

## FOOD STANDARDS AGENCY SIMPLIFICATION PLAN

### 1. Introduction

The primary objectives of the Food Standards Agency (FSA) are to protect public health from risks, which may arise in connection with the consumption of food and drink, and to protect the interests of consumers in relation to food. We use a range of classic regulatory and alternative approaches to help achieve these objectives. In our decision-making we aim to focus on practicable and deliverable solutions within the (largely EU-based) legal framework within which we operate. We aim to support consistent and robust implementation, monitoring and enforcement and fully support the principles of better regulation<sup>1</sup>. We further aim to deal fairly and equitably with businesses, and in particular to provide access to appropriate knowledge, information and guidance. We see as the ideal a balanced and effective market where consumers are empowered and have the information they need to make choices; those who are unable to do so for themselves are protected; industry is able to innovate and invest; and the regulator intervenes only where necessary.

Simpler regulation drives up compliance and this improves consumer protection. Consumers and businesses alike will benefit. One way of achieving this simplification is by making regulations easier to understand and comply with.

This is the FSA's first simplification plan. The proposed measures will be reviewed annually, developed further and will include simplification proposals resulting from engagement with external stakeholders. The overall objective of the simplification plan is not to change the policy objectives of the regulations, but to focus on the administrative and policy costs of our regulations. This includes the time taken to understand new regulations or guidance or the time taken generating appropriate information to support self-regulation or providing monitoring returns to enforcement authorities. Other drivers, such as the Hampton report, will also allow us to deliver further significant reductions in administrative burdens, such as through data between public bodies.

<sup>1</sup> Proportionality, accountability, consistency, transparency and targeting.

The initiatives in the plan are expected to generate some £245 million in the first year in both administrative and policy savings:

| <b>ESTIMATED SAVINGS</b> |                                  |          |
|--------------------------|----------------------------------|----------|
| <b>Policy savings</b>    | <b>Admin savings<sup>2</sup></b> |          |
| £244 million             | Private sector                   | £795,000 |
|                          | Public sector                    | £30,000  |
| <b>Grand total</b>       | <b>£245 million</b>              |          |

These estimates are based on formal consultations and other discussions we have had with our stakeholders. We would welcome any comments on the figures. They will be updated in the coming months as we receive the final figures for administrative burdens from the Government's ongoing administrative burdens measurement exercise. All figures quoted in the plan, with the exception of the Safer Food Better Business initiative which covers only England, cover the whole of the United Kingdom.

The plan includes:

- a major deregulation exercise associated with replacing the over thirty month rule (OTM) for cattle entering the human food chain with a BSE testing scheme;
- details of how the Wine Standards Board (WSB) will be merged into the FSA, as recommended by the Hampton Review;
- a number of legislation consolidation exercises, for example of UK bottled water legislation to facilitate comprehension and interpretation by the private and public sector; and
- areas where Information and Communication Technology (ICT) initiatives are being developed to replace existing paperwork based systems, for example a central database (GRAIL) to store legislation information and guidance on food imports initially for Port Health Authorities.

Further information is provided on all our current simplification initiatives are set out in Annex A of the plan.

Annex B of this plan sets out where we have taken significant steps to minimise the burden of new regulations. These include:

- The FSA's flagship Safer Food Better Business<sup>3</sup> initiative, which will generate cost savings for business of £62 million; and
- The consolidation of 17 existing pieces of sector specific legislation into 3 main EC Food Hygiene Regulations.

<sup>2</sup> Overall net reduction in administrative burdens in the first year after the relevant simplification initiatives have been introduced

<sup>3</sup> <http://www.food.gov.uk/foodindustry/hygiene/sfbb>

Some consolidation exercises originate from the FSA directly whereas others originate from the EU. In the plan, where the consolidation originates from the EU, we have set out a clear description of where the FSA has ensured simplification benefits are maximised. A number of the initiatives provide for more risk-based controls and enforcement. These are explained further in the plan.

In 2005 the FSA committed itself to the Government's Common Commencement Dates (CCDs) initiative. This requires that all non-EU-derived regulations should come into force on two dates per year (6 April and 1 October). In parallel to publishing this plan, the FSA has published a list of all forthcoming regulations, barring legislation that may need to be introduced in an emergency, for the coming year together with the dates when they will come into force.

This will help consumers, business and enforcers to be more aware of forthcoming FSA regulations and enable business and enforcers in particular to plan for the implementation of these regulations. This will further help reduce overall administrative burden on business.

All simplification initiatives in this plan will be introduced wherever possible to coincide with CCDs.

## **2. Engaging with Stakeholders**

In order to gather information for this plan, and in line with our commitment to openness, the FSA:

- wrote to over 200 key external stakeholders asking them to submit proposals for regulatory simplification to a new one-stop online government portal<sup>4</sup>;
- publicised the simplification exercise on the FSA website<sup>5</sup> and in *FSA News*, the FSA's monthly stakeholder magazine;
- actively consulted through the FSA Chief Executive's three Stakeholder Forums for industry, enforcement and consumer representatives respectively; and
- shared the draft plan with our Departmental Monitoring Group<sup>6</sup> and the group supports its scope and contents.

<sup>4</sup> <http://www.food.gov.uk/foodindustry/betregs>

<sup>5</sup> [www.food.gov.uk](http://www.food.gov.uk)

<sup>6</sup> The Monitoring Group, with members drawn from the Food and Drink Federation, LACORS, Which? and Government was originally set up to comment on the administrative burden measurement exercise being conducted by PricewaterhouseCoopers (PwC).

The FSA is committed to responding to any proposal within 90 working days of the date that we receive it.

The outcome of this stakeholder engagement resulted in two simplification proposals so far. One was subsequently withdrawn when the stakeholder was able to resolve the issue through direct contact with FSA policy staff. We are in the process of considering whether or not the other proposal can be taken forward.

In view of the volume of European regulation with which the FSA deals, we met colleagues in the European Commission's DG SANCO, Denmark and The Netherlands. We discussed common areas for simplification to engage with other Member States and gauge the level of support for any potential simplification proposals. The FSA and the Dutch Ministry of Health, Welfare and Sport are jointly organising a conference on food labelling in February which will explore the scope for simplification in the area of food labelling. Any initiatives arising from the conference will be added to the plan.

### **3. Rolling Simplification Plan**

There are a number of FSA initiatives that are expected to enter into the simplification plan at a later date. These initiatives are summarised below in Annex C to the plan. The FSA will consult publicly on all these measures in due course, but would welcome any initial views.

### **4. The Hampton Review**

The FSA, along with all other central government departments, is currently considering the recommendations of the Hampton Review and is actively participating in discussions with the Local Authority Better Regulation Office (LABRO). Any changes to FSA enforcement policy which might be considered appropriate in response to the Hampton Review's recommendations will be taken forward by the FSA in full consultation with our stakeholders.

**Food Standards Agency**  
**31 January 2006**

## Annex A

| Title and brief description of the initiative and how it will be delivered   | Source of proposal (stakeholder, department, EU, other)   | Outcome (including sector/s to benefit)  | Estimated cost savings and RIA status where applicable  | Milestones/deadlines for delivery  |
|--|---|--|---|--|
| <p><b>1. Replacement of the Over Thirty-Month Rule (OTM)</b> and replacing it with a less burdensome BSE testing regime.</p> <p>Until November 2005, the over thirty months (OTM) rule protected consumers from BSE by banning the sale for human consumption of meat from cattle aged over 30 months at slaughter. Farmers were compensated for cattle destroyed under the OTM rule.</p> <p>Following a review of the OTM rule, the FSA advised Government in July 2004 that replacing the OTM rule with BSE testing for cattle born on or after 1 August 1996 was justified on grounds of the food-borne risk to consumers and proportionality, subject to the putting in place of a robust testing system. Ministers agreed.</p> <p>The FSA has introduced legislation that replaces the OTM rule with a less burdensome BSE testing scheme for cattle born on or after 1 August 1996. This change has delivered both administrative and policy savings.</p> <p>Whilst this reduction in regulation will deliver considerable savings for business, there may be increased burden to the Meat Hygiene</p> | <p>The Food Standards Agency in response to the current food-borne risk of exposure to BSE.</p> | <p>Livestock farmers will benefit as cattle born on or after 1 August 1996 can enter the food chain as long as they test negative for BSE. There will be subsequent savings to the Exchequer owing to loss compensation being paid.</p> <p>The previous legislation contained a derogation from the OTM rule under certain circumstances. Applying for the derogation involved completing a large amount of forms. This administrative burden (Information Obligation) has now been removed. Estimated costs will be available for the administrative savings gained once PriceWaterhouseCoopers have completed the measurement of the baseline for these regulations in early 2006.</p> | <p>Estimated cost savings (up to Year 1 post OTM abolition) to businesses. Taking into account the policy and administrative start-up costs for the BSE testing regime, estimated net savings will be £244 million (policy) and £700,000 (admin).</p> <p>Early indications from businesses are that income from the sale of cattle for human consumption is greater than what they were receiving through the compensation scheme. This could lead to greater net savings for businesses.</p> | <p>Legislation to replace the OTM rule has now been made and came into force on 7 November 2005.</p> |

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| Service (MHS) as a result of testing requirements and increased throughput.   |   |  |  |   |
| <p><b>2. Consolidation of existing UK legislation on bottled water.</b></p> <p>The sale of all bottled waters in the UK is controlled by the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999 (SI 1999 No 1540)<sup>7</sup> which implement EC legislation in this area.</p> <p>The requirements of the original 1999 Regulations are extensive and complex and must be read in conjunction with EU legislation that it implements. The amending Regulations complicate interpretation of these requirements by imposing significant amendments to the original legislation.</p> <p>Enforcement authorities and bottled water companies complained that the legislation was difficult to follow due to its complexity. This allowed for differing opinions on compliance and resulted in numerous queries to the Agency seeking clarification of the requirements.</p> <p>The FSA therefore decided to consolidate the</p> | <p>The Food Standards Agency as a result of concerns raised by enforcement authorities and bottled water companies concerning the complexity of existing legislation.</p> | <p>Bottled water producers (64 in total in the UK) and retailers, enforcement authorities and the competent authorities will benefit from this consolidation and associated guidance as the legislation will be easier to comprehend. Consumers will also benefit, as facilitation of compliance from stakeholders will enhance consumer safety elements of the legislation.</p> | <p>Through consultation with stakeholders, it is estimated that the reduction in staff time (in hours) required to comprehend the new consolidated legislation compared to existing legislation would generate an administrative cost saving of £80,000 per year for the private sector.</p> <p>There will also be savings for enforcement authorities and the FSA but these have not been quantified.</p> | <p>Formal FSA consultation on the consolidated legislation is due to start in March 2006. The consolidated text is expected to come into force on 1 October 2006 in line with the Common Commencement Date.</p> |

<sup>7</sup> As amended by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2003 (SI 2003 No. 666) and The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (England) Regulations 2004 (SI 2004 No. 656)

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| <p>existing UK legislation into one Statutory Instrument to simplify interpretation. The FSA will also develop guidance in this area for industry and enforcement authorities in consultation with stakeholders (including LACORS) to facilitate understanding of the consolidated legislation.</p>   |  |  |   |   |
| <p><b>3. Consolidation and rationalisation of the Feedingstuffs Regulations 2000.</b></p> <p>The consolidation of the Feedingstuffs Regulations 2000 on the composition, marketing and labelling of animal feed (and the seven amendments that have subsequently been made to them) into one Statutory Instrument has simplified the understanding and interpretation of the existing legislation. No policy changes result from the consolidation.</p> <p>The consolidation has also delivered rationalisation as provisions on feed additives have been removed as they are now covered by separate legislation (EC Regulation 1831/2003) that came into force in 2004.</p> | <p>FSA in order to facilitate understanding of the legislation by stakeholders.</p>                            | <p>Industry and enforcement authorities will benefit from having the legislation consolidated into one document to simplify understanding and interpretation.</p>                    | <p>Through consultation with stakeholders, it is estimated that the reduction in staff time (in hours) required to comprehend the new consolidated legislation compared to existing legislation will generate an administrative cost saving of £16,000 for manufacturers of feed for farmed livestock</p> | <p>The new consolidated legislation will apply in the UK on 1 January 2006</p>                                  |
| <p><b>4. Development of a central database (GRAIL) to store legislation and guidance on UK food imports.</b></p> <p>Port Health Authorities (PHAs) require an</p>   | <p>The FSA in response to the request of Port Health Authorities to reduce the local resource which had to</p> | <p>Port Health Authorities will benefit from the system as information on legislation and guidance will be more easily accessible. This will significantly reduce the time taken</p> | <p>With hard copy records, we estimate that UK ports currently spend a total of approximately £90,000 per annum in collating and</p>  | <p>24 Ports/Local Authorities across UK involved in the GRAIL pilot. Version 2 will be rolled out in Autumn</p> |

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| <p>efficient means of searching for legislation and guidance about food import controls. Until now each PHAs had to install their own individual reference systems. It has also been necessary to rely on hard copies of legislation in a number of cases.</p> <p>The Guidance and Regulatory Advice on Import Legislation (GRAIL) will improve the efficiency of procedures by which imported food is checked for compliance. An IT system will enable the efficient querying and retrieval of legislative requirements and guidance about food import controls.</p> <p>The GRAIL query system has been aimed initially at enforcement officers at ports and in local authorities as they commonly deal with imported food, although it is seen to have potential for wider use. The prototype is laptop-based and has been made available to all the main UK ports of entry for food. GRAIL has also been made available within the FSA through the internal network.</p> <p>Version 2 of GRAIL is based on the prototype and will be available for wider deployment to UK local authorities, other Government Departments and a limited number of trade organisations. It will be accessible on-line and on laptops (for those locations with limited internet access.</p> | <p>be used to keep local information systems up to date.</p> | <p>to access information. There will also be an administrative saving from PHAs not being required to set up and maintain their own reference systems.</p> <p><u>Businesses that import food</u> will benefit by having queries resolved more quickly and efficiently. The time that food is held at ports awaiting clearance will be reduced.</p> <p><u>Consumers</u> will benefit as PHAs will be able to respond more quickly and efficiently to food emergencies, prevent fraud and mislabelling and other imported food safety issues that could affect public health.</p> <p><u>Other users</u> associated with version 2 of GRAIL will receive the same benefits although no costs are available at present.</p> <p>The <u>FSA</u> will benefit by minimising the requirements on the IT help desk.</p> <p>A policy saving is also anticipated as foods will be delivered from ports to businesses more rapidly.</p> | <p>managing records and looking up information. Using GRAIL, it is estimated that £60,000 per annum will be spent on training, updating and the port officers looking up information. In the short term, port authorities are required (by the European Commission) to maintain hard copies of legislation albeit not all the information currently offered on GRAIL. As these requirements increasingly fall away and with the robustness of GRAIL becoming more apparent, a potential identified annual saving of approximately £30,000 will accrue.</p> <p>GRAIL installation costs of a laptop-based system will be minimal . A 1- day laptop based training course is thought to be sufficient.</p> <p>There will also be a subsequent saving for businesses but this has not yet been quantified.</p> | <p>2006.</p> <p>24 ports/LAs across the UK have received either one or 2 laptops as part of the GRAIL pilot. Version 2 is presently being developed and is expected to be rolled out in Autumn 2006.</p> |

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|---|---|---|---|--|
| <p><b>5. Development of a UK Food Surveillance System (FSS) database to hold information for the microbiological and chemical analysis of samples.</b></p> <p>Local authority officers take samples for analysis and data is submitted in encrypted format to the laboratory. After sample analysis, result data is added by the laboratory and then securely downloaded both to the initiating Local Authority and to the Centralised Food Analysis Database (CFAD).</p> <p>This database system enables local authorities to hold food, animal feed and non-food sample results in a national database. The system allows local authorities to share information and enhance their ability to work together. This has the potential to target sampling resources better and avoid unnecessary duplication as envisaged by Hampton.</p> <p>Although it is intended to remain voluntary, local authorities will be encouraged to use FSS. For participating local authorities as there will be a net administrative burden reduction as a result of reduced paperwork and data sharing.</p> | <p>The Food Standards Agency.</p>                       | <p>Local authorities will benefit from the system, as the number of forms required will be reduced. This includes sending forms to the public analyst as well as the possibility of reducing the number of data returns to the FSA as a result of FSS's data sharing ability. There will also be a benefit to the public analyst as sampling information will be more consistent.</p> <p>Local authorities, the food industry and central government will also benefit from FSS from the perspective that it has the potential to facilitate risk-based enforcement. Sampling and local authority effort generally will be better targeted according to risk.</p> | <p>There are no costs available at present as the system is yet to be rolled out within the UK. However, there is expected to be a net administrative burden reduction across all 468 local authorities as a result of reduced paperwork and data sharing potential of FSS.</p> | <p>A five-year contract to develop the system throughout the UK was signed on 1 December 2005.</p> |

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|---|---|---|--|---|
| <p><b>6. Simplifying the method by which local authorities submit monitoring data on food law enforcement to the FSA in the UK.</b></p> <p>Local authorities are required under the Local Authority Framework Agreement to provide returns to the FSA regarding their enforcement activity. A review is currently in progress to cover both the content of monitoring data returns and the means of their submission. The objective is to make the system easier for local authority colleagues to use and to help them provide more accurate and reliable data. Further changes may alter the data set to be covered, and allow direct transmission of data to the Agency's database.</p> <p>Altering the current system to allow for direct transmission will significantly reduce the amount of time that local authorities spend submitting data to the FSA. This will lead to a reduction in administrative costs. There will be an initial one-off increase in burden from setting up new IT systems and training especially if the new IT system had to be purchased by the local authority.</p> | <p>The FSA in an attempt to streamline the process whereby local authorities submit monitoring returns.</p> | <p><u>Local authorities</u> will benefit from this simplification, as less time will be required to send data to the FSA. The FSA will benefit, as monitoring data from local authorities will be easier to manage.</p> | <p>It is difficult to estimate the reduction in staff time (in hours) for local authorities that would be required to send data under a new system, as it will depend upon existing local authority systems and type of operator. Administrative savings across 343 local authorities will be up to £56,000 in year 1 and thereafter up to £29,000 per year.</p> <p>However, there will be an estimated one-off initial increased cost of £343,000 as a result of training local authorities in new IT systems. It will therefore be a number of years before a net administrative burden reduction is achieved.</p> | <p>Altering the current local authority monitoring return system to facilitate data transmission will be developed in 2006.</p> |
| <p><b>7. Major Consolidation of EU domestic chemical contaminants legislation</b></p>   | <p>The consolidation exercises originate in</p>   | <p>Both <u>industry</u> and <u>enforcement authorities</u> will benefit from these</p>  | <p>There are no significant policy savings as a result of</p>  | <p>EU consolidations are currently working</p>  |

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|---|--|---|---|--|
| <p>(i) Commission Regulation (EC) No 466/2001) sets maximum levels for mycotoxins and undesirable process and environmental contaminants in certain foodstuffs. It has undergone 16 amendments since its adoption on 8 March 2001. This makes it difficult for enforcement authorities and businesses to keep up to date with the various measures.</p> <p>The European Commission has started to consolidate the various amendments into a more manageable form. The consolidated text is available from the Commission website but has no legal basis. The Agency is encouraging the Commission to provide an official consolidation of Commission Regulation 466/2001.</p> <p>(ii) In addition to the above regulations and amendments, there are several different Commission Directives, which specify the official control methods for sampling and analysis for contaminants laid down in Regulation 466/2001. A working document is currently under discussion in Brussels for a proposed Commission Regulation that will consolidate previous existing sampling and analysis Directives on mycotoxins into a more manageable form, laying down the requirements more clearly and providing for more consistent enforcement and</p> | <p>the EU. However, the UK has encouraged the Commission to provide an official consolidation of Commission Regulation 466/2001.</p> | <p>consolidations owing to the fact that the legislation will more condensed, easier to comprehend and interpret.</p> | <p>this consolidation, only administrative savings as a result of less staff time being required to understand and interpret the consolidated legislation. However, no costs are yet available regarding this administrative saving in the contaminants area as negotiations are on-going. They will be added to the plan as proposals firm up.</p> | <p>documents in Brussels.</p>            |

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|--|--|--|---|--|
| <p>understanding by industry.</p> <p>(iii) Finally, several Commission Decisions also exist, which lay down specific criteria for the import of certain commodities from third countries. For simplification purposes, it is currently proposed to merge all five Decisions into one. This is currently a working document under discussion in Brussels. Simplification benefits are the same as above, however, it will also better harmonise requirements for import of the commodities concerned.</p>   |  |  |   |  |
| <p><b>8. Consolidation of UK domestic chemical contaminants legislation.</b></p> <p>Regulation 466/2001 (including its enforcement) is implemented into national law by the Contaminants in Food (England) Regulations 2004. However, options available to enforcement authorities for managing food that does not comply with Regulation 466/2001 are now set out in Regulation (EC) 882/2004.</p> <p>The FSA has removed the options that are dealt with under Regulation 882/2004 via a new SI (The Contaminants in Food (England) Regulations 2005) thus resolving overlap and inconsistency and preventing any unnecessary confusion for enforcement authorities and industry. The SI came into</p> | <p>The FSA as it was within the UK's remit to amend the Contaminants in Food (England) Regulations 2004 to remove the options available to enforcement authorities for managing food that does not comply with Regulation 466/2001 now under Regulation 882/2004 on Official Feed and Food Controls.</p> | <p>Both industry and enforcement <u>authorities</u> will benefit from these consolidations owing to the fact that the legislation will more condensed, easier to comprehend and interpret. It will also facilitate consistency of enforcement and resolve overlap in the case of the Contaminants in Food (England) Regulations 2005</p> | <p>There are no significant policy savings as a result of this consolidation, only administrative savings as a result of less staff time being required to understand and interpret the consolidated legislation. However, no costs are yet available regarding this administrative saving in the contaminants area</p> | <p>Rationalised national legislation applies on 1 January 2006</p> |

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|---|--|---|--|---|
| force on the same date as the OFFC Regulations (1st January 2006) which will help ensure more consistency between the 2 regulations.  |  |   |  |   |
| <p><b>9. Incorporating the work of the Wine Standards Board (WSB) into the Food Standards Agency</b></p> <p>This was a specific recommendation in the Hampton Report on the consolidation of national regulators. This initiative will be delivered by agreement between WSB, Defra and the Food Standards Agency regarding the transfer of staff and policy and through an amendment to current UK wine regulations.</p> | <p>The transfer should have no immediate impact on stakeholders. There is the potential for economy of scale and overhead savings through the merger. A longer-term review will be carried out to ensure best regulatory practice in line with wider Hampton recommendations after the merger. This should benefit UK vineyards, wine bottlers and warehouses subject to WSB enforcement activities.</p> | <p>The Food Standards Agency in response to a specific recommendation made in the Hampton Report.</p>   | <p>Initial cost savings for stakeholders will be estimated once the final transfer arrangements have been agreed.</p>  | <p>The immediate priority is for a relatively seamless transfer of WSB from Defra to the FSA in line with the recommendation in the Hampton Report by 2008/09. The Agency aims to complete the transfer in 2006. The Statutory Instrument which transfers the current WSB enforcement activity to the Agency has been issued by Defra for consultation and will be completed by end March 2006.</p> |
| <p><b>10. Consolidation of 2 EC Directives into 1 EC Regulation dealing with epoxy derivatives in the food contact material sector.</b></p> <p>The introduction of an EC Regulation in the food contact materials sector that</p>   | <p>The simplification initiative originates from the EU. However, the UK influence the consolidation in question by actively lobbying the EU and other Member</p>  | <p><u>Manufacturers of epoxy coatings</u> and all those who use epoxy resins in plastics and adhesives and <u>enforcement authorities</u> should benefit from the consolidated legislation, as it is easier to understand and interpret. There is</p> | <p>Industry has indicated that there will be some cost savings as a result of the consolidation from simpler interpretation. However, this is only after an initial period during which they would</p> | <p>The EC Regulation came into force in the UK on 9 December 2005.</p>  |

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| <p>consolidates and updates 2 EC Directives and hence revokes in part the Plastic Materials and Articles in Contact with Food Regulations 1998 (as amended). It also amends the migration limit for hydrolysed epoxy derivatives under existing legislation. Consolidating the EC Directives into one EC Regulation will make the legislative requirements easier to understand and interpret.</p> <p>There is also a simplification in respect of policy as the consolidation also extends the migration limit for hydrolysed epoxy derivatives from 3 to 9mg/kg. The higher limit is seen by the industry as an opportunity to expand the use of existing products and allow new materials to be developed and used.</p> | <p>States for the introduction of a Framework Regulation in the food contact materials sector which allows for existing EC Directives to be consolidated into EC Regulations such as the one in question.</p> <p>The consolidation will also be reflected in the FSA's guidance notes to industry in the food contact materials sector that will further facilitate comprehension and interpretation.</p> | <p>also a benefit to industry from the change in epoxy derivative migration limit.</p> | <p>have to explain to some customers that their request regarding compliance with particular legal requirements are subject to new rules in place. Savings are also anticipated to be quite small. However, no costs are yet available.</p> <p>Removing restrictions on use and permitting new products to be developed will be financially beneficial to businesses.</p> |  |

### OFF-SETTING NEW BURDENS

#### Introduction

This section of the plan is specifically related to new consolidated EU food hygiene legislation that applied in the UK on 1<sup>st</sup> January 2006. There are a number of key simplification initiatives within this major consolidation exercise. Taken together, this new legislation provides a net benefit of £678 million, although the public health and consumer benefits of £1540 million are offset by costs of £862 million. Initiatives introduced by the FSA have succeeded in generating administrative cost savings to offset these new burdens. At present whilst savings from only two of these initiatives can be quantified. Industry, these alone generate up to £61 million. Therefore it is being presented in a different part of the plan.

The simplification initiatives are numbered as a continuation of Annex A. These are prefaced by background information on the EU food hygiene legislation including overall cost estimates. The preface provides an indication of potential administrative burden reduction resulting from a number of information obligations either being removed or updated as a result of the original national hygiene legislation being consolidated.

#### Background information

EU legislation on food hygiene is being consolidated into a package of 3 main EC Regulations. Consequently, 17 current national Statutory Instruments that implement those directives have been revoked. Only one piece of national legislation (the Food Hygiene (England) Regulations 2005) is needed to give effect to the regulations in England, rather than the previous raft of legislation described above. Overall this results in horizontal rather than vertical standards applying in the hygiene sector. There are a number of simplification benefits resulting from this consolidation.

- The consolidation exercise has offered the opportunity to minimise discrepancies and different approaches across different hygiene legislation sectors. There is potential to reduce record keeping requirements as records will no longer have to be kept separately to demonstrate compliance to sector specific legislation. Emphasis for compliance is now on the food business operator's approach to risk. As the new legislation does not say "how" the food producer identifies hazards, the enforcer (in most cases the Environmental Health Officer) needs to make risk-based judgements about methods and recording procedures. It is envisaged that this could result in many cases in a reduction in procedure and paperwork leading to an overall administrative cost saving in line with Hampton.
- Trade barriers within the EU have in general been removed as national requirements have been consolidated into one package of EU legislation.

- Combined food products (containing processed products of animal and plant origin) no longer have to be approved under the new consolidated legislation whereas they did under existing legislation which were abolished on 1 January 2006. The resulting lower risk rating according to the Code of Practice (see 14) will result in fewer inspection visits from enforcement authorities. Such premises are no longer approved and will no longer need to use Identification markings. This will represent an administrative cost saving, as the equipment for identification marking will no longer be required for setting up businesses selling composite products. This will also be particularly advantageous to multi-national companies who may for various reasons change production premises between a range of products.
- Cutting plants and slaughterhouses no longer need a constant veterinary presence, again resulting in a reduction in running costs. Simplification arising from reduced veterinary presence in cutting plants is explored later in the plan (see 13).
- The Magistrates Court rather than the Meat Hygiene Appeals Tribunal will deal with appeals from licensed meat premises. In practice this will streamline the process of appeals for businesses, as they no longer have to lodge appeals regarding food hygiene issues via a separate route.
- Reduced testing frequency for marine biotoxins from weekly to less frequently based upon risk assessment (see 14).

An increased burden resulting from this consolidation exercise is the proportionate and risk-based extension of hygiene legislation to the level of primary production in many cases for the first time. The extra burden for primary producers may be in the form of record keeping, depending on current practice. There will also be the requirement for food chain information to accompany animals for slaughter to the slaughterhouse (see 15).

#### Outcome (including sectors to benefit)

Both the food industry generally and enforcement authorities will benefit from having the legislation in one consolidated text rather than different sector specific legislation as described above. Requirements will be easier to understand and interpret. Consumers will benefit as the new food hygiene legislation is envisaged to raise standards, reduce foodborne disease and further protect consumers (see section below on cost estimates).

#### Source of proposal (stakeholder, department, EU, Other)

The source of the initiative is the EU. However, the UK has contributed to these simplification initiatives during EU negotiations in the following areas that has reduced the overall new burdens associated with the legislation;

- Food safety management procedures should be based on HACCP principles, rather than requiring that HACCP (as described in the Codex

Alimentarius basic hygiene texts) be operated (see Annex C). This has enabled a flexible and proportionate approach to be adopted by those businesses for which the full rigour of the HACCP system would not be appropriate. Additional flexibility has been secured by providing for food business operators to provide evidence of compliance in the manner the competent authority requires, taking account of the nature and size of the food business. Prescriptive time limits for the retention of documentation have also been dropped.

- Requirements for primary production have been clarified. The role of guides to good practice was augmented so that it is clear that these can describe hazards and the means of controlling them in a generic way, which will make it easier for them to be applied. The UK successfully negotiated more precise wording to link all the requirements back to public health protection, and also obtained agreement that the requirement for record keeping should be minimised, so that it does not add unnecessarily to current record-keeping requirements.
- Frequency of controls for fresh meat. Significant improvements to the original proposal were secured during the negotiations. In respect of the presence of an official veterinarian (OV) in slaughterhouses, the text now includes a list of circumstances in which full-time presence is not required. In addition, there is a possibility for on-farm ante mortem inspection, by an approved veterinarian replacing that task at the slaughterhouse. In cutting plants, the text now specifically provides for either an OV or a meat inspector to be present at a frequency to be determined by the Competent Authority, and on the basis of a risk assessment rather than the current daily requirement (see 13).
- Providing guidance to industry (separately for small businesses) and enforcement authorities on the new legislation;

#### Estimated cost savings and RIA status where applicable

For consumers, benefits can be calculated to be £1540 million broken down as follows:

1. £164 million of avoided direct personal costs, lost earnings of ill persons and carers and NHS costs.
2. £1126 million of avoided pain, grief and suffering.
3. £75.6 million of avoided lost output.

Taking into account net costs of £862 million to industry and enforcement authorities, this gives a net benefit of £678 million.

Owing to the consolidation covering a wide range of different sectors, it is difficult to cost the overall administrative and policy saving as a result of the simplification achieved. However, an estimate of the administrative cost saving resulting from this consolidation can be generated by establishing the information obligations (IOs) that will be removed as a result of the current

national legislation being revoked. The following national legislation due to be revoked on 1<sup>st</sup> January 2006 contain IOs that will be removed as a result of the consolidation;

The Ice Cream (Heat Treatment) Regulations 1959;  
The Egg Products Regulations 1993;  
The Food Safety (General Food Hygiene) Regulations 1995;  
Fresh Meat (Hygiene & Inspection) Regulations 1995 (FMRs)  
Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995;  
Minced Meat and Meat Preparations (Hygiene) Regulations 1995  
Meat Products (Hygiene) Regulations 1994

Estimated cost savings will be available for the administrative savings gained once PricewaterhouseCoopers have measured the admin costs for these regulations in early 2006. In addition to the IO requirements being removed, further administrative savings may result with respect to the Fresh Meat (Hygiene & Inspection) Regulations 1995 (FMRs) as they contain existing provisions for veterinary supervision in cutting plants due to be reduced by the new EU food hygiene legislation (see 13)

In addition, many of the significant individual simplifications linked to the overall consolidation have been explored separately in the Plan (see 12, 13 and 14) and lead to policy and administrative cost savings.

#### Milestones/deadlines for delivery

The new consolidated legislation applied on 1 January 2006, except where specific transitional arrangements are set out in the legislation.

## **11. Development of an alternative approach to facilitate small businesses to implement food safety management procedures: Safer Food Better Business**

### 1. Title and brief description of the initiative and how it will be delivered

The new EU Food Hygiene legislation requires all food businesses (except primary producers) to introduce procedures based on HACCP (Hazard Analysis Critical Control Point) principles. FSA analysis found that most small businesses, and in particular caterers, would have difficulty with the HACCP concept; it is not directly relevant to craft-based kitchens as it originated in the manufacturing sector.

The FSA has therefore developed an alternative approach for small businesses called Safer Food Better Business (SFBB). SFBB was developed directly with 50 small businesses and piloted with more than 1000. This innovative approach has deliberately been kept simple. It uses factsheets and a diary approach for record keeping by exception. It uses ideas from management theory and quality management systems rather than historic HACCP. However, it can be mapped back to HACCP theory.

### 2. Outcome (including sectors to benefit)

Approximately 300,000 Small businesses (such as caterers) will benefit from being able to use a far simpler system for applying procedures based upon HACCP principles compared to classic HACCP systems. It will also be easier to enforce for local authorities compared to a classic HACCP system. Consumers will benefit by from raised standards, reduce foodborne disease and enhanced consumer protection.

### 3. Source of proposal (stakeholder, department, EU, Other)

The Food Standards Agency in response to the needs of small businesses such as caterers to implement procedures based upon HACCP principles.

### 4. Estimated cost savings and RIA status where applicable

As discussed for the EU Food Hygiene legislation itself (see 9), although introducing SFBB represents a significant cost to business. The burden would have been significantly greater if the classic HACCP system had been applied. Cost savings have therefore been calculated by comparing the costs for implementing SFBB to what the cost would have been if classic procedures based upon HACCP principles had been applied. Estimated total costs for implementing standard HACCP based systems are £74 million. Estimated total costs for implementing SFBB are £13 million. The estimated cost savings for businesses on this basis would therefore be £61 million.

### 5. Milestones/deadlines for delivery

SFBB is now being rolled out through enforcement officers and the FSA is working with trade bodies and others to promote the programme. Further work is in hand to develop material for small retailers (7-11 shops) and produce supplementary material for ethnic cuisine's and high-risk activities such as function catering. The new EU hygiene legislation applied on 1 January 2006. However, it is not expected for all small businesses to have fully implemented SFBB by that stage.

## **12. Consolidation and rationalisation of existing legislation on microbiological criteria**

### 1. Title and brief description of the initiative and how it will be delivered

A new EU Regulation seeks to modernise and review existing microbiological criteria (micro criteria), ensuring they are consistent and relevant to public health protection. This Regulation supports the linked packaged of EU food hygiene measures that came into force on 1 January 2006. It consolidates and rationalises numerous pieces of commodity specific legislation and replaces national criteria existing in many Member States. In the latter case, this had reduced trade barriers across the EU that existed in some cases under the old regulatory regime. Microbiological criteria are now more risk-based under the new legislation. However, the new legislation does provide for new micro criteria for infant formulae and meat.

Having the requirements in one set of legislation will also facilitate understanding and interpretation of the requirements. There is also a provision for businesses to collaborate regarding shelf-life assessment for certain products. Another business can use data generated by one business. This should reduce burdens for individual businesses.

Rather than producing a separate SI, the new legislation will be implemented through the SI applying the new EU Food Hygiene Regulations as the penalties and powers will be exactly the same.

FSA guidance is being produced for enforcement authorities through the Code of Practice under the Food Safety Act (see 13) and the Regulation is being covered in Environmental Health Officer update seminars. This will help ensure consistent enforcement. FSA guidance will also be provided for industry, including a summary for small businesses.

Generally speaking it is also possible that placing the onus on businesses themselves to demonstrate compliance may lead to an increase in burdens in some cases. The legislation requires all food business operators, except primary producers, to verify and document procedures based upon HACCP principles and consequently these are mostly associated with the new Food Hygiene Regulations (see 10). This may require increased documentation depending on the type and size of business and current practice.

### 2. Outcome (including sectors to benefit)

Both businesses and enforcement authorities will benefit from having the legislation in one consolidated text rather than different criteria in different national legislation. Requirements may be easier to understand and interpret. Reducing prescriptive requirements will also generate a concurrent reduction in sampling. This will also benefit businesses and enforcement authorities.

### 3. Source of proposal (stakeholder, department, EU, Other)

The source of the initiative is the EU. However, the UK has contributed to this simplification initiative in the following areas;

- Implementation of the legislation through the Food Hygiene (England) Regulations 2005 rather than through a separate statutory instrument;
- Providing guidance to industry and enforcement authorities on the new legislation;
- Taking steps so that compliance of the new legislation is satisfied by the implementation of procedures based upon HACCP principles (Safer Food Better Business) in small businesses;
- During the EU negotiations on the legislation, the UK negotiated a transitional derogation for all Member States regarding the domestic sale of minced meat intended to be eaten cooked, achieved more proportionate controls on powdered infant formula than those originally proposed and secured an undertaking from the Commission to seek a risk assessment of the *Salmonella* criteria for minced meat, meat preparations and meat products that may lead to a review of the criteria. Throughout the negotiations the UK provided a large amount of data which lead to clarification of previous drafts of the Regulation.

#### 4. Estimated cost savings and RIA status where applicable

There is expected to be an initial industry administrative cost ranging between £2 and 5million for understanding how to comply with the new legislation. There is also a policy cost of approximately £4million for industry as a result of introducing the new requirements. These are one-off costs. Increased burdens from testing requirements may occur for some small business (e.g. SMEs) who have yet to implement procedures based upon HACCP principles. However, the FSA and food authorities are working with them to develop these procedures using a gradual and educative approach. This is hoped to minimise this burden over time.

There is also expected to be a reduction in staff time (in hours) required to comprehend the new consolidated legislation compared to existing legislation once the initial year one costs have subsided although no costs are available at this stage. However, we would expect this to demonstrate a net reduction in administrative burdens. Other administrative cost savings maybe identified from the administrative burden exercise being conducted by PricewaterhouseCoopers.

Total policy cost savings as a result of this simplification (including to the NHS for reduced foodborne illness) are estimated to range between £15 - 77million. Administrative savings are also anticipated although costs are not available at this stage.

This results in a net policy cost saving of £8 - 67million after the first year of implementation and £11 - 73million each year afterwards.

#### 5. Milestones/deadlines for delivery

The new consolidated legislation applied on 1 January 2006. Many large businesses will already be complying with the legislation, however, small businesses will introduce the requirements more gradually through the introduction of Safer Food Better Business.

### **13. Reduced veterinary presence in cutting plants under the new EU food hygiene legislation leading to an administrative cost reduction for the Meat Hygiene Service (MHS)**

#### 1. Title and brief description of the initiative and how it will be delivered

Under the new EU food hygiene legislation, the current requirements for veterinary supervision in cutting plants of 1 hour per day for high throughput and 1 hour per week for low throughput establishments is to be replaced by a requirement for risk-based auditing systems. The FSA has developed an audit based system under the new legislation whereby cutting plants are audited by the MHS ranging from one visit every two months to one visit every year based upon risk. This in effect reduces the number of hours spent by the MHS at cutting plants by approximately 50%. This has the potential to result in an overall administrative and policy saving.

There will be an increased initial administrative cost to the MHS from developing and introducing audit based systems. However, introducing auditing based upon risk should still generate a net administrative reduction in burdens.

There may also be a transfer of wholesale meat suppliers from local authority control to MHS control under the revised definition of a cutting plant in the new EU food hygiene legislation. Precise numbers are not presently known. However, there should still be a net administrative reduction in burdens.

#### 2. Outcome (including sectors to benefit)

The MHS will benefit from the point of view that they will have to visit cutting plants less often and can rely on audit based systems rather than presence at the cutting plant. There should also be an advantage for the cutting plant itself as a result of reduced veterinary presence. While there maybe an increased burden for the business as the onus will be on the operator to demonstrate compliance as part of the MHS audit, better managed plants will be audited less frequently.

#### 3. Source of proposal (Stakeholder, department, EU, Other)

The consolidation of existing EU food hygiene legislation originates within the EU. However, during negotiations on the proposals, the Food Standards Agency (who led the negotiation for the UK) contributed to the legislation being effective, proportionate and risk-based including this simplification measure. The legislation establishes high-level objectives for food safety with a minimum of prescription as to how these are to be achieved

#### 4. Estimated cost savings and RIA status where applicable

The administrative cost saving for the MHS as a result of veterinary presence in cutting plants cannot be estimated at present owing to the number of policy issues that still need to be resolved.

#### 5. Milestones/deadlines for delivery

The new EU food hygiene legislation came into force on 1 January 2006.

## **14. Updating the Code of Practice previously made under the Food Safety Act and the accompanying Practice Guidance to reflect the new EU food hygiene legislation.**

### 1. Title and brief description of the initiative and how it will be delivered

The Code of Practice (CoP) and Practice Guidance (PG) have been updated under the Food Safety Act 1990 and the Food Hygiene Regulations 2005 to reflect the new consolidated EU hygiene legislation as opposed to the sector specific regime under previous legislation (revoked on 1 January). This should facilitate enforcement of the new regulations by food authorities and ensure consistency of enforcement in this area. The revised CoP also separates food standards and food hygiene requirements that should also make interpretation easier.

The updates mean that the CoP and PG provide for a more risk-based approach to enforcement in the following areas;

- Manufacturers of composite products under the new EU food hygiene legislation no longer need to be approved. They will therefore be inspected less often under the CoP's risk-based inspection regime;
- Reduced testing frequency for marine biotoxins from weekly to less frequently based upon risk assessment.

There is likely to be an initial increased administrative burden for food authorities to understand the updated CoP and PG as they introduce a number of new provisions such as conditional approval, composite product exemptions and remedial action notices (RANs). This burden should be reduced, as food authorities become familiar with the new CoP and PG.

### 2. Outcome (including sectors to benefit)

Food authorities will benefit as the updated CoP and PG will assist them with enforcing the new requirements under the consolidated EU food hygiene legislation. Food industry will benefit from consistent enforcement being maintained in the food hygiene sector.

### 3. Source of proposal (stakeholder, department, EU, Other)

The Food Standards Agency as a result of a requirement to amend the CoP and PG to reflect new legislation.

### 4. Estimated cost savings and RIA status where applicable

There are currently no cost estimates for this Simplification proposal. Benefits to stakeholders are set out in section 2.

### 5. Milestones/deadlines for delivery

The updated CoP and PG applied from 1 January 2006.

## **15. Simplifying new burdens associated with providing food chain information to slaughterhouses under the new EU food hygiene legislation**

### 1. Title and brief description of the initiative and how it will be delivered

The new EU Food Hygiene Regulations introduce the requirement for food chain information (FCI) for all animals consigned for slaughter as part of a risk-based, 'farm to fork' approach to food safety controls (see 11). In addition, the Official Veterinarian (OV) at slaughterhouses will be required to inform livestock producers of relevant findings at ante- and post-mortem inspection. This information in turn becomes a component of FCI.

The FSA and the Meat Hygiene Service is exploring the feasibility of an IT-based system, which on first sight would appear to offer the greatest savings in administrative burdens, but this needs to be fully costed. An IT-based system would eliminate the vast amount of paperwork that would be required under a non-IT-based system. For all species, the aim would be to develop an existing single information repository (MHS database) that would be populated by the MHS with inspection information. Means of access to the MHS repository by producers, their veterinary surgeons, slaughterhouse operators and OVs would differ between the species. For the pig sector we are working with industry bodies with a view to making use of current industry (BPEX) IT systems as the portal. In the case of cattle and sheep, an MHS database would be incorporated into the network currently being developed by Defra. Using existing portals would minimise the change for business.

Having this information stored on a central database would facilitate targeting of enforcement based upon risk. MHS resources would be better targeted resulting in concurrent savings. It would also have the potential to store information regarding risk-based auditing under the new EU food hygiene legislation.

An MHS database could also be made available to other stakeholders who would benefit from the information. It would be a valuable source of animal disease surveillance data for Defra so would contribute to cross-government initiatives.

There is a policy benefit from the fact that information would be identified earlier so that faster and more appropriate action could be taken in the interests of industry and public health. Farms and livestock would be able to be identified geographically to facilitate identification and traceability

### 2. Outcome (including sectors to benefit)

MHS and industry would benefit from having a far simpler system for implementing FCI compared to a non-IT-based system. Consumers would also benefit from increased public health protection as information would be easier to access and rapid appropriate action taken to protect public health.

### 3. Source of proposal (stakeholder, department, EU, Other)

The FSA (MHS more specifically) in response to the need to develop a practical and realistic procedure for introducing FCI requirements into the UK.

#### 4. Estimated cost savings and RIA status where applicable

Although the introduction of FCI under the new EU Food Hygiene legislation would represent an increased policy and administrative burden for industry and enforcement authorities (MHS), the FSA and MHS believe that the burden would be significantly less from by using the MHS portal than a non-IT based system such as one involving paperwork. Full costs and benefits still need to be worked up and will be developed in in early 2006.

#### 5. Milestones/deadlines for delivery

Implementation of FCI is subject to transitional arrangements under the new EU food hygiene legislation based upon how long it is anticipated to take for implementation. On this basis, implementation for poultry is 1 January 2006, pigs: 1 January 2008; and cattle and sheep 1 January 2010.

## **16. Registration of primary producers under the new EU food hygiene legislation using shared databases between FSA and Defra.**

### 1. Title and brief description of the initiative and how it will be delivered

The new EU food hygiene legislation requires primary producers to notify the competent authority of establishments under their control with a view to those establishments being registered. In line with the “Partners For Success” initiative launched by Lord Bach on 28 November 2005, it is proposed that the registration requirement be met through use of existing Agricultural Department databases. This approach is also being explored in respect of registration under the feed hygiene Regulation.

### 2. Outcome (including sectors to benefit)

Industry will benefit from this initiative as they will not be required to register with more than one enforcement authority for food hygiene and feed hygiene legislation. Enforcement authorities and their competent authorities will benefit from this data sharing initiative as one database will be far easier to manage.

### 3. Source of proposal (stakeholder, department, EU, Other)

The Food Standards Agency as a result of data sharing initiatives proposed by Hampton. This approach has been agreed in principle with Defra. However, practicalities of how this will be done are being further explored before final agreement takes place.

### 4. Estimated cost savings and RIA status where applicable

Early indications show that a shared database would provide administrative savings in both establishing, and the subsequent management of a registration database. Agricultural departments will benefit from a two way sharing of information (e.g. they would be able to update their systems, with any changes on farm being highlighted once enforcement agencies have inspected the farms). Cost savings will be further refined once a clear way forward has been established.

### 5. Milestones/deadlines for delivery

In December 2005 the Agency Board agreed the criteria against which the enforcement body(s) will be selected. Agreement in principle with the selected enforcement body is expected to be reached by the end of March 2006, following which detailed discussions on data sharing practicalities can commence.

## **Future simplification initiatives**

### **a) Review of horizontal food labelling directive 2000/13/EC**

#### **Rationalisation and consolidation of existing legislation with enhanced consumer focus**

The European Commission is committed to reviewing the horizontal labelling Directive 2000/13/EC and is expected to publish a discussion paper by early 2006. The review is expected to cover the effectiveness of labels under current European legislation requirements and how food labelling might develop in the future taking into account present challenges and technological opportunities in information provision.

Consumer research shows that much of the information currently provided on the label is not regularly used. Few consumers who actually look at labels look for any information other than durability dates, the amount of fat, salt and sugar, calories, additives and cooking instructions. A debate is therefore required about the future provision of information to consumers about the food that they consume. The UK, together with The Netherlands, is leading a drive to simplify regulations in this area. Together we have organised a special conference in February 2006 that will aim to shape and influence EU thinking in this area.

### **b) Package of proposals on additives, enzymes and flavourings (“food improvement agents”)**

#### **Rationalisation, updating and consolidating legislation on food improvement agents**

The Commission proposals will form a package of four measures that are expected to cover additives, enzymes and flavourings. The Commission launched an internal consultation on the proposal on 17 November 2005 and the package is expected to be formally adopted in early 2006. Some simplification of the legislation is anticipated i.e. easier to understand and interpret for food manufacturers and enforcers etc. However, this maybe offset by the introduction of additional burdens concerning re-approval of additives. The FSA will press to ensure that any new burdens are kept to a minimum. Until a formal proposal is issued it has been decided not to enter this simplification initiative into the plan. This area will be further considered as the proposals develop.

### **c) Consistent enforcement and reviewing guidance – General Food Law (Regulation 178/2002)**

#### Reviewing guidance to ensure it is clear and proportionate for food businesses

The EC guidance on Articles 11, 12 and 16-20 of the General Food Law Regulation (EC Regulation 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety) seeks to distinguish between what food businesses need to do to comply with the legal requirements of the Regulation and what they can do by way of best practice. The European Commission began a review of this Guidance in September 2005. The UK completed a public consultation to inform this process on 20 October 2005. The purpose of the consultation was to gauge whether the Guidance as currently drafted is clear and proportionate for food businesses. Responses will be taken into account in the UK's approach to the review. The FSA is pressing to ensure that the guidance does not exceed the requirements of the Regulation particularly if it offers no additional consumer protection. The FSA will include this initiative in the simplification plan once these key issues are resolved.

### **d) Review of forms**

The FSA and relevant enforcement authorities asks businesses to complete a number of forms at different times and for different purposes. As part of the FSA's commitment to reduce administrative burdens on business we shall initiate a project to identify all the forms, who owns them and work to reduce their number and make the remaining simpler.