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**Date: 16 January 2013**

Dear Consultee,

### **Formal written consultation on the Bread and Flour Regulations 1998**

I am writing to invite views on the Bread and Flour Regulations 1998 and the continued need for mandatory fortification of flour in England. As part of the Red Tape Challenge initiative to reduce regulation in all sectors, Defra is reviewing the need for these national rules and is issuing a public consultation on possible deregulatory options.

1. All wheat flour (except wholemeal) produced in the UK is currently subject to national legislation which requires calcium, iron, niacin and thiamin to be added at certain specified levels. In the case of calcium this is for fortification purposes while in the case of iron, niacin and thiamin this is to replace what is lost during the milling process.

This requirement dates back nearly 60 years to early post war days when there was a significant lack of these nutrients in the diet. A detailed assessment of the nutritional implications of removing or amending this legislation has been carried out by the Department of Health's Scientific Advisory Committee on Nutrition (SACN). This can be found at [www.sacn.gov.uk](http://www.sacn.gov.uk) or at Annex 4 of the Impact Assessment accompanying this consultation.

This consultation considers a number of possible deregulatory options and seeks your views on these. The Impact Assessment analyses the options in more detail including an assessment of the public health impact of removing or amending the current mandatory fortification requirements in England.

2. **Options:** The options considered as part of the consultation are:

**BASELINE** - Do nothing. Continue to require mandatory fortification of flour with calcium, iron, niacin and thiamin. Existing regulatory requirements in England would remain in line with the rest of the UK.

**Option 1** - Partial fortification – removing the obligation to fortify with thiamin and niacin but continue flour fortification with calcium and iron.



**Option 2** - No fortification. Repeal existing Bread and Flour Regulations in England ending the compulsory fortification of bread and flour for all 4 vitamins and minerals. It would then be up to manufacturers to decide whether to fortify. Voluntary fortification would be desirable but it would be a decision for industry.

**Option 3a** - Fortification of bread flour only.

**Option 3b** - Fortification but provide for production and use of unfortified flour in products where flour constitutes less than 10% of the total product.

At this stage no Option has been identified as preferred. The consultation process is being used to gather further evidence and views to support the identification of a preferred Option. .

**We would welcome comments both on the continued need for fortification of flour in England and on the various deregulatory options set out above. These are detailed more fully in the consultation document and the accompanying Impact Assessment.**

If you wish to obtain a hard copy of this consultation document please email [breadandflour@defra.gsi.gov.uk](mailto:breadandflour@defra.gsi.gov.uk) or telephone 020 7238 4352

3. The following documents relating to this consultation may be found on Defra's website: [www.defra.gov.uk/corporate/consult/open](http://www.defra.gov.uk/corporate/consult/open)

- **This consultation letter;**
- **Consultation document;**
- **List of consultees;**
- **Annexe A: The Bread and Flour Regulations 1998**
- **Annexe B: Impact Assessment (including the SACN paper - Nutritional implications of repealing the UK Bread and Flour Regulations at Annex 4)**

## **Responses**

4. Please send responses to either:

**Michelle McQuillan**  
**Food Composition, Standards & Alcohol Team, Food Policy Unit**  
**Department for Environment, Food and Rural Affairs**  
**Area 7E Millbank**  
**c/o 17 Smith Square**  
**London SW1P 3JR**  
**Tel: 020 7238 4352**

Or email: [breadandflour@defra.gsi.gov.uk](mailto:breadandflour@defra.gsi.gov.uk)

5. Responses should be received by **13 March 2013.**

## Consultation Criteria

6. This consultation is in line with the Code of Practice on Consultations. This can be found at <http://www.berr.gov.uk/bre/>
7. When this consultation ends, we intend to put a copy of the responses in the Defra library at Ergon House, London. This is so that the public can see them. Also, members of the public may ask for a copy of responses under Freedom of Information legislation.
8. If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please say so clearly in writing when you send your response to the consultation. Please note, if your computer automatically includes a confidentiality disclaimer, that won't count as a confidentiality request.
9. Please explain why you need to keep details confidential. We will take your reasons into account if someone requests this information under Freedom of Information legislation. However, because of the law, we cannot promise that we will always be able to keep those details confidential. We will summarise all responses and place this summary on our website at <http://www.defra.gov.uk/corporate/consult> This summary will include a list of names of organisations that responded but not individual respondent's personal names, addresses or other contact details.

To see consultation responses and summaries, please contact the library at:

Defra, Information Resource Centre  
Lower Ground Floor, Ergon House  
17 Smith Square  
London SW1P 3JR  
Telephone: 020 7238 6575  
Email: [defra.library@defra.gsi.gov.uk](mailto:defra.library@defra.gsi.gov.uk)

Please give the library 24 hours' notice. There is a charge for photocopying and postage.

10. If you have any comments or complaints about the consultation process, please address them to Defra's Consultation Co-ordinator, Area 2D Ergon House, 17 Smith Square, London SW1P 3JR, or email [consultation.coordinator@defra.gsi.gov.uk](mailto:consultation.coordinator@defra.gsi.gov.uk).
11. Thank you for your help in this matter. If you have any queries please contact us as above.

Yours faithfully

Michelle McQuillan

**Food Policy Unit**

**Department for Environment, Food and Rural Affairs**