

<p><b>Title:</b> The Fruit Juices and Fruit Nectars (England) Regulations 2013 – Post Implementation Review</p> <p><b>PIR No:</b> N/A</p> <p><b>Original Impact Assessment/RPC No:</b> 1350</p> <p><b>Lead department or agency:</b> Department for Environment, Food and Rural Affairs.</p> <p><b>Other departments or agencies:</b> N/A</p> <p>Contact for enquiries: Michelle McQuillan, Yvonne Riedel-Brown</p>	<b>Post Implementation Review</b>
	<b>Date:</b> 27/10/2023
	<b>Type of regulation:</b> EU
	<b>Type of review:</b> Statutory
	<b>Date measure came into force:</b> 20/11/2013
	<b>Recommendation:</b> Keep
	<b>RPC Opinion</b> N/A Choose an item.

**1. What were the policy objectives of the measure? (Maximum 5 lines)**

Primary aim: to ensure consistency in the minimum quality for products labelled as fruit juices and fruit nectars etc. and that consumers are not misled. Objectives stated in the Impact Assessment:

a) reduce unnecessary burdens on business, clarify the rules and give them a level playing field by transposing the new EU rules into national law; b) simplify regulatory landscape by consolidating existing fruit juice regulations; c) remove gold plating in existing rules and use copy out when implementing 2012/12/EU; d) provide for more proportionate enforcement by replacing existing criminal sanctions with civil sanctions.

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**2. What evidence has informed the PIR? (Maximum 5 lines)**

- Industry views indicating that the regulations continue to be relevant although some opportunities for improvement were identified
- Updates and enquiries from interested parties and informal discussions indicated that industry practice and consumer attitudes have evolved
- Food Standards Agency and Tribunals Service data indicating that non-compliance in this area is rare, and no appeals have been brought in response to improvement notices being issued.

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**3. To what extent have the policy objectives been achieved? (Maximum 5 lines)**

The available evidence suggests that the policy objectives were successfully achieved and that the Regulations continue to fulfil an important role in ensuring that consumers are not misled and that there is consistency in the minimum quality for products labelled as fruit juices. However, as time has progressed there have been technical advances and changes in consumer attitudes which are not currently reflected in the regulations.

Sign-off for Post Implementation Review: Chief economist/Head of Analysis and Minister

***I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.***

Signed: **Michael Archer** &



Date: 17/11/2023

## Further information sheet

Please provide additional evidence in subsequent sheets, as required.

### 4. What were the original assumptions? (Maximum 5 lines)

It was assumed that most value-range juice manufacturers would stop fully restoring aromas to their juices when no longer mandatory and achieve some savings. If they chose to maintain the status quo the savings would not be realised, but there would still be benefits of improved legal clarity. Moving from criminal to civil sanctions was in line with Government policy. Breaches of the legislation were likely to be small as the industry is generally compliant.

### 5. Were there any unintended consequences? (Maximum 5 lines)

There is no indication from any of the evidence reviewed that there were unexpected consequences or costs from the Regulations. The Regulations are widely supported as they ensure a level playing field for industry, support consumer confidence and support a consistent enforcement approach.

### 6. Has the evidence identified any opportunities for reducing the burden on business?

11 interested parties were approached directly inviting input to this review (including 7 trade associations). Despite being asked stakeholders have not mentioned in their comments burdens associated with the regulations in the current circumstances. However, two trade associations have made reference to the EU Commission's plans to amend the Directive relating to fruit juices and certain similar products intended for human consumption and identified potential opportunities for improvement. They indicated that:

- introducing 'reduced-sugar fruit juices' as a new category within the Fruit Juice Regulations would enable product innovation and meet consumer demands for products with lower sugar. However, improved clarity would be required about the characteristics of new product categories and permitted processes to achieve them when used at industrial scale, and interaction with overlapping legislation.
- they support proposals allowing the use of 'coconut water' as a synonym of 'coconut juice', as well as re-establishing the use of the claim "no fruit juices contain added sugars" or any equivalent statement on the labels for fruit juices and "no added sugar" for nectars with sweeteners.

Members of one trade association would also like to see:

- the addition of cellulases being allowed as a processing aid
- the addition of herbs, spices and fibre allowed as authorised ingredients
- positive consideration of proposals currently being developed by the European Fruit Juice Association (AIJN)'s sugar reduced expert group, which if adopted would in their view facilitate trade across borders.

### 7. How does the UK approach compare with the implementation of similar measures internationally, including how EU member states implemented EU requirements that are comparable or now form part of retained EU law, or how other countries have implemented international agreements? (Maximum 5 lines)

Industry stakeholders state that some potential improvements which they would like to see are addressed in the proposals published by the EU Commission to amend Directive 2001/112 relating to fruit juices and similar products intended for human consumption.