

UPDATED PARTIAL REGULATORY IMPACT ASSESSMENT

1. Title of proposal

Proposal for a Regulation of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.

2. Purpose and intended effect of measure

(i) The objective

2.1 The primary objective of the package of EU food hygiene proposals is to optimise public health protection by improving and modernising the existing EU legislation. Legislation needs to establish the conditions under which food is produced to prevent, eliminate or acceptably control pathogen contamination of food. The proposals would introduce more risk based and flexible procedures better matched to the needs of enforcement of food safety management procedures based on the application of Hazard Analysis and Critical Control Point (HACCP) principles. This proposal is an essential part of the whole package in setting out the role of competent authorities in auditing the procedures operators are required to put in place. Although the proposal makes some significant changes in the meat inspection regime, it would simply consolidate existing requirements in most other respects.

Devolution

2.2 The proposal will be directly applicable throughout the UK.

(ii) The background

The package of EU food hygiene proposals

2.3 Current food hygiene requirements in the European Union are contained in a raft of legislation, the earliest of which is almost 40 years old. It exhibits inconsistencies in approach and a degree of duplication that makes it difficult to interpret and to enforce. It has not kept up with change and innovation in food technology. These factors led the European Commission to come forward, in June 2000, with five linked proposals to update and simplify this legislation. This

proposal forms one part of the package. It replaces the third (doc. COD (2000) 180) of the original package (doc. COD (2000) 438).

2.4 The Commission withdrew the original version of the proposal in the light of developments. In particular, the withdrawn proposal did not take account of the increasing role of HACCP principles in food safety management by meat plant operators. In addition, a new approach is envisaged for meat inspection. The revised proposal better reflects the importance of a risk-based and integrated, farm-to-fork approach to food safety.

2.5 The wider package of food hygiene proposals is the subject of a separate RIA that has also been updated in the light of this proposal and developments in the negotiation of the other proposals in the package.

The Proposal (as issued by the Commission)

2.6 The proposal would replace current legislation relating to the organisation of official controls on products of animal origin intended for human consumption. It would bring together official control rules governing a number of sectors into one Regulation. It changes the present supervisory role of officials more toward one of audit of operators' HACCP-based programmes, particularly in meat plants.

2.7 The major part of the proposal covers the detailed rules for the conduct of meat hygiene controls. It does not address the issue of the frequency and intensity of BSE controls which derive from separate legislation. It consolidates existing meat inspection rules and sets out:

- the tasks to be carried out by official veterinary surgeons and auxiliaries in slaughterhouses;
- the requirements for issues such as the qualifications of inspectors;
- the frequency of inspections;
- detailed rules for the conduct of both ante and post-mortem inspections; and
- record keeping and audit of HACCP procedures.

2.8 The proposal makes two major changes to current practices in meat inspection. The first is a change to the audit of operator procedures rather than direct supervision by the official veterinarian. The second is the introduction of inspection systems that place more emphasis on the origin of the animals to be slaughtered and less on traditional post-mortem procedures. Traditional inspection is resource intensive, does not identify the major meat borne pathogens and can result in the contamination of meat. The first stage of this modernisation is the introduction of risk-based meat inspection for pigs, rather than the traditional reliance on physical palpation of carcasses.

2.9 Current controls in the meat hygiene area are not risk-based, whereas the proposed regulation provides a vehicle for bringing in new risk-based controls that will improve food safety across the whole animal product sector. Such a change could reduce costs for slaughterhouse operators as, at present, they pay for veterinary presence in the plant which is, in most cases, more expensive than using operator staff. In particular, the proposal would extend the use of plant staff to carry out meat inspections in volunteer plants handling fattening pigs and veal (already permitted in white meat plants) providing that the plant has at least twelve months effective implementation of HACCP principles, satisfactory microbiological test results and suitably trained staff.

2.10 Other than official controls in relation to meat, the proposal sets out the rules for:

- the official controls to be conducted on the production of live bivalve molluscs;
- official controls to be carried out on fishery products; and,
- official controls on milk and milk products.

It also includes rules for the approval of establishments¹.

2.11 In terms of controls on fishery products and milk and dairy products, the proposal would simply consolidate existing requirements and would not introduce new controls. In the case of live bivalve molluscs however, the proposal (as drafted) would newly prescribe the testing regime for marine biotoxins and in so doing, significantly increase costs in the UK.

2.12 This proposal will be changed to include certain elements relating to official controls that have been deleted from other proposals in the wider package in the process of negotiation. In particular, controls on the importation of foodstuffs to be carried out by the competent authority (in ensuring that the food comes from approved countries and establishments) should now be covered in this proposal.

2.13 The new requirements will need to accord with the principles established in the recently presented Commission proposal for a regulation on Official Feed and Food Controls (document COM(2003) 52 final). This is a framework regulation setting out the role and responsibilities of the competent authorities more generally and also includes provisions on financing of control activities, including those in the animal products sector, and on penalties for non-compliance. Current understanding of the proposal is that, in effect, it permits the status quo in terms of costs and financing to be maintained. It places a general obligation on Member States to ensure that adequate financial resources are

¹ This requirement is now covered in the Commission proposal on official feed and food controls and will be removed from this proposal.

made available allowing them to decide how official controls are to be financed and if by means of charges on industry, the precise details of any charging regime and the level of cost recovery. The exception to this is in cases of non-compliance with rules, where the requirement is placed on Member States to charge the food business operator for controls that exceed normal monitoring activity. The rules for the setting of such fees will be the subject of that legislation, and not this. A separate RIA is being prepared on that proposal.

2.14 This proposal has implications for the Meat Hygiene Service, Local Authorities and the Dairy Hygiene Inspectorate. The detailed official control rules contained in the annexes of the proposal will be operated in around 33,000 business premises in the UK. Cost implications may be neutral overall, though some sectors will win and some will lose - this is examined further in section 5.

(iii) Risk Assessment

2.15 The background against which this proposal should be viewed is the incidence of foodborne disease. In 2000 (latest year for which complete figures are available), it is estimated that the total number of cases of foodborne disease (referred to hereafter as Indigenous Foodborne Disease (IFD)) in England and Wales was 1,338,772 of which, 368,516 visited a GP and 970,256 did not. It is estimated that 480 cases resulted in death. Similar figures for IFD in Scotland and Northern Ireland are not available, but when the England and Wales figures are increased pro rata to apply to the UK, the cost of IFD is estimated to be approximately £1.5 billion per year.

2.16 In a separate study of 1210 general food-borne outbreaks of Infectious Intestinal Disease (IID) reported by vehicle of infection between 1992 and 1999, poultry accounted for 22% and red meat 19% of cases. In the same study, fish and shellfish were found to account for 14% of cases. Precise information on outbreaks specifically due to milk and dairy products is not available, but it is likely to be less than 10% of all cases. However, given the seriousness of the pathogens that may be involved (e.g. *E.coli* O157, *Listeria* and *Salmonella*) it is important that appropriate controls are put in place.

2.17 Bio-toxins in shellfish are responsible for only a small number of food poisoning incidents in the UK each year. The present approach to the requirement for sampling and monitoring programmes to be set up in member states is effective in preventing outbreaks of toxic shellfish poisoning. This is one of the reasons the UK negotiated on the basis that the proposed increase in testing frequencies was not justified. It was not a proportionate measure.

3. Options

3.1 Officials have pursued a negotiating line based on option 2 outlined in previous versions of the RIA, as agreed by the Ministerial Sub-Committee on European Issues (EP). Annex A contains the information on the options identified.

Changes to the original text made during the course of the negotiations

3.2 The course of the negotiation (to the end of June) has seen the proposal develop in a number of areas. These changes reflect, to a significant degree, the UK achieving its negotiating objectives. A great many detailed changes have been agreed that make the text clearer and its eventual application more straightforward. In addition, the UK has attained a number of significant changes that will make the application of the controls more practicable and enforcement more achievable. The most significant of these changes are

- On marine biotoxin testing of live bivalve molluscs, the UK has gained a major success in amending the proposed increase in testing requirements, so reducing the cost increase envisaged. We should now be able, in the main, to maintain our existing programmes.
- The UK was successful in securing a more flexible, risk-based, system of controls in meat plants in terms of the frequency and nature of controls. In certain circumstances, under the current text it will not be necessary for the official veterinarian to be present at all times when post-mortem inspections are being carried out.
- The UK secured the possibility of extending the use of plant staff for certain tasks in the slaughter process thereby providing for more efficient working practices and allowing competent authorities to concentrate on the areas of most importance for public health.
- In cutting plants, the proposal no longer requires a daily veterinary visit but allows either an official veterinarian or meat hygiene inspector to visit at an appropriate frequency determined by the competent authority.
- The text has been improved to state that it is for the competent authority to determine the number of staff necessary to carry out controls in a slaughterhouse on a risk basis, not the legislation itself.
- The text now allows for flexibility in controls in low throughput slaughterhouses under national rules. It also provides for the trial of new systems of control.
- Improvement has been made to the control of wholesale markets where, if one operation within the market is not up to standard, approval can be withdrawn from that part only, not necessarily the whole market.
- Only the health mark, on red meat carcasses and primal cuts, or the identification mark on other meat will have to be applied. The text has

been clarified to establish that there only need be one mark applied, so no double marking need be required.

- The procedures for reporting on controls carried out have been clarified.
- The proposal has been clarified to stipulate that it only applies to those products covered by the second proposal thereby making the package more coherent.
- A marked improvement has been gained in re-balancing the proposal so that it relates only to the duties of competent authorities. Requirements on operators have now been moved to the other proposals.

3.3 Although the precise financial consequences of these changes are almost impossible to quantify, as a whole they will have the result of minimising any additional burdens arising from the new legislation for both industry and enforcement agencies. The consequences are largely accounted for in the cost information detailed in section 5.

4. Benefits

4.1 The most significant benefit would be the opportunity for more effective enforcement of hygiene legislation in a way that more fully reflect risk. How the benefits would be reflected under the different options identified in the earlier versions of the RIA are set out in Annex A. Below are the benefits resulting from the proposal if it is adopted as in the most recent text.

4.2 This proposal is part of a package the effects of which should be seen in the whole rather than piecemeal. Those effects are explored in a separate RIA. The precise effect the modernised approach would have on the level of food poisoning is difficult to predict or to measure, but work carried out on behalf of the FSA provides an indication. Work on IFD found that the estimated total cost in 2000 in the UK was £1,456 million. This comprised the basic costs to the health service, loss of earnings etc. Savings of £14.6 million would result per 1% reduction in illness per year. These benefits can be expected to build up over a number of years. It is impossible however to say what part of any improvement of the disease incidence situation would be due to an improved enforcement regime. The responsibility to produce food safely would, under the new regime, be placed more clearly on the food producer. Therefore, no particular claims are made for reduced disease incidence due to the changes to official control procedures contained in this proposal.

4.3 These general benefits of focussed enforcement of hygiene legislation would be shared between the individuals affected, consumers, food businesses, business generally, the NHS and enforcers.

4.4 Direct benefits would result to a small number of businesses in the following sectors. There should be some cost savings at slaughterhouses due to the removal of the requirement for full time veterinary presence. In addition, costs in small slaughterhouses may reduce due to the provision for Member States to seek approval of national rules which could allow non-veterinary staff to carry out tasks reserved for veterinarians at large plants. For meat cutting plants, a change from daily inspection to risk-based inspection, where daily BSE controls are not required, could result in a cost reduction, although this would be balanced across the sector to some extent by an increase in the number of premises to be supervised. These savings have yet to be quantified. In cold stores the charge to industry would reduce from £160,000 to zero as cold stores are not covered by the proposal. Cold stores would, however, be subject to risk-based audit as would other non-approved premises and so some of this saving may be offset to put the necessary procedures in place.

Business sectors affected

4.5 Slaughterhouses, meat cutting plants, cold stores, game handling establishments, meat wrapping and re-packaging plants, farmed game processing facilities, producers and processors of live bivalve molluscs, the fishery product sector and processors of milk and dairy products. Most sizes of business are covered by the requirements of the proposal. However, as the proposal only applies to those covered by the second proposal, it would not apply to those exempted by that proposal.

Issues of equity and fairness

4.6 This proposal does not introduce any new questions of equity or fairness.

5. Costs

(i) Compliance costs

5.1 The costs resulting from the options identified in earlier versions of the RIA are set out in Annex A. However, if the proposal is adopted in line with the most recent text, the major cost changes should be as set out below.

5.2 As the proposal is exclusively limited to the role and duties of the competent authorities, the effects on most business should be relatively small. The majority of these businesses will be affected by other proposals in the package but that is explored in a separate RIA.

5.3 Any additional costs to business related to this proposal will depend on the frequency of controls applied, who carries them out and the attendance of the

operator at those controls. Except for the meat area, cost implications should be neutral overall, but some sectors will win and others lose, even in the meat area. The proposal changes the focus of controls in meat plants from full time supervision to audit and in some cases changes who will be responsible for carrying out controls. This will have an impact as the presence of Meat Hygiene Service official veterinarians and meat inspectors (DARD officials in Northern Ireland) are charged to the operator whereas local authority presence is not.

5.4 Domestic wild game plants would see charges increased from nil, as current attendance by local authority Environmental Health Officers is not charged, to something in the order of £84 per day per plant when attendance will be provided by the Meat Hygiene Service. However, this is not a new requirement introduced as a result of this proposal, but rather a reflection of a decision taken on the implementation of existing EU legislation in the UK.

5.5 Catering butchers (wholesale butchers, but not cutting plants) will be subject to new costs as, to date, they have only been subject to local authority supervision at no cost. Under the proposal, they would come under Meat Hygiene Service supervision (DARD in Northern Ireland) which would be chargeable. However, information on the cost of this change is not available at present. Local authorities have been asked for information on the numbers of plants involved and the cost per plant so that the overall costs can be calculated.

5.6 In fishery product establishments and milk and dairy establishments the proposal simply consolidates existing requirements rather than adding or removing any burdens or costs.

5.7 Changes to the proposal negotiated by the UK would significantly reduce the impact of increased costs for testing for marine biotoxins in live bivalve molluscs. The latest text would allow Member States to reduce the frequency of testing on the basis of a risk assessment in specific areas. This risk assessment should be undertaken, and be in place, before the legislation comes into force. As problems of shellfish poisoning in the UK have been minimal to date, the expectation would be that the UK could apply a much-reduced testing frequency and so minimise the cost impact.

(ii) Other costs

Impact on Charities and Voluntary Organisations

5.8 As the requirements of this proposal relate only to enforcement authorities there would be no impact on charities and voluntary organisations.

(iii) Costs for a typical business

5.9 There may be some minor costs involved for some businesses in the sectors affected if the proposals are introduced as drafted. However, if UK negotiating objectives are achieved, as in the latest version of the text, that would be proportionate in terms of effects.

6. Consultation with small business: the Small Firms' Impact Test

6.1 The Small Business Service has been consulted about this proposal.

6.2 Currently, the requirements of food hygiene legislation in general do not necessarily reflect the situation in smaller businesses. Prescriptive requirements have been included that reflect the position in larger business and this has led to attempts to deal with this situation through the application of derogations against the requirements. The approach of this proposal however, by removing prescription, means that rules can be applied to all business sizes appropriately. Controls will be more reflective of risk and targeted on critical points, moving away from mechanistic compliance.

6.3 Several consultees expressed concern about the proposed increase in testing requirements for live bivalve molluscs (reflected in the UK negotiating mandate) and how that might have an adverse affect on small businesses in the sector. This supports the UK arguments on this.

6.4 Overall, however, the implications of this proposal for small business will be relatively small since the proposal concentrates on the duties of competent authorities.

6.5 Other concerns expressed by representatives of small businesses can be accommodated through the appropriate interpretation of "small" and "local" in the other proposals in the package. This is particularly important in relation to sales of small quantities of game meat to the final consumer or local retail outlets.

7. Competition Assessment

7.1 We do not expect that adoption of the proposal in line with the UK negotiating objectives would have a significant effect on competition.

7.2 The new legislation will apply equally to all new and existing businesses and the major parts of the requirements relating to production controls and monitoring are already likely to be used as the industry standard. Whilst businesses may at first incur some initial, relatively small adjustments costs arising from changes to the inspection regime, these are not expected to be sufficient to have implications for competition. Greater costs may, however, arise

in wild game meat plants, though these will be proportionate to the size of business and would not be sufficient to raise concerns for competition. There is no evidence that there is likely to be any significant change in market concentration following the introduction of this legislation. Given the low costs involved for business it is not anticipated that the new legislation will have implications for competition.

8. Enforcement and sanctions

8.1 It is very difficult to estimate the precise costs and benefits of the proposal to enforcement agencies. There are likely to be transitional costs incurred in moving to the new arrangements that offset any potential savings in the short run. In the longer term potential savings in the meat sector have to be considered in the context of a charging regime that does not currently allow full recovery of cost from industry and results in an escalating cost for the enforcement authority year on year. The effect of the changes may be therefore to reduce the escalation of costs rather than produce realisable savings. Costs and benefits will be approximately neutral in the fishery product, milk and dairy sectors. In the live bivalve mollusc sector it is envisaged that, with the changes to the proposal negotiated by the UK, implementation costs would be kept to a minimum and would be nowhere near the increase from £0.64 million to £2.75 million per year envisaged in the proposals as issued.

8.2 The package of proposals as a whole will simplify and greatly reduce the volume of EU legislation that controls food hygiene, and do much to rectify anomalies that have made enforcement difficult. Because HACCP-based procedures lend themselves to audit, and should not require constant supervision, enforcement resources could be targeted more effectively; e.g. certain enterprises may be identified as high-risk and visited more frequently. There will be a need for enforcers to undertake an educational role in this respect which it should be possible to accommodate by redirecting existing resources. There would be a benefit to enforcement authorities from any reduction in food poisoning incidence leading to fewer post-incident investigations. For these reasons, the FSA would expect any costs and benefits to be closely balanced. Enhanced guidance and further Agency training will be provided to help enforcers assess the effectiveness of HACCP-based controls being put in place.

8.3 The issue of sanctions is covered by the separate proposal on official feed and food controls. However, the UK may have to apply penalties specific to this proposal through national implementing legislation.

9. Monitoring and review

The intention is to develop this assessment in the light of developments and, in particular, the ongoing EU negotiations. The draft Regulatory Impact Assessment will be updated on an ongoing basis in the light of the continuing consultations. The proposal now includes a revision clause under which the Commission will report to the European Parliament and the Council on the implementation of the Regulation after five years of its implementation. This is a worthwhile exercise where the lessons of experience can be learned and, if appropriate, amendments can be proposed. The UK intention is to argue for inclusion of a similar clause in this proposal. UK stakeholders will be consulted as part of this process.

10. Consultation

(i) Within Government

10.1 Other Government Departments were consulted on the proposal through the Ministerial Sub-Committee on European Issues (EP). The Committee has cleared the proposed UK negotiating line. Officials have had more detailed contacts with Defra and Home Office on specific issues in relation to the RIA.

(ii) Public consultation

10.2 Thorough consultation on the original package of proposals with stakeholders was initiated in July 2000. The results have been worked into the relevant RIA.

10.3 Separate consultation on this re-issued and revised proposal was undertaken, with interested parties both internal and external, in August 2002. All of the stakeholders who responded to the original consultation and thereby indicated an interest and, additionally, to stakeholders identified as having an interest in the sector specific subjects covered were contacted and asked for their views. The consultation document was also posted on the Food Standards Agency website for wider access. This draft Regulatory Impact Assessment has been amended in the light of the consultation.

10.4 A range of stakeholders responded to the consultation and, in general, the responses were positive. Stakeholders welcomed the move to more risk-based controls in meat plants and the use of audit of controls based on HACCP principles. All those who expressed an opinion, including the Scottish Landowners' Federation, Scottish Association of Meat Wholesalers, East Dunbartonshire Council and the British Cattle Veterinary Association, supported the UK negotiating line.

10.5 The meat industry generally supports a more risk-based approach to reflect operator responsibility with the aim of reducing costs to the operator.

10.6 An ongoing dialogue has been established with meat industry interests and a stakeholder group has been set up to address issues raised by the proposal. Officials have met with the Seafish Industry Authority representatives to consider their concerns. Those concerns have been reflected in the negotiating strategy.

10.7 UNISON have been the main critics of the proposal, with concerns over the proposed use of plant staff in red meat plants taking over duties from official meat inspectors. Others consulted made more detailed points.

11. Summary and Recommendation

11.1 The proposal may produce some longer term cost savings in the meat area helping to mitigate escalating costs that competent authorities suffer as a consequence of the current industry charging regime. Only minor financial implications are expected in other areas. Financial implications for business are likely to be minimal as set out in section 5.

11.2 The recommendation is to continue to pursue agreement of the proposal in line with the negotiating line agreed by EP Committee (as option (2) in the earlier versions of the RIA). It would consolidate the HACCP-based risk management approach to controls in the sectors covered in an effective, flexible and proportionate manner.

12. Timetable

The proposal was published by the European Commission on 15 July 2002. Negotiations are ongoing in Council Working Group. The Italian Presidency are likely to try to obtain common position at first reading in Council in July, or possibly September, 2003. It is not possible to provide a precise timetable for implementation as the subject has not been fully considered, but it is likely to be 2006 at the earliest. The UK will continue to pursue a practical implementation timetable, consistent with the assurance of public health. The timetable must allow for enforcement authorities and business to put in place the necessary procedures, as well as also allowing time for authorities and industry to develop relevant guidance literature, training and advice. The proposal does currently indicate that the measures will not come into effect until 1 year after its adoption, but the UK will argue for a minimum period of 2 years. The proposal has cleared UK Parliamentary Scrutiny.

Annex A

Options Agreed in the Previous Versions of the RIA – Option 2 was agreed as the basis of the UK Negotiating Line by the Ministerial Sub-Committee on European Issues (EP)

Options

1. As the proposal addresses an area already occupied by EU legislation, any option other than “do nothing” would mean changing the current EU legislative position. The three options therefore identified are:

Option 1 - do nothing.

Options 2 – to seek the removal or amendment of certain provisions in the proposal and inclusion of others not included in the proposal as issued.

Option 3 – to agree the proposal as issued.

Option 1

2. Maintaining the status quo would not achieve the desired modernisation and improvements to enforcement in the interests of public health protection. The European Commission’s proposal could only be removed at its own instigation or by Member States acting in unanimity in Council. The Commission is wedded to its proposals and other Member States are supportive. To do nothing would, therefore, be very difficult, even if it were desirable. In the event the proposals were to be withdrawn, there would be no change in costs or benefits as the status quo would be maintained.

Option 2

3. The proposal brings together common elements from previous legislation that could eliminate certain inconsistencies. However, it was appropriate to negotiate for changes to some of the elements contained in the proposal that would not change existing rules for the better. In particular, it would increase the frequency of testing for biotoxins in live bivalve molluscs. The UK considers that such an increase in testing rates has not been justified on risk-based public health grounds and that it is not necessary or desirable. The Commission has not provided sufficient justification for its proposal. The change would increase burdens on competent authorities and possibly consequentially on business. There would be a connected unfortunate consequence in the proposed change which would result in the possibility of doubling the number of mice deaths per year as they are used in the bioassay test to determine the presence of biotoxins

in shellfish. Home Office, who are responsible for the issue of licences to use mice in these tests, are aware of this problem and are similarly concerned. The UK, as in the agreed negotiating line, has argued against this change.

4. The new proposal repeats existing EU law to require approval of, and attendance by, the veterinary inspection team at all game meat plants. However, hunters supplying small quantities of wild game meat direct to the final consumer or local retailers would be exempt from any EU approval or inspection requirements due to the product being considered the result of a traditional activity. National rules would be applied in this case.

5. In the case of meat inspection rules, the UK has attempted to clarify where control responsibilities lie in certain circumstances. For example, certain tasks assigned to the official inspection team in the post-mortem process would more appropriately sit with the plant operator.

Option 3

6. This would have the desired effect of consolidating and simplifying existing rules. It would not, however, deal with the problems identified in option (2) above. It would increase burdens and costs to the competent authority and possibly, to a lesser extent, certain of the sectors affected, principally, the live bivalve mollusc production sector.

Benefits

7. Option (1) would maintain the status quo and so would not produce any benefits.

Options (2) and (3) above would deliver the benefits identified.

Compliance Costs

8. Option (1) would be neutral in terms of costs and benefits, as it would perpetuate the status quo.

9. Option (2), assuming the required amendments could be secured, would be largely neutral in cost and benefit terms, as it would mainly re-organise existing enforcement tasks without greatly increasing or decreasing the overall burden.

10. Option (3) would significantly increase the costs on competent authorities in certain respects, e.g. monitoring bivalve mollusc production areas. There would be very little in the way of offsetting benefits resulting.

11. The primary area where the proposal would increase costs significantly is in live bivalve mollusc production. The requirement for increased testing for marine biotoxins would dramatically increase the cost of enforcement in this area from approximately £0.64 million to £2.75 million in the UK annually.² These figures exclude the considerably increased cost of collecting samples (figures for which are not available). Whether the competent authorities or industry meet these additional costs would depend on the outcome of the negotiation of the proposal for a regulation on official feed and food controls (see paragraph 2.13 above) and decisions taken in the light of it. In particular, the UK would need to decide whether, and if so the extent to which, the costs should be passed on to the industry if that were an option under the new legislation.

² These figures should be seen against the background of an industry in the UK producing something in the region of 115,000 tonnes of live bivalve molluscs a year (2000 figures) valued at approximately £61 million.