

FDF Response to Defra Consultation on Possible Deregulatory Measures Regarding the Mandatory Fortification of Flour in England

This submission is made by the Food and Drink Federation, the trade association for food and drink manufacturing. Food and drink is the largest manufacturing sector in the UK (accounting for 15.7% of the total manufacturing sector) turning over £81.8bn per annum; creating GVA of £21.5bn and employing around 400,000 people.

Questions

1. Which option provides the best solution for your particular business and why?

FDF fully supports option 1 as the most suitable solution for the UK food industry whereby flour used as a component in a compound ingredient used to make a final product is exempt **OR** when the flour is present as an ingredient and/or not making up more than X% of the final product is exempt. Without this option many UK food manufactures could consider switching to using imported non-fortified flour.

In FDF's view **option 1 part 1** would need to be expressed in the following way:

When flour is to be used as a component in a secondary compound ingredient that is used to make a final product or is used by the consumer as a secondary compound ingredient.

It is important that the term 'secondary compound ingredient' is clearly defined in relation to this exemption. In FDF's view this would cover ingredients which contain a high % of flour but which are not eaten on their own and are present as relatively minor components of compound foods. This would allow manufacturers who are making ingredients such as pre-dusts, breadcrumbs, batters, sausage rusks, seasoning mixes and other cereal-based inclusions to be exempt from using fortified flour.

It is FDF's understanding that flour used as a component in a secondary compound ingredient would not be subject to a % threshold.

In FDF's view **option 1 part 2** would need to be expressed in the following way:

When the flour is present as an ingredient and the total amount of flour does not make up more than X% of the total ingredients in the final product as sold to the consumer or prepared according to the manufacturer's instructions [in cases such as dehydrated/concentrated soup and sauce mixes].

This is particularly important for products produced for the UK and across Europe and would remove the potential barrier to exporting products to Europe.

In addition, FDF considers that there must be flexibility to allow companies to use fortified flour for exempt products if they want to – for example in cases where they did not want to have two (fortified/unfortified) flour streams.

2. Do you envisage any difficulties as a result of providing an optional exemption for millers to produce non-fortified flour in the specific circumstances outlined?

FDF does not envisage any difficulties for millers in producing both fortified and non-fortified flour other than the requirement to segregate the two flour streams. Some members have indicated that there could be some benefit in allowing food manufacturers to buy unfortified UK flour and then add the statutory fortificants at the bakery mixing stage if required for products produced for the UK market but the advantages and disadvantages of this would need to be further investigated.

3. Do you think the assessment of the impacts in the background paper is a fair reflection of the costs and benefits the optional exemption will introduce?

FDF considers that the assessment of the impacts in the background paper is a fair reflection of the costs and benefits the optional exemption will introduce. FDF believes that doing nothing would have a significant negative impact on the UK food industry as the requirement to label the fortificants is adversely affecting exports and leading to UK manufacturers sourcing unfortified flour from overseas.

4. Taking into account the health benefits the Regulations deliver, under option 2 which products should be required to be made using fortified flour?

FDF does not support option 2. In FDF's view it would not be practical to try and compile a definitive list of products that should be required to be made using fortified flour and include all product lines currently on the market and to keep the list up to date as new products enter the market.

5. Does a 10% or 15% threshold in respect of the flour content of products that would be permitted to be made with unfortified flour deliver the desired flexibility?

In FDF view a threshold of 15% would go a long way in providing the flexibility needed by the UK food industry provided that this was in addition to the exemption for flour used as a component in a secondary compound ingredient that is used to make a final product or is used by the consumer as a secondary compound ingredient. However there needs to be some flexibility around this figure to allow for process variability.

Furthermore some members have indicated that a threshold of 20% would provide even greater flexibility particularly for chocolate confectionery products.