Title: **Consolidation and Update of Northern Ireland's domestic legislative framework of enforcement provisions for updated EU food contact material requirements**	**Regulatory Impact Assessment (RIA)**
	Date: November 2026
	Type of measure: Secondary Legislation
Lead department or agency: **Food Standards Agency in Northern Ireland**	**Stage:** Development
	Source of intervention: EU
Other departments or agencies: **N/A**	**Contact details:**

Summary Intervention and Options

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

The Northern Ireland domestic enforcement provisions framework for food contact material requirements, currently the Material and Articles in Contact with Food Regulations (Northern Ireland) 2012, protects consumer health by implementing and providing enforcement provisions for EU Food Contact Materials (FCM) law in Northern Ireland. Since the most recent amendments to the Regulations in 2018, there have been multiple changes to EU FCM law. Due to being amended a number of times, the regulations are difficult to understand and use for enforcement authorities and businesses. Therefore, the domestic regulations require updates and consolidation to provide clear and proportionate enforcement provisions in Northern Ireland. A clearer framework will improve enforcement and allow for more effective penalties when needed, helping to protect public health and ensure compliance.

What are the policy objectives and the intended effects?

Since the last amendment to the 2012 regulations, the EU has introduced a number of changes to FCM law – including new requirements for recycled plastics (EU 2022/1616); updated rules on the ban of bisphenol A and related substances (EU 2024/3190, as amended); multiple amendments to the plastics Regulation (EU No 10/2011); and amendments to Good Manufacturing Practice requirements (EC 2023/2006). Regulation (EU) 2025/40 on packaging and packaging waste also introduced directly applicable requirements for packaging, including provisions related to limits for certain heavy metals and restrictions on per- and polyfluoroalkyl substances (PFAS) in food-contact packaging.

The substantive obligations arising from the above EU instruments apply independently of the proposed domestic statutory rule (SR). Any costs incurred by businesses in meeting these EU requirements are not attributable to the proposed SR. The purpose of the proposed SR is to provide clear and proportionate domestic enforcement arrangements for relevant EU requirements applying in Northern Ireland and to consolidate the existing domestic Regulations into a single SR.

The intended effect is to;

- maintain a high level of consumer protection by supporting effective enforcement of applicable FCM requirements;
- ensure district councils and the FSA have clear and appropriate enforcement powers;
- improve legal clarity for businesses and enforcement authorities;
- support consistent official controls across Northern Ireland;
- address enforcement gaps where EU requirements apply but domestic enforcement provisions are incomplete or unclear;
- reduce the administrative complexity associated with navigating the 2012 Regulations and subsequent amending SRs.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 1: Do nothing. Retain the current Regulations without amendment. This avoids immediate change but would leave enforcement gaps, legal uncertainty and ongoing administrative complexity for enforcement authorities, businesses and users of the legislation.

Option 2: (Preferred Option) Update the existing regulations with a consolidated Statutory Rule containing updated enforcement provisions. This would provide a clearer and more accessible legislative framework, clarify competent authority responsibilities and ensure that appropriate enforcement provisions are available.

Option 3: Amend enforcement provisions to address gaps in the current regulations without consolidation. While this option would address identified enforcement gaps, it would make the legislative framework more complex to navigate, providing fewer clarity and administrative benefits for enforcement authorities, businesses and users of the legislation.

Will the policy be reviewed? Not Applicable	**If applicable, set review date:** Month/Year

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
£0.060m	£0.007m	0

Does Implementation go beyond minimum EU requirements?			**YES** ☐	**NO** ☒
Is this measure likely to impact on trade and investment?			**YES** ☐	**NO** ☒
Are any of these organisations in scope?	**Micro** Yes ☒ No ☐	**Small** Yes ☒ No ☐	**Medium** Yes ☒ No ☐	**Large** Yes ☒ No ☐

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

Approved by: Date:

Summary: Analysis and Evidence — Policy Option 1

Description: Do nothing.

Retain the current Regulations without amendment. This avoids immediate change but would leave enforcement gaps, legal uncertainty and ongoing administrative complexity for enforcement authorities, businesses and users of the legislation.

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**	**10**	**Optional**	**Optional**
High	**Optional**		**Optional**	**Optional**
Best Estimate	**£0**		**£0**	**£0**

Description and scale of key monetised costs by 'main affected groups'

No new legislative implementation costs would arise under this option because no new domestic SR would be introduced. Businesses and district councils would not incur any one-off costs of familiarisation with a consolidated instrument. However, Option 1 cannot be treated as having no familiarisation or administrative costs. New and amended EU FCM requirements would continue to apply in Northern Ireland, and affected parties would still need to understand those requirements and determine how they interact with the existing Northern Ireland enforcement framework.

Other key non-monetised costs by 'main affected groups'

Non-monetised costs and risks are expected to include:

- continued uncertainty about whether and how newer EU FCM requirements can be enforced domestically in Northern Ireland;
- ongoing complexity for businesses and enforcement authorities navigating several domestic SRs and EU regulations;
- increased risk of error or inconsistent interpretation;
- potential difficulty taking proportionate enforcement action.
- unquantified familiarisation and administrative costs for businesses and district councils associated with ongoing EU FCM changes. These costs have not been monetised due to uncertainty regarding the scale, frequency and distribution of future impacts.

Benefits (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Benefit (Present Value)
Low	**Optional**	**10**	**Optional**	**Optional**
High	**Optional**		**Optional**	**Optional**
Best Estimate	**£0**		**£0**	**£0**

Description and scale of key monetised benefits by 'main affected groups'

No monetised benefits have been identified or quantified for Option 1. While retaining the existing framework may avoid some implementation and familiarisation costs associated with introducing a new consolidated Statutory Rule, these benefits have not been quantified and are therefore reported as non-monetised benefits.

Other key non-monetised benefits by 'main affected groups'

Option 1 would avoid the short-term costs and disruption associated with preparing, implementing and familiarising stakeholders with a new consolidated Statutory Rule. Businesses and district council officers already familiar with the current framework could continue to operate under existing arrangements. However, these benefits are expected to be limited and diminish over time as EU FCM legislation continues to evolve and apply in NI, increasing the gap between the domestic framework and current EU requirements.

Key Assumptions, Sensitivities, Risks

Option 1 would avoid the immediate familiarisation costs associated with a new consolidated SR but would retain ongoing interpretation, administrative and legal uncertainty costs. It would not address the identified enforcement gaps or the complexity of the current framework and would not meet the policy objectives.

BUSINESS ASSESSMENT (Option 1)

Direct Impact on business (Equivalent Annual) £m				
Costs: £0	**Benefits: £0**	**Net: £0**		

No direct business costs beyond one-off familiarisation and possible minor updates to internal procedures or regulatory references have been identified at this stage. Consultation will be used to test this conclusion.

Cross Border Issues (Option 1)

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

Under Option 1, the EU requirements would continue to apply in Northern Ireland, but the domestic enforcement framework would not be updated. EU Law on Food Contact Materials applies throughout EU Member States, including Ireland. EU Member States are responsible for ensuring that the applicable EU requirements are supported by effective official controls and national enforcement arrangements.
The newer EU requirements do not currently apply automatically in Great Britain (GB), although the GB position may change through separate policy and legislative processes.

Summary: Analysis and Evidence Policy Option 2

Description: **Update the existing regulations with a consolidated Statutory Rule containing updated enforcement provisions.** (preferred option)

This would provide a clearer and more accessible legislative framework, clarify competent authority responsibilities and ensure that appropriate enforcement provisions are available.

ECONOMIC ASSESSMENT (Option 2)

Costs (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Cost (Present Value)
Low	**£54,000**	**10**	**£0**	**£54,000**
High	**£83,000**		**£0**	**£83,000**
Best Estimate	**£63,000**		**£0**	**£63,000**

Description and scale of key monetised costs by 'main affected groups'

Familiarisation costs - Enforcement authorities will need training or guidance on the new regulations and penalties. These costs are expected to be low and short-term. Over time, clearer regulations should reduce confusion and save time. It is assumed that all relevant food standards officers will require familiarisation with the updated framework. Familiarisation costs are calculated by multiplying the estimated time requirement by the number of affected officers and the relevant labour cost.

The substantive compliance requirements relate to the requirements arising from directly applicable EU legislation rather than from the proposed domestic SR. The principal costs attributable to the proposed SR are expected to be one-off familiarisation costs and minor administrative costs for affected businesses and district councils. No other direct business costs attributable specifically to the domestic SR have been identified at this stage.

These will be estimated separately for businesses and district councils.

The measure is expected to affect food contact material (FCM) manufacturers, distributors and food and drink businesses that place FCM on the market in Northern Ireland, as well as district councils responsible for enforcement. Estimates indicate that around 600 businesses and 11 district councils may be affected, although these figures are indicative and will be refined through consultation.

Other key non-monetised costs by 'main affected groups'

Option 2 is preferred because it addresses both the enforcement gap and the accessibility of the domestic regulatory framework in Northern Ireland. It provides clear enforcement provisions for updated EU FCM requirements, while also consolidating existing domestic legislation into a single instrument. This reduces the risk of inconsistent interpretation and supports more effective compliance by businesses and enforcement authorities.

Benefits (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Benefit (Present Value)
Low		**10**		
High				
Best Estimate				

Description and scale of key monetised benefits by 'main affected groups'

No monetised benefits have been identified or quantified for this option. While consolidation may generate administrative savings for businesses, district councils and the FSA through easier navigation of the domestic enforcement framework, these benefits have not been quantified and are therefore presented as non-monetised benefits.

Other key non-monetised benefits by 'main affected groups'

The principal non-monetised benefits are expected to be:

- a clearer and more accessible domestic enforcement framework;
- reduced time and administrative effort required to navigate the 2012 Regulations and subsequent amending SRs;
- clearer designation of responsibilities between district councils and the FSA;
- improved legal certainty for businesses;
- reduced risk of error or enforcement challenge arising from unclear or incomplete domestic provisions;
- potential ongoing administrative savings from easier access to the applicable domestic enforcement provisions, improved legal certainty and reduced time spent navigating multiple amending SRs.
- improved consistency of enforcement across district councils in Northern Ireland;
- continued support for a high level of consumer protection.

Evidence on current navigation and interpretation difficulties is limited. The consultation will therefore seek views from businesses and district councils on the time currently spent identifying applicable provisions and the potential administrative savings arising from consolidation.

Key Assumptions, Sensitivities, Risks

The principal uncertainties relate to the number and size of affected businesses and the number of district council officers subject to familiarisation time and appropriate labour costs. It is assumed that most substantive compliance costs arise from directly applicable EU legislation, with the domestic SR giving rise mainly to one-off familiarisation and minor administrative costs. These assumptions will be tested through consultation, and the RIA will be updated if responses identify additional business, regulatory or wider impacts.

BUSINESS ASSESSMENT (Option 2)

Direct Impact on business (Equivalent Annual) £m				
Costs: £0.007m	**Benefits: £0m**	**Net: -£0.007m**		

No direct business costs beyond one-off familiarisation and possible minor updates to internal procedures or regulatory references have been identified at this stage. Consultation will be used to test this conclusion.

Cross Border Issues (Option 2)

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

Option 2 would provide updated domestic enforcement arrangements for EU FCM requirements, applicable in Northern Ireland. EU Law on Food Contact Materials applies throughout EU Member States, including Ireland. EU Member States are responsible for ensuring that the applicable EU requirements are supported by effective official controls and national enforcement arrangements.
The newer EU requirements do not currently apply automatically in GB, although the GB position may change through separate policy and legislative processes.

Summary: Analysis and Evidence — Policy Option 3

Description: Amend enforcement provisions to address gaps in the current regulations without consolidation.

While this option would address identified enforcement gaps, it would make the legislative framework more complex to navigate, providing fewer clarity and administrative benefits for enforcement authorities, businesses and users of the legislation.

ECONOMIC ASSESSMENT (Option 3)

Costs (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Cost (Present Value)
Low	**£132,000**	**10**	**£0**	**£132,000**
High	**£196,000**		**£0**	**£196,000**
Best Estimate	**£158,000**		**£0**	**£158,000**

Description and scale of key monetised costs by 'main affected groups'

Option 3 may provide limited one-off savings compared with Option 2 because an amending Statutory Rule may be shorter and allow businesses and district council officers to focus on the new or amended provisions. It may also avoid some costs associated with updating internal references to a new SR. However, users would still need to read the amending Statutory Rule alongside the 2012 Regulations, previous amendments and the applicable EU legislation. This is likely to reduce or offset any initial time saving.

Other key non-monetised costs by 'main affected groups'

Option 3 would address the immediate enforcement gap but would not resolve the complexity of the existing amended domestic Regulations. It would likely involve higher familiarisation costs for district councils than Option 2, while delivering fewer benefits in terms of regulatory clarity and reduced administrative burden. Adding a further amending SR may increase the risk of error and inconsistent interpretation. It may also impose a proportionately greater administrative burden on micro and small businesses with limited regulatory resources. Further amendments may be required as EU FCM legislation develops, adding to the complexity of the framework over time. Option 2 is therefore expected to provide greater net benefit than Option 3 because it delivers the same core enforcement benefits while also providing longer-term administrative, accessibility and legal-clarity benefits, for

Benefits (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Benefit (Present Value)
Low				
High				
Best Estimate				

Description and scale of key monetised benefits by 'main affected groups'

Option 3 has no material monetised benefits identified at this stage. It may provide limited transitional savings compared with full consolidation, but these are likely to be offset by the continuing administrative costs of navigating a fragmented legislative framework.

Other key non-monetised benefits by 'main affected groups'

Option 3 would address the immediate enforcement gaps which would improve legal certainty, support more consistent official controls and enable proportionate action where non-compliance is identified. It would also maintain continuity with the structure of the 2012 Regulations, which may reduce short-term disruption for businesses and enforcement officers already familiar with the existing framework. However, it would not deliver the accessibility and administrative simplification benefits associated with consolidation.

Key Assumptions, Sensitivities, Risks

Option 3 is assumed to involve familiarisation and implementation costs broadly similar to Option 2, as users would still need to understand the new provisions and cross-reference to the 2012 Regulations, previous amendments and applicable EU legislation. There is a risk that a further amending SR would increase legislative complexity, ongoing interpretation costs and the likelihood of error. Further EU changes may also require additional amendments. These assumptions will be tested through consultation.

BUSINESS ASSESSMENT (Option 3)

Direct Impact on business (Equivalent Annual) £m				
Costs: £0.018m	**Benefits: £0m**	**Net: -£0.018m**		

No direct business costs beyond one-off familiarisation and possible minor updates to internal procedures or regulatory references have been identified at this stage. Consultation will be used to test this conclusion.

Cross Border Issues (Option 3)

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

Option 3 would also provide updated domestic enforcement arrangements for EU FCM requirements, applicable in Northern Ireland. EU Law on Food Contact Materials applies throughout EU Member States, including Ireland. EU Member States are responsible for ensuring that the applicable EU requirements are supported by effective official controls and national enforcement arrangements.
The newer EU requirements do not currently apply automatically in GB, although the GB position may change through separate policy and legislative processes.

Evidence Base

Problem under consideration

Food contact materials are materials and articles intended to come into contact with food, including food packaging, kitchenware, food-processing equipment and containers used during the manufacture, storage and distribution of food. If these products are not manufactured and used appropriately, substances may migrate from the material into food at levels that could endanger human health, bring about an unacceptable change in the composition of the food, or adversely affect its taste or smell.

Regulation (EC) No 1935/2004 establishes the overarching EU framework for food contact materials. It requires materials and articles to be manufactured so that, under normal or foreseeable conditions of use, they do not transfer their constituents to food in quantities that could endanger human health or otherwise adversely affect the food. Regulation (EC) No 2023/2006 supplements that framework by establishing good manufacturing practice requirements. Further material-specific EU legislation applies to areas including plastic materials and articles; recycled plastics and certain substances used in food contact materials.

These EU requirements apply in Northern Ireland. However, domestic legislation is required to provide the mechanisms necessary to execute and enforce them effectively, including the designation of competent authorities, offences and penalties.

The Materials and Articles in Contact with Food Regulations (Northern Ireland) 2012 provide the principal domestic enforcement framework for food contact materials in Northern Ireland. The Regulations were subsequently amended in 2017, 2018 and 2019. Since the last substantive amendment, EU food contact materials law has continued to develop. Relevant changes include:

- Commission Regulation (EU) 2022/1616 on recycled plastic materials and articles intended to come into contact with food;
- Commission Regulation (EU) 2024/3190 concerning the use of BPA, other bisphenols and bisphenol derivatives in certain food contact materials;
- further amendments to Commission Regulation (EU) No 10/2011 on plastic materials and articles;
- amendments to the good manufacturing practice requirements in Commission Regulation (EC) No 2023/2006; and
- relevant requirements introduced by Regulation (EU) 2025/40 on packaging and packaging waste, including requirements concerning PFAS and heavy metals in food-contact packaging.

The substantive obligations arising from these EU instruments apply independently of the proposed domestic statutory rule (SR). The principal problem addressed by the proposed SR is that the current Northern Ireland legislation does not provide a complete and up-to-date domestic enforcement framework for all relevant requirements. Unless the domestic framework is updated, there may be uncertainty about the competent authorities responsible for particular functions, the enforcement action available where non-compliance is identified, and the offences or penalties applicable to breaches.

The accessibility and usability of the existing domestic framework is also a concern. The 2012 Regulations have been amended several times and must be read alongside subsequent amending statutory rules and the applicable EU legislation. This makes the overall enforcement framework more difficult for district councils, FCM manufacturers and food business operators handling food contact materials, to navigate. The fragmented structure may increase the time required to identify the applicable provisions and creates a risk of inconsistent interpretation or enforcement.

The proposed measure therefore addresses two issues:

1. **Enforcement gaps:** the need to provide clear domestic enforcement mechanisms for relevant EU FCM requirements which apply in Northern Ireland; and
2. **Legislative complexity:** the need to replace the existing series of amended instruments with a clearer and more accessible consolidated framework.

The proposal is primarily an enforcement and consolidation measure. Most amended/updated compliance requirements, including those relating to plastics, recycled plastics, BPA and other substances restrictions to food packaging, arise from the underlying EU legislation rather than from the proposed SR. The direct impacts attributable to the SR itself are therefore expected to relate mainly to familiarisation with the consolidated legislation and updated enforcement arrangements.

The groups principally affected are expected to include:

- manufacturers, importers, converters, distributors and suppliers of food contact materials in Northern Ireland;
- food businesses using or placing relevant food contact materials on the Northern Ireland market;
- district councils responsible for local execution and enforcement;
- FSA who undertakes competent authority and policy functions; and
- consumers, who benefit from effective and consistent enforcement of food contact material safety requirements.

Evidence on the number and size of affected businesses, the number of relevant enforcement officers and the time required to familiarise with the consolidated framework is being developed. These assumptions will be tested through stakeholder engagement and public consultation and will inform the final assessment of costs and benefits.

Intervention is required to ensure that relevant EU food contact material requirements applying in Northern Ireland are supported by a clear, effective and proportionate domestic enforcement framework. Although the substantive obligations arise principally from directly applicable EU legislation, domestic legislation is necessary to designate the appropriate competent authorities and provide the enforcement mechanisms, including offences and penalties.

Without updated domestic enforcement provisions, district councils may not have clear or comprehensive powers to take action where businesses fail to comply with newer EU requirements. This could result in uncertainty about the enforcement measures available and could also reduce the effectiveness and consistency of consumer protection in relation to FCM across Northern Ireland.

The proposed intervention is necessary in particular to provide updated domestic enforcement arrangements for relevant requirements concerning plastic, recycled plastic, BPA and other bisphenols, good manufacturing practice, and relevant food-contact packaging requirements under Regulation (EU) 2025/40.

A non-legislative approach, such as guidance, training or voluntary action by industry, would not adequately address the identified enforcement gaps. Guidance may assist businesses and enforcement authorities in understanding their responsibilities, but it cannot designate competent authorities, create offences, establish penalties, extend enforcement powers or apply statutory enforcement mechanisms such as improvement notices.

Similarly, reliance on voluntary compliance would not provide an effective or consistent means of addressing non-compliance or protecting consumers where businesses fail to meet the applicable legal requirements.

Legislative intervention is therefore necessary to provide legal certainty and ensure that authorised officers have clear and proportionate powers available, where required. The proposed enforcement approach is intended to support a proportionate response to non-compliance, including the use of improvement notices where appropriate, while retaining offences and penalties for failure to comply with enforcement action. This should support effective enforcement without imposing unnecessary additional requirements beyond those arising from the underlying EU legislation.

The current framework has been amended on several occasions and must be read alongside the relevant EU instruments. Adding further amendments would address some immediate enforcement gaps but would retain, and potentially increase, the complexity of the existing framework. Consolidation would bring the relevant domestic enforcement provisions together in a single SR, making them easier for businesses and district councils to identify, understand and apply.

The intervention is considered proportionate because the proposed Statutory Rule is primarily an enforcement and consolidation measure. It does not generally create the underlying substantive requirements with which businesses must comply. Those obligations arise from the applicable EU legislation. The principal direct impact attributable to the proposed SR is therefore expected to be the one-off time required by affected businesses and district council enforcement officers to familiarise themselves with the consolidated framework and updated enforcement provisions.

The expected benefits of this intervention include:

- removal of gaps or uncertainty in the domestic enforcement framework;
- clearer designation of competent authority responsibilities;
- more consistent and effective enforcement across Northern Ireland;
- improved legal clarity for regulated businesses;
- easier navigation of the domestic enforcement framework;
- a clearer and more proportionate response to non-compliance; and
- continued support for a high level of consumer protection.

Intervention through legislation is therefore considered necessary to ensure effective enforcement of applicable EU food contact material requirements. Consolidating the existing framework at the same time is expected to deliver greater legal and administrative clarity than making further amendments to the 2012 Regulations.

Policy objective

The overarching policy objective is to maintain a high level of consumer protection by providing a clear, comprehensive and proportionate domestic framework for the enforcement of EU food contact material requirements applying in Northern Ireland.

The proposed Regulations are intended to update the domestic enforcement arrangements for relevant requirements concerning recycled plastics, BPA and other bisphenols, plastic materials and articles, good manufacturing practice and relevant requirements under Regulation (EU) 2025/40. The Regulations will designate the appropriate competent authorities, provide clear enforcement powers, offences and penalties, and extend improvement notice provisions where appropriate.

A further objective is to consolidate the 2012 Regulations and subsequent amendments into a single statutory rule. This is intended to improve legal clarity, support consistent official controls and make the domestic enforcement framework easier for businesses and district councils to navigate.

The policy is primarily an enforcement and consolidation measure. It is not generally intended to introduce additional substantive requirements beyond those arising from applicable EU legislation. The intended outcome is therefore an effective and accessible enforcement framework that protects consumers while minimising unnecessary additional burdens on regulated businesses and enforcement authorities.

Description of options considered (including do nothing), with reference to the evidence base to support the option selection

Three options have been considered in response to the identified need to update the domestic enforcement framework for food contact materials in Northern Ireland.

Option 1: Do nothing

Under this option, the Materials and Articles in Contact with Food Regulations (Northern Ireland) 2012 and the subsequent amending statutory rules would remain in place without further amendment. This option would avoid the immediate familiarisation and implementation costs associated with introducing a new Statutory Rule. However, it would not eliminate familiarisation costs, as businesses and district councils would still need to identify how newer EU requirements interact with, and can be enforced through, the existing fragmented domestic framework.

This option would not address the identified gaps or uncertainty in the domestic enforcement framework. EU FCM law applying in Northern Ireland has developed since the last substantive amendments to the 2012 Regulations. The substantive obligations arising from those EU instruments would continue to apply, but the domestic provisions needed to support their effective enforcement would remain incomplete or unclear. The 2012 Regulations would also continue to be read alongside subsequent amending statutory rules and the applicable EU legislation. This would retain the existing complexity for businesses and enforcement authorities and would not reduce the time or administrative effort required to identify the relevant domestic enforcement provisions.

The risks associated with this option are:

- uncertainty about the enforcement action available in relation to newer EU requirements;
- an incomplete or unclear designation of competent authority responsibilities;
- reduced ability to respond effectively and proportionately to non-compliance;
- continued complexity for businesses and enforcement authorities navigating the legislation;
- potential inconsistency in the interpretation or application of the enforcement framework; and
- risks to consumer protection if non-compliance cannot be addressed effectively.

This option is therefore not considered to meet the policy objectives. Although it would avoid immediate familiarisation costs, those limited savings would not outweigh the legal, operational and consumer protection risks associated with retaining an incomplete and increasingly complex domestic enforcement framework.

Option 2 (Preferred): Revoke and replace the 2012 Regulations with a consolidated statutory rule containing updated enforcement provisions

Under this option, the 2012 Regulations and relevant amending statutory rules would be revoked and replaced by a single consolidated Statutory Rule. The new Regulations would restate the existing domestic enforcement provisions, update them where necessary and provide enforcement mechanisms for relevant EU FCM requirements applying in Northern Ireland.

The consolidated Regulations would provide for matters including:

- designation of the appropriate competent authorities;
- execution and enforcement responsibilities;
- application of improvement notices to specified requirements;

- offences and penalties;
- enforcement action in response to non-compliance;

This option would close gaps or remove uncertainty in the domestic enforcement framework while also replacing the existing series of amended statutory rules with a single, more accessible set of Regulations.

The main anticipated benefits are:

- improved legal clarity for businesses and district councils;
- clearer competent authority and enforcement responsibilities;
- a more consistent basis for official controls in relation to food contact materials across Northern Ireland;
- proportionate enforcement mechanisms for addressing non-compliance;
- reduced complexity when identifying relevant domestic provisions;
- reduced risk of error or inconsistent interpretation arising from navigating multiple statutory rules; and
- continued support for a high level of consumer protection.

The principal direct costs attributable to this option are expected to be one-off familiarisation costs. Relevant businesses and district council officers will need to understand the structure of the consolidated Regulations and the updated enforcement arrangements. There may also be limited costs associated to the FSA with preparing guidance, delivering training and updating internal procedures.

Most costs associated with complying with the substantive new/amended EU requirements arise from the underlying EU legislation rather than from this domestic Statutory Rule. Those costs should therefore not be attributed to this option. Bringing the relevant domestic enforcement provisions together should make the framework easier to understand and use, particularly once stakeholders have completed the initial familiarisation process.

This is the preferred option because it achieves the policy objectives in a comprehensive and proportionate way. It provides an effective domestic enforcement framework while also delivering longer-term benefits through improved clarity, accessibility and consistency.

Option 3: Amend the existing 2012 Regulations without consolidation

Under this option, the 2012 Regulations would remain in place and would be amended to introduce/update domestic enforcement provisions for the relevant EU FCM requirements.

This option could address the most immediate enforcement gaps. For example, it would provide competent authority designations, offences, penalties and improvement notice arrangements for newer EU requirements without replacing the existing domestic framework. It would retain the existing structure and avoid the need to restate domestic provisions that are not substantively changing. However, a further amending rule would need to be read alongside the 2012 Regulations and the existing 2017, 2018 and 2019 amendments. It would therefore retain, and potentially increase, the complexity of the domestic framework. Businesses and enforcement authorities would continue to navigate several domestic statutory rules in conjunction with the applicable EU legislation.

This option is also likely to involve familiarisation costs broadly similar to those arising under Option 2. Businesses and district council officers would still need to identify and understand the new enforcement provisions. The cost difference between Options 2 and 3 may therefore be limited, particularly as guidance or training would be required under either option.

The benefits would be lower than under Option 2 because this approach would not:

- consolidate the domestic enforcement framework;
- remove the need to navigate multiple amending statutory rules;

- provide the same improvement in accessibility and legal clarity;
- reduce the risk of future amendments adding further complexity; or
- deliver the same potential administrative benefits for enforcement authorities and relevant businesses.

Option 3 could meet the immediate objective of updating enforcement provisions but would not fully address the Policy objective, including the wider problem of legislative complexity. It is therefore considered less effective than Option 2 and is not the preferred option.

Sectors and groups affected

The proposed domestic enforcement framework is expected to affect businesses involved in the manufacture, distribution and use of food contact materials (FCMs) in Northern Ireland, together with local authority enforcement bodies. A stakeholder mapping exercise identified businesses operating across a range of FCM sectors, including plastic, recycled plastic, paper and board, glass and label manufacturing, as well as distributors and food and drink manufacturers that use or place FCMs on the market. It is estimated that approximately 595 businesses could be affected by the proposed framework, with a breakdown of affected businesses provided in Table 1 below.

These figures are indicative and have been compiled from available stakeholder information. There may be overlap between categories, particularly where businesses undertake multiple activities within the FCM supply chain. Industry engagement through consultation will be used to validate these estimates and determine the extent to which affected businesses will need to familiarise themselves with the domestic enforcement framework.

Table 1 Estimate of Businesses Affected in Northern Ireland

Business	Business Type	Number of Businesses
FCM manufacturers	Plastic manufacturers	13
	Recycled plastic manufacturers	2
	Paper and board manufacturers	8
	Glass manufacturers	1
	Label manufacturers	2
	Distributors	4
FBOs using and placing FCM on the market	Food and drink manufacturers	565
Total		**595**

Source: manufacturer estimates are based on FSA stakeholder mapping. Estimates for food business operators using and placing FCMs on the market are derived from NOMIS UK Business Counts data (2025) for relevant food and beverage manufacturing SIC codes in Northern Ireland.

In addition, the framework will affect the 11 district councils in Northern Ireland responsible for food law enforcement. Current estimates indicate approximately 33.89 full-time equivalent (FTE) environmental health officers (EHOs) may undertake FCM-related enforcement activities. For the purposes of this assessment, it is assumed that all affected staff work on a full-time basis and, therefore, the estimated 33.89 FTEs have been rounded to 34 affected staff members for use in the analysis. As familiarisation costs are incurred at an individual officer level rather than an FTE level, further engagement with district councils will be undertaken to establish the number of officers involved in enforcement activity and the split between full-time and part-time posts. This will be used to refine cost estimates in the final assessment.

Costs and Benefits of Each Option

Option 1: Do nothing.

Costs

No new legislative implementation costs would arise under this option because no new domestic SR would be introduced. Businesses and district councils would not incur the one-off familiarisation costs associated with a consolidated instrument. However, Option 1 cannot be treated as cost-free. New and amended EU FCM requirements would continue to apply in Northern Ireland, and affected parties would still need to understand those requirements and determine how they interact with the existing domestic enforcement framework.

Businesses and district councils may therefore incur ongoing costs associated with:

- identifying relevant new and amended EU provisions;
- locating and interpreting applicable provisions across domestic and EU legislation;
- determining how existing enforcement powers and responsibilities apply;
- identifying relevant enforcement mechanisms and sanctions; and
- seeking legal, policy or technical advice where the enforcement position is unclear.

These activities are expected to create ongoing administrative burdens for affected businesses and district councils. However, it is not considered proportionate to monetise these costs because they are likely to arise intermittently, vary significantly depending on the legislative or enforcement issue under consideration, and cannot be estimated robustly on the basis of available evidence. Accordingly, no monetised costs have been estimated under this option.

In addition, this option would be expected to result in a number of wider costs and risks. These include continued uncertainty about whether and how newer EU FCM requirements can be enforced domestically, ongoing complexity for businesses and enforcement authorities navigating multiple domestic and EU instruments, an increased risk of error or inconsistent interpretation, delays in determining the appropriate response to non-compliance, and continued reliance on legal or policy advice to resolve uncertainty. The option may also reduce regulatory certainty for businesses, create difficulties in taking proportionate enforcement action where non-compliance is identified, and increase the risk that non-compliance is not identified or addressed clearly and promptly.

Over time, these impacts may lead to an accumulation of administrative burdens as further EU legislative changes are considered against an increasingly dated and fragmented domestic enforcement framework.

Benefits

The principal benefit under this option would be the avoidance of the immediate costs associated with preparing, introducing and familiarising stakeholders with a new consolidated SR. These avoided costs are discussed qualitatively because they are offset by continuing interpretation and administrative burdens arising from the existing fragmented framework. No net monetised benefit has been estimated.

Option 1 would avoid short-term disruption associated with changes to the structure and numbering of the existing domestic Regulations. Businesses and district council officers already familiar with the current framework could continue to rely on existing provisions and processes. However, these benefits are expected to be limited and to diminish over time as EU FCM legislation continues to develop and apply in Northern Ireland, increasing divergence between the existing domestic framework and current EU requirements.

Overall assessment

Option 1 would avoid the immediate familiarisation costs associated with a new consolidated SR but would retain ongoing interpretation costs, administrative burdens and legal uncertainty. It would not address the identified enforcement gaps, nor would it improve the accessibility and clarity of the current framework. As a result, it would not meet the policy objectives.

Option 2 (Preferred): Revoke and replace the 2012 Regulations with a consolidated SR

Monetised costs

The main monetised costs attributable to Option 2 are expected to be one-off familiarisation and training costs. These costs arise from the time required for affected businesses and district council enforcement officers to review and understand the consolidated statutory rule and, for enforcement officers, participate in training on the updated enforcement framework.

Business familiarisation costs

Businesses affected by the proposed Regulations are expected to incur one-off familiarisation costs to review the consolidated statutory rule and understand:

- its scope and structure;
- the domestic enforcement arrangements applying to relevant EU requirements;
- the competent authorities responsible for enforcement;
- the improvement notice procedures available;
- the applicable offences and penalties; and
- any savings or transitional arrangements.

Affected businesses are expected to include relevant Northern Ireland manufacturers, distributors and suppliers of food contact materials, as well as food businesses placing relevant materials and articles on the Northern Ireland market.

For the purposes of this assessment, it is estimated that 595 businesses may need to familiarise themselves with the Regulations. It is assumed that four staff members per business will require familiarisation, comprising:

- one senior manager;
- one compliance or technical lead;
- one administrative or finance staff member; and
- one additional staff member where required depending on business complexity.

The cost has been calculated using the hourly wage for Managers and Directors in Retail and Wholesale[1] (£17.66) uplifted by 22% non-wage costs, resulting in an effective hourly labour cost of £21.54.

The familiarisation cost has been estimated using a range of assumptions on reading and dissemination time. The central estimate assumes a reading speed of 125 words per minute, reflecting the need to carefully review and understand a technical legal instrument. This is lower than the speed typically associated with general reading and is intended to capture the additional time required for comprehension and familiarisation. Dissemination time is assumed to be 25% of the time required to read and understand the Regulations. This reflects the additional time needed for the individual reviewing the legislation to communicate the key changes and implications to relevant colleagues within the organisation.

Table 2 Option 2 Estimated Business Familiarisation Costs in Northern Ireland

Scenario	Reading speed (words per minute)	Total familiarisation time per employee	Cost per business (£)	Total business cost (£)[2]
Low	150	60 mins	£86.17	£51,300
Central	125	70 mins	£100.53	£59,800
High	100	90 mins	£129.25	£76,900

[1] Office for National Statistics (ONS) (2025) *Employee earnings in the UK: 2025*. Annual Survey of Hours and Earnings (ASHE). Newport: Office for National Statistics.
[2] Costs are rounded to the nearest £1,000. Totals may not sum exactly due to rounding. Estimates should be interpreted as indicative given the uncertainty associated with familiarisation time assumptions.

The central estimate of business familiarisation costs is £59,800, with total costs estimated to fall within a range of £51,300 to £76,900 across the low and high scenarios.

District council familiarisation costs

District council officers responsible for food contact materials enforcement will need to familiarise themselves with the consolidated framework and the updated competent authority, offence, penalty and improvement notice provisions.

It is assumed that all officers involved in FCM enforcement across Northern Ireland district councils will require familiarisation. There are currently 33.89 FTE district council officers responsible for food standards enforcement in Northern Ireland across 11 district councils. For appraisal purposes, this has been rounded to 34 officers, assuming that each FTE represents one officer requiring familiarisation and training. This assumption will be tested through consultation.

The cost has been calculated using the hourly wage for Inspectors of Standards and Regulations[3] (£20.15) uplifted by 22% non-wage costs, resulting in an effective hourly labour cost of £24.58.

Familiarisation costs have been estimated using the Standard Cost Model (SCM) approach, by multiplying the number of affected staff by the estimated time required to familiarise themselves with the new requirements and the relevant uplifted hourly wage rate.

Number of affected staff × familiarisation hours × uplifted hourly wage

No separate dissemination time has been assumed for district council officers, as those requiring familiarisation are also expected to attend formal training. Any communication of the changes and their practical implications is therefore assumed to be incorporated within the training process rather than requiring additional dissemination activity.

Table 3 Option 2 Estimated District Council Familiarisation Costs in Northern Ireland

Scenario	Familiarisation time per officer	Total cost (£)[4]
Low	50 mins	£680
Central	60 mins	£810
High	75 mins	£1,020

The central estimate of district council familiarisation costs is £810, with total costs estimated to fall within a range of £680 to £1,020 across the low and high scenarios.

District council training costs

District council officers are expected to [5]attend training on the consolidated Regulations, the updated enforcement framework, offences and penalties, and the application of improvement notice procedures.

The training cost has been calculated as:

[3] Office for National Statistics (ONS) (2025) *Employee earnings in the UK: 2025*. Annual Survey of Hours and Earnings (ASHE). Newport: Office for National Statistics.
[4] Costs are rounded to the nearest £10 and are indicative estimates based on assumed familiarisation times for district council enforcement officers.
[5] Office for National Statistics (ONS) (2025) *Employee earnings in the UK: 2025*. Annual Survey of Hours and Earnings (ASHE). Newport: Office for National Statistics.

Number of officers × training hours × uplifted hourly wage + training materials cost

The assessment assumes:

- 34 enforcement officers will be trained;
- an uplifted labour rate of £24.58 per hour;
- £5 training materials and delivery cost per officer (£170 total).[6]

The following scenarios have been used:

Table 4 Option 2 Estimated District Council Training Costs in Northern Ireland

Scenario	Training hours per officer	Total training cost (£)[7]
Low	2 hours	£1,840
Central	3 hours	£2,680
High	6 hours	£5,190

The central estimate of district council training costs is £2,680, with total costs estimated to fall within a range of £1,840 to £5,190 across the low and high scenarios.

Summary of monetised costs

The central estimate of total monetised costs is £63,000 comprising primarily one-off business familiarisation costs. Total costs are estimated to range from £54,000 under the low scenario to £83,000 under the high scenario. No ongoing compliance costs are expected because the proposed Regulations consolidate and update the existing enforcement framework rather than introducing substantive new regulatory requirements.

Table 5 Option 2 Total Monetised Costs in Northern Ireland

Cost category	Low (£)	Central (£)	High (£)
Business familiarisation	£51,300	£59,800	£76,900
District council familiarisation	£680	£810	£1,020
District council training	£1,840	£2,680	£5,190
Total monetised costs[8]	**£54,000**	**£63,000**	**£83,000**

Non-monetised costs

In addition to the one-off familiarisation and training costs discussed above, the introduction of a consolidated SR may give rise to a number of additional costs that cannot be monetised robustly at this stage due to uncertainty regarding their scale, frequency and distribution across affected parties. These costs are expected to be limited and transitional in nature, arising from the adjustments required as businesses and enforcement authorities adapt to the new legislative framework.

Potential additional costs include:

- the time required for businesses and enforcement authorities to adapt to the structure and numbering of the consolidated SR;

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[6] Training materials costs have been estimated at £5 per attendee, covering the provision of guidance documents, training packs and any supporting materials required to complete the training. In the absence of specific cost data, this represents a reasonable central assumption.

[7] Costs are rounded to the nearest £10 and are indicative estimates based on assumed familiarisation times for district council enforcement officers.

[8] Total costs are rounded to the nearest £1,000. Totals may not sum exactly due to rounding. Estimates should be interpreted as indicative given the uncertainty associated with familiarisation time assumptions

- possible short-term uncertainty while guidance, training materials and operational procedures are updated;
- the need for enforcement authorities to review and update existing templates, processes and internal procedures to reflect the new Regulations;
- a potentially greater relative familiarisation burden on micro and small businesses with limited regulatory capacity; and
- uncertainty regarding the number of affected businesses and the level of familiarisation that may be required.

The consolidated SR is not expected to create any substantive compliance costs because it does not introduce new policy requirements. Any compliance costs arising from applicable EU FCM requirements would occur independently of consolidation and should therefore not be attributed to this option. Overall, these additional costs are expected to be outweighed by the benefits of a clearer, more accessible and up-to-date domestic enforcement framework.

Benefits

The principal benefit of this option is the consolidation and updating of the domestic enforcement framework for food contact materials in Northern Ireland. By bringing the existing Regulations and subsequent amendments into a single, accessible instrument, the option would provide greater clarity and certainty for businesses and enforcement authorities and ensure that the domestic framework better reflects the current regulatory landscape.

The option is expected to reduce complexity by making it easier to identify and understand the relevant domestic enforcement provisions. This may result in administrative time savings for businesses and enforcement authorities through:

- faster identification of relevant domestic enforcement provisions;
- reduced time spent checking amendments, cross-references and legislative interactions; and
- a reduced need to seek legal, policy or technical advice to determine the applicable enforcement position.

It is not considered proportionate to monetise these benefits because reliable evidence on the time currently spent navigating and interpreting the existing framework is not available. The potential scale of these benefits will be explored further via consultation with district councils and affected businesses.

Additional benefits are expected to include:

- removal of gaps and uncertainty within the domestic enforcement framework;
- a clearer and more accessible domestic enforcement regime;
- reduced uncertainty regarding the enforcement of newer EU FCM requirements;
- clearer designation of responsibilities between district councils and the FSA;
- more consistent interpretation and application of the legislation across Northern Ireland;
- clearer and more proportionate mechanisms for addressing non-compliance;
- reduced risk of enforcement challenge arising from unclear or incomplete domestic provisions;
- greater legal certainty for businesses;
- a clearer legislative basis for future guidance, training and enforcement activity;
- greater confidence in the FCM regulatory framework; and
- improved consumer protection through more effective and consistent enforcement.

Following the initial familiarisation period, these benefits are expected to support a more efficient, transparent and effective enforcement framework, reducing administrative complexity for affected parties and improving regulatory certainty over the longer term.

Overall assessment

Option 2 would result in limited one-off familiarisation and implementation costs while addressing the identified enforcement gaps and reducing the complexity of the current framework. Most benefits are expected to be non-monetised, although administrative time savings may arise from easier navigation of the legislation and a reduced need for interpretation. This option is expected to deliver the greatest overall benefit, meet the policy objectives, and is therefore the preferred option.

Option 3: Amend the existing 2012 Regulations without consolidation

Monetised costs

The main monetised costs attributable to Option 3 are expected to be one-off familiarisation and training costs. These costs arise from the time required for affected businesses and district council enforcement officers to understand the amended legislative framework and, for enforcement officers, participate in training on the updated enforcement arrangements.

Business familiarisation costs

Businesses affected by the proposed amendments are expected to incur one-off familiarisation costs to review the legislative framework and understand the applicable enforcement requirements.

Under Option 3, businesses would be required to review a number of separate legislative instruments rather than a single consolidated statutory rule. For the purposes of this assessment, familiarisation is assumed to require review of:

- the Food Contact Materials Regulations (Northern Ireland) 2012;
- the Food Contact Materials (Amendment) Regulations (Northern Ireland) 2017;
- the Food Contact Materials (Amendment) Regulations (Northern Ireland) 2018;
- Regulation 25 of the Food (Amendment) Regulations (Northern Ireland) 2018; and
- the proposed amending Regulations 2027.

Affected businesses are expected to include relevant Northern Ireland manufacturers, distributors and suppliers of food contact materials, as well as food businesses placing relevant materials and articles on the Northern Ireland market.

For the purposes of this assessment, it is estimated that 595 businesses may need to familiarise themselves with the amended framework. It is assumed that four staff members per business will require familiarisation, comprising:

- one senior manager;
- one compliance or technical lead;
- one administrative or finance staff member; and
- one additional staff member where required depending on business complexity.

The cost has been calculated using the hourly wage for Managers and Directors in Retail and Wholesale (£17.66) uplifted by 22% non-wage costs, resulting in an effective hourly labour cost of £21.54.

Familiarisation time is expected to be greater than under Option 2 because businesses must review and cross-reference multiple legislative instruments to identify the applicable provisions and amendments. The central estimate assumes a reading speed of 125 words per minute, reflecting the need to carefully review and understand multiple technical legal instruments. Dissemination time is assumed to be 25% of reading time, reflecting the time required to communicate the key changes and implications to relevant colleagues within the organisation.

Table 6 Option 3 Estimated Business Familiarisation Costs in Northern Ireland

Scenario	Reading Time (mins)	Dissemination Time (mins)	Total Familiarisation Time (mins)	Total Business Cost (£)[9]
Low	144	36	180	£128,200
Central	172	43	215	£153,800
High	216	54	270	£188,000

The central estimate for business familiarisation costs is £153,800, with costs expected to range from £128,200 to £188,000 under the low and high scenarios.

District council familiarisation costs

District council officers responsible for food contact materials enforcement will need to familiarise themselves with the amended framework and understand how the amendments interact with the existing Regulations.

It is assumed that all officers involved in FCM enforcement across Northern Ireland district councils will require familiarisation. Based on policy estimates, this equates to approximately 34 enforcement officers across 11 district councils.

No dissemination time has been included for district council officers, as all relevant officers are expected to attend training and receive the necessary information directly through that process.

The cost has been calculated using the hourly wage for Inspectors of Standards and Regulations (£20.15) uplifted by 22% non-wage costs, resulting in an effective hourly labour cost of £24.58.

Table 7 Option 3 Estimated District Council Familiarisation Costs in Northern Ireland

Scenario	Familiarisation Time per Officer (mins)	Total Cost (£)[10]
Low	116.0	£1,630
Central	139.2	£1,950
High	174.0	£2,440

The central estimate for district council familiarisation costs is £1,950, with costs expected to range from £1,630 to £2,440 under the low and high scenarios.

District council training costs

[9] Costs are rounded to the nearest £100. Totals may not sum exactly due to rounding. Estimates should be interpreted as indicative given the uncertainty associated with familiarisation time assumptions.
[10] Costs are rounded to the nearest £10 and are indicative estimates based on assumed familiarisation times for district council enforcement officers. Totals may not sum exactly due to rounding.

District council officers are expected to attend training on the amended Regulations and associated enforcement requirements.

The training cost has been calculated as:

Number of officers × training hours × uplifted hourly wage + training materials cost

The assessment assumes:

- 34 enforcement officers will be trained;
- an uplifted labour rate of £24.58 per hour; and
- £5 training materials and delivery cost per officer (£170 total).

Table 8 Option 3 Estimated District Council Training Costs in Northern Ireland

Scenario	Training Hours per Officer	Total Training Cost (£)[11]
Low	2 hours	£1,840
Central	3 hours	£2,680
High	6 hours	£5,190

The central estimate for district council training costs is £2,680 with costs expected to range from £1,840 to £5,190 under the low and high scenarios.

Summary of monetised costs

Table 9 Option 3 Total Monetised Costs in Northern Ireland

Cost category	Low (£)	Central (£)	High (£)
Business familiarisation	£128,200	£153,800	£188,000
District council familiarisation	£1,630	£1,950	£2,440
District council training	£1,840	£2,680	£5,190
Total monetised costs[12]	**£132,000**	**£158,000**	**£196,000**

The central estimate of total monetised costs is £158,000, comprising primarily one-off business familiarisation costs. Total costs are estimated to range from £132,000 under the low scenario to £196,000 under the high scenario. Costs are significantly higher than under Option 2 because affected businesses and enforcement authorities must continue to navigate multiple legislative instruments rather than a single consolidated statutory rule. No ongoing compliance costs are expected, as the amendments update the existing enforcement framework rather than introducing substantive new regulatory requirements.

Non-monetised costs

In addition to the one-off familiarisation and training costs discussed above, Option 3 may give rise to a number of additional costs that cannot be monetised robustly at this stage due to uncertainty regarding their scale, frequency and distribution across affected parties. These costs arise primarily from the retention of the existing legislative structure, under which the Food Contact Materials and Articles Regulations (Northern Ireland) 2012 would remain in force alongside a further amending statutory rule.

[11] Training costs are rounded to the nearest £10 and are indicative estimates based on assumed training durations for district council enforcement officers. Totals may not sum exactly due to rounding.
[12] Total costs are rounded to the nearest £1,000. Totals may not sum exactly due to rounding. Estimates should be interpreted as indicative given the uncertainty associated with familiarisation time assumptions.

Potential additional costs include:

- the continued need for businesses and enforcement authorities to navigate the 2012 Regulations alongside several amending statutory rules;
- increased complexity when identifying and interpreting the relevant domestic enforcement provisions;
- an ongoing risk of errors when tracking amendments, cross-references and legislative interactions;
- reduced accessibility and transparency compared with a consolidated legislative framework;
- the continued need to seek legal, policy or technical advice where the applicable enforcement position is unclear; and
- the likelihood that future changes to EU FCM legislation would require further amending statutory rules, increasing legislative complexity over time.

While Option 3 would address the identified enforcement gaps, it would not resolve the wider issue of legislative fragmentation. As a result, businesses and enforcement authorities may continue to incur administrative burdens associated with navigating and interpreting multiple legislative instruments, and the long-term simplification benefits associated with consolidation would not be realised.

Monetised benefits

Benefits

Option 3 would address the identified gaps and uncertainties within the domestic enforcement framework through a targeted amendment to the existing legislation. By introducing appropriate domestic enforcement provisions for newer EU FCM requirements, the option would improve legal certainty and provide greater clarity regarding the application of enforcement powers and responsibilities.

The option is expected to deliver benefits through:

- addressing identified gaps and uncertainty within the domestic enforcement framework;
- providing appropriate domestic enforcement provisions for newer EU FCM requirements;
- clarifying competent authority responsibilities;
- providing clear enforcement mechanisms, offences and penalties;
- supporting more effective and proportionate action in response to non-compliance; and
- improving legal certainty compared with the current baseline position.

Option 3 may also avoid some of the legislative and administrative work associated with preparing a fully consolidated SR, as it would update the existing framework through a targeted amending instrument rather than replacing the 2012 Regulations in their entirety. Any resulting administrative savings have not been monetised because reliable evidence on their scale is not available. The potential scale of these benefits will be explored further via consultation with district councils and affected businesses.

Overall, Option 3 would improve the operation and enforceability of the domestic FCM framework and address the immediate enforcement issues identified. However, these benefits would be achieved within a legislative structure that remains fragmented and less accessible than a fully consolidated framework, meaning that some of the longer-term simplification benefits associated with Option 2 would not be realised.

Overall assessment

Option 3 would deliver the immediate enforcement benefits associated with intervention and would address the identified enforcement gaps. However, it would retain the existing fragmented structure of the legislation, requiring

businesses and enforcement authorities to continue navigating the 2012 Regulations alongside subsequent amending instruments. As a result, it would provide fewer long-term benefits in terms of accessibility, legal clarity and administrative simplification than Option 2. Although Option 3 would improve upon the baseline position, it is expected to deliver fewer overall benefits than Option 2 and is therefore not the preferred option.

Rationale and evidence that justify the level of analysis used in the RIA

The level of analysis undertaken in this RIA is considered proportionate to the nature, scale and expected impact of the proposed Regulations. The proposal is intended to update the domestic enforcement framework for food contact materials in Northern Ireland and, under the preferred option, consolidate the existing legislation into a single statutory rule. The assessment focuses on the incremental impacts arising from the policy options, principally one-off familiarisation and training costs, together with any associated implementation, administrative and enforcement impacts.

Expected scale of impact

The direct impacts of the proposed intervention are expected to be limited. The main affected groups are:

- district council officers responsible for FCM enforcement;
- businesses manufacturing, importing, converting, distributing or supplying food contact materials in Northern Ireland; and
- food businesses using or placing relevant food contact materials on the Northern Ireland market.

The principal monetised impacts are expected to be the one-off costs associated with familiarisation with the new legislative arrangements and, where relevant, training for enforcement officers. Limited additional costs may arise from preparing guidance, updating internal procedures and adapting operational processes. However, these impacts cannot currently be quantified robustly due to uncertainty regarding their scale and distribution across affected parties.

No significant recurring costs attributable specifically to the domestic legislation have been identified at this stage. District councils already undertake functions in relation to the enforcement of food contact material requirements. The proposed Regulations would update and clarify the legal framework supporting those functions. This assumption will be tested through consultation and further engagement with enforcement authorities.

Assessment of the three options

The level of analysis applied to each option reflects the anticipated scale and nature of its impacts:

- **Option 1** avoids the immediate costs associated with introducing a new statutory rule but may result in ongoing administrative burdens arising from legislative fragmentation, legal uncertainty and the continued need to interpret enforcement provisions across multiple domestic and EU instruments.
- **Option 2** gives rise principally to one-off familiarisation and training costs. It is expected to deliver benefits through the consolidation and updating of the enforcement framework, improved accessibility, greater legal certainty and more effective enforcement arrangements. Many of these benefits cannot be monetised robustly due to the absence of evidence on the time currently spent navigating the existing framework.
- **Option 3** gives rise to one-off familiarisation and training costs associated with the amending instrument and updated enforcement arrangements. While it would address the identified enforcement gaps, it would retain the fragmented structure of the current framework and is therefore expected to deliver fewer simplification and accessibility benefits than Option 2.

Conclusion on proportionality

A proportionate RIA focusing on familiarisation, training, implementation and administrative impacts is considered appropriate because:

1. the proposal is primarily an enforcement and framework-updating measure;
2. the underlying substantive business obligations arise principally from applicable EU legislation;
3. the proposed domestic legislation is not expected to create significant additional recurring business costs;
4. the principal direct costs are expected to be limited and largely one-off in nature;
5. many of the expected costs and benefits relate to legal certainty, enforcement effectiveness, accessibility and administrative efficiency and cannot readily be monetised;
6. the analysis identifies the principal uncertainties and evidence gaps transparently; and
7. the assumptions will be tested through consultation and reviewed by FSA economists.

The available evidence therefore supports a proportionate assessment focused on the incremental impacts of the policy options rather than an extensive assessment of the underlying EU requirements. The level of analysis should be reconsidered if consultation responses or further evidence identify material costs, additional enforcement burdens or wider impacts not captured in the draft assessment.

Risks and assumptions

Assumptions

The RIA assumes that the proposed Regulations are primarily intended to update and improve the domestic enforcement framework for food contact materials in Northern Ireland. The proposed legislation is not expected to introduce significant new substantive requirements on businesses and is therefore not anticipated to give rise to significant recurring compliance or enforcement costs.

It is assumed that familiarisation with the legislation will be a one-off activity. The time required is expected to vary according to an individual's role, the relevance of the provisions to their activities, and the complexity of the final legislation. District councils already undertake functions relating to the enforcement of food contact material requirements and are therefore expected to require only limited additional familiarisation and training. Additional costs associated with guidance, training and updating internal procedures are expected to be modest and largely transitional in nature.

The analysis also assumes that a consolidated legislative framework would be easier for businesses and enforcement authorities to navigate than the current framework, which consists of the 2012 Regulations and subsequent amending instruments. This is expected to improve accessibility, reduce legal complexity and support a more efficient understanding of the applicable enforcement provisions. However, insufficient evidence is currently available to quantify any resulting administrative savings robustly. These impacts have therefore been treated as unmonetised benefits and will be explored further through consultation with district councils and affected businesses.

Risks

The principal uncertainty relates to the time required for businesses and enforcement authorities to familiarise themselves with the legislation. Familiarisation requirements are likely to vary significantly between affected groups. Some businesses may only need to consider a limited number of provisions, whereas specialist food contact material businesses and enforcement officers may need to review a larger proportion of the legislation. As

a result, the estimated familiarisation costs may understate or overstate the actual costs experienced by individual organisations.

There is also a risk that micro and small businesses may face proportionately higher familiarisation costs due to limited legal, regulatory or compliance resources. Clear guidance and targeted communications may therefore be required to support implementation. Consultation responses will be used to assess whether further support measures are necessary.

Future changes to EU food contact materials legislation may affect the scope of the proposed domestic framework or require further amendments to domestic legislation. The draft Regulations and accompanying RIA will therefore be reviewed against the applicable EU legislation prior to finalisation, and any relevant changes arising during the legislative process will be assessed to determine whether updates to the legislation or impact assessment are required.

Consultation responses may also identify costs, benefits, affected groups or wider impacts that have not been captured in the draft assessment. This is an expected part of the policy development process. The RIA will be revised following consultation, and any changes to the estimated impacts or underlying assumptions will be reviewed with FSA economists.

These risks will be managed through consultation, engagement with district councils and industry stakeholders, legal review of the proposed legislation, and further scrutiny of the analysis by FSA economists. The final RIA will be updated to reflect the evidence received and any remaining uncertainties.

Wider impacts

Social

Health

The proposed Regulations are expected to have a positive effect on consumer protection and public health by supporting effective enforcement of food contact material requirements which apply in Northern Ireland. The proposal is not expected to create adverse physical or mental health impacts or affect access to health or social care services. The health impacts are expected to be indirect and positive, arising from clearer and more effective enforcement.
Consumer protection is integral to the policy objective and the RIA. On that basis, a separate full Health Impact Assessment is not currently considered necessary.

Equality

The proposed Regulations do not require a full Equality Impact Assessment as they are technical regulatory changes, including updated enforcement provisions, that apply equally across the food supply chain and do not affect individuals differently (on the basis of any Section 75 characteristics). No evidence has been identified of adverse, differential or disproportionate impacts on equality of opportunity, and the amendments are intended to support consistent food safety standards and effective enforcement for the benefit of all consumers.

Human Rights

The proposed Regulations are limited to updating existing regulatory requirements and enforcement provisions for food contact materials, including the implementation of relevant EU rules that apply in Northern Ireland and therefore, it has been considered that they should be compliant with Section 24 of the Northern Ireland Act 1998. They do not create or remove individual rights, restrict access to services, or introduce differential treatment based on religious belief, political opinion or any other protected characteristic. The amendments apply consistently to all relevant businesses and enforcement authorities and are intended to maintain high standards of food safety and consumer protection. The measures are therefore considered to be within the powers conferred on Northern Ireland departments under Section 24 and, at this stage, compatible with the statutory obligations arising from that provision.

Rural

The proposed amendments have not been influenced by specific rural needs because no particular social or economic issues affecting rural communities were identified in relation to these proposals. The amendments are technical regulatory changes that update existing food contact materials requirements following updates to EU law, which apply in Northern Ireland. Enforcement provisions apply consistently across Northern Ireland regardless of geographic location. As the proposals do not affect access to services, infrastructure, transport, employment or other matters commonly associated with rural disadvantage, no differential impact on rural communities is anticipated and there was no requirement to modify the policy to address specific rural needs.

Child Rights

The proposed Regulations are not expected to have a direct impact on children's rights. However, by ensuring that food contact materials are safe and effectively regulated, they may have a positive indirect impact on children's right to health and wellbeing. No adverse impacts on children or young people have been identified. The proposals are expected to affect all children and young people in Northern Ireland indirectly through enhanced protections relating to the safety of food contact materials, therefore, no specific group of children is expected to be disproportionately affected.

Crime, Community Safety and Victims, and Social Inclusion

No significant impacts have been identified.

Economic

- Regulatory Impact Assessment - addressed in this RIA.
- Economic Appraisal – N/A
- Economic Impact Assessment – N/A
- Legal Aid Impact – N/A
- State Aid Compliance Assessment – N/A

Data Protection

The proposed Regulations relate to the enforcement of food contact material requirements in Northern Ireland, and do not involve the collection, use, storage, sharing or other processing of personal data. Therefore, no impacts on data protection or privacy rights have been identified.

Environmental

No significant environmental impacts have been identified. A Strategic Environmental Assessment or other environmental assessment is not considered necessary.