

FOOD STANDARDS AGENCY CONSULTATION

Title: Front of pack (FOP) nutrition labelling for pre-packed foods sold through retail outlets in the UK

CONSULTATION SUMMARY PAGE

Date consultation launched:	Closing date for responses:
30 July 2009	5 November 2009

Who will this consultation be of most interest to?

Food businesses, public health bodies, consumer groups and consumers.

What is the subject of this consultation?

Front of pack (FOP) nutrition labelling for pre-packed foods sold through retail outlets in the UK.

What is the purpose of this consultation?

The independent evaluation study on FOP nutrition labelling found that a single scheme would be helpful for consumers and that an integrated FOP labelling approach providing 'high/medium/low' text, traffic light colour coding and %GDA information was most effective in terms of consumer comprehension, consumer preference and enabling consumers to assess the healthiness of a product. This consultation seeks views on practical issues which need to be resolved for an integrated FOP nutrition labelling approach to work in real life settings and help consumers to make healthier choices. The consultation also seeks views on the related costs and benefits as identified in the draft Impact Assessment.

Responses to this consultation should be sent to:

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Is an Impact Assessment included with this consultation?

Yes

No See Annex F for reason.



Overview

1. The independent evaluation study on FOP nutrition labelling found that a single FOP approach would be most helpful for shoppers and that the most effective FOP label combined text (high/medium/low), traffic light colour coding and %GDA information in an 'integrated label'. The Agency is now formally consulting on practical issues which need to be resolved for an integrated FOP nutrition labelling approach to work in real life settings and help consumers to make healthier choices. The independent study, funded by the FSA (referred to as the independent research throughout) was published in May 2009, and is available at <http://www.food.gov.uk/news/newsarchive/2009/may/pmp>
2. Stakeholders views are being sought on the following issues:
 - **Scope:** Consumers use FOP labels across a range of products, and are particularly interested in having this information for more complex products where nutrient content is not obvious. While the FSA currently recommend FOP labelling for seven product categories, we know that many retailers and manufacturers provide labelling on a wider of products. We would therefore welcome your views on the range of foods to which an integrated FOP label should be applied, including suggestions for a limited number of exemptions (paragraphs 17 - 21).
 - **Calories:** We know that consumers find calories on the FOP helpful in making healthier purchasing decisions, for example when watching their weight. We would therefore welcome your views on how to include calories in an integrated FOP label (paragraphs 22 - 28).
 - **Portion size criteria:** It is important that FOP labels help consumers to assess the healthiness of foods regardless of whether the portion size is small, medium or large. Current guidance on the use of text and traffic light colour codes establishes criteria which take account of nutrient levels per 100g and for food recommended to be eaten in portions greater than 100g. We would welcome your views on whether there should be criteria for foods recommended to be eaten in small portions which take account of portion size. If so what should these criteria be (paragraphs 29-31)?
 - **Saturated fat:** We know that consumers are confused by the various terminologies used for saturated fat and their understanding of saturated fat in the context of their overall diet is poor. We would like to improve this where possible to allow consumers to be aware of healthier choices. We also know it is of particular use for consumers with particular health concerns. Do you agree with the proposed approach to improving communication and understanding of saturated fat in an integrated label? If not why not? (paragraphs 32 - 34).
 - **Guideline Daily Amount (GDA) for sugars:** We are aware that the levels of sugars added to some foods are of concern to consumers, and it is important that labels help them to identify sugary products so that they can make healthier choices. In light of the European Food Safety Authority's recent opinion on the sugars Dietary Reference Value for nutrition labelling purposes

we would welcome your views on the appropriate sugars GDA figure that should be used on an integrated FOP label (paragraphs 35-38).

- **Salt thresholds:** Because most salt consumed is already in the foods consumers buy it is important that labels are as helpful as possible in identifying lower salt products, again so that consumers can make healthier choices. We would welcome your views on whether the salt thresholds for an integrated FOP label should be revised and if so which approach should be used (paragraphs 39 -44):
 - (a) changes to the per 100g criterion,
 - (b) changes to the per portion criterion, or
 - (c) both.
 - **Improving legibility:** In the independent study some consumers sometimes found FOP labels too small to read, or simply did not notice the FOP label, which means that they are unable to use the information provided to inform their decisions. We would therefore welcome views on proposed guidance to maximize the visibility and legibility of an integrated FOP label (paragraph 45-46).
 - **Public awareness:** The independent research found that there was a high level of awareness of the various FOP labels in the marketplace, but use of FOP labels remained low. Raising consumer awareness is likely to increase the impact an integrated FOP label has on purchasing decisions; and we are keen to ensure that this information is equally available across all consumer groups. We would therefore welcome your views on how government and stakeholders can work in partnership to raise consumer awareness and understanding of an integrated FOP label. We are particularly interested in targeting those consumers that do not currently use FOP labels to influence their food purchasing choices, and in particular consumers in social grades C2, D and E, those aged over 65 years and families with children) (paragraph 47).
3. Significant progress has already been made in the UK by many UK retailers and manufacturers in terms of introducing FOP labelling to a wide range of foods on a voluntary basis. A voluntary approach allows industry to change labels (as a part of their normal re-labelling cycle) at minimum cost. The Agency notes that integrated FOP labels (incorporating 'High/Medium/Low' text, traffic light colour coding and %GDA) are already available in the marketplace, such as those used by Asda and McCain. The Agency will continue to monitor progress of the voluntary approach.

Background

4. Tackling the increase in overweight, obesity and diet-related illnesses is a priority for the Government. As part of its response to these public health challenges administrations across the UK have adopted strategies to tackle obesity. Front of pack labelling to help enable consumers to make healthier choices is an important part of these strategies.

5. In England the strategy was initially set out in the Department of Health's *Choosing Health* White Paper (2004)¹, and reinforced by the *Healthy Weight Healthy Lives* cross-government strategy (2008)². The Scottish Government has expressed support for the Agency's work to encourage clearer food labelling, such as FOP traffic light labelling, recognising that it is important that consumers can make informed choices at a glance about the food they eat (Healthy Eating, Active Living³). In Wales better nutritional labelling will help deliver the Welsh Assembly Government's Quality of Food for All strategy⁴. In Northern Ireland the importance of FOP nutrition labelling in enabling consumers to choose healthier diets was noted in the 'Fit Futures' health strategy⁵.
6. In England, the Healthy Food Code of Good Practice outlined in *Healthy Weight, Healthy Lives* (2008), challenged businesses to deliver,

'A single, simple and effective approach to food labelling used by the whole food industry, based on the principles that will be recommended by the FSA in light of the research currently being undertaken.'
7. FOP labelling is an important part of the Westminster Government's overall strategy alongside other work to improve the healthiness of food available, purchased and consumed. Reformulation (in terms of reduced fat, saturated fat, salt, sugar and energy) has resulted in a wider range of healthier products being made available to healthier consumers. It is also committed to substantial consumer-facing campaigns to inform and educate the population in healthy eating; the past year for example has seen campaigns on reducing salt intake, reducing saturated fat, and helping families eat well and move more via Change4Life.
8. Healthy eating is important to consumers. Over 90% of shoppers surveyed in the independent research stated that this was an important issue for them⁶. This supports similar findings from other surveys such as that conducted by Which?⁷ that reported that 80% of consumers want to choose a healthy diet and favour more action across the food industry to make it easier for them to make healthier choices.

¹ Department of Health (2004). *Choosing Health* White paper

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4094550

² *Healthy Weight, Healthy Lives: A Cross Government Strategy for England*, www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_082378

³ *Healthy Eating, Active Living: An action plan to improve diet, increase physical activity and tackle obesity (2008-2011)* www.scotland.gov.uk/Publications/2008/06/20155902

⁴ Currently under development.

⁵ Department of Health, Social Services and Public Safety <http://www.dhsspsni.gov.uk/ifh-fitfutures.pdf>

⁶ This mirrors findings of the Consumer Attitudes to Food Survey (2008) that found that healthy eating was an important issue for 87% of consumers.

⁷ As noted in *Hungry for Change* (p7)

(http://www.which.co.uk/static/html/pdfs/hungry_for_change.pdf). It also noted consumer demand for more action by manufacturers to reduce levels of fat, sat fat, salt and sugar and the use of a standardised approach to nutritional labelling.

9. FOP labelling provides consumers with information to help them to make healthier food choices and contributes towards efforts to reduce obesity levels and diet-related illnesses. To be effective in public health terms FOP labelling must be valued and readily understood, and motivate the widest range of consumers to use it when making purchasing decisions so that they improve the balance of their diet.

10. Since 2006, when the Agency recommended its voluntary principles-based FOP labelling approach (which included traffic light colour coding⁸), FOP labelling has become widespread in the UK with over 28,000⁹ products featuring some form of FOP labelling. In line with a commitment made in 2006¹⁰ and as agreed with stakeholders, an independently managed research project was commissioned by the Agency at the end of 2007, to review the effectiveness of the three main FOP nutrition labelling schemes used in the UK market (the independent research). These were:

- %GDA schemes providing information on amount of nutrient per portion of product as a percentage of Guideline Daily Amount;
- traffic light (TL) colour-coded schemes indicating nutrient level (these can be found with accompanying 'High, Medium and Low' text); and
- schemes which provide both a traffic light colour code (with or without text) and %GDA.

11. Stakeholders were involved in agreeing the arrangements for the independent management of the study¹¹.

12. The Agency has also invited stakeholders to identify other issues that would need to be considered, when formulating FOP labelling policy. These issues were discussed at a stakeholder workshop in October 2008 (attended by more than 35 stakeholders) followed by a series of smaller meetings with interested parties. These were used to shape a pre-consultation document¹² on which views of 85 stakeholders were sought in March. Feedback from all these fora was used to develop this consultation document and the accompanying draft Impact Assessment.

⁸ www.food.gov.uk/news/newsarchive/2006/mar/signpostnewsmarch The Agency's recommendations focused on seven categories of processed foods that consumers had said they found particularly difficult to assess the 'healthiness' of. These categories are: (1) Sandwiches, wraps, filled baguettes and similar products; (2) Prepared or ready meals, whether hot or cold - (for example pasta salad bowls, prepared salad meals such as chicken caesar salad and prepared dishes sold with and without accompaniments such as rice, noodles, vegetables, potato or similar); (3) Burgers, sausages; (4) Pies, pasties and quiches; (5) Breaded or coated or formed meat, meat alternative, poultry, fish and similar products including those in sauces (for example chicken nuggets, fish fingers, chicken kiev, fish in parsley sauce, meat balls, lamb grills); (6) Pizzas; (7) Breakfast cereals

⁹ The estimate used for the number of products using FOP labelling is based on pre-consultation discussions with industry. This is detailed further in the accompanying Impact Assessment.

¹⁰ www.food.gov.uk/aboutus/ourboard/boardmeetings/boardmeetings2006/boardmeeting90306/boardmins9mar06

¹¹ Minutes of meetings can be accessed at: www.food.gov.uk/foodlabelling/signposting/signpostevaluation/pmpanel/

¹² The document set out the Agency's proposed approach to this formal public consultation and Impact Assessment www.food.gov.uk/multimedia/pdfs/FOPframeworkconsult.pdf

Europe

13. The European Commission issued a proposal for a new Food Information Regulation (EU FIR) in January 2008¹³ to bring EU rules on general and nutrition labelling together into a single Regulation. One aspect of the proposal is the introduction of mandatory FOP nutrition labelling. The proposal would also allow for the development of national schemes to provide additional forms of expression of the mandatory nutrition information. The Environment, Public Health and Food Safety Committee in the European Parliament prepared a report on the Commission proposal but has since voted to defer deliberations until the rapporteur has produced an updated report to reflect suggestions for an amended text. It is unlikely that the European Council and Parliament will have completed their first readings of the proposal before mid-2010. The text is expected to include transition periods (of up to 5 years) to allow business to implement the requirements of the Regulation once they have been adopted. The UK Government is keen to ensure that any future EU legislation supports its public health aims, protects UK consumers and enables the UK to continue to refine its FOP recommendations in light of the recent independent research and responses to this consultation.

Summary of findings of the Independent Research

14. The findings of the independent research¹⁴ on FOP labelling approaches currently in use in the UK marketplace were published on 6 May. The research concluded that:

- a single FOP scheme would be most helpful for consumers, as the presence of different types of FOP labelling schemes in the marketplace causes shoppers difficulties;
- overall, the balance of evidence demonstrated that the strongest FOP label is one which combines use of text 'high, medium, and low', traffic light colour coding and percentage of Guideline Daily Amount (GDA), in addition to levels of nutrients in a portion of the product (referred to as an '**integrated**' label in this document);
- consumers who use FOP labels value them; they use them particularly if they are shopping for children, comparing different products, if they have a particular health concern (e.g. high blood pressure or diabetes), or if watching their weight; and
- there is a generally high level of understanding of FOP labels, even among those who do not tend to use them, which suggests that raising awareness of a single scheme could encourage increased use of FOP labels when buying food.

¹³ Proposal for a Regulation of the European Parliament and of the Council on the provision of Food information to consumers COM (2008)40 final
(<http://ec.europa.eu/eu/food/food/labellingnutrition/foodlabelling/publications/3359-en.pdf>)

¹⁴ The independent research related to that managed by the Project Management Panel (PMP) and conducted by BMRB Social research, and can be found at:
<http://www.food.gov.uk/news/newsarchive/2009/may/pmp>

15. A summary of wider research findings on FOP label awareness, use, preference, comprehension and the coexistence of different FOP labels in the UK, is provided at Annex A.

Issues on which we are consulting

16. This consultation seeks views on practical issues which need to be resolved for an integrated FOP nutrition labelling approach¹⁵ to work in real life settings and help consumers to make healthier choices. These include issues on scope, terminology and criteria for nutrients (paragraphs 17 – 44), FOP label legibility and prominence issues (paragraph 45), as well as ways to maximise consumer awareness and use of an integrated FOP label (paragraphs 46). We also welcome views on the related costs and benefits as identified in the attached draft Impact Assessment.

(i) Scope of FOP labelling

17. Consumers use FOP labels across a range of products, and are particularly interested in having this information for more complex products where nutrient content is not obvious. The Agency currently recommends that FOP signpost labelling should be applied to 7 categories of composite processed foods, as defined in the current technical guidance¹⁶, because these are the types of foods which consumers have the most difficulty with when assessing the overall 'healthiness' of a product. However some adopters of the Agency's FOP traffic light labelling approach have successfully applied the existing criteria to a wider range of foods, including snacks and treats. FOP %GDA labels are also being used across a wide range of food categories.

18. In pre-consultation discussions, stakeholders generally supported the view that FOP labelling should be widely applicable (so that industry can use it on any product category if it so wishes) although some felt that there was merit in focusing on those foods where FOP offered the greatest benefit (e.g. processed foods with a wide range of ingredients). The need for an exemption list for FOP labelling was questioned given the voluntary nature of the measure.

19. The Agency recognises that while some businesses may want to apply FOP labelling to all their products, the potential added benefit for the consumer is likely to be food category specific. For example in the case of products such as fruit and vegetables FOP is unlikely to add any benefit.

20. In pre-consultation discussions with stakeholders the following food products were suggested as possible products that could be exempt from FOP labelling:

- Single ingredient foods, staples and primary produce such as:
 - cereal based products including rice, pasta, flour, bread,

¹⁵ That incorporates the elements high/medium/low interpretive text, traffic light colours and %GDA information. This is the approach which the independent research found to be most effective overall in terms of consumer comprehension, consumer preference and in enabling consumers to assess the healthiness of a product.

¹⁶ <http://www.food.gov.uk/foodlabelling/signposting/technicalguide/>

- meat, fish, poultry (unprocessed),
- milk and some dairy produce (including cheese),
- bacon and ham.
- Fresh and minimally processed fruit and vegetables
- Foods sold in packages with small surface area

21. The Agency would welcome views on the suggestion that FOP labelling should be applied to all pre-packed foods with a limited number of exemptions. It would also welcome views on which products should be exempted.

Question 1:

We welcome your views on the range of foods to which an integrated FOP label should be applied, including suggestions for a limited number of exemptions (paragraph 20).

(ii) Calories

- 22.** Currently inclusion of calories in FOP labelling is an additional element rather than one of the Agency's core FOP principles.
- 23.** A total of 97 food businesses currently provide FOP information on calories. Of these, 16 users of the Agency's traffic light labelling approach include calorie information on their FOP label. At present only 4 retailers apply colour coding to calorie information on their FOP labels. Around 82 food businesses are using FOP percentage Guideline Daily Amount labels which include information on calorie content.
- 24.** The independent research found that whilst some consumers use calorie information on FOP labels when making purchasing decisions – often as a proxy for other nutrients – inclusion of this information did not improve or diminish the level of label comprehension. It also found that people who used calorie information often focused on counting calories (primarily if they were watching their weight).
- 25.** The European Food Information Council (EUFIC) study¹⁷ found that UK consumers were the most knowledgeable on calorie content of food within the EU. It noted that fat and calories were the main drivers in UK consumers'

¹⁷ A pan-European study carried out by the European Food Information Council (EUFIC) on in-store behaviour, understanding and use of nutrition information on food labels and nutrition knowledge <http://www.eufic.org/page/en/fftid/european-consumers-spill-the-beans-on-food-labels/>

perception of healthiness of foods with calories being the second most looked for item when using nutrition labels¹⁸.

- 26.** In pre-consultation discussions stakeholders expressed strong support for the inclusion of calories with some considering that this would improve consistency with the Agency's wider work to encourage caterers to provide calorie information.
- 27.** If calories were to be included with text and traffic light colours then criteria would need to be developed. The green (low) threshold would be set at ≤ 40 kcal per 100g¹⁹ and the red (high) threshold would be set at 500 kcal/100g²⁰ and 600 kcal per portion (if the approach used for other nutrients is applied) in line with Regulation EC 1924/2006 on nutrition and health claims made on foods which applies when making 'low' and 'high' claims. In effect this would mean that nearly all products would receive an amber traffic light for calories, so provide little additional benefit to consumers and limited incentive for manufactures to reduce the calorie content of their products.
- 28.** The Agency recognises that consumers may find calorie information useful^{21,22}, and therefore suggests that per portion calorie information should be included on FOP. It is suggested that calorie information should not include additional interpretive elements ('high/medium/low' text, traffic light colour coding or %GDA) and should be displayed on a neutral background (i.e. not using traffic light colours).

Question 2:

We welcome your views on the proposal for including calories in an integrated FOP label (paragraph 27), and that interpretive elements should not be included.

¹⁸ The Millward Brown research also found that calorie information was identified by consumers as being one of the most useful elements of a nutrition label (along with the fat and salt content of the food).

¹⁹ In line with the low threshold in the European Regulation (EC) No 1924/2006 on nutrition and health claims.

²⁰ ie 25% of recommended intake levels (based on female Estimated Average Requirement of 2000 kcal/day) per 100g

²¹ <http://www.food.gov.uk/multimedia/pdfs/quantannexa.pdf>

²² <http://www.focusbiz.co.uk/webinars/eufic/paneuropeanlabelresearch/europe/>

(iii) Portion size criteria

- 29.** It is important that FOP labels help consumers to assess the healthiness of foods regardless of whether the portion size is small, medium or large. Current guidance on the use of text and traffic light colour codes establishes criteria which take account of nutrient levels per 100g and for food recommended to be eaten in portions greater than 100g (Annex B). We would welcome your views on whether criteria for foods recommended to be eaten in small portions should also take account of portion size.
- 30.** Some stakeholders have argued that a per 100g approach unfairly penalises foods recommended to be eaten in smaller or larger portions. Some stakeholders, including some food businesses and non-governmental organisations (NGOs), have expressed support for the introduction of additional criteria for small portions, (current recommendations include criteria for large portions) while others were strongly opposed. Some felt that the inclusion of specific criteria for small portions could provide a more accurate reflection of the level of nutrient consumed in the single portion whilst others felt that this could give misleading messages about the product if it were to be consumed in a larger quantity or eaten frequently.
- 31.** In the independent research meal-sized products and products with smaller portions including snack products were considered in order to determine whether product size impacted upon comprehension of the information presented in different FOP label types. The research found that product size did not impact upon FOP label comprehension.

Question 3:

Should the Agency develop specific criteria for an integrated FOP label for foods recommended to be eaten in small portions, to be used alongside the per 100g criteria and specific criteria for large portions? If so what should these criteria be? Or could foods recommended to be eaten in small portions be dealt with in other ways?

(iv) Saturated fat

- 32.** The Agency has reviewed its text/traffic light criteria for saturated fat in line with its saturated fat and energy intake programme and EU nutrient profiling thresholds²³ for 'high'. The Agency proposes no change to the existing saturated fat criteria.
- 33.** The Agency has also reviewed the use of various terms used to communicate 'saturated fat'²⁴. Findings from the independent research found that saturated fat is not well understood; with some consumers believing that 'sat fat' is a good fat. The Institute of Grocery Distribution's (IGD) research found that saturated fat, and all of the terms used to describe it, are poorly understood and there was a degree

²³ EU Nutrient Profiles are to be established in the context of Regulation (EC) 1924/2006 on Nutrition and Health Claims (EU NP NHCR) made on food.

²⁴ This review was carried out prior to the Agency's Saturated Fat campaign.

of confusion related to the use of various terms²⁵. It noted that whilst 76% of consumers surveyed understood that 'saturates' was a type of fat, 46% preferred the term 'saturated fat'. In February 2009, the Agency launched its consumer awareness campaign on saturated fat, which raised awareness about the health implications of consuming too much saturated fat. Further information about the campaign can be found at www.food.gov.uk/healthiereating/satfatenergy/satfatcons/

34. Most businesses currently use the term 'saturates' on FOP labels and this corresponds with the use of 'saturates' on back of pack nutrition information. **The Agency therefore suggests the term 'saturates' is used in an integrated FOP label to ensure consistent communication and that more is done to educate consumers about the term and the need to reduce intakes of saturated fat.**

Question 4:

Do you agree with the proposed approach to improve communication and understanding of saturated fats in an integrated FOP label (paragraph 34)? If not why not?

(v) Guideline Daily Amount (GDA) for sugars

35. We are aware that the levels of sugars added to some foods are of concern to consumers, and it is important that labels help them to identify sugary products. There is currently no COMA²⁶ or SACN²⁷ advice on dietary intakes of total sugars. There is, however, COMA advice that non-milk extrinsic sugars (NMES) should not exceed 10% of total dietary energy i.e. 50g based on a 2000 kcal daily intake. COMA has also recommended that high intakes of NMES (>30% energy or >200g/day) should be avoided²⁸. The World Health Organisation (WHO) in their 2002 report on chronic disease stated that the "range of population goals" should be <10% energy from NMES and that the frequency of consumption of foods or drinks containing NMES should be limited to a maximum of 4 times a day.
36. In pre-consultation discussions, stakeholders acknowledged the complexity of this issue and there was a mixture of views on GDA's being based on 'total' or 'added' sugars. There was support for re-considering this issue once EFSA had issued its opinion.
37. The European Commission asked EFSA to advise on the suitability of the GDA's²⁹ for a range of nutrients (including energy, fat, saturated fat, salt and

²⁵ Institute of Grocery Distribution, Working Group Report. Saturated Fat Communication: Enabling Consumers to Make More Informed Choices. Aug 2008 (www.igd.com).

²⁶ The Committee on Medical Aspects of Food and Nutrition Policy (COMA) - this was replaced by Scientific Advisory Committee on Nutrition.

²⁷ The Scientific Advisory Committee on Nutrition: An advisory Committee of independent experts that provides advice to the Food Standards Agency and Department of Health as well as other Government Agencies and Departments. <http://www.sacn.gov.uk/>

²⁸ Both the 10% and 30% consumption limits are noted in *Dietary Reference Values for Food Energy and Nutrients in the UK* (DH 1991)

²⁹ Referred to in the EU FIR as Reference Intake Values (RIVs)

sugars) included in the European Commission's Food Information Regulation proposal. EFSA's view is that 90g is an acceptable figure for the GDA for total sugars (noting that it is compatible with an upper limit of intake of added sugars being 10% energy intake as recommended by COMA and WHO)³⁰.

38. The Agency's current approach applies high/medium/low interpretative text and traffic light colour coding on an added sugars basis if total sugars in a product exceed 5g per 100g³¹. This approach is set out in Annex B. Additional text can be used to explain high total sugars levels where a product contains a high level of sugars from fruit and/or milk but is colour coded amber ('medium') due to the level of added sugars in the product. This approach is in line with COMA advice and requires both the total sugars and added sugars components to be known.

Question 5:

In light of EFSA's recent opinion on the sugars GDA for nutrition labelling purposes, we would welcome your views on the appropriate sugars GDA figure that should be used on an integrated FOP label.

(vi) Salt

39. Leaving the current high/medium/low text and traffic light criteria (see Annex B) unchanged would mean that salt thresholds would not have been moved to reflect overall reductions noted when 2012 salt targets³² were published.
40. In 2006 the amber/red traffic light 'high' threshold for salt was set at 1.5g per 100g with an additional per portion criterion of 2.4g per portion (i.e. 40% of RDI – recommended daily intake levels) to reflect the 2010 salt targets. This was an interim measure which we committed to review in the context of salt reduction work. EU Nutrient Profiles are to be established in the context of Regulation (EC) 1924/2006 on Nutrition and Health Claims (EU NP NHCR) made on food³³.
41. The 'high' threshold (at 1.5g per 100g) is different from figures being discussed for the EU NP NHCR (1.00g per 100g). This could mean that if a health claim were made under the EU NP NHCR this could result in a food product being signposted as amber/'medium' but having to also declare the level of the same nutrient as 'high' under the requirements of the EU NP NHCR.
42. In discussions, stakeholders generally expressed support for aligning the per 100g salt thresholds with EU NP NHCR. Others noted that if the FOP salt

³⁰ Further details of EFSA's opinion can be found at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902511922.htm

³¹ The threshold for total sugars of 5g per 100g (as with all other 'low' (green) thresholds used in traffic light colour coding criteria) is aligned with the 'low' threshold as determined by the EU claims legislation EC 1924/2006.

³² <http://www.food.gov.uk/healthierating/salt/saltreduction>

³³ Salt content levels in EU Nutrient Profiles are the trigger for either prohibiting the use of health claims or requiring the statement "High Salt Content" if a nutrition claim is made. EU Nutrient Profiles have yet to be agreed.

thresholds were lowered then products that had been reformulated to meet the 2010 salt targets could still be labelled as 'high' on FOP labels, whereas if the threshold was left unchanged, the products may be classified as medium (amber) - so a lower threshold would not provide recognition for salt reduction work carried out in line with the 2010 salt targets.

43. The Agency's analysis (based on 205 food products³⁴) of moving the per 100g medium/high boundary from >1.5g to >1g for salt (which reflects the current proposed threshold in the EU NP NHCR) was that there would be limited effect for most food categories. The greatest impact would be for burgers and sausages, snacks and fats and spreads³⁵. Moving the 'per portion' medium/high boundary from >2.4g to >1.8g for salt (i.e. from 40% to 30% RDI) to align with the approach used for other nutrients would affect products sold with a serving size of >100g, such as sandwiches, ready meals and pizzas. Of the 65 products analysed in these food categories around 20% would change from medium (amber) to high (red) if the criteria were amended as proposed, with ready meals and pizzas being affected the most³⁶.
44. If changes are to be made to the 'high' salt thresholds then it is suggested that these amendments should come into effect at the same time as the implementation of the Food Information Regulation and the NP NHCR (whichever is the sooner), in order to minimise the level of disruption to businesses and be in line with good regulation principles.

Question 6:

We would welcome your views on the whether the salt thresholds for an integrated FOP label should be revised and if so which of the approaches discussed above should be used:

- (a) changes to the per 100g criterion,***
(b) changes to the per portion criterion, or
(c) both.

(vii) Legibility

45. It is important that an integrated FOP label is sufficiently prominent and legible to communicate the key nutritional messages effectively to a busy shopper. The Agency's existing FOP technical guidance³⁷ includes some advice on prominence and legibility, but it may need to be updated.

³⁴ Nutritional data captured in February/March 2009 from retailer websites

³⁵ On average, burgers, sausages and snacks that are affected by this change would have to remove approximately 0.3g/100g of salt to revert to medium (amber), fats oils and spreads would have to remove approximately 0.4g/100g

³⁶ On average, ready meals which are affected by this change would have to remove approximately 0.4g/100g to revert back to medium (amber), pizzas 0.2g/100g and sandwiches 0.45g/100g.

³⁷ <http://www.food.gov.uk/multimedia/pdfs/frontofpackguidance2.pdf>

46. Examples of what an integrated FOP label could look like can be found at Annex C. These designs are for illustrative purposes only and combine the elements (text, TL colour coding and %GDA). In the independent study some consumers sometimes found FOP labels too small to read, or simply did not notice the FOP label. General rules for the legibility and clarity of mandatory food information are also under consideration as part of the negotiations on the FIR proposal.

Question 7:

The proposed advice on prominence and legibility based on the Agency's current technical guidance can be found at Annex D. We welcome your views on how this might be revised to maximise the visibility and legibility of an integrated FOP label.

(viii) Public Awareness

47. The independent research found that there was a high level of overall awareness and comprehension of FOP labelling. It also provided helpful indicators on how this could be improved further and which groups of consumers efforts should be focused on to have the greatest impact in terms of improved comprehension and use; these include the older population (i.e. over 65 years), those with lower levels of education and those in lower social grades (C2DE's). In pre-consultation discussions with stakeholders it was felt that improving consumer awareness and understanding of FOP labels was a shared responsibility between government, industry, public health bodies and consumer groups. Combining efforts to raise awareness of a single integrated label is likely to increase the impact FOP labels have on purchasing decisions and could also help improve trust in FOP labels as being helpful in providing an objective assessment of nutritional content of food products.

Question 8:

We welcome your views on how government and stakeholders could work in partnership to raise consumer awareness and understanding of a single integrated FOP label (targeting those consumers that are not currently using FOP labelling, and in particular C2DE's, those aged over 65 years and families with children). We would welcome any information regarding initiatives or activities that have been undertaken in this area.

Responses

48. Responses are required by close 5 November 2009. Please state, in your response, whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents).

Thank you on behalf of the Food Standards Agency for participating in this public consultation.

Yours,

Claire Boville

Nutrition Division, Food Standards Agency

Attached

Annex A: Summary of Research Findings

Annex B: Criteria for Traffic Light Labelling

Annex C: Examples of integrated FOP labels

Annex D: Proposed guidance on visibility and legibility of FOP labels

Annex E: Standard Consultation Information

Annex F: Impact Assessment

Annex G: List of interested parties

Summary of Research Findings

Awareness of FOP Labels

1. The independent research found that awareness of FOP labels among consumers was high (around 8 in 10 consumers), which is in line with the findings reported by the EUFIC study³⁸. The research also found that younger consumers and those with children had higher levels of awareness of FOP labelling. A tracking survey of awareness of GDA labelling by Millward Brown³⁹ reported 84% awareness in the general population and slightly lower for those in social grades C2, D and E (around 80%).
2. A range of public awareness activities by government, industry and other stakeholders has helped raise the profile of FOP labelling (recent audits of FOP label penetration suggest around 82% prevalence for the UK⁴⁰ spanning over 28,000 products⁴¹).

FOP label use and factors influencing purchasing decisions

3. The independent research found that FOP labels were mostly used in store with in-home use being rare. When FOP labels were used, this tended to be by people who are generally health conscious, those buying food for children, those who have medical conditions, and those on weight loss diets. Similar findings were reported in the EUFIC study, which noted that consumers with health conditions looked more often at the nutrition information. The independent research found that FOP labels were used in two main ways, to evaluate the healthiness of single products and to compare the healthiness of two or more products. FOP labels on treats, staple foods, products used in small amounts, ingredients in cooking, or for repeat purchases were rarely used by consumers. Price, brand loyalty, 'healthy range' information, health and nutrition claims, organic claims, product appearance and the consumer's attitude to healthy eating and level of nutrition knowledge all played a role in influencing purchase decisions. In some cases these issues could take precedence over FOP label information in terms of influencing purchasing decisions.

Users of FOP Labels

4. The independent research has shown that all FOP labels are less easily understood by those over 65 years, those who have lower levels of educational attainment, those who are from social classes C2, D, and E and consumers self defining as non-white. A recent summary published by EUFIC⁴² found that

³⁸ A pan-European study carried out by the European Food Information Council (EUFIC) on in-store behaviour, understanding and use of nutrition information on food labels and nutrition knowledge <http://www.eufic.org/page/en/fftid/european-consumers-spill-the-beans-on-food-labels/>

³⁹ http://www.fdf.org.uk/publicgeneral/MillwardBrown_research_Sep08.pdf

⁴⁰ <http://www.flabel.org/en/basic100032.html>

⁴¹ In the FLABEL research over 60% of the products surveyed carried %GDA labelling, but no information was available on the number using a traffic light based approach.

⁴² <http://www.eufic.org/page/en/fftid/european-consumers-spill-the-beans-on-food-labels/>

consumers with higher levels of nutritional knowledge, consumers from higher social grades, and older consumers were more likely to look for nutritional information. The Millward Brown⁴³ %GDA tracking research suggested that usage of %GDA labels among social grades C2, D and E is lower than the overall population. However, the independent research found that the inclusion of text (high, medium and low), traffic light colours and %GDA on the FOP label helped to improve the level of comprehension of FOP labels for those with lower education levels and those in social classes C2, D and E.

Preference

5. The independent research found that consumer preference (ie *belief* in which label was easiest to understand) was a poor indicator of *ability* to understand labels. Preference can play an important role in terms of engaging consumers – particularly consumers who are not currently using FOP labels – but this must be matched by the effectiveness of the label in accurately conveying the nutritional information in a manner that is readily understood by consumers.

Comprehension

6. The independent research found that the level of comprehension of FOP labels was generally high (ranging between 58% and 71% in the specific tests used). Overall, the balance of evidence demonstrated that the strongest FOP label is one which combines use of the words 'high, medium, and low', traffic light colours and percentage of Guideline Daily Amount (%GDA), in addition to levels of nutrients in a portion of the product. A label incorporating all 3 elements was perceived to be easy to understand and also had one of the highest levels of objective comprehension. Text (the words 'high, medium and low') was found to have the greatest positive influence on comprehension, followed by traffic light colour coding and then %GDA.
7. Comprehension is crucial for FOP labelling to be effective. If consumers are unable to understand and apply the information contained in a FOP label then it cannot deliver public health benefits.

Coexistence of a range of FOP label types

8. The independent research found that the coexistence of a range of FOP labels in the market place created considerable difficulty in comprehension for consumers. Some consumers found comparing products with different FOP label formats too difficult, frustrating and annoying and took too long. When comparing products, the presence of different types of signposting on the FOP label of each product meant some consumers did not realise that the weight of the nutrient in grams was present on both labels and could have helped them to make a comparison.
9. Differing use of colour in the different FOP labelling schemes caused confusion for consumers. Some did not realise that the colour (red/amber/green) in the traffic light scheme had meaning. Conversely, some thought that the monochrome colour used in %GDA schemes had meaning. Cool colours (blue or

⁴³ http://www.fdf.org.uk/publicgeneral/MillwardBrown_research_Sep08.pdf

green) used on monochrome schemes and the nutrient specific %GDA scheme⁴⁴ were often interpreted as indicating that the product was healthy or that products were low in nutrients where cool colours were used.

Conclusion

- 10.** In summary, the research found that the strongest FOP labels were those which combine text (the words 'high, medium and low'), traffic light colour coding and %GDA information. The balance of evidence also shows that the coexistence of a number of FOP label formats in the marketplace causes difficulties for consumers and a single approach would enhance use and comprehension of FOP labels.
- 11.** The findings of the independent research provide a robust basis for moving the debate on FOP labelling forwards and identifying a labelling approach that not only uses the label that has been found to be strongest overall but also minimises confusion caused by the current range of FOP schemes in real life settings and help consumers to make healthier choices (particularly if adopted widely).

⁴⁴ This used different non-traffic light colours to distinguish between different nutrients. The colours used have no bearing on the level of nutrient in the product.

Current Criteria for Traffic Light Labelling⁴⁵

The colour code

How the nutritional criteria were developed

The green/amber (low/medium) boundaries are determined by the European Regulation (EC) No 1924/2006 on Nutrition and Health Claims, which came into effect on 1 July 2007⁴⁶.

The amber/red (medium/high) boundaries are based on existing advice from COMA and SACN for fat, saturated fat, sugars and salt using 25% of recommended intake levels per 100g and 30% (40% for salt) per portion⁴⁷.

In view of the fact neither COMA nor SACN has provided advice on intakes of total sugars an expert group was set up to recommend suitable criteria based on total sugars⁴⁸.

Further work was undertaken to develop suitable sugars criteria for breakfast cereals^{49,50}. Consumer research on breakfast cereals confirmed that consumers expect the colour code and the nutritional information per portion for breakfast cereals to be based on dry weight of cereal and that they wanted to be able to distinguish at a glance between breakfast cereals which are high in added sugars and those high in sugars due to high fruit content. A technical working group was subsequently set up to advise on the criteria for the sugars colour code in the case of breakfast cereals, which recommended that it should be based on added sugars and that additional on pack text, discrete from the traffic light signpost, should be provided to highlight the presence of sugars from fruit and / or milk not included in the colour code⁵¹. This approach is in line with COMA advice.

To ensure the consistency and clarity of the approach it was also recommended that this approach be applied to all the recommended traffic light signposting categories.

Nutritional criteria

The traffic light colour approach to nutritional signpost labelling requires criteria that define the green/amber (low/medium) and amber/red (medium/high) boundaries for the key nutrients fat, saturated fat, sugars and salt. The criteria for foods are set out in Table 1.

⁴⁵ Based on the Agency's existing technical guidance that can be found at **www.food.gov.uk/foodlabelling/signposting/technicalguide**

⁴⁶ http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_012/l_01220070118en00030018.pdf.

⁴⁷ Department of Health. Report on health and social subjects No. 41. Dietary reference values for food energy and nutrients for the United Kingdom. London : HMSO, 1991

⁴⁸ <http://www.food.gov.uk/foodlabelling/signposting/signposttimeline/rationalesugars/>

⁴⁹ <http://www.food.gov.uk/foodlabelling/signposting/sugarslabcereals>

⁵⁰ <http://www.food.gov.uk/multimedia/pdfs/cerealportion.pdf>

⁵¹ DN: insert weblink to working group paper

Table 1 – Food (per 100g whether or not they are sold by volume)

	Green (Low)	Amber (Medium)	Red (High)	
Fat	≤ 3.0 g/100g	> 3.0 to ≤ 20.0 g/100g	> 20.0 g/100g	> 21.0g / portion
Saturates	≤ 1.5 g/100g	> 1.5 to ≤ 5.0 g/100g	> 5.0 g/100g	> 6.0g / portion
Sugars ⁵²	≤ 5.0 g/100g	> 5.0 to ≤ 12.5g/100g	> 12.5g/100g	> 15.0g / portion
Salt ⁵³	≤ 0.30 g/100g	> 0.30 to ≤ 1.50g/100g	> 1.50 g/100g	> 2.40g / portion ⁵⁴

The colour code for sugars is determined in terms of both the total and added sugars components as follows⁵⁵: -

Green if **total sugars** are less than or equal to **5g/100g**.

Amber if **total sugars** exceed **5g/100g** and **added sugars** are less than **12.5g/100g**.

Red if **added sugars** are more than **12.5g/100g**.

In addition to the per 100g criteria, there are 'per portion' criteria for food. The per portion criteria ensure that any food which contributes more than 30% (40% for salt) of an adult's recommended daily maximum intake for a particular nutrient is labelled red (high)⁵⁶.

⁵² The Agency has asked SACN to review and advice on intakes of sugars as part of its future work programme.

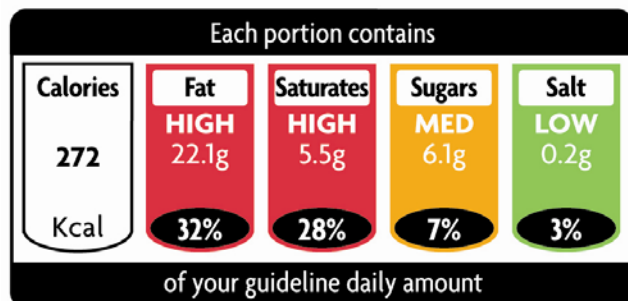
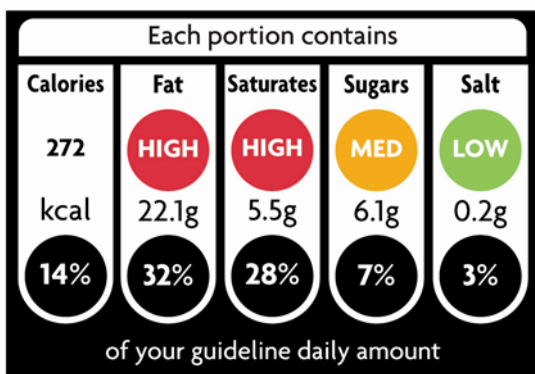
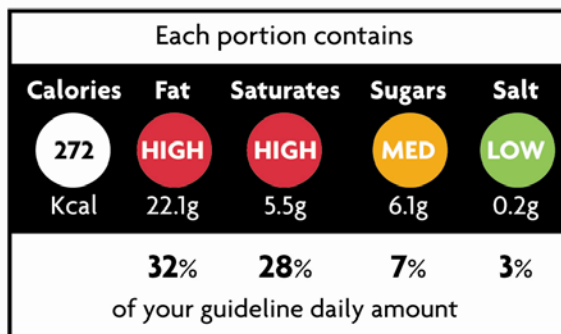
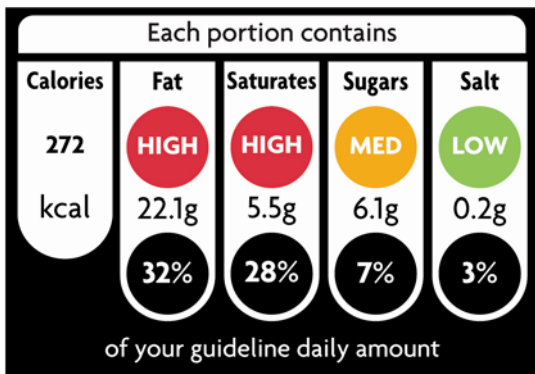
⁵³ Sodium from all sources expressed as salt.

⁵⁴ To be reviewed in 2008 to reflect progress on salt reduction work.

⁵⁵ For the purposes of the Agency's front of pack nutrition signpost scheme, added sugars is defined as any mono- or disaccharide or any other food used for its sweetening properties. This would include, but is not exclusively limited to: sucrose, fructose, glucose, glucose syrups, fructose-glucose syrups, corn syrups, invert sugar, honey, maple syrup, malt extract, dextrose, fruit juices, deionised fruit juices, lactose, maltose, high maltose syrups, Agave syrup, dextrin and maltodextrin. The sugars contained in dried fruit are assumed to be intrinsic and are not included as added sugars. The sugars in milk powder are not included as added sugars, in line with COMA dietary guidelines which deemed sugars in milk as a special case and did not set guidelines to limit their intake.

⁵⁶ From 2008 the per portion criteria will apply to all foods over 100g. Until then the per portion criteria may be used if the serving size is 250g or greater.

Examples of integrated FOP labels



The graphics above combine text (high/medium/low), TL colour coding and %GDA in FOP labels which the independent research found to be most effective in the strongest overall in helping consumers make healthier choices.

Proposed guidance on legibility and visibility of FOP labels

The Agency's current technical guidance⁵⁷ provides general guidance on aspects of FOP label design to improve their visibility and legibility. This is based on the visuals the Agency used during its 2005 consumer research and is intended as a guide.

- Agenda Bold is the typeface used in the signpost visuals in this guidance and was chosen for its clarity and legibility. Nutrients are in bold, upper and lower case. High, medium and low descriptors are bold and uppercase.
- Text included in the signpost should ideally be in black. Text within the colour coded areas of the signpost may be in black or white.
- On metallic and shiny surfaces, a matt-finish eases legibility.
- The FOP label should be easily visible and scaled in proportion with the size of the product, as a guide the following are suggested:
 - Use 10 point font on product packs with dimensions of approx. 200mm x 300mm (e.g. breakfast cereal).
 - Use 8 point font on product packs with dimensions of approx. 200mm x 200mm (e.g. >350g ready meal packs, boxes of burgers etc)
 - Use 6 point font on product packs with dimensions of approx. 180mm x 150mm (e.g. twin sandwich pack).
 - The minimum font size that should be used is 4 point.

FOP label position

- Position the signpost in a consistent place on the front of pack where it is clearly seen. In the Agency's research it was positioned on front of pack, bottom left.
- Position the signpost in the same field of vision as the product fancy, brand or trade name, and if possible in a place consistent with use in other labels. Take care to ensure that the text is not distorted.
- In the case of multi-pack products or selection packs, place the signpost on the outer packaging. It can also be repeated on individual products.
- Do not place images behind the signpost (watermarking).

⁵⁷ <http://www.food.gov.uk/foodlabelling/signposting/technicalguide/>

Standard Consultation Information

1. If you have any queries relating to this consultation please contact the person named on page 1, who will be able to respond to your questions.

Publication of personal data and confidentiality of responses

2. In accordance with the FSA principle of openness our Information Centre at Aviation House will hold a copy of the completed consultation. Responses will be open to public access upon request. The FSA will also publish a summary of responses, which may include personal data, such as your full name and contact address details. If you do not want this information to be released, please complete and return the Publication of Personal Data form, which is on the website at <http://www.food.gov.uk/multimedia/pdfs/dataprotection.pdf> Return of this form does not mean that we will treat your response to the consultation as confidential, just your personal data.
3. In accordance with the provisions of Freedom of Information Act 2000/Environmental Information Regulations 2004, all information contained in your response may be subject to publication or disclosure. If you consider that some of the information provided in your response should not be disclosed, you should indicate the information concerned, request that it is not disclosed and explain what harm you consider would result from disclosure. The final decision on whether the information should be withheld rests with the FSA. However, we will take into account your views when making this decision.
4. Any automatic confidentiality disclaimer generated by your IT system will not be considered as such a request unless you specifically include a request, with an explanation, in the main text of your response.

Further information

5. A list of interested parties to whom this letter is being sent appears in Annex B. Please feel free to pass this document to any other interested parties, or send us their full contact details and we will arrange for a copy to be sent to them direct.
6. This consultation has been prepared in accordance with HM Government Code of Practice on Consultation, available at: <http://www.berr.gov.uk/files/file47158.pdf> The Consultation Criteria are available at <http://www.berr.gov.uk/whatwedo/bre/consultation-guidance/page44458.html>
7. For details about the consultation process (not about the content of this consultation) please contact: Food Standards Agency Consultation Co-

ordinator, Room 2C, Aviation House, 125 Kingsway, London, WC2B 6NH.
Tel: 0207 276 8630.

Comments on the consultation process itself

8. We are interested in what you thought of this consultation and would therefore welcome your general feedback on both the consultation package and overall consultation process. If you would like to help us improve the quality of future consultations, please feel free to share your thoughts with us by using the Consultation Feedback Questionnaire at <http://www.food.gov.uk/multimedia/worddocs/consultfeedback.doc>

9. If you would like to be included on future Food Standards Agency consultations on other topics, please advise us of those subject areas that you might be specifically interested in by using the Consultation Feedback Questionnaire at <http://www.food.gov.uk/multimedia/worddocs/consultfeedback.doc>
The questionnaire can also be used to update us about your existing contact details.

Summary: Intervention & Options

Department /Agency: FOOD STANDARDS AGENCY	Title: <u>Front of pack (FOP) nutrition labelling for pre-packed foods sold through retail outlets in the UK</u>	
Stage: Consultation	Version: 1	Date: 30 July 2009
Related Publications: Comprehension and use of UK nutrition signpost labelling schemes (http://www.food.gov.uk/news/newsarchive/2009/may/pmp)		

Available to view or download at:

<http://www.food.gov.uk/multimedia/pdfs/consultation/FOPlabellingia.pdf>

Contact for enquiries: Claire Boville

Telephone: 020 7276 8168

What is the problem under consideration? Why is government intervention necessary?

In March 2006, following publication of extensive consumer research and consultation with stakeholders, the Agency recommended UK businesses use a voluntary front of pack (FOP) 'traffic light' labelling approach on selected categories of pre-packed foods to make it easier for consumers to choose a healthier diet. At the same time the Agency also made a commitment to review the effectiveness and impact of FOP nutrition labelling used in the UK market. This independent research found that a single FOP approach would be most helpful for shoppers and that the most effective FOP label combined text (high/medium/low), traffic light colour coding and %GDA information in an 'integrated label'. The Agency is seeking views on practical issues which need to be resolved for an integrated FOP nutrition labelling approach to work in real life settings.

What are the policy objectives and the intended effects?

- (1) To help consumers make healthier choices through effective FOP nutrition labelling.
- (2) To resolve practical issues relating to use of an integrated FOP nutrition labelling approach in real life settings

Effective FOP labelling will contribute to improving health literacy amongst consumers by enabling them to improve their knowledge and understanding of nutritional content of foods and help them choose a healthier diet. Over time this will help lead to reductions in salt, saturated fat, fat and sugar intake for the UK population and in doing so achieve better health outcomes.

In addition, it may provide further incentive to build on current work being carried out by industry to reformulate existing products and develop healthier products and in so doing contribute to the Agency's overall strategy to help improve the UK diet.

What policy options have been considered? Please justify any preferred option.

Option 1: Do nothing (maintain status quo).

Option 2: Develop technical guidance to deliver an integrated FOP label.

Option 3: Develop technical guidance (that includes a specific FOP label design) to deliver an integrated FOP label.

Option 2 is the preferred option.

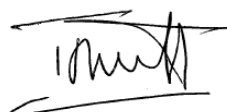
When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

Once a baseline has been established, we will review within 3 years.

Ministerial/CEO Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.

Signed by the Food Standards Agency Chair*:



Date: 30 July 2009

* for non-legislative Impact Assessments undertaken by non-ministerial departments/agencies

Summary: Analysis & Evidence

Policy Option: This summary covers both options 2 and 3

Description: Develop technical guidance to deliver an integrated FOP label / Develop technical guidance (that includes a specific FOP label design) to deliver an integrated label.

COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups'
	One-off (Transition)	Yrs	
	£		No monetised costs are included in this IA. Stakeholder input on the range of costs discussed and assumptions used are being sought in this consultation.
	Average Annual Cost (excluding one-off)		
£		Total Cost (PV)	£
<p>Other key non-monetised costs by 'main affected groups'</p> <p>Government will look provide matched funding for stakeholders in awareness raising campaigns. These and other costs are being sought as part of this consultation.</p>			

BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups' See non monetised benefits
	One-off	Yrs	
	£		
	Average Annual Benefit (excluding one-off)		
£		Total Benefit (PV)	£
<p>Other key non-monetised benefits by 'main affected groups' These relate to consistency by following agreed technical guidance and reputational gains for businesses from complying with Government approved technical guidance. There are also consumer benefits derived from reduced confusion over different FOP labels and access to nutritional information in a more effective FOP label.</p>			

Key Assumptions/Sensitivities/Risks

Price Base Year	Time Period Years	Net Benefit Range (NPV) £	NET BENEFIT (NPV Best estimate) £
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What is the geographic coverage of the policy/option?	UK			
On what date will the policy be implemented?	N/A			
Which organisation(s) will enforce the policy?	N/A			
What is the total annual cost of enforcement for these organisations?	£ N/A			
Does enforcement comply with Hampton principles?	Yes			
Will implementation go beyond minimum EU requirements?	N/A			
What is the value of the proposed offsetting measure per year?	£ N/A			
What is the value of changes in greenhouse gas emissions?	£ N/A			
Will the proposal have a significant impact on competition?	No			
Annual cost (£-£) per organisation (excluding one-off)	Micro	Small	Medium	Large
Are any of these organisations exempt?	N/A	N/A	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)			(Increase - Decrease)		
Increase of	£	Decrease of	£	Net Impact	£

Key:

Annual costs and benefits: Constant Prices

(Net) Present Value

Evidence Base (for summary sheets)

Reason for Intervention

1. FOP labelling is an important part of a package of government initiatives that seek to enable consumers to make healthier food choices and contribute towards efforts to tackle obesity and diet related illnesses as detailed further in **Annex A**.
2. In 2006 the Agency recommended a voluntary principles-based approach to FOP nutritional labelling that focused on seven categories of processed foods that were identified by consumers as being those which they found difficult to assess nutritionally¹. Since then industry has used different forms of FOP nutrition labelling on many foods sold through retail outlets. In line with a commitment made in 2006 and the challenge posed by the presence of a multiplicity of FOP schemes, the Agency commissioned independent research² in 2007 to evaluate the effectiveness³ of the different schemes in the UK marketplace, and the elements within them.
3. The research has confirmed that whilst there is a good level of comprehension of FOP labels, the existence of several FOP labelling approaches has created a degree of consumer confusion especially when consumers try to interpret different FOP labels applied on different products. For example some FOP labels use traffic light colours (to indicate the level of nutrient in a food) whilst others either use pastel colours or are monochrome (where the colours do not indicate the nutrient levels) thus confusing consumers as to the significance of the colours used.
4. The research concluded that 70% of the consumers interviewed were best able to understand and interpret the nutritional content of the food on FOP labels that included text (to state whether the level of a nutrient is high, medium or low), traffic light colours and percentage GDA's. A FOP label containing all these elements is referred to as an **'integrated' label** in this IA. The research concluded that standardising to the use of a single FOP label in the retail environment would enhance consumer use and comprehension of FOP labels.
5. In England Healthy Weight Healthy Lives makes a commitment to:
'A single, simple and effective approach to food labelling used by the whole food industry, based on the principles that will be recommended by the FSA in light of the research currently being undertaken.'
6. The need for an effective approach to FOP labelling is supported by all the devolved administrations and is a part of the Welsh Assembly Government's Quality of Food for All

¹ Sandwiches, wraps, filled baguettes and similar products, prepared or ready meals, whether hot or cold - (for example pasta salad bowls, prepared salad meals such as chicken caesar salad and prepared dishes sold with and without accompaniments such as rice, noodles, vegetables, potato or similar) burgers, sausages, pies, pasties and quiches, breaded or coated or formed meat, meat alternative, poultry, fish and similar products including those in sauces (for example chicken nuggets, fish fingers, chicken kiev, fish in parsley sauce, meat balls, lamb grills) pizzas and breakfast cereals.

² <http://www.food.gov.uk/foodlabelling/signposting/signpostevaluation/pmpanel/>

³ The independent research used three objective measures of comprehension that were identified as being likely to discriminate best between the different types of FOP signposting schemes, and to reflect the most common uses of FOP labels. These were (1) Evaluation of products on individual nutrients (restricted to 2 nutrients per product); (2) Evaluation of product in terms of overall healthiness; and (3) Comparison of two or more products in terms of overall healthiness. Tests were designed around these objective measures of understanding and all tests had a predefined correct answer against which to judge respondents for correctness. A second measure used was time taken to respond. Correctness was the most important way of judging comprehension, but if two label types facilitated similar levels of comprehension, then the label that facilitated the quickest answer was judged more effective.

strategy⁴ and the Scottish Government's Healthy Eating, Active Living action plan⁵. The importance of FOP nutrition labelling in enabling consumers to choose healthier diets was also noted in the Northern Ireland 'Fit Futures' health strategy⁶.

Intended effect

7. The overall objective of FOP labelling is to provide at a glance information about key nutrients in foods in a way which helps make healthier eating easier for UK consumers and contributes to wider efforts to improve public health by reducing population intakes of calories, salt, fat, saturated fat and sugar. FOP labelling provides a visual means to complement messages related to healthy eating.
8. When the Agency announced its recommended FOP labelling approach in 2006 it was anticipated that the scheme would play a role in encouraging industry to broaden the provision of healthier products. Discussions with stakeholders suggest that reformulation and the development of new, healthier products has occurred and that FOP labelling has become one of the factors that some food businesses consider when reformulating products and developing new products⁷.

Background

9. FOP labelling is part of Governments' wider response to tackle obesity and diet related illnesses (as detailed in Annex A).
10. The Agency announced its recommended approach to FOP labelling for seven categories of food products in March 2006. The approach recommended traffic light colour coded FOP labelling for salt, fat, saturated fat, and sugars with the colour coding reflecting the level of nutrient on a per 100g basis (with specific 'high/red' criteria on per portion basis). The amount of the nutrient (in grams) in the food product on a per portion basis is also given in the FOP label. Additional information on calories and %GDA could also be provided. When the Agency recommended its approach to FOP labelling it made a commitment to review the effectiveness of FOP schemes in use in the market place and update the Agency's advice in light of evidence provided by the independent evaluation study described below.
11. In 2007 the Agency commissioned an independent panel of experts in nutrition and social market research to manage the process of carrying out a scientifically robust independent study to provide a comparative analysis of the impact of the three main front of pack nutrition signpost labelling approaches used in the UK:
 - %GDA schemes providing information on amount of nutrient per portion of product as a percentage of Guideline Daily Amount (GDA);
 - traffic light colour coded schemes indicating nutrient level per 100g of product (these can be found with accompanying 'High, Medium and Low' text); and

⁴ Currently under development.

⁵ Healthy Eating, Active Living: An action plan to improve diet, increase physical activity and tackle obesity (2008-2011) www.scotland.gov.uk/Publications/2008/06/20155902

⁶ Department of Health, Social Services and Public Safety <http://www.dhsspsni.gov.uk/ifh-fitfutures.pdf>

⁷ Based on discussions with food industry at official level who advised that in some cases this has also been reflected in the sales of products with reduced levels of nutrients. For instance, Sainsbury's experienced increased sales of its ready meals with lower amounts of salt, fat and saturates as a result of FOP labelling whilst sales of similar ready meals that were high in those nutrients declined. Similarly Tesco noted that after FOP labelling was introduced on its ready meals, sales of lower fat ready meals increased, outselling higher fat alternatives by more than 7% (this was even higher at 10% with lower salt ready meals). However, as has been confirmed by industry in discussions, it is difficult to disentangle the role of FOP in driving reformulation relative to other initiatives such as the voluntary salt targets and other commercial actions intended to increase sales). Several respondents noted that it is very difficult to isolate data on the impact FOP has directly on sales.

- schemes which provide both a traffic light colour code (with or without text) and %GDA.
12. The research was not set up to identify a 'winning' scheme, but establish which scheme, schemes or combination of elements from schemes help consumers make healthier choices. The research also looked at whether having more than one scheme caused consumer confusion.
13. Stakeholders were asked to provide the independent panel with all available research carried out on FOP labelling. This research was used to inform the independent study design. The research combined both qualitative work to explore how consumers use FOP labels in the retail environment and at home and quantitative work to assess consumer understanding and comprehension of FOP labels.
14. In September 2008 insights from the first phase of the qualitative research⁸, and the study design of the quantitative phase of the research were published. Input from an advisory group of stakeholders (retailers, manufacturers and consumer and health groups) was sought during the design of the independent evaluation research. A full list of published references considered in designing the study is in the Scientific Rationale and Design⁹. The full research report was published on 6 May 2009¹⁰.

Summary of Research Findings

15. The main findings of the research are set out below and the Executive Summary from the independent research report is attached at **Annex B**. The main conclusions of the research were that:
- a single FOP scheme would be most helpful for consumers, as the presence of different types of FOP labelling schemes in the marketplace causes shoppers difficulties in using them;
 - overall, the balance of evidence demonstrated that the strongest FOP label is one which combines use of interpretive text 'high, medium, and low', traffic light colours and percentage of Guideline Daily Amount (GDA), in addition to levels of nutrients in a portion of the product;
 - consumers who use FOP labels value them. They use them particularly if they are shopping for children, comparing different products, if they have a particular health concern (e.g. high blood pressure or diabetes), or if watching their weight; and
 - there is a generally high level of understanding of FOP labels, even among those who do not tend to use them, which suggests that raising awareness of a single scheme could encourage increased use of FOP labels when buying food.

Other research

16. The Agency has considered other published research on FOP labelling, including a pan-European study on in-store behaviour, understanding and use of nutrition information on food labels and nutrition knowledge¹¹ by the European Food Information Council (EUFIC). This study was conducted in six EU countries and featured observation at aisle, in-store interview, an in-home self-completed questionnaire on nutrition knowledge, awareness, knowledge and proficiency in use of labels. The part of the study conducted in the UK involved customers of three major retailers Tesco, Sainsbury's and Asda¹². The EUFIC study sought to provide information on nutrition knowledge as well as understanding and use

⁸ <http://www.food.gov.uk/foodlabelling/signposting/signpostevaluation/pmpanel/evaluation/>

⁹ <http://www.food.gov.uk/multimedia/pdfs/quanrationale.pdf>

¹⁰ <http://www.food.gov.uk/news/newsarchive/2009/may/pmp>

¹¹ <http://www.focusbiz.co.uk/webinars/eufic/paneuropeanlabelresearch/europe/>

¹² <http://www.eufic.org/>

of nutrition information on food labels (back of pack and FOP). It found that EU consumers have reasonable knowledge about nutrition, but do not necessarily look at the nutritional information when shopping. Other factors were considered to be more important in driving choice. However where used, EU consumers focussed their attention on information relating to calories, fat (UK consumers also looked for saturates), sugar and salt levels in foods.

17. The EUFIC study, which relates to self-reported awareness and comprehension rather than objective comprehension tests, found that the majority of consumers in the UK said that they could correctly interpret %GDA labels, traffic light labels and labels combining traffic light and %GDA based on the information given on the label and could compare two similar FOP labels to identify which product was more or less healthy. A full report of the research is expected to be published later in the year.
18. The recently published summary of the first phase of Food Labelling to Advance Better Education for Life (FLABEL)¹³ research, found a high prevalence of FOP labelling on foods in the UK (82% FOP label penetration).
19. In order to obtain further evidence from industry the Agency liaised with stakeholders to gather data to inform the development of this Impact Assessment. Input was sought at a stakeholder meeting and via a pre-consultation framework document that set out the Agency's proposed approach ahead of the formal consultation (see paragraph 67).
20. The findings of the independent research have been considered alongside other published research (described above) on FOP label use.

Interest in Europe

21. At the start of last year the European Commission published a proposal for a new Food Information Regulation¹⁴ (EU FIR) to replace and update provisions of the existing Food Labelling Directive and Nutrition Labelling Directive, which includes a provision to introduce mandatory FOP nutritional labelling of energy, fat, saturates, carbohydrates (with specific reference to sugars) and salt on pre-packed foods. The proposal also includes a provision to allow Member States to develop national schemes to address 'specific consumer demands for information' in relation to other forms of expression and presentation of nutrition information. Before being adopted the proposal must undergo the co-decision procedure requiring agreement by both the European Parliament and Council. It is unlikely that agreement will be reached before the end of 2010. Suitable transition periods will be afforded in the Regulation to allow the changes to be implemented by food manufacturers. It is likely that a period of up to 5 years will be allowed from the publication of the Regulation in the Official Journal before the new rules come into effect.
22. The EU FIR may result in labelling costs for industry, however at this stage the extent of the resulting changes to legal requirements and the related costs are unknown. The Agency will consider how costs to industry, that may arise relating to recommendations for an integrated FOP label and from the requirements of EU FIR can be minimised when we are clearer about the extent of the re-labelling that may be necessary.

¹³ <http://www.flabel.org/en/basic100032.html>

¹⁴ Proposal for a Regulation of the European Parliament and of the Council on the provision of Food information to consumers COM (2008)40 final (<http://ec.europa.eu/eu/food/food/labellingnutrition/foodlabelling/publications/3359-en.pdf>)

Consideration of Issues

23. FOP labelling in the UK is voluntary. There are some practical issues which need to be resolved for an integrated FOP nutrition labelling approach to work in real life settings and help consumers to make healthier choices.
24. This consultation and IA focuses on these issues (see paragraph 33).
25. In discussions with stakeholders (as noted in paragraph 67) we have assessed the potential re-labelling costs that may arise where a business either chooses to adopt FOP labelling for the first time or adopts a different approach than it currently uses. These costs (estimated to be a maximum of £10m) and the basis of their assessment are detailed in Annex C. We would welcome stakeholder views on that assessment.

Options

26. In order to resolve the outstanding practical issues which need to be resolved for an integrated FOP nutrition labelling approach to work in real life settings (based on the findings of the independent research) there are three options:

- **Option 1: Do nothing – no change to Agency’s existing FOP technical guidance.**
- **Option 2: Revise and update the Agency’s existing FOP technical guidance to cover an integrated FOP nutrition labelling approach.**

The technical guidance would be updated to reflect the findings of the independent research, that the most effective label combined ‘high/medium/low’ text, traffic light colour coding and %GDA. It would also address a number of issues to allow an integrated FOP label to work in practice.

- **Option 3: As Option 2, including specifying a FOP label design.**

Currently the technical guidance does not recommend a specific FOP label design. In order to address potential consumer confusion and trust issues identified in the independent research, consideration could be given to prescribing a specific FOP labelling design or logo.

Costs and benefits of options

Option 1: Do nothing

27. This option would mean that the Agency does not amend or update its technical guidance with the effect that a number of practical issues would remain unresolved. As a result businesses would be able to interpret and apply the findings of the independent research in different ways that would add to consumer confusion and inconsistency in FOP labelling in the UK.
28. This option would not involve any incremental costs to business or the public sector as no change would be required from current practice.
29. This approach might deliver the following ongoing benefits:

- Some health benefits for those consumers who are able to apply and choose to use the different schemes provided there is continued awareness raising work and education activities by government, NGOs and industry on FOP schemes.
 - health benefits deriving from reformulation where FOP labelling (along with other drivers) is used as a set of criteria against which to reformulate products.
30. The uncertainty over the practical aspects would mean there would be little incentive for additional businesses to use FOP labelling, so inhibiting wider adoption. The potential benefits for the UK population as a whole would not be maximised.
31. Government, NGOs, and industry would need to continue activities to explain the different approaches to FOP labelling.
32. **Option 1 is not the preferred option** as it would not deliver consumer benefit.

Option 2: Revise and update the Agency’s existing FOP technical guidance to cover an integrated FOP nutrition labelling approach.

33. **This is the Agency’s preferred option.** The current technical guidance would be revised to provide guidance on an integrated FOP labelling approach which can be used by industry in a consistent manner. The following issues would need to be resolved:

- **Scope:** The range of foods to which an integrated FOP label should be applied (possibly with a limited number of exemptions).
- **Calories:** Whether, and if so how to include calories in an integrated FOP label.
- **Portion size criteria:** Whether the Agency should develop additional criteria for foods recommended to be eaten in small portions, and what these criteria should be.
- **Saturated fat:** Use of the term ‘saturates’ in an integrated FOP label to describe the level of saturated fat in a product.
- **GDA for sugar:** The appropriate sugars GDA figure that should be used on an integrated FOP label.
- **Salt thresholds:** Revising the high traffic light threshold for salt to 1g per 100g and 1.8g per portion.
- **Improving legibility:** Revising the current guidance on the font size, colour, contrast and the position of FOP labels on products to maximise the visibility and legibility of an integrated FOP label.

The following costs associated with addressing these issues would also need to be considered.

Technical Familiarisation Costs

34. The Agency's technical guidance would need to be revised to address the issues noted in paragraph 33.
35. Changes relating to the GDA figure for sugars and use of the term 'saturates' are not expected to generate any significant costs for business as many already provide %GDA information and also refer to saturated fat as 'saturates' on their current FOP label. If changes to the FOP label were recommended then we would expect them to be made at the same time as other routine changes as part of a business's normal re-labelling cycle.
36. Over 80% of all food products in the UK include some form of nutrition labelling (that includes calories). In addition, of the 128 businesses that currently use FOP labelling 97 provide information on calories with the remainder providing calorie information on the back of pack. The sourcing or inclusion of calories on FOP labels is therefore not expected to add significant costs, as most businesses have the necessary information readily available (design costs that may arise from changing a FOP label have been discussed in Annex C).
37. The level of impact of revising the technical guidance to improve visibility and legibility of the FOP label further will depend upon the responses to this consultation so has not been assessed in this IA.
38. The revised technical guidance is expected to be comparable in terms of complexity and detail to the current guidance. As such familiarisation costs will be lower than for those adopting FOP labelling for the first time, as existing FOP label users will only need to consider aspects which have to be amended. However, changes to labelling approaches would involve some costs associated with time to re-evaluate company policies and brand standards to enable their IT systems to ensure product compliance.

Question 1:

We would welcome industry views on the assumptions made on technical familiarisation costs and the degree to which this is separate from wider re-labelling costs.

Question 2:

How long would a business require to read and understand the revised guidance - assuming no change in length overall? (the current guidance can be found at www.food.gov.uk/foodlabelling/signposting/technicalguide/)

Portion size criteria

39. If specific criteria are developed for foods recommended to be eaten in small portions (e.g. fat spreads) this would address some industry concern that current traffic light colour coding criteria does not adequately reflect the level of nutrient consumed in these products. Making such an amendment to the underpinning criteria would result in some familiarisation costs already included in the overall familiarisation cost noted in paragraphs 34-38.

Salt

40. Reducing high (red) 'per 100g' and 'per portion' thresholds for salt could mean that the traffic light colour for certain products (e.g. burgers and sausages, breakfast cereals, fat spreads as well as some ready meals and pizzas), which already carry text and/or traffic light colours would result in changing this element of the FOP label.
41. However, costs associated with this could be mitigated if the reduced thresholds were to come into effect by 2012 as this would allow business to use up existing stocks of labels and look to align subsequent label changes with other changes arising from Option 2.

Question 3:

Do you anticipate any specific familiarisation costs that may relate to additional criteria for foods recommended to be eaten in small portions? If so please provide information about these costs.

Question 4:

We do not expect changes in the salt thresholds to add significant costs for businesses and would welcome your views on this – particularly if there are any specific costs that need to be considered.

42. The Agency recognises that there may be some foods, such as fruit and vegetables, for which FOP labelling provides little benefit. If an integrated approach were to apply to all foods with limited exceptions this would result in some additional labelling costs. However these costs could be mitigated by amending the technical guidance to include guidance as to the priority foods for FOP labelling (based on the responses to this consultation). This may result in some familiarisation costs but these are not expected to be significant (costs related to revising or adding FOP labels to products are mainly associated with re-labelling and these are discussed in **Annex C**).

Question 5:

We welcome your views on the costs associated with extending the scope of foods for FOP labelling in addition to potential re-labelling costs.

Reformulation Costs

43. The decision to reformulate with respect to nutrient content is usually taken where this offers some benefit to business – this could be by way of reputational gains: creating healthier product ranges and attracting new consumers or increasing sales of products which are healthier choices. In some instances FOP labelling has been a factor that is considered by business when reformulating products, however, it is not possible to isolate the reformulation costs attributable to FOP alone.

Other Costs: Awareness Raising / Consumer Information and Education:

44. As noted by the independent research, whilst there was a high level of self-reported awareness of FOP labels (over 80%), self reported use was lower at 58% (with only 35% of consumers saying they used FOP labels often). Several studies have found that while consumers like and are aware of FOP labels, the number of UK consumers that actually properly understand and use them is sub-optimal at the present time for certain sections of the UK population. This reflects findings from other research¹⁵.
45. To maximise the potential benefits of an integrated FOP label there is a clear need to engage all consumers – especially those who are not currently using FOP labels – and invest further in activities to improve consumer awareness, comprehension and use of FOP labels so that they are better motivated and empowered to make healthier choices easily. The independent research found that some consumers consider FOP labels to be a marketing tool used by business to promote ‘favourable’ goods. Promoting an integrated

¹⁵ e.g. Millward Brown, which noted that whilst overall there was 84% (self-reported) awareness of FOP labels this was only 80% for consumers in lower social grades.

label should improve the use and effectiveness of FOP labelling particularly in terms of credibility and trust as it will relate to being a government-backed approach.

46. Since 2006 it is estimated that £8m has been spent by government and stakeholders on these activities¹⁶. We have sought precise costs from stakeholders on provision of consumer information but have been advised that FOP labelling is integral to their wider marketing and educational activities and as such it is difficult to quantify awareness raising costs for FOP labelling alone. If businesses chose to adopt an integrated FOP label then the overall expenditure could be less than the amount that has been spent on promoting multiple schemes since 2006. Businesses would still combine awareness raising of FOP labels with efforts to promote their brand/products rather than focus on FOP labelling alone. The Government could consider matched funding to help ensure that an integrated approach is promoted by all stakeholders.

Question 6:

We welcome feedback on the cost estimates of awareness raising for industry, NGOs and other consumer and public health organisations.

Benefits

Industry Benefits

47. Increased consumer interest in health and wellbeing issues is leading to changing customer requirements and purchasing behaviour. This is creating a demand from consumers for more and clearer nutritional information. FOP labelling provides industry with a way to respond to this need.
48. The Agency's voluntary approach is consistent with a number of key principles of good regulation: provide certainty for firms by setting out the outcomes the Agency would like to see in the future, provide flexibility for firms in how they achieve those labelling principles and provide a means for co-ordinating reformulation activity across industry¹⁷.
49. Having different FOP labelling approaches in the market following different technical criteria has been identified by SME's as a potential barrier when considering adopting FOP labelling, and they would prefer greater direction on this matter. The wider adoption of an integrated

¹⁶ The Agency has carried out extensive work to promote awareness of its recommended scheme. This has included a promotional advertising campaign as well as the production of consumer literature on nutritional content of foods including web-based marketing and leaflets at a total cost approximately £2 million. The Department for Children, Schools and Families and the Department for Health also carried out work to raise awareness of healthy eating in the school curriculum and Change4Life programme respectively, that includes understanding the nutritional content of foods with FOP being one of a range of tools used.

In Scotland a campaign 'Take Life On' was launched in June 2008 targeting adult audiences and promoting simple practical steps to improve health and increase confidence. Take Life On is promoted through television, radio, billboards and through a website. There is also some underway in Wales to raise awareness of healthy eating in schools, and through FSA Wales' Food Business Engagement Strategy.

Since 2006 the industry has also invested significantly in efforts to raise awareness of FOP labelling. It undertook an advertising and educational campaign to inform consumers about GDA labels and encourage greater use of FOP labels (estimated at £6million). This involved the production of information leaflets and targeted over 3,000 doctors surgeries as part of campaign to raise awareness of its 'What's inside' guide on how to understand and use GDA labels. In addition retailers funded media activities of TV and press to promote awareness in promoting awareness of FOP labels in store and introduced shelf edge ticketing, articles in consumer magazines, recipes with FOP information and provided information in leaflets and company websites. Consumer groups and NGOs have also featured FOP labelling in their campaigns to promote healthy eating. This has included production of literature and features in websites explaining FOP labelling and publication of a 'shoppers card' to help consumers use FOP labels more effectively.

¹⁷ As outlined in BERR Economics Paper No.4, Regulation and innovation: evidence and policy implications, December 2008. <http://www.berr.gov.uk/files/file49519.pdf>

approach and related technical guidance will help overcome this issue for SME's and other businesses. It will also help create a level playing field and stability for business.

50. The main industry benefits of an integrated FOP label are those related to brand enhancement and reputational gains which may translate into additional sales. It is not possible to monetise the benefits due to FOP labelling alone. If a business decides to adopt FOP labelling it will do so for commercial reasons and where the associated benefits and rewards are considered by the business to outweigh the costs.

Question 7:

Are there any other benefits for industry arising from Option 2? If so, what are they and please quantify them.

Consumer Benefits

51. The extent of benefits depends on a number of factors, including: the level of comprehension and usage of FOP labels by consumers and the impact upon subsequent overall purchasing decisions; the level of take up by business; and communication/promotion activity to raise awareness of an integrated approach.
52. The main consumer benefit of developing an integrated FOP label is that it would give consumers access to key nutritional information presented in a consistent manner which could enable healthier choices and provide reassurance that it is underpinned by government approved criteria.
53. The extent of these benefits may be potentially greater for those specific population sub-groups identified by the independent research as being least likely to use FOP labelling.
54. Consumers may also be expected to gain indirect health benefits where FOP labelling provides firms with an incentive to reformulate and develop new products that are healthier – although it is not possible to ensure the extent to which such reformulation is due to FOP labelling as opposed to other drivers.
55. It is not possible to monetise these benefits at this stage.

Option 3: As Option 2, including specifying a FOP label design.

Costs

56. There are likely to be additional incremental costs if guidance on the specified format triggers packaging redesign.
57. It may also result in additional costs for a larger number of firms than option 2 due to the more prescriptive nature associated with additional design criteria.
58. However, where businesses choose to adopt an integrated FOP labelling approach for the first time then this is unlikely to add significant costs to option 2 as business will need to consider design elements as part of the wider re-labelling costs.
59. It is not possible to quantify the extent of these costs without knowing the nature of the FOP design.

Benefits

60. Having greater consistency in the design and format of an integrated approach could offer potential benefits in terms of more consistency and improved consumer familiarity and awareness of FOP labels.
61. It could further reduce consumer confusion more than options 1 or 2 as the label would follow the same format, further reducing the potential for conflict resulting from label design. This would allow consumers to make cross-product comparisons and readily compare FOP nutritional information as it would be presented in a consistent manner.
62. There could be benefits to smaller firms who could more easily introduce an integrated FOP label on their products without having to conduct consumer research and would be able to use the same integrated FOP label if they supplied to different retailers.
63. Recommending a specific design would create a distinct brand identity for an integrated FOP label that would facilitate awareness raising and aid communication. It may also allow greater convergence of education and marketing campaigns to help consumers understand and use an integrated FOP label. A common approach and consistent 'brand' would also help build trust in an integrated label being seen and understood as a government-endorsed scheme. This would have the added advantage of generating greater transparency behind the technical criteria underpinning the FOP label.

Question 8:

We would welcome views on potential costs and benefits associated with option 3.

64. Despite the additional benefits noted above **Option 3 is not the Agency's preferred option** as it would result in additional costs being incurred by business which may not justify the additional benefits to consumers and industry as compared with those identified in option 2. This could hinder or impede uptake by business.

Administrative Burden Costs

65. As this is a voluntary initiative, there are no additional administrative burdens on business.

Consultation

66. In advance of this formal consultation the Agency engaged with stakeholders to seek their input on the costs and benefits related to FOP labelling. At an evidence-gathering workshop held in October 2008, over 30 attendees from industry, trade bodies and consumer groups considered potential outcomes from the independent research. They also noted what other evidence should be considered in the development of the IA and the policy proposals¹⁸. This was followed up by a series of small meetings with industry and consumer groups to discuss the issues further and gather relevant data. These discussions generated a good response with over 40 stakeholders providing information that was used to develop a pre-consultation framework document¹⁹, which set out our proposed approach to the formal consultation as well as outlining the areas of costs and benefits (to consumers, industry, NGOs and government) that have shaped the development of this IA. The framework document was shared with stakeholders, who had participated in the pre-consultation discussions, to seek their views and ensure that no key issues had been overlooked. A total of 15 responses

¹⁸ The discussion document and note of the meeting can be found at:
<http://www.food.gov.uk/foodlabelling/signposting/policyreview/>

¹⁹ <http://www.food.gov.uk/multimedia/pdfs/FOPframeworkconsult.pdf>

were received from a range of stakeholders²⁰. Responses on the technical issues being considered in the consultation have been referred to in paragraph 33 above.

67. One of industry's main concerns was the need for ongoing discussions in Europe on the EU FIR to be taken into account when considering options for FOP labelling approaches for the UK. This is to avoid potential conflict between recommended approaches in the UK and in Europe, which could result in industry bearing the cost of re-labelling twice in a short time period and the need to produce different FOP labels for products sold in the UK and other EU Member States. The Agency recognises that this may be a potential issue for some multinational and large manufacturers and has discussed this further in Annex C. The current FOP arrangements are voluntary and allow business to choose to adopt FOP labelling if they wish as part of their normal re-labelling cycle, so minimising additional costs. The extent of the EU based legislative changes cannot be predicted as discussions are still at an early stage but are outlined in paragraph 21.
68. Stakeholders commented on the need for consumer education and awareness raising to encourage further take up and usage of FOP labels – especially if the UK recommended approach is different from the one currently being used by businesses. The Agency fully supports the need for increased education on nutrition labelling issues to improve the level of consumer engagement. Stakeholders and government have already carried out considerable activity to raise awareness of FOP via consumer campaigns, marketing etc but the total costs of such activities, in particular for the food businesses are difficult to relate to FOP alone as they are normally included in broader marketing/education costs. This, together with details of costs incurred on this since 2006, is detailed further in the 'consumer information' section of the IA (paragraph 44) and further information from stakeholders in this important area would be very welcome as well as information/evidence about activities and initiatives that have been undertaken to reach specific population groups.
69. The feedback from discussions with SME's is featured in the Small Firms Impact Test in this IA.

Enforcement

70. FOP labelling is voluntary and therefore incurs no direct enforcement costs. However, where a business has chosen to adopt FOP labelling Local Authority Enforcement Officers is responsible for checking that the declarations are not false or misleading. This is the case with any information provided on food product packaging. The accuracy of FOP labels is normally checked at the same time as mandatory product labelling information is being examined by enforcement officers²¹. With nutrition labelling currently provided on a voluntary basis (anywhere on the product) for nearly 80%²² of all food products in the UK it is not expected that any significant incremental enforcement costs will arise from specifically checking FOP labels.
71. When the FSA announced its recommended approach to FOP labelling in 2006 the estimated total for enforcement costs was based on the number of inspections and/or advisory/sampling visits to manufacturers and/or retailers multiplied by the estimated cost of analysis for total fat, sodium/salt and total sugars. In 2006/07 the total number of inspections to all food manufacturers in the UK and/or advisory sampling visits was 11,489. The cost of analysis for total fat, sodium /salt and sugar in a processed food sample is in the order of £60 per sample and this gives a total estimated enforcement cost of £0.7m.
72. However, with FOP being voluntary such checks are normally carried out as a part of the routine analysis applied to samples, so the cost would already be incurred with respect to the enforcement of nutritional labelling in the market place (both FOP and BoP). **In view of this no significant incremental costs are anticipated.**

²⁰<http://www.food.gov.uk/multimedia/pdfs/consultation/FOPframeworkresponse.pdf>

²¹ Based on discussions with LACORS at official level

²² According to FLABEL 85% of products display some kind of nutritional information.

73. LACORS consider that enforcement costs could indeed be reduced if an integrated FOP labelling approach were to be used by industry as enforcement officers would only need to be familiar with a single set of criteria.

Question 9:

We would welcome views on assumptions made in assessing enforcement costs.

Simplification

74. Having an integrated FOP labelling approach may bring some benefits to those businesses which decide to adopt it, however there are no specific simplification measures from this initiative.

Implementation and Review

75. Take up of the scheme and its success with consumers will be reviewed in 2011/12.

Post-Implementation Review

76. Once a baseline has been established, we will review within 3 years.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	No	Yes
Small Firms Impact Test	Yes	Yes
Legal Aid	No	No
Sustainable Development	No	Yes
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	No	No
Disability Equality	No	No
Gender Equality	No	No
Human Rights	No	No
Rural Proofing	No	No

Use the space below to indicate your consideration of at least the following specific impact tests.

Competition Assessment

1. FOP nutrition labelling is used widely in the UK on over 28,000 products and FOP labelling arrangements are voluntary, therefore they are not a threat to product innovation. Companies make the decision to use FOP labels individually and where they perceive the benefits to outweigh the costs, and there is no evidence that use of one type of FOP label in itself generates any competitive advantage.

Small Firms Impact Test

2. Specific input was also sought from SMEs. In total 86 SMEs were contacted via the Food and Drink Federation (FDF). Workshop discussions were also held with seven SMEs in Nottingham and Exeter. The SMEs ranged from manufacturers of artisan products to ready meal manufacturers. Some supplied or sought to supply to major retailers.
3. SMEs acknowledged the potential benefits of FOP labelling (primarily for consumers) but felt strongly that FOP labelling should remain voluntary. They commented that a mandatory requirement for FOP labelling would trigger significant costs (including product analysis, labelling costs) that would be a particular challenge for some artisan food manufacturers and newly established food businesses.
4. The presence of different approaches to FOP labelling was also deemed a barrier to adopting FOP labelling as it created uncertainty over which was the best approach to take. Where SMEs were seeking to expand their business and supply retailers there was an additional concern that if different retailers required different FOP labels this would impose additional costs on them. A single approach to FOP labelling was therefore favoured as it would provide a level playing field for business and reduce uncertainty and confusion for SMEs.
5. Some SMEs also commented that even without government intervention it was likely that FOP labelling could gradually become a retailer-driven pre-requisite for supplying to major retailers. SMEs would have to factor this in if they looked to expand their business by supplying to such retailers.
6. They also noted that customers were more aware of nutrition issues possibly as a result of seeing nutrition information provided by major retailers and government's focus on nutrition and healthy diets. SMEs felt that this increased interest could create a growing demand for nutritional labelling as well as a need to seek to reduce levels of nutrients (such as salt) in their products to retain their customers. This was a particular challenge for SMEs that produced 'indulgent' products or treats. They expressed concern that any declaration of 'high' levels of nutrients might reduce the demand for their products.
7. Specific costs of packaging/labelling was a key issue, especially if colours had to be added to the label. This was particularly the case for manufacturers of artisan products where the basis of sales focused more on other aspects such as local ingredients and use of a traditional recipe, which meant that minimal use of colours on the packaging was an integral aspect of product branding.
8. Whilst relabelling costs can be absorbed as part of the SME business cycle they said that products are not relabelled as often as with larger manufacturers with relabelling cycles ranging from 12 months to 5 years (although one SME advised us that they have not changed their labels for 40 years). Additionally some said that there is less incentive to

reformulate products on the grounds of nutritional content as the products are aimed at a niche market and often strive to differentiate themselves from mass-manufactured products on the basis of quality and taste.

9. SMEs also said that if they did not already provide nutritional information then the product analysis costs were either unknown (and presumed high) or deemed too costly. If a simple, user friendly means of assessing the nutrient content were available this would make it easier for SMEs to introduce FOP labelling. The Agency is exploring this matter further.

Sustainable development

10. Impacts under all 3 pillars of sustainability (social, economic and environmental) have been considered and significant costs/benefits have been noted in the costs and benefits section of the IA. As FOP labelling is voluntary we would expect businesses to use up existing packaging so saving costs to industry as well as minimising the impact on the environment. Option 2 is the most sustainable because it minimises costs to industry whilst enabling consumers to benefit from an integrated approach. Option 3 is the least sustainable because it results in more companies redesigning their packaging to comply with specific a design in revised technical guidance without corresponding evidence of increased consumer benefits.
11. We will review the impact on sustainability in light of the consultation responses to see if any specific technical issues may result in greater sustainability costs or benefits.

Race equality issues

12. We are not aware of any specific impacts on specific ethnic groups arising from the policy options.

Gender equality issues

13. Whilst there is some evidence of self reported use of FOP labels being higher for women than men, the research did not deem this as significant. We do not consider that there will be any gender specific issues related to the revised principles for FOP labelling.

Disability equality issues

14. Overall we do not consider there to be any differential impacts for disabled people other than the potential positive impacts for people with heart disease and stroke victims who are within the scope of disability legislation.

Annex A

Background – Health Context

1. One of the key health challenges for the UK population is tackling the increase in obesity and diet-related illnesses. This was underlined in the 2007 Foresight report²³ which noted that over 50% of adult men and women in the UK could be obese by 2050.
2. Obesity increases the risk of a number of chronic diseases, such as cardio-vascular disease (CVD)²⁴, some cancers, arthritis and type II diabetes. The incidence of these diseases remains high. The number of new cases of type II diabetes, for example, rose between 1997 and 2003 and the prevalence of diabetes in the population increased from 2.8% in 1996 to 4.3% in 2005 – representing a 54% increase over the decade²⁵. Cancer also remains a major cause of illness with more than 280,000 people diagnosed each year resulting in 1 in 4 of all deaths²⁶.
3. The Foresight Report also said that obesity and poor health have a wider cost to society and business that were estimated to be £49.9 billion per year²⁷. NHS costs attributable to overweight and obesity expected to double to £10 billion per year by 2050.
4. The food purchasing and eating habits of UK consumers are key contributory factors in the increasing prevalence of obesity and related illnesses. These diet-related illnesses affect all population groups, however they have a disproportionate impact on some socio-economic groups. Lower socio-economic groups also have lower levels of education, and poorer literacy and numeracy skills. Some studies in England²⁸ have noted a correlation between these factors and poor adult health²⁹.
5. If consumers are not aware of the nutrient content of foods when making purchasing decisions then this can inhibit them from making healthier food choices. This is particularly the case with regards to energy dense processed convenience foods. Consumers have identified these as being difficult to assess the nutrient contents of when considering the overall healthiness of a food product³⁰.
6. Moreover the inability to understand and balance the consumption of the salt, fat, saturated fat and sugar content of foods can result in an excessive consumption of these nutrients and increase the risk of associated illnesses.
7. For salt, the current average daily intake for UK adults is 8.6g³¹, whereas public health recommendations are that intakes should not be more than 6g a day³². Eating too much salt

²³ www.foresight.gov.uk/OurWork/ActiveProjects/Obesity/Obesity.asp

²⁴ The cost of cardiovascular disease to the UK economy was £30.7 billion in 2006 (via health care costs, informal care costs and productivity losses) (Based on a study funded by the European Heart Network: (www.heartstats.org/atozpage.asp?id=2119)). The Westminster Government's White Paper in 2005 (*Choosing a Better Diet: A Food and Health Action Plan*) also suggested that 60% of premature mortality is attributable to diet related illness such as CVD.

²⁵ This was detailed in research published in the Journal of Epidemiology and Community Health Trends in the Prevalence and incidence of diabetes in the UK 1996-2005, EL. Masso Gonzalez, S. Johanson, MA. Wallander, LA Garcia Rodriquez

²⁶ www.cancerresearch.org

²⁷ Foresight Report 2007 – costs estimated in 2007 prices

²⁸ The Acheson Inquiry (1998) into Inequalities in Health (www.archive.official-documents.co.uk/document/doh/ih/ih.htm)

²⁹ The Moser Report (1999) (www.literacytrust.org.uk/socialinclusion/adults/moser.html) underlined the issue of poor literacy and numeracy among certain SEGs noting and found that that 7 million adults in England (ie 1 in 5 adults) have lower literacy than that expected of an 11 year old child. The Agency's research in 2007 (www.food.gov.uk/science/dietarysurveys/lidsnbranch) also found that men and women with low levels of educational achievement tended to have lower intakes of some nutrients compared with those with qualification at GCSE level (Grade A-C) or above.

³⁰ <http://www.food.gov.uk/foodlabelling/signposting/signpostlabelresearch>

³¹ Food Standards Agency. *National Diet and Nutrition Survey: An assessment of dietary sodium levels among adults (aged 19-64) in the UK general population in, based on analysis of dietary sodium in 24 hour urine samples.*

is a significant risk factor in developing high blood pressure³³ and cardiovascular disease (the main components of which are coronary heart disease (CHD) and stroke). High blood pressure is an important contributory factor to the estimated 150,000 deaths in the UK from stroke and CHD each year (2006)³⁴. People with high blood pressure are three times more likely to develop heart disease or have a stroke than people with normal blood pressure. They are twice as likely to die from these diseases. It is estimated that around 30% of all adults in England have high blood pressure³⁵ whilst the number is 33% for Scotland³⁶.

8. High intakes of saturated fat are associated with raised blood cholesterol levels which is a major risk factor for CHD. Current intakes are around 13% of food energy intake compared to the recommended level of 11% energy intake. It has been previously estimated that a reduction in the average saturated fat level to the recommended levels would result in 3,500 less deaths per annum, saving the UK economy about £1bn a year. Fats and sugars are significant contributors of calories in the diet. This has implications for obesity particularly where consumption of an excessive energy intake is not matched with an appropriate level of energy output.
9. These diet-related illnesses have a disproportionate impact on lower socioeconomic groups. The Health Profile of England 2006 report³⁷ found that men in the lowest household income groups had higher rates of CVD than those in higher income groups. Large socio-economic inequalities also exist in Scotland in relation to the prevalence of chronic disease³⁸ for example, mortality rate in the under 75s from CHD is nearly 2.4 times higher for males and nearly 3 times higher for females and the mortality rate from cancer is 1.7 times higher for males and 1.4 times higher in females in deprived areas compared to more affluent areas³⁹. Similarly the CMO Wales Annual Report 2007 noted 'A clear gradient of health between those in the least deprived and those in the most deprived parts of Wales,' as well as a direct link between socio-economic deprivation and death rates with the highest death rates generally found in the areas of highest deprivation⁴⁰. A study on diabetes⁴¹ found that those in the most deprived areas of the UK are 2.5 times more likely to have type II diabetes. There are also significant inequalities in cancer incidence, mortality and survival⁴². The recent House of Commons Health Committee report on Health Inequalities (2008-09)⁴³ also expressed concern that health inequalities between social classes had widened over the past decade (an increase of 4% amongst men and 11% amongst women) noting that nutrition was one of the contributory factors.

³² Committee on Medical Aspects of Food and Nutrition Policy (COMA) and recently endorsed by its successor, the Scientific Advisory Committee on Nutrition (SACN)

³³ The Agency's Annual Report of the Chief Scientist 2006/7 identifies high blood pressure as a contributory factor in the estimated 160k deaths from stroke and CHD each year (2005). The main components of CVD are CHD and stroke

³⁴ ICD I20-I25 and I60-I69, <http://www.statistics.gov.uk/statbase/Product.asp?vlnk=14409>

³⁵ Health Survey for England Trends 2007 <http://www.ic.nhs.uk/statistics-and-data-collections/health-and-lifestyles-related-surveys/health-survey-for-england/health-survey-for-england-2007-latest-trends-%5Bns%5D>

³⁶ www.scotpho.org.uk/home/clinicalriskfactors/highbloodpressure/data/highbloodpressure_prevalance.asp

³⁷ A report on CVD risk factors for adults, obesity and risk factors for children

(www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4139556)

³⁸ (Scottish Government's Task Force on tackling inequalities: Equally Well Report of the Ministerial Task Force on Health Inequalities, June 2008 (www.scotland.gov.uk/Publications/2008/06/09160103/0). There is evidence that those from the most deprived areas more frequently consume foods high in fat, salt and/or sugar (Scottish Health Survey 2003, (www.scotland.gov.uk/Publications/2005/11/25145024/502511)), Survey of Sugar Intake in Children in Scotland 2008, (www.food.gov.uk/scotland/scotnut/scotsug))

³⁹ www.scotland.gov.uk/resource/doc/47171/0013513.pdf

⁴⁰ Published by the Welsh Assembly Govt, November 2008, ISBN 978 0 7504 49786

⁴¹ Diabetes and the Disadvantaged, Reducing Health Inequalities in the UK Nov 2006, A report by the All Parliamentary Group for Diabetes UK

(www.diabetes.org.uk/Documents/Reports/Diabetes_disadvantaged_Nov2006.pdf)

⁴² www.cancerresearch.org

⁴³ <http://www.publications.parliament.uk/pa/cm200809/cmselect/cmhealth/286/28602.htm>

10. Government efforts to address these health issues⁴⁴ must therefore take account of the needs and abilities of all consumers – especially those who are disproportionately affected by diet-related illnesses so that they are not unduly disadvantaged.
11. As part of its response to the public health issues noted above the Westminster Government has set out a broad strategy to tackle obesity. This included its 2004 Choosing Health White Paper⁴⁵, the 2008 Healthy Weight Healthy Lives cross-government strategy⁴⁶ and most recently the Healthy Weight Healthy Lives One Year On Report⁴⁷. In Wales it is intended these issues will be addressed by the Welsh Assembly Government's Public Health Strategic Framework 'A Healthy Future'. The issue of obesity was also addressed in the Scottish Government's action plan to improve diet, increase physical activity and tackle obesity, *Healthy Eating, Active Living*, the Welsh Assembly in their *Quality of Food for All* strategy and in the Northern Ireland *Fit Future* health strategy.
12. Industry has also acknowledged that the challenge posed by obesity and other diet-related illnesses is a public health priority. They have made considerable efforts to address this through reformulation work; the introduction of FOP labels; and promoting healthy eating messages. This is very welcome. It provides a good basis for future success and ensuring that FOP labelling plays its role as effectively as possible, as identified by the independent research.

⁴⁴ There are similar health issues in the Devolved Administrations eg as noted in the Scottish Health Survey (2003) (www.scotland.gov.uk/Publications/2005/11/25145024/50251) and the Chief Medical Officer for Wales Annual Report 2006 (<http://wales.gov.uk/dphhp/publication/cmo/reports/report2006/cmreport2006?lang=en>)

⁴⁵ http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4094550

⁴⁶ Healthy Weight, Healthy Lives: A Cross Government Strategy for England, www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_082378

⁴⁷ http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/DH_097523

Annex B

Executive Summary from the Independent Research⁴⁸

How front of pack (FOP) labels are understood and used by shoppers; Key messages from the research

This summary is aimed at the non-technical reader; more detailed summaries are provided at the beginning of each chapter.

This is the most comprehensive and robust evaluation of FOP nutrition signpost labelling published to date. It provides information on how FOP labels are used by shoppers in a retail environment; the extent to which they are accurately interpreted and the impact of the co-existence of the current range of FOP labels on comprehension.

Overall aim

This aim of this research was to establish which FOP labelling scheme(s), or which combination of elements of schemes, best facilitate the accurate interpretation of key nutritional information by consumers such that they are enabled to make informed choices about the foods they purchase.

The research addressed three key questions:

1. How well do individual signpost schemes (or elements of the schemes) enable consumers to correctly interpret levels of key nutrients?
2. How do consumers use FOP labels in real life contexts in the retail environment and at home?
3. How does the coexistence of a range of FOP label formats affect accurate interpretation of FOP labels?

Comprehension of FOP labels

- Levels of comprehension of different FOP labels are generally high (ranging from 58% to 71% when looking at labels on single products⁴⁹), but two labels achieved the highest levels of comprehension overall:
 - One is a label combining text (the words high, medium, low), traffic light colours and % Guideline Daily Amount (GDA) (70%). This is also one of the top two preferred labels.
 - The other is a label combining text and traffic light colours (71%).
 - Whilst these two labels do not differ in overall level of comprehension, the inclusion of %GDA does influence shoppers' ability to understand the level of nutrients in a product, so the label combining text, traffic light colours and %GDA is the single strongest label overall.
- Some shoppers do use energy (calories) to decide how healthy a product is but the inclusion of energy has no effect on comprehension.
- Older adults (over 65), people with lower levels of educational attainment and those from social classes C2, D and E are less likely to be able to accurately interpret FOP labels. The research also suggests that certain minority ethnic groups have difficulty interpreting them, (though because of the sample size, this finding is indicative rather than substantive).

⁴⁸ <http://www.food.gov.uk/foodlabelling/signposting/signpostevaluation/pmpanel/>

⁴⁹ Combined figures from two separate comprehension tests looking at single products

- Expressed preference alone for particular labels is not a reliable indication of ability to comprehend. The 'wheel' format of the traffic light label was one of the weakest in performance in the comprehension tests despite being one of the top two preferred labels.

Use of FOP labels

- Self-reported use of FOP labels is higher than would be concluded from observing what people actually do when they are shopping, suggesting a degree of 'over claiming'.
- FOP labels are valued by those shoppers who use them, but they compete with a range of other factors when purchasing decisions are being made.
- Other factors influencing purchasing decisions include other information on the product pack, such as labels indicating the product is part of a 'healthy' range, that it is organic or the look of the product itself. Shoppers are also influenced by factors such as price; brand loyalty ('I always buy product x '), and whether the item is considered to be a 'treat' or a staple.
- Though some people said FOP labels were hard to see on product packaging (especially when FOP labels used pale colours), shoppers who notice them make conscious and usually considered decisions about whether to use FOP labels. Shoppers are most likely to use them when buying a product for the first time; when comparing between different products; when shopping for children; when they are trying to control intake of certain nutrients (e.g. fat or salt), usually in relation to a health issue, such as a heart condition, or when they are trying to lose weight. Though those who have an interest in healthy eating are generally more frequent users of FOP labels, they do not always use them if they are confident in their knowledge of what is healthy. Conversely, those who are not interested in healthy eating tend not to use them and some avoid them because they perceive FOP labelling as an unwelcome attempt to control their behaviour.
- FOP labels are more likely to be used in the retail environment than in the home.

Effects of the coexistence of a range of FOP label formats

- The existence of a range of FOP labels in the market place creates considerable *difficulty in comprehension* for shoppers. In addition, some shoppers observe that comparing products with different label formats is too difficult, frustrating, annoying or just takes too long.
- Different use of colour on the different labelling schemes causes confusion for some shoppers in the retail environment. Some do not realise that the colour (red/green/amber) in the traffic light scheme has meaning. Conversely, some think that the colour used in %GDA schemes has actual meaning. They interpret the cool colours (blue or green) used on monochrome schemes and the nutrient specific %GDA scheme as indicating that the product is healthy (monochrome schemes) or that products are low in nutrients in cool colours (nutrient specific %GDA scheme).

Conclusions

- The main conclusion from the research is that, although levels of comprehension are generally high for all FOP labels, the presence of multiple label formats in the marketplace causes difficulties for shoppers. This suggests that standardising to just one label format would enhance use and comprehension of FOP labels. Overall the balance of evidence from the research favours the inclusion of %GDA, and shows the strongest FOP labels are those which combine text (high, medium, low), traffic light colours and %GDA information.

- Shoppers who use FOP labels value them, but FOP labels will always compete with other factors when shoppers are making purchasing decisions; these decisions are likely to be perfectly considered and are probably not susceptible to influence. However, there is clear evidence that some groups are less likely than others to use and understand FOP labels and there may be scope for increasing both comprehension and use (for certain purchasing decisions), among at least some of these groups.
- The generally high levels of comprehension, even among those who do not currently use FOP labels, provides a good starting point from which to address barriers to FOP label use.

Annex C

Analysis of Estimated Re-labelling Costs Associated with Applying Some Form of FOP Labelling

1. At present a total of 128 retailers and manufacturers use some form of FOP labelling. Of these 46⁵⁰ use traffic light colour coding, one uses pastel nutrient specific colours (with %GDA information), and the remaining 81 use a monochrome %GDA label. It is estimated that around 28,000 products have some form of FOP labelling on them. The vast majority are featured on packaging that uses colours. Some retailer own-brand products use two colours in the packaging design, in other cases they also feature a traffic light colour coded FOP label. For the purposes of this IA therefore it is assumed that all products use colour packaging.
2. Adopting a FOP scheme and its related technical criteria (for the first time or adopting a different scheme to one currently being used by a business) will, in general, result in incremental cost if this is conducted outside normal business labelling cycles, is undertaken when there are no other reasons to re-label, or if an existing label does not currently include any colours⁵¹ (e.g. on some 'value' brands) and the business decides voluntarily to adopt an integrated approach.
3. Re-labelling costs vary depending on packaging media (as noted in Annex D). Data from a number of retailers and manufacturers suggests that these costs can range from £1,000 per Stock Keeping Unit (SKU) to £10,000 per SKU⁵² (in the case of drinks cartons). However, on average the figure is likely to be closer to the lower end of this range for the vast majority of foods.
4. Re-labelling cost could theoretically be greatest where businesses decide to amend the FOP label type to bring it in line with an integrated FOP label. However these could be mitigated as businesses would normally adopt such changes within the normal re-labelling cycle, on a category by category basis (ie phased implementation over a number of years). The expectation would be that within three years most of the businesses currently using the Agency's recommended approach and those businesses using other FOP labels would have adopted an integrated FOP labelling approach in line with the revised technical guidance.
5. It would be comparatively simpler and quicker for those who have been following the Agency's current recommended approach to FOP labelling to make the adjustments outlined in option 2 as the changes are relatively minor. They would not result in costs associated with sourcing information to make the changes, although there may be some costs in revising IT systems to ensure that the required information is flagged up for FOP labelling purposes. Those businesses that decide to change from using %GDA FOP labelling to an integrated label would incur some technical assessment costs to set up software to determine the traffic light element for their labels.
6. We anticipate that some business may not opt to make the changes over the next three years, although others may make commitments to do so. Some may begin to roll out an integrated label within one year of Government agreeing the detail of an integrated FOP label approach. If the pace of adoption is similar to the last three years we would expect that over the next 3 years the guidance on an integrated FOP label will be applied to at least 9,000 products with others following in due course in line with their normal re-labelling cycles.
7. If all products with traffic light FOP labelling were to begin carrying an integrated label **outside** of the normal business cycle then the estimated re-labelling costs might be in the order of some £10m. However in reality, **costs would be expected to be considerably less** as it is unlikely that business would seek to make changes outside of their normal re-labelling cycles. A voluntary approach affords greater flexibility for business and enables

⁵⁰ There have been an additional TL adopters since this IA has been drafted.

⁵¹ ie any of the colours currently used in schemes in the UK.

⁵² These include design and plate costs (see Annex E).

them to decide how and when changes could be aligned with other planned activities such as recipe changes or other legislative and/or commercial drivers for re-labelling and repackaging. This has the added advantage that it allows businesses to use up existing packaging and product stock already labelled.

Question 10:

We would welcome industry's views on the basis of the assessment for re-labelling costs for industry including (a) the estimated number of products that would have switched to the single integrated FOP label over the next three years outside normal re-labelling cycles in line with the Agency's revised technical guidance and (b) any estimates of one-off costs outside pure 're-labelling costs' e.g. IT set up costs).

8. There may also be costs passed on to SMEs via the supply chain if they decided to change labels to meet retailer requirements – whether or not the SME absorbs that cost or it is passed on to the retailer depends on their relative market power, which will vary for each individual company and on a product basis. The number of SMEs that may be affected is not clear and we have not been able to assess this in discussions with industry.

Question 11:

We would welcome SME views on potential costs that may arise as a result of complying with such requests from retailers including re-labelling costs and number of products affected.

Costs of having two labels (one for the UK and one for other EU countries the business supplies to).

9. Some trade associations have identified that a potential additional cost may arise if different approaches to FOP labelling emerge in the UK and EU. This would only materialise once the EU FIR is agreed and if its requirements were found to conflict with the UK approach to FOP labelling. There is no way of predicting whether this situation will materialise or not. Even if it did costs would be mitigated by the fact that the Regulation is unlikely to be agreed before 2010 and would include a transition period in the order of 3-5 years. No information or evidence on the extent of these potential costs has been identified.

Question 12:

We welcome views on this cost and the likelihood of the above event arising.

Implementation costs

One-off implementation costs associated with any change in FOP labelling will be in addition to the label costs estimated above.

Question 13: What type of implementation costs do we need to consider?

Question 14. How long (in hours) would Option 2 take to implement?

Product Analysis

10. Where a business does not already provide back of pack information for the relevant nutrients then they may incur product analysis costs (estimated at £60 per sample on average) if they choose to adopt FOP labelling. This could be a cost that SMEs may have to absorb if they do not provide any nutritional information and are required to adopt FOP labelling to meet retailer requirements, but no estimates are available of how many SMEs would be affected. However, we do not anticipate product analysis costs to be a significant cost that is likely to be incurred over the next 5 years as nutritional information is already provided on the back of pack for over 80% of the products in the UK. Therefore we have not included any estimate for product analysis costs.

Question 15:

We welcome views on product analysis costs and on costs that may arise for SMEs that currently have no nutritional information for fat, saturates, salt and sugar on their products. We would also like to better understand how SMEs calculate nutritional information

Annex D

Industry Costs

Industry affected

Food and drink retailing contributed £21.3bn, 27% to the gross value added of the UK agricultural and food sector (2006).⁵³

Businesses affected

Currently, there are known to be 131 businesses using front of pack (FOP) nutritional labelling. This is summarised in the table below:

Table 1: All known businesses currently using FOP nutritional labelling by scheme⁵⁴

	All FOP business	Of which: %GDA	Of which: TL
Total	128	82	46
Of which manufacturers	107	76	31
Of which retailers	13	5	8
Of which caterers and other	8	1	7

Note: GDA denotes any FOP currently expressing nutritional front of pack information for the 4 key nutrients by GDA percentage without colour coding. TL (Traffic Lights) denotes any system that displays colour coding on the key nutrients either with or without %GDA.

Amongst the 46 current adopters using TL colour coding there is a large degree of variability on the amount of additional information and formats as is summarised below:

Table 2: Format and additional information of TL businesses⁵⁵

	All TL adopters	with %GDA	with H/M/L text	Calories		
				All	Not coloured	Colour coded
Total	46	8	22	16	12	4
Of which manufacturers	31	5	16	8	8	0
Of which retailers	8	3	3	6	2	4
Of which caterers and other	7	0	3	2	2	0

Figures are based on information collected at the time the IA was drafted and are subject to change.

Number of products affected

In order to understand the actual impact of any change in FSA policy, it is necessary to estimate the number of products (stock keeping units) that will be affected. For some firms this will be all their products, while for others it may only be a proportion of their product portfolio.

As part of the consultation process the FSA organised workshops with businesses and sent out questionnaires with the help of the FDF (Food and Drink Federation) to probe further issues around FOP labelling, including product coverage.

⁵³ DEFRA Food statistics pocketbook 2008

⁵⁴ Note: Figures were based on information gathered at the time of original drafting and are subject to change.

⁵⁵ Note: Figures were based on information gathered at the time of original drafting and are subject to change. Where scheme format was unknown a business has been counted in all known adopters but not in the other columns

The information from the questionnaire is summarised below and indicates the minimum number of products affected, estimates and includes over 500 Stock Keeping Units (SKUs) from anonymised responses.

Table 3: Results from workshops and questionnaires (rounded to nearest 100)

	All		GDA		TL	
	Businesses	FOP SKUs	Businesses	FOP SKUs	Businesses	FOP SKUs
Businesses	25	18300	15	9800	10	8500
Of which manufacturers	16	3800	13	3800	3	100
Of which retailers	9	14500	2	6000	7	8500
Of which caterers and other	-	-	-	-	-	-

The workshops and questionnaires represent approximately 20% of all known businesses currently using FOP. It is therefore, necessary to up-rate these figures to account for the 80% of FOP using businesses that were not covered by the workshops and questionnaires. The figures derived are only estimates and are sensitive to a number of assumptions made which are detailed, along with the methodology, in Annex F.

Question16:

The FSA welcomes any further information on number of SKUs affected by FOP from current adopters, particularly those who have not participated in the workshops or completed the Agency's data questionnaire.

Table 4: Estimated number of products currently using FOP (rounded to nearest 100)

	Total		Retailers		Manufacturers	
	Lower Bound	Upper Bound	Lower Bound	Upper Bound	Lower Bound	Upper Bound
TL SKUs	8,500	9,100	8,500		100	700
% of TNS	13%	14%	13%	0%	0%	1%
GDA SKUs	9,800	18,900	6,000	7,300	3,800	11,700
% of TNS	15%	28%	9%	11%	6%	17%

The upper bound here does not represent the absolute maximum possible. Rather it is the largest amount in our estimated range derived using workshop data combined with TNS sales data. The lower bound is the minimum number of products that are currently using FOP, assuming that the workshop and questionnaire data are accurate from Table 3.

Using this information and noting the above caveats, it is possible to estimate how many products will be affected by the policy changes.

Estimated number of businesses and products affected if all current TL adopters switched to an integrated approach.

Table 5: Number of businesses affected by Option 2

Aspects of Option 2	All	All info	No text	Colour calories	no calories (non-coloured)	
					No GDA %	
Individual change	46	40	24	4	34	38
Cumulative	0	0	24	26	40	40

There was no information for 6 of the current TL adopters FOP format, so all adopters known would have to change their format to adhere to the new principles.

Table 6: Estimated number of products affected by Option 2 (rounded to nearest 100)

Aspects of Option 2	All skus	No text	Colour calories	no calories (non-coloured)	No GDA %
Individual change	9100	6700	8400	7000	7200
Cumulative	0	6700	7700	9000	9100

The total cost of re-labelling to businesses affected by Option 2 would be approximately £10m if all products were re-labelled outside of the normal business cycle. This is derived by taking the labelling cost estimates in Annex E for retailers and manufacturers (£1000 and £2100) respectively) and multiplying by the number of SKUs above (9,100). We would expect that where possible, firms would aim to re-label at the same time as normal re-labelling and reformulation cycles and so the total cost (subject to previous caveats) would be lower than the £10m estimated. (see Annex E: Labelling cycles section for further detail)

Question 17:

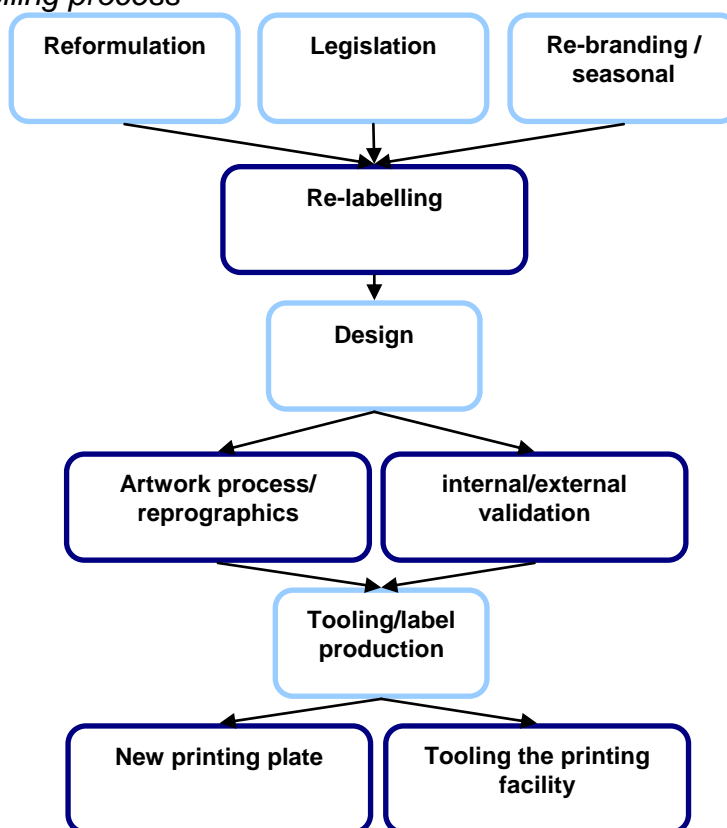
We would welcome any comments on Annex D.

Annex E Labelling

This section describes the labelling costs, average time between label changes and briefly the drivers for re-labelling. In order to understand better the re-labelling process and associated costs, we asked stakeholders a number of detailed questions about the key cost drivers due to labelling changes through both workshops and questionnaires.⁵⁶ The Agency is interested in the one-off costs of a labelling change and on-going costs only if legislation increases costs from standard business practise in labelling. A summary of the responses is given below.

Drivers for re-labelling

Summary of re-labelling process



Re-formulation and re-labelling are often bundled together and it is difficult to disentangle the real drivers behind this process, as many other changes are 'piggy backed' on once the re-formulation/re-labelling process has been initiated. Some companies have review cycles and/or indicators, which initiate reviews (such as falling sales) of food products but the list below are the main factors considered when re-labelling/re-formulating:

- Reformulation is the main driver/cause of re-labelling, linked to - health agenda (driven either internally or voluntary targets such as the salt campaign), ingredient costs/seasonality and consumer preferences
- Legislation/regulation – normally absorbed into re-labelling/re-formulation cycles
- Re-branding
- Seasonal campaigns

The labelling process

Labelling involves two key stages (as shown above) – the design (often company side) and tooling/label production (often out sourced):

1. Design, key cost components: Artwork process and reprographics
2. Printing, key cost components in re-tooling the printers for the label change: Change in plate or other printing medium and any other changes to the printing facility

⁵⁶ Questionnaires were administered through the Food and Drink Federation

Labelling Costs

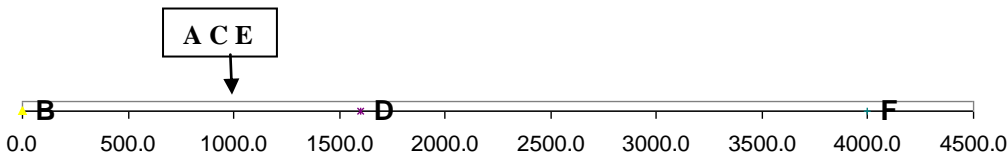
Total costs for re-labelling:

The diagrams below illustrate the information on re-labelling costs obtained through the stakeholder workshops. Manufacturers labelling costs vary more widely than for retailers, though this may be due to the levelling affect of a greater number of products for retailers. The difference in ranges amongst manufacturers reflects the sensitivity of price to the different factors outlined above.

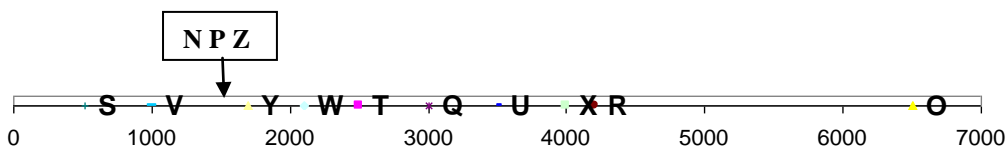
Note:

- Diagrams are used to show variability of costs without identifying individual firms to ensure that information is anonymised as far as possible.
- All costs are given in '000s of pounds. Zero costs represent:
 - Products which did not exhibit such costs; or
 - Where cost estimates were not provided.
- The letters in the diagrams below refer to companies (that provided data). Where more than one company provided the same figures, they have been grouped together in the boxes above the diagrams.

Retailers



Manufacturers



SMEs

SME re-labelling cost estimates ranged between £1,000 and £1,500.

Taking the median from the retailers and manufacturers results gives an estimated cost of re-labelling per SKU of £1,000 for retailers and £2,100 for manufacturers. The median is taken because the sample size was quite limited and any outliers from the surveys would skew the average. Although, given the cost estimates from the SME workshop, the one-off cost of re-labelling may be overstated.

Taking the mode from the retailers and manufacturers results would give estimated costs of re-labelling at £1,000 and £1,500 respectively. This would appear to be a more accurate representation of labelling costs given the SME responses.

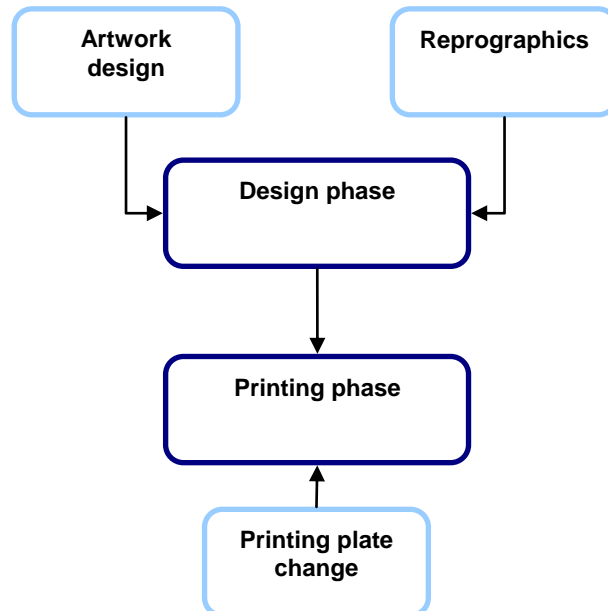
Question 18:

Which of the two cost ranges given above for retailers and manufacturers do you think is more accurate?

These costs will only be attributable to a legislative change if the change has to occur outside of normal labelling cycles (see below) and if other labelling changes occur at the same time (see above) the full cost cannot all be due to a legislative change.

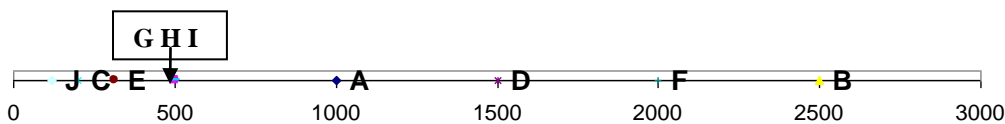
Key cost components of labelling changes

Below is a summary of all the responses for the various main components of labelling costs, indicating again a large range in costs:

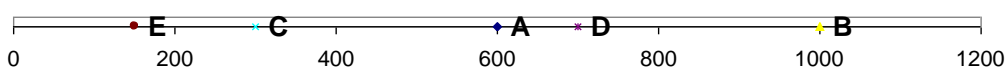


Note: all cost ranges are given per SKU. Where letters are repeated below this does not indicate the same company giving information.

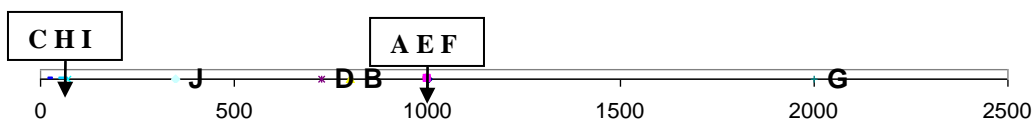
Design costs



Reprographics



Change in print medium (plate, cylinder)



Other factors that would increase/decrease labelling costs

- The media the label is printed on. The more complicated the packaging (for example flex printing) the greater the cost in label change.
- Consumer testing Consumer panels to test label designs will add significant costs to the process.

Possible on-going costs of FOP

- Colours: The greater the number of colours used on the label, the greater the cost. For some types of packaging there is a maximum number of colours that can be used eg on drinks cans there is a maximum of six colours that can be used. For labels (eg paper

labels) that are produced using lithoprinting techniques then the cost of colour printing can be capped at four colours. This could be a possible on-going cost for TL adopters.

- **Change in size:** There may be costs in increasing packaging size to accommodate FOP. The use of FOP also represents an opportunity cost for firms who could use the space for other communications designed at increasing sales.

Write-off costs

Depending on the amount of packaging or labelling stock (labels printed but not yet added to food products), a necessary labelling change with a short lead-in time could incur large costs through wastage. Based on consultations with industry, the longest period of time expressed was 2 years worth of stock. This does not mean every product would comply with mandatory legislation within 2 years but there would not be label wastage if all *new* labels were required to be within a certain format. This would not include the cost of re-labelling outside of a normal business cycle.

Labelling cycles

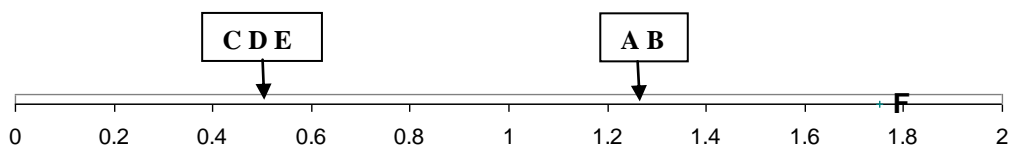
In previous Impact Assessments, a 2 year labelling cycle amongst large retailers and 5 year cycle amongst SMEs was assumed. There are often internal processes in place to review products and the need to reformulate, which can have a cyclical time-frame. However, the figures given below were estimates for the average time between the re-labelling of a product and do not represent rigid time frames but rather average times between re-labelling. They illustrate that re-labelling times are also determined by the type of food product.

FOP food categories

Note: All times are given in years along the diagrams.

- If a range was given the mid-point within the range is the number displayed on the charts, but the highest point will be taken when recording the 'upper bound' for the range (given below the diagrams)
- Where there were only two responses from manufacturers, only the upper and lower limit are given rather than a chart illustrating the ranges.

Sandwiches, wraps, filled baguettes and similar products



Lower = 6 months or 0.5 a year

Upper = 2 years

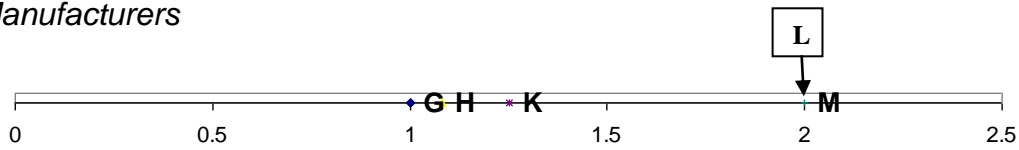
Prepared or ready meals (hot/cold)

Retailers



Lower = 6 months or 0.5 a year
Upper = 2 years

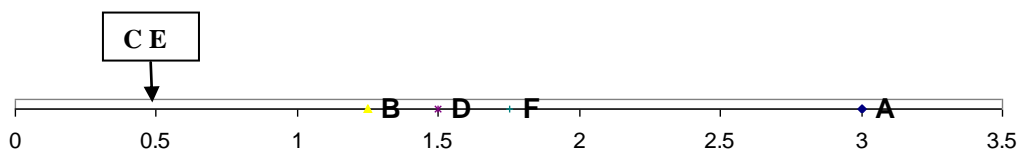
Manufacturers



Lower = 1 year
Upper = 2 years

Burgers and Sausages

Retailers



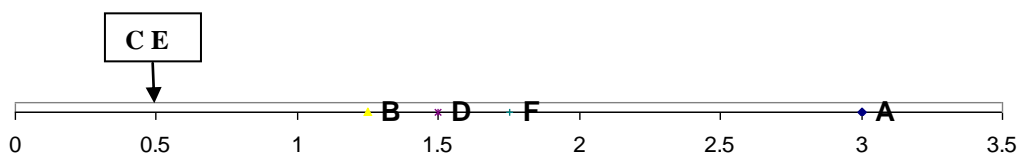
Lower = 6 months or 0.5 year
Upper = 3 years

Manufacturers

Lower = 1 year
Upper = 1 year 6 months

Pies, Pasties and quiches

Retailers



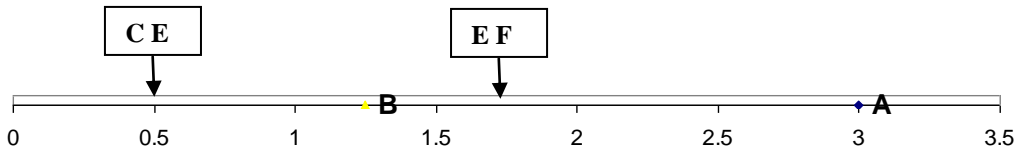
Lower = 6 months or 0.5 year
Upper = 3 years

Manufacturers

Lower = 1 year
Upper = 1 year 6 months

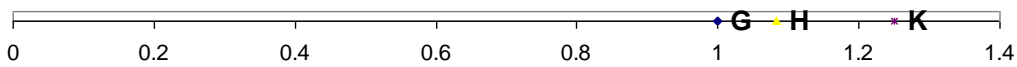
Breaded or coated or formed meat, meat alternative, poultry, fish and similar products including those in sauces

Retailers



Lower = 6 months or 0.5 year
Upper = 3 years

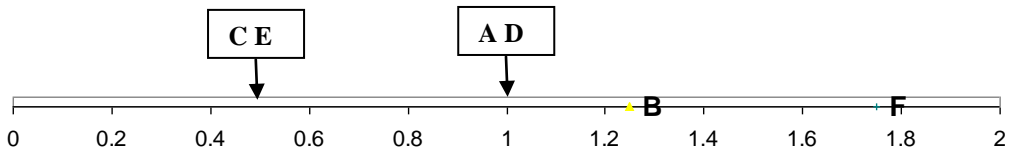
Manufacturers



Lower = 1 year
Upper = 1 year 6 months

Pizzas

Retailers



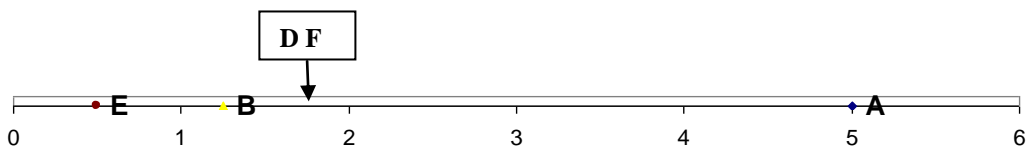
Lower = 6 months or 0.5 year
Upper = 2 years

Manufacturers

Lower = 4 months
Upper = 1 year 6 months

Breakfast Cereals

Retailers



Lower = 6 months or 0.5 year
Upper = 5 years

Manufacturers

Lower = 1 year

Upper = 1 year 6 months

To summarise, amongst the categories above, a lead in time of 3 years would cover every category within expected re-labelling times except breakfast cereals where several companies only re-label approximately every 5 years.

Other categories

Ambient products, core brands and staple foods are likely to be labelled very infrequently, with anything up to 10 years (labelling cycles may span 20 – 40 years for some traditional SME products or where they relate to ingredient foods. However, some core brands, seasonal goods and chilled products can be re-labelled as frequently as twice a year.

Annex F

Methodology for Calculating Stock Keeping Units (Tables 4-6)

Notes

- The lower bounds here represent the data obtained from the FOP workshops and are therefore the minimum number of products that are currently using FOP, assuming that the workshop and questionnaire data are accurate.
- The upper bound here does not represent the absolute maximum possible. It is the largest amount taken from the derived estimates using workshop data combined with TNS sales data to account for the companies known to have FOP schemes but for which we do not have workshop information.
- The estimates for numbers of SKUs are given for retailers and manufacturers. Catering/other adopters were not included in the figures because there was insufficient data available.
- Retailers and manufacturers are treated separately because it is assumed the ratio between the total number of SKUs (as measured using TNS data) and SKUs using FOP (as measured by the questionnaires and workshops) will differ because of the different product portfolios.
- The TNS data used has some categories of food missing or under-represented, such as sandwiches, which may therefore under-represent the number of products using FOP or skew the ratios used between declared FOP products and all TNS food product SKUs
- The TNS data was the most comprehensive dataset available for SKU coverage (over 67,000 SKUs) which is under-representative of the total SKUs available on the UK market. This again means that estimates may be below real levels and percentages of FOP coverage may also be over-representative.

Table 4: Estimated number of products currently using FOP

Retailer approach

We received responses from 9 of the 12 FOP adopters within the retail sector, therefore the estimates for FOP coverage of products in retail is likely to be more accurate than the manufacturer estimates because of the higher response rate.

The number of declared SKUs from workshops is 14,485 products labelled with Front of Pack. To up-rate this for 3 missing retailers we assumed that the same ratio of declared FOP to TNS SKUs, which based on the responses gives approximately 49%. Multiplying the number of SKUs recorded in the TNS data by the ratio derived above for the three supermarkets gives 1,264. This is added to the declared number of FOP SKUs amongst GDA adopters from the workshop to give the upper bound, the lower bound as noted in the following table:

	TL	GDA	
	SKUs	SKUs	
		L/B	U/B
FOP products	8469	6016	7280
% of TNS	13%	9%	11%

Manufacturer approach

The Agency only has data for 23% of all known adopters from the workshops and 44% of TNS data available. There is also only workshop data for 3 companies representing 10% of known adopters for TL. Therefore, there is a large range between the lower and upper bound number of SKUs amongst manufacturers.

Similarly to above, where the Agency had both information from the workshops and TNS, the total ratio between the two was derived. This gave a ratio of approximately 0.8 and would have given eventual figures of 1,116 for TL and 11,614 for GDA were the subsequent calculations followed through. However, in deriving the figures below, we used ratios specific to each scheme (0.48 for TL and 0.81 for GDA). Scheme specific ratios were used because the FDF recommendations for use of FOP (for which many of the known adopters of GDA are signed up to) cover more product categories than Agency guidelines.

The TNS data only covered a certain number of the manufacturers using FOP, so this total figure was up-rated to account for the missing data using the following formula:

$$\text{Total SKUs TNS} \times \frac{\text{(Businesses in TNS / all known adopters)}}{\text{Total SKUs TNS}}$$

This was calculated for both TL and GDA, giving 1,395 and 14,515 respectively. These figures were then multiplied by the ratios derived above giving the upper bound figures summarised in the table below (the lower bound figures being the data from the workshops):

	TL SKUs		GDA SKUs	
	L/B	U/B	L/B	U/B
FOP products	55	667	3205	11667
% of TNS	0%	1%	5%	17%

Table 6: Estimated number of products affected by Option 2

The Agency has workshop information for 10 of the 40 adopters (for which it has information on the format of the FOP scheme, not including caterers/others), so it was necessary to estimate the number of FOP products for the 30 remaining companies. If there was TNS data available for the company this was multiplied by the ratio derived above for TL manufacturers (0.48) to give an estimate for number of products using FOP. Where there was neither workshop data nor TNS data, the number of FOP products per company was assumed to be 21.5. This was derived by taking the mean of all SKU data from TNS for TL manufacturers and multiplying it by 0.48.

Question 19:
Do you agree with the approach taken above?

Question 20:
If your company uses FOP and you have not provided data either directly to the FSA or through FDF, but would like to, please contact us and we will provide you with the questionnaire

Annex G

Summary of questions included in the IA

1. We would welcome industry views on the assumptions made on technical familiarisation costs and the degree to which this is separate from wider re-labelling costs.
2. How long would a business require to read and understand the revised guidance -assuming no change in length overall? (the current guidance can be found at www.food.gov.uk/foodlabelling/signposting/technicalguide/)
3. Do you anticipate any specific familiarisation costs that may relate to additional criteria for foods recommended to be eaten in small portions? If so please provide information about these costs.
4. We do not expect changes in the salt thresholds to add significant costs for businesses and would welcome your views on this – particularly if there are any specific costs that need to be considered.
5. We welcome your views on the costs associated with extending the scope of foods for FOP labelling in addition to potential re-labelling costs.
6. We welcome feedback on the cost estimates of awareness raising for industry, NGOs and other consumer and public health organisations.
7. Are there any other benefits for industry arising from Option 2? If so, what are they and please quantify them.
8. We would welcome views on potential costs and benefits associated with option 3.
9. We would welcome views on assumptions made in assessing enforcement costs.
10. We would welcome industry's views on the basis of the assessment for re-labelling costs for industry including (a) the estimated number of products that would have switched to an integrated FOP label over the next three years outside normal re-labelling cycles in line with the Agency's revised technical guidance and (b) any estimates of one-off costs outside pure 're-labelling costs' e.g. IT set up costs).
11. We would welcome SME views on potential costs that may arise as a result of complying with such requests from retailers including re-labelling costs and number of products affected.
12. We welcome views on this cost and the likelihood of the above event arising.
13. What type of implementation costs do we need to consider?
14. How long (in hours) would Option 2 take to implement?
15. We welcome views on product analysis costs and on costs that may arise for SMEs that currently have no nutritional information for fat, saturates, salt and sugar on their products. We would also like to better understand how SMEs calculate nutritional information
16. The FSA welcomes any further information on number of SKUs affected by FOP from current adopters, particularly those who have not participated in the workshops or completed the Agency's data questionnaire.
17. We would welcome any comments on Annex D.
18. Which of the two cost [labelling] ranges given above for retailers and manufacturers do you think is more accurate?
19. Do you agree with the approach taken above [to estimate the number of products affected by option 2]?
20. If your company uses FOP labelling and you have not provided data either directly to the FSA or through FDF but would like to, please contact us and we will provide you with the questionnaire.

LIST OF INTERESTED PARTIES

3663 FIRST FOR FOODSERVICE
4CHILDREN
A CAMACHO UK LTD
A.G. BARR PLC
AAMINA FOODS
ABBOT LABORATORIES LIMITED
ABD SEROTEC / MORPHOSYS UK LTD
ABR FOODS
ADAMSON BSMG
ADVERTISING ASSOCIATION
ADVERTISING STANDARDS AUTHORITY
ADVISORY COMMITTEE ON ANIMAL
FEEDINGSTUFFS
AGRICULTURAL INDUSTRIES
CONFEDERATION
AL-KHOEI FOUNDATION
ALLCHEM INTERNATIONAL
ALLERGY ALLIANCE
ALLIANCE FOR NATURAL HEALTH
ALLIED BAKERIES LID
ALLIED DOMEQC RETAILING LTD
ALLIED TECHNICAL CENTRE
ALLSPORTS INTERNATIONAL LTD
ALPHA FLIGHT SERVICES
ALPRO UK LTD
ANAPHYLAXIS CAMPAIGN UK
ANIMAL MEDICINES INSPECTORATE
AN-NISA SOCIETY
APCO EUROPE
APNI ROTI
ARLA FOODS PLC
ASDA STORES LIMITED
ASHTOWN FOOD RESEARCH CENTRE
ASHWELL ASSOCIATES
ASSOCIATED BRITISH FOODS PLC
ASSOCIATION OF CEREAL FOOD
MANUFACTURERS
ASSOCIATION OF CONVENIENCE STORES
ASSOCIATION OF MUSLIM SCHOLARS
ASSOCIATION OF PASTRY CHEFS
ASSOCIATION OF PORT HEALTH
AUTHORITIES
ASSOCIATION OF RADICAL MIDWIVES
ASSURED BRITISH MEAT
ASSURED FOOD STANDARDS
ASTON MANOR BREWERY
AUTHENTIXS
AVONDALE FOODS
BABY MILK ACTION
BANGLADESH CATERERS ASSOCIATION UK
BARBOUR INDEX PLC
BARENTZ BV
BARNET LONDON BOROUGH COUNCIL
BARRY ATWOOD
BEE FARMERS' ASSOCIATION OF THE UK
BEE SERVICES
BELSO'S (UK) CEREALS LTD
BERNARD MATTHEWS FARMS LTD
BERRY OTTAWAYAND ASSOCIATES LIMITED
BETH-DIN
BHF HEALTH PROMOTION RESEARCH
GROUP
BIOCARE
BIOFORCE (UK) LTD
BIOHEALTH LTD
BIRD & BIRD
BIRMINGHAM CHILDRENS HOSPITAL
BIRMINGHAM CITY LABORATORIES
BIRMINGHAM LIBRARY SERVICES
BODYCOTE BIRMINGHAM
BODYCOTE LAW LABS
BOMBAY HALWA
BOND PEARCE LLP
BONNIA PETITE BANQUETING LTD
BOOKER LTD
BOOTH'S
BOOTS UK LIMITED
BOURNE LEISURE
BOURNE SALADS
BOURNEMOUTH UNIVERSITY
BRADFORD COUNCIL OF MOSQUES
BRADFORD HOUSE
BRAKE
BRANDBANK LTD.
BREAKSPEAR HOSPITAL
BRENT COUNCIL
BRETBY CONFERENCE CENTRE
BREWSTER ET HUGUETTE WHITE
BRISTOL CITY COUNCIL (855)
BRITANNIA BRANDS
BRITANNIA FOOD INGREDIENTS LTD
BRITANNIA FOODS
BRITANNIA HEALTH PRODUCTS LTD
BRITISH AIRWAYS HEALTH SERVICES
BRITISH ASSOCIATION OF FLOWER
ESSENCE PRODUCERS
BRITISH ASSOCIATION OF NUTRITIONAL
THERAPISTS
BRITISH BEEKEEPER'S ASSOCIATION
BRITISH BEER AND PUB ASSOCIATION
BRITISH CARAMEL MANUFACTURERS
ASSOCIATION
BRITISH CHEESE BOARD
BRITISH COFFEE ASSOCIATION
BRITISH DENTAL ASSOCIATION
BRITISH DIETETIC ASSOCIATION
BRITISH EGG INDUSTRY COUNCIL
BRITISH ESSENTIAL OILS ASSOCIATION
BRITISH FERMENTATION PRODUCTS
BRITISH FOOD IMPORTERS &
DISTRIBUTORS ASSOCIATION
BRITISH FROZEN FOOD FEDERATION

BRITISH FRUIT JUICE ASSOCIATION
BRITISH GOAT SOCIETY
BRITISH HEART FOUNDATION
BRITISH HERBAL MEDICINE ASSOCIATION
BRITISH HOSPITALITY ASSOCIATION
BRITISH INSTITUTE FOR ALLERGY &
ENVIRONMENTAL THERAPY
BRITISH MEAT PROCESSORS ASSOCIATION
BRITISH MEDICAL ASSOCIATION
BRITISH NUTRITION FOUNDATION
BRITISH PIG ASSOCIATION
BRITISH POTATO MARKETING
BRITISH POULTRY COUNCIL
BRITISH RETAIL CONSORTIUM
BRITISH SANDWICH ASSOCIATION
BRITISH SOCIETY FOR ECOLOGICAL
MEDICINE
BRITISH SOFT DRINKS ASSOCIATION LTD
BRITISH SUGAR PLC
BRITISH VETERINARY ASSOCIATION
BRITVIC PLC
BROMLEY CENTRAL LIBRARY
BROOKS-CARTER CLINIC
BUDGENS/LONDIS
BUREAU VERITAS
BURSON-MARSTELLER/BKSH
BUSINESS EYE
BUSINESS IN SPORT AND LEISURE
NUTRITION
CADBURY PLC
CADBURY SCHWEPPE
CAMACON LAW SOLICITORS LTD
CAMEDICA
CAMPDEN & CHORLEYWOOD FOOD
RESEARCH ASSOCIATION
CAMPDEN BRI
CANCER RESEARCH UK
CANDIA
CANTOX HEALTH SCIENCES
INTERNATIONAL
CARGILL FLAVOR SYSTEMS/DUCKWORTH
GROUP
CARVER WILDE COMMUNICATIONS LTD
CATERING UPDATE
CELLIFE UK LTD
CENTRAL LOBBY CONSULTANTS LTD
CENTRE FOR FOOD & HEALTH STUDIES LTD
CENTRE FOR PUBLIC HEALTH
CHRISTIAN CAMPING INTERNATIONAL
CENTRE FOR RESEARCH AND
POSTGRADUATE STUDIES
EXCELLENCE, NATIONAL INSTITUTE FOR
HEALTH AND CLINICAL EXCELLENCE
CEREAL PARTNERS UK
CHARBONNEL ET WALKER LIMITED
CHARLES BARKER PLC
CHARTERED INSTITUTE OF
ENVIRONMENTAL HEALTH
CHEMIST & DRUGGIST
CHILLED FOOD ASSOCIATION LTD
CHINESE NATIONAL HEALTHY LIVING
CENTRE
CHINESE TAKE AWAY ASSOCIATION
CHOCOLATES FOR CHOCOHOLICS LTD
CHRISTCHURCH
CHUNK OF DEVON

CHURCHES' COMMISSION FOR INTER-FAITH
RELATIONS
CLARKE WILLMOTT SOLICITORS
CMS CAMERON MCKENNA
COASTAL TRADING
COCA-COLA
COELIAC UK
COFRESH SNACK FOODS LTD.
COMMUNITY FOODS LTD
COMMUNITY NUTRITION GROUP
COMMUNITY PRACTITIONERS & HEALTH
VISITOR'S ASSOCIATION
COMPASS GROUP UK & IRELAND
CONFEDERATION OF INDIAN
ORGANISATIONS (UK)
CONFOCO INTERNATIONAL LIMITED
CONSENSUS ACTION ON SALT AND HEALTH
CONSTELLATION EUROPE (HOLDINGS) LTD
CONSUMER FOCUS
CONSUMERS FOR HEALTH CHOICE
CO-OP
COORS BREWERS PLC
COSUCRA
COTT BEVERAGES LTD
COUNCIL FOR RESPONSIBLE NUTRITION
COUNSEL LTD
COUNTRYSIDE ALLIANCE
COUNTY HOSPITAL
COVINGTON & BURLING
CROP PROTECTION ASSOCIATION
CULLINANE ASSOCIATES LTD
CUMBRIA COUNTY COUNCIL
CURRYSLIM
D & T ASSOCIATION
DABUR INDIA LTD
DABUR RESEARCH FOUNDATION
DAILYCER LTD
DAIRY COUNCIL
DAIRY CREST GROUP PLC
DAIRY UK LTD
DALE FARM (GB) LTD
DANISH BACON & MEAT COUNCIL LTD
DANONE
DBC FOODSERVICE
DEL MONTE FOODS (UK) LTD
DENBIGSHIRE COUNTY COUNCIL
DEVON COUNTY COUNCIL
DIABETES UK
DR STUART'S BOTANICAL TEAS
DURHAM COUNTY COUNCIL
EA GRIFFITHS AND SON
EALING COUNCIL
EAST AND NORTH HERTS NHS TRUST
EAST END FOODS
EAST MIDLANDS FOOD & DRINK FORUM
EAST MIDLANDS TRAIN
EAST RIDING OF YORKSHIRE COUNCIL
EAST SUSSEX COUNTY COUNCIL
ECLIPSE SCIENTIFIC GROUP
EDLONG COMPANY LTD
ELKS BISCUITS
ELLIS LABELS & SYSTEMS LTD
ENGLISH TOURIST BOARD
ENVIRONMENTAL DATA SERVICES
ESSENTIAL TRADING CO-OPERATIVE LTD
ESSFOODS LIMITED

ETHICS COMMITTEE'S
EUROFINS LABORATORIES LIMITED
EUROPEAN FEDERATION OF HEALTH
PRODUCT MANUFACTURERS ASSOCIATION
EUROPEAN FOOD LAW ASSOCIATION UK
EUROPEAN RESEARCH INTO CONSUMER
AFFAIRS
EUROPEAN SNACKS ASSOCIATION
EVERSHEDS
F I DATA SERVICES
FACCENDA GROUP LIMITED
FACULTY OF PUBLIC HEALTH
FANE VALLEY
FARM FRITES
FEDERATION OF BAKERS
FEDERATION OF DANISH PIG PRODUCERS &
SLAUGHTERHOUSES
FEDERATION OF JAIN ORGANISATIONS
FEDERATION OF SYNAGOGUES
FEDERATION OF WHOLESALE
DISTRIBUTORS
FIBRISOL SERVICE LTD
FINDUS
FIRMENICH, WELLINGBOROUGH (UK) LTD
FISH TECHNOLOGY CONSULTANT
FISHMONGER'S COMPANY
FLINTSHIRE COUNTY COUNCIL
FOOD ADDITIVES AND INGREDIENTS
ASSOCIATION
FOOD AND DRINK FEDERATION
FOOD AND ENVIRONMENTAL DIVISION LGC
LTD
FOOD BRANDS GROUP
FOOD COMMISSION UK LTD
FOOD CONSULTANCY
FOOD ENGINEERING INTERNATIONAL
MAGAZINE
FOOD GB LTD
FOOD LABELLING DATABASE
FOOD LAW GROUP
FORESIGHT
FORUM GROUP
FORUM OF PRIVATE BUSINESS
FORUM PRODUCTS LTD
FOX'S BISCUITS
FRENSENIUS KABI LTD
FRESH PRODUCE CONSORTIUM
FRESHPACK LIMITED
FRESH-PAK CHILLED FOODS LIMITED
FRIDAY'S LTD
FRIENDS OF THE EARTH
FROZEN AND CHILLED POTATO
PROCESSORS ASSOCIATION
FUEL PR (CLIENTS INCLUDE DANONE)
G C HAHN & CO LTD
G R LANE HEALTH PRODUCTS LTD
GALACTOSAEMIA SUPPORT GROUP
GENERAL DIETARY LTD
GENUINE EMPOWERMENT OF MOTHERS IN
SOCIETY
GIN & VODKA ASSOCIATION
GIRACT
GIRAG SA
GLASGOW SCIENTIFIC SERVICES
GLENRYCK FOODS LTD
GLOUCESTER CITY COUNCIL

GLUTAFIN
GM FREEZE CAMPAIGN
GOOD FOOD DISTRIBUTORS
GOODMAN DERRICK
GOVERNMENT OF WESTERN AUSTRALIA
GRAIG FARM ORGANICS
GRAYSHOTT HEALTH FOODS
GREEN ISLE FOODS, NORTHERN FOODS
PLC
GREENCORE GROCERY
GREENWOODS SOLICITORS LLP
GUILD OF BANGLADESHI
RESTAURANTEURS
H J HEINZ
H M PRISON SERVICE
H T WEBB & CO LTD
HALAL FOOD AUTHORITY
HALAL MEAT
HALEWOOD INTERNATIONAL LTD
HALTON BOROUGH COUNCIL
HAMPSHIRE COUNTY COUNCIL
HAMPSHIRE SCIENTIFIC SERVICES
HANDMADE CAKE COMPANY
HARRODS LTD
HARROW LONDON BOROUGH COUNCIL
HARTWELL FOOD RESEARCH LTD
HAZLEWOOD
HEALAN INGREDIENTS LTD
HEALTH & CONSUMER PROTECTION
DIRECTORATE
HEALTH CARE PRODUCTS
HEALTH FOOD MANUFACTURERS'
ASSOCIATION
HEART OF MERSEY
HEATHER PAINE ASSOCIATES
HIBISCUS
HILDRETH & COCKER LTD
HILL & KNOWLTON (UK) LTD
HM PRISON SERVICE CATERING GROUP,
PEAT HOUSE
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