



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: SUMMARY 2017/18

Non-qualifying Regulatory Provisions
(NQRPs) summary report



Regulator: FOOD STANDARDS AGENCY

Business Impact Target Reporting Period Covered: 9 June 2017 to 20 June 2018

Excluded Category*	Summary of measure(s), including any impact data where available**
Measures certified as being below de minimis (measures with an EANDCB below +/- £5 million)	<p>In April 2018 the FSA published the revised Local Authority Feed Law Code of Practice (England). The Feed Law Code ensures consistent effective, risk-based and intelligence led official controls at all stages of production, distribution, use, storage, transport, import and export of feed. The Code does not introduce any requirements for business, but does set out the approach taken by local authorities to determine business intervention frequencies to monitor their compliance. The FSA impact assessment for the revised Feed Law Code identified a benefit to business of £1.4m (-£1.4m EANDCB) resulting from the changes introduced in the revised Feed Law Code to ensure controls are more risk based, including recognition of the assurance provided by members of FSA approved assurance schemes.</p> <p>In June 2018 the FSA published a revised version of the its Guidance on the Production of Less Than Thoroughly Cooked (LTTC) Burgers. Though only a minor revision to Annex B was incorporated, the guidance was previously introduced as a temporary measure (<i>expected to be replaced by industry own guidance within 12 months</i>) under the last Parliament and therefore the FSA assessed the impact of the guidance, in its entirety, as a new measure. The FSA impact assessment identified an Equivalent Annual Net Direct Cost to Business (EANDCB) of £0.1m from the introduction of this business guidance.</p>
EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement	<p>In November 2017 the FSA implemented controls in relation to an ambulatory change to directly applicable EU regulation clarifying the use of derogation by EU Member States for the temperature conditions for the transport of warm meat.</p> <p>In January 2018 the FSA implemented controls for ambulatory change to directly applicable EU regulation introducing testing frequencies for Campylobacter in poultry slaughterhouses.</p> <p>The FSA extended its implementation of the food chain information requirement for equines (<i>introduced February 2015 to fulfil directly applicable EU regulation</i>), which was initially due to expire February 2018 in anticipation of enhanced equine passport being introduced. The measure will be reviewed once the enhanced equine passports are in place.</p>
Measures certified as concerning EU Withdrawal Bill operability measures	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Pro-competition	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Civil Emergencies	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Fines and Penalties	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Measures certified as relating to the safety of tenants,	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.

Excluded Category*	Summary of measure(s), including any impact data where available**
residents and occupants in response to the Grenfell tragedy	
Casework	<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 national and international stakeholders. The FSA also supports investigations of other government departments, for example supporting Public Health colleagues in foodborne outbreak investigations. • 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.
Education, communications and promotion	<p>The FSA routinely:</p> <ul style="list-style-type: none"> • 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; • produces a range of factsheets and information leaflets that are published on its website; • 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; and • consults stakeholders on changes to food law and routinely consults with stakeholders when developing its regulatory approach and other policy changes that may impact stakeholders.
Activity related to policy development	<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 (ROF) programme – a fundamental review of whole food law regulatory approach throughout England, Wales and Northern Ireland.</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
Changes to management of regulator	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.

* For full, legal definitions of these exclusion categories, please see

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-20/HCWS776/>