HOUSE OF LORDS

In Focus

Bread and Flour Regulations (Folic Acid) Bill [HL] (HL Bill 9 of 2016–17)

Key Provisions

The Bread and Flour Regulations (Folic Acid) Bill [HL] is a private member's bill introduced by Lord Rooker (Labour). The Bill received its first reading on 23 May 2016 and is scheduled to receive its second reading on 8 July 2016. The Bill contains two clauses. Clause 1 would amend schedule 1 of the Bread and Flour Regulations 1998 to include folic acid (Vitamin B9) as an "essential ingredient" in flour, with the amount to be added and the conditions of use to be set by the Secretary of State upon advice from the Scientific Advisory Committee on Nutrition. Currently, the Bread and Flour Regulations 1998 lists calcium carbonate, iron, thiamin (Vitamin B1) and nicotinic acid (or nicotinamide) as essential ingredients for flour. Clause 2 of the Bill would provide for the legislation to apply to England and Wales only.

Lord Rooker said the following with respect to the Bill:

> The UK female diet leaves blood folate level below WHO targets. In 1991 the Medical Research Council (MRC) discovered a vitamin deficiency of folic acid (B9) was a cause of neural tube defects (NTD). The defect is that, just after conception, the neural tube (NT) does not close, leading to cases of spina bifida, anencephaly and other serious life-long disability. The closure of NT by 27 days happens before many women realise they are pregnant; therefore, current policy of folic acid supplements is too late after pregnancy is known.
>
> The 1991 research by MRC recommended that flour be fortified with B9. The UK has fortified flour since the Second World War, so the principle is accepted and the industry pays. The policy is now adopted by over 80 countries which have had reduced NTD affected pregnancies by up to 50 percent.[1]

Background

As stated on the NHS Choices website, folic acid (or folate, when in its natural form) is a vitamin in the B-group which can be found in small amounts in a number of foods (such as liver and certain green vegetables) and has some important functions. For example, it "works together with vitamin B12 to form healthy red blood cells [and it] helps to reduce the risk of central nervous system defects, such as spina bifida, in unborn babies".[2] The website states that adults need 0.2mg of folic acid a day, but that:

> [I]f you are pregnant, thinking of trying to have a baby or likely to become pregnant, it is recommended that you take a 0.4mg (400 micrograms) folic acid supplement daily from the time

> you stop using contraception until the 12th week of pregnancy. This is to help prevent birth defects of the central nervous system, such as spina bifida, in your baby.[3]

The NHS Choices website states that people who are not pregnant or planning to become pregnant should get all the folate they need just by maintaining a "varied and balanced" diet. It also warns that taking doses of folic acid higher than 1mg can disguise vitamin B12 deficiency (particularly among older people), which could in turn affect the nervous system.

Over the past few years there have been a number of calls for flour to be fortified with folic acid to reduce the number of births affected by neural tube defects (including spina bifida and anencephaly), with it being argued that recommendations to use supplements doesn't take into account unplanned pregnancies and that there is often poor compliance with this advice.[4] More recently, a study (carried out by researchers from Queen Mary University of London and other UK universities, and Public Health England and Public Health Wales) has estimated that this could have prevented around 2,000 cases of babies born with neural tube defects between 1998 and 2012—a reduction of 21 percent.[5] It was also estimated that the introduction of the policy in the US saw a 23 percent reduction in the number of pregnancies with neural tube defects between 1998 and 2012. Other countries that fortify flour with folic acid include Canada and Australia.

The BBC have reported that the Scientific Advisory Committee on Nutrition and the Royal College of Obstetricians and Gynaecologists is in favour of flour being fortified with folic acid.[6] On 8 February 2016, in response to a written question from Lord Lester of Herne Hill (Liberal Democrat) asking whether the Government supported the fortification of flour with folic acid, Lord Prior of Brampton, Parliamentary Under Secretary of State for NHS Productivity, said:

> We want children to have the best possible start in life and ensuring optimal maternal health is a key part of this. This is why we are considering all aspects of preconception health as a priority, including the uptake of folic acid.[7]

Further Information

- NHS Choices, 'Failure to Fortify Flour with Folic Acid "Led to 2,000 Birth Defects"', 18 December 2015
- Letter from Earl Howe, then Parliamentary Under Secretary of State for Quality, to Lord Rooker regarding the Government's policy on the fortification of flour with folic acid, 30 April 2014
- Debate on 'Health: Birth Defects', HL *Hansard*, 6 November 2013, cols 284–97

[1] This text was provided by Lord Rooker on request from the Library.
[2] NHS Choices, 'Vitamins and Minerals—B Vitamins and Folic Acid', accessed 28 June 2016.
[3] ibid.
[4] See for example: British Medical Association, *BMA Calls for Mandatory Folic Acid Fortification to Reduce the Risk of Neural Tube Defects*, March 2013.
[5] NHS Choices, 'Failure to Fortify Flour with Folic Acid "Led to 2,000 Birth Defects"', 18 December 2015.
[6] BBC News, 'Folic Acid to Fortify Flour "Would Cut Birth Defects"', 18 December 2015.
[7] House of Lords, Written Question: Folic Acid, 8 February 2016, HL5389.