



Subject:	Update Regarding Technical Reports Relating to Food Controls Including Imports
Date:	8th November 2018
Reporting Officer:	Nigel Grimshaw, Strategic Director City & Neighbourhood Services
Contact Officer:	Damian Connolly, Environmental Health Manager, ext 3361

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
	The purpose of this report is to update Members on the recently released technical reports relating to food controls including imports and the potential implications on food businesses and the Council's Food Safety and Port Health Regulatory functions.
2.0	Recommendations
	The Committee is asked to note the update provided.

3.0	Main report
	<p><u>Key Issues</u> To date 13 technical notes relating specifically to areas of the UK’s food industry have been produced by the UK Government. A list of these with links to access them is attached as appendix 1.</p>
<p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p>	<p><u>Current food import controls</u></p> <p>The current regime for the importation of foods into the UK is regulated by EU legislation. Foods can currently freely move between EU countries without any restrictions or checks being required at national borders.</p> <p>For food imports into the EU from countries outside the EU (3rd country imports), currently all high risk foods, including all animal products and other specified high risk foods not of animal origin, must be notified to the EU using the EU’s database the Trade Control and Expert System (TRACES) prior to import. These high risk foods can only enter the UK/EU at approved points of entry, with the necessary facilities and qualified staff to carrying the required checks on foods.</p> <p>Within NI the Council’s Port Health facility is the only approved sea point of entry for high risk foods into the EU. It is approved for the importation of frozen meat, frozen fish, high risk foods, plastic kitchen ware and organic foods with imported foods destined throughout the Island of Ireland.</p> <p>There are many goods originating from 3rd countries which enter the EU through another member state and are then transited towards the UK, these foods currently are checked at the first point of entry into the EU and can then move freely into the UK without the need to be rechecked at the UK border.</p> <p>The majority of 3rd country food imports are however not high risk and whilst they must meet EU standards they can enter at any location, do not have to be pre notified and are not subject to predetermined checks on entry. However, across the EU, food authorities at ports do monitor the low risk foods being imported and carry out sample checks on such foods at points of entry and inland. Non-compliant foods may then be removed from the market and information is shared between member states on an EU data base, the Rapid Alert System for Food and Feed (RASFF) to ensure individual states can take follow up action to protect consumer safety.</p>

	<p data-bbox="272 208 807 241"><u>Potential food import controls post Brexit</u></p> <p data-bbox="165 309 1461 689">3.7 The UK government is hoping to reach a deal with the EU that will minimise the impact on trade, share EU food safety databases and avoid the need for additional regulatory checks. Depending on the specific agreements reached the impact on Port Health and Food Control may range from none to some changes in legal requirements and the checks required. Whilst the UK government anticipates a good deal for the UK and the EU, it is preparing for what it sees as an unlikely scenario of leaving the EU with “no deal”. This paper considers the impact of that worst case scenario from a food regulatory perspective and the impact that might have on council’s food control services.</p> <p data-bbox="165 813 1461 1294">3.8 The UK government has already through The European Union (Withdrawal) Act 2018 provided for all existing EU legislation to be converted on exit into UK law, so maintaining the current high standards of food safety and ensuring on day one the regulatory alignment likely to be required to negate the need for food safety checks as foods move between the UK and the EU. It is therefore envisaged there will be no additional import controls initially required for imports of food into the UK from the EU. This is highly significant, ensuring no additional resource demand on Council Port Health/Food Safety function. The UK would require importers of high risk foods from the EU to pre-notify the Food Standards Agency. In the longer term this situation may change particularly if future changes to EU legislation or UK legislation create differences in safety standards.</p> <p data-bbox="165 1368 1461 1951">3.9 In a no deal scenario it is likely that high risk foods transiting the EU on way to the UK would not be checked at point of entry into the EU by other member states and therefore will need to be checked as they enter the UK. This could increase the number of consignments requiring import control checks at Belfast Port. A snap survey over a month was recently carried out by Port Health staff working with the FSA and showed few high-risk foods transiting the EU and entering the UK via Belfast Port. This is reassuring, however, we have no data on the volumes of high risk imports from 3rd countries transiting the Republic of Ireland and which could post EU exit be sent to Belfast inspection facility for checking. We are currently working with the FSA to see if some data can be captured to estimate potential quantities. Whilst the need for additional checks cannot be ruled out, at this stage, we do not expect a large increase in workload and are confident that our facilities and trained staff have sufficient capacity to carry out the work. Imported food</p>
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checks are carried out on a cost recovery basis so the cost of any additional work should be offset with increased income.

3.10 It is also likely that some trade currently through the port of Belfast destined for ROI will divert to ROI ports to avoid transiting goods into the EU via the land border.

3.11 In the event the UK leaves the EU without a deal in place, the EU will not permit the UK to use TRACES or RASSF systems and so the UK government is currently developing alternative systems for pre-notification of imports and sharing information. It plans to have these systems operational from day one. Council officers will have to be familiar with these new systems and may have to assist businesses in familiarising themselves.

3.12 Implications for UK food producers and exporters

EU exit will also have significant implications for Northern Ireland's food producers/exporters. It is anticipated that in a no deal scenario they may need to meet EU third country import requirements (as outlined above). The council's food control service will if necessary provide information and guidance to food businesses to help them understand changes in requirements.

3.13 It is possible that the EU, including the Republic of Ireland, may require some sort of approval of export producers of high risk foods and potentially require food authorities to certify consignments of foods being exported as meeting EU requirements. This could have a significant impact on some councils who have large numbers of manufacturers regularly exporting high risk foods to the EU, however, few such businesses are located in Belfast and the impact on our service is not expected to be great. We are planning to survey our manufacturing premises to establish export volumes and estimate demand.

3.14 Current food labelling requirements will be particularly affected in a no deal scenario and manufacturers will have to change food labels, for example:

- the use of the term 'EU' in origin will no longer be correct for food or ingredients from the UK;
- EU organics logos would need to be removed from packaging; and
- Currently foods labels must have the name and address of a responsible EU food business, after EU exit products sold in the UK will need to include a UK food businesses details e.g. the UK importer and products being exported to EU will need details of an (non UK) EU food business
- Health marking of products of animal origin will also be affected

3.15	<p>Certain foods/premises also currently undergo specific approvals to be able to be place food on the market across the EU, including meat, fish, egg, cheese and milk products, natural mineral waters, organic products, GM foods etc. In a no deal scenario the EU may require the UK to apply to the EU for the approval of UK establishments to export to the EU. The processing of third country applications takes time and cannot be made until after the UK leaves the EU, therefore this could significantly interrupt trade.</p>
3.16	<p>Furthermore, animal products from approved premises must carry an appropriate health and identification mark which the UK would not be entitled to use in a no-deal scenario and the UK would have to design a new replacement health mark. This will require businesses to run down existing stocks of packaging and labelling bearing the health mark and replace with new.</p>
3.17	<p>Small and medium sized foods businesses do rely heavily on local authority food officers to provide them with information and advice on legal requirements including labelling. We will as necessary work to support all our food businesses to ensure compliance, approve premises and certify exports.</p> <p>It is clear that some additional work may be required in preparation, on exit and in the future. It is impossible at this time to accurately estimate the amount of resources required in the absence of reliable trade data, uncertainty over the type of deal that will be negotiated and the processes that shall be developed by UK government departments as a result. However it is anticipated that EU exit will not have a large impact on required resources and can be delivered within existing departmental budgets.</p> <p>Officers will continue to work with government departments to share information and day one plans. Officers are represented on the UK Port Health Authorities Border Planning Group which will help to influence decisions and share information. This group is made up of representatives from government, FSA, DEFRA and mainland Port Health Authorities to discuss EU exit arrangements.</p>
3.18	<p><u>Financial & Resource Implications</u></p> <p>Some officer time shall be required to prepare for a no deal scenario and potentially to implement additional food safety checks on exit. The extent of additional checks shall depend on what is agreed by the EU and the UK government. It is anticipated that some of the work would be offset by additional income and the work will be adequately resourced within the existing departmental budget allocation.</p>

3.19	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> There are no implications relating to this report
4.0	Appendices
	Appendix 1 – List of technical notices relating to food controls