

Summary of Responses to Public Consultation on: The Quick-frozen Foodstuffs Regulations 2007: England, Scotland, Wales & Northern Ireland

- The Food Standards Agency circulated a consultation letter in July 2006 seeking views on the draft Quick-frozen Foodstuffs Regulations 2007 for England, Scotland, Wales and Northern Ireland. Comments were specifically invited on the draft Regulations which carried forward, and consolidated, the existing requirements on conditions that must be fulfilled by quick-frozen foodstuffs (QFF) (Council Directive 89/108/EEC), existing requirements on sampling procedures and official methods of analysis of temperatures of QFF (Commission Directive 92/2/EEC), as well as including new requirements in relation to temperature monitoring equipment resulting from Commission Regulation 37/2005.
- The consultation was sent to interested parties in England, Scotland, Wales and Northern Ireland (including Consumer Groups, Trade Associations, the Small Business Service, Enforcement Authorities, Other Government Departments, etc.). It was also made publicly available on the Agency website.
- 2 responses were received to the England consultation and 1 response was received to the Scotland consultation. Given that the proposed legislation was in similar terms in the four regions, comments made to the parallel consultations were taken account of in finalising the legislation, respectively in England, Scotland, Wales and Northern Ireland.
- No respondents requested not to publish personal data. The following table summarises the responses received.

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The Quick-frozen Foodstuffs Regulations 2007:
England, Scotland, Wales & Northern Ireland**

Responses to England Consultation

(Consultation letter issued: 20.07.2006)

(Consultation ended: 02.11.2006)

Organisation / Individual	Comments	Food Standards Agency (FSA) Response
British Frozen Food Federation (BFFF)	<p>Fully support FSA's approach to replace existing 1990 and 1994 regulations with a single, up-to-date text.</p> <p>For clarity, on a minor issue, suggested additional wording (underlined text), "Requirement that <u>in the case of</u> storage in retail display cabinets ... etc.", in text at Schedule 1, Article 3.1 – first paragraph for all four draft texts. Also, highlighted a typographical error in this text of the draft Scottish SI.</p>	<p>The suggestion of additional text was not included as it was considered not to add any further clarity, plus the proposed text in national legislation more closely matches that in the EC text.</p> <p>The typographical error in the Scottish text has been corrected.</p>

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LACoRS (Local Authorities Co-ordinators of Regulatory Services)	<p>Requested clarification on:</p> <ul style="list-style-type: none"> (a) whether the new requirements applied also to measuring equipment used by enforcement officers; (b) lack of enforcement powers to seize or detain food not complying with the requirements. 	<p>FSA addressed these points in correspondence to LACoRS, namely that:</p> <ul style="list-style-type: none"> (a) in our view Regulation 37/2005, which brings in the requirements for equipment to meet the relevant European standards, sets out that the new measuring instruments are to be fitted to the means of transport, warehousing and storage. Temperature measuring equipment used by enforcement authorities should meet the requirements of Directive 92/2/EEC as implemented by Regulation 7 of the draft QFF Regulations; (b) bearing in mind that the QFF Regulations are concerned with food <u>quality</u>, product seizure provisions have not been included. Furthermore, there are existing powers in place to seize food within general food law requirements. If a food is “unsafe” as provided in Article 14 of Regulation 178/2002, a food authority could seize it under Section 9 of the Food Safety Act 1990.

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Response to Scotland Consultation

(Consultation letter issued: 20.07.2006)

(Consultation ended: 06.11.2006)

Organisation / Individual	Response	Food Standards Agency (FSA) Response
Scottish Association of Meat Wholesalers (SAMW)	Support the FSA's proposal to revoke and re-make the 1990 QFF Regulations to include new requirements of Commission Regulation 37/2005.	N/A.