

Department for Environment, Food and Rural Affairs

Consultation on revoking Regulation 4 of the Spreadable Fats (Marketing Standards) and Milk and Milk Products (Protection of Designations) (England) Regulations 2008 – margarine fortification

Summary of response

February 2014

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Summary of consultation response

As part of Governments commitment to reducing the number of regulations industry and others have to navigate as part of the 'Red Tape Challenge', Defra sought views on a proposed update to the Spreadable Fats (Marketing Standards) and Milk and Milk Products (Protection of Designations) (England) Regulations 2008. Regulation 4 requires the fortification of margarine with vitamins A and D. This goes beyond EU requirements and is 'gold plating'. The proposal was to remove this requirement by revoking regulation 4.

The consultation closed on 7 August 2013. One response was received.

The one response received expressed concern that if margarines were to stop being fortified with vitamin D it would potentially lower vitamin D intake and therefore increase the vitamin D deficiency in the population; and that removing the mandatory fortification of margarine with vitamin A and D, may lead to a weakening of their position and attraction in the market leading to consumers choosing to purchase non fortified less healthy options.

Consideration and conclusion

The consultation response was taken into consideration. It is estimated that only a small number of small producers in the UK make a fat spread that would legally qualify as margarine. Therefore, almost all fat spreads made in England do not need to meet this fortification requirement, but producers do so on a voluntary basis.

Restoration/replacement of vitamins A and D has become the industry standard.

No significant evidence was provided to raise health concerns.

On this basis regulation 4 of The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (England) Regulations 2008 has been revoked and it is no longer a criminal offence to sell unfortified margarine.

This option is deregulatory and simplifies the regulatory landscape.

This change came into force on the 1st December 2013.

Any enquiries regarding this document/publication should be sent to us at:

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