 Regulatory Policy Committee	Validation of the One-in, Two-out Status and the Net Direct Impact on Business
Validation Impact Assessment (IA)	Consolidation of English national law for food safety and food hygiene in the Food Safety and Hygiene (England) Regulations 2013
Lead Department/Agency	Food Standards Agency
IA Number	FOOD0112
Origin	European
Expected date of implementation (and SNR number)	October 2013 (SNR 6)
Date of Regulatory Triage Confirmation	N/A Red Tape Challenge
Date submitted to RPC	13/02/2014
Date of RPC Validation	26/02/2014
RPC reference	RPC13-FoodSA-1963(2)
Departmental Assessment	
One-in, Two-out status	Out of Scope (EU)
Estimate of the Equivalent Annual Net Cost to Business (EANCB)	-£0.15 million
RPC assessment	VALIDATED
<p>Background (extracts from IA)</p> <p>What is the problem under consideration? Why is government intervention necessary? <i>Food businesses raised concerns that it was difficult to locate legislation that affected them because it was not all in one place.</i></p> <p>What are the policy objectives and the intended effects? <i>The consolidation into one Statutory Instrument (SI) for England of the provisions of the General Food Regulations 2004 (as amended) and the Food Hygiene (England) Regulations 2006 (as amended) that enforce European Union (EU) cross-sectoral food safety and food hygiene requirements will make it easier for food businesses to find food safety and food hygiene legal requirements relevant to them. The consolidation is one element of the FSA's work under the Red Tape Challenge to introduce a simplified system of national food safety legislation. The consolidation will also result in the legislation being brought up to date, with the benefit of greater clarity for food business and enforcers but does not introduce changes to what businesses are required to do.</i></p> <p><i>The legislation being consolidated contains existing national rules. These are being reviewed separately so as not to hold up the consolidation and delay the benefits.</i></p>	

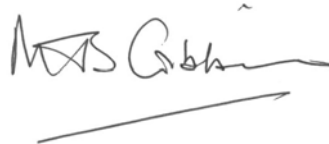
RPC comments

The Food Standards Agency (FSA) is proposing to consolidate food safety and food hygiene requirements to allow business to find the relevant legal requirements more easily. The IA explains how the proposals will provide an annual time saving of one hour per new entrant into the sector. With 6,700 new entrants into the sector each year, this time saving equates to an annual cost saving of £174,870, assuming a wage rate of £26.10 per business manager. The equivalent annual net cost to business in 2009 prices is £0.15 million.

The IA addresses the issues raised in our previous statement of 13 January 2014. Specifically, the IA now provides information about how the business NPV has been derived, to allow validation of the estimated equivalent annual net cost to business for this EU derived measure (paragraphs 28 – 29 and 33). The IA also now contains an explanation that confirms that the consolidation of the hygiene requirements will not affect the different enforcement regimes in England and the rest of the UK (paragraph 6).

The IA now contains a commentary on the OITO status of the proposal (paragraph 35). While the proposal consolidates the regulations the IA provides no evidence to suggest that this amends beyond the EU requirements. As a result, it is out of scope of One-in, Two-out (Better Regulation Framework Manual - paragraph 1.9.8. ii).

Signed



Michael Gibbons, Chairman