

Gough Square Chambers: Food Law Column

Ian Thomas and **Stuart Jessop** are specialist food law barristers at Gough Square Chambers and editors of the Food Law Column. Together with contributions from other members of chambers, they provide expert commentary and analysis on topical developments and key issues in the field of food regulation and policy.

In the third, November 2025 column, **Stuart Jessop** considers the potential implications of the new revised Food Law Codes of Practice.



The Updated Food Law Codes of Practice

By **Stuart Jessop**, Gough Square Chambers

The FSA has recently published an update to the Food Law Codes of Practice. It says that the updated Codes:

“are expected to improve consistency in regulatory delivery, support innovation in food safety practice, and maintain consumer confidence.”

Key changes include:

A more flexible, risk-based approach to prioritising initial official controls of new food businesses, allowing the flexibility for local councils to triage businesses when they first register so that those considered to pose the most risk will be dealt with first.

However, It is arguable that this is what local authorities should and often were doing in any case.

Greater use of alternative control methods, including, in some cases, remote assessments allowing local councils more choice to support more efficient use of resource.

This is appearing to be controversial with some practitioners and Environmental Health Officers. It is questionable whether any effective assessments can be made remotely and whether such an approach is just a cheaper poorer quality alternative to physical inspections.

inspections.

Broadening the cohort of professionals who can undertake certain activities to support delivery of official controls in England and Wales to ensure that officer's expertise is dedicated to where it can have the most impact

On the one hand, cost effective proposals aimed at increasing the capability of regulators to deal more efficiently with food incidents and inspections are to be expected and encouraged. However, the fear will be that expertise and therefore standards will be diminished, although the FSA has said the following on its website

“As part of our ongoing work to support local councils in maintaining high food standards, the FSA has also launched a revised competency standard which may be used to ensure that officers undertaking food safety checks are appropriately trained and competent. The standard, read in conjunction with the Food and Feed Law Codes of Practice, helps local councils assess the competency of their staff for the activities they undertake in their roles and is used as part of their ongoing professional development plan.”

It remains to be seen how this new standard will be implemented and whether there will be cost implications for it.

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Stuart is a specialist regulatory and public law barrister. He is well-known for his expertise in consumer law, life sciences and food regulation, safety law, animal welfare, licensing, and environmental law.

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