

The proposed approach to domestic legislation relating to food and feed safety and hygiene, food compositional standards and food labelling (including nutrition labelling) in Northern Ireland.

Summary of stakeholder responses

30 November 2020

Introduction

This consultation was issued on 16 September 2020 and closed on 14 October 2020.

This consultation was to seek the views of food and animal feed businesses, enforcement authorities, consumer groups, other stakeholders and the wider public as to the proposed approach to technical amendments to Northern Ireland domestic legislation. These amendments, relating to food and feed safety and hygiene, food compositional standards and food labelling, are necessary to reflect the application of the Withdrawal Agreement and the Protocol on Ireland/Northern Ireland to ensure NI food and feed law remains effective at the end of the Transition Period.

Two responses to the consultation were received. Comments focused on various aspects of the application of the Withdrawal Agreement and the Ireland/Northern Ireland Protocol. These were:

- the need to maintain current standards,
- the movement of trade between NI and ROI (and within the UK), and
- the costs associated with new requirements.

The Food Standards Agency's considered responses to stakeholders' comments are given in the last column of the table.

Summary of substantive comments

| Respondent | Comment | Response |
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| Ulster Farmers' Union | New legislation or amendments made to existing legislation must ensure that standards are maintained and that goods can move freely between | Our approach to the proposed Food (Miscellaneous Amendments etc.) (EU Exit) Regulations (Northern Ireland 2020 is |

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| | <p>NI and ROI (and NI and GB) under the NIP. Amendments stated as minor technical fixes that will not equate to a change in policy, must ensure minimal friction by negotiating advanced equivalence mechanisms that allow for the recognition of each other's standards and continued close alignment to keep trade flowing as freely as possible from administrative burdens.</p> <p>Law must prevent the commercial discrimination of NI goods in the market place due to differentiation that arises as a result of the protocol.</p> <p>The ease at which fundamental provisions can be amended at a later date if required to fix technical amendments. Consideration must also be given to the restrictions put in place when fixing technical amendments.</p> | <p>that future arrangements should be at least as effective or more effective in protecting public health. The future arrangements should maintain confidence in food safety and the regulatory regime, minimise disruption for consumers and industry, and seek to achieve as unified a system as possible, in consumers' interests, whilst respecting devolution arrangements. Leaving the EU has not changed our top priority which is to ensure that UK food remains safe and what it says it is. Our high standard of food safety and consumer protection will be maintained.</p> <p>We will continue to review the legislation we have already made and prepare and make further legislation as required, so that we keep pace with EU law and take account of any other necessary legislative preparations required. We are committed to having in place a robust and effective regulatory regime which will mean businesses can continue to run as normal.</p> |
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| Ulster Farmers' Union | Who will be responsible for accreditations that are currently carried out by EFSA. Will FSA have the ability to carry out accreditations with regard to animal feed labelling? Will EFSA accreditation still suffice? | The UK has developed an alternative to some of the functions currently provided by EFSA, building on existing scientific advisory structures. We have increased our inhouse risk assessment capability and recruited additional experts to boost capacity in our independent advisory committees. The FSA will continue to be the competent authority for food and feed safety for England, Wales, and NI after the end of the Transition Period and as the Northern Ireland Protocol is implemented. Northern Ireland will continue to follow EU rules in relation to feed safety under the terms of the Northern Ireland Protocol. |
| Ulster Farmers' Union | Supportive of continuation of EU rules in relation to food and feed safety and hygiene, food compositional standards and food labelling to allow for frictionless trade with the EU. | Under the Northern Ireland Protocol, NI will remain subject to EU food rules and Regulations. |
| British Honey Importers and Packers Association | To place goods in NI after the EU exit those goods will have to comply to the EU Honey Regulation/NI Honey Regulation which will mean that an EU/NI address will be required on the label which means the creation of an extra | Our approach to the proposed Food (Miscellaneous Amendments etc.) (EU Exit) Regulations (Northern Ireland 2020) is that future arrangements should be at least as effective or more effective |

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| | <p>sku.</p> <p>From Jan 1st the Eng/Wales and Scotland will operate to their respective Honey Regulations which differ to that of EU/NI with regard to the labelling of honey blends which represent approx. 80% - 90% of the volume sold and as with the requirement for an EU address will lead to the doubling of sku's.</p> <p>Given the scale of demand in NI versus the rest of the UK it may be that the cost incurred in commissioning new labels and managing production to facilitate small runs does not make commercial sense leading to either a price increase and or a reduction in choice as those lines are removed.</p> <p>As honey is a POAO goods sent to NI will be treated as such requiring Veterinary checks, health certificates, notice to BCP's etc. as well as shipment on heat treated pallets all elements that add cost which again lead to a price increase and or a reduction in choice.</p> <p>Taking the above into account we do believe there will be a significant impact on not alone our sectors but any number of other food products which</p> | <p>in protecting public health, maintain confidence in food safety and the regulatory regime, minimise disruption for consumers and industry, and seek to achieve as unified a system as possible, in consumers' interests, whilst respecting devolution arrangements.</p> <p>Under the Northern Ireland Protocol, NI will remain subject to EU food rules and Regulations. However, the UK Government is introducing a UK Internal Market Bill that will enable citizens and businesses to freely engage in economic activity across the UK after the end of the Transition Period.</p> |
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| | are currently supplied to NI from other parts of the UK. | |
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