



Food Standards

The EU Exit transition period ended on 31 December 2020.

In reality, the direct impact on food standards work isn't huge yet, but it is something that we will have to keep an eye on. The last-minute nature of the agreement has meant that we're now seeing reports of business struggling with the impact of tariffs, additional checks and paperwork.

The Northern Ireland Protocol is in place and will be reviewed in 2025 by the NI assembly.

The withdrawal agreement gave a chance for the UK Government to lift and shift EU legislation into GB law. For instance, with the food information for consumers regulations, the reference is still 11692011 but that is now a piece of GB legislation.

The swathes of EU legislation are now effectively GB law. This means it can now be amended by GB law and where we might see issues arising.

You will need to refer to what was EU legislation for the nitty gritty requirements & enforcement and penalty requirements, plus any additional part of it will be in GB legislation.

The legislation is all on the Gov.uk website but they haven't yet consolidated with EU legislation.

Novel food regulations process - [Link here](#)

If a food or ingredient is novel to a market it will need to go through an approval process. What the Government have done is mirror the EU process.

Protected description process - [link here](#)

Foods of a certain composition that have gone through a process/ something they were produced that were unique enough to have some form of special protection.

NHCR claims process - [link here](#)

There is an approval process for new claims because we can't use the EU process, the Government has now put in a mirror process of this. It's taken EU law and moved it across into our legislation.

Organic foods allowance in EU - [link here](#)

The organic foods allowance is until the end of 2023. In the cooperation agreement specifically referred to in one of the annexes, it gives a derogation to organic foods produced in GB to continue to be marketed in the EU until 2023.





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NHCR list of post transition legislation - [link here](#)

The list is there as a reference point, if you know the legislation exists then it isn't too bad but if you are coming into it fresh this list should help you find the relevant reference.

On hold claims - [link here](#)

No timing yet, timing may fit in with Defra food labelling review. Essentially on hold claims relate to prebiotics, probiotics and botanical. On hold claims can be used subject to conditions in the guidance.

Name and address of FBO

Note allowance in GB until 30.9.22 that can be an EU FBO name and address.

The address needs to be a physical address where your business can be contacted by mail. You cannot use an email address/phone number.

For companies based in either GB/EU, one of the current issues is that we don't know from an EU point of view on the name and address. If your talking to a business saying our main export market is Germany, the best advice is to speak to their representative in Germany and ask them to speak to the relevant regulatory agency to get an opinion on what is acceptable as an address.

Devolution issues/internal market/ common framework situation

Having left one internal market, we now effectively have another internal market because of devolution. We've lost the overarching EU framework of legislation, because food standards is a devolved issue.

Obesity strategy

(Has been refreshed and is still being formed)

Front of pack labelling consultation - this happened last year, they're still looking at responses and different front of pack ways of presenting nutrition information from around the world. Basically asking what will enable consumers to make better food choices? Department of health are still looking into this and will be coming out with recommendations in the next few months.

Food HFSS high in fat salt sugar promotion and selling restrictions – consultation ends 22 Feb 2022.

Urge you to look at this as we will be asked to enforce this.

Food HFSS aim is to have legislation in by April 2022. The question around what is a food high is HFSS – the legislation is referring to the Nutrient profile OFCOM model.