



***The World's Largest Open Access Agricultural & Applied Economics Digital Library***

**This document is discoverable and free to researchers across the globe due to the work of AgEcon Search.**

**Help ensure our sustainability.**

Give to AgEcon Search

AgEcon Search  
<http://ageconsearch.umn.edu>  
[aesearch@umn.edu](mailto:aesearch@umn.edu)

*Papers downloaded from AgEcon Search may be used for non-commercial purposes and personal study only. No other use, including posting to another Internet site, is permitted without permission from the copyright owner (not AgEcon Search), or as allowed under the provisions of Fair Use, U.S. Copyright Act, Title 17 U.S.C.*

*No endorsement of AgEcon Search or its fundraising activities by the author(s) of the following work or their employer(s) is intended or implied.*



Centre for Agricultural Strategy

# Management of regulation in the food chain - balancing costs, benefits and effects

Edited by BJ Marshall & FA Miller

STP  
KD3453  
.M36x  
1997

CAS Paper 36

June 1997

ST. PAUL CAMPUS  
LIBRARY



CAS Paper 36

# Management of regulation in the food chain - balancing costs, benefits and effects

Proceedings of a conference organised by the  
Centre for Agricultural Strategy, held at  
The Royal Society, 6 Carlton House Terrace, London  
SW1Y 5AG on 11 February 1997

Edited by B J Marshall & F A Miller

Centre for Agricultural Strategy  
University of Reading  
PO Box 236  
Earley Gate  
Reading RG6 6AT

June 1997

**ISBN 0 7049 1133 7**

**ISSN 0141 1330**

Originally established by the Nuffield Foundation in 1975, the **Centre for Agricultural Strategy** is a self-financing unit within the Faculty of Agriculture and Food at the University of Reading.

STAFF

<i>Director</i>	Professor J S Marsh, CBE
<i>Director-designate</i>	Dr D Hallam
<i>Consultant Director</i>	Professor Sir Colin Spedding, CBE
<i>Assistant Director (Honorary)</i>	Dr J C Tayler
<i>Visiting Industrial Professor</i>	Professor P H Starkey
<i>Personal Assistant to the the Director</i>	Mr G P J Little
<i>Senior Research Fellows</i>	Dr S P Carruthers Mr R B Tranter
<i>Research Fellows</i>	Mr P J Jones Mrs F A Miller
<i>Research Associate</i>	Mrs T E Wise
<i>Secretary</i>	Mrs G T Bogue
<i>Secretarial Assistant</i>	Mrs J Cheshire
<i>Honorary Research Fellows</i>	Mr J R Finney Dr K A Hassall Dr A P Power, CBE Dr P J Smith Professor Tilo L V Ulbricht
<i>Consultants (part-time)</i>	Dr R M Bennett Emeritus Professor A K Giles, OBE Department of Agricultural and Food Economics, The University of Reading Professor A J Errington Seale-Hayne Faculty of Agriculture, Food and Land Use, University of Plymouth Professor D R Harvey Department of Agricultural Economics and Food Marketing, University of Newcastle-upon-Tyne Dr T Rehman Department of Agriculture, University of Reading Mr B J Marshall Mr J C Peters

# Acknowledgements

The Centre gratefully acknowledges the support and advice provided by the following organisations:



Ministry of Agriculture, Fisheries and Food



AgrEvo UK Crop Protection Ltd



Campden & Chorleywood  
Food Research Association

Campden & Chorleywood Food Research Association



Dalgety Food Technology Centre



DowElanco

DowElanco Europe Ltd



European Food Law Association of the UK



Food and Drink Federation



Institute of Food Research



Law Laboratories Ltd



Northern Foods plc

**SAINSBURY'S**

J Sainsbury plc



Unigate plc



Unilever Research Laboratory

**ZENECA** Zeneca Plant Sciences

**ZENECA** Zeneca Agrochemicals

# Contents

Acknowledgements	4
Abbreviations and Acronyms	8
Preface	10
<b>Opening Address by Mrs Angela Browning MP</b>	<b>12</b>

## PAPERS

<b>1 J S Marsh</b>	
Making and enforcing food chain regulations - the factors that determine when, by whom, and how	18
<b>2 S McKechnie</b>	
Food regulation - the consumer agenda	33
<b>3 N F Matthews</b>	
Food regulation and the retail sector	40
<b>4 C Andrews</b>	
Regulations and the catering industry	48
<b>5 G Walker</b>	
The food manufacturers' perspective	52
<b>6 G M Schofield</b>	
Science, technology and research related to food crops	59
<b>7 R A Robertson</b>	
Regulations and small food and agriculture businesses	67
<b>8 S J Henson</b>	
The impact of regulations on consumers and food chain industries	75

<b>9</b>	<b>L Neville-Rolfe</b>	
	Regulatory impact analysis and cost assessment of proposed	
	United Kingdom and European Community legislation	95
<b>10</b>	<b>M Murray</b>	
	Development and drafting of food legislation	102
<b>11</b>	<b>D Statham</b>	
	Enforcement of food safety legislation	109
<b>12</b>	<b>P Allen</b>	
	Enforcement of food standards legislation	114
<b>13</b>	<b>W P Grant</b>	
	Food law administration and organisation - options for the	
	future	120

#### **Open Forum**

Introduced and Chaired by Professor D Hughes	127
--	-----

<b>Summary and Conclusions by Professor J S Marsh</b>	137
---	-----

#### **Appendix**

List of authors	141
Chairmen	143
Sponsorship Scheme	144
Centre Publications	145

# Abbreviations and Acronyms

ACC	Association of County Councils
ACNFP	Advisory Committee on Novel Foods and Processes
ACRE	Advisory Committee on Releases to the Environment
ADC	Association of District Councils
AMA	Association of Metropolitan Authorities
BSE	Bovine Spongiform Encephalopathy
CA	Consumers' Association
CAP	Common Agricultural Policy
CAS	Centre for Agricultural Strategy
CJD	Creutzfeld-Jacob Disease
DTI	Department of Trade and Industry
DU	Deregulation Unit
EC	European Commission
EEC	European Economic Community
EFLA/UK	European Food Law Association of the United Kingdom
EHO	Environmental Health Officer
EU	European Union
EUROPMI	European Small Business Organisation
FDA	Food and Drugs Administration
fdf	Food and Drink Federation
GATT	General Agreement on Tariffs and Trade
HACCP	Hazard Analysis and Critical Control Points
HMSO	Her Majesty's Stationery Office
HSE	Health and Safety Executive
IACS	Integrated Administration and Control System
ITSA	Institute of Trading Standards Associations
LACOTS	Local Authorities Coordinating Body on Food and Trading Standards
LGA	Local Government Association
MAFF	Ministry of Agriculture, Fisheries and Food
MP	Member of Parliament
NCC	National Consumer Council
NFU	National Farmers' Union

OECD	Organisation for Economic Cooperation and Development
plc	Public Liability Company
PPC	Public Protection Committee
QUID	Quantitative Ingredient Determination
SAFE	Sustainable Agriculture, Food and Environment
SCF	Scientific Committee on Foods
SEAC	Spongiform Encephalopathies Advisory Committee
SLIM	Simpler Legislation in the Internal Market
UK	United Kingdom
US	United States
USA	United States of America
VTEC	Verocytotoxin-producing strain of <i>Escherichia coli</i>
WTO	World Trade Organisation

## Preface

This conference was well timed. Questions about the regulation of the food industry are currently the subject of a great deal of media attention. In the light of recent food scares consumer groups, as well as other food industry representative organisations have questioned the adequacy of existing institutional arrangements. Some have called for a radical reallocation of responsibilities. The industry itself is deeply concerned both about the cost and effectiveness of regulations and about their impact on its competitiveness. For both, the restoration of confidence in the United Kingdom (UK) food regulatory regime is critical.

The Centre for Agricultural Strategy, one of whose functions is to promote informed debate on issues of long-run significance sought, through this conference, to bring together the interests involved. The intention was to understand the position of each group and to consider options for the organisation of food law, administration and enforcement. All sectors were invited to comment on the report of the Food, Drink and Agriculture Task Force (1993), to review the Government's deregulation initiative and to take account of the review of food law currently being undertaken by the European Commission (EC). The Task Force had stressed the highly regulated nature of the food industry. The Government's deregulation policy was designed to minimise burdens on industry whilst ensuring adequate consumer protection. The EC seeks coherence in Community food legislation and wishes to explore the scope for simplification and rationalisation. In the light of their comments on the current situation, contributors were invited to consider what organisational changes, if any, were needed to restore public confidence in the safety of food.

The papers in this report set out the authoritative views of representatives of key sectors of the industry and of consumers.

The publication also includes a record of the well-informed debate which followed and supplemented the material in the papers. Together they provide an accessible and informed account of the current debate about food safety regulation. As such they contribute both to public understanding and to the work of food policy makers and their legal advisers in the UK and the European Union.

The Centre for Agricultural Strategy is grateful to the many food companies and associated organisations who provided support and sponsorship. Without them we could not have promoted this event. We appreciated, too, and are encouraged by, the large number of participants from these diverse industries and interest groups, who played so positive a part in ensuring a lively and productive debate on these issues which are sensitive, controversial and important.

J S Marsh  
Director  
Centre for Agricultural Strategy