

Border Target Operating Model Update

FSA 23-06-04 - Report by Anjali Juneja. The TOM details a global approach to import controls on Sanitary Phyto-Sanitary (SPS) goods, building on the approach the UK inherited when we left the EU by making it more agile and risk based and introduces import controls on EU food and feed for the first time.

1. Summary

1.1 The government published the draft Border Target Operating Model (TOM) on 5 April. This was followed by a period of engagement which ended on 19 May. The Board is asked to note this update on the TOM, the process that has been followed for determination of the TOM risk categories, and the next steps before the publication of the final version of the TOM anticipated around the end of June 2023.

2. Introduction

2.1 The TOM details a global approach to import controls on Sanitary Phyto-Sanitary (SPS) goods, building on the approach the UK inherited when we left the EU by making it more agile and risk based and introduces import controls on EU food and feed for the first time. The TOM is underpinned by an evidence-based model that uses available data on the animal and human health risks inherent to a commodity, together with risks specific to the country of origin. It generates a risk ranking score that is then used by risk managers to recommend a TOM risk category that determines the level of controls and checks to be applied to that commodity.

2.2 The FSA has an established risk management framework that forms part of the 'Three Lines of Defence' (see Annex A) and applies the principles of the HM Treasury Orange Book, a document providing guidance which establishes the concept of risk management. We use this framework to provide assurance to the FSA Board, the Audit and Risk Assurance Committee (ARAC), and the Chief Executive Officer (CEO) as Accounting Officer that opportunities and risks are being effectively identified, assessed and managed, and those involved understand their roles and responsibilities.

2.3 The new risk model has been led by Defra and is designed to assess the risks posed to public and animal health by imported products of animal origin on a country-by-country basis. The FSA has worked closely with Defra on development of the food safety component of the risk model and also with the Cabinet Office and other departments, notably Defra, UKHSA, DHSC and colleagues in the devolved governments and Food Standards Scotland on the development of the draft TOM.

2.4 During the stakeholder engagement period the FSA has taken part in a series of Cabinet Office and Defra-led workshops covering a wide range of business types – both large scale events and smaller, more bespoke sessions. The FSA led an event for consumer focussed organisations with support from the Cabinet Office and Defra on 16 May. Questions from these organisations focussed on areas where more detail was desired: these included the impact of the Windsor Framework, the detail underpinning the risk model and the mechanisms to ensure that it

remains dynamic.

3. Discussion

3.1 A series of principles to guide FSA input into the TOM were agreed with the Board as detailed below and used to inform FSA input during the development of the TOM:

- the level of food and feed safety is maintained (or improved)
- the policy is driven by science, data and evidence
- the policy is dynamic, changing responsively to ensure food controls target where risk is greatest; and
- the proposals are aligned with global SPS standards.

4. TOM Risk Model

Risk Assessment

4.1 The risk model allows a commodity from one country to require a different set of checks and controls to the same commodity originating elsewhere based on risk. The initial assessment has now been completed for commodities imported from the EU and EFTA countries (treated as a single trading bloc) with [details published on 28 April](#).

4.2 This initial version of the risk model looks at broad commodity groupings, some of which include a wide range of product types posing a range of food safety risks. This is particularly the case for composite products containing both animal and plant ingredients and some types of dairy products. These two commodity groups account for a significant proportion of all EU food imported to the UK (estimated by Defra to be between 25 – 50%) and include foods such as pizza, ready meals, cheese and yoghurt.

4.3 Some dairy products pose an increased food safety risk, for example commodities made from raw milk, but other products will range from low to medium risk and at this stage have not been segregated into discrete groupings, with a view to taking an incremental approach to TOM implementation. Raw milk products, milk for human consumption, and infant formula and follow-on formula have been placed in the TOM medium risk category in order to more closely monitor compliance due to increased risk and/or intended use of the product.

4.4 The FSA is clear that more work is needed to explore the approach to dairy and composite commodities. Until then, it is considered proportionate that the remaining cold chain dairy and composite commodities should initially be placed within the TOM low risk category.

4.5 As more data is collected the model will be refined as was always intended, delivering a more agile approach. The government has committed to carry out further work to understand to what extent commodities in these groups can be broken down into more granular groupings so that controls remain proportionate to the risk posed. The FSA will play a key part in meeting this commitment.

4.6 This approach will support the evolution of the risk model taking data as it becomes available and using it to improve the model. It takes into account the risks and mitigations while supporting smooth trade flows of these goods. The FSA will continue to closely monitor the risks posed to food safety by imports and, where it is necessary, has the ability to quickly put in place controls such as intensified official controls, safeguarding measures or by delisting a producer where an immediate risk exists to food safety. We already make use of in-country surveillance as part of our monitoring and are reviewing whether we will need to add to this work, because this surveillance will play a part in ensuring that risk categorisation remains current.

Streamlined Export Health Certificates (EHCs)

4.7 In addition, the health certificates that will accompany certain goods on import to GB have been streamlined by Defra, with input from the FSA, to make them more straightforward to complete, while maintaining all of the existing food safety standards and ensuring that the information required for risk management and traceability in an incident continues to be provided.

Trusted traders

4.8 The TOM includes a commitment to the piloting of Trusted Trader schemes allowing members to provide government with additional assurances in order to benefit from a speedier process at the border.

4.9 The FSA is working with colleagues from the devolved administrations and Defra to define the scope of these pilots. We are paying close attention to the assurances that will need to be in place to ensure that food safety is maintained and that consumers can continue to be confident in the food they buy. High level proposals will be included in the final TOM to be published at the end of June, following which pilots will be co-designed with industry. Work currently underway is focussing on the assurances that will be needed to manage food safety and biosecurity risks, and how the pilots will be assessed.

4.10 We intend to bring the final proposals to the Chair of the Board for agreement later this summer. Although we have influence on the design of this work and proposed safeguards, the ultimate decision to launch pilots sits with Ministers.

Conclusions

5.1 The Board is asked to note this update on the TOM, the process that has been followed for determination of the TOM risk categories, and the next steps before the publication of the final version of the TOM.

Annex A

Three lines of defence model

