 5% of consignments to have physical checks, including laboratory analysis. Therefore, we assume that ‘random’ can be classed as less than 5%. However, for the purposes of our cost calculations, we use 5%. We assume that if a consignment is (caesium) lab-tested, it also receives physical and identity checks.
25. The average cost per check is estimated using the available 2020 fee information from the ports whereby controlled commodities entered the UK in 2018-2020. Due to limited data availability, the average fees in 2020 are used to estimate the cost of controls which took place in 2018-2020. This is acknowledged as a limitation of this work, as due to inflation, fees in 2018 and 2019 may have been less than those set in 2020. The necessary fee information could also not be found for some applicable ports. The cost of a radiocaesium lab test was estimated by the FSA based on contact costs for radioactive monitoring.
26. The time period 2018 to 2020 was used for estimating the cost of official controls. This time period was chosen to mitigate for the effect of Covid-19 by not considering 2020 in isolation, but instead providing an average. All costs have been adjusted to an appraisal period of 10 years.
27. Historic TRACES (TRAdE Control and Expert System) data was used to estimate the number of controlled products under retained Regulation 2016/6, as it contains information required on controls and the consignor for each consignment. TRACES is an

online system run by the EU Commission with the purpose of documenting checks on goods entering the EU from 3rd countries. As TRACES is an EU system, the FSA's access has changed post-transition period. Since 1st January 2021, only the FSA's Northern Ireland office has retained restricted access to TRACES (to NI-related information). This report uses historic data previously downloaded from TRACES, whilst the FSA still had access to TRACES, covering the years 2018 to 2020. TRACES is **not an official statistic**. The amount of TRACES data used for this IA is very limited, as we are concerned with specific controlled commodities from Japan.

Addressing gaps in the evidence

28. The products controlled under retained Regulation 2016/6 are specific Japanese food and feed products originating from specific prefectures of Japan. Due to data limitations, it was not possible to identify the exact number of products meeting these criteria, as data on the prefecture of origin of a consignment was unavailable. Only data on consignor prefecture (i.e. where the product was consigned from) was available.
29. As a result, the methodology used estimated a lower and an upper bound for the number of controlled consignments. The lower bound calculated the number of consignments consigned from a prefecture specified in the regulation. The upper bound estimated the number of consignments consigned and/or originating from a specified prefecture by summing the lower bound with an apportion of the total number of consignments of specified commodities consigned from any Japanese prefecture other than one of the prefectures specified in the regulation. The percentage used was based on data on the actual number of caesium lab tests conducted.

Description of Options Considered

Option 1 – Do nothing and retain the current controls

30. In this option, the current controls would remain in place in Great Britain. Food business operators (FBOs) importing food from Japan would continue to incur the costs of official controls on import into Great Britain.
31. No legislation would be required for these controls to continue, but an amendment may be required to set a new review date. As these controls were put in place as emergency measures, it is appropriate to regularly review the situation. It is proposed this would be 30 June 2023, following the previous pattern of reviewing every two years.
32. Under the terms of the Northern Ireland Protocol, Northern Ireland would continue to apply EU regulations. The EU revoked EU Regulation 2016/6 in September 2021 and replaced it with EU Regulation 2021/1533 which made some changes but largely retained the same controls and so there may be a cost for FBOs moving food from Great Britain to Northern Ireland. However, we have no evidence that the listed foods from Japan are being imported into Great Britain with an onward destination in Northern Ireland. This is because of the limited range of foods which remain subject to these controls that are unlikely to be imported for further processing; they are most likely to be imported directly by Japanese restaurants or specialist retailers of Japanese foods in the UK.

Option 2 – Remove the existing controls on food which specifically apply to contamination as a result of the Fukushima nuclear accident (Preferred Option)

33. This is the preferred option. In this option, retained Regulation 2016/6 would be revoked. There would no longer be a requirement for declarations in relation to the levels of radioactive contamination for imported food from Japan with a destination in Great Britain. There would also be no requirement to test for levels of radioactive caesium prior to export for foods destined for Great Britain and no enhanced official controls on arrival. Some of the foods imported from Japan would still require declarations and undergo official controls for other food safety reasons where they are classified as high-risk foods.

34. There would be reduced costs to FBOs as a result of removing the costs associated with complying with the enhanced controls.
35. This would follow the outcome of our risk assessment which indicates that removing these controls would represent a negligible increase in risk to human health through consumption. Without specific import controls, the emphasis would fall on FBOs to ensure food is safe under General Food Law. However, we would not recommend that FBOs need to take any precautions beyond their normal due diligence and so there should be no additional costs transferred to FBOs.
36. Under the terms of the Northern Ireland Protocol, Northern Ireland would continue to apply EU regulations. The EU revoked EU Regulation 2016/6 in September 2021 and replaced it with EU Regulation 2021/1533 which made some changes but largely retained the same controls and so there may be a cost for FBOs moving food from Great Britain to Northern Ireland. However, as noted previously, we have no evidence that the listed foods from Japan are being imported into Great Britain with an onward destination in Northern Ireland but are seeking to verify this through questions in the consultation.

Option 3 – Retain the maximum level of radiocaesium on imports of food from Japan but adjust the list of foods and prefectures covered by the controls

37. In this option, the controls would remain in place but adjusted in line with previous reviews conducted by the European Commission. The requirement for pre-export testing would be removed on a prefecture-by prefecture basis where the monitoring shows no instances of a food from that prefecture being above 100 Bq/kg in the last calendar year, or the last two calendar years in respect of Fukushima prefecture.
38. Applying these criteria would remove all fish except salmon and char, as well as Aralia sprout, bamboo shoots and persimmon from the requirement for declarations.
39. Salmon and char would continue to require declarations from the whole of Japan with pre-export testing if they originate in Fukushima and Gunma prefectures only. Declarations in the whole of Japan would still be required for mushrooms and certain wild vegetables (including koshiabura, ferns and bracken) with pre-export testing in Fukushima, Miyagi, Ibaraki, Gunma, Iwate, Yamagata, Niigata, Yamanashi, Nagano and

Shizuoka prefectures. The prefectures of Tochigi and Chiba would be removed from the prefectures where pre-export testing of the remaining listed foods is required.

40. FBOs importing food from Japan would continue to incur costs passed on by Japanese exporters for the laboratory analysis and obtaining the correct declarations and the costs of official controls on import into Great Britain. However, this would still be a saving compared to Option 1 as a reduced number of foods would require these measures. There would also be continuing costs for PHAs in administering these controls.
41. This option would require secondary legislation to amend the list of foods and prefectures covered by the controls and to set a new review date. As these controls were put in place as emergency measures, it is appropriate to regularly review the situation. It is proposed this would be 30 June 2023 following the previous pattern of reviewing every two years. There would be costs to FBOs and PHAs in familiarisation with the amended list of foods and prefectures covered.
42. Under the terms of the Northern Ireland Protocol, Northern Ireland would continue to apply EU regulations. The EU revoked EU Regulation 2016/6 in September 2021 and replaced it with EU Regulation 2021/1533 which largely retained the same controls with similar, but not identical, changes to those proposed in this option. However, as noted previously, we have no evidence that the listed foods from Japan are being imported into Great Britain with an onward destination in Northern Ireland but are seeking to verify this through questions in the consultation.

Summary and Preferred Option with Description of Implementation Plan

43. Option 2, removing the existing controls, is the preferred option. This would follow our policy objective of removing legislative burdens where they are no longer required to protect public health. This is in line with the outcome of our risk assessment which indicates that removing these controls would represent a negligible increase in risk to human health through consumption. Maintaining these emergency controls and the associated costs is not justified when there is unlikely to be any health impacts to consumers of Japanese food in the UK.
44. Food safety is a devolved matter and the final decision will be made by ministers in each devolved country. This preferred option will require secondary legislation in each devolved country to revoke retained Regulation 2016/6. It is intended that this will come into force in Spring 2022.
45. Under the terms of the Northern Ireland Protocol, Northern Ireland would continue to apply EU regulations. No legislation would be required in Northern Ireland as changes to EU Regulations would be directly applicable.

Option Appraisal - Monetised and non-monetised costs and benefits

46. The cost-benefit analysis that follows assesses a range of different costs and benefits that we expect under one or more of the proposed options. These are:

One-off costs and benefits

- Familiarisation costs: one-off costs for affected stakeholders to acquaint themselves with the proposed changes.

Ongoing costs and benefits

- Savings to FBOs of removing or reducing the relevant official controls on import into Great Britain: ongoing benefits for food business operators importing controlled food products from Japan as the cost incurred for the official controls on imported consignments would reduce or be removed entirely.

Non-monetised costs and benefits

- Potential outcomes from the policy change where it is currently not possible to quantify their impact. Where we are unable to quantify expected impacts, we have explained them qualitatively.

Out of scope costs and benefits

- Potential outcomes which have been considered out of scope for this assessment, as they are either a transfer, or it is not possible to estimate the size or significance of the impact.

47. All quantified costs and benefits in this section are estimated in 2019 prices and measured over a 10-year appraisal period. The Net Present Value has been calculated using 2020 as the Base Year.
48. To ensure consistency in our calculations we have adopted the Standard Cost Model (SCM) approach published by BEIS. Where we have used wage rate data, we have taken hourly wage rates from the 2019 Annual Survey of Hours and Earnings (ASHE)¹,

¹ Earnings and hours worked, occupation by four-digit SOC: ASHE Table 14,(2019)

using the median rate of pay and uplifting by 30% to account for overheads in line with The Green Book² guidance.

² The Green Book (2020)

OPTION 1 – ‘Do nothing’ and Retain the Current Controls (Baseline)

Costs and Benefits:

49. Option 1 is the baseline against which all other options are appraised. We do not have any evidence that suggests that any important variables in the baseline will change significantly over time without intervention. Given this, the costs and benefits in the baseline across time assume current levels of trade in the listed food commodities imported from Japan and current costs for delivering official controls. All costs and benefits in the policy options are measured incrementally to the baseline.
50. Under Option 1, there would be continued costs to FBOs of official controls on import into Great Britain.

OPTION 2 - Remove the existing controls on food which specifically apply to contamination as a result of the Fukushima nuclear accident

Summary:

51. The Present Value of the total negative net cost of this option is estimated at between **-£1,800 and -£33,500** over a 10-year period.

Monetised Benefits:

Savings to FBOs of removing official controls on import into Great Britain

52. As set out in the regulation, all costs for official controls are borne by the importer. Ports charge a fee to the importer and these fees differ depending on the type of check. Removing these controls would result in savings for importers of Japanese controlled commodities.
53. Official sanitary and phytosanitary controls take place on the controlled Japanese commodities upon import into the UK. The controls in scope are physical, identity and lab checks (sampling for caesium-134 and caesium-137 is required). Averages were taken of the relevant (and available) port information for the financial costs of identity, physical and (caesium) lab checks.

54. The savings for importers of controlled commodities are estimated based on the average annual cost of controls using historic data on the number of controlled consignments imported in 2018 to 2020, and 2020 fee information for official controls.
55. As per retained Regulation 2016/6, physical, identity and (radiocaesium) laboratory tests are performed on a “random” basis, which is assumed by FSA policy steers to be less than 5% of consignments. It is also assumed that if a consignment is (caesium) lab-tested, it also receives physical and identity checks.
56. The number of controlled Japanese consignments which were imported into the UK between 2018 and 2020 was estimated at less than 400.³
57. The lower bound annual savings on official controls fees is estimated at £210 (in current prices). Over a 10-year appraisal period, this results in a negative net total cost for FBOs of -£2,100. A Present Value is estimated after adjusting for inflation by using 2019 prices, and applying a discount rate of 3.5% as per HMT Green Book Guidance, using 2020 as the Present Value base year. We estimate a Present Value of the total negative net costs to be approximately -£1,800 over a 10-year period.
58. The upper bound annual savings on official controls fees is estimated at £3,900 (in current prices). Over a 10-year appraisal period, this results in a negative net total cost for FBOs of -£39,400. A Present Value is estimated after adjusting for inflation by using 2019 prices, and applying a discount rate of 3.5% as per HMT Green Book Guidance, using 2020 as the Present Value base year. We estimate a Present Value of the total negative net costs to be approximately -£33,500 over a 10-year period.
59. Overall, the savings to businesses are estimated at between **£1,800 and £33,500**.

Monetised Costs:

60. There are no costs identified for Option 2. Familiarisation costs are assumed insignificant for both food businesses and port health authorities, given that existing controls specifically as a result of the Fukushima nuclear accident are removed under this option. Therefore, the stakeholders only have to be aware of this change.

³ The exact number of controlled products estimated for the lower bound is not given in this IA, to protect commercial sensitivity.

Non-monetised Benefits:

Perishability savings

61. For food products, there can be a necessary consideration around perishability. In the case that a product is laboratory tested as a result of the official controls, the analytical results can take up to 5 days to come back to the port. During this time, if the consignment sits waiting at the port, there is the chance that it will spoil and will therefore no longer be fit for human consumption. In this case, compared to the baseline, removing the controls would result in a potential perishability saving worth the value of these spoiled products under the baseline scenario. For this analysis, it is assumed that this additional saving would apply mainly to fish products and may be borne by the UK importing food business. It is not considered a significant saving as in the baseline scenario, less than 5% of controlled products are laboratory tested. Due to a lack of data on how many products spoil at ports as a result of this specific regulation, we are unable to monetise this benefit.

Trade Facilitation

62. Compared to the baseline, the removal of controls pertaining to retained Regulation 2016/6 could facilitate trade and result in increased trade between Japan and the UK. This could be a result of UK food businesses importing more of those products from Japan which would previously have been controlled under the regulation, as the cost for the applicable official controls as a result of this regulation will have been removed. Trade facilitation may encourage competition and efficiency, potentially benefitting UK consumers through price savings and UK exporting businesses through the growth of Japan as an export market.
63. However, the range of foods included in the current controls are not in the top 5 commodities imported from Japan. It is therefore unlikely that these foods are currently imported into the UK in significant volumes, and it is unlikely that this would change significantly as a result of removing the controls.

Non-monetised Costs:

64. There are no other non-monetised costs identified for this option.

Out of Scope Benefits:

65. We have identified two additional benefits; however, they are out of scope for this assessment.

Price Savings to UK Importing Businesses

66. Japanese businesses exporting products no longer requiring controls, due to the removal of controls applicable under retained Regulation 2016/6, will experience cost savings due to the removal of requirements for declarations and testing of their products in Japan before export. It is possible that this could result in exporting businesses passing on these costs savings to UK importing businesses. However, we do not know how responsive the demand of a party within the supply chain would be to any change in price of a (formerly) controlled product. Therefore, we cannot estimate the size or significance of the costs being passed on (if they are in fact being passed on) and as a result, this consideration is out of scope for this analysis.

Opportunity Cost Savings for PHAs

67. The opportunity cost is the next best alternative foregone when you make a decision. It applies in this case as there is a potential opportunity cost of the port (or laboratory) staff administering the controls on the Japanese controlled products. If the controls were lifted, staff would have more time to administer controls for other regulated products.
68. However, we are not accounting for this cost as there are no actual savings, because the PHAs charge fees to importers for the controls they conduct (therefore they are reimbursed for their time). It is also important to note that this estimate does not consider the opportunity cost of a laboratory staff member conducting the analysis on the sample which has been provided by the PHA. Instead, it only considers the opportunity cost in terms of time savings of the PHA itself.
69. Regardless, we have estimated the opportunity cost savings to provide an indication of the size of this benefit, and this has been done by adopting the standard cost model of calculating the product of several components. These components are: the average annual number of controlled products, the percentage of these products which are subject to checks, the time taken to perform the controls on a product, and the hourly wage of a full-time equivalent (FTE) port staff member.

70. The upper bound average annual number of controlled consignments is estimated at around 120⁴, based on 2018-2020 data, and it is assumed that 5% of regulated products have controls performed on them. The time duration for these controls is based on the assumption that if a consignment is (caesium) lab-tested, it also receives physical and identity checks. Estimates provided by Defra were used for the average time durations for each check type. Using ASHE 2019 data and uplifting by 30% as per Green Book guidance, the uplifted hourly wage of an Environmental (or Port) Health Officer is £25.
71. Taking the product of the above components results in an upper bound estimate for the annual opportunity cost savings (in current prices) to PHAs of £200.

OPTION 3 - Retain the maximum level of radiocaesium on imports of food from Japan but adjust the list of foods and prefectures covered by the controls

Summary:

72. The Present Value of the total negative net cost of this option is estimated at between **-£800 and -£16,200** over a 10-year period.

Monetised Benefits:

Cost Savings to FBOs

73. There will be cost savings to FBOs importing products which are no longer on the list covered by the controls compared to the baseline scenario whereby all controls remain. To estimate these savings, the same methodology has been used as for Option 2. The savings for Option 3 are estimated as a proportion of the savings for Option 2, based on the assumption that 50% of the previously controlled consignments (under retained Regulation 2016/6) remain controlled i.e. the number of controlled consignments is half that of the baseline scenario.
74. Halving the savings estimated for Option 2 results in an estimate of the lower bound annual savings on official controls fees of £100 (in current prices). Over a 10-year appraisal period, this results in a negative net total cost for FBOs of -£1,000. A Present Value is estimated after adjusting for inflation by using 2019 prices, and applying a

⁴ The number of average annual controlled products estimated for the lower bound (and the resulting opportunity cost estimation) is not given in this IA, to protect commercial sensitivity.

discount rate of 3.5% as per HMT Green Book Guidance, using 2020 as the Present Value base year. We estimate a Present Value of the total negative costs to be approximately -£900 over a 10-year period.

75. Halving the savings estimated for Option 2 results in an estimate of the upper bound annual savings on official controls fees of approximately £2,000 (in current prices). Over a 10-year appraisal period, this results in a negative net total cost for FBOs of -£19,700. A Present Value is estimated after adjusting for inflation by using 2019 prices, and applying a discount rate of 3.5% as per HMT Green Book Guidance, using 2020 as the Present Value base year. We estimate a Present Value of the total negative costs to be approximately -£16,800 over a 10-year period.
76. Overall, the savings to businesses are estimated at between **£900 and £16,800**.

Monetised Costs:

Familiarisation Costs for PHAs

77. As the list of products and prefectures covered by the controls have changed, PHAs will need to familiarise themselves with which products are still subject to controls and which are no longer subject to controls.
78. We assume that one manager per PHA familiarises themselves with the change in regulation and disseminates this information to all other port staff. We assume that the time taken is 15 minutes for the manager to read the regulation and 15 minutes for them to disseminate the information to staff, resulting in a total familiarisation time of 30 minutes.
79. Using ASHE 2019 data and uplifting by 30% for overheads as per Green Book guidance, the uplifted hourly wage of a Local Authority (PHA) manager is £33. The number of PHAs affected is between 4 and 24. The lower bound figure of 4 reflects the number of UK ports whereby controlled commodities under retained Regulation 2016/6 actually entered the UK between 2018 and 2020. The upper bound figure of 24 reflects the total number of UK Border Control Posts (BCPs) registered for both food not of animal origin (FNAO) and products of animal origin (POAO).
80. To calculate the familiarisation cost, the time duration is multiplied by the hourly wage of a PHA manager and the number of PHAs affected. Therefore, the total one-off

familiarisation cost to PHAs is estimated at between £65 and £395. Adjusting for inflation by using 2019 prices, the total familiarisation cost is between **£70 and £420**.

Familiarisation Costs for FBOs

81. As the list of products and prefectures covered by the controls have changed, FBOs importing these products will need to familiarise themselves with which products are still subject to controls and which are no longer subject to controls.
82. We assume that one manager per affected FBO familiarises themselves with the change in regulation and disseminates this information to all other staff within their business. We assume that the time taken is 15 minutes for the manager to read the regulation and 15 minutes for them to disseminate the information to staff, resulting in a total familiarisation time of 30 minutes.
83. Using ASHE 2019 data and uplifting by 30% for overheads as per Green Book guidance, the average uplifted hourly wage of an FBO manager is £16. This represents an average of the wages of FBO managers across the sub-industries: wholesale trade, retail trade and restaurant and catering establishments. These were assumed to be the sub-industries most likely to import the controlled products.
84. The number of FBOs affected is estimated using the same data source used to calculate the number of controlled consignments imported into the UK between 2018 and 2020.
85. The upper bound number of businesses affected is 20. To calculate the familiarisation cost, the time duration is multiplied by the hourly wage of an FBO manager and the number of FBOs affected. As a result, the upper bound total one-off familiarisation cost to FBOs is £160. Adjusted for inflation by using 2019 prices, the upper bound total familiarisation cost is **£170**. The lower bound number of FBOs affected (and the resulting familiarisation cost) is not given in this IA, to protect commercial sensitivity.

Non-monetised Benefits:

Perishability savings

86. There may be a benefit of perishability savings if fewer products spoil whilst being subject to controls at ports. It is assumed that these savings will be approximately 50% of those under Option 2. Due to a lack of data on how many products spoil at ports as a result of this specific regulation, we are unable to monetise this benefit.

Trade Facilitation

87. The reduction of controls pertaining to retained Regulation 2016/6 could facilitate trade and result in increased trade between Japan and the UK. The benefit of this trade facilitation is assumed less than that for Option 2 whereby all controls pertaining to Regulation 2106/6 are removed.

Non-monetised Costs:

88. There are no other non-monetised costs identified for this option.

Out of Scope Benefits:

89. We have identified two additional benefits; however, they are out of scope for this assessment.

Price Savings to domestic Importing Businesses

90. As described for Option 2, there is a potential saving if Japanese exporters, experiencing reduced costs for declarations and testing pre-export, pass on these savings in the form of lower prices to UK importers. Any potential saving is assumed less than that under Option 2. Nevertheless, we do not know how responsive the demand of a party within the supply chain would be to any change in price of a (formerly) controlled product. Therefore, we cannot estimate the size or significance of the costs being passed on (if they are in fact being passed on) and as a result, this consideration is out of scope for this analysis.

Opportunity Cost Savings for PHAs

91. There is a potential opportunity cost of the port (or laboratory) staff administering the controls on the Japanese controlled products. If the controls were reduced, staff would have more time to administer controls for other regulated products. However, we are not accounting for this cost as there are no actual savings, because the PHAs are reimbursed by FBOs for their time.

92. Regardless, we have estimated the opportunity cost savings to provide an indication of the size of this benefit and this has been done by applying a proportion to the opportunity cost identified for Option 2, based on the assumption that 50% of the previously controlled consignments (under retained Regulation 2016/6) remain controlled i.e. the number of controlled consignments is half that of the baseline scenario.
93. In this case, the upper bound estimate for the annual opportunity cost savings to PHAs is £100.

Direct Costs and Benefits to Business Calculations

94. The direct costs and benefits to business are shown using the following calculations:

- The Equivalent Annual Net Direct Costs to Business (EANDCB), which measures the annualised value of the present value of net (direct) costs to business.
- The Business Net Present Value (NPV), which measures the total discounted net value to business over the 10-year appraisal period.
- The Net Present Social Value (NPSV), which measures the total discounted net value to society as a whole over the 10-year appraisal period.

95. The figures for option 2 and option 3 are shown in the following tables.

OPTION 2 - Remove the existing controls on food which specifically apply to contamination as a result of the Fukushima nuclear accident

	Lower Bound (£ million)	Best Estimate (£ million)	Upper Bound (£ million)
EANDCB	-0.000	-0.002	-0.004
Business NPV	0.002	0.018	0.034
NPSV	0.002	0.018	0.034

Figures are rounded to the nearest thousand and displayed in £ million.

OPTION 3 - Retain the maximum level of radiocaesium on imports of food from Japan but adjust the list of foods and prefectures covered by the controls

-	Lower Bound (£ million)	Best Estimate (£ million)	Upper Bound (£ million)
EANDCB	-0.000	-0.001	-0.002
Business NPV	0.001	0.009	0.017
NPSV	0.001	0.009	0.016

Figures are rounded to the nearest thousand and displayed in £ million.

Risks and assumptions

Assumptions:

96. The savings for Option 3 are estimated as a proportion of the savings for Option 2, based on the assumption that 50% of the previously controlled consignments (under retained Regulation 2016/6) remain controlled i.e. the number of controlled consignments is half that of the baseline scenario. This assumption was agreed by policy steers.
97. Compound products have not been considered in this analysis due to a lack of robust data and policy steering regarding the assumption that very few Japanese compound products would contain more than 50% of a controlled commodity, given the very specific nature of these commodities.
98. As per retained Regulation 2016/6, physical, identity and (radiocaesium) laboratory tests are performed on a “random” basis, which is assumed by FSA policy steers to be less than 5% of consignments. This is because the level of checks was introduced in Regulation 322/2014 (now revoked) and prior to this requirement, check frequencies were 5% of consignments to have physical checks, including laboratory analysis. Therefore, it is assumed that ‘random’ can be classed as less than 5%. However, for the purposes of our calculations, 5% is used. It is assumed that if a consignment is (radiocaesium) lab-tested, it also receives physical and identity checks.
99. For the upper bound, we assume that products consigned but not originating from a specified prefecture would still be subject to controls under retained Regulation 2016/6.
100. The cost of declarations is assumed to be negligible following policy steering.
101. For estimating the cost of controls, information on the cost of conducting ‘part turn outs’ and ‘full turns outs’ was used. These are assumed to be the equivalents of identity and physical checks respectively.
102. As complete fee information for all relevant ports could not be found, the available fee information has been assumed to be representative of all controlled consignments under retained Regulation 2016/6 entering ports during 2018-2020.
103. We assume that each consignment has one lab test (which detects for both caesium 134 and caesium 137). An estimate of the cost of a lab test is used, based on FSA contract costs.

104. When calculating familiarization costs, a time duration of 30 mins is assumed per FBO or PHA manager.

Caveats:

105. The analysis has not considered the cost of documentary checks as they would still occur for fish products (which comprise the majority of controlled commodities) irrespective of retained Regulation 2016/6. However, documentary checks may not still occur for food not of animal origin products listed under retained Regulation 2016/6, as they are not currently controlled under any other regulation. This caveat does not affect the lower bound estimate for the savings from official controls fees (for which 100% of consignments were fish products) but does affect the upper bound estimate, resulting in a potential underestimation of the upper bound cost of controls.
106. Some of the controlled commodities checked because they originate from Fukushima (or another affected prefecture) would still be subject to certain checks even if retained Regulation 2016/6 was lifted, as they are high-risk products. The types of sanitary and phytosanitary (SPS) checks in scope for this analysis are identity, physical and radiocaesium lab tests. Only radiocaesium lab tests are exclusive to retained Regulation 2016/6; a product can be subject to identity and physical checks for other regulations. As a result, if retained Regulation 2016/6 was lifted, there could still be costs borne by the importer from physical and identity checks on the product, and therefore the actual economic savings (forgone costs) of the controls being lifted could be lower than those estimated.
107. The average cost per physical and identity check is estimated using the available 2020 fee information from the ports whereby controlled commodities entered the UK in 2018-2020. Due to limited data availability, the average fees in 2020 are used to estimate the cost of controls which took place in 2018-2020. This is acknowledged as a limitation of this work, as due to inflation, fees in 2018 and 2019 may have been less than those set in 2020. The necessary fee information could also not be found for some applicable ports.
108. When calculating familiarisation costs, the number of FBOs affected is estimated using the same data source used to calculate the number of controlled consignments imported into the UK between 2018 and 2020. We could identify the exact number of businesses affected for the lower bound. The estimate for the number of businesses affected for the upper bound considers all products entering the UK from Japan which are on the list of controlled products. This may result in an overestimation as some of these products

would not actually require controls if not originating from a stipulated Japanese prefecture. This is a caveat of the analysis as it was not possible to proportion the number of businesses to provide a more exact estimate.

109. The analysis does not account for the Rotterdam effect, a phenomenon referring to errors in the way that trade is recorded when trade flows through other ports before reaching the final destination. In the case of this assessment, this effect could occur if controlled products leave Japan and pass through an EU port before reaching the UK. This trade may be mis-recorded as a Japan to EU flow and then an EU to UK flow. These flows are not included in the estimates calculated as we have only considered flows whereby the country of origin is Japan. However, this may not be a significant consideration as the data indicated that most Japanese imports arrive in the UK directly as they use air travel.
110. The 'consignor city' is used to identify the consignments consigned from a specified prefecture. The reliability of this field being filled out correctly is unknown.
111. The analysis does not consider Japanese controlled commodities which have undergone further processing in the EU before being imported into the UK.
112. When calculating the upper bound for the official controls savings fees, it is made equivalent that the number of actual radiocaesium lab tests was equal to 5% of the number of controlled products. This is a caveat as due to the small sample size; it may be the case that less than 5% had been lab tested. Especially as 'random' is assumed to be less than 5%. Therefore, the figure estimated is an upper bound.
113. The data for 2020 was merged together by FSA analysts using statistical software, and therefore it is plausible that the merging process could have resulted in minor errors in the data.

Small and Micro Businesses Assessment

114. According to the Inter-Departmental Business Register (IDBR)-2020 data, about 98% of businesses in the UK food wholesale, retail and service activities industries are small and micro businesses⁵.

⁵ The following Standard Industrial Classifications of the agri-food sector were used: 46, 47 (selected) and 56. These represent the industries: wholesale trade (except of motor vehicles and motorcycles), food retail, and food and beverage service activities.

115. The existing controls apply to all businesses, including small and micro businesses. It is assumed that the range of products which remain listed will be primarily imported for Japanese restaurants and specialist retailers, who are likely to be small businesses. Both Options 2 and 3 will reduce costs associated with complying with the enhanced controls to these small businesses. These would represent disproportionately significant cost-savings for small and micro businesses compared to any affected large businesses.

Wider Impacts

Potential Impact on Northern Ireland due to the current Northern Ireland Protocol arrangements

116. Please note that the UK Government has set out in its Command Paper - The way forward - changes to certain elements of the Protocol and is engaging with the EU on these proposals.
117. There would be a potential impact on NI of both options if there was a divergence between Great Britain and the EU's decisions whether or not to lift the controls on imports following the Fukushima accident. Northern Ireland aligns with EU official control legislation, therefore, as the EU has replaced EU Regulation 2016/6 with EU Regulation 2021/1533 which made some changes but largely retained the same controls, controls in NI will remain in place.

Option 2:

118. If Great Britain removes the controls, there would in theory be an impact on any flows of Japanese controlled products travelling from Great Britain to Northern Ireland. This is because a controlled product arriving at GB from Japan does not require controls. However, when it travels onwards to NI, it becomes subject to controls under EU regulation for traders outside of the Scheme for Temporary Agri-food Movements to Northern Ireland (STAMNI). Therefore, there could be a cost incurred for relevant Japanese goods being moved from GB into NI.

Option 3:

119. If Great Britain reduces controls, there is an impact on NI in that any GB to NI flows outside STAMNI may incur additional costs for NI importers if products do not require checks in GB but do require controls upon NI point of entry.
120. However, as none of the consignments in the lower or upper bound estimates entered the UK via a port in Northern Ireland, our estimates are that impacts on NI are likely to be very limited. Also, upon inspecting the place of destination cities for all consignments, none are in Northern Ireland.

A Summary of the Potential Trade Implications of the Measure

121. The range of foods included in the current enhanced controls are not in the top 5 commodities imported from Japan. It is therefore unlikely these foods are imported into the UK in significant volumes and unlikely that this will change significantly as a result of removing the enhanced controls.
122. The existing controls apply enhanced requirements on products from Japan which do not apply to domestic goods or similar products imported from other countries. Under the World Trade Organisation (WTO) Sanitary and Phytosanitary (SPS) agreement, such controls should be based on science and be applied only to the extent necessary to protect human, animal or plant life or health. They should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail. As our risk assessment indicates that removing these controls would represent a negligible increase in risk to human health through consumption, continuing these controls may not be in line with this agreement.
123. We will notify WTO members of our proposed risk management decision. This will be done after public consultation, so we are clear on our preferred risk management decision. We will notify, however, before going to Ministers for a final decision in order for this to be a meaningful notification.

Monitoring and Evaluation

124. The Ministry of Health, Labour and Welfare (MHLW) in Japan routinely publish data on the levels of radioactivity in food produced in Japan. This is publicly available on their website in Japanese and English. The levels of radioactive contamination reported in food produced in Japan has significantly reduced since the first year after the accident. This trend will continue unless there is a new incident which releases significant quantities of radioactive material into the environment. If this was to occur, ministers in the UK could impose new emergency measures using powers such as those in retained Regulation 2016/52 on setting maximum permitted levels in food and feed following a nuclear accident. In the event of a nuclear incident, the FSA and FSS will work with other government departments and agencies to obtain relevant data on the release. Using this information, the FSA and FSS will make recommendations to ministers on whether new emergency measures are required.
125. Under Option 1 or Option 3, it is proposed that a further review will take place in 2023, which will consider any new data available, continuing the previous pattern of two-yearly reviews. Under Option 2, the relevant regulations will be revoked and there will be no review unless there is new evidence in the future of a significant change in contamination levels in food in Japan.