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**PPA Food Law and Consumer (FLC) Committee  
Minutes of the meeting 21 March 2024,  
Teleconference**

<b>Participants</b>		<b>Guest speakers</b>	
Catharine Hall	KP Snacks (Chair)	George Hyde	FDF
Andrew Curtis	PPA (Secretariat)	Ben Rayner	FSA
Vanessa Richardson	PPA (Secretariat)		
Gillian Black	Taylor's Snacks	<b>Apologies</b>	
Darren Hewish	Tayto Group	James Blackband	Warp Snacks
Caroline Hodgson	Kettle	Shane Green	McCain
Jyoty Modha	PepsiCo	Charlotte Pick	McCain
Federica Tritschler	Lamb Weston		
Meredith Williams	McCain		

**[POST MEETING NOTE: IMPORTANT! On 22 May, the UK Government announced that the general elections will take place on 4 July. Therefore, please note that all timescales discussed at the meeting and provided in this document may be subject to change. Delays have been indicated where we are aware of them.]**

**1) Welcome and anti-trust guidance**

Members were asked to note the PPA anti-trust statement as practiced in meetings and to reply to the email previously sent accordingly.

**2) Review of minutes (22 November 2023) and any actions arising**

The Committee confirmed that the minutes of the previous FLC meeting held on 22 November 2023 were correct and proceeded to review the actions arising from the meeting. See slides for details. In addition, please note:

- **Feedback on implementation of restrictions on foods high in fat, sugar and salt (HFSS):** No feedback received from members. Will be marked as completed, but any input from members would be welcome.
- **Gulf Standardization Organization (GSO) Guidelines on salt:** PPA unable to share standard with members due to restrictions on document permissions, but should members need information from the standard, they can contact the PPA Secretariat.
- **Webinars on the Border Target Operating Model (BTOM):** Details of past webinar shared with members so marked as completed, but [further webinars](#) have been organised in April by the Department for Environment, Food & Rural Affairs (Defra) ahead of the implementation of phase 2 of the BTOM on 30 April. The Secretariat will continue to monitor and share future webinars/events with members.
- **External speakers' suggestions:** Will mark item as complete and add it as a rolling request to members.

### 3) Committee matters

Two items were discussed as part of this agenda item – see slides for details:

- **The Food and Drink Federation (FDF) Associations Advisory Group (AAG) Meeting**

The PPA Secretariat attended the meeting of the FDF AAG on 4 December 2023. See slides for details. The Secretariat explained that the purpose of these meetings is to fulfil a legal obligation on the FDF's part, as member associations do not sit on the FDF Board, and the meetings are an opportunity for information to be shared between member associations and the FDF, including priorities and key issues affecting them. They meet 3-4 times/year.

The PPA Secretariat will attend part of the next AAG meeting on 25 April and report on any important issues at the next meeting. The Chair explained that the reason why we included this was to ensure alignment on priorities between PPA and the FDF, so it was agreed that we will only focus on FDF priorities and any other relevant issues in future PPA meetings, rather than providing a summary of the AAG meeting.

It was suggested that UK Deforestation is also included, alongside EU Deforestation as part of the FDF priorities. This would also be included in the PPA Issues Matrix.

**ACTION:** Secretariat to raise **UK Deforestation** as a PPA priority at the next **FDF AAG meeting**.

**[POST MEETING NOTE:** The PPA Secretariat attended the 25 April AAG meeting. The meeting minutes have already been circulated and UK Deforestation has now been included].

- **Committee priorities**

The Secretariat provided a summary of the work that has been done and outlined that most members have already responded positively to the proposed draft priorities (see slides for details).

It was agreed that the Secretariat would endeavour to contact all remaining members in the next few weeks, with a view to finalising the proposals for approval at Committee and Board level ahead of the next FLC meeting in July. It was also discussed that the proposal should include topics which would benefit from potential proactive stakeholder engagement by PPA, considering the resources available.

**ACTION:** Secretariat to continue discussions with **members** to agree **priorities for 2024** and to **develop proposal to present to members and PPA Board before July FLC meeting** – draft priorities to be aligned with Issues Matrix and include areas for potential proactive engagement by PPA.

### 4) Updates

#### a) Nutrition and Health

The Secretariat gave an update on diet and health policy timings and highlighted some events which were not further discussed during the meeting, i.e.:

- **Year 12 National Diet and Nutrition Survey (NDNS):** Expected in Spring **[POST MEETING NOTE:** The Department of Health and Social Care (DHSC) has informed us that the Y12 NDNS is now expected at the end of 2024 (Autumn onwards). We expect this will not be released until 2025, as we have learned that the NDNS Urinary Sodium Analysis will not be published until 2025, and we expect the full NDNS to be published with or after that].
- **Major Conditions Strategy:** Expected in the Spring.

- **Scientific Committee on Nutrition (SACN) review of vitamin D fortification:** Expected early 2024 [POST MEETING NOTE: The [SACN rapid review on vitamin D fortification](#) was published on 23 May (FLC 225/24)].
- **DHSC response to call for evidence on Vitamin D fortification:** Work paused. No date for work to resume.
- **Office for Health Improvement and Disparities (OHID) Y1 progress report on salt reduction programme:** Now expected in 2025, after the NDNS Urinary Sodium Analysis report.
- **PPA salt/sugar data collection 2023-2024:** PPA to reach out to members early May [POST MEETING NOTE: Email request sent to members on 8 May (FLC 207/24 and FLC 208/24. Chipping members were emailed individually)].  
*ACTION: Members to send their salt/sugar data to PPA by no later than 7 June.*
- **Front of Pack Nutrition Labelling (FOPNL):** No ministerial steer, so no progress so far. No news. [POST MEETING NOTE: At the 7 May oral evidence session of the House of Lords (HoL) Committee on Food, Diet and Obesity, DHSC stated that the Government response to the call for evidence on FOPNL will be published “as soon as possible”].
- **2018 Nutrient Profiling Model (NPM):** No progress.
- **Government response to consultation on Government Buying Standards for Food and Catering Services (GBSF):** No news. Defra has appointed Will Quince as independent advisor on food procurement.
- **EU study on food taxes:** No news

i) **HFSS Promotion restrictions (England and Devolved Administrations (DAs))**

The PPA Secretariat provided an update on developments on HFSS promotion restrictions in the UK and DAs. See slides for details. In addition, please note:

**Wales:**

- **Welsh Government (WG) consultation on additional restrictions to HFSS promotions:** the FDF shared with members a document with exploratory questions raised by the WG ahead of their consultation, considering meal deals, Temporary Price Reductions (TPRs), non-prepacked, aisle ends and free-standing displays). The document was circulated to PPA members by the Secretariat (FLC 119/24).  
*ACTION: Members to send their responses to the FDF’s exploratory questions on the Welsh proposals for meal deals restrictions to the PPA Secretariat by 28 March (FLC 119/24).*
- [POST MEETING NOTE: No feedback was received. PPA fed back to FDF with some initial thoughts. To date, the actual consultation has not been published. Timescales remain Spring/early Summer 2024. The WG to develop guidance on HFSS promotion restrictions by Mid.2024].
- **WG inquiry on ‘Prevention of Ill Health – Obesity’:** It was agreed that PPA would not respond to the request directly, but instead input into the FDF response. [POST MEETING NOTE: The FDF shared a copy of its draft response to the WG inquiry on obesity with members. PPA has circulated it to members requesting comments by 17 May (FLC 185/24).  
[POST MEETING NOTE: No feedback was received. PPA fed back to FDF fully supporting their response. The WG inquiry ends on 7 June].

**Scotland:**

- **Scottish Government (SG) consultation on HFSS promotion restrictions:**  
*ACTION: Members to send their initial comments to the PPA Secretariat on the SG consultation on HFSS promotion restrictions by 12 April (FLC 099/24).*  
[POST MEETING NOTE: PPA circulated its final response to the SG consultation on 21 May (FLC 222/24). The consultation is now closed.].
- The group discussed the potential impact of the pre-elections period (purdah) on the consultation response, or legislation. [POST MEETING NOTE: It is understood that devolved administrations “are

aware of the need to avoid any action that is, or could be construed as being, party political or likely to have a direct bearing on the general election, but it is unclear if this consultation would be impacted due to its devolved nature. See 2024 general elections [guidance](#)].

**ACTION: Secretariat to discuss with the *British Retail Consortium (BRC)* their views on meal deal restrictions in Wales and Scotland.**

**[POST MEETING NOTE:** In response to the SG consultation, the BRC has confirmed that it will push back both in terms of TPRs and meal deals. On TPRs, BRC believes the definition is too broad and will have a huge impact in driving inflation and prices up in Scotland. BRC is also concerned about the impact on innovation. On meal deals, most of BRC's members believe that option 1 (no HFSS items) is the only logistically manageable option, with only a few favouring option 2 (1 HFSS item)].

ii) **LHF/HFSS advertising restrictions (UK-wide)**

The Chair provided an update on the upcoming advertising restrictions of Less Healthy Foods (LHF)/HFSS. See slides for details.

Please also note:

- **DHSC/Department for Digital, Culture, Media & Sport (DCMS) response to consultation on secondary legislation on HFSS advertising restrictions:** [POST MEETING NOTE: To date, the consultation response has not been published.]
- **Advertising Standards Authority (ASA)/Committee of Advertising Practice (CAP) guidance on LHF advertising:** [POST MEETING NOTE: Delayed from mid.2024 to Oct.24.]

iii) **OHID Y1 calorie report**

The PPA Secretariat gave a brief overview of the OHID Year 1 calorie reduction progress report, published in February. See slides for further details.

iv) **Other Diet & Nutrition updates**

Due to time constraints, the Chair focussed on the ongoing inquiry of the HoL Food, Diet & Obesity Committee on Ultra-Processed Foods (UPF). Please see slides for further details. In addition:

**[POST MEETING NOTE:** Further oral evidence sessions were held on 18 and 29 April (both with industry, incl. BRC), and 2 (Food Foundation), 7 (DHSC) and 9 May (Preet Kaur Gill MP and Prof Robin May from the Food Standards Agency (FSA)). 9 May was the last oral evidence session of the Committee. The Committee's final report is now due pre-Summer].

The group discussed whether PPA should submit its own response to the inquiry. It was suggested that, considering timescales and the value of a PPA submission, the FDF response should be circulated, and a decision then made based upon that.

**ACTION: Secretariat to circulate draft FDF response to the House of Lords written call for evidence on the impact of UPF/HFSS on diets and health outcomes.**

**[POST MEETING NOTE:** Completed on 22 March – **member input required by 26 March** (FLC 127/24)].

**[POST MEETING NOTE:** As no additional feedback was received from members, PPA did not submit its own response, but has contributed to the input from the FDF and the Advertising Association (AA) (FLC 171/24)].

Still on UPF, the Secretariat explained that SACN will consider UPF again during its June meeting as part of their horizon scanning programme, but it is unlikely much will come from it due to the lack of new scientific evidence. However, a new randomised controlled trial led by University College London is underway in the UK, looking at weight change and health outcomes between participants eating a minimally processed vs UPF diet, within the UK Eat Well dietary guidelines. The study will be completed in 2025 and therefore more activity is expected next year.

**[POST MEETING NOTE:** On 23 May, the Health Secretary [announced](#) that the National Institute for Health and Care Research had been tasked with gathering evidence on UPF].

The Secretariat provided a brief update on other topics covered by the FDF Diet and Health Committee (DHC) and Nutrition Working Group (NWG) meetings. See slides for details. In addition:

- **FDTP:** **[POST MEETING NOTE:** The 5<sup>th</sup> meeting of the FDTP Health Working Group (HWG) was held on 24 April. Minutes of the meeting are now available on the [FDTP website](#). The meeting focussed on streamlining proposed metric options, as well as product categories which would be considered. Further meetings were scheduled for 3 June and 8 July, after that a recommendation would be made to Ministers. However, due to the upcoming elections, both meetings have now been cancelled].

## **b) Food Labelling, Composition & Regulation**

### **i) Bread and Flour Regulations (BFR) review**

The PPA Secretariat gave an update on the recent developments on the review of the BFR. See slides for further details.

The Secretariat talked about a recent meeting including industry, trade associations (PPA present) and Defra, and Defra's request for close collaboration between all industry players. At the meeting, Defra asked the industry to put together a proposal on a suitable labelling solution.

**[POST MEETING NOTE:** The minutes from that meeting were shared with the Committee (FLC 146/24)].

***ACTION: Members are encouraged to discuss the labelling challenge with their local/primary authorities.***

**[POST MEETING NOTE:** On 22 May an industry proposal was shared by the FDF, proposing a 'go-live' date for addition of folic acid to flour of 14 May 2025. Products with a higher flour content would be prioritised, and therefore some degree of under-labelling would need to be allowed for a period of 2 years. Awaiting member feedback (FLC 226/24)].

***ACTION: Members to consider industry BFR proposals (FLC 226/24) and revert to the PPA Secretariat by 30 May.***

### **ii) Invited Guest Speaker: Ben Rayner (FSA)**

Ben Rayner (BR), Food Hypersensitivity Team Leader at the FSA, provided a comprehensive update on the FSA Hypersensitivity Programme, including prior work and priorities for 2024.

BR began by explaining what food hypersensitive encompasses, i.e., all allergies, intolerances and coeliac disease. FSA's responsibilities for allergen labelling and provision of guidance to consumers and Food Business Operators (FBOs) and Local Authorities (LAs) in England, Wales and Northern Ireland (NI), and FSA's ambition to improve the quality of life of those living with food hypersensitivities and then support them to make safe and informed food choices. BR also alluded to the importance of collaborative work with key stakeholders with a view to ensure proportionality, and the importance of non-legislative approaches. See slides for details.

In addition:

- In the Dec.23 Board Meeting, the FSA Board endorsed a recommendation that allergen information should be provided in writing on a mandatory basis in the non-prepacked sector, in addition to the current verbal approach. As a non-Ministerial agency, the FSA has made a recommendation to Ministers in England, Wales, NI and written to Food Standards Scotland (FSS), which has equivalent responsibility in Scotland. Ministers will then have to decide whether to take it forward.
- FSA wants to work on implementing a system where the application of Precautionary Allergen Labelling (PAL) statement is linked with a standardised risk analysis process based on allergen thresholds.

- The work currently being undertaken by the Codex Alimentarius (working with the Joint Food and Agriculture Organization (FAO)/World Health Organization (WHO) Expert Consultation on Risk Assessment of Food Allergens) is critical to develop global standards for the application of PAL, including thresholds. Work first stated in 2020. No outcome is expected for another year or so.
- Whilst the Codex work progresses, the FSA is looking to make improvements to the current system, e.g., targeted guidance for smaller businesses, which currently struggles the most with PAL.
- Recent changes made to [FSA Technical Guidance on allergen labelling](#), which includes (as best practice) that the type of nut which may be present in product needs to be indicated in the PAL (rather than just an indication of 'nut'), moving away from generic statements.
- The next meeting of the Codex Committee on Food Labelling (CCFL48) will take place on 27 Oct. – 11 Nov. in Canada. The proposed changes related to allergen labelling of the General Standard for the Labelling of Prepackaged Foods (GSLPF) and the draft guidance on PAL will both be discussed.

The Secretariat opened the floor to questions. A question was asked as to whether there are any particular standards for risk assessment of allergen cross contamination that should be used to determine whether PAL is required. BR referred to an existing standard on risk assessment, which he said he would share with PPA to be shared with members, but BR also believes this will be considered by Codex at some stage as a follow up from their ongoing work.

**ACTION: Secretariat** to request **guidance on risk assessment for PAL** from the FSA and circulate it to members.

**[POST MEETING NOTE:** The guidance from the International Life Sciences Institute (ILSI Europe) was shared with members on 10 May (FLC 210/24)].

BR also mentioned the recent developments in the Netherlands, where ED05 (the Eliciting Dose at which 5% of the population would have a reaction to the allergen) levels were being considered for the use of PAL. BR said that comprehensive guidance was being developed by the Dutch authorities, and that if the UK decided to follow a similar approach in the future, equivalent guidance would be developed by the FSA.

**[POST MEETING NOTE:** The Dutch Guidelines on cross-contact of allergens and the Allergen Policy have now been published and will become fully applicable from 1 January 2026. These guidelines are based on the Codex and the [European Commission \(EC\) Notice 2022/C 355/01](#) developments. Unofficial translations have been shared with PPA Members (FLC 195/24)].

The Secretariat asked a question in relation to the FSA work on allergen thresholds. BR referred again to the Codex work, which he noted was being done sequentially, i.e., criteria for assessing allergens, identifying priority allergens (global vs. regional) and then threshold levels. The report of the Joint FAO/WHO Expert Consultation on Risk Assessment of Food Allergens recommended the use of ED05. The UK Committee on Toxicology (COT) was commissioned to look into this, and their view was that based on the narrow food safety margin, there is insufficient evidence to demonstrate that using reference doses based on ED05 (as opposed to ED01) would not significantly impact public health. The FSA has consulted with stakeholders and will submit a report to CCFL including the COT findings, and the next steps in the UK will depend on what happens at CCFL48 and the position of other countries. But the UK also has to consider wider risk management questions, e.g., consumer choice, food availability and impact on trade.

A member asked a follow up question about thresholds and other factors that the FSA may need to consider, e.g., retailers' requirements (use of the Voluntary Incidental Trace Allergen Labelling (VITAL) system), Limit of Detection (LoD). BR acknowledged these concerns and confirmed that the FSA has also consulted with the FDF and the BRC to ensure that all relevant aspects are being considered, including methods of analysis.

The Secretariat also asked a question about the recent [FSA campaign on vegan and allergen labelling](#). BR explained that the campaign is to raise awareness amongst allergic consumers that vegan labelling is not a guarantee that a food is free from an animal-based allergen. The FSA has also carried out research with consumers which suggest confusion amongst consumers between 'free-from' and vegan labelling and the reasons behind this, to allow the FSA to consider future action in this space (incl. a potential definition for

‘vegan’, although BR acknowledged this may not be the decision made, and that such decision could only be made by Defra).

The Secretariat also asked a question on potential changes to the wording used for PAL (e.g., ‘Not suitable for those with an allergy to x’), following on from the 2022 FSA consultation. BR explained that the FSA had planned to hold a wider consultation on PAL principles but, considering the COT report not recommending moving to ED05, the FSA had decided to review the outcome of the Codex work before progressing. BR mentioned that the Dutch proposals include a recommendation on wording and that the UK may follow suit, depending on the outcome of future discussions.

### iii) Invited Guest Speaker: George Hyde (Trade Policy Manager, FDF)

The Committee welcomed George Hyde (GH), Trade Policy Manager at the FDF to the meeting, who provided an update on the Windsor Framework, including the consultation on ‘Not for EU’ labelling, the Northern Ireland Retail Movement Scheme (NIRMS), and the BTOM. Please see slides for further details.

On the Windsor Framework, please also note:

- FDF had submitted two responses: a response to individual questions and a separate response on broader points on the impact of the proposals.
- One issue was that the consultation was framed as an implementation consultation (done deal).
- Consultation based on the premise that lack of regulation could drive businesses away from NI so as to avoid labelling.
- FDF had sent a Freedom of Information request to Defra on supplies to NI and also met with the NI Democratic Unionist Party (DUP) to discuss concerns. The DUP had shared concerns about SMEs no longer supplying the NI market.
- The proposals under [The Marking of Retail Goods](#) exempt SMEs from the labelling requirement.
- FDF reiterated in its response that labelling (required under NIRMS) is only one of the reasons why SMEs may not be keen to supply the NI market, e.g., general certificate, channelling requirements, etc.
- Authorities are more lenient in terms of cage/pallet labelling. As long as boxes are fully enclosed/covered, and the label is shown on the outside, it should be acceptable.
- On products that require labelling, PPA and FDF have been working with Defra to understand which composite products are in/out of scope, as there is no positive list of products in scope.
- On the UK Internal Market Scheme (UKIMS), the customs element of the green lane will apply from October 2024.

**[POST MEETING NOTE:** To date, the HM Government has not issued its response to the consultation. We understand that the FDF has proposed alternative options to labelling to the HM Government, but next steps are still being considered. The update to the guidance on NIRMS is also pending].

On the BTOM, please also note:

- **[POST MEETING NOTE: CORRECTION.** The slide states that potatoes are classed as ‘low risk’ under the BTOM. This is incorrect. As the [BTOM](#) stands, both seed and ware potatoes from the EU are classed as ‘high risk’ (see [here](#) BTOM categorisation list for non-EU products) and therefore require pre-notification (under the Import of Products, Animals, Food and Feed System (IPAFFS) and a phytosanitary certificate for import into the UK].
- **[POST MEETING NOTE:** Details of the UK Border Control Posts (BCPs) [Common User Charge](#) have been published on 3 April (FLC 142/24)].

The Secretariat asked members if they had any questions. Questions were asked about specific cases of issues with NIRMS scheme registration number for sites that do not manufacture goods, issues with EU Member States (EUMSs) not willing to issue documents required for UK imports, and specific issues with commodity codes and the need for ‘Not for EU’ labelling. The PPA Secretariat encouraged members to send in their business-specific questions separately.

**ACTION: Members** encouraged to send any issues that they may be encountering, both with NIRMS or BTOM, to the PPA Secretariat, who will work with the FDF and Defra/FSA as required to problem solve.

#### iv) Other Labelling, Composition and Regulation updates

The Secretariat provided a brief overview of other important labelling, compositional and regulation updates, including those from the FDF Food Law and Labelling Committee (FLL) meeting. See slides for details. In addition:

- **UK-wide consultation on Fairer Food Labelling:**  
**ACTION: Members** to send comments to the PPA Secretariat on the Defra **consultation on Fairer Food Labelling by 19 April** to inform whether PPA should submit its own response.  
[POST MEETING NOTE: PPA only received limited feedback and therefore it was decided to contribute to and support the FDF response, which was circulated to members on 7 May (FLC 202/24). The consultation closed on 7 May].
- **Food Standards and Information Focus Group (FSIFG) draft opinion on the use of dairy designations for plant-based products:** [POST MEETING NOTE: PPA has learned about further opposition to this work and understands that it has returned to Defra for further review. There are no estimates as to when this piece of work will be available].
- **Recycling labelling:** [POST MEETING NOTE: On 23 April, PPA was informed by Defra that binary recycling labelling would become mandatory for all types of packaging, incl. flexibles, from 1 April 2027 (FLC 177/24). On 3 May, Defra informed that it had published the amended [draft Regulations](#) and notified the World Trade Organization (WTO) and the EC of their intention to lay legislation on Extended Producer Responsibility (EPR) later in 2024, with the aim of it entering into force on 1 January 2025. The draft Regulations confirm that recycling labelling will become mandatory from 1 April 2027 for all materials (FLC 199/24). Defra also published its [response](#) to the consultation on Simpler Recycling on 9 May, which confirms that plastic film collections from all households, businesses and non-domestic premises will begin on 31 March 2027 (FLC 209/24)].
- **FDF 'Fight for the Label' project:**  
**ACTION: Members** interested in contributing to the FDF's 'Fight for the Label' project to contact the PPA Secretariat.
- **FSA Regulated products reform:** [POST MEETING NOTE: On 3 April, the FSA and FSS launched a [consultation](#) on initial proposals for legislative reform to streamline the authorisation process for feed additives, Genetically Modified Organisms (GMOs), and smoke flavourings. The consultation closes on 5 June. More information about longer-term reform plans will be presented to the FSA and FSS Boards in June and, if taken forward, will be subject to separate consultation (FLC 143/24)].
- **FSA and FSS consultations on proposed changes to Regulation 2019/1793 on increased controls on imported High Risk Food Not of Animal Origin (HRFNAO):**  
**ACTION: Members** to send any **comments** on the FSA/FSS consultations on proposed amendments to the UK Regulation on increased controls on imported HRFNAO by **12 April**.  
[POST MEETING NOTE: This consultation is now closed. PPA has not received any input from members and therefore we have not responded].
- **EU review on smoke flavourings:**  
**ACTION: Secretariat** to confirm **date of April SCoPAFF (Standing Committee on Plants, Animals, Food and Feed) meeting** in which an **EU decision on smoke flavourings is expected**  
[POST MEETING NOTE: The last SCoPAFF Novel Food & Toxicological Safety of the Food Chain meeting took place on 24 April. At the meeting, EUMSs endorsed the EC proposal not to renew the authorisations of the only 8 smoke flavourings currently allowed in food. After a phase-out period (1 July 2026 for foods other than cheeses, meat and some fishery products) these flavourings will no longer be permitted for use in the EU. Foods containing smoke flavourings placed on the market by the cut off dates can be sold through and preparations containing smoke flavourings can be placed on the market until the dates set out for the foods they are intended for. The Regulations are expected to be published at the end of May/early June 2024 (FLC 196/24)].

## c) Food Safety

The Secretariat gave an update on recent relevant developments on contaminants and pesticides. See slides for details. Please also note the following:

### i) Acrylamide

- At an EU level, the proposals for new Maximum Levels (MLs) and new and revised Benchmark Levels (BMLs) were thought unlikely to be progressed during this current Parliament due to European elections taking place in June (insufficient time for parliamentary scrutiny), and a lack of discussion at WG/Standing Committee level.
- Following the European Parliamentary elections, a new Commission will be established, which suggests that (until at least around October 2024) there may be limited progress at either Working Group or Standing Committee level.
- Confirmation from Frans Verstraete (DG Health and Food Safety) that MLs/BMLs will be based upon the latest monitoring data (and that due to changes with the way in which EFSA had recorded data this was providing difficult to analyse).
- A Codex draft discussion paper on acrylamide, drafted by an electronic Working Group led by India was expected to be published. However, to date no drafts had been circulated within the electronic the WG, and time was running out for this to be consulted on. It was possible that this would be issued as a document to note and pushed back to next year: **[POST MEETING NOTE: A paper was finally issued on 11 April ahead of the meeting of the Codex Committee on Contaminants in Food (CCCF) held from 15-19 April (FLC 158/24). The draft was not issued for consultation and FDE submitted comments in the form of a room document supporting review of the existing Codex Code of Practice which dates from 2009. CCCF agreed to this proposal and has asked for new tools to be identified to the Codex Secretariat for possible inclusion in a revision.]**
- ESA (European Snacks Association) annual call for acrylamide data crisps and snacks: ***ACTION: Members to supply data on Acrylamide for sliced potato crisps, dough-based (formed) potato snacks, cereal snacks and vegetable crisps/snack products to PPA Secretariat. Deadline: by 29 March for potato crisps (FLC 047/24) and 30 April for all other products (FLC 048/24).*** **[POST MEETING NOTE: The calls for data on sliced potato crisps and other savoury snacks are now closed. The call for data on nuts is still pending due to some possible amendments in the format: to be agreed by the ESA Nut Processors' Working Group].**
- Vegetable crisps: It was noted that there had been particularly attention given to these products and it was highly likely that BMLs would be established by the end of 2024 within the EU.
- EUPPA (European Potato Processors' Association) call for acrylamide data on processed potato products: The Secretariat confirmed that this had yet to be issued **[POST MEETING NOTE: EUPPA issued its call for data on 8 April for acrylamide and for glycoalkaloids. Data to be received by 3 May. PPA Secretariat approached chipping members directly].**

### ii) Glycoalkaloids

- PPA was unable to share the presentations from the forum held on 13 March. The forum saw experts from various projects attend and present on their recent/current findings and was followed by a Q&A session. The event was attended by more than 100 individuals from across the EU potato supply chain, including the Commission.
- Further discussions were still taking place within the organising group (ESA, EUPPA, Europatat and Starch Europe) to discuss next steps.
- No legislation was anticipated in the immediate future.
- EFSA had issued a call for glycoalkaloids as part of its 'Continuous Call for Data' on 1 March 2024. Deadline 30 June 2024.

## T-2 and HT-2

- Noted that the EU proposal had been voted through in September and the text had been sent to the WTO for 2-month consultation.
- **[POST MEETING NOTE: [Commission Regulation \(EU\) 2024/1038](#) was published on 10 April setting MLs for T-2 and HT-2 in food. The Regulation applies from 1 July 2024. Food lawfully placed on the market before 1 July 2024 can be sold through (FLC 155/24)].**

### iii) Mineral Oil Hydrocarbons (MOH) in Food

- Noted that the Commission had held a Stakeholder Forum held 18 January 2024. FDE and several sector associations had presented (Not ESA nor EUPPA).
- Commission considers that most sources of MOHs in food are avoidable by following good practices. Three pieces of legislation are proposed (MLs for certain foods, a monitoring recommendation and a regulation on methods for the sampling and analysis of MOHs in food).
- Discussions are expected to continue through 2024.

### iv) Deoxynivalenol (DON)

- Noted that the EU proposal had been voted through in September and the text had been sent to the WTO for 2-month consultation.
- **[POST MEETING NOTE: [Commission Regulation \(EU\) 2024/1022](#) was published on 9 April setting MLs for DON in food. The Regulation applies from 1 July 2024. Food lawfully placed on the market before 1 July 2024 can be sold through (FLC 152/24)].**

### v) Chlorpropham (CIPC)

- The Secretariat provided an update on work of the CIPC Residues Monitoring Group (CRMG) and next steps.
- PPA was supporting the CRMG by providing secretarial support and had provided some initial funding to start the process. Funding was now expected from a combination of GB Potatoes and from the CIPC manufacturers.
- CRMG was looking for GB and NI occurrence data for both bulk and box stores which have previously been treated with CIPC. Data will be anonymised, compiled, and submitted to HSE by end of August every year to support the continued use of a temporary MRL (tMRL), with a phased reduction of the tMRL anticipated over time.

***ACTION: Members to support CIPC data submission requirements and promote cleaning best practice.***

## d) Sustainability

The Secretariat provided a brief update on recent relevant developments on packaging (incl. EPR), the UK and EU Deforestation Regulations and food waste. See slides for further details. Please also note the following:

### i) Packaging developments:

- **[POST MEETING NOTE: On 3 May, PPA was informed that Defra had published the amended [draft Regulations](#) and notified the WTO and the EC of their intention to lay legislation on EPR later in 2024, with the aim of it entering into force on 1 January 2025 (FLC 199/24). On 9 May, Defra published its [response](#) to the consultation on Simpler Recycling (FLC 209/24)].**

#### ii) **UK Forest Risk Commodities Scheme:**

- Noted that the Forest Risk Commodities Scheme will be introduced through provisions in Schedule 17 of the Environment Act 2021, and that secondary regulation will be laid when parliamentary time allows.
- The legislation will require regulated businesses to establish and implement a due diligence system for any regulated commodity, and any products derived from them, that they use in their UK commercial activities. Current commodities in scope are non-dairy Cattle products (beef and leather), cocoa, palm, and soy. It was noted that this list may be expanded in the future.
- Concern existed over potential for multiple reporting on the same commodity as it moves through the supply chain and impact on SMEs.

#### iii) **EU Deforestation Regulation (EUDR):**

- Noted that in May 2023, the EU had adopted Regulation 2023/1115 on deforestation-free products, which applies to cattle, cocoa, coffee, palm oil and soya and the finished products in which they are found.
- The regulation applies from 30 December 2024, and only to products listed in the Annex I listed by SIC code.
- Companies will only be able to export products to the EU if the supplier can confirm the product didn't contribute to deforestation or forest degradation.
- Companies will need to provide a due diligence statement, the text of which is available in Annex II of the legislation.
- 18 months after entry into force, the Commission will classify different countries and regions into low, standard and high risk. This will determine the level of checks and intervention by competent authorities in EU Member States. A further review will take place to consider adding maize and biodiesel (No specified date).

#### iv) **Food Waste:**

- It was noted that, to date, the voluntary approach to food waste reporting in the UK has been broadly successful with almost half of large food businesses in England measuring and reporting voluntarily in 2022.
- A key framework is the industry-lead WRAP/IGD Food Waste Reduction Roadmap (FWRR), however the number of businesses voluntarily reporting food waste has stalled and is expected to plateau.
- In June 2022 the Government launched a consultation on improved food waste reporting by large food businesses in England.
- The Government response was published in July 2023: it concluded that a regulatory approach was not suitable at this time, and they would continue to take a voluntary approach.
- Food campaign group 'Feedback' then applied for a judicial review of the Government's decision, and in November 2023 Government announced that it had withdrawn its response and that the Secretary of State will reconsider food waste reporting in the future.
- Expected that Defra would provide a paper to the Secretary of State in mid-March 2024 (unclear if this had happened).
- Also in early March, WRAP had launched its Food Waste Reduction Roadmap "Call To Action" Day: in attempt to increase voluntary reporting.

## 5) Risk matrix

The Risk Matrix was discussed during the meeting and the following changes were agreed:

- Replace 'Palm oil (compound ingredients)' with 'EU Deforestation' and 'UK Deforestation', both added as 'current issue' x 'moderate impact'
- Moved 'Windsor Framework' from 'current issue' x 'big impact' to 'current issue' x 'moderate impact' (+ added 'Not for EU' labelling)
- Moved 'Tropane alkaloids' from 'current issue' x 'small impact' to 'managed issue' x 'small impact' (+ specified as EU issue) – with a view to removing it at the next meeting
- Added 'EU Smoke flavourings review' and 'GB Smoke flavourings review' as two new entries (separate from 'EU Flavourings reviews'):
  - 'EU Smoke flavourings review' added as 'current issue' x 'moderate impact'.
  - 'GB Smoke flavourings review' added as 'future issue' x 'moderate impact'.
- Removed 'UK NPM Technical Guidance Update'.
- Added 'UK Recycling labelling' under 'future issue' x 'small impact' as a new item.
- Moved 'Furan' from 'current issue' x 'moderate impact' to 'future issue' x 'moderate impact'. Added 'EU' to qualify.
- Moved 'Pack Fill' from 'managed issue' x 'moderate impact' to 'managed issue' x 'small impact'
- Moved 'Contaminants (DON)' from 'future issue' x 'moderate impact' to 'current issue' x 'moderate impact'. Added 'EU' to qualify.
- Removed 'Pesticides MRLs', 'Collective loss of fungicides' and 'Loss of pesticide active substances' as covered by PPTC.
- Removed 'Junk Food Cycle' from reference to 'Ultra-Processed Foods' as current focus is UPF.

There was a discussion as to whether to create separate matrices for tracking UK and EU issues as divergence occurs. It was agreed to keep the existing format for the time being and to qualify the entries as applicable (UK, GB or EU) and to review and change as needed in the future. The format and usefulness of the Issues Matrix should be considered by the group at a future meeting.

**ACTION: Secretariat** to revise **Issues Matrix** as discussed at the meeting and circulate to members for approval.

**[POST MEETING NOTE:** The amended Issues Matrix was circulated to members on 18 April 2024 (FLC 169/24)].

## 6) AOB

No further items were discussed.

## 7) Next meeting dates

The 2024 FLC meetings will take place on:

- **In person** meeting: Wednesday, 10 July 2024, in London (UK Flour Millers offices)

**[POST MEETING NOTE:** The meeting will start at 11:00 and finish around 14:30. Lunch will be served].

**ACTION: Members** to inform the PPA Secretariat if they **intend to attend the July meeting** and of any **dietary requirements**.

- **Online** meeting: Thursday, 14 November 2024.

Members are invited to provide suggestions for future external speakers.

**ADDENDUM:**

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

3-MCPD	Mycotoxins (aflatoxins, ochratoxin A, patulin, fusarium toxins, fumonisins, deoxynivalenol (DON) and zearalenone (ZEA))
Acrylamide	Perfluoroalkyl substances (PFAS)
Cadmium	Pesticides (CIPC)
Nickel	MOSH/MOAH
Dioxins	Tropane alkaloids
Glycoalkaloids	UK import/EU export issues (e.g., composites, HRFNAO)
Hydrocyanic acid (HCN)	Supply chain shortages (e.g., sunflower oil, lecithins, etc)/substitution issues