

PPA Food Law and Consumer Committee Meeting

Chair: Catharine Hall

30 November 2022

Agenda

- | | |
|---|-------------|
| 1) Welcome and anti-trust statement | 14:00-14:05 |
| 2) SG consultation on HFSS promotional restrictions – Cheryl McNulty (Scottish Government) | 14:05-14:35 |
| 3) EU FIC review – Silvia Tombesi (ESA) | 14:35-15:05 |
| 4) Minutes/action list | 15:05-15:10 |
| <ul style="list-style-type: none">Minutes PPA FLC 21 July 2022 (FLC 451/22) | |
| 5) Committee matters | 15:15-15:25 |
| <ul style="list-style-type: none">Review of FLC Terms of Reference and FLC ChairmanshipMeeting format and frequency | |
| 6) Updates: | |
| <ul style="list-style-type: none">Nutrition & Health | 15:25-15:40 |
| <ul style="list-style-type: none">England promotional and advertising restrictionsDevolved administration consultations on HFSS promosOther FDF DHC and NWG updates | |
| <ul style="list-style-type: none">Labelling and Composition | 15:40-16:10 |
| <ul style="list-style-type: none">Sunflower oil – Ukraine – update and brief discussion | |

Agenda

- Food Data Transparency Partnership (FDTP)
- Consultation on the Bread and Flour Regulations (BFR)
- Retained EU Law Bill (and other Brexit-related updates)
- Flavourings and smoke flavouring reviews – UK
- Other FDF FLL updates (incl. UK labelling plans, eco-labelling, plant-based, precision breeding and Codex updates)
- Food Safety 16:10-16:25
 - Acrylamide
 - MCPD esters
 - Glycoalkaloids
 - Furan
 - Other safety updates

Agenda

- Sustainability 16:25-16:40
 - EPR update
 - EU developments on packaging
- 7) AOB 16:40-16:50
- 8) Risk Matrix and FLC priorities 16:50-17:00
- 9) Next meetings/Close 17:00

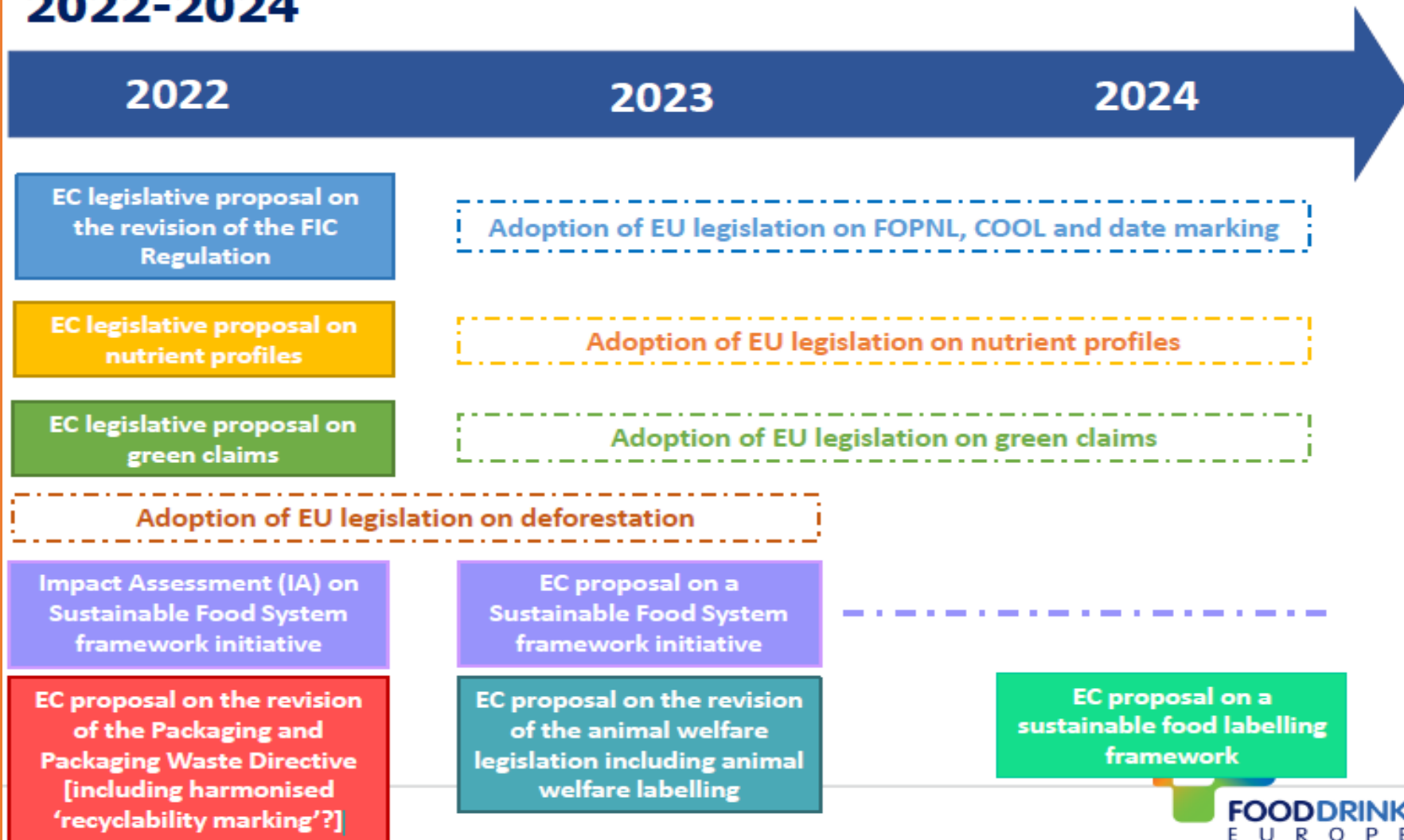
SG Consultation on HFSS promotional restrictions

**Cheryl McNulty
Scottish Government**

EU FIC Review

Silvia Tombesi
European Snacks Association (ESA)

Overview of consumer information related initiatives 2022-2024



UPDATE OF THE INCEPTION IMPACT ASSESSMENT

2020: The European Commission published the **Roadmap on the Revision of the rules regarding food information to consumers**, including a separate **consultation on establishing nutrient profiles**.

2021: the Commission intends to launch a study that will support the Impact Assessment. This study will provide support to the Commission for carrying out the Impact Assessment.

- ICF started in August this year an external study which will last for at least 9 months

2022: several consultations foreseen (online public consultation and targeted consultations with stakeholders and Member States).

- The contractor launched a targeted stakeholder and interviewed relevant stakeholders and analysed input provided to the IIA – **DONE**
- The Commission launched an open public consultation of 12 weeks in December 2021. This consultation will be complemented by a targeted stakeholder consultation – **DONE**

NEXT STEPS:

Q4 2022/Q1 2023: finalisation of the Impact Assessment.

Q4 2022/Q1 2023: drafting of the legislative proposal & submission of the proposal to the European Parliament and the Council.

Matters arising - FLC 21 July 2021

| Action | Status |
|--|---------------------------------------|
| Secretariat to keep an eye on developments on each of the four nations National Food Strategies . | Ongoing |
| Secretariat to investigate and report back on UK and EU flour fortification requirements post EU Exit. | To be covered today |
| Members to submit feedback to Secretariat on Slack and inform us if they wish to trial it (document management system). | Ongoing |
| Secretariat to continue to monitor FSA work on UK/EU regulatory divergence and provide updates on some of the FDF monitoring of relevance. | Ongoing |
| Secretariat to make contact with new OHID team (understood to be former PHE team). | Ongoing – awaiting response from OHID |
| Members interested in engaging with OHID on the Better Health Good Choice app to contact the PPA Secretariat. | Pending |
| Secretariat to liaise with the new OHID team to explore solutions for NDNS data extraction , and to explore options with another organisation (likely to incur a charge) for data analysis on potatoes and crisps. | Ongoing – awaiting response from OHID |
| Secretariat to update members on latest discussions on sunflower oil substitution and labelling , and to write to FSA/Defra expressing concerns over date of return to compliance | To be covered today |
| Secretariat to share final draft of enforcement opinion on dairy designations used for plant-based products (and meat designations) | To be covered today |

Matters arising - FLC 21 July 2021

| Action | Status |
|--|-------------------------------|
| Members to submit data on salt for crisps, savoury snacks, popcorn and potato products ; and sugar data for popcorn by <u>14 October</u> | Partially completed |
| PPA to request an update on the Food Data Transparency Partnership | Pending – brief update today |
| PPA to send members a link to ACS guidance on upcoming promotional restrictions | Completed |
| Members to send comments/suggestions on PPA's draft response to SG consultation on HFSS promotional restrictions by COB 16 September. | Completed |
| Secretariat to investigate interaction between GBSF x CQUIN x HFSS promotional restrictions in England . | Pending – awaiting FDF review |
| Members to contact PPA with any food labelling issues they would like to be addressed as part of a future food labelling review . | Pending |
| PPA to request FSA to a future FLC meeting for an update on contaminants controls in the UK. | Pending |
| Members to reply to survey on physical meetings . | To be covered today |
| Secretariat to develop an FLC priorities document | Ongoing |

On an ongoing basis, members are invited to submit to the Secretariat any product data held on:

| | |
|--|---|
| <ul style="list-style-type: none">• 3-MCPD | <ul style="list-style-type: none">• Mycotoxins (aflatoxins, ochratoxin A, patulin, fusarium toxins, fumonisins, deoxynivalenol (DON) and zearalenone (ZEA)) |
| <ul style="list-style-type: none">• Acrylamide | <ul style="list-style-type: none">• Perfluoroalkyl substances (PFAS) |
| <ul style="list-style-type: none">• Cadmium | <ul style="list-style-type: none">• Pesticides (CIPC) |
| <ul style="list-style-type: none">• Dioxins | <ul style="list-style-type: none">• Tropane alkaloids |
| <ul style="list-style-type: none">• Glycoalkaloids | <ul style="list-style-type: none">• UK import/EU export issues (e.g. composites, HRFNAO) |
| <ul style="list-style-type: none">• Hydrocyanic acid (HNC) | <ul style="list-style-type: none">• Supply chain shortages (e.g. sunflower oil, lecithins, etc)/substitution issues |

Committee Matters

REVIEW OF FLC TERMS OF REFERENCE AND CHAIRMANSHIP (FLC 495/22)

- Support for Catharine as Chair. No volunteers to take on Deputy Chair role.
- No further comments received on ToR.

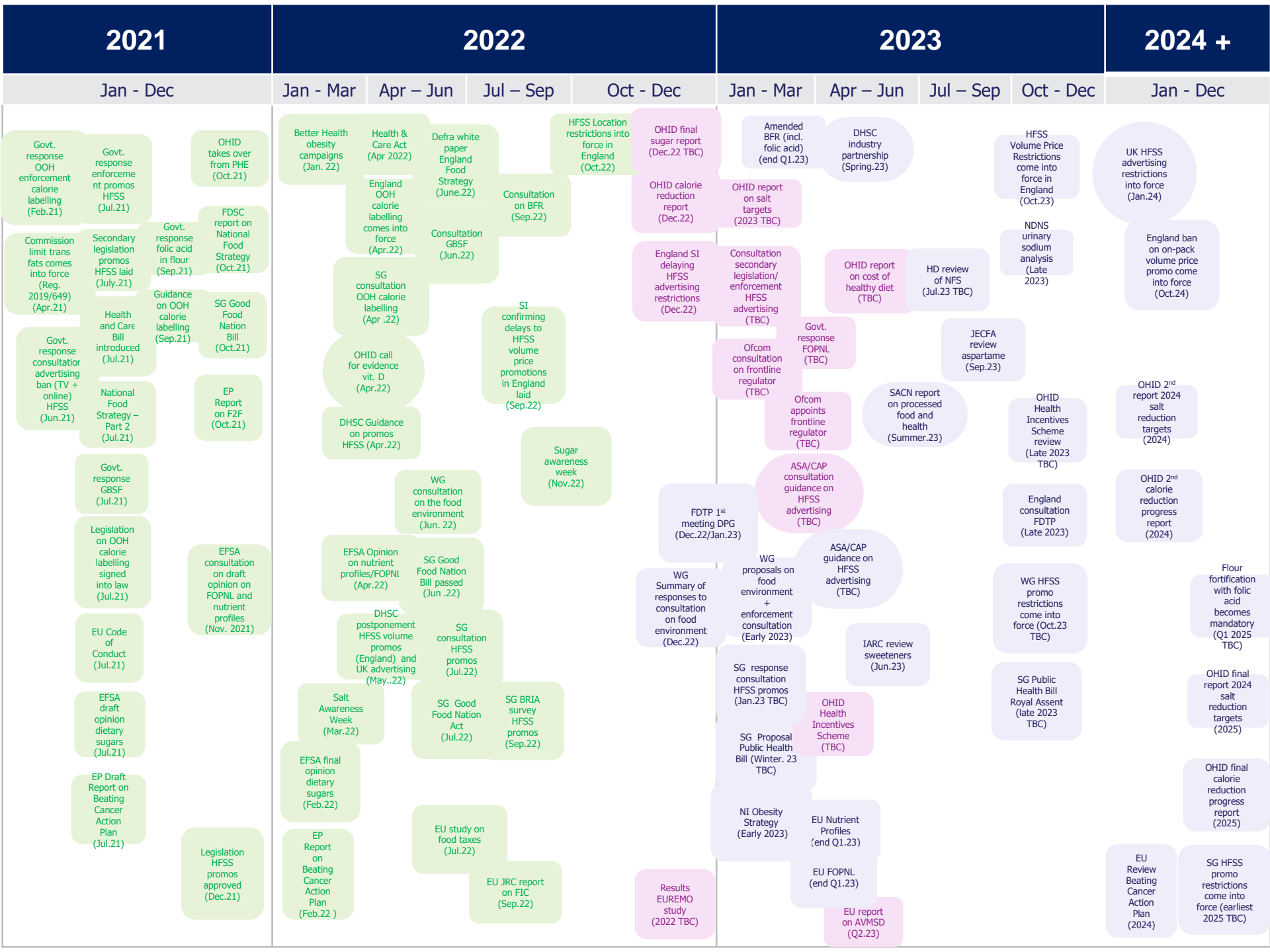


QUESTION: COMMITTEE TO ENDORSE Chair re-appointment?

MEETING FORMAT AND FREQUENCY

- 3 v. 4 meetings per year?
- Online and physical or just physical? Or hybrid? Or a mix?
 - “a hybrid approach dependent on any external visitors as across platforms networking opportunities are lost.”
- If physical, London v. the rest of the UK?
 - “Any location is fine as long as its probably close to a major train station for ease”
 - “Leicester”
 - “No preference as long as easily reachable from abroad”
 - “Central location in the Midlands”
 - “More central location.”

NUTRITION & HEALTH



UK Diet and Nutrition calendar

| Policy areas | Type of legislation | Consultation | Consultation response | Legislation/ guidelines due | Comes into force |
|---|--|---|--|--|------------------------------------|
| OOH calorie labelling | Secondary legislation under FSA 1990 | Main - Dec.18 Enforcement – Jul.20 | Main – July.20 Enforcement – Feb.21 | Jul.21 GUIDANCE: Sep.21 | Apr.22 |
| Volume/location promotional restrictions HFSS | Secondary legislation under FSA 1990 | Main - Apr.19 Enforcement – Feb.21 | Main – Dec.20 Enforcement – Jul.21 | Dec.21 GUIDANCE: Apr.22 | Location: Oct.22 Volume: Oct.23 |
| Advertising restrictions HFSS – 9pm watershed | Secondary legislation under new Health and Social Care Act | Main - Jun.19 Secondary/Enforcement – TBC | Main - Jun.21 Secondary/Enforcement - TBC | Health & Care Act: Apr. 22 Secondary leg.: TBC GUIDANCE: TBC | Jan.24 TBC |
| Advertising restrictions - online | | Main – Dec.20 Secondary/Enforcement – TBC | | | |
| FoP nutrition labelling | TBC | Jul-Oct.20 | TBC | TBC | TBC |
| WG Healthy food environment consultation | TBC | Jun.22 | Dec.22 | Proposals exp. Early 2023 | Oct.23 TBC |
| SG HFSS promo restrictions | Secondary legislation under Scottish Act* | Main - July.22 Secondary/Enforcement - TBC | Main – Jan.23 TBC Secondary/Enforcement - TBC | Earliest 2024 TBC | 2025 TBC |

*A Public Health Bill is required before restrictions can be introduced, and then secondary legislation will be required.

Promotional restrictions HFSS (England)

WHERE ARE WE?

- [The Food \(Promotion and Placement\) \(England\) Regulations 2021](#) laid Dec.21 (FLC 506/21)
- UK Government [announcement](#) on 14 May (FLC 262/22):
- **NEW:** [The Food \(Promotion and Placement\) \(England\) \(Amendment\) Regulations 2022](#) laid 29 September 2022 (FLC 446/22)
 - Location/placement restrictions apply from 1 October 2022
 - Volume promo restrictions delayed until 1 October 2023
 - DHSC [implementation guidance](#) amended to reflect changes:
 - Stock produced before Oct.23 with 'on-pack' promotions can be sold until Oct.24
 - Retailers can invalidate 'on-pack' promos to comply with 'spirit of regulation'.
 - From Oct.24, 'on-pack' promos for other parts of the UK need to reflect they do not apply in England.
- Delay [criticised](#) by the House of Lords
- Enforcement proving problematic.
- **NEW:** No plans to adopt 2018 NPM model retrospectively in England.

NEXT STEPS:

- Implementation of volume promotional restrictions – 1 October 2023
- 'On-pack' promotions – delayed until Oct.24
- PPA will continue to monitor discussion – please inform PPA of any questions/concerns

Promotional restrictions (Devolved)

WHERE ARE WE?

Wales:

- [WG consultation on healthy food environment](#) published 9 June (FLC 300/22)
- Consultation closed 1 September – PPA response sent on 18 August (FLC 398/22)

Scotland:

- [SG consultation](#) published 1 July (FLC 341/22)
- Consultation closed 23 September – PPA response sent on 23 September (FLC 441/22)
- [Programme for Government 2022-23](#) includes HFSS restrictions
- Consultation on [BRIA](#) (FLC 425/22) until 21 November – FDF response (FLC 504/22)
- Both proposals differ from England Regulations:
 - Potentially different food categories (2 options in Wales and 4 in Scotland)
 - Incl. **temporary price reductions** and **meal deals**
 - **Free-standing display** (Wales) and island/bin displays (Scotland)
 - Consideration of **2018 NPM model** (if published in time).

NEXT STEPS:

- Awaiting consultation responses from WG (exp. Dec.22) and SG (exp. Jan.23)
- Wales proposals and consultation on enforcement in early 2023.
- Wales expects to implement promotional restrictions in Oct.23
- Scotland - secondary legislation needed and further consultation
- Unlikely Scottish restrictions will be introduced before late 2024?

Summary of Devolved Promotions Policy



| | England | Wales (consultation) | Scotland (consultation) |
|---|--|---|--|
| Entry into force | 1 October 2022 (location) 1 October 2023 (volume) | Autumn 2023 | Unlikely to be before 2024 |
| Qualifying businesses | Retailers that sell pre-packed food and drink and OOH businesses that sell unlimited refills Retailers that employ 50 or more people (medium and large) including symbol groups | As in England | As in England Seeking views on exempting businesses from location restrictions on the basis of employee number and/ or floor space. |
| Price promotion mechanisms | Volume price promotions: multibuy e.g. 3 for the price of 2, buy 6 save 25%, buy one get one free, 50% extra free Free drinks refill promotion in OOH | <i>In addition to England mechanisms:</i> Temporary price reductions Free items and meal deals Limits on drink size in OOH | <i>In addition to England mechanisms:</i> Temporary price reductions Meal deals |
| Location promotion mechanisms | Store entrance, checkout, end of aisle, island bin/free standing display connected to /adjacent to an aisle end | <i>In addition to England mechanisms:</i> Free standing display units | <i>In addition to England mechanisms:</i> Island/bin displays <i>Propose to be consistent definition of location where appropriate with UK regulations</i> |
| Online purchasing | Online locations: homepage, pop-ups, favourites, checkout or searching/browsing | Online volume promotion restrictions and online location promotion restrictions (e.g. pop-up page) | Online retail, OOH, wholesale outlets including home delivery services |
| Store size exemption for location rules | <185.8 square metres (2000 square feet) | <185.8 square metres (2000 square feet) | <i>Seeking views on exempting businesses from location restrictions on the basis of employee number and/ or floor space.</i> |
| Other exemptions | Specialist retailers exempt from location restrictions Non-prepacked products and OOH sector products | <i>In addition to England mechanisms:</i> Close to use by date promotions | As in England |

Advertising restrictions HFSS (UK-wide)

WHERE ARE WE?

- [Health and Care Act 2022](#) gained Royal Assent on 28 April (FLC 225/22)
- UK Government [announcement](#) on 14 May (FLC 262/22): UK-wide advertising restrictions delayed until 1 Jan.24 (but SI required to formalise delay)

NEXT STEPS:

- SI delaying implementation advertising restrictions **before end of the year.**
- **NEW:** Potential further delay until after next General Elections
- Consultation on secondary legislation and enforcement – Timings TBC
- Ofcom to consult to appoint frontline regulator (exp. to be the ASA) – Timings TBC
- ASA/CAP/BCAP to pre-consult on guidance. Timings TBC
- Ofcom appoints ASA as regulator – CAP can formally consult – Timings TBC
- CAP guidance exp. TBC.
- As it stands, restrictions exp. to come into force 1 January 2024.

FDF NUT & DHC

- **OHID Behavioural Programmes unit**

- Food scanner app - swaps must be in database and adhere to Better Health guidance (can be provided on request).

- **Follow up from Government roundtable – ‘promoting healthy lives and economic recovery’**

- FDF tasked to develop proposals on how industry can work with Government.
- FDF proposals for future work – ‘systems approach’, communication on reformulation, innovation and portion control, and workforce health improvement.
- DHSC request and FDF work on models to define ‘healthier’ products and how to incentivise healthier choices.

- **Nesta**

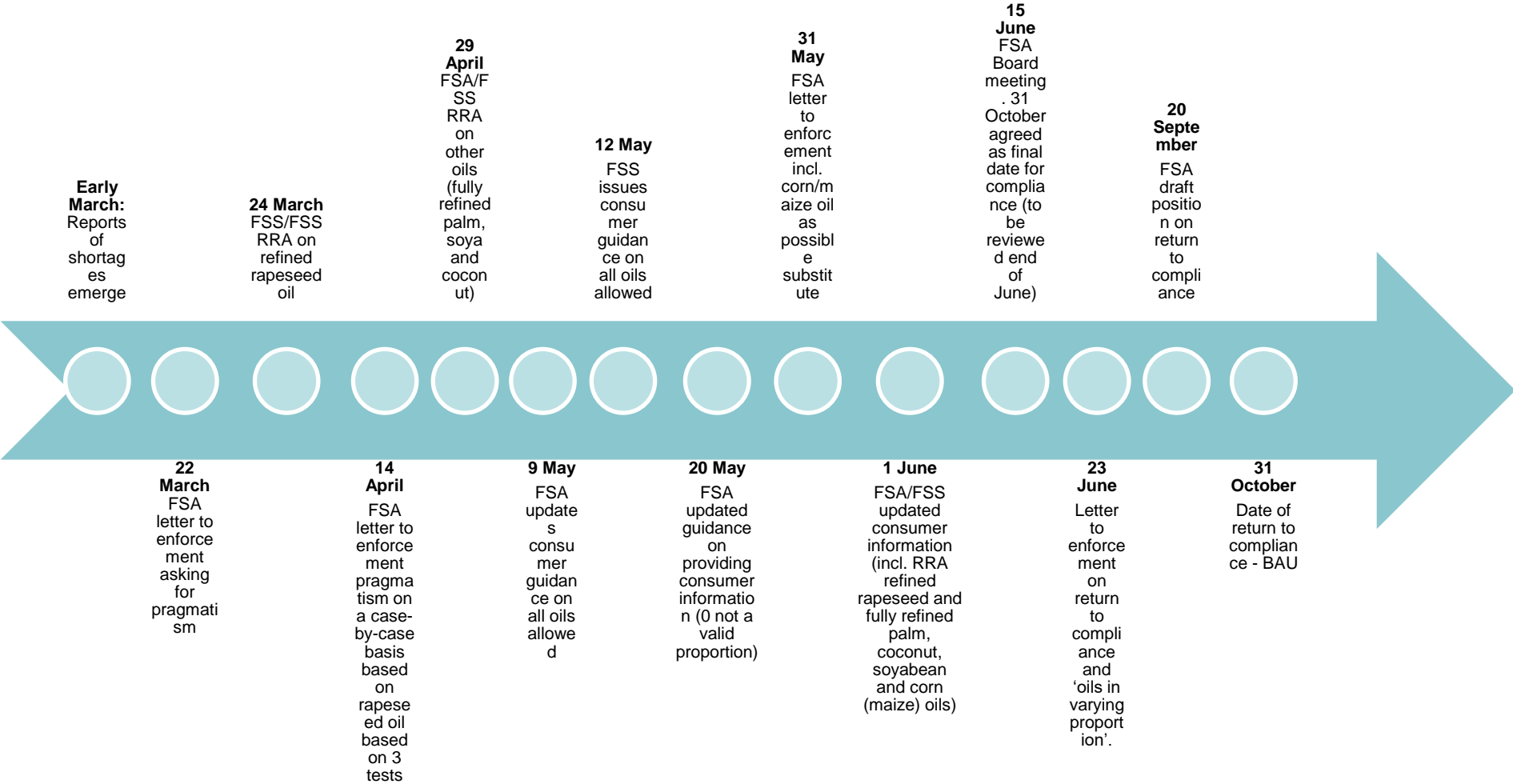
- Project ‘Targeting Foods for Reformulation’ - incl. crisps.
- Report due January.23.
 - Lack of easily accessible public data on reformulation across the sector.
 - Risk and investment required for reformulation is a barrier to industry.
 - Improved access to lower calorie options to consumers.
 - Focus on reformulating categories that would have the greatest impact on calorie-reduction.

FDF NUT & DHC

- **Obesity Strategy**
 - Government review ongoing
 - Health Disparities White Paper – unlikely to be published, but proposals expected soon
 - Calorie Reduction Taskforce dropped – to be replaced with ‘Industry Partnership’ – Spring.23
- **UPF**
 - Discussion on recent activity on UPF
 - FDF to start tracking reports and events on UPFs
 - SACN report on ‘processed food and health’ due in Summer.23.
- **National Child Measurement Programme**
 - Final report published in November
 - Obesity prevalence decreased in 2020/21 but deprivation gap widened since 2013/2014.
- **Celebrating Food and Nutrition**
 - Action in our Communities – but also reformulation and Action on Fibre.

FOOD LABELLING & COMPOSITION

SUNFLOWER OIL - UKRAINE



SUNFLOWER OIL - UKRAINE

- **Latest FSA announcement (20 September)**
 - Endorsed at the FSA Board Meeting 26 September.
 - FSA not willing to extend date of return to compliance (undeclared ingredients).
 - Advice on oils in 'varying proportions' remains valid.
 - Businesses to work with LAs/PAs to ensure swift progress towards return to compliance *if the October deadline is indeed missed in some cases*, and to ensure that mitigations remain in place if so.
 - LAs/PAs to consider individual situations on a case-by-case basis, using inherent flexibilities within the BAU LA/PA and business relationships.
- **Latest EU update 25 November from FoodDrinkEurope (FLC 509/22)**



QUESTION: ARE MEMBERS EXPERIENCING ANY ISSUES?

Food Data Transparency Partnership (FDTP)

WHAT IS IT?

- Programme of data sharing (mandatory reporting?) on animal welfare, health and environment.

HOW/WHAT FOR?

- Data: Rich, standardised, high-quality and based on a common agreed methodology
- For businesses: Data that can be provided efficiently and simply the industry
- For consumers/others: Enabled to choose more sustainable, ethical and healthier food.
- Objective: To drive positive change through better information, transparency and accountability

WORK:

- Led by Defra – Framework will bring together UK Government DAs, industry and civil society.
- Design Partnership Group (operations) and 4 WGs: environment, health, welfare and data outcomes.
- Initial focus on development of consistent and defined metrics.
- Advisory groups at strategic level – FDSC (industry) and non-industry group.
- Expert working groups will develop proposals as advised by advisory groups.
- Decisions will be made by Ministers, informed by FDTP insights.

TIMESCALES:

- First meeting of the Design Partnership Group **exp. Dec.22/Jan.23**.
- Plans to consult on mandatory reporting on health metrics **by end of 2023**
- Defra plans to streamline reporting requirements **by end of 2023**.

Bread and Flour Regulations

WHERE ARE WE?

- Government response on mandatory fortification of non-wholemeal wheat flour with folic acid in Sep.21 (FLC 369/21).
- Work of the BFTWG
- [UK-wide Consultation](#) on BFR 1998 (and BFR NI 1998) closed on 23 November
 - Includes mandatory fortification with folic acid (@250 mg/100 g flour)
 - Alignment with other relevant legislation (15% RI and removal of UK CaCO₃ specification)
 - Exemptions (small mills and small quantities - < 10%)
 - Defines 'common wheat' – in scope of the Regulations
 - Proportionate enforcement regime - improvement notices
- PPA responded to consultation on 18 November (FLC 502/22)
- COT review of fortificants in flour – potential for levels of niacin to exceed guidance levels.

NEXT STEPS?

- Government consultation response exp. late February 2023.
- Legislation expected to come into force April 2023.
- Expected compliance by April 2025.



Retained EU Law Bill



WHAT IS IT?

- [Retained EU Law \(Revocation and Reform\) Bill \(explanatory notes\)](#) – introduced 22 September
- Will facilitate amendment, repeal or replacement of EU retained legislation
- Sunset date 31 December 2023 – all EU legislation to be revoked, unless extended or powers exercised
- Some laws may be extended until 23 June 2026

WHAT DOES IT MEAN?

- Impact most food/feed legislation and others (e.g. employment law)
- Ends supremacy of EU law over UK law
- Domestic courts will be given discretion to depart from EU case law.
- Cabinet Office retained [EU law dashboard](#)
- Defra to review nearly 600 pieces of legislation, and the FSA over 100.
- [FSA](#), [FSS](#), [SG](#) and [WG](#) all expressed concerns.

WHERE ARE WE?

- Bill progressing through Parliament (Committee stage).

NEXT STEPS?

- PPA to follow progress of Bill through Parliament.



Brexit-related labelling



- **Brexit-related labelling changes (FLC 400/22):**
 - Defra, FSA, FSS, SG and WG confirmed delays to Brexit-related labelling **until 1 January 2024**
 - Inc. changes to name and address of FBO/importer, COOL (EU/non-EU), and ID marks
 - [The Food Information \(Amendment of Transitional Provisions\) \(England\) Regulations 2022](#) (and equivalent [Scottish](#) and [Welsh](#) Regulations) came into force 30 October.
 - Defra updated the guidance on gov.uk:
 - [Food labelling: giving food information to consumers](#)
 - [Food labelling: country of origin](#)
 - [Food standards: labelling and composition](#)
 - [Organic food: labelling and advertising rules](#)
- **[Consultation on imperial units](#)**
 - Ended 26 August.
 - PPA response (FLC 385/22) – no support on any change to the current system – transactions and labelling
 - Awaiting Government response – no timescales
- **Northern Ireland**
 - Technical talks ongoing, but gaps remain
 - NI elections postponed until 8 December – with potential for a further 6 weeks (19 January 2023)
 - NIP Bill at Report Stage

Flavourings and smoke flavourings

- **Flavourings:**

- REUL 1334/2008 – Framework on flavourings
- REUL 872/2012 – Approved list of flavourings
- REUL 873/2012 – transitional measures
- GB list of flavourings:

<https://data.food.gov.uk/regulated-products/landing>

- [FSA Consultation](#) – closes 11 December (FLC 499/22).

- **Smoke flavourings:**

- REUL 2065/2003 – Application processes and production for primary smoke products
- REUL 1321/2013 – List of approved products
- REUL 627/2006 – Criteria for analytical products
- Labelling – REUL FIC/FIR
- EU – EFSA currently evaluating
 - 10 smoke flavouring products – authorisations for all 10 to expire on 1 January 2024
 - Can be renewed for 10 years on application
 - June 2022 – deadline for applications – only 8 received.
 - No transition - If authorisation not granted, products will need to be withdrawn
- **UK – statement on smoke flavourings due soon.**

The screenshot shows the 'Regulated Food and Feed Products for Great Britain' website. The page title is 'Flavouring authorisations'. It features a search bar with a 'Search' button and an 'Add filter +' button. Below the search bar, there are download options for 'CSV' and 'MS Excel'. The page indicates 'Showing results 1 to 10 out of 2499' and has a 'Sort by' dropdown menu set to 'Flavis Number'. The page also includes a 'BETA' notice and a 'See the guidance notes for this register' link.

UK Consultations Food Law CoP

- FSA consultations launched in [England](#) and [Northern Ireland](#)
- Changes to the food standard delivery model for better use of resources:
 - New rating scheme for LA to evaluate risk posed by businesses - inherent risk profile v. compliance assessment
 - Includes a new decision matrix to determine frequency of official controls
- Some of the key features of new model:
 - Calculation of new risk profile –Ability to re-score a food business after certain activities, e.g. re-visit
 - Risk can be assessed and balanced across different types of premises – manufacturers no longer considered high risk by default
 - Potential for remote interventions
- Close date 9 January 2023.
- Wales to review Food Law CoP at a later stage.



MEMBERS INTERESTED IN A PPA RESPONSE TO NOTIFY SECRETARIAT

| | | | | | |
|---|--------------------------------|--------------------------------|--------------------------------|-----------|------------|
| 5 | 12 Months | 24 Months | 60 Months | 72 Months | 120 Months |
| 4 | Priority Intervention 6 Months | 12 Months | 36 Months | 48 Months | 72 Months |
| 3 | Priority Intervention 6 Months | 12 Months | 24 Months | 36 Months | 60 Months |
| 2 | Priority Intervention 3 Months | Priority Intervention 6 Months | 12 Months | 24 Months | 36 Months |
| 1 | Priority Intervention 1 Month | Priority Intervention 3 Months | Priority Intervention 6 Months | 12 Months | 24 Months |
| | 1 | 2 | 3 | 4 | 5 |

FDF FLL

- **Food Standards Scotland – Lynn Robertson (Senior Policy Advisor)**
 - Discussions under the Common Frameworks - Flour
 - FOPNL – discussions to extend into 2023
 - Retained EU Law Bill
 - UK Internal Market Act – concerns around animal feed and GMO (movement of gene edited materials)
 - 2023 FSS workstreams – incl. BFR, Retained EU Law Bill and PAL review.
- **UK developments on food information**
 - NFS developments – delayed due to Ministerial changes
 - COOL – Mandate unclear
 - Guidance documents – also delayed
- **Precision breeding**
 - FSA’s evolving Future Regulatory Framework for Precision Bred Food and Feed – separate to gene editing
 - Consumer research – poor understanding
 - FSA’s current position is labelling would not be required – impossible to distinguish v. conventionally bred
 - EU also considering precision breeding – EFSA opinion on safety – no concern
- **Environmental Labelling:**
 - FDF member workshop on environmental labelling in September.
 - Defra now considering ‘guidance’ on approach – level playing field and prevent green washing
 - IGD project
 - FDF position on proliferation of schemes adopted – plan to share with Defra, scheme holders and FoodDrinkEurope

FDF FLL

- **Plant-based:**
 - FSILG Dairy designations opinion under review by Defra – opportunity through Brexit Freedoms Bill?
 - ISO working group – still no decision – publication exp. Aug. 2023 TBC
- **Codex**
 - Use of Technology in labelling - Defra position only for non-mandatory info or to repeat mandatory information.
 - Next CCFL meeting 15-19 May 2023
- **Nutrition and Health Claims**
 - 2nd claim submitted to UKNHCC
 - Nothing new at EU/EFSA level
 - DHSC claims guidance review delayed (again)
 - On hold claims – delayed – opportunity through Brexit Freedoms Bill?
- **ABC Programme**
 - FSA keen to make it easier for businesses to do the right thing for consumers
 - Enterprise level regulation – current focus is large retailers: more resources = better compliance
 - [CTSI research](#) on local TS outcomes 2021/22 in England and Wales – increase in scams and food fraud.
- **FDF Divergence Tracker**

FOOD SAFETY

Acrylamide

UK

- FSA due to publish latest survey of acrylamide and furan in UK retail products survey by end of year (was expected in October).
Mark Willis: “No surprises” in data (FDF RAC meeting, 27 September 2022).
- This latest set includes a focus on vegetable crisps and chips. French fries / chips are not being surveyed.
- In terms of food safety / contaminant priorities FSA is focussing on T-2/HT-2, followed by acrylamide.

EU

- Three workstreams are currently underway:
 - The review of the existing benchmark levels (BMLs).
 - The establishment of new BMLs for products not previously explicitly addressed.
 - The establishment of maximum levels (MLs) for some products.
- On 5 May 2022, EFSA published an its [‘Assessment of the genotoxicity of acrylamide’](#)
 - *Based on the new data evaluated, the MOE approach is still considered appropriate, and an update of the 2015 Opinion is not required at the present time.*
- During Summer 2022, the Commission launched a questionnaire to EU Member States
- 21 November 2022: discussion with Member States on outcome of the questionnaire.
- 24 November 2022: discussion within the EU Standing Committee on the Food Chain and Animal Health.
- Likely outcome is a hybrid system? (some MLs, retention and tightening of BML approach).
- 2nd half of January 2023: a follow-up stakeholder forum is expected.
- Finalisation of the proposal expected in first half of 2023, before sending to European Parliament and Council?

Acrylamide

Feedback following 21 and 24 November meetings

- Commission and Member States have discussed a possible hybrid system that maintains BMLs and introduces MLs for some products.
- The Netherlands: The government seems to be in favour of MLs and has informed that there is no room for discussion. However, it seems they are open to discuss proposals for higher MLs or, for instance, to consider practical issues relating to enforcement controls.
- Poland: most Member States (including Poland) support the establishment of MLs for acrylamide in various food products, but the discussion on the numerical values of MLs is expected to be rather lengthy. It is not certain whether the regulation will be finalised/issued in 2023 (potential implications because we move into a new Parliament and new Commission).
- Austria: The Austrian Ministry of Health is supportive of MLs for products for vulnerable groups like infants and young children. MLs for other products appear not so urgent at the moment.
- Denmark: Danish authorities have informed that there is no doubt that MLs will be agreed, but also that the BMLs will be maintained. However, it notes that the Commission wants to merge some of the groups within e.g., breakfast and fine bakery wares. The Commission will produce a proposal for this.
- Others: to be confirmed. FDE meeting on 5 December 2022.

Acrylamide

EUPPA

- Acrylamide data collection successfully submitted to EFSA on 1 October 2022
- Overall:
 - 7 companies provided datasets. 597 samples.
 - 15 samples > the BMLs of 500µg/kg (and 7 of which >the suggested max level of 850µg/kg), mostly data for other cut (deep fried) potato products.
 - EUPPA has also compiled data from members on the potential impact of the regulation on the EU sector and has included a top line figure in letter to Commission.
 - Also updated the Goodfries.eu website for new product categories in the revised acrylamide and Code of Practice updated to cover new categories

ESA

- ESA has circulated a summary of acrylamide data for sliced potato crisps collected for 2021 (9,992 samples).
- A simplified version of this document has been sent to the European Commission.
- Anonymised data for sliced potato crisps in 2020 and 2021 has been formatted for submission to EFSA and been submitted to the Commission (circa 19,500 data points).
- ESA has also compiled data from members on the potential impact of the regulation on the EU sector. This has been shared with ESA members and with FoodDrinkEurope.
- ESA to present as part of 2-day online conference in Mid-December 2022 (AffidiaJournal).

3-MCPD esters

EU

- Limited activity since last FLC meeting.
- During Summer 2022, the Commission launched a questionnaire to EU Member States.
- 21 November 2022: discussion with Member States on outcome of the questionnaire.
- 24 November 2022: discussion within the EU Standing Committee on the Food Chain and Animal Health.
- 2nd half of January 2023: a follow-up stakeholder forum is expected.
- Finalisation of the proposal expected in first half of 2023, before sending to European Parliament and Council?

UK

- Remains as a high priority on FSA's contaminant list.
- Commission Regulation (EU) 2020/1322 of 23 September 2020 came into force on 1 January 2021, and was therefore not retained EU legislation, MLs apply in NI but not in GB.
- 3-MCPD–Esters to be assessed through the UK risk analysis process, to consider any risk management recommendations.

Glycoalkaloids

▪ Glycoalkaloids

- [Commission Recommendation \(EU\) 2022/561](#) on monitoring the presence of glycoalkaloids in potatoes and potato-derived products was published in the Official Journal on 7 April 2022.
- EU MS, with the active involvement of FBOs, should monitor glycoalkaloids α -solanine and α -chaconine in potatoes and potato products. If possible, the degradation products β - and γ -solanine and chaconine and the aglycon solanidine should also be analysed.
- ESA coordinated a meeting with EUPPA, and BDSI (LCI). Also reached out to Europatat and Starch Europe.
- LCI and EUPPA protocols were shared and a call for data issued.
- Data on finished products received from just one ESA member. Data on raw materials received from a different ESA member.
- **Insufficient data available to draw any conclusions on sliced potato crisps.**
- EUPPA has also established Glycoalkaloids Task Force and issued a call for data (7 companies, 189 samples received).
- EUPPA focussing on highest risk variety (Innovator) and determining possible processing factors.
- ESA and ESA German members supporting German MYNGLIKA project.

Glycoalkaloids

EUPPA Glycoalkaloids Task Force presented initial findings to the Food Law Committee, 10 October

Conclusions

- No effect of month of sampling (within Innovator).
- Not possible to analyse (dataset too small).
 - Processing factor effect of cutting size and month.
 - Effect peeling on GA in end product.
 - Size of potato.

If 100mg/kg is established a ML:

- For potato: Innovator will not be usable .
- For end product:
 - Fries: values observed above 100mg/kg. Not only Innovator.
 - Flakes: values as high as 480mg/kg.

From current data estimated processing factor:

- Processing factor for French fries on average: 1.3
- Processing factor flakes: 3

MINGLYKA project kick-off (4 November)

- 20 potato varieties chosen for the experiments: 10 crisps, 9 French fries, 1 starch.
- All the varieties come from Research Institute Dethtingen.
- EUPPA members visited the MRI researchers at their facilities:
 - Differences between pilot plant and real industry processes were discussed.
 - Differences were noted with regards the dry content for French fries, the peeling process, blanching process, drying process and frying system.

-1st year: researchers will look at the differences between the 20 varieties and the products produced in terms of solanine and chaconine.

-2nd year: researchers will look in more depth at 2-4 varieties for French Fries and crisps.

-3rd year: suggestion was made from EUPPA to MRI researchers to look at real industry processes –still to be confirmed.

Furan

▪ Furan

- [Commission Recommendation \(EU\) 2022/495](#) on monitoring the presence of furan and alkylfurans in food was published in the Official Journal on 28 March 2022.
- EU MS, with the active involvement of FBOs, monitor furan, 2-methylfuran and 3-methylfuran in food, in a variety of foodstuffs including: potato-based crisps and crackers.
- A call for data was issued over the summer and 78 data points on finished products were received from three ESA members (Period November 2020 – August 2022).

▪ Methods

- 61 HS-GC/MS, 16 LC-MS/MS.
- All met the minimum LOQ of 5 µg/kg.
- All used an accredited test laboratory.

Furan

| | Results | Furan | 2-methyl furan µg/kg | 3-methyl furan µg/kg | 2,5-Dimethyl furan µg/kg | 2-ethyl furan µg/kg |
|----------------------|---------|------------|----------------------|----------------------|--------------------------|---------------------|
| Sliced potato crisps | Highest | 25 µg/kg | 13 µg/kg | 50 µg/kg | <3.0 µg/kg | 56 µg/kg |
| | P95 | 21 µg/kg | 9.5 µg/kg | 37 µg/kg | <3.0 µg/kg | 38.2 µg/kg |
| | P90 | 18.4 µg/kg | 9.4 µg/kg | 27.4 µg/kg | <3.0 µg/kg | 27.6 µg/kg |
| | P85 | 17 µg/kg | 8.6 µg/kg | 11.2 µg/kg | <3.0 µg/kg | 21.8 µg/kg |
| | Mean | 11 µg/kg | 6 µg/kg | 11.1 µg/kg | <3.0 µg/kg | 16.2 µg/kg |
| | Lowest | <1.5 µg/kg | <3.0 µg/kg | <2.5 µg/kg | <3.0 µg/kg | 5.3 µg/kg |

No results were reported for 2-pentyl furan and butyl furan (not tested)

Furan

| | Results | Furan | 2-methyl furan µg/kg | 3-methyl furan µg/kg | 2,5-Dimethyl furan µg/kg |
|---|---------|------------|-------------------------|-------------------------|-----------------------------|
| Crackers, salty sticks, pellets etc | Highest | 75 µg/kg | 150 µg/kg | 5 µg/kg | <3.0 µg/kg |
| | P95 | 75 µg/kg | 150 µg/kg | 5 µg/kg | <3.0 µg/kg |
| | P90 | 65.2 µg/kg | 136 µg/kg | 5 µg/kg | <3.0 µg/kg |
| | P85 | 61 µg/kg | 130 µg/kg | 5 µg/kg | <3.0 µg/kg |
| | Mean | 26.6 µg/kg | 40.5 µg/kg | 4.3 µg/kg | <3.0 µg/kg |
| | Lowest | <7.0 µg/kg | <3.0 µg/kg | <3.0 µg/kg | <3.0 µg/kg |

No results were reported for 2-ethyl furan, 2-pentyl furan and butyl furan (not tested)

PPPs: 1,4-DMN

UK Status:

- 1,4-DMN received [full approval in GB](#) on 3 August 2022. GB Maximum Residue Limits (MRLs) also [amended](#) on 3 August 2022.
- However, NI did not receive approval at same time.
 - PPA wrote to Edwin Poots MLA at DAERA in support of authorisation (18 August 2022).
 - Edwin Poots confirmed DormFresh has applied for full authorisation, and this was expected to be approved for this season (27 October 2022).
- Issue is that CRD uses a different exposure model from the rest of Europe.
 - For GB, on the back of data provided by DormFresh, CRD amended the MRLs for animal products, which in turn allowed an amended exposure calculation to be made and ultimately allowed it to be authorised.
 - However, NI still uses the EU MRLs for animals, which are based upon worse case scenarios. These have now been amended but will not apply until 22 February 2023 (see next slide).
 - This theoretically also causes issues in terms of exports as there is a difference between the EU and GB MRLs.
- **NI authorisation was finally granted 10 November 2022.**
 - Animal feeding ban will stay in place until 22 February 2023.
 - Separate MAPP number for NI.

PPPs: 1,4-DMN

EU status

- Commission Regulation (EU) 2022/1346 of 1 August 2022 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for **1,4-dimethylnaphthalene**, 8-hydroxyquinoline, pinoxaden and valifenalate in or on certain products (published 2/08/22). LINK: <http://data.europa.eu/eli/reg/2022/1346/oj>
- The previous MRL which applied to all products **except potatoes** was the default 0.01 mg/kg (LOD), but the new text modifies this value upwards, setting a **tMRL** of 0.05 mg/kg for products of plant origin, and **sets specific MRL values for animal products**.
- The tMRL are based upon some limited evidence that 1,4-DMN is naturally present in plants other than potatoes.
- The tMRL have been set pending the submission of further monitoring data, this is expected two years after the publication of the Regulation.

PPPs: Chlorpropham (CIPC)

- **UK: Indications of movement from HSE on setting a temporary MRL (tMRL)** [PPA has received several emails from Rebecca Scrivens indicating she is now looking at the issue. Further update expected BEFORE Christmas].
- EU: Via the 'Potato Value Chain' (PVC), occurrence data was collected, and a report submitted to the European Commission in December 2021.
- The Commission has **proposed lowering the current tMRL (0.4mg/kg) in potatoes to 0.35 mg/kg**, based on the available monitoring data.
- **WTO TBT: Draft Commission Regulation amending Annexes II, III, IV and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for benzalkonium chloride (BAC), chlorpropham, didecyldimethylammonium chloride (DDAC), flutriafol, metazachlor, nicotine, profenofos, quizalofop-P, sodium aluminium silicate, thiabendazole and triadimenol in or on certain products** (Issued 21/07/22. Deadline 19/09/22).
- The PVC has completed a further data collection activity for season 2021-22. Final PVC report expected in December, with a first draft by end of November
- Commission has very recently stated that “data based on a random sampling would be more useful”, and this will be built into data collection for 2022-23 season
- Four PPA members provided data in support of this work.
- EUPPA CIPC task force will next meet on 30 November 2022.

Extended Producer Responsibility (EPR)

- BRC, FDF and INCPEN continue to lead in engagement with Defra over the need for an urgent review of Extended Producer Responsibility policy. (PPA co-signed a letter on 30 September).
- Key concern is that Government is insisting that the administrator body for EPR must be a central government body (as opposed to private sector design and delivery EPR and DRS schemes in other countries).
- The Department for Environment, Food and Rural Affairs and Environment Agency have published [updated guidance in relation to Extended Producer Responsibility \(EPR\) for packaging](#). This expands on the guidance document first published in June.
- [The \(DRAFT\) Packaging Waste \(Data Reporting\) \(England\) Regulations 2022](#) – Statutory Instrument (SI) was laid in Parliament on 22 November.
- This SI relates to introduction of new data reporting requirements under packaging Extended Producer Responsibility. These Regulations come into force 28 February 2023 and apply to England only.
- Devolved Administrations in Wales, Scotland and Northern Ireland will lay their own SIs in due course.
- [New guidance on how to collect the packaging data was published on 24 November](#). It provides UK companies with information on what data needs to be collected from 1 January 2023, nation data reporting as well as examples of how to report data depending on packaging activity and packaging type data.
- Recommendation that interested parties seek out Defra Webinars (two held in November, more expected).

EU developments on packaging

A leaked draft proposal for an EU Packaging and Packaging Waste Regulation was circulated in October.

Includes:

- Recycled content targets (article 7). From 1 January 2030, minimum percentage of recycled content is 25% for contact 'sensitive' plastic packaging (per unit; includes packaging that come in contact with foods).
- A list of packaging formats that economic operators won't be able to place in the market (does not seem to include outer layer plastic film).
- Increased recycling targets for certain materials, and new targets for all main types of materials.
 - As of 1/1/2030, packaging will have to comply with the 'design for recycling criteria'; and
 - As of 1/1/2035 the requirements will be further adjusted for packaging to be effectively collected, sorted and recycled to be considered as 'recycled at scale'.
- Targets at MS level for various material:
 - 65% by weight of all packaging will be recycled by 2025. Of which, specific targets are for instance 50% of plastic or 75% of paper and cardboard.
 - By 2030, 70% of all packaging waste will be recycled (including specific targets, for instance 55% of plastic).
- Packaging minimisation (article 9). As of 1 January 2030, each unit of packaging shall be scaled down to its minimum size, as regards its weight, volume and layers of packaging, with due account taken of the packaging's safety and functionality.
- New labelling requirements for packaging and harmonized sorting instructions.
- Requirements for EPR schemes (at national level).
- Requirements Deposit and return Schemes (DRS) (at national level).

AOB

Risk Matrix

Food Issues Risk Matrix (July 2022)

| Risk Analysis | Current Issue Actions in hand Dynamic situation | Future Issue Plans in preparation | Managed issue Controlled/monitored Could reoccur Outstanding actions |
|--|---|--|---|
| Big Company Impact Cost Reputation Media | Acrylamide 3-MCPD/Glycidyl-Esters HFSS Advertising/Promotions restrictions Obesity - New Government strategy/Scotland/Wales/Northern Ireland Portion Size/Calories CIPC and 1,4DMN authorisation BREXIT/Devolution-associated issues/Regulatory diversion Packaging waste/Taxation/EPR/ Food waste Salt/Sodium reduction (2024 targets) FOPNL developments Loss of pesticide active substances Sunflower oil supply and substitutions (labelling) | Pesticides MRLs Food taxation Collective loss of Fungicides Food Data Transparency Partnership (mandatory reporting for large businesses) Nutrient profiling (Ofcom model review UK) | |
| Moderate Impact Cost Material availability Working practice | Environment Act (implementation)/EU Farm to Fork Strategy Allergens (precautionary labels/vegan) Bread and Flour Regulations Review Nutrient Profiling (EU F2F Strategy/UK NPM Technical Guidance Update) Ultra-Processed Foods/Junk food cycle Glycoalkaloids Furan National Food Strategy | Contaminants (DON, T-2, HT-2) Eco-labelling | Sat Fat (Public Perception/media attention) Pack Fill |
| Small Impact Cost Materials Change | Flavourings reviews GBSF/CQUIN/Hospital Food Review Tropane alkaloids Plant-based/vegan and vegetarian definitions Sugars (popcorn) | Fluoride (EU) | Palm Oil (compound ingredients) |

Decreasing impact on business

New issue

Changed priority

Identified as a potential high-profile media issue

Dates of 2023 meetings

2023 dates and meeting format TBC

PPA to send out Doodle poll for 2023 meetings

ANNEX

Progress against PHE Salt and Sugar Reduction Targets

Provisional results
April 2021-March 2022

Updated on 25/11/2022



Salt data 2021 – Crisps (Provisional)

| Product Category | | FSA 2012 Targets | SNACMA April 2014 Status | SNACMA April 2015 Status | SNACMA April 2016 Status | PHE 2017 Targets | SNACMA April 2017 Status | SNACMA April 2018 Status | SNACMA April 2019 Status | SNACMA April 2020 Status | SNACMA April 2021 Status | SNACMA April 2022 Status | PHE (OHID) 2024 Targets |
|-------------------------------|------|------------------|--------------------------|--------------------------|--------------------------|------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------|
| Standard Crisps | Ave. | 1.38 | 1.33 | 1.33 | 1.30 | 1.31 | 1.26 | 1.28 | 1.26 | 1.28 | 1.28 | 1.25 | 1.25 |
| | Max | 1.63 | - | - | - | 1.45 | - | - | - | - | - | - | 1.38 |
| Extruded Snacks | Ave. | 1.88 | 1.83 | 1.69 | 1.64 | 1.7 | 1.71 | 1.59 | 1.65 | 1.59 | 1.55 | 1.43 ^c | 1.61 |
| | Max | 2.5 | - | - | - | 2.0 | - | - | - | - | - | - | 1.90 |
| Pelleted Snacks | Ave. | 2.25 | 2.10 | 2.10 | 2.11 | 2.13 | 2.10 | 2.05 | 2.06 | 2.12 ^a | 2.14 ^b | 2.01 ^c | 2.03 |
| | Max | No Max | - | - | - | 2.88 | - | - | - | - | - | - | 2.73 |
| Salt & Vinegar Products (all) | Ave. | 2.13 | 1.98 | 1.98 | 1.97 | 1.88 | 1.98 | 2.03 | 1.94 | 1.99 | 1.90 | 1.83 ^c | 1.78 |
| | Max | 3.0 | - | - | - | 2.5 | - | - | - | - | - | - | 2.25 |

^a This value had been incorrectly reported last year (previously 2.09)

^b Slight increase due to the removal of a product from the pelleted category in 2020-2021.

^c Large decrease due to reformulation and new reduced-salt products.

PHE (OHID) 2024 salt reduction targets:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915406/2024_salt_reduction_targets_070920-FINAL-1.pdf

Salt data 2021 – Popcorn and Nuts (FINAL)

| Product | | SNACMA April 2020 Status | SNACMA April 2021 Status | SNACMA April 2022 Status | PHE (OHID) 2024 Targets |
|-----------------|------|--------------------------|--------------------------|--------------------------|-------------------------|
| Flavoured Nuts | Ave. | 1.54 | 1.54 | 1.50 | 1.00 |
| | Max. | - | - | - | 1.20 |
| Savoury Popcorn | Ave. | 1.76 | 1.52 | 1.50 | 1.23 |
| | Max. | - | - | - | 1.44 |
| Sweet Popcorn | Ave. | 0.77 | 0.80 ^a | 0.88 ^b | 0.76 |
| | Max. | - | - | - | 1.00 |

^a Slight increase in SWA for sweet popcorn due to the introduction of new products and an overall increase in tonnage (16%).

^b Increase due to increase in sales tonnage of many products (approx. 14% on sweet).

PHE (OHID) 2024 salt reduction targets:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915406/2024_salt_reduction_targets_070920-FINAL-1.pdf

Processed Potato Products 2021 – Salt (FINAL)

| Product Category | | FSA (DH) 2012 targets | SNACMA April 2013 Status | SNACMA April 2014 Status | SNACMA April 2015 Status | SNACMA April 2016 Status | PHE 2017 targets | SNACMA April 2017 Status | SNACMA April 2018 Status | SNACMA April 2020 Status | SNACMA April 2021 Status | SNACMA April 2022 Status ^c | PHE (OHID) 2024 Targets |
|----------------------------------|------|-----------------------|--------------------------|--------------------------|--------------------------|--------------------------|------------------|--------------------------|--------------------------|--------------------------|--------------------------|---------------------------------------|-------------------------|
| Chips with Coatings | Ave. | 0.49 | - | - | - | - | 0.46 | - | 0.43 | 0.41 | 0.29 | 0.29 | 0.39 |
| | Max | 0.75 | - | - | - | - | 0.69 | - | - | - | - | - | 0.65 |
| Waffles, Shapes & Hash Browns | Ave. | 0.49 | - | - | - | - | 0.46 | - | 0.65 | 0.63 | 0.69 ^a | 0.62 | 0.39 |
| | Max | 0.75 | - | - | - | - | 0.69 | - | - | - | - | - | 0.65 |
| Wedges, Mash & Others | Ave. | 0.49 | - | - | - | - | 0.46 | - | 0.57 | 0.41 | 0.47 ^b | 0.40 | 0.39 |
| | Max | 0.75 | - | - | - | - | 0.69 | - | - | - | - | - | 0.65 |
| Processed Potato Products (all*) | Ave. | 0.49 | - | - | - | - | 0.46 | - | 0.47 | 0.43 | 0.33 | 0.33 | 0.39 |
| | Max | 0.75 | - | - | - | - | 0.69 | - | - | - | - | - | 0.65 |

* Except dehydrated instant mash.

^a This value is significantly different compared to the previous years due to an increase in sales for some products (due to lockdown - Covid-19).

^b This value is higher than last year due to the introduction of new products to category and an increase in sales (due to lockdown - Covid-19).

^c Decrease due to the inclusion of lower salt products.

PHE (OHID) 2024 salt reduction targets:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915406/2024_salt_reduction_targets_070920-FINAL-1.pdf

Sugar data 2021 – Popcorn (FINAL)

| Year | PHE Sales Weighted average (g per 100g) | Target 5% reduction (g per 100g) | Target 20% reduction (g per 100g) | SNACMA Sales Weighted Average (G per100g) | SNACMA Minimum (g per 100g) | SNACMA Max (g per 100g) |
|-----------|---|----------------------------------|-----------------------------------|---|-----------------------------|-------------------------|
| 2017 | 60.6 | 57.5 | 48.4 | 38.0 | 15.9 | 64.0 |
| 2018-2019 | 60.6 | 57.5 | 48.4 | 34.8 | 1.0 | 64.3 |
| 2019-2020 | 60.6 | 57.5 | 48.4 | 36.6 | 1.0 | 64.0 |
| 2020-2021 | 60.6 | 57.5 | 48.4 | 35.1 | 1.0 | 64.0 |
| 2021-2022 | 60.6 | 57.5 | 48.4 | 33.8 | 1.1 | 64.0 |

Total 17 products, of which:

- 97.7% of volume meet PHE SWA baseline
- 97.4% of volume meet PHE’s 5% reduction targets
- 58.9% of volume meet PHE’s 20% reduction targets

PHE 2020 sugar reduction targets:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/604336/Sugar_reduction_achieving_the_20_.pdf

CONSULTATIONS

Consultations - ongoing

| Consultation | Closing date | Comments/status |
|---|--------------|---|
| <u>FSA/FSS consultations on applications for authorisation of miscellaneous regulated products: two novel foods, one food additive and one flavouring</u> | 11/12/22 | No PPA response planned. |
| <u>FSA consultation on proposed changes to the Food Law Code of Practice (England) in relation to a new food standards delivery model</u> | 09/01/23 | No PPA response planned. |
| <u>FSA consultation on proposed changes to the Food Law Code of Practice (Northern Ireland) in relation to a new food standards delivery model</u> | 09/01/23 | No PPA response planned. |
| <u>EC Consultation on the revision of EU rules on food contact materials</u> | 11/01/23 | No PPA response planned. Commission adoption Q2 2023. |
| <u>DHSC call for evidence on the Antimicrobial resistance national action plan</u> | 20/01/23 | No PPA response planned. |
| <u>WRE draft Regional Water Resources Plan for Eastern England</u> | 20/02/23 | PPA response TBC. |

Last updated 30/11/2022

Consultations - expected

| Consultation | Exp. | Comments/status |
|--|--------------------|-----------------|
| DHSC consultation on secondary legislation/enforcement HFSS advertising restrictions | TBC | |
| ASA/CAP consultation on guidance on HFSS advertising restrictions | TBC | |
| PAL – short-term measures for prepacked foods. Technical guidance update | Dec/22 TBC | |
| WG consultation on enforcement of food environment proposals | Early 2023 | |
| Defra consultation on proposals on mandatory animal welfare labelling | Early 2023 | |
| FSA consultations on flavourings | Throughout 2023 | |
| FDTP metrics | End of 2023 TBC | |
| PAL – full impact assessment, thresholds, additional testing requirements | 2024/2025 | |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|---|
| Defra Gene editing (England) | 17/03/21 | Govt. response published 29/09/21 . |
| Defra changes recognition clauses (England) (BFR) | 22/03/21 | Govt. response published 29/07/21 . |
| Defra Draft Policy Statement on Environmental Principles | 02/06/21 | Environmental Act published 10/11/21 . |
| Extended Producer Responsibility (UK-wide) | 04/06/21 | PPA response. Government response published 26/03/22 |
| Defra Introducing a Deposit Return Scheme (England) | 04/06/21 | No PPA response as not applicable. Govt. response TBC |
| Defra Consistency of household and business waste collections (England) | 04/07/21 | Gov. response TBC |
| CMA Draft guidance on environmental claims | 16/07/21 | Final guidelines published Sep.21 |
| HMRC Plastic Packaging Tax: draft secondary legislation consultation | 17/08/21 | FDF response. Consultation response TBC |
| EA Review of the water industry national environment programme (WINEP) | 16/09/21 | Govt. response published 13/12/21 . |
| BEIS Reforming the framework for better regulation | 01/10/21 | Consultation response published 31/01/22 (through The Benefits of Brexit). |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|---|
| <u>FSS Food composition standards review</u> | 12/10/21 | PPA contribution through FDF. Consultation response TBC . |
| <u>FSA Wales Proposed amendment of the Mutual Recognition clauses in certain domestic food legislation in Wales</u> | 28/10/21 | PPA contribution through FDF. <u>Summary of responses</u> published 15/12/21 . |
| <u>EA Review of Charges for Water Resources</u> | 10/11/21 | Govt. <u>response</u> published 09/03/22. |
| <u>SG Agricultural transition in Scotland</u> | 17/11/21 | No PPA sector-specific response. Govt. <u>response</u> published 26/08/22 . |
| <u>Northern Ireland Food Strategy Framework</u> | 19/11/21 | No PPA response. <u>Summary of responses</u> published 28/03/22 . |
| <u>Defra Consultation on 'A Plant Biosecurity Strategy for Great Britain'</u> | 30/11/21 | Govt. <u>response</u> published 05/04/22 |
| <u>HMRC Technical consultation on Plastic Packaging Tax (General) Regulations 2021</u> | 01/12/21 | PPA response submitted. Consultation response TBC |
| <u>SG Local food for everyone – a discussion: consultation</u> | 02/12/21 | No PPA response. Govt. <u>response</u> published 13/07/22 |

Consultations - closed

| Consultation | Closing date | Comments/status |
|--|--------------|--|
| Defra Call for evidence on Labelling for Animal Welfare | 06/12/21 | PPA contribution through FDF. Consultation response published 30/08/22. Review ongoing. |
| FSA NI Consultation on proposal to allow flour millers to place unfortified flour on the NI market, subject to it being destined for countries outside the UK, or used in products destined to be sold outside of the UK | 06/12/21 | PPA contribution through FDF. Summary of responses published 16/06/22 . |
| Targeted Stakeholder Commission consultation on monitoring recommendation of the presence of glycoalkaloids in potatoes and potato-derived products | 09/12/21 | ESA lead. PPA contribution through FDF. EC recommendation (2022/561) published 06/04/22 . |
| HSE Formulation Guidance for PPP Ecotoxicology risk assessments | 13/12/21 | No PPA response. Consultation response TBC |
| BEIS Call for evidence – Combined Heat and Power (CHP) | 20/12/21 | Summary of responses published 28/03/22 . |
| Defra Moving the abstraction and impounding licensing regime into the Environmental Permitting Regulations | 22/12/21 | No PPA response. Consultation response exp. TBC |
| EFSA Consultation on draft scientific opinion on the development of harmonised FOPNL and the setting of nutrient profiles for restricting nutrition and health claims | 09/01/22 | EFSA opinion published 19/04/22 . |

Consultations - closed

| Consultation | Closing date | Comments/status |
|--|--------------|--|
| Defra Consultation to reform the Agriculture and Horticulture Development Board | 10/01/22 | No PPA response. Consultation response 08/03/22 |
| Targeted Stakeholder Commission consultation on 3-MCPD esters and glycidyl fatty esters MLs in foods | 17/01/22 | ESA lead. PPA response through ESA. Ongoing work. |
| DAERA Environment Strategy Consultation | 18/01/22 | Summary of responses published 28/03/22 . |
| EC consultation on recycled plastic in food packaging | 18/01/22 | FDF response. Commission adoption 15/09/22 . |
| EC Targeted Stakeholder Commission consultation on dioxins and dioxin-like PCBs | 21/01/22 | ESA lead. Ongoing work. |
| EC Targeted Stakeholder Commission consultation on BMLs and MLs for acrylamide | 21/01/22 | ESA lead. Ongoing work. |
| FSA consultation on the review of retained Regulation 2016/6 on importing food from Japan following the Fukushima nuclear accident | 11/02/22 | Summary of responses published 21/04/22 |
| Consultation on proposals to ban commonly littered single-use plastic items in England | 12/02/22 | No PPA response. Consultation response TBC |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|---|
| Defra Call for evidence on commonly littered and problematic plastic items | 12/02/22 | No PPA response. Consultation response TBC |
| DAERA Independent strategic review of NI Agri-Food Sector | 23/02/22 | No PPA response. Consultation response TBC |
| EC consultation on revision of Reg. (EU) 1169/2011 on food information to consumers | 07/03/22 | Summary of responses published on 03/05/22 . |
| EC consultation on facilitating healthier food choices – establishing nutrient profiles | 07/03/22 | Summary of responses published on 03/05/22 . |
| Defra Implementing due diligence on forest risk commodities | 11/03/22 | Government response published June.22 |
| FSA consultation on Precautionary Allergen Labelling (PAL) | 14/03/22 | Summary of responses published 06/06/22 . |
| BEIS consultation on Draft Vertical Agreements Block Exemption Order | 16/03/22 | Govt. response published May.22 |
| EC consultation on imports of agricultural and food products – applying EU health and environmental standards | 16/03/22 | Commission adoption 03/06/22 |
| Defra consultation on ending the retail sale of peat in horticulture in England and Wales | 18/03/22 | No PPA response. Govt. response published 27/08/22 |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|---|
| <u>SG National litter and flytipping strategy consultation</u> | 31/03/22 | No PPA response. <u>Summary of responses</u> published 28/07/22 |
| <u>EFRA Committee call for evidence on Common Frameworks</u> | 08/04/22 | No PPA response. Consultation response TBC |
| <u>Defra Introduction of mandatory digital waste tracking</u> | 15/04/22 | No PPA response. Consultation response exp. Autumn/22 |
| <u>DIT UK-New Zealand FTA: Trade and Agriculture Commission call for evidence</u> | 22/04/22 | No PPA response. Consultation response TBC |
| <u>2030 Strategic Framework for International Climate and Nature Action</u> | 24/04/22 | No PPA response. Consultation response TBC (along with 2030 Strategic Framework) |
| <u>HMRC Call for Evidence: An independent customs regime</u> | 02/05/22 | No PPA response. <u>Summary of responses</u> published 25/07/22 |
| <u>Defra Nature Recovery Green Paper</u> | 11/05/22 | No PPA response. Consultation response TBC |
| <u>OHID Vitamin D: call for evidence</u> | 15/05/22 | No PPA response. Consultation response TBC |
| <u>HM Treasury: Online sales tax: policy consultation</u> | 20/05/22 | No PPA response. Consultation response TBC |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|---|
| Defra consultation on reforms to PRN and PERN system and operator approval | 21/05/22 | No PPA response. Govt. response published 28/10/22 . |
| Defra – Tenant Farmers to share their views | 30/05/22 | No PPA response. |
| Developing the UK Emissions Trading Scheme (UK ETS) | 17/06/22 | No PPA response. Govt. response published 31/08/22 |
| DIT Trade with Switzerland | 22/06/22 | No PPA response. Consultation response TBC |
| Defra Environment Act 2021: environmental targets | 27/06/22 | No PPA response. Consultation response TBC (update) |
| SG call for evidence on single-use food containers and other commonly littered single-use items | 30/06/22 | No PPA response. Consultation response TBC |
| SG Mandatory calorie labelling in the OOH sector in Scotland | 01/07/22 | No PPA response. Consultation response TBC |
| FSA/FSS: Amendments to Retained Regulation 2019/1793 on controls applied to imported food and feed not of animal origin | 07/07/22 | No PPA response. Summary of responses published 12/10/22 . |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|--|
| EC consultation on future legislative framework for Sustainable Food Systems | 21/07/22 | ESA response. Commission adoption exp. Q3 2023. |
| FSA consultation on transitional arrangements for edible insects in GB | 10/08/22 | No PPA response. Summary of responses published 03/10/22 |
| FSA consultation on removal of the requirements to use the 'Do Not Eat' pictograph on active and intelligent food contact materials in GB | 10/08/22 | No PPA response. Summary of responses published 06/09/22 |
| FSA consultation on proposed changes to national (England only) law in relation to EU Directives on animal feed, food contact materials and extraction solvents | 10/08/22 | No PPA response. Summary of responses published 06/09/22 |
| Defra survey on dual regulatory regime in Northern Ireland | 15/08/22 | No PPA response. |
| EC consultation on food waste targets | 16/08/22 | EUPPA and ESA responses. Summary of responses published 19/09/22 |
| Environmental Standards Scotland – draft strategic plan | 17/08/22 | No PPA response. Govt. response published 30/09/22. |
| FSA Enhanced Investigatory Powers for the Food Standards Agency (FSA) | 18/08/22 | No PPA response. Summary of responses published 17/11/22 |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|--|
| EC targeted consultation on the draft recast of Regulation (EC) 1881/2006 setting maximum levels for contaminants in food | 19/08/22 | No PPA response. Consultation response TBC |
| SG Delivering Scotland's circular economy: a consultation on proposals for a Circular Economy Bill | 22/08/22 | No PPA response. Consultation response TBC |
| SG Delivering Scotland's circular economy: a Route Map to 2025 and beyond | 22/08/22 | No PPA response. Consultation response TBC |
| OPSS/BEIS Consultation on choice of measurement: markings and sales | 26/08/22 | PPA response submitted. Consultation response TBC |
| Defra/FSA/WG/SG consultation on extending the period (currently due to end 30 September 2022) during which some EU business address requirements and labelling terms are still permitted on the GB market to 31 December 2023 (no link) | 30/08/22 | PPA response submitted. Consultation response 07/09/22 |
| WG Consultation on Healthy Food Environment (HWHW) | 01/09/22 | PPA response submitted. Consultation response exp. December.22. |

Consultations - closed

| Consultation | Closing date | Comments/status |
|--|--------------|--|
| <u>FSA consultation on proposed changes to Welsh law in relation to EU Directives on animal feed, food contact materials and extraction solvents</u> | 01/09/22 | No PPA response. Consultation response TBC. |
| EC targeted consultation on provisions on sampling and analysis for control on compliance with MLs for mycotoxins and plant toxins in food | 02/09/22 | ESA response TBC. Consultation response TBC |
| <u>Defra Consultation on possible changes to public sector food and catering policy (GBSF)</u> | 04/09/22 | No PPA response. Consultation response exp. Later 2023. |
| <u>Defra Consultation on Improved food waste reporting by large businesses in England</u> | 05/09/22 | No PPA response. Consultation response TBC |
| <u>UK Government consultation on the UK Single Trade Window</u> | 15/09/22 | No PPA response. Consultation response TBC |
| <u>OHID consultation on SACN draft report on feeding young children aged 1-5 years</u> | 16/09/22 | No PPA response. Consultation response TBC |
| <u>EC consultation on proposals for a new Regulation on the Sustainable Use of Plant Protection Products</u> | 21/09/22 | EUPPA response. Consultation response TBC |

Consultations - closed

| Consultation | Closing date | Comments/status |
|---|--------------|--|
| <u>FSA/FSS call for evidence: Use of recycled plastic, originating from ocean-bound/cycle schemes and similar environmental collection, in food contact material products</u> | 20/09/22 | No PPA response. Consultation response exp. Dec/22. |
| <u>SG consultation on restricting promotions of food and drink high in fat, sugar or salt</u> | 23/09/22 | PPA response submitted. Consultation response exp. Jan.23. |
| <u>Defra consultation on contractual practice on the UK Pig Sector</u> | 07/10/22 | No PPA response. Consultation response TBC |
| <u>FSS consultation on The Food and Feed (Miscellaneous Amendments) (Scotland) Regulations 2022</u> | 10/10/22 | No PPA response. Consultation response TBC |
| <u>Defra consultation on the Groceries Code Adjudicator: statutory review, 2019 to 2022</u> | 11/10/22 | No PPA response. Consultation response TBC |
| <u>SG BRIA survey restricting promotions of food and drink high in fat, sugar or salt</u> | 21/11/22 | No PPA response. Consultation response exp. Jan.23. |
| <u>SG consultation on proposals for a new Agricultural Bill</u> | 21/11/22 | No PPA response. Consultation response TBC |
| <u>Defra/DHSC/FSA/FSS consultation amending The Bread and Flour Regulations 1998 and The Bread and Flour (Northern Ireland) Regulations 1998</u> | 23/11/22 | PPA response submitted. Consultation response 18/11/22. Response exp. Feb.23 |