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Consultation on applications for four regulated products: Two novel foods, one food additive and one food flavouring.

Summary of stakeholder responses

9 March 2023

# Introduction

Th consultation was launched on 17 October 2022 and closed on 11 December 2022.

The Food Standards Agency (FSA) launched a consultation in parallel. This report is a summary of the consultation survey results and Food Standards Scotland (FSS) responses to these.

Stakeholders’ views were sought in relation to the authorisation of two novel foods, which were submitted for authorisation to be placed on the GB market, in accordance with retained EU Regulation 2015/2283, and one flavouring and one food additive authorisation which were submitted for authorisation to be placed on the GB market, in accordance with retained EU Regulation 1331/2008.

The applications on which the consultation sought views were:

* Authorisation of one new novel food:
  + RP1158 - Vitamin D2 mushroom powder
* Extension of the authorised use for one authorised novel food:
  + RP1292 - UV-treated Baker’s Yeast (Saccharomyces cerevisiae)
* Authorisation of one new flavouring:
  + RP1382 - 3-(1-((3,5-dimethylisoxazol-4-yl)methyl)-1H-pyrazol-4-yl)-1-(3-hydroxybenzyl)imidazolidine-2,4-dione
* Modification to specification for one food additive:
  + RP1194 – Rebaudioside M
* Following this public consultation, FSS and the FSA identified an omission in the consultation in respect to the modification of the specification of Rebaudiocide M (RP1194) ahead of recommending Ministers authorise the modification.
* In the interests of transparent policymaking, we made stakeholders aware by launching an additional targeted consultation on 23 January 2023, which ran for two weeks, to ensure that all the proposed legislative changes have been subject to fair and proper consultation. The Citizen Space page for this additional consultation can be found [here.](https://consult.foodstandards.gov.scot/regulatory-policy/amendment-of-miscellaneous-consultation/)

Stakeholders were asked to consider any relevant provisions of retained EU law and factors (for example, consumer interests, technical feasibility and environmental factors) that FSS and the FSA identified as relevant to these applications.

Both of the consultation’s had extensive reach, achieved through subscription alerts, social media posts and publication in relevant reports. A link to both consultation’s was sent to 139 subscribers to Novel Food updates. They were also made available to 32 local authorities via the Monthly Enforcement report. Key stakeholders whose businesses/organisations are likely to be affected by, or to have an interest in, these novel foods, flavourings and additives were contacted directly for their feedback. To ensure representation across a broad spectrum of opinion, stakeholders with a range of interests in regulated products were included.

The initial consultation was also shared with the FSS’s 5,468 Twitter followers, 14,519 Facebook followers and 2,806 LinkedIn followers. The posts made on all platforms generated a total of 2,213 impressions and 77 engagements including 5 shares. The consultation page received 190 visitors, resulting in the survey being accessed 28 times. The consultation page received approximately 190 views.

The additional consultation was shared with FSS’s 5,468 Twitter followers, 14,519 Facebook followers and 2,806 LinkedIn followers. The posts made on all platforms generated a total of 845 impressions and 21 engagements.

FSS are grateful to those who responded. The comments, together with FSS’s responses to these, are set out below.

**Characteristics of respondents**

One response was received from industry.

A list of those who responded can be found at the end of this document.

**Summary of responses**

The response received was supportive of the authorisations.

The full text to the response received to the consultation is given below, together with our response to this comment.

# Summary of substantive comments

The responses to the consultation have been analysed and the main themes identified. FSS’ replies to the comments made are included below.

Question 1: Do you have any concerns on the safety of the novel foods, flavouring or food additive which have not been considered below with respect to the intended consumers?

**Comments from UK Flavour Association**

With reference to the flavouring substance RP1382, the UK Flavour Association supports its approval.

FSS response: Comments noted.

Question 2: Do you have any comments or concerns on the impacts in consideration of authorising or not authorising the individual novel foods, flavouring or food additive, and if in favour of authorisation, the terms on which these are authorised (as outlined in this document)?

Please specify the application number(s) and product name(s) you are commenting on (these can be found in the Annexes of the consultation letter).

**Comments from UK Flavour Association**

With reference to the flavouring substance RP1382, the UK Flavour Association does not have any concerns. The impact will be positive as this is already approved for use in Europe.

FSS response: Comments noted.

# Next Steps

* The next step of the authorisation process is for the Minister to make decisions on the authorisation of the four applications.
* The FSS risk assessment opinions on these applications concluded that the products are safe to be authorised based on the proposed terms of authorisation. No reasons to change the advice that the novel foods, flavouring and food additive should be authorised have been identified during the consultation process. On that basis, the final advice to respective Ministers in England and Wales will be to authorise these novel foods on the proposed terms of authorisation. Ministers in Northeren Ireland will be informed of trhe final recommendations.
* Should the Minister move to authorise, a Scottish Statutory Instrument (SSI) will be prepared in line with the terms of authorisation previously outlined in the FSS opinion.

# List of respondents

1. UK Flavour Association