



# What does Brexit mean to the Food and Beverage industry?



# Welcome and introduction

Webinar host  
Erica Sheward VP Business Development

Deal

Compromise

The Spelman Amendment

Meaningful vote

Regulations

Article 50

WTO

GATT

No deal

Standards

The Malthouse

Withdrawal agreement

Backstop

Managed no deal

Free trade





## Is planning still possible?

- Borders - imports and exports
- Transportation
- Tariffs
- Packaging and labelling of goods
- Citizens
- Commercial contracts
- Data protection

## Webinar overview

With negotiations ongoing, debate and opinion as seemingly divided as ever, and uncertainty on the real impact of Brexit, we'll be sharing our expert insight and providing a clear and concise overview of timelines, outlining the potential impacts for legislation and regulation, and guiding you on what you need to consider now.

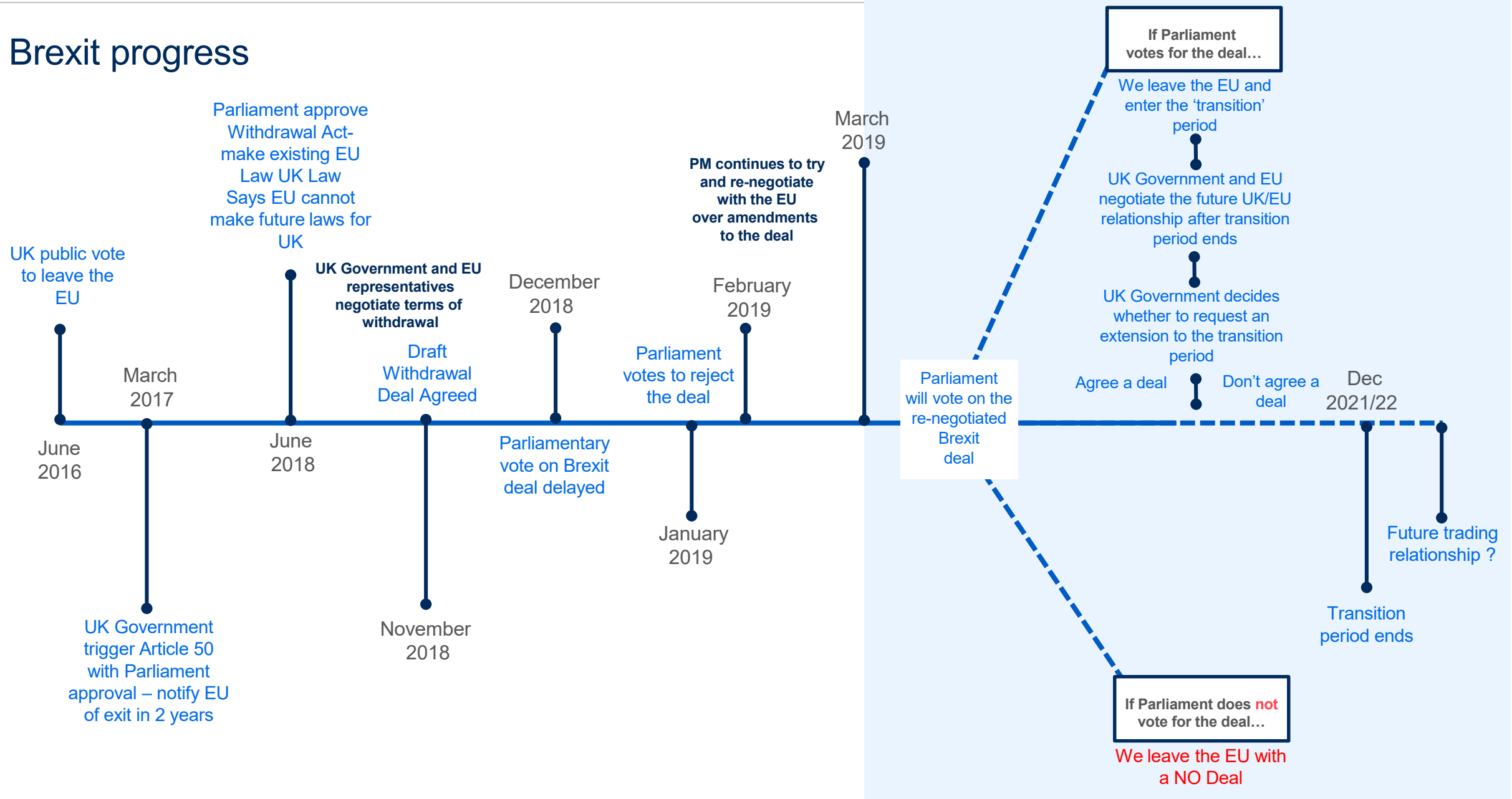
In the webinar we will cover:

- The headline update regarding Brexit progress and possible outcomes
- Regulation and standards and the free trade juxtaposition
- The inter-relationships between regulatory policy and regulatory delivery in a post-Brexit world
- How this could impact food and beverage businesses of all types
- The position and influence of industry lobby groups
- Leatherhead Brexit support package

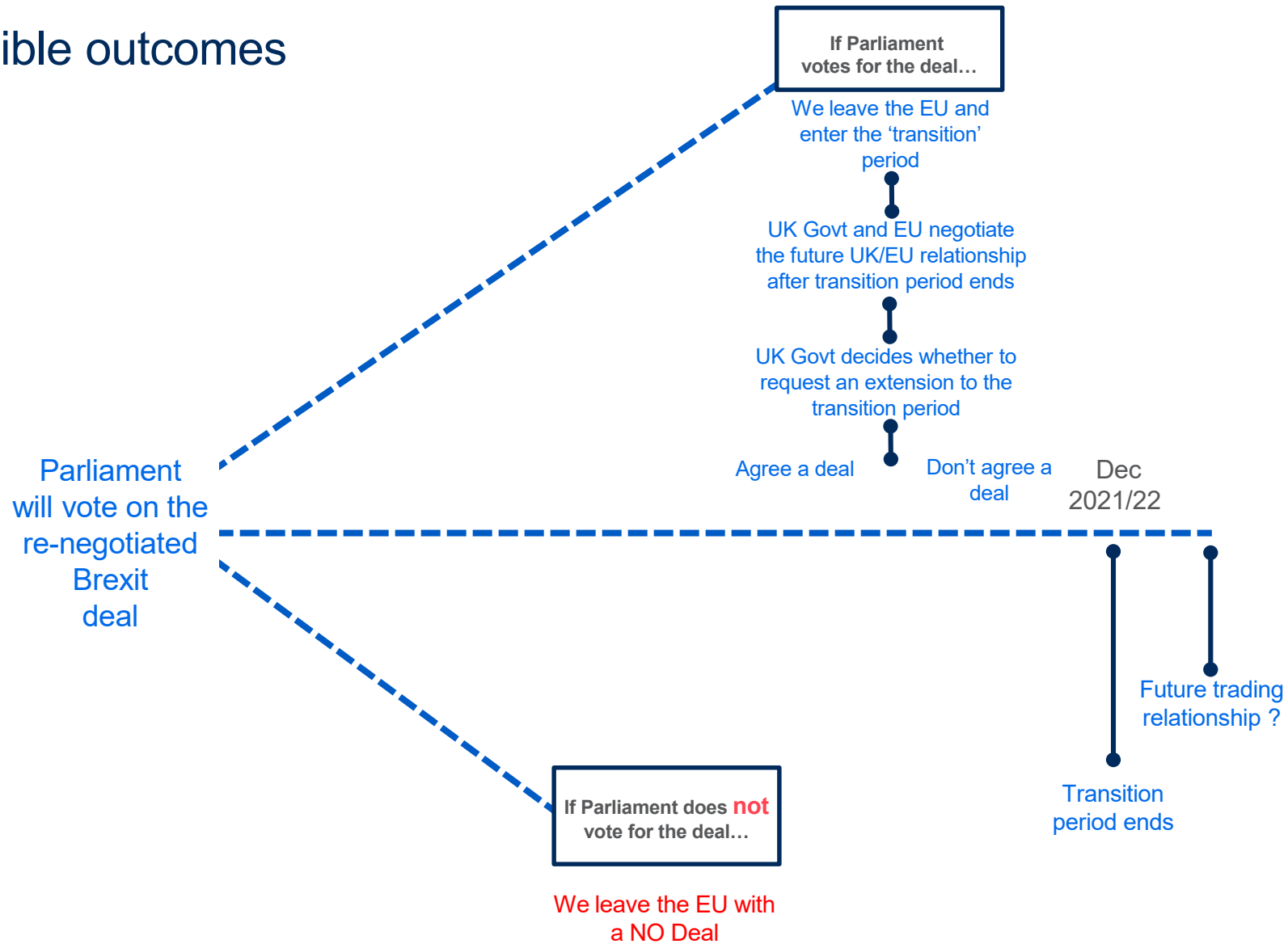
We'll also share our expert insight into some of the specific implications you should be considering right now including: labelling, claims, export to the EU and organic.



# Brexit progress



# Possible outcomes



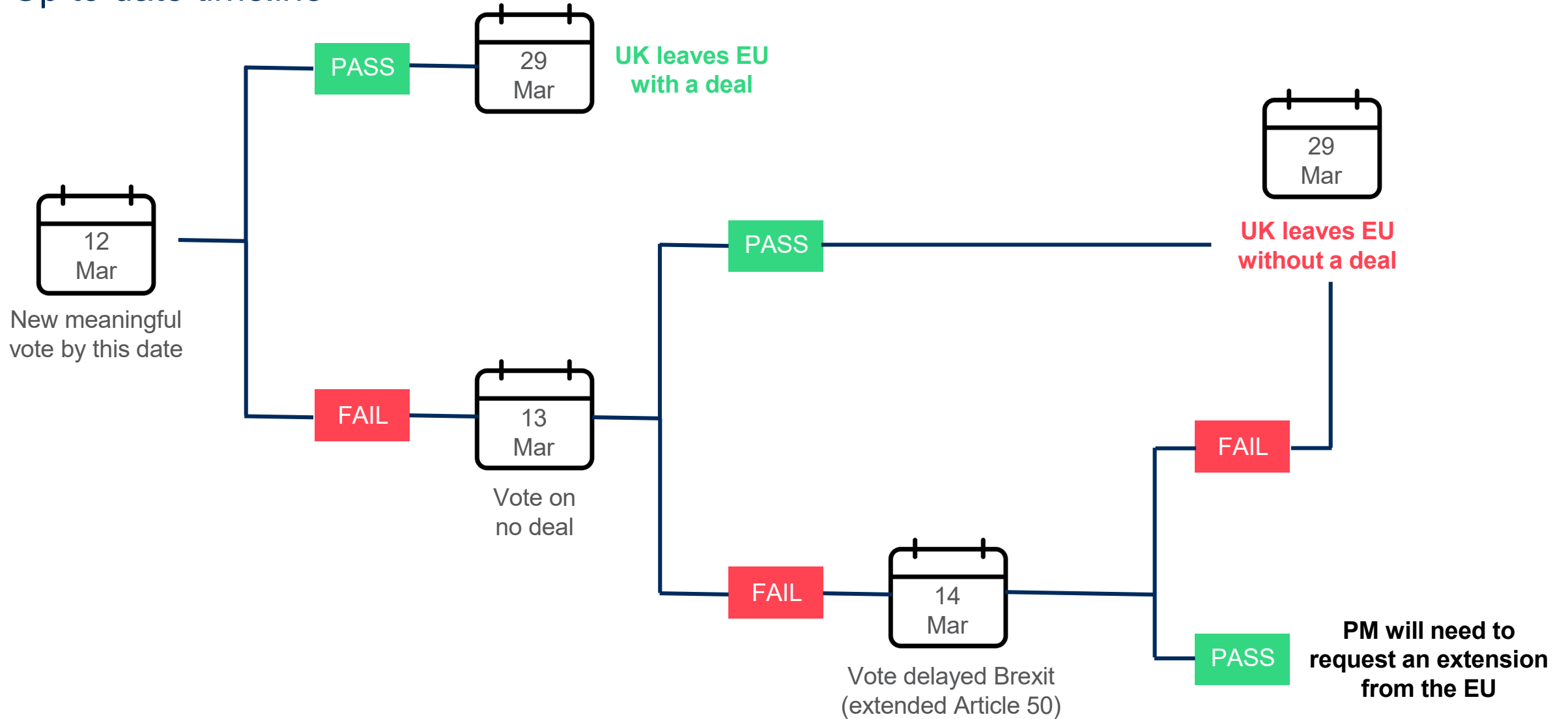
## Deal agreed

= transition - UK is officially out of the EU but has the same obligations as a member state i.e. customs union, single market, contributing to the EU budget and following EU laws

## No Deal

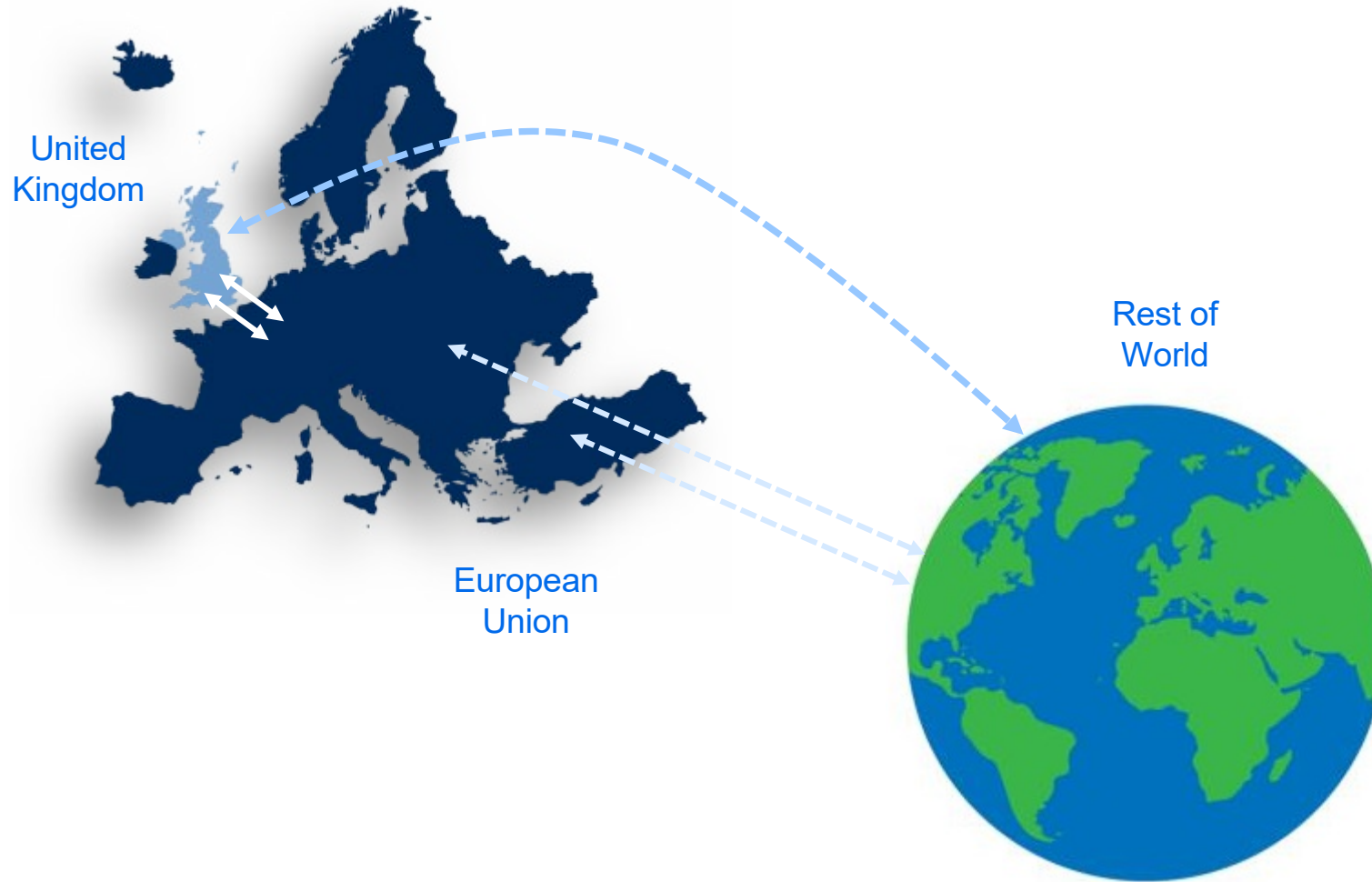
= no transition – no certainty over either policy or delivery of policy

## Up to date timeline





# Regulation and standards and the free trade juxtaposition



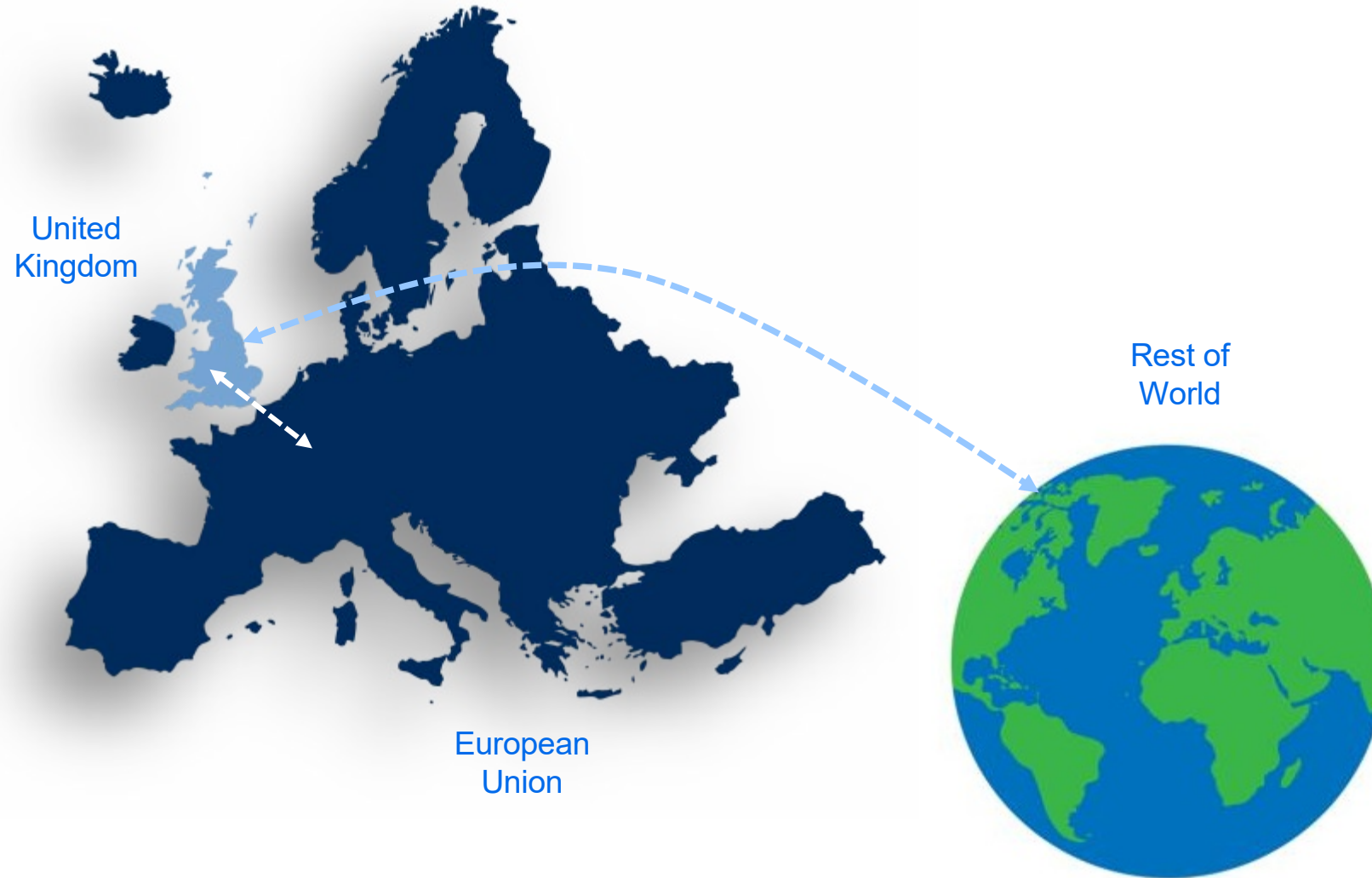
## Current situation

Free movement between UK and EU

Arrangements restricting entry with Rest of the World to the UK

Agreements with EU and Rest of the World

# Regulation and standards and the free trade juxtaposition

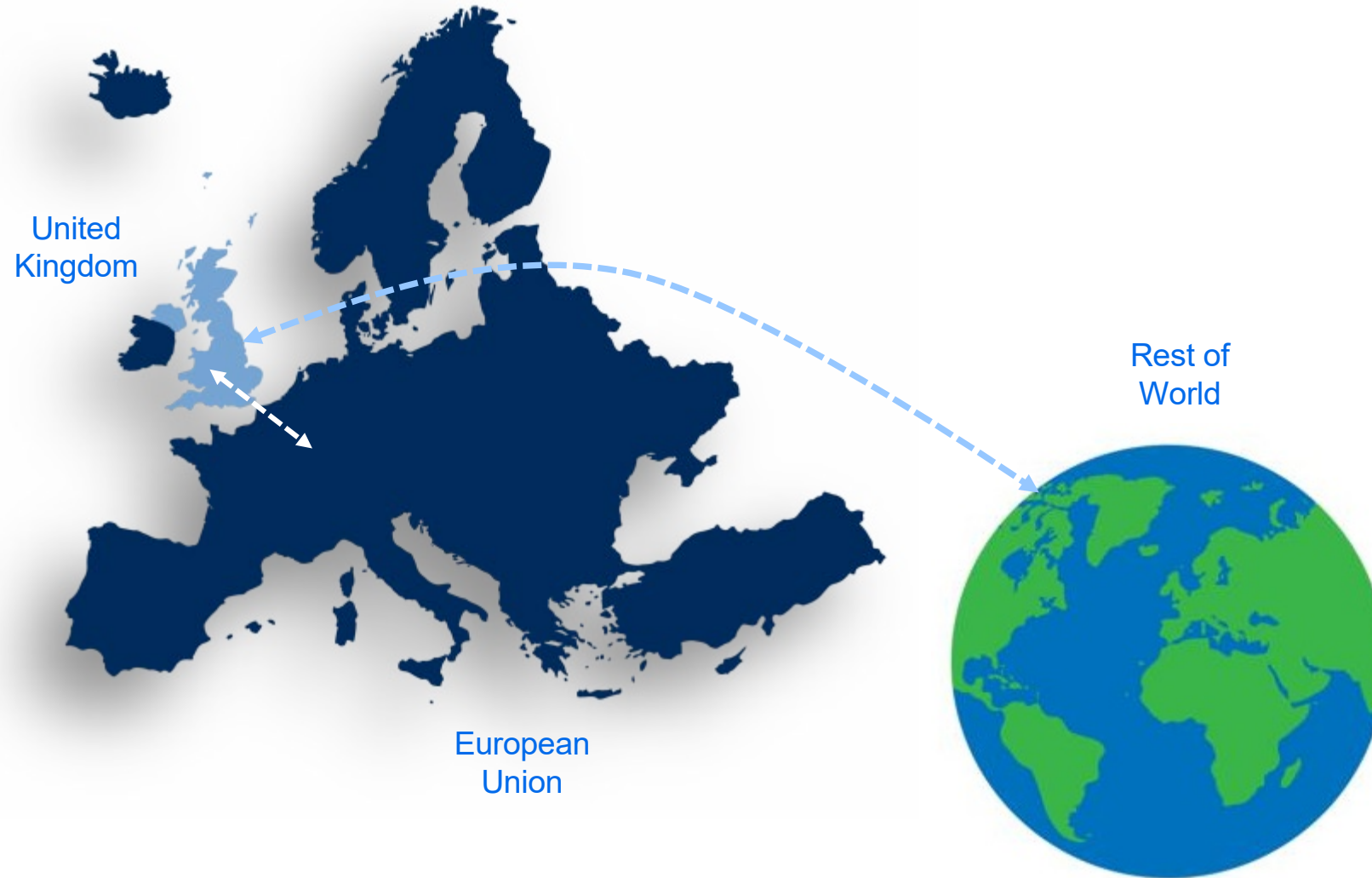


## Scenario A – Deal

Rules remain the same during transition. During transition a deal on future trading position of the UK with the EU will be a strong focus for negotiation. With the preference being a free trade deal but no guarantees

If agreement on a trade deal cannot be reached during transition, the Irish backstop remains

# Regulation and standards and the free trade juxtaposition



## Scenario B – No Deal

On 29<sup>th</sup> March the UK could potentially crash out without a deal meaning no transition and no agreement on trading relationship with immediate effect – effectively we will be a ‘third’ country having to default to WTO arrangements to trade

There remains the question of the position of the UK within WTO as a stand alone member



## Regulation and standards the free trade juxtaposition - future considerations

The narrative across Whitehall remains that food and feed standards and animal welfare will not be eroded after BREXIT.

That position is inconsistent with DiT free trade aspirations.

Implications:

- UK market open to 'sub-standard' products open to the choice of consumers
- Increased risk of food fraud
- Increased challenges to demonstrate appropriate management of ingredients and raw materials in a 'mixed' standards economy







The relationships between regulatory policy and regulatory delivery in a post Brexit world – how will it be enforced?

Enforcement constraints and how that will influence regulatory policy

- The Border
- EU Citizens
- Agriculture, fisheries and food
- Transport
- Competition, tax and data
- Energy and the environment
- International agreements

# The position and influence of industry lobby groups - UK



## TITLE

In a previous letter the written by the BRC and co-signed by Sainsbury's, Asda, Marks and Spencer, the Co-op, Waitrose, Costcutter Supermarkets, Lidl, Pret a Manger, KFC and McDonald's expressed serious concerns about the effects of a no-deal BREXIT



## Food and Drink Federation

30 Food Industry Groups including The Food and Drink Federation, have co-signed a letter to the government where the executives said the focus on Brexit meant that “at this moment of potential crisis for our industry, it cannot be 'business as usual' within government”.

“Neither we nor our members have the physical resources nor organisational bandwidth to engage with and properly respond to non-Brexit related policy consultations or initiatives at this time. Government has recruited many extra staff; we cannot.”



## National Farmers Union

Leaders of over 100 organisations from across the nation's food supply chain have put their names to a manifesto setting out the key principles that can help ensure Brexit is a success for the supply of food in the UK

# The position and influence of industry lobby groups - USA



## US Meat Export Federation

Wants the permitted use of growth promoters and the use of pathogen reduction treatments. (Hormone/antibiotic fed beef and “chlorine” washed chicken)



## The Grocery manufacturers Association

Wants changes to Sanitary and Phytosanitary Measures (SPS)

The use of Modern Agricultural Biotechnology(GM)

Rules of Origin (ROOs)

Technical Barriers to Trade (TBT),  
Geographical Indications (GIs) Pesticide  
Maximum Residue Levels (MRLs) amongst  
others



## International Dairy Foods Association

Wants include removal of geographical name protection and standardisation/ harmonisation of hygiene requirements

# Organic, Organic Labelling and Claims

**Organic** - Once the post BREXIT UK Organic legislation is in place it will need to be checked and approved by the EU. After which Organic producers in the UK wanting to enter the EU market will need to register with/be audited by a body registered in a member state.

**Immediately in the case of no deal, after transition in the case of a deal**

**Organic Labelling:** The EU Organic Logo must not be used on any post BREXIT UK organic produce until or unless the UK and EU achieve an equivalence agreement. The UK approved organic status logo can continue to be used if it was approved before BREXIT for produce on the UK market.

**Immediately in the case of no deal, after transition in the case of a deal**

**Claims:** Those not approved in the EU won't be able to be used on packaging in the EU. If UK claims are to differ we need to wait for the new regulations to be able to comment. If a new claim is wanted it will have to be submitted through a member state.

**Immediately in the case of no deal, after transition in the case of a deal**



# Labelling for Export to the EU

**Labelling for export to the EU:** a UK address will no longer be usable, this has to change to the importer into the EU, this has to be the distributor who is established in one of the member states. What counts as being established in the member state is not laid down at EU level, I would not however expect a mailing address to be sufficient. The rules that apply for the customs form would not apply in this case as the importer has to be based in a member state.

All EU references would need to be removed from labels where the product has no connection with the EU. An exception in this case would be packing EU or Blends of EU honey where the origin statement could still be EU Honey or a Blend of EU Honey with.

The Health or Identification mark will need changing retaining the same format but removing the EU.

The EU emblem will need to be removed from labels unless you have permission to do so.

**Immediately in the case of no deal, after transition in the case of a deal**

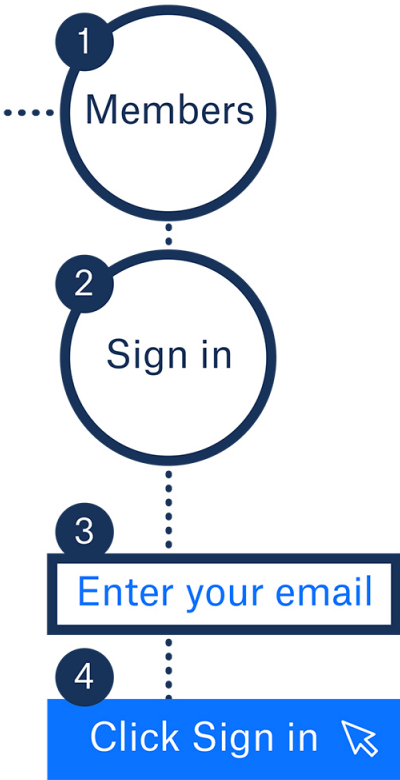


## Other issues to consider

- GM
- Country of origin labels
- Eggs
- GI labels and logos
- Importing food to the UK
- Novel Foods

How to access your member area

visit [www.leatherheadfood.com](http://www.leatherheadfood.com)



Making the most of Membership

Once you're logged into the membership area you can access a wealth of information, advice and insight.

You now have access to:

- ✓ Topical white papers
- ✓ Weekly global regulatory updates
- ✓ Member days and webinars
- ✓ On tap advice to answer enquiries
- ✓ Discount on project work
- ✓ Fast turnaround time



Help and support

Your member helpline can be used to support you with global food and beverage regulations, product development, nutrition, food safety and consumer research. Bespoke projects can also meet your bigger needs and challenges such as incident management and the reviewing an creation of internal policies.

Member helpline

# How Leatherhead can support you

## Members

1. Use your helpline  
Usual helpline rules apply and there is no additional charge for this service  
[legislation@leatherheadfood.com](mailto:legislation@leatherheadfood.com)
2. Consider a tailored surveillance programme  
Contact Erica to discuss what this should look like for your business  
[Erica.Sheward@leatherheadfood.com](mailto:Erica.Sheward@leatherheadfood.com)
3. Member-only Brexit webinar in April  
Invitation to be sent via email, food-news and global legal highlights

## Non-Members

Contact

[membership@leatherheadfood.com](mailto:membership@leatherheadfood.com)  
to discuss membership options



# Questions

# Members

[membership@leatherheadfood.com](mailto:membership@leatherheadfood.com)

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