

Minutes of the Welsh Food Advisory Committee meeting held on 11 May 2023

Hybrid themed meeting - Border Target Operating Model (BTOM)

Present

Welsh Food Advisory Committee (WFAC) members attending:

- Peter Price, Chair
- Alan Gardner
- Dr Philip Hollington
- Christopher Brereton OBE
- Helen Taylor
- Georgia Taylor
- Dr John Williams

Food Standards Agency (FSA) officials attending:

- Anjali Juneja – Director of UK and International Affairs
- Nathan Barnhouse – Director for Wales
- Sioned Fidler – Head of Communications, Welsh Language and Business Support
- Lucy Edwards – Business Manager
- Jonathan Davies - Head of Standards Policy and Consumer Protection
- Nathan Harvey - Head of Consumer Protection

Observers:

- Representatives from Torfaen County Borough Council
- Representatives from Caerphilly County Borough Council
- Representatives from Carmarthenshire County Council
- Representatives from Farmers' Union Wales
- Representatives from Agricultural Industries Confederation

Presenters:

- Helen John - Welsh Government
- Jane Clark - Director of Veterinary Services, FSA
- Owen Lewis - Head of Policy and Local Authority Partnerships, FSA

1. Introductions, apologies and minutes of the last meeting

1.1 The Chair welcomed all attendees to the meeting. Apologies were noted from Jessica Williams. The minutes of the February 2023 meeting were agreed.

2. Declaration of interests

2.1 No interests were declared.

3. Border Target Operating Model overview

3.1 The Welsh context

The Committee received a presentation from Helen John, Welsh Government (WG) which gave an overview of the BTOM and how it affects Wales and the three ferry ports at Holyhead, Fishguard and Pembroke. It detailed the risk-based system for imported goods and the level of SPS checks that would be undertaken as a result. Helen gave an overview of the milestones, highlighting that 31 January 2024 is when introduction of border controls checks will start across Great Britain (GB), but this currently does not apply to the West coast of Wales and WG are yet to set a date when the checks will start. Helen explained that WG are not willing to set a start date until there is clarification on the rules around the indirect flow of goods. The presentation also covered charging and the Trusted Trader Schemes.

3.2 When asked to highlight the main concerns for WG in relation to BTOM, Helen commented that maintaining unfettered market access and knowing when goods are coming from Ireland or Northern Ireland could be a challenge. Another concern is how to ensure that the ports and the service of the ports remains economic and sustainable, the three ferry ports in Wales are small and shipments arrive around lunchtime and in the early hours, this can cause difficulty with the staffing schedules and availability of staff at these small remote locations. Lastly, although this is a devolved policy area, WG want to be a part of the GB wide BTOM system. This work is primarily led by Defra. This works well in the main, but there are times when Wales doesn't seem to have equal weight in the conversation and WG are currently experiencing difficulty in obtaining UK Government funding for Welsh ports.

3.4 The FSA's contribution to BTOM

The second presentation from Jane Clark and Owen Lewis focussed on the FSA's contribution to development of the BTOM. Informing that prior to development of the BTOM, the FSA Board agreed a set of principles that the BTOM needed to meet:

- 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.
- The proposals are aligned with global SPS standards.

The FSA believes that the draft BTOM does meet these principles and, if adopted, will continue to ensure they remain front and centre during implementation. Jane then went on to explain how the FSA has been engaging extensively with the lead government departments: the Cabinet Office, DHSC and Defra, as well as the Devolved Governments, to ensure food and feed safety and consumer protection remains at the heart of the proposals. FSA strongly support the introduction of risk-based controls on food and feed coming into the UK from the EU. The three main workstreams that the FSA is prioritising are: Streamlining Export Health Certificates (EHCs), Risk categorisation of imports (EU/Rest of World) and the development of trusted trader schemes.

The presentation then moved onto BTOM in practice and what changes it will bring for Wales. The key change for Wales is the need for new border infrastructures (Border Control Points or BCPs) to manage the new SPS import control requirements. Responsibility for biosecurity and the BCP infrastructure is a devolved matter led by Welsh Government. The FSA is working closely with Welsh Government and Defra to ensure that BCPs in Wales can implement the BTOM. Plans are in development for BCPs in Holyhead, Fishguard and Pembroke Dock to service EU imports from the Republic of Ireland.

4. Panel and committee discussion

4.1 The Chair informed that a number of questions had been posed to the committee ahead of the meeting, the questions and answers are detailed in [Annex A](#).

4.2 A question was asked in relation to the feed industry in Wales, and businesses who import feed into Wales: How does the FSA feel they are contributing to this part of the work in Wales? Jane Clark advised that this is an area that the FSA will need to consider forming part of the pilot consideration. Helen John commented that WG are keen that the pilot covers a wide variety that can be learned from in order to determine what works best for Wales in terms of biosecurity and also for traders.

4.3 There was discussion around the infrastructure at the ports and the ability to facilitate checks on live animals. Helen John advised that the ports had submitted plans and received planning permission, but the build would only start when there was more clarity around funding from the UK government.

4.4 A committee member raised that there is a CIEH conversation taking place on the Border Target Operating Model on 17 May. Main concerns from CIEH are that it seems to be heavily weighted to reduce regulatory burdens on businesses compared to securing an effective and proportionate regulatory regime for SPS checks. In addition, under the retained EU regulation, checks on particular products of animal origin can only be carried out by Official Veterinarians. CIEH is suggesting that any post EU regulatory regime should also enable or consider enabling Environmental Health practitioners with the required competencies to support the Veterinary colleagues in undertaking this particular area of work.

4.5 A comment was made in relation to the pace and amount of regulatory change and reform occurring simultaneously and the risk of the system not being considered in totality which could then potentially result in a risk to food safety. Jane Clark commented that the BTOM team are working very closely with the teams responsible for other transformation programmes to ensure a holistic approach.

4.6 A question was asked in follow up to an earlier question relating to the way Local Authorities will be funded to provide this service, not just at the ports in question, but also at the inland local authorities where there may also be involvement in import controls. Helen John advised that the focus is on the controls at the border or slightly inland, in which case it would still be the same authority and the costs would be paid by the importer.

4.7 Comments from WG Public Health colleagues were that from a public health perspective the risk-based approach underpinned by evidence based dynamic risk assessment is key. This is a dynamic risk assessment model with the evidence underpinning this and a constant review of the intelligence, the data and the advice from public health specialists and other scientists and specialists feeding into this model. Also, reiterated was the need to ensure that Local Authorities and Port Health Authorities implicated are supported with recruitment, training, delivery, so that this remains viable, financially viable and is sustainable and resilient.

4.8 There was a discussion around Local Authority resources which the committee have spoken about on numerous occasions and the growing concern that there is a shortage of people coming into the Environmental Health and Trading Standards roles and the work being done to hopefully attract people into these roles and bolster the workforce. This is not limited to Wales and is a UK wide issue.

4.9 A committee member commented that a key component that has not been discussed in detail is the supply chain and the changes that are going to happen, and the impact it will have on manufacturers within Northern Ireland and in Wales. The food system is a very pressured system,

whether the role is regulatory policy or manufacture. Also stressed was the importance of stakeholder engagement ensuring holistic approach within a struggling supply chain. There are capabilities lacking in digital competency, in terms of digitisation of systems. There is going to be a lot of work required for Welsh manufacturers to get on board with this.

4.10 In summary, the Welsh perspective is very distinctive in that all our ports face Ireland, and this creates significant challenges. The committee recognises the success of the four-country working approach and is confident in this risk-based approach which is underpinned by science and evidence.

5. Feedback from the IFST Conference

5.1 The conference focused on 3 key challenges facing the food industry: food security, health and nutrition and the environment. Several presentations at the beginning of the conference highlighted the need for a complete transformation of the food system, and how all its activities and interactions must radically change in order to make it more secure, stable and sustainable. A specific concern was in relation to the huge divergence between food availability across the globe and also between the rich economies, which contribute most to climate change and those poorer economies which pay the price. Countries on which the UK depends for its food supply are directly affected by climate change, resource degradation and water use. And within the UK agriculture sector, negative contributory factors to climate change problems include the 70% of land used for agriculture alone, pesticide toxicity, solar degradation, and a decline in biodiversity. It was also identified that there was a lack of a climate change strategy or climate resilience risk assessment in UK food businesses.

The proposal is that food system resource use, efficiency and waste mitigation must be improved by identifying synergies between activities and interactions that make up the food supply chain and analysing the trade-offs between food security, environmental outcomes and health and nutrition while ensuring commercial viability. We heard from an expert in cellular agriculture and other speakers in relation to alternative protein sources and the increased production of these. It was reported that although they had good credentials from an environmental perspective, they had unclear health implications which needed further investigation. There was also discussion around the trends in food and the relationship between health and sustainability in terms of diet. It was an extremely interesting day and gave members who attended lots to think about going forward.

6. Chair's report (Paper 23/05/02)

6.1 The Chair gave an oral update on his report which detailed the Board meeting held in Manchester in March 2023.

7. Director's report (Paper 23/05/03)

7.1 The Director gave an oral update on his report which included details of an Executive level engagement programme at this year's Royal Welsh Show.

8. Any other business

8.1 A member highlighted the Science and the Senedd event which will be held on 13 June 2023.

8.2 Members noted that the next themed meeting would be on the 12 July in Cardiff and the theme of the meeting is Local Authority operations.

8.3 The Chair closed the meeting.

Annex A - Questions submitted to WFAC

Question 1

On what basis has the FSA Wales decided on the risk assessment approach for the commodities that will be High – Medium and subject to Trust a trader mode - Medium and Eco Trusted Trader – Low risk and do they agree with APHA risk assessment? Does this risk assessment include consumer acceptance or simply food safety?

Answer to question 1

The Food Standards Agency (FSA) and Food Standards Scotland (FSS) together with the UK governments across the four countries work closely together to assess any food safety risks. The approach to import controls that is outlined in the Border Target Operating Model (BTOM) has been developed to be risk-based and proportionate and in line with global standards. We proactively monitor emerging risks on a national and international basis and co-ordinate with other regulators to manage those risks collaboratively, so that consumers in each nation are safeguarded. The risk analysis process is also undertaken on a four-country basis to ensure that the scientific evidence and data on any safety risks is assessed for all four countries and appropriate action is taken. GB-wide governance arrangements are in place to ensure that information and data from across the whole country is taken into account.

The FSA has incorporated food safety data into Defra's International Disease Monitoring model so that the risks to both animal health and food safety/public health from trade on a country/commodity basis can be assessed. The food safety layer is able to deliver risk categorisation that, even in the early stages of the model, meets the FSA's key objective of ensuring that food is safe, and will use new data from import controls as we further develop the granularity of the model and increase the risk-focus of the outputs.

The BTOM risk model has been specifically developed to assess the risk from imports into Great Britain. It analyses information from a variety of sources such as WAHIS (the international animal disease database from the World Organisation of Animal Health (WOAH)) and the Rapid Alert System for Food and Feed (RASFF) which is the international reporting system from the European Union. The model also incorporates opinions from internationally recognised experts, data on trade volumes imported into Great Britain, and data on border compliance. The overarching model is managed by veterinary risk experts in the UK Office for Sanitary and Phytosanitary (SPS) Trade Assurance, supported by specialist animal health risk assessors within the Animal and Plant Health Agency (APHA) and food safety assessors at the UK FSA.

It is expected that most goods will not change from their initial categorisation but as the risk is not static, the model will be dynamic and if appropriate, goods will be moved up and down the categories thereby increasing or reducing controls. Government will aim to provide trading partners and businesses with sufficient notice of any change to risk categorisation, with a three-to-six-month implementation period. This period could be shortened in specific circumstances and safeguarding measures to allow an immediate response to a disease outbreak or food safety incident will remain an independent mechanism to respond to emerging risks.??

The trusted trader scheme is currently being developed with other partners. The new model must be led by science, evidence and data with time to risk assess assurances and mitigations that could be provided through such a scheme to ensure that the level of food and feed safety is maintained or improved. There will be further engagement on the scheme at a later date.

Defra and the APHA have published the [import risk categories for animals and animal products imported from the EU to Great Britain](#), from 31 October 2023.