

# Environment, Food and Rural Affairs Committee

Oral evidence: [Animal and plant health](#), HC 611

Tuesday 25 March 2025

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[Watch the meeting](#)

Members present: Alistair Carmichael (Chair); Sarah Bool; Helena Dollimore; Sarah Dyke; Jayne Kirkham; Josh Newbury; Andrew Pakes; Jenny Riddell-Carpenter; Henry Tufnell.

Questions 180 – 239

## Witnesses

**I:** Sally Cullimore, Technical Policy Manager, Horticultural Trades Association; Nichola Mallon, Head of Trade and Devolved Policy, Logistics UK; Katrina Walsh, Strategy Director, International Meat Trade Association; Nigel Jenney, Chief Executive, Fresh Produce Consortium.

Written evidence from witnesses:

- [Horticultural Trades Association](#)
- [Logistics UK](#)
- [International Meat Trade Association](#)
- [Fresh Produce Consortium](#)



## Examination of witnesses

Witnesses: Sally Cullimore, Nichola Mallon, Katrina Walsh and Nigel Jenney.

Q180 **Chair:** Good morning, everybody, and welcome to this meeting of the Environment, Food and Rural Affairs Committee. Our evidence session this morning continues our inquiry into biosecurity at the border. We have a distinguished panel with us this morning. For the benefit of those following our proceedings, and indeed for our own official record, can I invite you to introduce yourselves, to say who you are and what you do?

**Nigel Jenney:** My name is Nigel Jenney. I am the chief executive of the Fresh Produce Consortium. Our interests are fresh fruit and vegetables, cut flowers and plants.

**Nichola Mallon:** Good morning, Chair. My name is Nichola Mallon. I am head of trade and devolved policy at Logistics UK. Logistics UK is the only trade association that represents all of logistics. Our members are the purchasers of freight services but also the providers of freight services via road, rail, sea and air.

**Sally Cullimore:** Good morning, Chair. My name is Sally Cullimore. I am the technical policy manager at the Horticultural Trades Association. The HTA has 1,200 members across the entire supply chain of the UK's environmental horticulture sector. We cover all four nations and that includes garden centres, tree and plant growers, landscapers, garden goods manufacturers and service providers delivering for gardens and green spaces.

**Katrina Walsh:** Morning. I am Katrina Walsh, the strategy director of the International Meat Trade Association. Our members include trading companies importing and exporting meat from and to the EU and the rest of world, as well as associate and affiliate members in the broader meat trading space, including agents and freight forwarders.

Q181 **Chair:** Sally, you have provided us this morning with a selection of photographs of trucks loaded with trees and plants and images from Harwich and Killingholme border control points. Thank you for that. We have seen quite a number of images from border control points and these are by far the most palatable that we have had before us.

For the benefit of everybody, I will just explain. A lot of what we are going to be asking today will, inevitably, look for a response from you all, because you represent quite a wide range of sectors. Do not feel that, if it has all been said, you have to say it again, if it comes to that point. The purpose of having you here is that you get your say and we hear the best evidence from you, but there is no compulsion if you feel that you are getting into repeating what others have said.

I will start off with a few questions around the vision for the UK border. In 2020, the then Government stated that their vision was to have "the world's most effective border" by 2025. Looking at SPS controls, how do



you think that has gone?

**Katrina Walsh:** We could not say that we had achieved the aim to have the best border in the world by 2025, given the impact of the border target operating model on importers from the EU, particularly SMEs. They have been hit by increased costs and damage to the groupage model in which they previously shared transport, the failure to deliver cloning of certificates for import from the EU of medium-risk animal products, as well as the failure to deliver electronic certification for rest-of-world imports. The pausing of the single trade window is a step back from trying to achieve the best border in the world. The more electronic trade documentation can be, the more positive impacts it has in reducing the potential for human error, as well as having sustainability elements. We are still a way from achieving that.

Q182 **Chair:** It is a good illustration of how sometimes in politics rhetoric can come back to bite you when reality catches up, is it not? Do any of you have anything to add to that?

**Nigel Jenney:** I would agree with my colleague. The reality where we find ourselves today is that we have built a world-leading border, in that it is the most expensive, least efficient and most inefficient in the world, as we speak at the moment, from my industry point of view. That is causing huge distress for industry and huge additional cost, which, ultimately, UK consumers have to fund. It is self-imposed. That is the fundamental concern.

**Nichola Mallon:** Logistics UK was a signatory to the UK border strategy because we supported its ambition, but it has not delivered. It has not delivered the world's most effective border and there is still quite a long way to go. As the other panellists have said, there are significant costs and administrative burdens from the border target operating model, which disproportionately impact groupage operators from our industry and SMEs.

A lot of these difficulties are continuously dismissed, we feel, by Government as teething problems. For our industry, the physical inspections that were introduced from 30 April last year are hugely problematic. They are not teething problems. There are systemic and operational difficulties.

We have been working with our Transport and Logistics Netherlands and Transport Logistics France, our trade association partners, because we have a shared and mutual interest in trying to see these problems addressed. That is why we have been putting forward practical, industry-led solutions to DEFRA and the Department for Business and Trade, given the impact on EU-GB trade.

**Sally Cullimore:** I agree with everything that everybody has said. The horticultural trade has been subject to full SPS controls since 1 January 2021. One of our members said the other day to me, "Brexit has been



here for a number of years. However, it did not really start for us until 30 April last year”.

The ambition for all of us is to balance the free flow of plants and trees with an appropriate level of biosecurity, but we find ourselves compromised on both. That system works for no one. Our members are telling us that they feel out of control of their own supply chains, with previously well-cultivated relationships strained. Basically, those relationships are in jeopardy. It is the lottery that is the border. It is just not working for EU-sourced plants and trees.

**Q183 Chair:** You have led me towards what was going to be my next question anyway. It was about the communication from DEFRA and the APHA with trade throughout this process. We have had how many goes at BTOM and changes in policy before we got here? How has that impacted on your various sectors?

**Nigel Jenney:** My sector, from a fruit and vegetable point of view, is still not in the regulations, picking the point up we have talked about before. In some respects, that is a relief from an EU trade point of view, but it is a huge concern. Many of the questions we have been asking Government for years have still not been answered. We are still in the planning phase, but with no strident, direct answers.

For those sectors that are in the regulations, such as cut flowers and plants within our sector, we have already alluded to the huge challenges and additional cost. At the same time, broadly, as an industry, we feel desperately disappointed by the planning and discussion processes. We have proactively, in the beginning, offered far more effective solutions than those that have been adopted, at no cost to Government, and yet many of those have been simply ignored or rejected.

**Q184 Chair:** I am getting a sense that nobody is feeling particularly listened to here. It is your evidence, not mine. Tell me whether I am misunderstanding what you are telling me here.

**Nigel Jenney:** I think that they will have listened. They have not acted. They have ignored, and knowingly ignored, I would suggest as well.

**Nichola Mallon:** The issue of communication and the lack of timely detailed guidance from Government has been a persistent problem through the BTOM experience. It is often far too little information, far too late. You cannot turn supply chains off and on like they are water taps. It hinders businesses’ ability to plan, prepare and speak right throughout their supply chains to ensure that they are ready and compliant.

The other problem is that there is ineffective communication between the agencies involved in the BTOM. There is a difficulty in the communication levels from Government to industry and within Government itself, across DEFRA, HMRC and throughout all the agencies involved.



**Katrina Walsh:** I will come in in relation to the deadlines being pushed back. A lot of people put a lot of effort, both financially and timewise, into preparing for the various deadlines. When they were pushed back, there was an element of preparation fatigue. That applies to both exporters in the EU and importers in the UK, where they were prepping for this and then it was pushed back. By the time it was actually introduced, there was an element of fatigue that people did not really think it was going to be. When the border target operating model was published, it was in August when a lot of people were on holiday, which made it quite difficult for people to digest that 140-page document and respond appropriately.

In terms of overall comms from DEFRA, there was a lack of information quite close to when the changes actually came in. For instance, we only heard the level of the common user charge 27 days before, which was extremely short notice. There was also a lack of information about what the level of checks would be on rest of world.

After the implementation of the system, there were no 24-hour helplines staffed with experts who were able to answer questions from trade or give advice, which we thought was quite lacking. When there were many systems issues in relation to the computer systems going down or not functioning well, there was a lack of discussion to the trade to let them know that that was going on, but also a lack of comms intra-governmentally to figure out which system was causing the issue and what the solution was. Comms overall was lacking.

**Sally Cullimore:** It is two processes, really. One is for businesses, to enable them to have the right information to make pre-buying decisions about where they can get their plants and trees from in a biosecure manner that is compliant with the requirements that DEFRA has set out. Then there is at-border communication about what is happening in a practical manner. That lack of co-ordination and timely communication that everybody has said is from all agencies. It is really important that we get those, and they did not happen.

Q185 **Chair:** The lack of 24-hour access must be a problem from the logistics point of view, surely. We were in Dover last week and we were told there about the round-the-clock operation of the port.

**Nichola Mallon:** Transport is a 24/7 operation. There are challenges in terms of communication. Drivers and the logistics provider are kept completely in the dark about which consignment on the trailer has been held, for how long it might be held and the reasons.

That driver is often left sitting in facilities that are not fit for purpose or would not be deemed to be acceptable by any of us. They do not have access to proper food, drink or restroom facilities. That is increasing the resistance, particularly among European hauliers, to come across into GB to service the market. The ramifications of this are quite significant for trade, but also for the logistics industry in terms of recruitment, retention and resilience of that industry, which underpins GB-EU trade.



## HOUSE OF COMMONS

Q186 **Chair:** What is the impact on your sectors? I am thinking of the economic impact in terms of growth. Then we will maybe come back and look at how you have had to modify the way you do business afterwards. I feel I am being led towards growth in the first instance.

**Katrina Walsh:** The impact on the sector has been huge, particularly in terms of increased costs and delays to getting product in, as well as an increased administrative burden. The costs include the common user charge for companies importing through Sevington, port health authority charges, having to pay agents and hauliers to pre-notify consignments coming in and deal with the export health certificates, as well as having additional staff time to deal with any issues that arise during the import process, and paying the vet in the EU to produce the export health certificate.

There are a whole series of additional costs, but some of those costs disproportionately affect SMEs that are moving small consignments. SMEs are more likely to move smaller consignment compared to moving a whole truck worth of goods. Therefore the common user charge, which is a flat fee, and the 6 tonne minimum PHA charge at Sevington disproportionately impacts those companies. The cost per kilo of those charges works out a lot more if you are moving a small consignment versus a large one. That has not really been sufficiently recognised.

There are as well the changes on the groupage model that I mentioned. That has really affected SMEs because they were more likely to use the groupage model, which is now very difficult to do, given that there would be multiple export health certificates on one truck. There is the risk of you moving your consignment and having done everything correctly, but somebody else with goods on that truck has not and then you get called at a BCP. There has been a whole range of costs and that has been really challenging for importers.

Q187 **Chair:** Do you have anything to add to that in terms of the growth implications for your industry?

**Sally Cullimore:** Around 80% of our members import some sort of plant material, 99% of which is from the EU. We import £780 million worth of plants and plant products per annum. That was the 2023 figure. Of those businesses, 90% are SMEs, so the impact has been quite significant. One of our members is an agent handling SPS goods as a specialism. It has paid £135,000 for 400 trailers to be inspected at Felixstowe over the last year. That is just to unload and reload the trailers, so that is quite a significant figure. It is a small business and that gets fed out to its customers.

Q188 **Chair:** The photographs that you supplied for the Committee today give us an indication of how the unloading and reloading works in practical terms. It is a complex business.

**Sally Cullimore:** It is. Not all trailers with plants on board are loaded in the manner of the photographs that you see, but we estimate that about



## HOUSE OF COMMONS

25% of them are. You require specialist unloading and reloading equipment. You need to know what you are doing.

We have experienced a lot of damages within the sector. The issue with that is that sometimes the damages are unseen, so it might not be physical damage. It might be temperature damage, for example, if you have sensitive material that has been unloaded for an inspection and then reloaded.

These BCPs are operated by commercial entities. This is not the Animal and Plant Health Agency unloading and reloading these materials. The temperature controls are ambient within the turnout areas, which is potentially an issue, and you may not see the impacts until weeks or months down the line, when it might be planted or in a consumer's garden or house. The difficulty is how we know what to attribute to this.

Q189 **Chair:** It is your members, then, who end up picking up the cost at the end of the day in terms of quality of product, the customers coming back and demanding refunds or whatever else.

**Sally Cullimore:** Yes, definitely. Also, when you have physical damage that you can see on tree trunks or whatever, often it is the haulier that ends up with the cost because no one wants to take responsibility for it. There is no customer charter from the border agencies that says, "Yes, we made that damage. We will make that good". It is completely up to individual ports as to how they handle it.

Q190 **Chair:** We have segued beautifully into the logistics angle of this. Nichola, you started the growth angle here. Do you have anything to add to that?

**Nichola Mallon:** I would press the point around groupage. The groupage model is crucial for SMEs because that haulier is picking up multiple loads for different customers and bringing it across, often of lower value and lower volume. Katrina is absolutely right. That is the particular model that is being squeezed in all of this. It is increasingly not becoming viable for the movement of SPS goods.

Most haulage companies operate on a tight profit margin of about 2.5%. Their ability to absorb the costs of all the certs that are required and the checks is minimal. To some degree, there is an inevitability of that being passed on to the GB consumer. Our industry is very conscious that consumers are already struggling with high food inflation, so that is the last thing that we want to see happening, but it is an inevitable consequence. The logistics industry cannot continue to absorb it.

There is the cost of the certs. There is the cost of the damage to goods when they are being offloaded and reloaded. We would really like to see more training of BCP personnel. We have also said as an industry that we are happy for drivers to assist in the reloading so that we are reducing the risk of damage, but also enabling the vehicles to get moving in a much more efficient and timely manner.



## HOUSE OF COMMONS

There are also the waiting times. Every hour a vehicle sits there, our members tell us that that alone costs them about £55 to £60. You have the driver's wages and the knock-on implications for the scheduling. All these are cumulative and are adding to the cost that hauliers and logistics providers are having to deal with, which has implications, with European and continentally logistics providers increasingly saying that it is not worth the time and money of coming over and servicing the GB market.

**Nigel Jenney:** To try to summarise some of those points, for our industry, in terms of fresh fruit and vegetables and cut flowers, the on-cost of the current border strategy is around about £200 million a year. It is huge. We have talked about the common user charge. I have given the Committee information separately. For every 100 consignments, a small SME or family business is being charged £14,500 to present a consignment for inspection. It is charged for every single one of the 100 consignments. Only three of those are inspected, so the figure you see is almost £5,000 to present one consignment.

If you go to a commercial facility, such as a control point, which our industry was asked to invest in, there is no Government funding. It is businesses' hard-earned cash. Those facilities are being starved of work because of what, frankly, the industry would say is a monopoly of Sevington and the way it behaves in not providing inspectors out of hours for control points.

There is a huge on-cost to industry and huge concern about the quality of the goods that we can offer UK consumers, and, at the same time, our ability to export has almost been removed. Ultimately, our food security is a combination of domestic production, imports and exports. As a quick headline, we import 65% of all the fresh produce we consume and 80% of our flowers. Getting this right is fundamentally important for feeding the nation high-quality food at a price they can afford.

**Chair:** We are going to drill down a bit into the planning and delivery of BTOM.

Q191 **Sarah Dyke:** Some of the features envisaged in the 2023 BTOM policy have not yet been delivered, as we have been hearing. That includes the single trade window, the trusted trader schemes and the authorised operator status. Despite this, DEFRA's delivery team for the biosecurity, borders and trade programme will shortly be restructured.

In addition, in written evidence to the Committee, the SPS working group says that there is a clear need for more policy officials, including in the veterinary facilitation team, as there is only a small pool of experts. What remaining elements of BTOM still need to be delivered? Do the Government have the personnel and plan to deliver them?

**Katrina Walsh:** In relation to the trusted trader schemes, that has been quite frustrating. A lot of the elements of the BTOM that brought in those





additional admin and cost burdens have rolled out, but some of the trade facilitative measures, such as the trusted trader schemes, have not been. I think that two out of three of those have now been paused, so that has been rather frustrating to the industry.

In terms of what you said the SPS organisation mentioned, I would totally agree that the import teams and veterinary teams within DEFRA need additional staff. Those teams are really great. There are very good people working there, but they are simply not great enough in number to deal with the many things that they cover within their scope. For instance, they are dealing with BTOM things, the animal health outbreaks in Europe and some rest-of-world things, so that would benefit from having additional staff in that team. Then they could look at some of the more growth-facilitating things, such as delivering electronic certification for rest-of-world, which I believe at the moment they simply do not have the capacity to look at.

Q192 **Sarah Dyke:** On that, what is the strategy to implement more staff to deliver these schemes properly?

**Katrina Walsh:** DEFRA needs to make sure that there are enough policy experts within those teams. I do not know whether that is drawing from existing resource across Government or hiring new people with that expertise in policy and veterinary areas, but that is a really key area where more staff need to be in place.

**Nigel Jenney:** I would take a slightly different position. I would say, "Talk to the industry." We are talking about plant health, not other types of health, so the industry has that knowledge. It is willing to share that knowledge and, frankly, has done so for years. The fundamental issue is that we have been ignored.

As you mentioned about the staff moving on to other roles in Government, one of the largest sectors that feeds our nation is yet to come into the regulations. We will import 3.5 million tonnes of fresh produce from Europe. We believe that the regulations of fresh produce will apply from 1 July, but we do not know. We have had no official confirmation. We have had little communication for months now, so how do we prepare and manage?

At the same time, as we have already discussed, groupage is fundamental to our industry. Some 65% of everything we purchase from Europe is on groupage, for a combination of reasons. Many of our businesses are SMEs. Many of them are bringing smaller quantities to meet the shopping baskets of all of us as consumers. That is the important thing. Many of these things are highly perishable.

At the same time, DEFRA will say to you, "We have looked at the risk analysis and removed large amounts of these goods from controls totally, and many are low levels of inspection", but its estimation of the number of consignments coming from Europe in its recent consultation is 65,000.



## HOUSE OF COMMONS

As an industry, we estimate 700,000. Unless someone wakes up and smells the coffee, and control points are approved and authorised operator status facilities rolled out rapidly, there is a crisis round the corner, which will be managed by simply not inspecting the goods. When you look at the level of compliance by the industry, it is incredibly high. We are investing huge amounts of money in many respects for what purpose? The industry, with appropriate controls, can do it itself.

**Nichola Mallon:** The reclassification of fruit and veg is a huge concern for the logistics industry. We would point to the operational difficulties that currently exist, and that is before you add on all the volumes that Nigel has talked about.

The other big issue is west coast ports. Detail still needs to be provided on how that will operate, when it will come into operation in terms of physical checks and how it will interface with the Windsor framework. That is another big area that is outstanding in respect of the border target operating model.

**Sally Cullimore:** We were aghast that the biosecurity and borders teams were being disbanded and dispersed, not least because, as Katrina says, we need those policy experts there who have followed us through since 2021.

We are very concerned about resource at the border as well. We believe that BCPs are at capacity, not that we have had any data to prove or disprove those anecdotal gut feelings that we get from our members who are saying this all the time to us. It is that data that is key. How are we progressing? Are BCPs working as they should be? We suspect not. We are aghast that things are being dispersed when we need those more. We are very worried, not about fruit and veg, but that we have not even reached the final BTOM.

Q193 **Sarah Dyke:** Going back to Nigel's point about the medium-risk checks that are going to be introduced in July, it is interesting to hear that you do not know yet and we are just a few months away from that being implemented. On that, how prepared do you think the fresh produce and logistics sectors are for the introduction of these checks on fruit and vegetables come the changes in July?

**Nigel Jenney:** As we have already discussed, the industry has been marched up the hill and marched down the hill on several occasions. My industry mindset now is that I am not doing anything until I absolutely get a guarantee that it is happening, particularly on trading with Europe. It is different from international trade with third countries such as South Africa. A lot of that European trade is between SMEs that have not been involved in border processes before, so this is unique and new. They have done nothing because they have no confidence as to what will happen and when.



## HOUSE OF COMMONS

There is a real situation where all we need is clarity and a reasonable timescale to manage, but we also have to consider that, with the volume of products that my industry is talking about, the Government continue to tell me that my European partners at an official level have the capacity to provide the phytosanitary certificates. The trade does not believe they have. I do not see how they can do hundreds of thousands of documents at that type of notice. The crazy thing, remember, is that, as an industry, these goods are highly perishable. We will move goods in several hours. An official in Europe will check the goods. A few hours later, we will look to do the same thing. What actual purpose in terms of risk does this have, other than managing a process?

There is a real situation, which we shared separately, when we look at the volumes that, as an industry, we are importing and managing. When you look at our performance from a biosecurity point of view, it is exceptionally good, yet we are being told that there are going to be huge additional plant health APHA fees and charges to inspect those consignments when the level of efficiency and performance, compared with historical data, is very low.

From freedom-of-information information, very briefly, in 2021 there were 103,000 consignments of fruit and vegetables coming to the UK from not Europe but the rest of the world. Some 50% of those were physically inspected at the border and there were 411 failures at the border. In other words, we have been almost 98% compliant. If you move on four years, with very limited information in the DEFRA fees and charges consultation, we envisage that there were 138,000 in 2024. The official inspection level is 5%, so it is only 7,000 consignments, not 50,000. There are 121 inspectors to do that and only 167 failures.

We are now over 99% compliant as an industry without any official management at all, yet the fees to our industry have gone from £4 million to nearly £11 million. As for the efficiency of those inspectors, the average inspector four years ago was doing 1,295 inspections annually. On that recent data, they are doing 57. If you look at a 70% average efficiency of an inspector, they could be doing over 2,000. We are not saying that these inspections should not take place, and I accept that many of these people are hard-working, diligent people, but there is a very different way to manage the process to get a much more effective result.

Q194 **Sarah Dyke:** The phased implementation has been bringing out some interesting information from the stats that you have just told us about, which are quite stark. It seems to me that data is key to this and we are not necessarily getting this. Resource is key. Efficiency can be vastly improved. We are talking about the timescale of being introduced in July. What is your view on whether this can realistically be implemented properly?

**Nichola Mallon:** It is difficult to see how, because the truth is that the system is not operating efficiently and effectively as is, and that is before



you add on the volumes. On average, our members are telling us that they would have about a four-hour wait, up to eight or sometimes 24 hours, at a BCP. If you add in all these volumes and that additional cost and delay, the economic consequences are significant. That is in the face of the Government's growth ambition, and as they are about to launch a trade strategy, so it is genuinely very concerning.

**Nigel Jenney:** It is predominantly my sector that is yet to feel the pain—let us put it that way—but I sympathise with all the other sectors that are already enduring that. It is simply physically not possible. Even for the categories that are within the regulations that our members manage currently, we know full well that we are being charged CUC and inspection fees, but those inspections are not occurring. They are not occurring. We believe that, given the stated inspection levels, whatever they may be per product, they are simply not regularly occurring.

You have to begin to challenge, "If this is so important, why are we not doing it?" The answer cannot be to keep saying, "We are supporting the industry during a transition period". That is not the case at all. We have been doing this for a considerable time now. It is about how the process is being managed by Government and the resources they have chosen to apply.

Q195 **Sarah Dyke:** How can the process be bettered?

**Nigel Jenney:** From the beginning, we had a very succinct view and we were very proactive, like many others, when the decision was made to leave the EU. It was not to build, in my view, an outdated 18th-century solution for a 21st-century business or industry. We had the opportunity and we offered to Government that, as an industry, we would offer regional inspection facilities at no cost to anybody other than our industry, and official inspections could take place. That was outright rejected.

We continue to encourage the commercial control point opportunity and, fundamentally, the assured trader position. In other words, responsible businesses can carry out their own inspections and be audited and accredited appropriately. That is what we still want. That is, we believe, the most effective way of managing our biosecurity and minimising the costs to our industry and, ultimately, consumers.

Frankly, with what appears to be, in the next few days, an announcement from the Government of a drive for efficiency in the civil service, we can provide a solution for you. We can manage these inspections with the suitable controls. It is really quite simple. When you look at our performance level of success at the border, what is the justification for spending hundreds of millions of pounds? For what reason is that being done when the industry is already doing it? We are not going to supply people goods that are inferior. Our customers do not accept it and will not accept it.



Q196 **Sarah Dyke:** Are you suggesting there is a protocol in place that is just not being viewed as a mechanism?

**Nigel Jenney:** I think that it is a deliberate policy by some aspects of Government. We talked about the late confirmation of the BTOM information and of the CUC fees. The CUC consultation was on a fundamentally different subject from how the fees are actually applied.

At the same time, we have several members that have invested hundreds of thousands, if not millions, of pounds, building control points to service our industry. At two weeks' notice, they were told, "We're not going to service those facilities with official inspectors beyond broadly normal working hours". As you will all appreciate, our industry works 24/7. This morning, as we speak now, our industry will be placing orders with Europe, which will arrive later this evening and through the night.

The Government are not providing any inspectors at control points to be able to service that and they do not have the resources, it would appear, to do so. It is forcing everything into Sevington and others. You can see the stats change. Everybody is desperate to avoid using Sevington because of its costs, delays and inefficiency. At the moment, we are moving to other port BCPs, but they simply do not have the capacity. The ferry services going to those locations are at capacity.

The solutions have always been there; they have just been ignored. We are now in a situation where we have a self-made crisis. As an industry, we need an urgent solution because, as we have discussed, from the point of view of hauliers, drivers and our trading partners in Europe, enough is enough. I do not want to keep absorbing all these costs on an ongoing day-to-day basis. The impact on our teams, staff and drivers is immense. No one would say to us, as we arrived at Parliament, "Sorry, today could you please wait outside for six hours? You might be able to get a glass of water, but nothing else". That is what we are doing. That is what, as a nation, we are doing on a daily basis to drivers.

**Sally Cullimore:** I agree with everything Nigel said. No one in Government is tasked with making it work for traders. DEFRA was tasked with delivering the BTOM for SPS goods regardless. That is why we have reached this, "We are at business as usual. Let's disband the teams. We have only got one more element to deliver. All the BCPs are in place".

The plant trade said, since BCPs were first proposed to handle EU goods, that they are not fit for plants and will not work, but our solutions were rejected, whether that is a control point solution, which works for some sectors, or what we are describing as a place of destination plus system. That is where—and I am talking about the trees that you see on the pictures that I shared with you—you move those products inland to the experts who have done the unloading for years, but they are under an enhanced or audited system that allows those checks to take place at those experts.



## HOUSE OF COMMONS

What you will see is that those experts are not just experts in unloading and reloading plants and trees. They are also biosecurity experts. They have a vested interest in being biosecure, so why not utilise that? Why not get an earned recognition scheme going that rewards good biosecurity practices and enables those inspections to take place, if we absolutely must have them?

On paper, the BTOM looks robust and biosecure but, as soon as you start to use it, it becomes apparent that there are big holes in the system and all it does is add cost and stress. I cannot emphasise how stressed everybody is, certainly in our sector and from hearing from the other panellists today. It is a human cost.

**Nichola Mallon:** Even when you put forward what seem, on the face of it, to be quite simple solutions and improvements around, say, communication, they are not enacted. For example, as a haulier, you are trying to deal with multiple agencies. We have been asking for a single liaison contact for industry where you put in your query, it is fielded to the appropriate authority and you get a comprehensive and timely response back about what consignment has been held, why it has been held and when you can expect it to be released. You do not seem to make any progress on that, which then further frustrates industry in trying to be proactive and work with Government-defined solutions, which we are keen to do.

Q197 **Sarah Dyke:** What is your view on the impact on consumers from July?

**Nichola Mallon:** Undoubtedly new processes and costs have to go somewhere in the system. As I said, for logistics, it is operating under tight profit margins, so its ability to absorb additional costs is at breaking point. Our concern is that we will see an increase in higher prices on staples of people's diets. Of course, that comes at a time when food inflation is already high.

Logistics UK asked the previous Government and this Government to publish the modelling behind the assertion that BTOM will impact food and drink inflation by 0.2% over three years. From our feedback from members, we would question that. We have not been able to make any progress in seeing the detail of that modelling to truly understand the inflationary impact.

**Chair:** This is really compelling evidence. I get a sense of an element of therapy in all this as well, but we need to be mindful of time.

Q198 **Charlie Dewhurst:** On the lack of engagement front that you have already mentioned, when the Windsor framework was put into place and there was the EU exit initially, there was, I think, a reasonable process. I was involved before I was elected, certainly on the Windsor framework. I had regular calls every week, with Cabinet Office-facilitated meetings, all the officials on board, 400 or 500 people on those calls able to ask all the questions needed. Are you saying that there is none of that, you are



## HOUSE OF COMMONS

feeling at the moment? There is no engagement at that level at all.

**Nichola Mallon:** There is engagement with DEFRA. I will give you one example. We have an outstanding query in with DEFRA for 11 months now, asking for publication of when BTOM will be scaled up to 100% of physical checks, and we still do not have that information. We are not asking for that information to be difficult. We are asking for that information because businesses need to plan and prepare, and it will bring a series of additional costs. You have a sense of frustration around that.

DEFRA, very helpfully, prepared a common problem document, if you like, which it would circulate with regularity. It would alert traders to common problems and solutions. That has been effective, but trying to get timely responses on behalf of members asking about real world issues with practical examples can be hugely challenging, as well as getting that timely, sufficiently detailed guidance and information from Government.

Q199 **Charlie Dewhirst:** There is a challenge on BCPs specifically. They are commercial operations. Well, they should be commercial operations taken out of Government control. Is the regional model that you have suggested actually viable to operate a number of BCPs on a commercial footing?

**Nigel Jenney:** Absolutely. BCPs are those that are at ports and they are commercial operations at the port. Beyond that, as an industry, several clearance agents have what are called control points. It is the same standard of operation, just a different official title. They have been used successfully for many years at major UK airports. They are currently available and could do a fantastic job.

I have given within the evidence an example that, where I said about a CUC fee of around £14,500 for a 3% inspection level, a commercial control point would offer exactly the same service for £500 or less. There is huge inefficiency. The industry wants to step up and do what Government want. We just need the opportunity to do it and enough notice to be able to plan.

Q200 **Jayne Kirkham:** We went to Sevington last week and it seemed there was lots of facility there. There were 40 routes to come in and lots of inspection chambers. We do not know how many inspections are taking place completely. You say that you can be there for hours and hours, and it is really difficult to get through. You were talking about the loading and unloading being done by non-experts and hours of inspections. Why do you think that it is taking so long and the numbers are so low?

**Nichola Mallon:** There are some issues around checks not being done concurrently. If they have consignments that are subject to multiple checks, a driver will have to wait a couple of hours for the first check, then have to wait for any subsequent check. One practical solution that



## HOUSE OF COMMONS

we have been asking about is, "Can checks not be done concurrently to reduce that time?"

Our members advise us that often not all bays in BCPs are used, so you will have traffic there and not every available bay will be utilised. Our members have also reported that they feel that a number of BCPs would not be sufficiently staffed. We are concerned around the level of training because we have instances where fragile goods have been damaged while being offloaded and reloaded.

**Q201 Helena Dollimore:** My questions are focusing on biosecurity, but I am conscious that some of this has been touched on in earlier questions and we are short on time. I wanted to pick up on a point that Jayne was referencing. Sally, you were earlier talking about how there are holes in this system that are weak points for biosecurity. When we were at Sevington last week, one of the things we observed was that, while there were lots of efforts being made to make it biosecure, there were also holes in the floor and worn flooring. That could be a potential issue for biosecurity. Is that something any of your trades have picked up on?

**Sally Cullimore:** We are talking about BCP design here. The blueprints for BCPs are relatively old, as far as I understand it. You will have visited Sevington. You will have seen that the bays are all within one turnout area. That represents a biosecurity risk because, if you have several loads all being unloaded at the same time, you are mixing those products and potentially mobile pests or disease can jump between the products, which is a massive issue. That in itself curtails throughput of a BCP.

For plants and trees, a lot of the time we will be using the drive-in bay. I do not know whether you saw the drive-in bay. That is not even big enough to unload anything in, so currently the inspections are just done off a platform where you pull the curtains back and have a look. That is not an inspection, really. That is better off being moved inland and unloaded at the experts.

The blueprint was because it has been delivered for rest-of-world goods. Nigel mentioned BCPs and control points for rest-of-world goods at airports. The problem was that that consultation was not done with the sector, so therefore we are stuck with a blueprint that does not really work for anybody and does not help with biosecurity. That is probably one of our main issues. The physical design of a BCP is not conducive to what is a unique border with the EU. Nowhere else does stuff come across a border on trailers on ferries where there is no SPS agreement in place. I cannot think of another border that has that type of volume and just-in-time delivery, and no agreement in place.

**Nigel Jenney:** I would agree with what Sally said. The concern is that, if you are experiencing, let us say, quite poor levels of maintenance, the facility has cost hundreds of millions of pounds, enjoys £24 million of income every year and yet is not being maintained adequately. That is pretty shocking, as one of the payers for the services.





## HOUSE OF COMMONS

Your point about biosecurity is absolutely valid. When you look at, as I have mentioned, my particular industry, the commitment to biosecurity and its performance is exceptional. While controls should be in place, there are much more modern, innovative ways of monitoring, managing and maintaining our biosecurity that do not cause such disruption and cost that, ultimately, we all pay for as consumers. It is only UK consumers who are going to pay this bill.

At the same time, it is almost impossible now for our industry to export fresh produce even to Europe. The delays are so long, I cannot take the opportunity to trade. Ultimately, as a sector, we want to grow more fresh produce in the UK. Yes, we will always import fresh produce, but we would love to export more. It is fundamentally difficult when the border facilities that we cannot control or manage are just not fit for purpose.

**Sally Cullimore:** Biosecurity is not delivered by border controls. Biosecurity is delivered by the supply chain. You can have a supply chain where you are in control of that, when you have a vested interest in being biosecure and where you know who you are buying from. I am talking specifically with reference to trees and plants. Now our members are saying they feel out of control of that.

The model that is in existence encourages consolidation, and that means at both ends of the border. Plants and trees are coming in and being mixed because it is quicker and easier. It is not necessarily cheaper, but it is quicker to deliver a phytosanitary certificate from consolidators, rather than going around lots of different nurseries, issuing phytos, and then you get into issues with groupage, and so on. It is delivering an unbiosecure supply chain with no control for those traders.

**Katrina Walsh:** On the topic of biosecurity, we do not see the import under the official BTOM regime from the EU as representing a threat or a lowering of the biosecurity in the UK because, for many years when the UK was an EU member state, we had free trade of goods without the need for export health certificates or import checks. We think that the UK has taken quite a risk-based approach on that.

The real risk to biosecurity from our perspective is the illegal smuggling of meat that is taking place, because those goods are not declared and not subject to the right procedures. I doubt that they are being transported in a hygienic or cold chain-compliant way. It is very important that there is sufficient funding at Dover and in the inland authorities to pick up those illegal goods that are being smuggled.

Certainly for our members who are traders who are importing through the official BTOM regime and taking on all the additional costs that we have talked about, it is extremely galling to them to see people illegally smuggling, undercutting them and putting the UK at a real public and animal health risk. More needs to be done to tackle that side of biosecurity.



## HOUSE OF COMMONS

**Helena Dollimore:** We are looking at that closely as a Committee. We saw some of that happening last week in Dover. I know that we are looking at that very closely.

Q202 **Andrew Pakes:** Most of my questions have been picked up, but there are a couple more things. I should probably put on record that I used to represent animal and plant health inspectors in a previous life before being elected to this place. Could you perhaps outline a bit more where you think the challenge on biosecurity is between capability and capacity? You have all talked about some of the facilities not being right, the training that inspectors have and others, and that balance between the capability of the system and the people doing it, and the capacity of the system.

**Sally Cullimore:** I will absolutely say that APHA inspectors, certainly for the nursery trade, are often part of the business almost, because that is where you get your information from. That is where you can make a buying decision before you have even ordered your plants and trees, so APHA inspectors are actually very well respected. Previous to BCP operations, there was a lot of direct contact between businesses and inspectors, and a lot of exchange of information. We have lost that connection now.

Q203 **Andrew Pakes:** How has that connection been lost?

**Sally Cullimore:** The inspections are happening at the BCP behind closed doors, so you do not get that direct communication. Walk round the stock. Have a look at it. Yes, field inspections still happen, but import inspections do not happen at place of destination. That lack of connection is a very key element for our members.

**Nigel Jenney:** I would agree. I would applaud the dedication and hard work of the individuals doing the inspections on a day-to-day basis. We have a system beyond them that is simply failing. They are hard-working, committed people. I am sure that, if we refocused how we manage the border strategy, they can be utilised. As we have already highlighted, the industry, in conjunction with those individuals, has huge experience itself, and that should be used to greater effect. They should be auditing the industry perhaps, and the industry using its knowledge and using those capable people in a different way to achieve the outcome.

Q204 **Andrew Pakes:** It may have been Nichola, but it may have been someone else, who talked about issues at BCPs in terms of training and numbers of staff. Is that in relation to biosecurity or just in the running of BCPs?

**Nichola Mallon:** From our perspective, it is in the running of the BCP, so we would identify it as a general issue that needs to be addressed.

**Sally Cullimore:** Also bear in mind that an import inspection is a check on compliance. It is not a QC check. It is really important to hold that in mind.



**Nigel Jenney:** The stats I highlighted earlier on reinforce the industry being highly capable. This is a check, no more than that. The other point you raised though is that it is about that border process. When the goods are presented for inspection, they conduct those inspections. The only service level agreement that I am aware of is that they request it would be four hours, not from the vehicle unloading, but from the goods being presented for inspection. When you look at the official consultation of fees and charges, APHA has recently confirmed it takes it physically 35 minutes to do that. We are chasing round for hours trying to get access to vehicles so those vehicles and their drivers can deliver to our customers. It is failing badly.

Q205 **Andrew Pakes:** In your opinion we have enough expertise to do the biosecurity checks within the system, or do you think we need more?

**Nigel Jenney:** I can answer that one easily. With the volumes of goods that I have just suggested, there are not sufficient resources, and there never will be in a Government process. You have to use the industry more effectively, which is why the solution we have always offered for five years now is about using control points, then using the associated trader status—whatever term you want to use—and allowing those capable inspectors to audit and manage that relationship with those businesses. We have thousands of people working in our industry. There are 120 inspectors. We bring many more hands and legs to help us achieve the biosecurity that we want, but we have to be accredited to do so.

Q206 **Andrew Pakes:** In your opinion, are the risk ratings and inspection rates for different commodities appropriate, or would you like to see any changes?

**Katrina Walsh:** On rest-of-world imports, the UK took quite a risk-based and pragmatic approach and categorised some meat as low risk, such as beef from New Zealand, lamb from Australia and certain shelf-stable meat products. Those commodities from certain countries do not need to have export health certificates or routine checks. That was based on an assessment taking place on the risk. When you do that, that improves port flows because there are fewer checks taking place. If you can reduce levels based on having the confidence and the information to take a more risk-based approach, that frees up veterinary resource to target higher-risk commodities. That was quite a modern step forward that the UK took.

**Nichola Mallon:** We would think that a risk-based approach is appropriate. I suppose that the point that we would make is around communication. If there are to be any changes to risk ratings, that should all be sufficiently communicated in a timely fashion to industry, so that it can make the necessary changes. I would emphasise the communication point in that aspect.



**Nigel Jenney:** From a risk-based point of view, I totally agree. It is the correct way forward. I suppose I am fortunate that I am part of a sector that has mostly medium or low levels of risk. When you look at medium, all of a sudden there are two categories for our industry now, A and B. A is a phytosanitary certificate and a potential level of inspection that may be 3% or 5%. Medium B is for certain European produce, such as grapes and stone fruit. I am required to get a phytosanitary certificate. I do not have to declare the goods from an IPAFFS point of view and there will be no inspections. Why are we requesting official documentation that will probably cost the industry £250,000 when the UK Government have no intention of checking the documents or regularly checking the goods? It is either medium or low. We cannot have a halfway house. It adds no value.

**Sally Cullimore:** Plants and trees, on the whole, are in category A, which is high risk. The EU products risk profile has changed very little since Brexit. We always had the ability to implement national measures when we were in the EU's plant health area. We were a leading light in writing the EU's plant health legislation. That was directly transposed into UK legislation.

There is a biosecurity strategy for plant health written by DEFRA. Chapter 3 is about the biosecure supply chain. That needs to be activated properly. I keep coming back to the biosecure supply chain, but that is where you are delivering the mitigation of risk, which is basically what biosecurity is.

Q207 **Tim Roca:** A lot of us represent communities that still bear the scars of that foot and mouth outbreak so many years ago. It is a very important issue to us. When the news came in from Germany about foot and mouth, how well did the border systems operate? Specifically, if you have knowledge of it, we heard from other stakeholders in another session that IPAFFS was not updated for six or seven days.

**Katrina Walsh:** As a trade association, we would not have access to IPAFFS. I would not know any more than what the Committee has already heard from previous witnesses. In relation to what happened when the outbreak was announced, the comms were relatively lacking in the early stages. We heard from DEFRA on 10 January that certificates could not be signed for non-heat-treated meat of ungulates, but there was no information about what traders should do with products that were en route and they were not informed that they would be held at the BCP.

On 14 January, information was released saying that goods could be returned back to Germany, but that did not take into account that they would have to go through France, which would require the agreement of the veterinary authorities. One member did try to return goods but was not able to enter them into France. Those goods ended up being destroyed, which is a huge issue for food waste, sustainability and cost.

Information on the cut-off date for goods produced in Germany before the outbreak, whether those goods were okay to come to the UK and



## HOUSE OF COMMONS

what to do if they were already in the UK did not come out until 29 January. There was quite a gap when people did not know that information.

One good example of comms was a webinar that DEFRA organised on 16 January. That was a Q&A. They had some really expert people from the import policy and veterinary teams. They were able to answer some very complex questions that the trade had on that day. That was a really good example of stakeholder engagement.

**Chair:** That was by the 16th.

**Katrina Walsh:** Yes, it was on 16 January, so it did take a few days to organise. That underlines the point of needing additional resource in those teams.

**Nichola Mallon:** There is not much that I would add to what Katrina has said. Responsiveness in respect of IPAFFS and communication was slow. There has been an improvement. You can see it as a continuum. This morning, for example, communications were sent out confirming containment zones in Germany. It is important to take a step back, to reflect on the communications piece in this and to learn from it.

**Tim Roca:** Chair, I am just reflecting that the webinar, which is the one good bit of comms you have suggested that DEFRA did, was six days afterwards. We have heard that IPAFFS was not updated. It sounds like a light switched on just short of a week afterwards.

Q208 **Chair:** This is a new system. It needs to be pressure-tested. Should we not be seeing this incident or scare as a pressure test and saying, openly and transparently, "Here is where the steam came out the joints"?

**Katrina Walsh:** There was a feeling that there should have been comms pre-agreed in the event that an event such as this were to happen. That would have been ready to roll out more quickly. Unfortunately, that did not seem to be the case. It would be good for there to be risk assessments and readiness for comms in future events.

When the Hungarian outbreak was detected, there was much better communication. The comms were coming out more quickly and they were more detailed probably because of the previous experience with Germany. As the UK now has regulatory autonomy, it was able to take a countrywide ban on Germany, whereas, within the EU, it was regionalised to a particular zone. The UK did have more time to do a risk assessment than it would have otherwise. It is fortunate now that the UK has recognised regionalisation in Germany because it is an important supplier of meat, but it did have a bit of extra time to make a risk assessment based on the information provided by Germany, which we think is positive.

Q209 **Tim Roca:** I do not know whether there is anything else that you want to say about the impact on importers or drivers. By the way, it sounds like a



driver's life is really awful in the world that you are operating in.

**Katrina Walsh:** Germany was the biggest supplier of fresh pork to the UK last year. We also import beef, processed and prepared pork and sausages from there. There has been an impact on availability. Beef prices are currently very high and supply is quite tight, which could be influenced by Germany not having been allowed to export for that period. There are other factors in the beef industry that are affecting prices as well.

Q210 **Jenny Riddell-Carpenter:** Just to pick up on Tim's point, the legacy of foot and mouth is felt keenly in Suffolk as well. I know there is a lot of nervousness about what we are seeing in Europe at the moment. Katrina, you just mentioned the recent Hungarian outbreak. I want to pick up on that in a bit more detail. How was that different in terms of the communications that you receive from DEFRA? What worked better? What would you encourage DEFRA to keep doing? What did we learn?

**Katrina Walsh:** More detailed information came out at a quicker stage, where, in the German case, we were waiting for detail for a bit longer. That was good to see.

**Jenny Riddell-Carpenter:** It went from days down to—

**Katrina Walsh:** I would not have exact information on the dates that things came out, but our impression was that things were more detailed, more quickly. We did submit a paper to DEFRA after the German incident outlining some of our concerns about the communications. We did then see an improvement in the Hungarian case. There would be less impact on the market because Hungary or Slovakia, which were also banned due to the proximity of the outbreak to the border, are not huge exporters of meat to the UK. We import some pork from Hungary, but much less than from Germany.

Q211 **Jenny Riddell-Carpenter:** Would you do the same exercise again of writing to DEFRA with your feedback from the Hungarian outbreak? Not to give you all the credit—

**Katrina Walsh:** No, certainly not.

**Jenny Riddell-Carpenter:** It sounds like that feedback is clearly valued, and I am sure there are still lessons to be learned from the most recent outbreak.

**Katrina Walsh:** Yes, we will perhaps provide some feedback. The approach that was taken in the second instance was much better. We like to be constructive and provide positive feedback where it is appropriate.

Q212 **Jenny Riddell-Carpenter:** Would you be able to share your feedback from the Hungarian outbreak with us as a Committee? We have had detailed feedback from others as well about the Germany outbreak.



## HOUSE OF COMMONS

**Katrina Walsh:** Yes, I can check internally and provide something in writing, perhaps.

Q213 **Jenny Riddell-Carpenter:** Thank you. Sally, on broader plant disease outbreaks, what is your assessment of some of the most recent responses to disease and plant outbreaks?

**Sally Cullimore:** That is quite interesting. We had a pest interception—it was a cicada—back in September at Sevington. The communication around that was frankly appalling. We also fed back to APHA because APHA and DEFRA would be doing the communications.

I do not think anything has changed. There is no set process about what happens, or there is a set process, but there is no process for communication with traders. There is no automatic email to say, “Your consignment has been held. We suspect this pest. This is what you should do”. There is no communication to the wider trade to say, “We have intercepted this pest. It is a new pest. It is a pest of fruit trees, which could be quite impactful”.

They could have saved us hundreds of thousands of pounds by communicating the issue immediately and giving advice on where the pest was found—it was somewhere in Italy—what it is, why they are intercepting it and why they want to hold the consignment. People did not know about it so they kept importing. This is key information. It is exactly what we want to know. We do not want to import it, thank you very much.

Q214 **Jenny Riddell-Carpenter:** You say you are attempting to feed that back, but you are not finding it easy to.

**Sally Cullimore:** There were commitments from individuals that communications would improve, but we did not see any official statement to say, “This is what will happen now. As a result of this, we have made these learnings. We are hearing what you are saying as a trade about what you want to see in the future”.

Q215 **Jenny Riddell-Carpenter:** That is interesting. Nigel, would you like to add anything on that from your perspective?

**Nigel Jenney:** I would totally agree. There needs to be effective and prompt communication. With my sector, things of this magnitude have not occurred, but we do have issues on occasion. Let us say an inspector found a potential pest and could not immediately identify it. It would go off to various APHA labs to be checked. On occasion, that communication timescale is extremely long. The goods that we are importing have a very short shelf life. On occasion, those decisions have proven to be wrong. That leads to tens of thousands of pounds’ worth of perfectly edible fresh produce being destroyed.

My point is slightly separate. If decisions to hold are made, there needs to be a clear and effective decision about whether there is a notifiable



## HOUSE OF COMMONS

pest or whether further action needs to take place rather than just coming back in two weeks' time. That is too late for my industry.

Q216 **Chair:** It strikes me that this is a point where the working relationship between you, DEFRA and APHA really matters. Based on the very detailed and graphic description that you have just given, that is not a good working relationship or a good environment in which to start an operation during an acute episode such as the FMD in Germany or Hungary. Is that a fair comment?

**Nigel Jenney:** From an FPC point of view, like all of us, we are proud to have the relationships that we have with those Government Departments. I would not say we regularly disagree. That would be unfair. We share views, but we do need to find a constructive way forward. Rome is burning and it needs to be solved now, not six months from today.

Q217 **Chair:** You are not being listened to, though.

**Nichola Mallon:** We are being listened to. Every relationship is tested where the rubber hits the road. From a logistics perspective, we support the Government in their efforts to get an ambitious SPS agreement. That would resolve a lot of the difficulties on GB-to-EU trade. It would also resolve a lot of the difficulties on GB-to-NI trade. In the interim, there are very practical things that can be done around communication and the operation of BCPs in terms of effectiveness, capacity and training that would make a huge difference to our industry. We have come to the point where we need to see that materialise and that change being realised.

Q218 **Jayne Kirkham:** I was going to ask about IT systems, if I can get my head around them. I am struggling, to be honest. I will start with the driver notification system. There was at one stage meant to be an app, was there not? That has not happened. How are drivers notified? There is a pre-notification in IPAFFS, but it may go to the importer. Do the drivers automatically get a text message? Is that how it works? How does that work?

**Nichola Mallon:** Drivers can be notified through a thing called GVMS. There is a system. The challenge is that the level of detail is insufficient. The driver knows that he or she needs to present at a BCP, but they have no idea which load in the back of the lorry is being held, for what reason or for how long.

In the origins of BTOM, there were discussions with Government about the development of a driver notification app. We think that would be really helpful because it would enable the driver to be very quickly notified and to have the level of detail that he or she needs. We are aware of some examples where a driver has delivered the product to the customer and then receives a notification to present. We are also aware of a case where a trailer of ice cream was held at a BCP for over four weeks. If you think about the amount of energy that is required to keep that product refrigerated, that is a huge cost. It took four weeks to





## HOUSE OF COMMONS

resolve before it was released. In that case, the challenge was around getting to speak to the right person with the right level of seniority within the authorities to get the situation resolved.

On the issue of communication, I cannot stress this enough: the level of information provided to the driver, the logistics provider or the importer needs to improve dramatically. The data burden on traders and hauliers is immense.

There are a number of government systems involved in the border target operating model. Some talk to each other; others do not. Traders and hauliers are having to put in the same data on multiple occasions. Logistics UK was disappointed when the Government said they were pausing development of the single trade window due to financial constraints, because it was one of the gains in the face of so much pain of the border target operating model. We are involved in the discussions with Cabinet Office about the next steps around that. If the single trade window, in its full glory, cannot be progressed, the Government must prioritise reducing the data burden on traders. That has to be a priority.

Our members say that CDS, which is the customs system, contains about 80% of the data that the different government agencies need. Can that be used as a master dataset in the interim, so that the agency pulls out what it needs and the trader supplies the outstanding pieces of information? Certainly, this is an issue that has to be addressed.

Q219 **Jayne Kirkham:** My next question was going to be about the single trade window. Can anybody else tell us about the impact of not having that?

**Nigel Jenney:** I would totally agree with what has just been said. The aspiration to move to there in the coming years is fantastic, but we have to resolve the issues with the current system and make it fit for purpose. Simply not being able to tell three or four key contacts that a vehicle has been held, while all the other customers on that same vehicle do not know why their goods have not arrived, is ludicrous in today's generation.

It comes back to my point about 70% groupage. In my industry, 200,000 vehicles come from Europe every year. Each one of those vehicles will have 10 to 20 consignments on. That is potentially 20 different customers. How do we know which one has been stopped? You have to give some very bad news to the other 19 customers about their night's trading. Remember that the wholesale markets and the food service businesses that we all enjoy work through the night. When that vehicle does not arrive, they have nothing to sell that night.

Q220 **Jayne Kirkham:** This would change that. Katrina, did you have something to say?

**Katrina Walsh:** We would really like to see the work on the single trade window be unpaused. A lot of the work that had been done up to that point was in relation to the customs aspect, but the SPS aspect is



extremely burdensome. Having a single point to enter the information only once and not having any duplication would really benefit traders and reduce the possibility of human error on those systems.

We have seen a huge number of issues across the systems. ALVS, which links the customs with the phytosanitary and sanitary aspects, went down over a weekend. Loads of trucks and containers were stuck at port. There was a real lack of communication about what was going on or how to get those released. There was insufficient testing of the systems and how they would work together before this was rolled out.

We really need a complete review of systems interoperability, looking at IPAFFS, AVLS, GVMS, CDS and the traffic light system. We need to see how they are all working and how they can work better together. We also need to have better intergovernmental discussions on which systems are causing which issues and how we can resolve those. There is a piece that could be done even before the single trade window is unpaused.

Q221 **Jayne Kirkham:** We have heard that bugs and outages are really impacting those systems. You are finding that as well, are you?

**Katrina Walsh:** Yes.

**Nichola Mallon:** If there was a publicly available dashboard that enabled industry to see in real time what government systems were up and running and what was down, that would be hugely beneficial for planning.

Q222 **Jayne Kirkham:** My last question is about TODCOF, which allows medium-risk products to come in without any checks. This is done apparently in exceptional circumstances. Do you have any evidence about this? Do you know when that is being used so far?

**Katrina Walsh:** There is not much transparency on when it is being used, but its existence suggests there is not sufficient resourcing of BCPs to do all the checks. It is important that they are sufficiently staffed, including with veterinary resource. If there are instances where checks are not taking place, it would be extremely unfair if the traders were still being charged for those particular checks.

**Sally Cullimore:** Interestingly, the plant sector does not utilise TODCOF. It has a different system, the common health entry document or CHED-PP. That is already immediately decided on. The risk engine is so complex and we import so many species, with all the manipulation of data behind that. It is a sort of TODCOF, but it is not TODCOF. Again, we are introducing all these complex systems.

Q223 **Jayne Kirkham:** The answer is that nobody really knows whether TODCOF is being used.

**Sally Cullimore:** Nobody really knows.

**Jayne Kirkham:** It may have been; it may not have been. We do not know.



## HOUSE OF COMMONS

**Nigel Jenney:** From industry feedback, we know that on occasion the level of inspection that we envisage does not occur. The absolute reason for that is a mystery. Let us put it that way.

Q224 **Josh Newbury:** I wanted to come in briefly on TODCOF. This is one of the things that we discussed when we went to Sevington last week. The impression we got was certainly that they could not tell us to what extent TODCOF was being used. Anecdotally, we have heard that it is being used quite routinely to keep movement flowing through Sevington because clearly they cannot handle the number of checks that are being requested.

I appreciate that you do not have those figures either, but are you getting a sense from your members that TODCOF or a TODCOF-esque check is becoming a major frustration? Essentially, people are being pulled up at Sevington for no good reason and you potentially have goods wastage there. Certainly, the supply chain is interrupted.

**Sally Cullimore:** What we see is you get pre-notified that you have been selected for a check. That is great. The communication works because the driver is still en route; they are still on the ferry. The trader, the importer and the agent can then communicate with the driver. However, there is then a manual intervention. The inspector who is in charge of the examination facility will then look at capacity within the BCP and staff resourcing, and say, "I cannot do that" and then release the goods. You have to go through that whole communication process again.

However, someone has to be sat there looking at IPAFFS to see whether it has been released. As you can imagine, ferries come in at all times of day and night. Our non-TODCOF TODCOF still releases things when capacity is reached, but the communication is difficult. That is when you get things stopping at the border or not stopping at the border. The whole system is almost built to generate disinformation.

**Nichola Mallon:** Our members report that it is being triggered. I cannot say with any accuracy the degree and the frequency of that, but, in addition to what Sally has said, if it is enacted when it is not clear what the triggering criterion is, it just adds further to the unpredictability and confusion around everything.

Q225 **Josh Newbury:** Would the development of an app potentially solve that? Would that be something that could potentially be added into that?

**Nichola Mallon:** The benefits of an app stand on their own. We need to understand the criteria for the triggering of TODCOF and how it balances free-flowing movement with biosecurity measures. The difficulty with this one, from our perspective, is that there is not enough information to take an informed opinion on it.

**Nigel Jenney:** If I could add to that, that is about a particular decision to release because of challenges at the BCP or whatever. If my consignment has been selected for inspection, I want a simple communication of when



## HOUSE OF COMMONS

it is likely that my vehicle is going to be available for ongoing movement. We simply do not know. The ferry arrives at 5.00 this morning. Several of our clearance agents will be ringing and emailing constantly for hours, which is a pointless waste of time, because I am just trying to find out when I will get access to that vehicle to service my customer.

APHA in Sevington or wherever is doing exactly the same thing. It is pointless. There needs to be effective communication to say, "It is at this stage of the process. It will be this timescale before it is available". It is a black hole, if I were to put it frankly.

Q226 **Chair:** If DPD can tell me where my Amazon delivery is or whatever, you would not have thought this would be beyond the wit of Government.

**Nigel Jenney:** As I mentioned a few minutes ago, the current SLA is four hours. That is far too long for our industry. That loses me a working day.

**Chair:** In fairness, you would not want your delivery on your neighbour's doorstep.

Q227 **Henry Tufnell:** I am conscious that we have covered a lot of this already, particularly about the financial implications of the BTOM and the impact on small and medium-sized businesses. We have also discussed how the financial burden could be reduced while maintaining biosecurity. Nichola, have there been any changes in behaviour from EU exporters supplying the UK market?

**Nichola Mallon:** As I said, Logistics UK works very closely with Transport and Logistics Netherlands and Transport Logistics France on the issue of the border target operating model. From speaking to our members and their members, we know some European suppliers have taken the decision to withdraw from the GB market. We also know that continental logistics providers are choosing to opt out of servicing the GB market. It is becoming increasingly difficult to get drivers from Europe who are willing to come across into GB.

That is for all the reasons that we have spoken about. They encounter delays. They require additional training when they are moving SPS goods across into GB. There is also an unacceptable lack of driver welfare facilities, not just at the BCPs but right across the UK. It is in stark contrast to the facilities that are available for drivers in continental Europe. We definitely are seeing that withdrawal. It is becoming increasingly difficult for operators where the majority of their business is serving GB.

Just last week I spoke with a large transport operator in the Netherlands. The majority of his business is moving plants and freshly cut flowers into GB. He is under immense pressure. His business model is under immense pressure with the cost implications and the stress of all of it.

**Katrina Walsh:** We have heard from many quarters that certain companies in the EU are seeing the UK as being harder to do business



## HOUSE OF COMMONS

with and it being more of a hassle. If they want to sell meat to the UK, they have to pay a vet to produce an export health certificate. There are then all the uncertainties about when the product is going to be delivered and whether there are going to be delays. It is particularly risky for things such as chilled poultry meat, which has a short shelf life. If you lose a day of shelf life, that has huge knock-on impacts and costs down the chain. It is less attractive to sell to the UK than to sell within the EU market. That is a concern for UK food security.

**Nichola Mallon:** In October, we are due to see the roll-out of the EU entry/exit system at the UK's juxtaposed borders, which is the short straits. That is a critical supply chain corridor for fresh food and perishable products. At peak passenger periods there will be significant knock-on implications for outbound freight. That paints a very negative picture of GB for EU suppliers and logistics operators.

**Nigel Jenney:** Turning it another way, we want the UK to be seen as a destination of choice, but, as we have already explained, we have made it so much harder that that is backtracking materially.

We are seeing other aspects. Long-term European partners are changing their terms and conditions of trade. They are no longer prepared to accept the cost of delays or damage. Therefore, the commercial terms change. The UK importer is having to take on that liability, which is not sustainable either. Ultimately, we will have less choice; we will have fewer suppliers; and it will be more expensive.

**Sally Cullimore:** I will leave you with one sentence that one of our EU-based hauliers said to me the other day. He said, "They are killing our sector. It is increasing prices. It is impacting all my customers. You are the laughing stock of Europe".

**Chair:** That is sobering.

Q228 **Josh Newbury:** We have talked about BCPs quite a lot already. It is clear from your answers that your members have not had positive experiences of attending BCPs for SPS checks. Are you confident that BCPs and control points have the capacity to deliver the number of checks that have been set out in BTOM?

**Katrina Walsh:** One thing that causes pressure on BCPs is when there are systems issues that result in lots of consignments being called to a BCP despite not having been called for inspection by the PHA. When there are issues in the system, the default situation is that consignments have to go for inspection. That is what creates huge queues that are difficult to manage. If the systems were to work better, there would be less pressure on BCPs when those incidents occur.

**Nigel Jenney:** If I could just add to that, I do not have that confidence for the reasons I have just given you about fresh fruit and vegetables. As an industry, we believe the number of consignments that could be



## HOUSE OF COMMONS

selected for checks is far greater than APHA's assumptions. Therefore, those alternative solutions must be in place urgently. Otherwise, we are going to have to go for delay. Taking whatever terminology you want to use, there will not be the resources to inspect the goods. That is a fact.

**Nichola Mallon:** On the BCPs, we have focused a lot of our attention on trying to put forward operational improvements that would make a big difference. We have spoken about capacity, utilising all the bays for inspections and enhancing training so we are minimising any damage. There is also an issue around the opening hours of some BCPs. If your load is landing and DEFRA is not there, you might have to wait a couple of hours. There are issues around streamlining and opening hours.

There is also an issue around whether it is possible to safely carry out some checks concurrently. We are focusing a lot of our energy on how we can make that inspection process much more effective and efficient.

Q229 **Josh Newbury:** We visited Dover. More than half our trade is coming through the short straits. One of the things they were keen to mention to us was the lack of operation at Bastion Point, which was commissioned at a cost of £22 million. It has never operated. We went up and saw Bastion Point. We were told by the Port Health Authority in Dover that, if it was open, it would increase capacity and it would enable a lot of things that cannot happen at Dover at the moment such as load splitting, which we have been talking about. If grouping is a common thing in the sector, load splitting would enable the goods that do not need to be checked to move on quickly and others to be processed appropriately. Do you have any thoughts on that? Would Bastion Point being operational make a difference here or is it more about resources at the ports that we have?

**Nigel Jenney:** Specifically for my industry, BCPs currently do not offer the removal of a consignment as part of groupage for inspection. Control points do and have done that for years. Again, it is about using the best solution. As an industry, we would much prefer to use a control point or something similar, which gives you flexibility and control. We have to be very aware that, if we are going to open another facility, it will be a Government-managed facility. They already do not have enough resources. My suggestion is to be bolder, to use control points or similar, and to allow the industry to self-regulate with appropriate controls. That is the only solution that is now left, if that level of controls is required for goods in the medium-risk category.

**Nichola Mallon:** There is also a need for transparency in the operation of Sevington. I am thinking about the common user charge. That is very clearly a not-for-profit policy. The charge was to cover operating costs. Our members are asking questions around how efficiently Sevington is run and the impact on the charges that they are subsequently paying.

We have been asking Government for some time, in the interests of transparency, to publish more detail around the operational costs of running Sevington.



**Nigel Jenney:** Sevington is full cost recovery, but the commercial rate to offer the same service would be a fraction. It may well be that it is covering its costs, but it is just not competitive. It has to be not just covering its costs; it has to be a least-cost solution. It is far from that.

Q230 **Josh Newbury:** Staffing seems to be a core issue around the capacity question. We know Dover Port Health Authority, for example, has the ability only to do 20% coverage. Most of the time, goods are going through unchecked. What are your thoughts on that? Is there potential for that resourcing issue to be resolved? Are we really looking at that being business as usual? Are we going to have to find a way around that lack of staffing resource?

**Sally Cullimore:** Is that APHA staffing or Port Health Authority staffing?

**Josh Newbury:** The 20% is Dover Port Health Authority, but clearly there are challenges on the APHA side as well.

**Katrina Walsh:** If that is resourcing that is being used to target illegal meat being smuggled to the UK, that certainly needs to be properly funded so they can do a sufficient number of random checks to make sure that product is not coming in. There needs to be proper funding for checks that have a biosecurity implication as well as the checks by the inland authorities that also pick up things such as those.

**Nigel Jenney:** At the moment, we are talking about responsible businesses making the appropriate declarations and incurring all the cost challenges that we have talked about. That is one thing. We are penalising hugely responsible and hard-working businesses, yet irresponsible businesses that are either mis-declaring or not declaring at all are getting away scot-free. Perhaps we have put the resources in the wrong place with the wrong focus.

Q231 **Josh Newbury:** Yes, that is certainly something we heard last week. We also talked about the fact that when a non-compliant load is found, often it is cleared. A voluntary declaration is made; the goods are surrendered; and the driver goes off. They probably often go back, get more and see whether they can get through again. I totally accept that point.

We have also heard that the ramp-up of BTOM could be done differently at different ports, which could leave inconsistency in how checks are being done. If you are a bad actor, you would therefore go to the port of least resistance to try to increase your chances of avoiding checks. Is that a concern for your members? Is that something that you are hearing?

**Nichola Mallon:** The issue of a lack of consistency is definitely a concern for our members. Just to take one example, we have one member who has the same EU supplier, the same haulier, the same GB customer and the same product. On one day he had 20 trucks stopped; on the next day he had 70 trucks stopped. There does not seem to be coherence in terms of the approach. That is something that we would like to see addressed.



**Sally Cullimore:** That is definitely our experience. If you get resistance at one port, it skews and people go to another port because it is easier to get through. We would like to see consistency of operation across all ports so you know what you are going to get. That resolves the issue of skewing trade and encouraging active avoidance.

Q232 **Josh Newbury:** It is interesting to hear there is that much variance because we are being told that it is a risk-based system. You would expect that the numbers being stopped would be fairly consistent. From one day to the next, the risk is not going to increase that much. The content of what is being imported into the country is not changing radically overnight. Do you have any sense of why that is happening and why the system we have is being implemented so sporadically?

**Sally Cullimore:** The variance is not because of risk. The variance is because of capacity.

Q233 **Josh Newbury:** If we do not have the capacity, we are reducing the number of checks that we are doing. That is just a natural consequence of that resourcing issue.

**Sally Cullimore:** You can do the maths. Most plant trade comes through at Harwich. The commercial port operator has a different way of operating. It might be quicker than another one. If they have a resource issue, it might suddenly become slower, which skews trade somewhere else. It is resourcing and physical capacity, as we have already spoken about. The designation process for designing and building a BCP constricts it automatically.

Q234 **Henry Tufnell:** Building on that point about consistency and port health authorities, is there consistency in the way that DEFRA and the APHA are interpreting the rules and guidance?

**Katrina Walsh:** Early on in the process, we did see some instances where PHAs in the UK had different views on how certain export health certificates from the EU should be filled out. Because that is a policy issue, it is up to DEFRA to give a clear steer on the interpretation. In those instances, we really needed more direct communication between DEFRA and the EU authorities, both the veterinary authorities in member states and directly with the EU if that was relevant. DEFRA-to-EU communication is very important in order to have that consistency flowing down to the PHAs.

Q235 **Henry Tufnell:** We have some information here about the APHA. Some staff are more flexible others and sometimes there is surprise additional testing. Is that something that you recognise?

**Nigel Jenney:** There is always a unique approach taken by some individuals, but there does need to be a level of consistency. You mentioned port health. The PHA is an agency that my sector would come into contact with if it is checking for food safety, which I know is broadly beyond what we are talking about today. There does need to be a level of





## HOUSE OF COMMONS

consistency. The fees and charges are enormous, depending on which port you go to. The approach to consignments is taken on a weekly basis when it is the same supplier week in, week out. You get the same result, but you have just spent another £1,000. There has to be a more dynamic approach to managing that risk for the benefit of consumers.

**Q236 Henry Tufnell:** Just moving on, we have talked a lot about Sevington. Josh talked about Bastion Point as well. Can you comment on the 22-mile journey? Do you have any concerns about non-attendance and the potential risks involved in that?

**Nigel Jenney:** From my point of view, we have already suggested an alternative solution for managing inspections at the border. We see no reason why control points cannot be located beyond the immediate sea boundary. Remember, this is for responsible businesses that are declaring and managing their businesses appropriately. The Government have to have another solution for those who choose to ignore the regulations. We are hugely penalising an industry that is diligent and trying to do the right thing, while allowing those who simply want to buck the system to have a free-for-all, doing what they want when they want.

For example, we mentioned different locations of entry taking things in a different way. A DEFRA consultation that recently closed suggested a further easement of inspections at west coast ports. If I am an irresponsible business, which port am I going to go to?

**Nichola Mallon:** Our members are robust in their approach to biosecurity and compliance but, understandably, questions are being asked about the 22-mile trip between the point of entry and Sevington, and how that could be utilised by bad actors in the supply chain.

**Katrina Walsh:** If people are intentionally circumventing the system by not attending, there needs to be an element of enforcement to pick that up. That is creating an un-level playing field for the companies that are working really hard to comply. If there are instances where IT systems fail to adequately inform importers or drivers that they are supposed to attend, where that has been caused by a government system failure, there needs to be a pragmatic approach to the importer in that instance. They were trying to do the right thing, but the system has failed.

**Chair:** Finally, we are going to come to questions around the UK-EU reset. Sarah, you have been a model of patience.

**Q237 Sarah Bool:** There is going to be this EU-UK reset, as it has been talked about, coming up in the future. From what you have been saying, it sounds like your sectors might welcome some form of SPS agreement. Is there anything in that agreement that you would be concerned about, if that were to be the case?

**Katrina Walsh:** We are very much in favour of an SPS agreement, if it reduces the barriers that we are seeing on both import and export with the EU. If it were a very high-level agreement that only reduced checks



but still required export health certificates, that would be quite similar to the BTOM regime. That would therefore be potentially more limited in how helpful it would be. If it were a much deeper agreement that made the requirement for export health certificates and checks redundant, that would reduce a lot more barriers.

If that were to come at the expense of dynamic alignment, where the UK essentially just follows all of the EU regulation, it would be a risk. We have developed quite a pragmatic import regime for rest-of-world imports. I have mentioned some of the positive changes that we have made. If we were to have a roll-back of that pragmatism, that would be quite a risk. For instance, the UK was able to do a country-wide ban on Germany when FMD happened. That was because the UK has regulatory autonomy. Depending on the type of agreement, there would be risks in the UK signing up completely to everything in the EU food and health regime.

**Nigel Jenney:** You have just said it, but the devil is in the detail. What standards are we applying? It would be a retrograde step for many of our non-European trading partners for the UK to go back to the EU standard. Again, it is about the challenge of divergence. A lot of our food arrives in Europe before it comes to the UK. That is causing an issue when we need certification and other things that are very difficult to get in Europe but required by the UK Government from time to time.

**Nichola Mallon:** We need to learn from the experience of the border target operating model and the Windsor framework. We need to be cognisant of the intended and unintended consequences of any agreement. We understand that things have to be negotiated in confidence, but there needs to be road testing with industry as well. That needs to be built into the system. Otherwise, we are going to continue to repeat the mistakes of the past.

**Sally Cullimore:** I would absolutely advocate for an SPS agreement that includes plant health, utilising not dynamic alignment but mutual recognition of each other's plant health areas. As Nichola has said, any agreement needs road testing with sector first to make sure it is fit for purpose. As Katrina said, we have to be very careful about what we wish for. If the elements that are brought into any agreement do not work, unless we do something, there will be no sector left to benefit from an SPS agreement.

Q238 **Sarah Bool:** Just finally, it will take quite a while potentially to agree one of these SPS agreements. What one thing would you want to see improved on SPS checks in your sectors?

**Nichola Mallon:** I am going to bunch two together: a dramatic improvement in communications with industry and between Government and agencies; and much more effective running of the BCPs.



## HOUSE OF COMMONS

**Sally Cullimore:** We need a single point of contact and a single point of data entry.

**Katrina Walsh:** We need to move towards more electronic certification, including cloning for the EU, as well as having robust staff in those DEFRA teams to support them.

**Nigel Jenney:** I would be a bit more radical: a fundamental acceptance of control points and servicing them with inspectors beyond hours, in addition to authorised trader status. We have to move on. What is happening now is killing the industry. We cannot wait for an SPS agreement.

Q239 **Chair:** Your repeated references to groupage trigger me a little bit. I had never heard the term until 5 July 2021. You will be aware that I represent Shetland, which is a one-third fishing-dependent community. I could have made it my specialist subject on “Mastermind” by the end of January 2021.

I am mildly conscious of the fact that the one sector we have not spoken about today is fish. Nichola, from the point of view of your members, this is more of an export issue, but we do import some fish. Are you aware of any particular issues in relation to fish trading?

**Nichola Mallon:** Not specifically to fish, no, but the same issues apply in terms of communication, and effective and efficient processing. If you think about fish, you are having to move at high speeds. If you do not, you have degradation of product. That has consequences in terms of consumer choice, availability and pricing.

**Chair:** Yes, it is a premium product that gets exported and imported. The loss if you lose that time is quite dramatic. We may find another way of picking that up on another day. In the meantime, thank you very much for your attendance. Your evidence has been absolutely invaluable. It is part of an ongoing inquiry. We will issue a report at some stage. I can assure you, on the basis of what you have said today, that the evidence you have given will very much form part of our consideration.

Thank you for your attendance. Thank you to colleagues for their input and their engagement. I will conclude the session at this point.