

**Regulated Products consultation**

# **Consultation concerning application for authorisation of a novel food: vitamin D<sub>2</sub> mushroom powder (RP1158)**

We would like to make stakeholders aware of an additional consultation on the proposed uses and maximum levels of vitamin D<sub>2</sub> mushroom powder due to an omission in relation to this information within the initial consultation.

Status **Open**

Date launched **23 January 2023**

Closing date **06 February 2023**

## **This consultation will be of most interest to:**

- Food industry trade associations.
- Food business operators in the UK wishing to use the novel food.
- Enforcement Authorities, including Local Authorities, Port Health Authorities and District Councils.

- Consumers and wider stakeholders.

A list of interested parties is included in [Annex A](#).

## Consultation subject and purpose

The FSA and FSS recently consulted on four regulated products (two novel foods, one food additive and one flavouring) that have been submitted for authorisation in Great Britain (GB). However, we have identified an omission and an error in [one version of the consultation pack](#) although this omission and error was not repeated in the [PDF version of the consultation pack](#).

Stakeholder feedback remains crucial to the process of transparent policymaking. Hence, we are making stakeholders aware of this correction.

Important

We welcome any additional comments on the amendment to the consultation document on the novel food application outlined below. Comments should be provided within 2 weeks of the date of this publication and any comments received are subject to our privacy statement on consultations, details of which can be found in our [consultations privacy notice](#). Comments should be emailed to: [RPconsultations@food.gov.uk](mailto:RPconsultations@food.gov.uk) with the subject line 'Regulated products consultation – RP1158'.

Our consultation on four regulated products (two novel foods, one food additive and one flavouring) launched in October 2022 and ran for 8 weeks. This consultation has now closed. Following the consultation, the next step of the authorisation process is for relevant Ministers in England, Scotland and Wales to make decisions on authorisation (with Ministers in Northern Ireland kept informed), taking into account the FSA/FSS scientific opinions, any relevant provisions of retained EU law and any other legitimate factors, including those raised during the consultation process.

However, we have identified an omission and an error in [one version of the consultation pack](#) although this omission and error was not repeated in the [PDF version of the consultation pack](#).

As part of the FSA's commitment to open and transparent policy making, it is important that stakeholders are made aware of this omission and error and are given the chance to comment.

## Revisions to the terms of authorisation

Table 1 of Annex B (RP1158, vitamin D<sub>2</sub> mushroom powder) sets out the proposed uses of the novel food.

When consulted on the authorisation of this novel food, the text in the accessible version of Annex B, Table 1 read:

1. Milk and dairy products – 1.1µg/100ml (marketed as such or reconstituted as instructed by the manufacturer)

The correct text (as given in the consultation pack) is:

2. Milk and dairy powders – 21.3µg/100ml (marketed as such or reconstituted as instructed by the manufacturer)

The text in the accessible version of Annex B, Table 1 also omitted the following specific food category (the [consultation pack](#) did not contain this error):

- Dairy products and analogues as beverages - 1.1 µg/100 ml (marketed as such or reconstituted as instructed by the manufacturer)

## Questions asked in this consultation:

1. Do you have any concerns on the safety of the novel food which have not been considered within the [consultation pack](#) with respect to the intended consumers?
2. Do you have any comments or concerns on the impacts in consideration of authorising or not authorising the individual novel food, and if in favour of authorisation, the terms on which these are authorised (as outlined in the FSA/FSS opinions within the [consultation pack](#))?
3. Are there any other factors that should be considered by Ministers that have not been highlighted?
4. Do you have any other feedback?

The [consultation pack](#) provides the background information and details you will need to know in order to respond.

## How to respond

Comments should be provided within 2 weeks of the date of this publication and any comments received are subject to our [consultations privacy notice](#).

Comments should be emailed to: [RPconsultations@food.gov.uk](mailto:RPconsultations@food.gov.uk) with the subject line 'Regulated products consultation – RP1158'.

Please state in your response whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents) and in which nation you are based.

## Next steps

Any feedback to this revision will be considered, along with the consultation responses, when finalising advice to UK Ministers.

## Publication of response summary

We aim to publish a summary of responses to this consultation within 12 weeks of the consultation closing.

For information on how the FSA handles your personal data, please refer to the [Consultation privacy notice](#).

Responses will be shared with FSS.

## Further information

If you require a more accessible format of this document, please send details to the named contact for responses to this consultation and your request will be considered.

This consultation has been prepared in accordance with [HM Government consultation principles](#).

Thank you on behalf of the Food Standards Agency for participating in this public consultation.

Yours,

Hayley Bland  
Regulated Products Policy Advisor,  
Regulated Services

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# Annex A: List of stakeholders

Key stakeholder trade associations which are represented across all four nations of the UK which have a strong interest in food additives will be contacted directly for feedback on this consultation:

- Breakfast Cereals UK
- British Dietetic Association
- British Nutrition Foundation
- British Fruit Juice Association
- British Retail Consortium
- British Soft Drinks Association
- British Specialist Nutrition Association
- Business Wales
- Baby Milk Action
- Campden BRI
- Cereal Ingredient Manufacturers' Association
- Council for Responsible Nutrition UK
- Dairy UK
- Federation of Bakers
- Federation of Small Businesses (Wales)

- Federation of Small Businesses (Northern Ireland)
- Food & Drink Federation (England)
- FDF Sector Group: Biscuit, Cake, Chocolate and Confectionery
- FDF Sector Group: Food additives
- Food & Drink Federation (Wales)
- Food Additives Industry Association (FAIA)
- Health Food Manufacturers' Association
- Leatherhead Food International
- Northern Ireland Food and Drink Association
- Northern Ireland Retail Consortium
- Provision Trade Federation
- Scientific Advisory Committee on Nutrition
- Snack, Nut and Crisp Manufacturers' Association
- UK Flavour Association
- UK Flour Millers
- Welsh Retail Consortium
- Which?

This is not an exhaustive list.