



HM Government

**Guidance for Local Authorities:** Preparing for changes at the border if the UK leaves the EU without a deal

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## Port health officers

### General approach to EU imports

After the UK leaves the EU, it will still be possible to import animals, animal products, food and feed whether from the EU or elsewhere.

The approach to the control of high-risk food and feed will be risk-based.

We judge there to be no change to risk day 1 from exit per se, and on that basis:

- there will be no routine need for additional checks on high risk food and feed originating in the EU; and
- they can continue to arrive where they currently arrive (i.e. they do not have to enter UK via a Border Inspection Post / designed point of entry).

Go to GOV.UK for additional guidance: <https://www.gov.uk/guidance/importing-animals-animal-products-and-high-risk-food-and-feed-not-of-animal-origin-after-eu-exit>

### Transits of high-risk food and feed

In some local authorities, official controls on high-risk feed is the responsibility of trading standards teams. In others, that responsibility sits with the Port Health Authority.

Defra and the FSA have confirmed that the approach to the control of high-risk food and feed will be risk-based.

#### Imports originating from the EU:

For imports originating in the EU there is no additional risk. On that basis, there will be no routine need for additional checks on high-risk food and feed originating in the EU.

They can continue to arrive where they currently arrive (i.e. they do not have to enter the UK via a Border Inspection Post or Designated Point of Entry).

#### Imports originating outside the EU but arriving in the UK via the EU:

High-risk food and feed originating outside the EU and travelling to the UK via the EU is currently checked by the EU Member State at the point of entry.

If the UK leaves the EU without a deal those checks will no longer be carried out on these 'transit' consignments destined for the UK. They will therefore have to arrive at a UK port with the appropriate inspection facilities, i.e. a port that has a Border Inspection Post or a Designated Point of Entry, so that UK authorities can conduct the necessary checks.

For products of animal origin this will be 100% documentary and identify checks, and a specific frequency of physical checks depending upon the commodity.

For specific food and feed not of animal origin, this will be 100% documentary checks and a specific frequency of identity and physical checks depending upon the commodity, associated hazard and the country of origin.

Go to GOV.UK for additional guidance: <https://www.gov.uk/guidance/importing-animals-animal-products-and-high-risk-food-and-feed-not-of-animal-origin-after-eu-exit>

## Checks on fish catch certificates

The UK will require imports of fish from the EU to be accompanied by catch certificates and supporting documents validated by the country of export. These will vary as they are produced by the exporting country.

These will be subject to checking:

- by the Marine Management Organisation and Marine Scotland for direct landings
- by the Port Health Authority in the case of containerised fish.

These are documentary checks and they will be done away from the border.

Go to GOV.UK for additional guidance: <https://www.gov.uk/guidance/exporting-and-importing-fish-if-theres-no-brexit-deal>

## Import of Products, Animals, Food and Feed System

Under no deal, the UK will lose access to the import control module of TRACES, the EU system that supports the pre-notification and tracking of various agri-foods.

To ensure imports of live animals, products of animal origin, animal by-products, germplasm and high-risk food and feed not of animal origin can continue after exit, the UK is launching a new system called the 'Import of products, animals, food and feed system' (IPAFFS).

More information about the implementation of IPAFFS is available on GOV.UK: <https://www.gov.uk/guidance/import-of-products-animals-food-and-feed-system-ipaffs-guidance>

For additional guidance on IPAFFS:

<https://www.gov.uk/guidance/the-food-and-drink-sector-and-preparing-for-eu-exit>

<https://www.gov.uk/guidance/the-farming-sector-and-preparing-for-eu-exit>

## Trading standards teams (at ports)

### Transits of high-risk food and feed

In some local authorities, official controls on high-risk feed is the responsibility of trading standards teams. In others, that responsibility sits with the Port Health Authority.

Defra and the FSA have confirmed that the approach to the control of high-risk food and feed will be risk-based.

#### Imports originating from the EU:

For imports originating in the EU there is no additional risk. On that basis, there will be no routine need for additional checks on high-risk food and feed originating in the EU.

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For specific high-risk food and feed not of animal origin, this will be 100% documentary checks and a specific frequency of identity and physical checks depending upon the commodity, associated hazard and the country of origin.

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## Trading standards teams (all local authorities)

### Transits of non-food consumer goods

Policy on trading standards for non-food consumer goods lies with the Office for Product Safety and Standards (OPSS) in the Department for Business Energy and Industrial Strategy (BEIS).<sup>1</sup> BEIS/OPSS have confirmed that:

- After exiting the EU, checking will continue to be risk-based. In a no deal scenario, the UK legislation on product safety will be aligned with that of the EU. For that reason, we are not anticipating an immediate increase in the number of unsafe/non-compliant goods entering the UK from the EU, meaning no need for additional checks at the border by authorities in charge of external border controls.<sup>2</sup> Effective market surveillance of consumer goods can continue to take place inland. Border authorities and market surveillance authorities should continue to cooperate as set out in the Regulation for Accreditation and Market Surveillance.
- If the UK leaves the EU without a deal, legislation will come into effect from day 1 which will ensure the product safety and metrology legal frameworks remain operable.<sup>3</sup> The key principle behind this is to ensure that product safety, metrology and consumer protections are maintained.

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<sup>1</sup> In Northern Ireland product safety work is undertaken by Environmental Health Officers.

<sup>2</sup> Such as UK Border Force and HMRC.

<sup>3</sup> [The Product Safety and Metrology ect. \(Amendments etc.\) \(EU Exit\) Regulations 2019.](#)

## Officers in all local authorities

### Export health certificates

If the UK leaves the EU without a deal, the UK will be treated as a third country and our exports of animals and animal products to the EU will need to be accompanied by Export Health Certificates (EHCs).

Those EHCs will be requested from APHA or DAERA by the exporter but they will need to be signed by Official Veterinarians and, for fish and fish products and composite products of animal origin (POAO) only, officials in local authorities.

Defra anticipates there could be at least a tripling in the number of EHCs required, so local authorities with enforcement responsibilities in establishments wishing to export fish and fish products or composite products to the EU will need to be aware of the requirements and the process.

Whilst local authorities do not have a statutory obligation to provide this export health certification, they are well placed to support local businesses and may elect to expand their service as mitigation against the impact of EU exit. Local authorities can charge on a full cost recovery basis for providing export certification services.

Go to GOV.UK for further guidance: <https://www.gov.uk/guidance/exporting-animals-animal-products-fish-and-fishery-products-to-the-eu-after-eu-exit#ehc>

### Construction Products Regulation

The government has recently published guidance on how the requirements under the Construction Products Regulation (CPR) would apply in the UK in the event that the UK leaves the European Union in a 'no deal' scenario.

The CPR regime is enforced by trading standards in the UK at present, and this will continue to be the case once the UK leaves the EU. But some aspects of this would be different.

Go to GOV.UK for further guidance: <https://www.gov.uk/guidance/construction-products-regulation-if-there-is-no-brexit-deal>

## Further guidance

Go to GOV.UK for further guidance:

- Guidance on importing and exporting live animals or animal products: <https://www.gov.uk/government/collections/guidance-on-importing-and-exporting-live-animals-or-animal-products>
- Importing animals, animal products and high risk food and feed not of animal origin after EU Exit: <https://www.gov.uk/guidance/importing-animals-animal-products-and-high-risk-food-and-feed-not-of-animal-origin-after-eu-exit>
- Exporting animals, animal products, fish and fishery products to the EU after EU Exit: <https://www.gov.uk/guidance/exporting-animals-animal-products-fish-and-fishery-products-to-the-eu-after-eu-exit#ehc>

- Construction Products Regulation: <https://www.gov.uk/guidance/construction-products-regulation-if-there-is-no-brexit-deal>
- The food and drink sector and preparing for EU Exit: <https://www.gov.uk/guidance/the-food-and-drink-sector-and-preparing-for-eu-exit>
- The farming sector and preparing for EU Exit: <https://www.gov.uk/guidance/the-farming-sector-and-preparing-for-eu-exit>