

UK Consumer Insights – Food Prices and Ultra Processed Foods

In July, the Food Standards Agency (FSA) published the end of year report from its consumer insights tracker, a monthly survey of approximately 2,000 adults that monitors changes in consumers' behaviour and attitudes in relation to food [[Consumer Insights Tracker End of Year Report \(Insights From April 2024 to March 2025\) | Published in FSA Research and Evidence](#)]. The top two reported consumer concerns in the sector remain the same as last year, food prices/affordability and ultra processed foods, which has overtaken concerns such as animal welfare.

Concern about food pricing covered all demographic groups, but for some respondents, concerns over food affordability combined with increasing energy bills have not just led to a move away from branded products to cheaper alternatives, buying discounted goods and less fresh food, but also potentially risky food safety behaviours, such as turning up or switching off refrigerators and freezers, or reducing the cooking time or temperature of foods. While the survey pool is relatively small, labelling products with storage and cooking instructions, may therefore be becoming more relevant in assessing the objective safety of foods.

Processed foods offering an extended shelf life can, of course, offer a solution to some affordability concerns, but perhaps driven by increasing and typically negative media coverage of the topic this was also a topic of high concern, with the most concerned being those in the older age categories, as well as those with average or higher educational attainment. We know that ultra processed foods are also an area of focus for health researchers, policy makers and now also claimant/consumer rights lawyers, but this does call into question how much impact the media is having on consumer concerns and whether the benefits of some processed products are at risk of being overlooked.



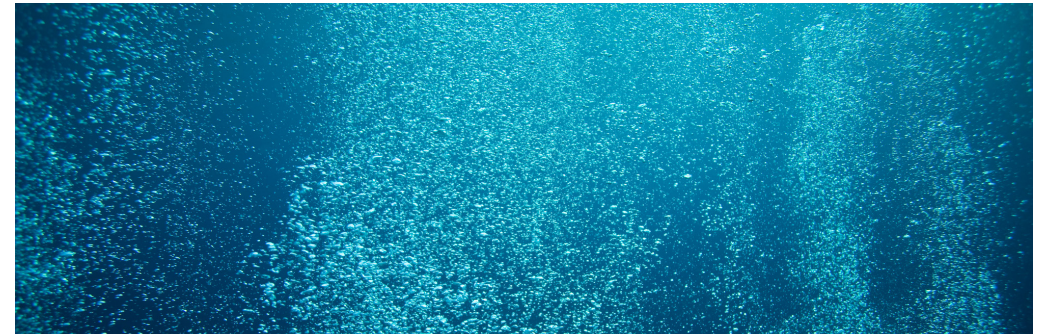
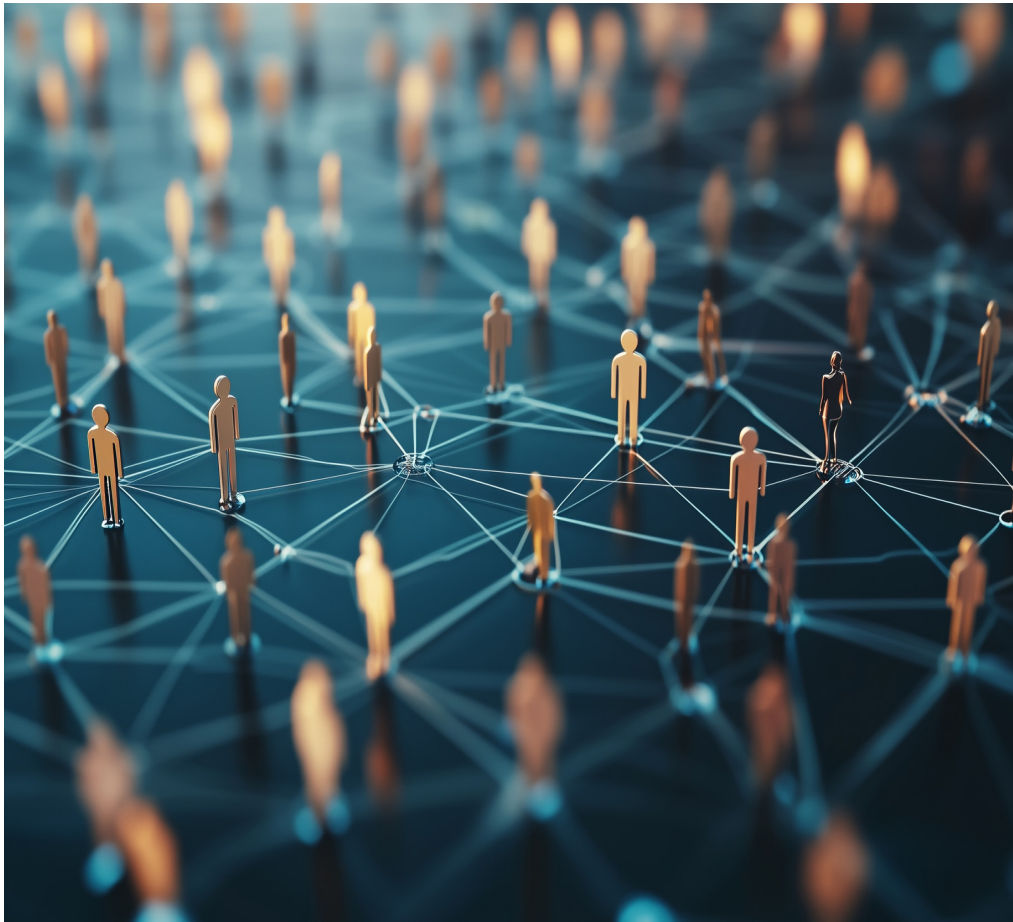
European Commission Publishes Food and Feed Safety Simplification Omnibus

On 16 September 2025, the European Commission published its [Simplification Omnibus for Food and Feed Safety](#), proposing amendments to several pieces of EU legislation. The initiative aims to streamline procedures, enhance clarity and support innovation across the agri-food sector. Along with changes relevant to substances used in manufacturing and agricultural processes (for example, plant protection products, maximum residue levels, feed additives and biocidal products) the proposal suggests amendments to legislation relating to official controls at border posts, and seeks to clarify the status of fermentation products made using genetically modified organisms (GMOs). For further detail please see our [blog post](#). Feedback on the proposal can be submitted until 14 October 2025. We can assist you in preparing your response to ensure your specific interests are clearly articulated and considered by the European Commission, which aims to adopt the new Omnibus Act by the end of the year.



Update on UK Employment Rights Bill

The Employment Rights Bill, which will introduce wide-ranging changes to employment law, has almost completed its parliamentary process. It is expected to gain royal assent sometime from mid-October onwards. The good news for employers is that, as promised, the government will be taking a staggered approach to implementation of many of the provisions in the bill, with some of the key changes, including day one unfair dismissal rights, having been pushed back into 2027. Common commencement dates (6 April and 1 October) will also be used to implement the majority of important changes, which will make things simpler for employers on the planning front. See the government's "[roadmap](#)" for details of the "anticipated" commencement dates for key provisions of the bill. Once the bill has received royal assent we will be running a webinar to discuss the changes ahead, and the steps that employers should be taking now to prepare – further details to follow.



EU Water Strategy Signals Forthcoming Regulatory Shifts for Agrifood Sector

On 4 June, the European Commission published its EU Water Strategy Communication (COM (2025) 280 final), setting out the future direction of EU water policy. While the document does not introduce binding obligations at this stage, it lays the groundwork for legislative and regulatory measures that are expected to significantly reshape compliance requirements for the agrifood and food production sector.

Key elements of the strategy include:

- **Water efficiency and transparency** – Stricter requirements are expected on water use efficiency and disclosure, including the integration of water scarcity indicators and drought management plans into agricultural and processing operations.
- **Pollution reduction** – Stronger obligations are anticipated to reduce nutrient pollution and harmful discharges, with direct implications for fertiliser use, wastewater treatment and effluent management at production sites.
- **Water reuse and recycling** – New mandates and incentives may encourage the adoption of water reuse and recycling technologies to reduce reliance on freshwater resources.
- **Environmental monitoring** – Enhanced monitoring of pollutant levels and runoff impacts is foreseen under reinforced implementation of the Water Framework and Floods Directives.
- **Agricultural incentives** – The Common Agricultural Policy (CAP) is expected to be used more actively to support resilient and innovative water management practices at farm and processing levels.

The commission's strategy highlights the critical role of water in irrigation, processing and supply chain sustainability. Early engagement will be key for agrifood operators to follow the policy process, anticipate new compliance requirements and help shape forthcoming rules.

For more information on the EU strategy, you can read [our alert](#) on the matter.

Food Law UK Enforcement Report – Increase in Complaints and Enforcement

The FSAs September board meeting agenda included the [annual report on local authority performance in enforcing food law](#) for financial year 2024/2025. The report notes several factors, including:

- Increasing pressure on authorities due to a sustained rise in new business registrations (both new businesses and re-registrations due to changes in ownership)
- There has been an increase in resources post-Covid, but the number of enforcement officers remain substantially lower than a decade ago
- The majority of local authorities have implemented the new Food Standards Delivery Model (which takes into account current and historic compliance in determining risk score and inspection frequency)
- There has been a small (0.5%) increase in complaints relating to food hygiene, and a bigger increase (5.6%) in complaints for food standards
- There has also been an increase in the number of enforcement actions, for both food hygiene (5%) and food standards (3%), both significantly higher than pre-pandemic levels
- Sampling has fallen fairly significantly, particularly in England (14% decrease in sampling volumes between 2023/2024 and 2024/2025)

In its conclusion, the FSA notes that they “continue to be concerned” over the “high volume of unrated establishments and how long it could take LAs [local authorities] to get back on track.” It also considers that the deterioration in the level of sampling is another symptom of financial strain on the system; and that local authorities are “still struggling to meet their statutory obligations”, but also recognising that the FSA itself is facing its own resourcing pressures.

We await the outcome of the FSA's assessment of where its resources can have a significant impact on the challenges highlighted in the report, to understand how the UK enforcement landscape might shift in future. In the meantime, food business operators should consider whether their supply chain due diligence is sufficiently robust to ensure the safety and standards of their products, assuming that local authority inspections will identify any concerns, is not realistic in the context of the current enforcement picture.



Publication of UK Regulations Exempting Brand Advertising from Advertising Restrictions on foods High in Fat, Salt or Sugar (HFSS)

We reported in the last edition of [newsBITE](#), that the UK government had delayed, to 5 January 2026, the implementation of the Advertising (Less Healthy Food Definitions and Exemptions) Regulations 2024 (Advertising Regulations), which were due to come into force on 1 October 2025. The delay was to allow the explicit exemption of “pure brand” advertising from the Advertising Regulations.

Since then, in September 2025, following the publication of the [consultation outcome](#) by the Department of Health and Social Care, the new Advertising (Less Healthy Food and Drink) (Brand Advertising Exemption) Regulations 2025 (Brand Advertising Exemption Regulations) have been published, alongside an accompanying [Explanatory Memorandum](#). The Brand Advertising Exemption Regulations will come into force on 31 October 2025, with the intended purpose of ensuring that advertising that does not identify a specific less healthy product, is outside of scope of the restrictions under the Advertising Regulations.

However, food business operators that advertise, or wish to advertise, using a brand name that may be associated with “less healthy” products in scope of the Advertising Regulations, will need to review the detail of the exemption provisions. There are certain adverts that will not be considered as “brand advertisements”, for example: adverts which depict a specific less healthy product (albeit the depiction of a product name could still be classified as brand advertisements in certain circumstances); adverts for brands that are also the name of a “less healthy” food (unless that name has been established/used in the name of a brand of a range of products prior to 16 July 2025); and adverts which include a realistic image of a food or drink which looks indistinguishable from a “less healthy” product (we would envisage that an image of a diet soft drink would be indistinguishable from a soft drink containing sugar, for instance).

The Advertising Standards Agency (ASA) is currently [consulting](#) on the implementation of the “less healthy” advertising restrictions. The consultation closes on 9 October 2025.



Precision Breeding of Plants to be Lawful in UK from 13 November 2025?

We reported back in December 2023, that the FSA was consulting on proposals for a new regulatory framework for precision-bred organisms in food and animal feed, as outlined in the Genetic Technology (Precision Breeding) Act 2023. The legislation provides powers for the removal of precision-bred plants and animals from regulatory requirements applicable to GMOs in Great Britain, but with most of the detail to be set out in regulations.

In May of this year, legislation to allow precision-bred plants for food and feed to be placed on the market in England, under a simplified authorisation procedure, was published. The Genetic Technology (Precision Breeding) Regulations 2025 are due to come into force on 13 November 2025; and provide for a “Tier 1” safety assessment where a “precision bred organism” meets certain conditions (including demonstration of the species having a history of safe food use and demonstration that genetic changes are not introduced that are expected to significantly alter nutritional quality, relevant toxicity, alter allergenicity or introduce additional features that may affect safety). The regulations also provide for a public register containing certain details of authorised precision-bred organisms.

If this legislation does come into force as expected, this would make England the first country in Europe to have “lighter touch” regulation for precision-bred food, but there is currently doubt that the provisions will actually come into effect, because the EU and UK are negotiating a new Sanitary and Phytosanitary (SPS) Agreement with regards to agrifood products (it is possible that a different approach to precision breeding may be unacceptable to EU negotiators).

UK Prosecution for Poultry Fraud

It has been reported, by the [FSA](#) and [trade press](#), that a man pleaded guilty to food fraud (handling stolen goods) in Bolton Crown Court at the end of August. The prosecution was brought by the National Food Crime Unit, who compiled evidence of a series of offences involving the impersonation of legitimate food businesses (which the FSA press release refers to as a “wider distribution fraud”).

At the time of publication of newsBITE, the fine imposed following the defendant’s guilty plea, does not appear to have been published. However, the prosecution is evidence of their stated commitment to investigating and combatting food fraud “in practice”. It is also a reminder to food businesses that there are various types of fraud that could be committed in the supply chain, and which should be considered in any assessment and design of reasonable fraud prevention procedures, particularly in light of the new “Failure to Prevent Fraud” offence (see our [article](#) earlier this year on the government guidance on this topic).



Annulment of Titanium Dioxide Classification Confirmed – But Still Banned as a Food Additive in EU

On 1 August 2025, the Court of Justice of the EU [dismissed](#) the appeals brought by the French Republic and the European Commission, confirming the annulment of the classification of titanium dioxide in powdered form. This classification had previously been overturned by the General Court in November 2022, which found an error in the commission's assessment of the scientific study that served as the basis for the classification. The Court of Justice has concluded that the General Court did not err in law in finding that the Risk Assessment Committee (RAC) had failed to take into account all relevant factors when calculating lung overload. As a result of the annulment of this classification, there is no longer a legal requirement to classify and label certain powder forms of titanium dioxide as suspected carcinogens.

However, this does not affect, and is separate from, the European Commission's earlier decision to withdraw titanium dioxide from the EU list of approved food additives. It has not been permitted as a food additive in the EU since 2022, following a risk assessment by the European Food Safety Authority (EFSA).

Titanium Dioxide currently remains authorised as a food additive in Great Britain, as the prohibition post-dated Brexit.



ECHA Call for Evidence for Substances in Packaging and Packaging Waste

On 17 September 2025, the European Chemicals Agency (ECHA) opened a [call for evidence](#) to gather information on packaging and packaging components falling under the scope of the Packaging and Packaging Waste Regulation (PPWR). More specifically, ECHA is seeking information about substances present in packaging materials, those used during manufacturing and those involved in the treatment and recycling of packaging waste. The deadline for responding is 28 October 2025; and it is intended that the collected information will support the ECHA in preparing a study report to identify substances of concern in packaging and packaging components under the PPWR.

For the food sector, it is particularly interesting to note that the request to ECHA, from the European Commission to prepare the relevant study report, specifically includes within the mandate, an indication on the need, based on per- and polyfluoroalkyl substances (PFAS) present in EU-produced and imported food-contact packaging material, to amend or repeal the provisions in Article 5(5) of the PPWR, to avoid an overlap with restrictions under the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation, legislation on persistent organic pollutants (PoPs) and Food-Contact material regulation.

EU Formally Adopts New EU Rules to Tackle Food Waste

On 26 September 2025, [Directive \(EU\) 2025/1892](#) was published in the EU's Official Journal. It amends the EU's Waste Framework Directive, in order to introduce binding food waste reduction targets to be met by member states by 2030, in particular:

- A 10% reduction in processing and manufacturing waste
- A 30% reduction per capita in waste from retail, restaurants, food services and households

In each case, the reduction should be achieved, as compared to the annual average of food waste between 2021 and 2023.

Food business operators should monitor the transposition of these requirements into national law of the relevant countries where they do business, which will more precisely set out what they need to do to comply. Even if a business is not directly impacted by local implementation, it is likely that affected customer will place associated demands on their supply chain, to help them meet their obligations.

UK FSA Launches Innovative Food Guidance Hub

In late September, the FSA launched an online [hub](#), providing guidance and information on a range of food “categories”, which are considered to be innovative. The examples provided on the site, including cell-cultivated products, precision fermentation, edible insects, CBD and genetic technology. Post-Brexit, of course, the FSA has responsibilities for authorisation of “novel foods” (and other regulated products), so its guidance on the authorisation process and requirements should be invaluable for any business looking for approval for placing regulated products on the market in Great Britain.



Contacts



Hannah Kendrick

Partner, Leeds
T +44 113 284 7620
E hannah.kendrick@squirepb.com



Nicola Smith

Partner, Birmingham
T +44 121 222 3230
E nicola.smith@squirepb.com



Valerio Giovannini

Associate and Public Policy Advisor,
Brussels
T +32 2 627 1108
E valerio.giovannini@squirepb.com



Manon Ombredane

Legal Director, Brussels
T + 32 2 627 1134
E manon.ombredane@squirepb.com



Matthew Lewis

Partner, Leeds
T +44 113 284 7525
E matthew.lewis@squirepb.com



Carlton Daniel

Partner, London
T +44 20 7655 1026
E carlton.daniel@squirepb.com



Hannah Laming

Partner, London
T +44 20 7655 1682
E hannah.laming@squirepb.com



Deborah Polden

Partner, Leeds
T +44 113 284 7227
E deborah.polden@squirepb.com

