

Potential Divergence of Food Safety Regulations Within the UK: Chapter 4

Consumer views on proposed regulatory divergence

In this chapter we outline participants' views towards regulatory divergence in regard to different product types and regulatory activities. We explore the key factors and trade-offs influencing views towards regulatory divergence, outlining when regulatory divergence is more or less acceptable from a consumer viewpoint. To explore views towards divergence on different products and activities, participants discussed four hypothetical scenarios which can be viewed in detail in appendix 2.

Key findings

After discussing four hypothetical scenarios, participants were most open to regulatory divergence on products and activities seen as low risk or having little impact on perceived safety. Product types deemed to be low risk 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 because they generally considered these products to be higher risk.

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 those circumstances.

There was also support for divergence increasing consumer choice, but any differences would need to be clearly communicated so that consumers could make an informed purchase.

Participants were more open to regulatory divergence on products when changes were not considered high risk

Participants expressed concerns when regulatory divergence was seen as having the potential to lead to reduced food safety. For example, participants were least concerned about any changes in regulations related to the chilled chopped fruit scenario. Changes related to fruit production and storage were considered minor and participants generally did not think it would have an impact on the safety of these products. Similarly, the principle of regulatory divergence applying to packaging was uncontroversial, although there were concerns about the use of chemicals in this. Participants had the greatest concerns about the hypothetical scenario related to meat processing, as these changes were considered to be a higher risk.

Regulatory divergence in fruit and vegetables tended to be seen as lower risk than divergence in meat products

For products like fruit or vegetables, consumers trusted their own judgment and would assess the quality of a product by the look and feel of it when shopping. Outside of a potential price difference between the two products, there was an understanding that consumers would not necessarily be aware that there was any divergence in how the item had been stored or prepared. This was not something participants saw as important to know, reflecting how they rarely considered the temperature a product was stored at in their current purchasing habits.

“If it tastes good, I'm going to buy it next week, regardless of the temperature.” - Wales, Positive view towards EU exit

“I don't think we really know that one has been chilled and another one hasn't, we're just going to buy it, as long as it looks decent.” - England, Urban, Negative view towards EU exit

In contrast, participants spontaneously had greater concerns related to the safety of meat. This meant they were more resistant to regulatory divergence related to meat products, arguing that all UK nations should adopt the highest standard of regulations related to meat processing. As in previous research, if regulatory divergence led to a perceived drop in standards, there was agreement that this would impact whether participants would continue to buy meat.

“The meat has a big concern for me because my thoughts are paramount safety, I need to know where that meat has come from, know that the animals have been fed, I want to know the process of what's happened to the animals, that all that's been done safely.” -England, Urban, Negative view towards EU exit

During the previous research, participants discussed three hypothetical scenarios related to meat processing. They felt that when divergence related to animal welfare and safety, it was less acceptable compared to a temperature change in the water used for disinfecting tools. This reflects similar findings from this research related to perceptions of risk, with less acceptance towards regulatory divergence where it relates to higher risk activities or products.

There was greater concern about changes to the content of food compared to food processing

Participants had concerns about the potential risk of the hypothetical scenario involving an additive and wanted to know more about the regulatory change compared with the chopped fruit scenario related to storage temperature. However, as the FSA had concluded the risk posed by the additive did not require its removal, they felt the change would not have a major impact on them as consumers. The product was still perceived as low risk given participants' widespread trust in the FSA.

Participants who were more conscious of what they eat, those who tended to read food labels and those less trusting of the FSA, expressed greater worries about the additives scenario. They were often more cautious about the FSA's advice and therefore suggested they would be likely to purchase a product without the additive. However, even for these participants there was a sense that relevant information should be clearly available to allow consumers to make an informed choice between products.

“I think it should be a consumer's choice if they want to buy that product. When I'm reading [labels] and doing my weekly shop, I don't always stop to look if there's an additive. If it was clearly visible, it might sway my choice.” - England, Urban, Negative view towards EU exit

Similarly, a hypothetical example related to a new packaging material raised concerns about the potential release of chemicals to produce a colour change when food is no longer safe to eat. Participants worried that consumers would not necessarily know what the chemical was or what the long-term health risk to the public of consuming food exposed to it could be. As such, they were less likely to accept regulatory divergence in this scenario due to their concerns about safety, even though they felt comfortable with divergence related to packaging.

"The fact they're adding more chemicals to food can't be good. I know there are efforts of sustainability. But I don't understand. These things are driven by profits somewhere. It's good that food would last longer so less waste. But I would be concerned about if it's safe to eat." - Northern Ireland, Negative view towards EU exit

There was greater demand for labelling where participants felt regulatory divergence could influence purchasing decisions

Reflecting concerns related to both the vegetable additive and chemical release in packaging, there was greater demand for clear labelling about the content of food as participants argued consumers should know exactly what they are eating. In the case of an additive, it was felt that the two food products were fundamentally different and therefore consumers should have a right to know about what a food product is made of. This compared to examples involving changes to processing or food storage, where labelling was regarded as less important and not something consumers necessarily consider when shopping.

"I've been eating food for this long and I haven't had any problems. We've lived in bliss for so many years. We bought things from the supermarkets. We bought stuff from fruit stalls. We don't know whose food is better than the other. An apple is an apple." - England, Urban, Positive view towards EU exit

Participants also wanted more information to be available about what divergence would mean for them as consumers, specifically related to any potential impact on food safety. Despite a recognition that consumers are not fully aware of current food regulations, they argued there was a risk that any major divergence could undermine trust in the wider food system and in the FSA itself. Consistent with previous research, changes to temperature were seen as less significant than other examples including those related to inspection, animal welfare or food-borne disease.

"A piece of dodgy meat versus a slightly mouldy pineapple which you can spot is a completely different scenario. The moment you mention disease, it makes you sit up and take notes." - England, Urban, Neutral view towards EU exit

"For me, meat is the most dangerous of all. You can get severely ill. You have to be so careful with meat. I'd put that up as the most important one, for meat to be regulated in the correct way." - Wales, Positive view towards EU exit

Alongside safety, the most important factor influencing views on divergence was cost to the consumer

Attitudes towards regulatory divergence were shaped by whether the change was seen as increasing or reducing costs. Although participants were often willing to pay slightly more for meat produced to the highest quality standard, they accepted that cost was often the key determining factor for their purchasing decisions, particularly given the rising price of many items. As such, there was greater support for regulatory divergence – both from the EU and across UK nations if it led to reduced prices.

Participants were aware that any divergence that led to increased costs for businesses would have a knock-on effect on the price consumers pay and this would be difficult for the wider public to accept. There was support for divergence that reduced costs for businesses, as long as these savings were passed onto the consumer, reflecting a similar finding from previous research.

"My main decision when purchasing food is the price. If I saw the same product for 5p cheaper, I'd go for the 5p cheaper one, rather than the quality." - Wales, Neutral view towards EU exit

Participants often felt that in cases where two products produced to different sets of regulations appeared the same, potentially the only differentiating factor to a consumer would be the price. Without any knowledge of why one product was more expensive than another, as long as the cheaper product looked in good condition, participants felt it would be the one purchased. There was some concern this could lead to confusion for consumers, or result in individuals buying items without a full understanding of which regulations applied to the product.

"Even now if I went into a supermarket and I saw a Scottish flag, am I going to remember all those different regulations? Probably not. It's all about the cost." - England, Urban, Positive view towards EU exit

Participants argued onward processing legislation could lead to further confusion for consumers and create uncertainty if products followed different regulations across the four UK nations. They felt consumers would not be fully aware of which products were available to purchase in their national market and worried onward processing would lead to increased costs due to the availability of products.

"I can see it costing more for consumers as we can't use that product from that part of the UK. If legislations starts to diverge we'll have to be more specific about where we source things from and as ever, the consumer will be the one paying more because production will be more expensive." - England, Urban, Neutral view towards EU exit

The administrative costs for the FSA to enforce these regulations was also seen as an unnecessary spending measure and potentially a waste of inspectors' time.

"As the consumer, we want the best quality at the best price. We all want the same thing. To make things more difficult, more wasteful, the ambiguity is costing money." - England, Rural, Negative view towards EU exit

Business complexity was highlighted as a potential implication of regulatory divergence that could increase costs

There was a perception that any regulatory change would likely lead to increased complexity for businesses. Businesses would either need to decide on which set of regulations to follow, and potentially have to change their production line, or decide to follow multiple regulations which could present challenges. Onward processing regulations could also add to complexity for businesses, who would have to source new products if they previously used a product from a different UK nation.

"It could also cause problems with the supply chain. You could have a business that's run predominantly out of England, and if they've got depots or final destination businesses in Scotland, they may have to change things so that it can be satisfactory in Scotland." - England, Rural, Positive view towards EU exit

Generally, participants did not want businesses to have to deal with additional bureaucracy as this would, in turn, lead to higher costs for consumers. Those with a positive view towards EU exit were more positive about UK businesses adapting to new regulations and the potential competitive advantage that this could bring.

“Big businesses that are looking for a wider audience will put those changes in place, and smaller producers might not be producing for onward processing anyway. I think businesses that are large enough to supply to Scotland for onward processing may be large enough that they already comply with both regulations as they want that larger market.” - England, Rural, Positive view towards EU exit

Sustainability considerations were seen as less important than other factors

Although participants supported regulatory divergence that enabled a greater focus on environmental and sustainability goals, they largely felt that safety and cost considerations were more important. They recognised the need for both consumers and businesses to become more environmentally conscious in the future and wanted to see a reduction in food waste, supporting changes that increased the shelf-life of a product. In some cases, participants were prepared to pay more for products that lasted longer, recognising this could reduce their costs overall. However, this would depend on the overall cost and there was concern about the safety of the hypothetical packaging example that involved the release of chemicals.

“Everyone is really conscious of recycling and new packaging. Although people might not be happy with it now, it's definitely the way forward. I wouldn't be terribly happy about having some kind of chemical in the salmon to make it go a different colour, so while I'd be fully supportive of the packaging aspect and environmentally friendly, I wouldn't like that chemical which might affect the food.” - England, Urban, Negative view towards EU exit

In some cases, participants suggested that regulatory divergence could lead to more localised food systems, which was seen as a positive way of supporting local economies and reducing the distance travelled by food products.

“This could be a way of making things more local. To buy locally, you don't mind if you've got to pay a bit extra for the quality of the food. But knowing that you aren't paying for deliveries and for it to be imported, it should work out about the same for general food.” - England, Rural, Positive view towards EU exit

There was support for greater consumer choice, but this would require clear product labelling

Participants generally felt that consumer choice would increase as a result of regulatory divergence and, as long as consumers were able to make an informed decision, this would be beneficial in the long-term.

They argued that clear distinctions between certain products, especially meat and packaging material, and to some extent the use of additives, would be important to keep consumers informed. If regulatory divergence led to a significant change, this distinction would need to be more obvious than just a difference in price between two products that otherwise appear the same.

“The label is essential to know exactly what's in it and it's your choice then whether you decide to take it, it might have been so processed that you don't want it. You need to know what you're

eating.” -England, Urban, Positive view towards EU Exit

Participants suggested that if product information was clearly labelled, consumers would be more likely to consider wider factors beyond cost. They wanted any label changes to be clearly visible, not overly complicated and there were concerns about putting too much information on packaging. In general, participants did not feel it was necessary to include information about which regulations a product was following on each item, as long as there was information about what a product contained. In some cases, participants suggested additional information could be found online by using QR codes to provide further detail about regulations to those who were interested, an idea discussed in the previous research. However, this was not widely seen as required.

“Nowadays everything is complex, but as the consumer we like things presented simply as well. If we're given information on what is in [food], we're protecting the interests of the consumer. That's why the FSA is there, to protect the needs of the consumer as well.” - Wales, Positive view towards EU exit

Participants felt that any reasoning behind a decision by the FSA should be clear to the public and, if they were interested to know more, consumers should be able to read about how the decision to diverge was made. Participants felt this kind of information should be available on the FSA website.

“It's all down to education and explanation as to why there is a divergence and differing of options and what the science and research is.” - England, Rural, Neutral view towards EU exit

Participants rarely mentioned regulatory divergence that aimed to meet local population needs. Overall, they found it difficult to envisage why population needs related to food would be different across the UK nations. This was not seen as an important factor informing future regulatory divergence. Similarly, there was a perception that a decision to follow EU regulation in one hypothetical scenario could be politically motivated rather than reflective of the needs of one nations population.