

<b>Title:</b> Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021	
	<b>Date:</b> 29/03/2021
	<b>Type of measure:</b> Statutory Rule
<b>Lead department or agency:</b> Food Standards Agency	<b>Stage:</b> Final
	<b>Source of intervention:</b> Secondary Legislation
<b>Other departments or agencies:</b>	<b>Contact details:</b> Billy Armstrong
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### Summary Intervention and Options

<b>What is the problem under consideration? Why is government intervention necessary?</b> Tertiary legislation associated with the EU Official Controls Regulation needs to be given effect in Northern Ireland by a new statutory rule. Technical amendments need to be made to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2006.	
<b>What are the policy objectives and the intended effects?</b> The EU tertiary legislation enabled by this statutory rule provides the details with which Member States must comply and builds upon and clarifies the existing risk-based approach towards the performance of official controls. The organisation of such controls is harmonised at an EU level to ensure a consistent high-level of consumer protection, provide confidence in the safety and standards of food produced in the EU or imported from third countries and provides for effective functioning of the EU single market. Regarding the technical amendments, legislative accuracy leads to clarity of policy and more effective enforcement.	
<b>What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)</b> <b>Option 1</b> – Do nothing – do not amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR and leave technical inaccuracies in domestic legislation uncorrected. <b>Option 2:</b> – Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and to correct technical errors in The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (SR 2016 No.4). This is the preferred option.	
<b>Will the policy be reviewed?</b> It will not be reviewed	<b>If applicable, set review date:</b> N/A

Cost of Preferred (or more likely) Option		
Total outlay cost for business £m	Total net cost to business per year £m	Annual cost for implementation by Regulator £m

<b>Does Implementation go beyond minimum EU requirements?</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>
<b>Is this measure likely to impact on trade and investment?</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>
Are any of these organisations in scope?	<b>Micro</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Small</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	<b>Medium</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Large</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**The final RIA supporting legislation must be attached to the Explanatory Memorandum and published with it.**

Approved by:

Date:

**Description:** Do nothing – do not amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and do not make technical amendments to correct existing errors.

### ECONOMIC ASSESSMENT (Option 1)

Costs (£m)	Total Transitional (Policy) (constant price) Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	N/A		
<b>Description and scale of key monetised costs by ‘main affected groups’</b> Maximum 5 lines None			
<b>Other key non-monetised costs by ‘main affected groups’</b> Maximum 5 lines <ul style="list-style-type: none"> <li>• <u>Central Competent Authority</u> – there may be legal challenge from the EU Commission if EU rules are not fully implemented in Northern Ireland resulting in reputational risk.</li> </ul>			
Benefits (£m)	Total Transitional (Policy) (constant price) Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	N/A		
<b>Description and scale of key monetised benefits by ‘main affected groups’</b> Maximum 5 lines <ul style="list-style-type: none"> <li>• there is no monetised benefit from not fully implementing EU rules.</li> </ul>			
<b>Other key non-monetised benefits by ‘main affected groups’</b> Maximum 5 lines <ul style="list-style-type: none"> <li>• there is no non-monetised benefit from not fully implementing EU rules.</li> </ul>			
<b>Key Assumptions, Sensitivities, Risks</b> Maximum 5 lines <ul style="list-style-type: none"> <li>• There is a risk of legal challenge under Article 12 of the Withdrawal Agreement if EU rules are not fully implemented in Northern Ireland.</li> </ul>			

### BUSINESS ASSESSMENT (Option 1)

Direct Impact on business (Equivalent Annual) £m			
Costs: N/A	Benefits: N/A	Net: N/A	

### Cross Border Issues (Option 1)

**How does this option compare to other UK regions and to other EU Member States (particularly Republic of Ireland)**

Legislation equivalent to this SR has been made in England, Scotland and Wales. EU rules are directly applicable in the Republic of Ireland and other Member States therefore similar national legislation enables EU rules in those countries. Domestic legislation in Northern Ireland would be out of step with the other UK regions and the Republic of Ireland if this SR is not made.

**Description:** Option 2: Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and make technical amendments to correct existing errors.

### ECONOMIC ASSESSMENT (Option 2)

Costs (£m)	Total Transitional (Policy)		Average Annual (recurring)	Total Cost
	(constant price)	Years	(excl. transitional) (constant price)	(Present Value)
Low	Optional	1 year	Optional	Optional
High	Optional		Optional	Optional
Best Estimate	£0.001			£0.001
<b>Description and scale of key monetised costs by 'main affected groups'</b> Maximum 5 lines <ul style="list-style-type: none"> <li>One-off familiarisation costs for enforcement managers. 2 hours per person. Total cost £1,412.</li> </ul>				
<b>Other key non-monetised costs by 'main affected groups'</b> Maximum 5 lines <ul style="list-style-type: none"> <li>None</li> </ul>				
Benefits (£m)	Total Transitional (Policy)		Average Annual (recurring)	Total Benefit
	(constant price)	Years	(excl. transitional) (constant price)	(Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate	N/A			
<b>Description and scale of key monetised benefits by 'main affected groups'</b> Maximum 5 lines <ul style="list-style-type: none"> <li>the ability of the competent authority to recover costs incurred as a result of unplanned official controls under Article 79.2(c) of Regulation (EU) 2017/625.</li> </ul>				
<b>Other key non-monetised benefits by 'main affected groups'</b> Maximum 5 lines <ul style="list-style-type: none"> <li>None perceived</li> </ul>				
<b>Key Assumptions, Sensitivities, Risks</b> Maximum 5 lines <ul style="list-style-type: none"> <li>None</li> </ul>				

### BUSINESS ASSESSMENT (Option 2)

Direct Impact on business (Equivalent Annual) £m			
Costs: NIL	Benefits: NIL	Net: NIL	

### Cross Border Issues (Option 2)

How does this option compare to other UK regions and to other EU Member States (particularly Republic of Ireland)
While the proposed legislation is exclusive to Northern Ireland, it parallels equivalent legal requirements in England, Scotland and Wales. As NI will continue to follow EU rules, the position in the Republic of Ireland will be the same in respect to food and feed safety and hygiene.

## Evidence Base

### ***Problem under consideration and rationale for intervention***

1. A statutory rule is required to provide for the execution of additional tertiary legislation associated with Regulation (EU) 2017/625. The proposed statutory rule will be known as The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 and will also make technical amendments to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016.
2. This Impact Assessment assesses the changes that will be brought about by the proposed statutory rule. It should be noted that the Impact Assessment only covers the impact on areas for which FSA has full or partial policy responsibility. This ensures that FSA stakeholders receive a comprehensive overview of all impacts they might experience. Due to the broad scope of the Official Controls Regulation (OCR) and its tertiary legislation and the shared policy responsibilities between FSA and other government departments, especially Department of Agriculture Environment and Rural Affairs (DAERA), some of these impacts might also be assessed by other departments.
3. Regulation (EU) 2017/625, referred to as the OCR, is a directly applicable European Union (EU) regulation and an overarching piece of legislation that sets operational standards for the performance of official controls and other official activities by competent authorities across the EU.
4. The OCR entered into force on 27 April 2017, with the applicability of the new rules set to apply gradually over a number of years; with the main application taking effect on 14 December 2019. The OCR empowers the European Commission to adopt implementing acts and introduce delegated acts (tertiary legislation) to supplement the regulation. When the OCR main application came into force on 14 December 2019 it gave effect to applicable tertiary legislation which applied in all EU Member States.
5. National legislation was made in Northern Ireland in 2019 to provide for the execution of powers and enforcement for the OCR and associated EU tertiary legislation that was in place at that time.
6. The UK left the EU on 31 January 2020 and entered into a transition period which ended at 11:00pm on 31 December 2020. The implementation of the Withdrawal Agreement, which includes the Ireland/Northern Ireland Protocol, came into force at the end of the transition period. Under the Withdrawal Agreement, Northern Ireland remained part of the EU single market for goods and services and as such, EU rules regarding food and feed hygiene and safety official controls continue to be directly applicable in Northern Ireland. Other regions of the UK made national legislation to retain EU law including the OCR and the vast majority of associated tertiary legislation.
7. The legal framework created by the OCR allows members of the single market to be sure that the competent authorities in other Member States are conducting controls in a suitably rigorous and impartial fashion. The OCR and its tertiary legislation cuts across aspects of the agri-food chain, such as import controls and laboratories, as well as different commodities, such as live animals, plants and food of animal origin.
8. Technical amendments are required to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 to ensure legal accuracy for the purpose of enforcement.

## ***Policy objective***

### Delivery of official controls under the OCR

9. The OCR empowers the creation of tertiary legislation ('implementing acts' and 'delegated acts') which allow the European Commission to create further detailed rules in specific areas. Some tertiary legislation came into force with the main application of the OCR on 14 December 2019. However, several pieces of additional implementing acts and delegated acts have been made after that date and, in relation to the aspects of the OCR, this impact assessment focuses solely on the changes that apply since the main application took effect on 14 December 2019, and only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.
10. The FSA is the Central Competent Authority (CCA) responsible for the delivery of official food and feed controls in Northern Ireland. DAERA Officials carry out hygiene controls on behalf of the FSA in Northern Ireland in approved slaughterhouses, cutting plants and game handling establishments and in registered and approved establishments in relation to milk, egg and primary production hygiene. The delivery of official controls is governed by a Service Level Agreement between FSA and DAERA. The FSA is also responsible for the classification of shellfish production areas in Northern Ireland.
11. There are 11 District Council areas in Northern Ireland within which District Council officers carry out official controls in all other registered and approved food establishments. In Northern Ireland, FSA is responsible for animal feed policy and DAERA is responsible for delivery of all animal feed controls including veterinary medicines and regulating the use of specified materials in animal feed, including the ban on feeding animal proteins to ruminants and processed animal proteins to farmed animals.
12. The FSA is responsible for setting the standards and monitoring performance of the delivery of official controls for food and feed law in Northern Ireland. The FSA directs and maintains the consistency of delivery of food controls by District Councils through the Food Law Code of Practice and associated Practice Guidance. In Northern Ireland the FSA issues Feed Law Enforcement Guidance on feed controls for DAERA officials. The FSA oversees the maintenance of the DAERA Veterinary Public Health Programme Manual for Official Controls (MOC) which sets out the performance standards for DAERA officials working in meat establishments.
13. Following the introduction of the Withdrawal Agreement and the Ireland/Northern Ireland Protocol on 31 December 2020, Northern Ireland has remained part of the EU single market therefore EU rules remain directly applicable in Northern Ireland.
14. The existing legal framework enables competent authorities to effectively enforce food and feed law. The proposed statutory rule will amend current secondary legislation to ensure that domestic law is up to date with EU law including the changes brought about by the additional tertiary legislation associated with the OCR.
15. Amendment of current legislation will maintain a strong legal basis for future official control activity in relation to food and feed law and animal health and welfare. It will also ensure that a high level of consumer protection is maintained and that there is continued confidence in the UK agri-food chain through the demonstration of the effectiveness of our regulatory control system including the legal basis for the execution of necessary powers and enforcement of official controls and other official activities.
16. The EU tertiary legislation enabled by this statutory rule provides the details with which Member States must comply and builds upon and clarifies existing policy leading to a risk-based approach towards the performance of official controls. The organisation of such controls is harmonised at an EU level to ensure a consistent high-level of consumer protection, provide confidence in the safety and standards of food produced in the EU or imported from third countries and provides for effective functioning of the EU single market.

### Technical amendments to national legislation

17. The technical amendments will remove redundant provisions in The Food Hygiene Regulations (Northern Ireland) 2006, and make minor corrections to The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing

and Use) Regulations (Northern Ireland) 2016 which are needed to ensure enforcement is fully effective.

### ***Description of options considered***

#### Policy options

**Two policy options have been identified:**

- **Option 1 – Do nothing – do not amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 or make technical amendments to existing statutory rules.**

This option reflects the status quo, i.e. a situation in which there will be no enablement of EU tertiary legislation associated with the OCR and no correction of errors in existing legislation.

It should be noted that this is not a realistic option as the OCR has been directly applicable in Northern Ireland from 14 December 2019. This option solely serves to quantify any expected impacts of the option 2 against the status quo.

- **Option 2: Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and make technical amendments to existing statutory rules.**

**This is the preferred option.**

#### Changes to national legislation as a result of The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021

18. The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 will amend the Official Feed and Food Controls Regulations (Northern Ireland) 2009 and the Food Hygiene Regulations (Northern Ireland) 2006 to update references and to give effect to the relevant elements of EU Tertiary Regulations made under Regulation (EC) 2017/625 since November 2019. This ensures that competent authorities in Northern Ireland continue to have the powers to undertake checks required by this legislation to verify compliance with EU feed and food hygiene and safety law.
19. The amendments to the Official Feed and Food Controls Regulations (Northern Ireland) 2009 will also include:
  - an update to references to recent tertiary legislation made under Regulation (EC) 2017/625 regarding existing offences in relation to certification arrangements for sprouts and seeds intended for the production of sprouts.
  - a proposed regulation 41A on fees or charges arising from unplanned official controls pursuant to Article 79(2)(c) of the OCR in respect of food and feed official controls. This provision will replace the revoked regulation 41, for charging for unplanned official controls pursuant to Article 28 of Regulation (EC) 882/2004, in the 2009 Regulations. Regulation 41 was revoked in December 2019 when Regulation (EC) 882/2004, on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, was repealed and replaced by the new Official Control Regulation (EU) 2017/625. Regulation 41A will permit fees or charges arising from unplanned official controls, following the detection of non-compliance in respect of food and feed official controls, to be collected by competent authorities, e.g., District Councils in Northern Ireland.
20. The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 will also
  - revoke provisions, which are no longer necessary, to the Food Hygiene Regulations (Northern Ireland) 2006 in relation to requirements placed on Northern Ireland food businesses on the form and application of health and identification marks for products of animal origin.
  - amend the Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007

to correct a minor drafting error where a definition of tertiary legislation, Commission Delegated Regulation (EU) 2019/624, in the 2007 Regulations was not used in the body of the 2007 Regulations.

- amend the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (S.R. 2016 No.4) by correcting a typographical error in regulation 19 of S.R. 2016/4 in reference to Regulation (EC) No 1829/2003.

### ***Monetised and non-monetised costs and benefits of each option***

#### **Option 1: – Do nothing**

Monetised costs – None

Non-monetised costs – There is a risk of legal challenge under Article 12 of the Withdrawal Agreement if EU rules are not fully implemented in Northern Ireland.

Monetised benefits – there is no benefit from not fully implementing EU rules.

Non-monetised benefits – there is no benefit from not fully implementing EU rules.

#### **Option 2: – Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and to correct an error in the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (SR 2016 No.4)**

Monetised costs – one-off familiarisation costs for enforcement authorities. The scale of this is detailed in Table 1.

Non-monetised costs – None

Monetised benefits – None

Non-monetised benefits – None

### ***Rationale and evidence to justify the level of analysis used in the IA (proportionality approach)***

21. Failing to provide for the execution of powers and enforcement of the requirements of the OCR tertiary legislation, would present gaps in the legislative framework for the delivery of official controls. Failure to make the required technical amendments to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 would result in continued inaccuracy in domestic legislation.
22. Northern Ireland enforcement authorities (such as the FSA, DAERA and District Councils) carry out official controls at all stages of production, distribution, use, storage, transport, import and export of food and feed. These controls ensure that food and feed businesses are meeting their obligations to produce safe and wholesome food and feed, and that unsafe products are removed from the market. Official controls are integral to protecting consumers' health and other interests and maintaining the integrity of the agri-food chain that provides consumer and business confidence as well as assurance to other Member States and 3<sup>rd</sup> countries, which is vital to trade.
23. To maintain the Northern Ireland legislative framework for EU food and feed law official controls the FSA must provide for the execution of powers and enforcement of the OCR in domestic legislation. Failure to do so will undermine the effectiveness of official controls and therefore undermine consumer protection as well as confidence in the Northern Ireland (and wider UK) agri-food chain.
24. A failure to introduce the required legislation also has the potential to lead to an increase in non-compliance and cases of foodborne disease, involving severe consequences for public health and costs to society.
25. Official controls also help maintain a level playing field for honest and diligent food and feed business operators, which is in the interest of industry as a whole. In particular, continued

adherence to the principles contained within (or the specific requirements of) the OCR will help Northern Ireland to demonstrate that food and feed produced and processed within Northern Ireland have been produced and handled in accordance with EU requirements.

### ***Implementation plan***

26. The statutory rule has undergone a 5-week period of public consultation which ended on 23 May 2021. The responses have been considered, and the draft rule will now enter the draft affirmative resolution procedure and will be presented to the Committee for Health and Northern Ireland Assembly before being made.

### ***Groups affected***

#### **Food and Feed Business Operators**

27. Food and feed business operators will need to be aware of the EU tertiary legislation, however we believe there is no change to existing requirements of food law as regards food businesses therefore there is no need for this group to be familiar with the specific content of this statutory rule. In addition, as the current landscape and the general performance of official controls under the OCR and associated tertiary legislation remains substantially the same for FSA policy areas, for food and feed business operators who remain fully compliant with EU food and feed hygiene regulations this statutory rule has no impact. However, food and feed businesses may wish to familiarise themselves with this Statutory Rule if, following non-compliance, they are subject to unplanned official controls described in Article 79 (c) of Regulation (EU) 2017/625 where costs and fees apply. We estimate the associated familiarisation cost to be negligible.

#### **Importers of high-risk food and feed**

28. The majority of additional tertiary legislation associated with the OCR is related to the controls and activities to be carried out at border control points<sup>1</sup> (BCP) therefore importers of high-risk food and feed should already be aware of these requirements, as a result we believe there is no need for this group to be familiar with the specific content of this statutory rule. Therefore, this statutory rule has no impact on this group.

#### **Enforcement Authorities**

29. The OCR and associated pieces of tertiary legislation primarily outline the responsibilities of Member States' Central Competent Authority (CCA) and their designated enforcement authorities who carry out official controls to check that food and feed business operators and importers comply with the relevant law. This statutory rule enables the competent authorities and enforcement authorities to fully enforce EU rules.
30. District Councils, as Competent Authorities (CAs), who deliver official regulatory controls in food businesses should already be aware of the changes to official controls on food as a result of EU tertiary legislation. In addition, District Councils responsible for carrying out official controls on imported goods at designated points of entry within their jurisdiction, should also already be aware of the changes to official controls on imported goods. We estimate that one food enforcement manager and an additional imports enforcement manager (where the District Council has an imports function) in each District Council would be required to familiarise themselves with the content of this statutory rule and we estimate that it would take each enforcement manager two hours to acquire sufficient expertise to provide guidance and support to their staff and to stakeholders.
31. Likewise, DAERA business units which carry out official controls on behalf of FSA in relation to meat, dairy, egg and primary production hygiene and animal feed in approved establishments should already be aware of these changes. We estimate that one DAERA Veterinary Public Health Programme manager in each meat management region and one DAERA Agri-food Inspection Branch manager will be required to familiarise themselves with the content of the statutory rule and we estimate that it would take each enforcement manager two hours to acquire sufficient expertise to provide guidance and support to their staff and to stakeholders. We have identified the following number of affected enforcement authorities across Northern Ireland along with the associated costs.

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<sup>1</sup> Otherwise known in Northern Ireland as 'designated points of entry'

<b>Table 1: Number of affected enforcement authorities</b>				
<b>Competent / enforcement authority</b>	<b>No. of managers who need to be aware of the content of this SR</b>	<b>Time to Familiarise (Hours)</b>	<b>ASHE Wage Rate (with 30% uplift)*</b>	<b>One-off Familiarisation Cost</b>
District Councils (food managers)	11	2	£32.91	£724 <sup>2</sup>
District Councils with designated points of entry for high risk food and feed not of animal origin (imports managers)	3	2	£32.91	£197 <sup>3</sup>
DAERA Operational managers (for FSA activities)	7	2	£35.07	£491 <sup>4</sup>
<b>Total One-off Familiarisation Cost</b>				<b>£1,412</b>

### Consumers

32. Harmonisation of official controls across the EU single market will continue to provide reassurance to UK and non-UK consumers on the functioning of control systems in Northern Ireland and will continue to support their ability to make informed choices.
33. We consider there is no further impact on consumers in Northern Ireland as a result of this statutory rule.

### **Risks**

34. There is a risk of legal challenge under Article 12 of the Withdrawal Agreement if option 1 is preferred and, as a result, EU rules are not fully implemented in Northern Ireland

### **Assumptions**

35. There are no additional assumptions associated with this statutory rule.

### **Consultation**

36. A period of public consultation commenced on 19 April 2021 and ended on 23 May 2021. The following questions were asked

<ul style="list-style-type: none"> <li>• <b>Q.1: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.</b></li> </ul>
<ul style="list-style-type: none"> <li>• <b>Q.2: Is the estimated time of two hours per manager accurate for the purpose of familiarising the reader with the content of the statutory rule?</b></li> </ul>
<ul style="list-style-type: none"> <li>• <b>Q.3: Do you agree that there is no further impact on consumers as a result of this statutory rule?</b></li> </ul>

37. Two responses were received, and both of these were in support of the proposals. Stakeholder feedback noted that it is vital that local authorities in Northern Ireland continue to have the powers to undertake necessary checks required by this legislation to verify compliance with food and feed hygiene and safety law to protect the supply chain and public health, and since the FSA in England and Wales, and Food Standards Scotland have implemented these changes to

<sup>2</sup> District Council median hourly wage for Senior EHO, £25.32, from ASHE 2019, code 1181, uplifted by 30% to account for overheads as per the Standard Cost Model Approach)

<sup>3</sup> District Council median hourly wage for Senior EHO £25.32, from ASHE 2019, code 1181, uplifted by 30% to account for overheads as per the Standard Cost Model Approach

<sup>4</sup> NICS average salaries from NISRA, divided by 211 (average working days per year), divided by 7.5 (average hours per working day)

their national legislation, the FSA in Northern Ireland should do too, to remain aligned.

***Indirect impact on businesses***

38. This is a continuation of existing policy. Whilst no direct costs to business have been identified as a result of this statutory rule, in the event that unplanned official controls have become necessary following the detection of a case of non-compliance, the enablement of Article 79.2(c) by the proposed amendment of the Official Feed and Food Controls Regulations (Northern Ireland) 2009 will allow costs to be recovered from feed and food businesses, where competent authorities deem appropriate.

***Impact on small and micro businesses***

39. We consider that because this statutory rule does not change existing EU requirements for food businesses, there is no additional impact on small and/or micro businesses as a result of this statutory rule.

***Trade implications***

40. We consider there are no additional implications for Trade as a result of this statutory rule.