

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT  
BY DEPUTY C.D. CURTIS OF ST. HELIER CENTRAL  
QUESTION SUBMITTED ON MONDAY 12<sup>TH</sup> FEBRUARY 2024  
ANSWER TO BE TABLED ON MONDAY 19<sup>TH</sup> FEBRUARY 2024**

**Question**

“Will the Minister provide an update on the progress being made on bringing forward the [Food \(Jersey\) Law 2023](#) Regulations, including the labelling of allergens in food?”

**Answer**

Environmental and Consumer Protection officers have commenced work on a programme of subordinate legislation under the Food (Jersey) Law 2023 (“the Law”) in preparation for when the States, by Act, bring the Law into force.

The subordinate legislation will address gaps in current information legislation for domestically produced food, including packaged food (food that is ‘pre-packed for direct sale’<sup>2</sup> (per Natasha’s Law in the UK)), and information provision on menus. This work is also mindful of UK developments from the last few months on provision of allergen information for consumers.

It should be noted that once the Law comes into force, Article 61 enables the retention of existing Orders and regulations made under the Food Safety (Jersey) Law 1966 and the Food Safety (Miscellaneous Provisions) (Jersey) Law 2000 until they are repealed and replaced.

Pursuant to the Law, subordinate legislation will be prepared and consulted on for the following:

- Allergen labelling
- Codes of Practice
- Food hygiene
- Food management
- Food primary production
- Food supplement
- Import and export of food
- Labelling of food
- Licensing of food businesses
- Matters of conscience labelling – vegetarian, vegan, halal, kosher
- Methods of production
- Offering of food to the charitable sector
- Palm oil
- Pest control
- Record keeping
- Registered premises
- Sanitary facilities
- Temperature
- Traceability
- Training
- Water quality

A number of factors to greater or lesser extents have impacted the timeline for producing subordinate legislation, these being:

- Ensuring that any changes in our technical regulations are consistent with UK legislation and ‘Best-practice’ and World Trade Organisation commitments (arising from being parties to the Trade and Cooperation Agreement (TCA) with the EU through the UK).
- Retaining a close watch on:
  - o the UK’s approach to its border model (finalised 29 August 2023);
  - o its retained EU legislation – subject to change under Retained EU Act;
  - o divergence with the EU since Brexit (including update to UK guidance on allergens); and
  - o developments at Codex Alimentarius (International Food Standards) (of particular interest is the use of technology in food information).
- Considering food standards policy in light of the Council of Ministers published priorities.
- Changes to the Council of Ministers in January 2024.
- Until new legislation in this area is ready for consideration by the States Assembly, which is expected in Q4, it is worth noting that most of the packaged food available locally is either imported from the UK or EU, meaning that the Island is provided an elevated level of consumer protection. Mandatory EU labelling requirements, which are substantively unchanged by Brexit, provide for detailed ingredient lists in a legible font size with prominence given to the 14 most serious allergens on labelling<sup>1</sup>. The Food Safety (Labelling) (Jersey) Order 2005 deems such imported products compliant with local legislation, provided they are in a language understood by the intended consumer. Local legislation also legislates against misrepresentation of food, e.g. claiming that a product is suitable for an allergic consumer when it is not.