

EU Exit & the Impact on NI Food Products

28th January 2021

Welcome

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- This event will not be recorded
- Copies of the slides will be available following the event
- Please ask questions throughout the event using the Q&A button
- Some of today's presentations have been pre-recorded however the Q&A session will be live



Peter Simpson
Head of Food Technology Branch
CAFRE



Agenda

10:00 Welcome

Peter Simpson, CAFRE Food Technology Branch Manager

10:10 Importing & Exporting Requirements

Julian Henderson, DAERA Senior Principal Veterinary Officer

10:30 Changes to Product Marketing Standards

Samantha Swann, DAERA Sustainable Agri food policy branch

10:45 Changes to Product Labelling

Kerry Gribbin and Billy Armstrong, FSA NI

11:00 Live Q&A

11:25 Closing Comments

Moving goods - GB to NI and NI to GB from 1 January 2021

Julian Henderson
Senior Principal Veterinary
Officer



THE RULES

HAVE CHANGED

From 01 January 2021

There are three checks in the Sanitary and Phytosanitary (SPS) approval journey on goods from GB to NI

- Documentary Check (GB),
- Identity Check (GB)
- and Physical Check (NI)

What does this mean for goods arriving into NI from GB?

Since 1 January, there have been new requirements for moving goods, including:

1. Registering and **pre-notifying** arrival of a consignment on TRACES NT
2. Have official document from competent authority in GB
3. Making sure the consignment enters via a designated Point of Entry
4. Preparing for potential sanitary and phytosanitary inspections on arrival at Point of Entry inspection facilities (possibility of delays)

Certification required to accompany goods

Official documentation is required before your goods can leave GB:

- EHCs will be required for movements of animal products and live animals.
- Phytosanitary certificates will be required for movements of plants and plant products
- Catch certificates will be required for movement of fish and some fish product
- Official certificates/certificates of conformance will be required for high risk foods and feed not of animal origin
- Special arrangements for retail goods (Authorised traders)

Registering and pre-notifying arrival of consignment

The importer must pre-notify DAERA of the arrival of your consignment

Importers must:

- Register on TRACES.NT;
- Pre-notify 24 hours before arrival of your consignment on TRACES.NT by completing electronic documentation;
- TRACES details & training on EU Exit part of DAERA website

Goods Arriving in Northern Ireland – Routing for Inspection

	Products Of Animal Origin	Plants and Plant Products	Live Animals other than Livestock	Livestock	High Risk Food	High risk feed
Belfast	✓	✓	✓		✓	✓
Larne	✓	✓	✓	✓	✓	✓
Warrenpoint	✓	✓			✓	✓
Foyle	✓ (feed only)	✓				
Belfast International Airport	✓ (non human consumption– packed only)					



Inspections at Points of entry

➤ Documentary checks

- Carried out remotely prior to sailing

➤ Identity checks

- Most of these will be carried out through the checking of an Official Seal carried out in GB ports prior to sailing
- Special arrangements for groupage (being trialed, soon to be announced)

➤ Physical checks

- These are carried out on a risk-based selection of consignments at the Points of Entry

What steps should businesses have already taken?

- Familiarised yourself with certification issued by competent authorities in Great Britain
- Got to know your regulations including goods on the prohibited lists
- Registered on TRACES.NT
- Followed HMRC guidelines and obtained XI EORI number
- Ensured you are registered as an official operator with DAERA (Plant Health)

What have DAERA Portal Inspectors been doing since 1st January?

- Adapting processes in response to widespread unpreparedness for the new rules;
- Detained a selection of consignments for checks based on risk;
- Very few physical checks to date;
- Commenced enforcement activity for serious non-compliance – sending consignments back.

What has DAERA been doing from 1st January to assist trader preparedness?

- Guiding traders through process and providing advice;
- Assisting traders with registration on TRACES.NT;
- Held workshops with industry sectors to listen to their issues and worked with them to find resolutions;
- Responded to trader queries and continually updated information and guidance on our website.

Exporting Food Products of Animal Origin and Animal By Products to GB for later onward export to EU/NI from GB (SHA Online)

- Products of Animal Origin (POAO) exported from GB to the EU or Northern Ireland now requires an Export Health Certificate (EHC)
- Before leaving NI a Support Health Attestation (SHA) or in some cases a Support Attestation (SA) should be obtained for POAO intended for further export from GB to the EU, or return to NI.
- The SHA is not required to enter GB. It enables certifiers in GB to sign EHCs.
- You can obtain a SHA via DAERA's online application process and find advice there.
- Applications should be made at least 2 working days in advance of the date of movement of the product from NI. This is the date of loading of your consignment from premises of dispatch.

To recap:

- **Movement from NI to GB for final export to EU/NI**

Directly via NI port/ ROI port

Indirectly via processor/storage in NI / ROI

Does not apply to:

- **Export from NI direct to EU**

No SPS assurance required

- **Movement from NI to GB for GB internal market**

No SPS assurance required

Changes to Product Marketing Standards

Samantha Swann,
DAERA

Marketing Standards Post Transition Period Requirements

- **EU Marketing standards** rules are set out in the Common Market Organisation (CMO) Regulation (Regulation 1308/2013) and associated regulations. Including:
 - Fruit and vegetables
 - Beef and veal
 - Poultrymeat
 - Eggs in shell
 - Hatching eggs and chicks
 - Hops
 - Olive oil
 - Wine and aromatised wine
 - *Milk and spreadable fats*

Fruit and Vegetables

- Fruit and vegetables moved from GB to NI will need to enter through designated points of entry and meet EU import marketing standards requirements.
- If deemed at risk, must be accompanied by a Certificate of Conformity, issued by a GB inspection body approved by the EU, **or** if deemed at risk will require a DAERA issued Certificate of Conformity.
- A small number of consignments may be subject to product specific marketing standards checks at the point of entry.

Beef and Veal

- Beef and Veal moved from GB to NI will need to enter through designated points of entry and meet EU import marketing standards and labelling requirements.
- Beef and veal from animals aged under 12 months at slaughter must continue to be labelled:
 - age on slaughter: less than 8 months' (or 'V') and Veal
 - age on slaughter: from 8 to less than 12 months (or 'Z') and Beef.
- There will be no change to the marketing standards requirements for:
 - importing beef from the EU to NI
 - exporting beef and veal from NI to the EU
 - Moving beef and veal from NI to GB.

Beef and Veal Labelling

- Beef and Veal must continue to meet the origin labelling requirements of the EU compulsory beef labelling scheme.
- Beef from NI should be labelled as UK(NI)” or “United Kingdom (Northern Ireland)” where EU rules require an indication of a member state. NI beef sold in the GB market may be labelled as UK(NI)” or “United Kingdom (Northern Ireland)” or “UK”.
- Additional guidance on beef and veal labelling requirements will be published on gov.uk and DAERA websites, when available.

Poultry Meat

- Poultry meat moving from GB to NI must enter through a designated point of entry and will also be required to meet EU import marketing standards requirements.
- Products which bear an optional indications method must be accompanied by an optional indications certificate issued by a GB competent authority.
- Indicate that a consignment includes poultry meat bearing optional indications by stating “USES OPTIONAL INDICATIONS” in box 1.18 of the Poultry Export Health Certificate 8269.
- Physical Marketing Standards checks required at point of entry.
- Small sample may be selected for additional technical checks.

Eggs

- Moving eggs directly from farm to the food industry in NI will no longer be possible if the eggs have not been graded.
- Eggs moving from GB to NI must enter through a designated point of entry and will be required to meet EU import marketing standards requirements.
- Class B eggs - In EHC 8293, Box 1.18 (Description of commodity) you should include: “CLASS B”.
- Physical Marketing Standards checks required at point of entry.
- Small sample may be selected for additional technical checks.

Hops

- Hops and hops products moving from GB to NI must comply with EU third country import requirements from 1 January 2021.
- Consignment must be accompanied by an EU Attestation of Equivalence issued by the Rural Payments Agency.
- HMRC will check for AoE at point of entry and:
 - Retain a copy of AoE
 - Send endorsed copy to DAERA
 - Send copy to importer
- 5% inland check at random

Wine

- Wine moving from GB into NI will be required to meet EU import marketing standards requirements, including the requirement of VI-1 certification.
- Competent Authority – Defra
- Enforcement body - FSA
- Additional information on the requirements for moving wine will be published on gov.uk

Organics

- NI will continue to follow EU Rules
- The EU has confirmed control bodies established in NI can continue to certify organic businesses
- NI may send organic goods to GB and goods will not require a Certificate of Inspection (Col)
- Organic products exported from GB to NI will require an EU Col
- Organic products produced in NI must continue to use the EU organic logo
- NI must use the following where the EU Logo is used:
 - EU Agriculture
 - Non EU Agriculture
 - EU/Non EU Agriculture

Geographical Indications (GIs)

- The UK will establish its own GI schemes from 1 January 2021.
- All UK GIs registered under the EU schemes at the end of the transition period will continue to be protected in the UK and the EU.
- GB GI products registered from 1 Jan 2021 must use the UK logo as soon as their product goes on sale as a GI in GB; existing GB GI products must change to the new UK logo from 1 Jan 2024 when their product is on sale in GB.
- For registered NI agri-food GIs it will be:
 - Mandatory to use the EU logo in NI and the EU (except for GI wines and spirits);
 - optional to use the EU logo in GB;
 - Optional to use the UK logo when the product is on sale in GB.
- Additional information on GIs is available on gov.uk [here](#)



Key Points

- For GB-NI
 - Documentary Requirements
 - Poultry meat with option indications
 - Fruit and Vegetables
 - Hops
 - Wine
 - Organics
 - Physical Point of Entry Checks
 - Poultry meat
 - Fruit and Vegetables
 - Eggs

Food Standards Agency

Food Labelling Changes from 1 January 2021

- Food Business Operator Name and Address Requirements
- Country of Origin Labelling Indications
- Identification Marks

Presenter: Kerry Gribbin, Senior Policy Advisor, Food Standards.

Intro:

- Under the Northern Ireland Protocol, food sold in NI will continue to follow EU rules for food labelling.
- The majority of labelling rules apply as they have done previously, and wont require change.
- There will be some changes to labelling that apply since 1st January 2021
- These changes are relevant to NI businesses and also GB business selling food in NI.



Food Business Operator (FBO) name and address

- Pre-packaged food and caseins sold in NI or the EU must be labelled with the NI or EU address for the FBO **or** an address for the NI or EU importer
- The name and address of the FBO **established** in NI will satisfy the requirements for the EU & UK markets
- A GB address will not meet this requirement in NI or EU, however a GB address can be declared on the label in **addition to but not in place of the NI or EU address**
- The name and address identifies the FBO responsible for the food information on the pre-packaged food.

What does Established mean in terms of FBO address requirements?

- To be established, the FBO must have a physical presence in NI or the EU. There is a general expectation that this address would represent the unit of food business which would be taking responsibility for the goods and presence and accuracy of the food information presented on the label.
- This includes the accuracy of mandatory info such as the name, use by, storage instructions, allergen info, nutritional info or any claims



Country of Origin Indications

- Where EU country of origin rules provide for an indication of a Member state, such indications should be in the form “UK(NI)” or “United Kingdom (Northern Ireland)”, where the food is deemed to have originated in Northern Ireland. E.g. Mandatory origin rules for pork, lamb, goat and poultry.
- NI Pork, lamb, goat and poultry, sold in GB, may be labelled as “UK(NI)” or “United Kingdom (Northern Ireland)” or “UK”.
- However, where EU law does not specifically provide for an indication of Member state, or prescribes an origin indication other than Member state, then the use of “UK(NI)” or “United Kingdom (Northern Ireland)” is not required. E.g. Voluntary origin indications or indications of geographical area, EU/non- EU indications, place of provenance or a region within a country.



Country of Origin Indications

- Where stipulated in EU law, food sold in NI or EU27 will use origin terms such as EU or non- EU. E.g “blend of EU and non-EU honey”.
- Nothing in the NIP prevents food from NI using voluntary origin indications as before, so long as they do not mislead the consumer. The requirement to indicate UK(NI) is not relevant for voluntary origin indications.



Proportionate and Risk Based Enforcement

- Labelling changes apply from the 1st January 2021
- The FSA is working with DAERA and District Councils in NI on an enforcement approach, that takes these challenges into account and supports businesses adapting to the new requirements.
- In line with previous rule changes for labelling, there will be a proportionate and risk-based enforcement approach, including for, Food Business Operator (FBO) address requirements and origin labelling requirements.
- Liaison with Enforcement Authorities.



New ID marks for approved establishments in NI

- For POAO produced in Northern Ireland after 1 January 2021, the new identification mark must contain either the full country name 'United Kingdom (Northern Ireland)' or the 'UK(NI)' abbreviation followed by the approval number of the establishment.
- It must also contain the letters 'EC' after the approval number.



ID Marks – period of adjustment

- NI food businesses producing POAO after 31 December 2020 will need to apply the new identification marks

However

- 21-month period of adjustment available for NI and GB food businesses to deplete stocks of 'UK/EC' identification marks on POAO sold on the GB market

ID marks applicable to NI products produced after 31 December 2020 according to destination market

Destination market	Identification Marks applicable
Northern Ireland	<ul style="list-style-type: none">• UK(NI) EC• United Kingdom(Northern Ireland) EC Or <ul style="list-style-type: none">• UK EC (only where a proportionate and risk based approach has been agreed with the enforcement authority)
Great Britain	<ul style="list-style-type: none">• UK(NI) EC• United Kingdom(Northern Ireland) EC Or <ul style="list-style-type: none">• UK EC (for 21 months from 1 Jan 2021 to 30 Sept 2022)
EU 27	<ul style="list-style-type: none">• UK(NI) EC Or <ul style="list-style-type: none">• United Kingdom(Northern Ireland) EC
Non-EU (third countries)	<ul style="list-style-type: none">• UK(NI) EC Or <ul style="list-style-type: none">• United Kingdom(Northern Ireland) EC



Placing on the market

- Article 41 of the Withdrawal Agreement states that
Any good that was lawfully placed on the market in the Union or the United Kingdom before the end of the transition period may be further made available on the market of the Union or of the United Kingdom and circulate between these two markets until it reaches its end-user
- Article 3(8) of Regulation (EC) 178/2002 defines 'placing on the market' as, the holding of food or feed for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution, and other forms of transfer themselves.

Moving products of animal origin from Great Britain to Northern Ireland

- UK food businesses can avail of 'grace periods' for certification under the Defra Authorised Traders Scheme – details can be found at the link below

<https://www.gov.uk/government/collections/guidance-on-importing-and-exporting-live-animals-or-animal-products>

DAERA have published a Compliance Protocol – more details can be found at the links below

<https://www.daera-ni.gov.uk/publications/compliance-protocol-sanitary-phytosanitary-controls-and-point-entry-marketing-standards-checks-gb-ni>

<https://www.daera-ni.gov.uk/publications/guidance-authorised-traders-during-three-month-grace-period>

- A proportionate and risk based approach is advised as regards the use of old UK EC ID marks by 'authorised traders' under the terms of this Scheme and within the requirements of the DAERA Compliance Protocol
- Food businesses not within the scope of the Authorised Traders Scheme and/or the DAERA Compliance Protocol will be required to fully comply with EU rules as regards ID marks



From 1 January 2021, guidance has been updated on these Gov.uk pages

Final Thoughts

Food labelling: giving food information to consumers-

<https://www.gov.uk/guidance/food-labelling-giving-food-information-to-consumers>

Food labelling: country of origin-

<https://www.gov.uk/guidance/food-labelling-country-of-origin>

Food labelling and packaging-

<https://www.gov.uk/food-labelling-and-packaging>

ID marks – for more information see link Food Standards Agency’s guidance on the new health and identification marks-

<https://www.food.gov.uk/business-guidance/guidance-on-health-and-identification-marks-that-apply-from-1-january-2021>



Q&A



**Chaired by Peter
Simpson**



Closing Comments



From Peter Simpson



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