



Department  
for Environment  
Food & Rural Affairs

T: 08459 33 55 77  
helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

Michelle McQuillan  
Food Policy Unit  
Department for Environment,  
Food and Rural Affairs  
Area 3A Nobel House  
c/o 17 Smith Square  
London SW1P 3JR

**Date:** 25 April 2013

Dear Consultee,

**Written consultation on the Draft Fruit Juices and Fruit Nectars (England) Regulations 2013**

I am writing to invite views on the draft Fruit Juices and Fruit Nectars (England) Regulations 2013 which implement the provisions contained in Council Directive 2012/12/EU. This directive was adopted in April 2012 and Member States must transpose the new rules into their national laws by 28 October 2013 at the latest. Northern Ireland, Scotland and Wales will be taking forward similar measures in their countries.

1. Under the Hospitality, Food and Drink theme of the Red Tape Challenge, Defra also committed to consolidate existing fruit juices and fruit nectars legislation to simplify the regulatory landscape for businesses when implementing the new EU rules on fruit juices.
2. This consultation is open for six weeks and we are seeking your comments on the draft Regulations and the accompanying Impact Assessment (IA). The IA analyses the impacts of the new rules and provides an overall assessment of the costs and benefits.
3. Options - The options considered as part of the consultation are:

**Baseline** - Do nothing. This would mean not implementing Council Directive 2012/12/EU which could lead to infraction by the European Commission and would potentially leave UK industry at a competitive disadvantage against other Member States.

**Option 1** – Introduce the changes required by Council Directive 2012/12/E on time while consolidating all existing Fruit Juice Regulations together into a single Statutory Instrument. This provides consistency for business and ensures consumers purchasing juices and nectars are guaranteed a minimum quality. Consolidation will ensure the rules on fruit juice are brought together in one place making it easier for manufacturers and enforcement officials who need to refer to the legislation.



Option 1 is our preferred option as it introduces a level playing field for UK industry and allows business to take advantage of the beneficial changes to the EU rules on fruit juices and nectars. It also ensures we fully meet our all our European obligations.

4. We would particularly welcome your comments on:
- the draft Regulations and their new structure
  - the proposed new enforcement regime, in particular the use of improvement notices and appeals to the First Tier Tribunal
  - the Impact Assessment and whether it represents an accurate reflection of the costs and benefits likely under the new Regulations.

A number of questions are included in the IA and reproduced in the consultation document. Your responses to these will help further inform our analysis of the impacts of the new Regulations.

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

All the documents relating to this consultation may be found on Defra's website at [www.gov.uk/defra](http://www.gov.uk/defra) including:

- This consultation letter;
- Consultation document;
- List of consultees;
- The Draft Fruit Juices and Fruit Nectars (England) Regulations 2013
- Impact Assessment for the Fruit Juices and Fruit Nectars (England) Regulations 2013

## Responses

5. Please send responses to either:

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

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

Responses should be received by **06 June 2013**.

## Consultation Criteria

6. This consultation is in line with the Consultation Principles. These can be found at <http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>.

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 [www.gov.uk/defra](http://www.gov.uk/defra). 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

**T: 020 7238 4352**  
**[www.gov.uk/defra](http://www.gov.uk/defra)**  
**Email: [fruitjuice@defra.gsi.gov.uk](mailto:fruitjuice@defra.gsi.gov.uk)**