



Alice Teague
29/11/17

Overview

Backdrop

Insight

Priorities

Discussion

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**BACKDROP
TO EU EXIT**

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EU Exit

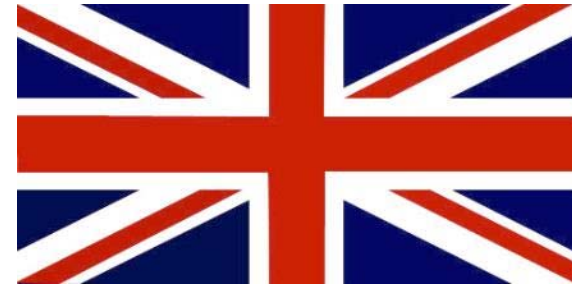
- On 29 March 2017 the UK gave notice, under Article 50 of the Treaty on European Union of its intention to leave the EU.
- Under the terms of Article 50, the UK will cease to be a member of the EU on 30 March 2019.
- The decision by the UK to leave the EU will have **implications for the regulatory regime for food safety in the UK.**

EU Exit



- The UK remains a member of the EU until it has negotiated its exit.
- FBOs will need to comply with all EU food and feed legislation during this time.
- FSA will continue to make all applicable EU legislation until exit.

UK Food Sector



£196bn

3.41m

600,000

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Welsh Food Sector



£19.1bn

240,000

27,575

Legislative framework

- Food heavily reliant on interaction with the EU institutions and other member states.
- Food law largely consists of directly applicable EU legislation
- 95% of food law originates from the EU



Legislative framework

- Several vital food safety functions are exercised at an EU level by EU institutions:
 - Risk assessment carried out by EFSA
 - Risk management decisions are taken by European Commission and Council
 - Key systems for providing rapid warning of food safety threats, sharing information on food crime etc.

Key EU Systems

RASFF

AAC

EFFN

TRACES

Workforce

- The FSA's workforce, and the workforces of the agriculture, food and drink industries, draw heavily on nationals from other EU member states.
- 85% of the FSA's Official Veterinarians come from other member states.



Devolved Administrations

- The current legislative and regulatory framework is harmonised at EU level.
- Most food safety regulation is within the devolved competence of the Devolved Administrations for Scotland, Wales and Northern Ireland.
- Difference in enforcement approaches but content of regulations the same.



Imports

£27bn

29%

56%

Exports

£13.8bn

71%

87%

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**STAKEHOLDER
INSIGHT**

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Consumer Insight

OPPORTUNITIES

Participants wanted to protect the high regulatory standards in the UK, but agreed that a review of the current systems could strengthen helpful regulation and cut out unnecessary demands on businesses*.

POTENTIAL OPPORTUNITIES IDENTIFIED*

- Cut down on bureaucratic/politically motivated regulations
- Boost to local and UK economy
- UK as an 'international leader' in food standards
- New trade agreements
- Creation of new food markets
- Removal of inconsistent EU framework



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Consumer Insight

WHEN PROMPTED WITH FOOD ISSUES SPECIFICALLY, RESPONDENTS WERE MOST LIKELY TO REPORT BEING CONCERNED ABOUT: **

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73%

Affordability of food



71%

Food from outside the UK being safe and hygienic



71%

Food from outside the UK being what it says it is



69%

Animal welfare

Consumer Insight

HOWEVER, IN JULY 2017 WELL OVER HALF OF RESPONDENTS (63%) ANTICIPATED PRICE RISES IN FOOD AS A RESULT OF THE VOTE TO LEAVE THE EU – 18% HIGHER THAN OCT 16. 27% BELIEVED THAT PRICES WILL STAY THE SAME – 13% LOWER THAN OCT 16. **



Stakeholder Roundtables 2016

- Series of roundtables hosted by FSA Chairman:
 - SMEs
 - Industry bodies
 - Local Authorities and Port Health Authorities.
- Understand what stakeholders felt were the opportunities and challenges posed to them by EU Exit.

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Stakeholder Views 2016: Opportunities

- Enhance brand 'Britain'
- Expand primary production export
- Improve speed to market (e.g. novel foods)
- Simplify Port procedures – product testing at airports.
- Improved enforcement



Stakeholder Views 2016: Issues

- Uncertainty
- Labour losses of both seasonal and settled EU migrant workers.
- Two tier regulatory framework.
- Potential delays at borders leading to increased food waste and fraud.
- Import of cheaper food and knock on impact to UK industry.

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**FSA
PRIORITIES**

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FSA Priority

“We are committed to upholding the excellent standards of food safety that UK food businesses trade on and consumers trust.”

Our aims

- To maintain an effective regulatory regime the FSA is planning to:
 - Ensure there is an effective regulatory framework in place
 - Ensure that upon exit there is an effective regulator



Regulatory framework

- Ensure body of food safety law remains in force upon exit.
- Withdrawal Bill framework to convert and amend directly applicable EU regulations.
- Also amend domestic enforcing legislation where needed.

Effective regulator

An effective regulator should have the capacity to:

- Identify potential threats to food safety (**surveillance**)
- Assess the scale of the threat (**risk assessment**)
- Inform others (**risk communication**)
- Decide what action to take (**risk management**)
- Ensure implementation (**enforcement**)
- Assess if interventions are achieving the desired effect
- Amend or reform when regulation or delivery needs to

change

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Regulatory Functions

- Intelligence
- Food crime
- Incidents
- Science

- Risk assessment

- Legal powers
- Policy
- Risk management & appetite
- Risk communication

- Official controls
- Enforcement
- Crisis management

- Corporate performance
- Impact assessments
- Research
- Audits



EU Functions

RISK ASSESSMENT & RISK MANAGEMENT	AUDITS	SYSTEMS
<ul style="list-style-type: none">• Pre-market approvals/authorisations:<ul style="list-style-type: none">• food and feed additives• enzymes• flavourings• GM food and feed• other novel foods• For risk-based standards and controls to make sure that food remains safe	<ul style="list-style-type: none">• Services that provide assurance to trading partners that the UK has a robust legislation and official controls in place:<ul style="list-style-type: none">• audits• fact finding missions	<ul style="list-style-type: none">• Information and intelligence sharing systems• Rapid response to help stop potentially harmful food, from any country, from reaching UK consumers

Effective Regulator

- Surveillance – better use of data to identify potential risks and threats.
- Risk Assessment – an increase in existing scientific capacities.
- Risk communication – independent and timely advice.

Risk Management

- Most food safety risk management decisions currently taken at an EU level.
- FSA does not currently have statutory functions to take these decisions.
- FSA and other government departments are exploring what arrangements needed upon EU exit.



Risk Management

Principles:

1. Effectiveness in protecting public health
2. Maintaining confidence in food safety and the regulatory regime
3. Minimising disruption for consumers and industry
4. Alignment with the principles of the FSA's Regulatory Strategy

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Other Priorities



Priorities

Import Controls

- Planning for scenarios where we do not have access to TRACES and RASFF
- Looking at options to mitigate the risk of importing food from the EU without access to these systems

Resilience and Incident Handling

- In 2016 the FSA investigated 2144 incidents and issued 175 food alerts on products recalled from the UK market.
- Importance of systems for warning of potential food safety threats.

Priorities



£1.17bn

Food Crime

- FSA seeking powers and resources to ensure National Food Crime Unit is fully operational when we leave the EU.
- NFCU will require the capacity to identify, investigate and pursue instances of food crime.

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DISCUSSION

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Feedback from local authorities so far

- EU Exit an opportunity to improve impractical legislation
- Concerns businesses might push for reduction in food safety protections and / or for a dual system for trade.
- Worries around continued access to EU information systems, audits and training
- Concerns around officer imported food training and impact on ports
- Questions about the capacity of public analyst labs
- Possible increase in the number of export certificates
- Recognition for UK EHPs

Discussion

- Are the issues which have emerged so far relevant for your authority?
- Are there any different ones – particularly ones specific to Wales?
- As we move towards a delivery phase, and get closer to March 2019, what are your authorities doing to prepare?
- What can the FSA do to help?

FSA Board Paper EU exit

The full FSA board paper on EU Exit from September 2017 can be downloaded via the following link:

<https://www.food.gov.uk/sites/default/files/fsa170904.pdf>

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DIOLCH

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