



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: SUMMARY 2019/20

Non-qualifying Regulatory Provisions
(NQRPs) summary report for the
Food Standards Agency



Regulator: FOOD STANDARDS AGENCY

Business Impact Target Reporting Period Covered: 13 December 2019 to 16 December 2020

Excluded Category*	Summary of measure(s), including any impact data where available**
<p><i>Measures certified as being below de minimis (measures with an EANDCB below +/- £5 million)</i></p>	<p>The FSA introduced enhanced controls for raw drinking milk (RDM) production in England and Wales in April 2020. The enhanced controls introduced a familiarisation and implementation cost to business that the FSA certified as being below the de minimis threshold.</p> <p>The FSA published the following revised Guidance documents that introduced familiarisation costs to business, certified by the FSA as being below the de minimis threshold:</p> <ul style="list-style-type: none"> • Guidance for producers of raw drinking milk for direct human consumption (March 2020) • Food allergen labelling and information requirements (June 2020) • Home Slaughter of Livestock Guidance (September 2020)
<p><i>EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement</i></p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p><i>Measures certified as concerning EU Withdrawal Bill operability measures</i></p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p><i>Pro-competition</i></p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p><i>Systemic Financial Risk</i></p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
<i>Civil Emergencies</i>	<p>In response to the CoVid-19 global pandemic the FSA introduced emergency easement measures to support the continuation of food business activity and the delivery of official control and enforcement activity. All measures were made available on a time limited basis and are Non-qualifying Regulatory Provisions under the scope of the Business Impact Target.</p> <p>None of the measures introduced by the FSA in England were legislative and many of these easements took the form of guidance to local authorities with no direct impact on business. Some of the measures related to official controls performed in FSA approved meat establishments within the inherent flexibilities in the official controls regulatory regime and, while achieving their principle aim of helping maintain the food supply chain, are also understood to have delivered a small benefit to the very limited number of businesses to which they were applied.</p>
<i>Fines and Penalties</i>	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
<i>Misuse of Drugs</i>	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
<i>Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy</i>	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
<i>Casework</i>	<p>The following routine activities are carried out by the FSA daily and will vary in both scale and magnitude on a case by case basis. These activities largely relate to business non-compliance or suspected non-compliance and do not represent any change in the burden placed on food businesses.</p> <ul style="list-style-type: none"> • The FSA leads on the 24/7 government response to food and feed incidents. • The FSA National Food Crime Unit (NFCU) gathers, analyses and disseminates intelligence in relation to food fraud and other offences of dishonesty within the food supply chain.

Excluded Category*	Summary of measure(s), including any impact data where available**
	<ul style="list-style-type: none"> The FSA carries out criminal investigations into legislative non-compliance at FSA approved establishments. Where necessary, it takes forward prosecutions or refers relevant files to the Crown Prosecution Service (CPS).
<i>Education, communications and promotion</i>	<p>The FSA routinely:</p> <ul style="list-style-type: none"> uses a range of social media techniques to inform, educate and influence stakeholder behaviours on a variety of issues intended to promote consumer protection and other interests; produces a wide range of factsheets and information leaflets that are published on its website; communicates with business on a range of subjects and consults them on regulatory changes that may impact them.
<i>Activity related to policy development</i>	<p>A significant amount of FSA activity is directly related to policy development, including EU Exit transitional preparation for after the transition period ends on 31 December 2020, developing UK legislation to provide enforcement provisions for directly applicable EU regulations while in the transition period 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>
<i>Changes to management of regulator</i>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>

* 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/>

** Complete the summary box as 'Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.' where this is appropriate.