

# Potential Divergence of Food Safety Regulations Within the UK: Executive Summary

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## About this research

This report summarises the findings from qualitative research exploring public attitudes towards regulatory divergence related to food products. The research was conducted with 78 participants from England, Wales and Northern Ireland, who took part in four online workshops between 26 January and 7 February 2023. Each workshop lasted three hours.

Previous research for the Food Standards Agency (FSA) captured general consumer views towards regulatory divergence in the meat industry. Attitudes were influenced by three key factors including the scale of the change, perceptions of whether an erosion of standards could increase the risk of food becoming unsafe and the perceived motivations behind making changes.

This study was designed to explore whether findings were applicable across other food sectors, product types, and regulated activities, and to understand what factors influence consumer views of regulatory divergence.

Reflecting the complexity of the subject matter, our methodology was designed to introduce the public to the context for change and the concept of regulatory divergence, provide them with an opportunity to ask the FSA questions and used hypothetical scenarios to draw out views on regulatory divergence in practice.

## The FSA, four-nation working approach and devolution

Participants assumed that a food standards body existed, even in cases where they could not cite the name of the FSA. Participants across the groups were surprised to find out that food regulations could be devolved across the UK, stemming from a belief that food safety is absolute and unlikely to require national variation.

Once provided with detail on the FSA's role and responsibilities, participants felt reassured that food is made safe to eat by a non-ministerial department. They were less familiar with the FSA's mission to make food healthier and more sustainable as set out in the [2022-2027 strategy](#). However, generally, this was well received.

Participants found the FSA's approach to four-nation working uncontroversial and felt it was sensible to try and align food standards across the UK where possible.

## **The context for change and attitudes to regulatory divergence**

Regardless of views towards EU exit, participants were resistant towards divergence in food safety standards between UK nations. They thought this would lead to additional complications for businesses and consumers, impact trade and lead to mistakes in food production and manufacturing. These views built on a belief that food safety policy should be an area where the UK works together within the FSA's current four-nation approach.

Views towards regulatory divergence from EU legislation differed depending on attitudes towards the UK leaving the EU. Those more positive about the exit focused on the potential benefits to reduce bureaucracy and lower consumer costs. Those more negative about the EU exit felt any changes could lead to increased costs, greater confusion and complications for businesses.

Participants felt that science and risk analyses should be objective, come to the same conclusions, and that there should be no subjectivity in how risk is perceived. This meant they did not always understand the need for regulatory divergence and questioned the motivations behind taking different approaches. They wanted future regulations to follow the latest scientific evidence and worried that trust in the FSA and/or food safety could be eroded if the public was not clear as to why regulations differed.

## **Factors influencing consumer views on regulatory divergence**

After discussing four hypothetical scenarios, participants were most open to regulatory divergence on products and activities seen as low risk. A key factor influencing consumer perceptions towards regulatory divergence was if the divergence had an impact on perceived safety. Product types deemed to be low risk and less susceptible to safety concerns included fruit, vegetables, and to some extent, food packaging material. Participants felt that regulatory divergence in regard to meat or fish was riskier and could impact their views on the safety of these products.

In terms of the activity being regulated, participants had greater concerns if divergence impacted the contents of food rather than the way it was processed or stored. Changes to regulations involving adding ingredients to food or releasing chemicals within packaging were widely seen as more concerning.

Outside of safety, the most important factor influencing views on regulatory divergence was cost. There was greater support for divergence if it led to reduced costs for the consumer. Increased business costs or complexity was seen as likely to lead to these costs being passed down to the consumer and meant participants tended to reject potential divergence in most circumstances.