

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY SERVICES COMMITTEE

Agenda Item No. 10

meeting date: TUESDAY, 29 OCTOBER 2019  
title: BREXIT PREPARATION AND THE FOOD SAFETY SERVICE  
submitted by: MARSHAL SCOTT- CHIEF EXECUTIVE  
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## 1 PURPOSE

1.1 To inform Members of the preparation being made by the food safety team for the potential exit from the EU.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – To sustain a strong and prosperous Ribble Valley by supporting food businesses and food manufacturers with advice and technical guidance.
- Corporate Priorities – To help make people's lives safer and healthier by striving to ensure that food businesses are safe and compliant for residents.
- Other Considerations – None.

## 2 BACKGROUND

2.1 Leaving the EU with or without a deal will necessitate changes to the legal framework under which the food safety service is delivered. There will also be changes which will affect the labelling of food produced in the EC approved premises in the Borough. A changing market will also mean that export of food to outside of the EU may become more common.

### Brexit Preparation and the Food Safety Service

2.2 Upon the exit from the EU, UK food legislation and enforcement will not be affected as The European Union (Withdrawal) Act 2018 provides that, when we leave the EU, all existing EU legislation will be preserved in UK law so that "as a general rule, the same rules and laws will apply on the day after the UK leaves the EU as before".

2.3 The Act is designed to ensure the UK exits the EU with certainty, continuity and control. It will provide a functioning statute book on the day we leave the EU and maximise certainty for individuals and businesses.

2.4 The powers in the Act will ensure that, whatever the outcome of negotiations, the statute book can continue to function.

2.5 The Act also provides powers to make corrections to retained EU law, so that it operates effectively as UK law. These corrections will be made by way of statutory instruments (SIs), which the FSA and other government departments are preparing.

### Authorised Food Safety Officers

2.6 Upon leaving the EU this Authority's scheme of delegation and officers authorisations will need to be amended without delay to ensure continuity of their powers under food safety legislation (powers of entry etc).

## Food Labelling Changes

- 2.7 The Food Standards Agency (FSA), acting in collaboration with the Department for Environment, Food and Rural Affairs, Welsh Government and the Northern Ireland Department for Agriculture, Environment and Rural Affairs, has issued detailed information on food labelling changes that will be required if the UK leaves the EU without a deal.
- 2.8 It includes details of a 21-month transition period for labelling changes in the UK market, which recognises that industry may otherwise find it difficult and costly to manage the scale of labelling changes required. In some cases these transition periods will be set in statute. However, where statutory transition periods are not possible, enforcement officials are being encouraged to take a pragmatic approach in cases where food labelling is found to be non-compliant.
- 2.9 The information concerns food labelling enforcement in the UK. The UK does not control how food labelling changes will be enforced outside the UK. In a No Deal situation the EU and other non-EU countries may require that food labelling changes are made from Day One.
- 2.10 Food manufacturers who export ( Singleton's Cheeses, Butler's Cheeses, Littletown Dairy and Deli-Solutions have been contacted and made aware of the possible necessary changes to their labelling.

## Export Certificates

- 2.11 It is the government's aim to ensure that there is a drive forward on exports of British produce.
- 2.12 In anticipation of an increase in exports of food to non EU countries, revised guidance has been issued to ensure efficient export certification for food and drink.
- 2.13 Each of the Council's four food safety officers have been individually authorised by the secretary of state for DEFRA (Department of Environment Farming and Rural Affairs), as Certifying Officer non-veterinary (CONv). This will authorise them to sign Export Health Certificates for exports of certain foods to non-EU countries (not products of animal origin).
- 2.14 Each officer has been issued their own individual official stamp by the Animal and Plant Health Agency to authenticate the export certificates.
- 2.15 Guidance notes have been provided, and there will be an expectation that officers will need additional training to retain their CONv status.
- 2.16 It is not expected that this will generate any additional work. However, this Department is prepared in the event of a request for certification.
- 2.17 Local Authorities can charge for this service and it may be that committee will be asked in future to approve the recovery of expenses from businesses wanting to use our export certification services.

## 3 ISSUES

- 3.1 No issues identified

## 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – Officer time will need to be spent preparing for exit from the EU to ensure continuity of the service and to help assist businesses in their preparedness.
- Technical, Environmental and Legal – Changes to the legal framework should be mirrored in the authorities scheme of delegation and officers authorisations without delay.
- Political – There are no immediate implications.
- Reputation – There are no immediate implications.
- Equality & Diversity – There are no immediate implications.

## 5 CONCLUSION

5.1 That Committee acknowledge the need for the food safety service to prepare for exit from the EU.

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REF: ECR/CMS/Community/29 Oct 19