BIS | Department for Business Innovation & Skills

Red Tape Challenge: Retail and Manufacturing Consultation. Response Form

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 23/05/2012

Name:
Organisation (if applicable):
Address:

Please return completed forms to:
[redacted]
Department for Business, Innovation & Skills
Business Environment
1 Victoria Street
3rd Floor, Spur 2
London
SW1A 0ET

Telephone: [redacted]
Email: retailandmanufacturing@bis.gsi.gov.uk

Please tick a box from the list of options below that best describes you as a respondent.

	Business representative organisation/trade body
	Central government
	Charity or social enterprise
	Individual
	Large business (over 250 staff)
	Legal representative
√	Local Government
	Medium business (50 to 250 staff)

	Micro business (up to 9 staff)
	Small business (10 to 49 staff)
	Trade union or staff association
	Other (please describe)

Question 52. Do you have any other comments that might aid the consultation process as a whole?

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.
Comments:

The review does not include the Food Imitation (Safety) Regulations 1989. I would wish to know whether this was deliberate and if so why? The reason I ask this question is because of an issue that arose in Leicestershire recently and because these regulations are prescriptive compared to the overarching General Product Safety Regulations (GPSR), we had to advise a local small business to change their product specification. The result of this is that the business alleges its prosperity has been seriously undermined. Our view was that he issue would have adequately been addressed by the GPSR.

The business was advised the candles they distribute imitate food represent, are a choking hazard to young children, and so are in breach of The Food Imitations (Safety) Regulations 1989.

In our response to the proprietor's MP, Stephen Dorrell, I wrote:

'It may be that 'X' can design (its) products such that any fragments resulting from a 'bite test' will pass the standard mentioned above. In the meantime I know there is a Government programme to review and reduce 'regulatory burdens' on business. It may well be that the issue here should form part of this.

For example the General Product Safety Regulations 2005 also apply to this matter but are not as prescriptive as the Food Imitations (Safety) Regulations.

Without the latter there might be more flexibility for us to agree a product design that would quickly deter children from continuing to chew the product once first bitten and this, together with suitable warnings as part of the labelling, might considerably reduce the risks and allow for compliance with the law.

However, as things stand at the moment, the product must pass the 'bite test'.'

What happens next?

Responses to this consultation will be used to finalise decisions regarding the removal or retention of these regulations. A government response to this consultation, outlining which regulations are to be removed and which are to be retained as a result of evidence gathered through this consultation, will be published within three months of this consultation closing. This will be available from the BIS website. Paper copies will be available on request.

Where regulations are to be removed, this will have effect from 1 October 2012.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply √

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

No

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