




Brexit – 31st October?



What's happening?



What's going to happen?

A person in a light blue shirt is standing at a podium, speaking into a microphone. Their right hand is resting on the podium. In the background, a diverse group of people is seated and clapping, suggesting a positive reception or a successful presentation. The setting appears to be a professional event or conference.

A general election
is going to happen!

What has been happening in Westminster?



The background of the slide is a close-up, slightly blurred image of the European Union flag, showing the blue field with yellow stars.

What has been happening in Brussels?

Boris Johnson visit to Germany and France

The outcome was Mr Johnson advised to negotiate with his Government for 30 days and there was no backstop breakthrough

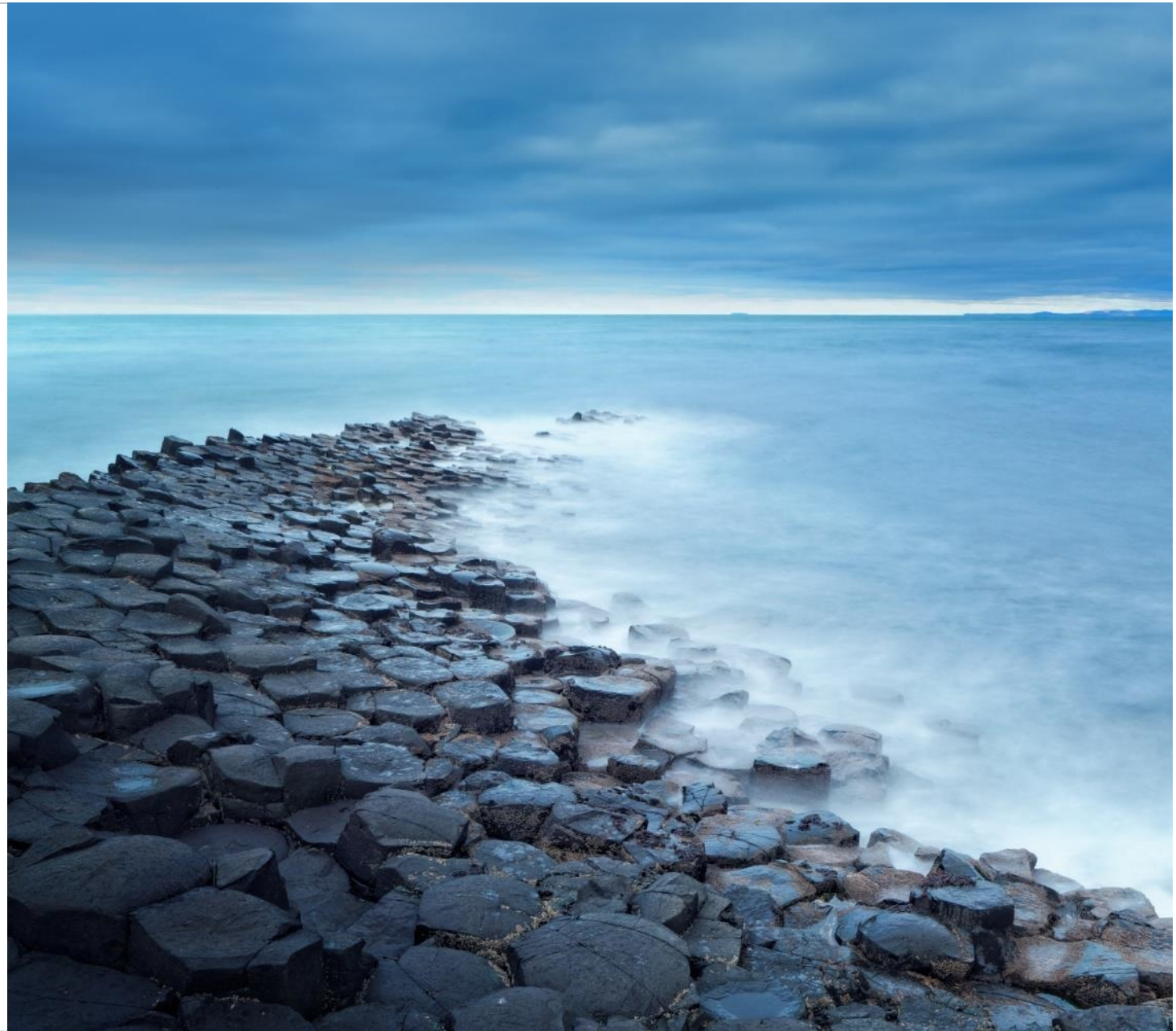
- Behind Merkel's words nothing has changed [Sky News 23 August 2019](#)
- Emmanuel Macron now wants to force Britain out of the EU – and fast [Independent 23 August 2019](#)
- Mark Steel Comment: [Independent 22 August 2019](#)



The backstop

The backstop is a guarantee that regardless of what happens in the negotiations between the EU and UK on their future relationship, the open border between Ireland and Northern Ireland will be maintained, and the Good Friday Agreement respected.

The protocol on Ireland/Northern Ireland (and its 10 annexes) runs to more than 170 pages, forming around a third of the Withdrawal Agreement



UK Legislation that may need amending

European Union (Withdrawal) Act 2018 [Section 10](#)

10 Continuation of North-South co-operation and the prevention of new border arrangements

1. In exercising any of the powers under this Act, a Minister of the Crown or devolved authority must
 - a) act in a way that is compatible with the terms of the Northern Ireland Act 1998, and
 - b) have due regard to the joint report from the negotiators of the EU and the United Kingdom Government on progress during phase 1 of negotiations under Article 50 of the Treaty on European Union.
2. **Nothing in section 8, 9 or 23(1) or (6) of this Act authorises regulations which**
 - a) diminish any form of North-South cooperation provided for by the Belfast Agreement (as defined by section 98 of the Northern Ireland Act 1998), or
 - b) **create or facilitate border arrangements between Northern Ireland and the Republic of Ireland after exit day which feature physical infrastructure**, including border posts, or checks and controls, that did not exist before exit day and are not in accordance with an agreement between the United Kingdom and the EU.

UK Legislation in place and waiting

[Legislation.gov.uk](https://legislation.gov.uk) already has on its database the majority if not all of the legislation that needs to be in place following Brexit. Importing the relevant EU Legislation into the UK statute book.

All modifications up to Brexit will be included, at which point they will be frozen and only UK changes incorporated.

For example:

- Regulation (EU) No [1169/2011](#)

European Legislation in legislation.gov.uk

The screenshot shows the legislation.gov.uk website. The URL in the browser is www.legislation.gov.uk/eur/2011/1169/contents. The page header includes the Royal Coat of Arms and the text 'legislation.gov.uk'. To the right, it says 'delivered by' followed by 'THE NATIONAL ARCHIVES' and 'Cymraeg'. The main navigation bar has links for Home, Understanding Legislation, EU Legislation and UK Law, Browse Legislation, Changes To Legislation, and Search Legislation. Below this is a search bar with fields for Title, Year, Number, and Type (set to 'All Legislation (excluding draft)'), and a 'Search' button. An 'Advanced Search' link is also present. The main content area displays 'Regulation (EU) No 1169/2011 of the European Parliament and of the Council' with a 'Show full title' link. Below this, it says 'Regulations originating from the EU' and '2011 No. 1169' with a 'Table of contents' link. A 'Table of Contents' tab is active, showing 'Content' and 'More Resources'. On the left, there are sections for 'What Version' (with 'Latest available (Revised)' selected), 'Opening Options', 'More Resources', and 'This is a Regulation originating from the EU'. A red box highlights 'Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1169/2011 of the European Parliament and of the Council. Those changes will be listed when you open the content using the Table of Contents below. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.' A 'Collapse all -' button is also visible. The main text area shows 'Introductory Text' and 'CHAPTER I GENERAL PROVISIONS'.

Article 26 Regulation (EU) No 1169/2011

Regulation (EU) No 1169/2011 of the European Parliament and of the Council [Show full title](#)

Regulations originating from the EU ▶ 2011 No. 1169 ▶ CHAPTER IV ▶ SECTION 2 ▶ Article 26

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Advanced Features [?](#)
☐ Show Geographical Extent
(e.g. England, Wales, Scotland and Northern Ireland)
☒ **Show Timeline of Changes**

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This is a Regulation originating from the EU [?](#)
[See the EU version of this legislation on EUR-Lex](#)
[See an archived version from EUR-Lex in the web archive](#)

Changes over time for: Article 26 [?](#)

A horizontal timeline bar with a blue dot at 25/10/2011 and a grey dot at 31/10/2019 labeled 'EU exit day'.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1169/2011 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. [View outstanding changes](#) [?](#)

Article 26

Country of origin or place of provenance

1. This Article shall apply without prejudice to labelling requirements provided for in specific Union provisions, in particular Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialties guaranteed⁽¹⁾ and Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽²⁾.
2. Indication of the country of origin or place of provenance shall be mandatory:
 - (a) where failure to indicate this might mislead the consumer as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance;
 - (b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to the adoption of implementing acts referred to in paragraph 8.
3. Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary

Changes to be made

Regulation (EU) No 1169/2011 of the European Parliament and of the Council [Show full title](#)

Regulations originating from the EU ▶ 2011 No. 1169 ▶ CHAPTER IV ▶ SECTION 2 ▶ Article 26

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Changes over time for: Article 26 ?

A horizontal timeline bar with a blue dot at 25/10/2011 and a grey dot at EU exit day 31/10/2019.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1169/2011 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. ? [Close](#) ▲
[Changes and effects yet to be applied to Article 26:](#) [More](#) ▼
[Changes and effects yet to be applied to the whole legislation item and associated provisions](#) [More](#) ▼

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2. Indication of the country of origin or place of provenance shall be mandatory:

”Britain has no leverage, Britain is desperate... it needs an agreement very soon. When you have a desperate partner, that's when you strike the hardest bargain.”

Former US treasury secretary, Larry Summers

From *'Brexit: No 10 insists EU must 'change stance'*
BBC Radio 4 Today programme 06/08/2019



US lobbying

National Grain and Feed Association and North American Export Grain Association

- Inclusion of steps to reduce the likelihood of trade disruptions involving products of agricultural biotechnology and other seed-breeding innovations.
- Establishment of a rapid response mechanism (RRM) to facilitate trade during adverse import checks.
- Enhanced technical consultations for SPS disputes
- Regulatory coherence
- Promoting science-based standards, risk management and risk assessments.
- Adopting US standards for Biotechnology and New Plant Breeding Innovations.
- Adopting US sustainability standards.
- Removal of Tariff and quota barriers.

US lobbying

US Meat Exporters Federation

Through the U.S.-UK Trade Agreement negotiations, tariffs and quotas on red meat should be eliminated and the UK should adopt science-based production and import requirements.

The EU's ban on growth promotants (hormones and beta agonists) and the requirement for third countries to comply, continues to be non-compliant with the WTO SPS agreement, as well as inconsistent with international standard-setting bodies like Codex Alimentarius. USMEF sees an opportunity for a U.S.-UK Trade Agreement to remove these WTO non-compliant requirements for third country exporters.

The EU does not allow most pathogen reduction treatments (PRTs) eligible for use in the U.S. under FSIS Directive 7120.1 to be used on product destined for export to the EU. Lack of PRT approvals and vague non-comminglement requirements deter interested packers from becoming eligible and will continue to limit the list of eligible packers to the UK unless separate export requirements are negotiated between the U.S. and UK.

US lobbying

[National Milk Producers Federation and the U.S. Dairy Export Council](#)

Remove currently imposed EU policy restrictions on the use of common cheese names in UK market through the misuse of geographical indications while also ensuring that a UK Geographical Indication (GI) system undertakes significant systemic changes from the present EU system in order for it to operate in a more equitable and WTO-compliant manner.

The main objective in a U.S.-UK Trade Agreement should be a truly mutual and comprehensive recognition of our dairy safety systems.

Over a period of time the removal of all tariff barriers.

An early UK response

In his first speech in parliament as Prime Minister Boris Johnson stated:

“Let’s liberate the UK’s extraordinary bioscience sector from anti-GM rules. Let’s develop the blight-resistant crops that will feed the world”



Problems with border control

The port of Dover

- In 2017 Dover handled 2.6 million lorries – approx. 7123 lorries per day
- If each lorry spends only a minute dealing with paperwork/border control issues that is another 119 hours to deal with the same number of lorries
- That's just less than five days!
- A recent quote from the Government stated that up to 50% of lorries would still face delays three months after Brexit (Operation Yellowhammer)



Thanks for listening!

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Questions

leatherhead food research

innovate | access new markets | realise global opportunities