

Chapter 5: Assumptions and expectations for online food regulation

5.1 Awareness of current regulations

Across the groups, there was little detailed understanding or awareness of the regulations in place to ensure that food purchased online is safe to eat. In some instances, participants said that this was simply not something they had considered. They expected that online food would be regulated in a similar way to food purchased offline, but without knowing how in any detail. This expectation was especially common among those who purchased food online more frequently. There were similar assumptions among participants that paying for food online would be secure and safe, in line with other online purchases.

“I don’t know what their safety protocols are but there must be some sort of checks down the line, or beforehand.” (Northern Ireland, Frequently buy food online)

There was an expectation that regulations would be set centrally by ‘government’, Some participants mentioned the FSA as having a role in regulating food sold online, reflecting assumptions that this would fall under their remit. However, participants were unclear about what these regulations looked like in practice. Again, familiarity with sellers and trusting businesses’ desire to maintain their reputation appeared to underpin participants’ expectations that cleanliness levels and food hygiene standards would be adhered to.

“I’m pretty certain that when you place orders for food, every effort is made to ensure health and safety standards.” (England, Frequently buy food online)

However, the management of food safety for food sold online was perceived to vary significantly across platforms. Online supermarkets, restaurants/takeaways and other established food businesses offering food deliveries online were broadly trusted. Participants assumed they would be more likely to comply with regulations, compared to individuals selling food that they had made on Olio or Facebook Marketplace.

“Nobody is overseeing Facebook marketplace and Olio to make sure it’s safe to buy. It’s different when you get a takeaway from a restaurant. What they’re selling has to go through protocols.” (Wales, Frequently buy food online)

5.2 Perceived responsibility for consumer safety when purchasing food online

There were a range of views on who should be responsible for consumer safety when it comes to purchasing food online. Participants saw roles for online platforms, aggregators, individual sellers and local authorities. However, the level of responsibility depended on how food-focused and established these online sellers were perceived to be. The role of the FSA is discussed in the next section, and particularly focused on regulating established businesses selling food online.

Overall, participants had higher expectations of platforms and businesses whose focus was selling food. They thought that ensuring consumer safety was one of their central responsibilities.

For example, in the case of Olio, participants expected that the organisation should monitor customer reviews and conduct due diligence to ensure the food being sold on their platform was adhering to standards. Furthermore, some participants expected to be able to contact these platforms, if food being sold was making customers ill.

“Olio need to be aware what they're sharing. That the people selling the stuff aren't meeting the standards of the picture they're showing.”

(Northern Ireland, Do not typically buy food online)

Similarly, aggregators including Just Eat, Uber Eats and Deliveroo were consistently seen as being responsible for ensuring that food ordered through their platform was transported and delivered safely, in line with food hygiene standards. As such, participants consistently pointed to the importance of these companies monitoring their delivery drivers' adherence to food safety regulations. They also saw it as the responsibility of these companies to manage customer complaints where there had been issues with food and liaise with restaurants and delivery drivers accordingly.

“It's up to the company, Just Eat to have those sort of checks in place on their individual drivers.”

(Northern Ireland, Frequently buying food online)

By contrast, participants did not hold social media platforms, like Facebook Marketplace, to the same standards. This seemed to be because they were not considered to be primarily focused on selling food, but on providing connections between people. Across groups, participants thought that in the case of purchasing through Facebook Marketplace, responsibility for risk lay with consumers themselves, rather than the platform. Participants pointed to the scale of Facebook Marketplace and the lack of an obvious way to escalate issues related to food bought online. As such, they saw consumers as being ultimately responsible for their own safety when buying food in this way, as they could not expect to be protected.

“I would just take it on the chin and move on. Facebook is too big to worry about your qualms over fried rice.”

(Northern Ireland, Frequently buying food online)

By contrast, participants had different expectations when buying pre-packed food through Amazon. They frequently referred to previous positive experiences of reporting issues with items bought and being reimbursed. They assumed buying food through Amazon would have the same kinds of systems in place and were confident about the established ways to report issues, which extended to food.

Some participants mentioned that individual sellers on Facebook Marketplace and Olio should provide full ingredients lists and specify their food hygiene qualifications when preparing and selling food. However, others again saw the responsibility as lying with consumers themselves when buying food in this way.

“On Facebook Marketplace, I'm not going to expect them to say ‘May contain nuts’, or whatever allergen advice. You don't get that through the likes of Facebook Marketplace, or if anybody is giving things for free [talking about Olio]. It's at the buyer's risk, I think.”

(Northern Ireland, Frequently buying food online)

While not common, there were a few participants who felt that there should be increased regulation for food sold via Facebook Marketplace, especially because more food was being sold in this way since the pandemic. However, participants were uncertain about how this could be regulated in practice, or by who.

Across groups, local authorities were frequently referenced as bodies which should have a role in regulating food sold online. Participants specifically mentioned teams in local authorities who were already responsible for food regulation and expected these to be conducting spot checks on local vendors, to ensure food sold online was compliant.

5.3 Perceived role of the FSA in regulation of food sold online

Across the groups, there was a general assumption that the FSA would be involved in regulating food safety for food sold online. However, participants were unable to give details of what this would look like and were generally uncertain about how the FSA would be able to regulate food sold online in practice. There was some recognition that it would be challenging for one organisation to regulate the multiple ways in which food could be sold online.

“It’s getting into a bit of a complicated area... with different ways of getting food, like from supermarkets, to takeaways, to Facebook Marketplace. There are a lot of different areas to cover there...regulation-wise. I would imagine there would be a lot of different organisations involved, because of the different ways that the food is being sold.”

(England, Frequently buy food online)

The extent to which participants viewed sellers as established businesses informed their views on the role they expected the FSA to play in regulating the safety of the food sold online by these sellers. For example, participants trusted that the FSA and local authorities were regulating established food businesses, and that this translated to broadly trusting food bought online from these establishments. This was particularly the case for those who bought food online frequently.

“I think if [the FSA are] enforcing the checks on the restaurants right from the beginning then that by themselves should be enough to ensure the food is safe. Even if it’s done bad online, it’s almost there so you don’t lose minimum standards... then that should be adequate protection.”

(Northern Ireland, Frequently buy food online)

Participants did not seem to view individuals selling homemade food through general online platforms like Facebook Marketplace in the same way as established food businesses. As such, they did not expect the FSA to play the same role as they did for established food businesses, with the FSA setting food hygiene standards and ensuring compliance (although some mentioned local authorities in this context, as discussed above). Participants did not expect regulators to be proactively monitoring food sold online by individual sellers through these general platforms and saw the risk lying primarily with consumers buying food in this way.

However, there were participants who wanted to feel confident that the FSA could be contacted as a point of escalation in cases where food had made consumers seriously ill, even where this food had been bought online.