



Environment, Food and Rural Affairs Committee

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From the Chair of the Committee

Rt Hon George Eustice MP
Secretary of State for Environment, Food and Rural Affairs
2 Marsham Street
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30 November 2021

Secretary of State

Further delay of the introduction of checks on food imports from the EU

I am writing to express the Committee's deep concern about the further delay to the imposition of Sanitary and Phytosanitary (SPS) checks on food imports from the EU of animal products and fishery products (known as Products of Animal Origin, or POAO). I trust that you are as concerned as we are that these checks are still not happening and that the timetable has slipped again.

When you appeared before us on 16 November 2021, I highlighted that the introduction of these checks had – at that point – been deferred three times. The Government originally stated on 10 February 2020 that the checks would be introduced on 1 January 2021, immediately after the post-Brexit Transition Period ended. However, on three occasions since – 12 June 2020, 11 March 2021 and 14 September 2021 – the introduction of such checks has been deferred. In contrast, the EU introduced SPS checks on POAO imports arriving from Great Britain on 1 January 2021 (different arrangements of course apply to Northern Ireland).

On 16 November, we were reassured by your official that our SPS checks on EU POAO imports – including Export Health Certificates and physical inspections – would be introduced “from 1 July 2022”. This was further to the statement to the House of Lords made by the Cabinet Office Minister, Rt Hon Lord David Frost, on 14 September 2021 in which he stated that such checks would be introduced “on 1 July 2022”.

The Committee is therefore disappointed that in the Government's updated “Border Operating Model” published on 18 November, a fourth delay to the timetable for the introduction of these checks on EU POAO imports was announced, namely:

- from 1 July 2022, certification and documentary, identity and physical checks will be introduced for:
 - all meat and meat products as well as
 - all remaining regulated animal by-products (ABP)
 - all regulated plants and plant products and
 - all remaining high-risk food not of animal origin.
- from 1 September 2022, certification and documentary, identity and physical checks will be introduced for all dairy products.

- from 1 November 2022, certification and documentary, identity and physical checks will be introduced for all remaining regulated POAO, including composite products and fish products.
- live animal checks will also begin to move from the point of destination to Border Control Posts (BCPs) from 1 July 2022 as facilities become available and are appropriately designated.

This new timetable – assuming it is not further delayed - means that certification and checks on composite products and fish products will not be introduced until nearly two years after the end of the Brexit Transition Period, which we consider to be a lamentable delay.

We also note the change in the preposition in relation to the dates in the timetable from “on” (in Lord Frost’s statement) to “from” in the latest revision. The use of the word “from” introduces a degree of ambiguity and so further reduces the Committee’s confidence that import checks and controls on even a subset of POAO from the EU will commence on 1 July 2022.

As we set out in our Report, “Seafood and Meat Exports to the EU” published in April 2021, the Committee is concerned that the continued absence of checks on EU POAO imports:

- undermines the competitiveness of British seafood and meat businesses in their home market
- creates incentives to relocate factories and jobs to the EU
- increases risks around food safety and biosecurity
- reduces the incentive for the European Commission to negotiate on SPS checks and controls

and also

- weakens our negotiating position with the EU
- limits the spectrum of measures we can take if necessary.

These problems become greater the longer that full imports checks are not introduced across all POAO.

During your recent appearance before our Committee on 16 November, you explained that Lord Frost’s announcement on 14 September postponing the planned two-step introduction of import checks on 1 October 2021 and 1 January 2022 was because of the Government’s uncertainty over the level of preparedness on the EU side. Specifically, the Committee was told that there were concerns around whether three (unnamed) EU countries had sufficient veterinary capacity to undertake export checks. This is in contrast to the EU’s position, which as noted above introduced checks and controls on our exports immediately after the Brexit Transition Period ended on 1 January 2021 even though – as we found in our report “Seafood and Meat Exports to the EU” – many businesses, especially small businesses, and vital support services (such as Official Veterinarians) were not fully ready, in part at least because of a lack of timely, targeted and joined-up Government guidance.

It is difficult to comprehend why the Government is showing such flexibility, especially as this approach is penalising those businesses both here and in the EU that have invested to be ready. It is also disincentivising those remaining unprepared businesses to get ready, while all the time undermining our own interests.

We note that you told us on 16 November that had the two-step timetable to introduce import checks on 1 October 2021 and 1 January 2022 been implemented, “we were ready to introduce these checks” on imports. However, the Government’s latest Border Operating Model published on 18 November states that the White Cliffs Inland Border Facility – where SPS checks on imports will be conducted at the border for the critical Port of Dover – will not be ready until “the end of 2022”. The Border Operating Model states that all POAO – and also ABP – imports from the EU “must enter via a Point of Entry with an

appropriately designated Border Control Post from 1 July 2022”, even if the product is not subject to identity and physical checks at that stage as set out in the 18 November 2021 timetable for SPS checks.

The Committee requests that you provide the following information by close on Wednesday 8 December:

- an explanation of the further delay announced on 18 November, with more details on the lack of veterinary readiness in EU countries.
- the level of British preparedness including the readiness of our Border Control Posts, in particular the White Cliffs Inland Border Facility, as well as our IT systems, including their ability to deal with the expected volumes of daily import flows.
- an explanation of why the dates for the latest revised import timetable are prepositioned by “from” rather than “on”.

In addition, it is disappointing that the Committee was not informed directly by your Department of the 18 November announcement. As you will recall, our report “Seafood and Meat Exports to the EU”, stated that it was “crucial” that the Government’s then timetable (set out on 17 March 2021) for the introduction of checks for EU POAO imports on 1 October 2021 and 1 January 2022 was adhered to. The Committee also said that the Government “should inform the Committee every month of progress towards introducing the SPS [Sanitary and Phytosanitary] import checks and controls”.

Since the Report’s publication in April 2021, the Committee has only received two updates: a single paragraph on 27 July 2021 and a second update on 15 October, both of which we have published. The need for monthly updates on this topic is now greater than ever to ensure that Parliament is kept fully informed about this continued malaise which increases the risks to British businesses and consumers with every passing day.

The fact that the timetable has been revised four times to date gives us little confidence that the latest schedule will be adhered to, and we are concerned that the Government’s apparent lack of prioritisation for this vital issue may mean that import checks are not introduced next year either, and maybe not in 2023.

The Committee requests that the Department submit a comprehensive monthly update to it on the first working day of each month for the foreseeable future, and also inform it immediately of any change to the timetable for the introduction of checks and controls.

Yours Sincerely

A handwritten signature in purple ink, appearing to read 'Neil', followed by a large, stylized flourish or scribble.

Neil Parish MP
Chair of the Committee