

Foods for specific groups

Department of Health

RPC rating: confirmed as low-cost regulation

Description of proposal

The proposal would implement the enforcement regime for the directly applicable EU Foods for Specific Groups Regulation. The Department also proposes to consolidate eight existing statutory instruments. The EU regulation introduces new requirements for the composition and labelling of foods intended for certain groups, for example infant formula.

The preferred option for the enforcement regime would introduce a more proportionate enforcement mechanism than under the existing regime. This would be achieved through allowing the first formal stage of enforcement to be the issuance of an improvement notice instead of a fine.

Impacts of proposal

The main cost identified by the Department is familiarisation with the new domestic regulations. Using industry sales data, market information and NHS prescription data the Department estimates that around 300 businesses manufacture products within scope of the regulations, and they will take around two hours per business (at around £26 per hour including non-labour costs) to become familiar with the new improvement notices and consolidated regulations. The Department estimates the overall familiarisation costs to total around £15,000. As the proposed consolidation is not required in order to implement the EU regulation, the Department's assessment of these costs as being in scope of the business impact target is reasonable.

The Department expects there to be benefits to business from reduced administrative burdens for new firms entering the market, but does not consider these significant enough to monetise. The Department also expects there to be benefits to business from a more proportionate enforcement regime, with the use of improvement notices resulting in fewer fines.

On the basis of the evidence presented, the RPC is able to confirm that the proposal is suitable for the fast track.

Quality of submission

The RTA includes useful background information on the directly applicable EU regulation. It also includes a range of potential options (all of which would impose gross costs of less than £1 million in any year).

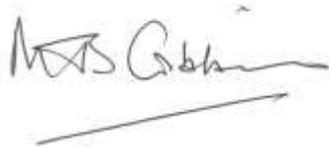
On the basis of the evidence presented, the RPC is able to confirm that the costs and benefits of the decision to consolidate existing domestic statutory instruments should be considered in scope of the business impact target.

Initial departmental assessment

Classification	In scope
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RPC assessment

Classification	In scope
Small and micro-business assessment	Not required (fast track low-cost regulation)



Michael Gibbons CBE, Chairman