

# Border Target Operating Model

FSA 23-12-06 This paper provides an update on the commitments and key milestones in the Target Operating Model (TOM) publication and summarises the risk analysis and policy work.

## 1. Summary

1.1 At the June Board we provided an [update to the Board](#) on progress with the Government's [Border Target Operating Model](#) (BTOM), including providing detail on the risk model for animal health and food safety that will underpin the new regime and the principles that had been followed. Since then the final [BTOM](#) has been published and a final date to implement controls agreed. Controls on EU commodities will start to be introduced from January 2024, with changes being made to the treatment of Rest of World imports from April.

1.2 The BTOM risk categories for food and feed from the [EU were published](#) on 28 April with [Rest of the World categories](#) following on 30 August.

1.3 This paper provides an update on the commitments and key milestones in the Target Operating Model (TOM) publication and summarises the risk analysis and policy work that FSA has been involved in as the focus now pivots to delivery and implementation.

1.4 The Board is asked to agree to our proposal to report annually to the Business Committee about any changes that have been made to the risk model over the year, bringing any areas of concern or risk to the Committee's attention. The Board is also asked to note this overall update and in particular, the ongoing work that Defra (Department for Environment, Food and Rural Affairs) is leading on the introduction of Trusted Trader pilots.

## 2. Introduction

2.1 The BTOM has been developed as part of the Government's [2025 UK Border Strategy](#) which sets out to modernise the border. Cabinet Office is leading on the Border strategy, and Defra is leading on the Sanitary and Phytosanitary (SPS) elements of the cross-government programme, which covers animal, plant and human health. We are therefore working closely with Defra and DHSC (Department of Health and Social Care) to ensure that public health and food and feed safety remains at the heart of the work.

2.2 The Government took a decision this summer to delay the implementation of controls on EU commodities and changes to the controls on Rest of the World Goods until 2024. Key points from the new timeline are detailed below:

- January 2024: Export Health Certification implemented for EU commodities where this applies; commencement of Trusted Trader pilots.
- April 2024: implementation of Rest of World risk model and categories; requirements for Export Health Certification removed from Rest of World low risk category products of animal origin; implementation of physical checks on EU commodities ([footnote 1](#))

2.3 As the FSA set out in our 2022 and 2023 Annual Reports, we view the introduction of controls on EU commodities as soon as possible as being essential in order to safeguard public health.

2.4 The BTOM does not change the UK's food standards ([footnote 2](#)) and does not allow any new foods to be imported to the British market without a [Market Access or Regulated Products application](#). The approach to enforcement of standards is similarly unchanged. There is an ongoing obligation on food businesses to only place food on the market that meets these standards.

2.5 No country can export Products of Animal Origin to the UK unless they meet UK standards and have market access, gained by proving to the UK that they meet our standards, and subject to a review following that decision. Where a food safety assessment is required, the FSA sends food safety experts to assess controls in other countries, before a market access decision is made, other than where this can be carried out remotely. Once access is approved, these products entering the UK are subject to the controls set out in the BTOM, to assure that UK standards are met. ([footnote 3](#))

2.6 What is changing in the BTOM is how the UK verifies and monitors adherence to these standards, as opposed to the standards themselves. The overview of these changes are shown from page 34 of the published [BTOM](#).

### **3. Summary of changes to the UK's approach to food and feed imports**

3.1 The current position for controls on imports of food and feed depends on both the origin of the goods and what the commodities are.

3.2 For food and feed imported from the EU and the European Free Trade Association (EFTA) excluding the Republic of Ireland, since January 2022 importers have been required to pre-notify eligible shipments. This has however not been routinely monitored and enforced, and compliance has been patchy. We expect to have more accurate pre-notification data once Defra introduces a more robust system for prenotification of EU goods from January 2024.

3.3 No other routine import controls are currently in place for EU goods at the border either before or on entry meaning that goods flow freely into the UK with no checks. This does not mean that there is no control: our standards remain largely aligned with the EU's which provides some assurance, the establishments must be approved by the Competent Authority of the Member State, and we can and do take action where needed, a recent example being on pork imports brought in under the guise of personal imports identified through specific targeted border operations.

3.4 Starting from January, the introduction of controls will provide a significant additional mitigation against the risks that can be posed by some commodities helping the FSA in our work to protect public health. For example, issuing Export Health Certification for commodities provides an independent, professional assurance that the goods have been produced and handled in compliance with the UK's standards. It also improves our ability to take proportionate action where concerns exist, targeting individual sources for extra checks or other measures which is not currently possible.

3.5 For food and feed originating in the Rest of the World the controls that the UK inherited upon leaving the EU have largely remained in place other than some minor areas of divergence that have occurred since that date, most notably affecting High Risk Foods of Non-Animal Origin (HRFNAO).

3.6 The introduction of the BTOM means that the UK Government will be putting in place border controls on EU imports for the first time – including plants and plant products. This totals over 5 million consignments annually on which there are currently no checks. When it comes to imports from the Rest of the World, most commodities will not be changing from their existing risk

ratings: where they do it is on the basis of a good knowledge of both the risks posed by the commodity and the mitigations in place in the exporting country and history of compliance.

## 4. Risk Model

4.1 The risk model (known as IDM+) that underpins decision making on import controls is a risk ranking tool that assesses the safety of products of animal origin imported into Great Britain (GB). As we set out in our paper presented at the June 2023 Board meeting, this model is managed by Defra with FSA being responsible for providing the food safety component, and Defra responsible for the animal health component.

4.2 The model analyses risk data from a variety of sources and also incorporates opinions from internationally recognised experts, data on trade volumes imported into GB, and data on border compliance. It also considers the nature of each hazard, the type of commodity, specific risks and control systems in place in the country of origin, compliance with import controls and the volume of trade into GB. It is a prioritisation tool, enabling us to categorise country/commodity combinations by risk to target control activities on imports that pose the highest risk.

4.3 The risk model is designed to be dynamic so that where there is a change in the threat posed by a commodity or the country of origin a reassessment of the categorisation can be carried out. It is intended for the model to be run on a six-monthly basis so commodities can, where necessary, move between (or within) risk categories in a timely fashion. The model is iterative in nature, and, over time, data inputs will be refined as we gather more targeted data at the border and inland. Defra plans to provide three months' notice of a change in category unless there is an urgent need to do so more quickly (see also para 4.5).

4.4 The terms of the Trade and Cooperation Agreement that the EU and UK agreed require that we treat the EU as a single entity. As a result, the risk categorisation that applies in one EU country applies to all. This does not, however, prevent us from putting in place more targeted checks on EU commodities that are a cause of concern from one or more member state provided that this is an evidence-based decision and is necessary to protect human, plant or animal health.

4.5 It should also be noted that where more urgent action is needed to address serious risks, the FSA retains the ability to take immediate measures such as intensified official checks ([footnote 4](#)) or delisting ([footnote 5](#)) at any time.

### Risk Categorisation

4.6 Following risk ranking, and in advance of each country and commodity combination being assigned into high, medium or low TOM risk categories, FSA risk managers, working with FSS (Food Standards Scotland) and UKHSA (UK Health Security Agency), have applied a real-world sense check to the model risk scores and taken account of additional data sources, including the latest data available on border notifications, rejections, outbreaks and incidents to assign the TOM risk category. The food safety recommendations for categories provided by the FSA are then combined with data on animal health with a Defra expert group, that includes FSA representatives, to make the recommendation on the risk categories.

4.7 These recommendations have then been taken to the Defra-coordinated Animal Disease Policy Group (ADPG) which is a Four-country SPS Trade group attended by the 4 CVOs (Chief Veterinary Officers), Devolved Government officials, the FSA/FSS and UKHSA. This is the formal decision-making group that agrees the risk categorisations. Unlike under the EU regime that has been followed until now, the TOM allows UK, Scottish and Welsh governments to set controls based on risk factors specific to individual exporting countries and a frequency of checks for different commodity groupings different to those set out in EU legislation, for example, for raw milk products and infant formula products.

4.8 Although not integrated into the new IDM+ risk ranking model, we take a similar approach to High-Risk Foods of Non-Animal Origin (HRFNAO). For example, we are currently dealing with [concerns about contamination of consignments of enoki mushrooms](#) which has been widely reported in the media, and putting in place measures to manage the risk at the border. We are also exploring potential legislative changes to the procedures for High-Risk Foods of Non-Animal Origin to expedite the process of adding or removing products to the lists of commodities requiring additional controls which at present is very lengthy.

4.9 The principles which have been followed by the FSA with regards to **ROW risk categorisations** are in summary:

- no risk rating will be assigned to countries not approved to place foods on the UK market,
- where trade volumes are low and only limited data is held, we will recommend a medium risk category as a default until further data is available;
- existing trade agreements that specify check rates will continue to be honoured or check rates reduced where justified based on risk;
- and the use of the shelf stable rule (where goods are shelf stable, for example canned goods that have been treated appropriately to ensure no bacterial or other contamination exists, will normally be treated as low risk) will only be applied where we have confidence in the control systems in the exporting country and may also be varied dependent upon the prevalence of certain animal diseases of public health significance in the country of origin.

4.10 Overall, there have not been significant departures from the existing rest of world regime, other than specific evidence-driven recommendations for several countries with whom UK has either equivalence agreements, free trade agreements, or a very strong knowledge of the processes they follow; and the moving of very highly processed goods into the low category. These low-risk categorisations will be kept under close review with subsequent repeat running of the risk model and risk management phases every six months.

4.11 We also set out in the June Board paper that more work was needed to understand whether some dairy and composite commodities should be split into smaller groupings to better reflect varying risk profiles and work is ongoing in this area. Any changes to risk categorisation as a result of this work will be integrated into the routine schedule of updates that will be notified in 2024 and traders will have time to adapt before changes take effect at the border.

## 5. Monitoring of import controls

5.1 As with the implementation of any new policy approach the introduction of the BTOM does bring with it a number of unknowns.

5.2 The Government has set up a number of implementation groups to monitor the progress and impact as the BTOM begins to be delivered. The FSA, alongside our colleagues in the Devolved Governments, are members of the groups. This will enable us to deliver a strategic and coordinated approach to monitoring implementation across the three nations ([footnote 6](#)) so that risks to consumers in UK can be identified at the earliest opportunity and any mitigations and controls are consistent in their application.

5.3 Working in this way, we hope will help us to understand at an early stage whether there are patterns emerging in some parts of the UK that may need to be investigated elsewhere. As an example, we have worked to support the Welsh government with their considerations of the impacts of the BTOM on imports and the Windsor Framework.

5.4 Within the FSA, we already use a Risk Likelihood Dashboard to consider the changing landscape of risk in relation to food and feed imports based on a range of available information. This enables us to consider emerging areas of concern for targeted surveillance, whether at the ports or inland, and also provides evidence to support the introduction of enhanced controls. We

also have access to a range of other data and are continuing to develop analytical tools to maximise our use of this. Further work is underway with Defra to bring together the elements of our strategic data and surveillance systems, at the border and inland, to ensure that we have robust, timely data to support intel-led interventions and for the routine running of the IDM+ model.

## 6. Check Rates

6.1 In the context of high historic compliance levels in relation to identity (ID) checks (an examination of ID checks over the first six months of 2022 showed compliance rates exceeded 99%), the BTOM does see a reduction from the 100% ID checks that took place under the previous regime with the intention to focus resources on where the impact is greatest.

6.2 There is now the freedom to uplift checks for countries for which we see compliance issues with controls appropriately weighted against the risks posed both by the commodity and the country of origin.

6.3 When the risk model is reviewed, the check rates for commodities that move between, or within, risk categories will also be automatically changed. Intelligence-led checks will continue to be carried out as required for the low-risk category.

## 7. Trusted trader

7.1 The Trusted Trader (TT) schemes are being developed with Defra as the lead department, but the FSA, FSS, CO (Cabinet Office) and Devolved Governments are all included in the process. We sit on the Defra Biosecurity Borders and Trade Programme board as well as the Animal Disease Policy Group (ADPG) (which also deals with public health and food safety matters) which are the main decision-making governance groups.

7.2 The Government will pilot schemes to develop trader assurances that provide businesses with flexibilities around certain biosecurity and food safety controls at the border that they would otherwise be obliged to comply with, and that deliver equivalent assurance to official controls. The aim is to build on the existing assurance systems and data that traders have in place to deliver to the UK's high biosecurity and food safety standards while offering certain facilitations from official controls. Overall, the pilots will need to demonstrate the same, or higher, levels of assurance that officially operated controls provide.

7.3 The trusted trader schemes will be assessed against the following principles adopted by Defra with input from the FSA and Devolved Administrations:

- protect or enhance domestic biosecurity animal and public health.
- maintain export markets.
- minimise burdens and costs to industry.
- provide benefits to businesses, consumers and government and reduce costs (including running costs).
- accessible to as many sizes and types of businesses as possible, including small and medium enterprises.

7.4 Three pilots are currently being planned as follows:

- Certification logistics pilot (CLP) – this allows members that use a European logistics hub to rely upon the Health Certification issued at the original point of origin and to break down loads (limited to pallet level) into smaller mixed consignments without requiring additional certification. The Trusted Trader will have to provide acceptable assurances regarding the biosecurity integrity of the goods in the interim, throughout transport, storage and any

limited manipulation that is permitted.

- Checks away from the border (CAB) – will allow frequent importers of products of animal origin and animal by-products to reduce the need for routine physical checks at the Border Control Posts by taking responsibility for carrying out checks at other locations, to ensure the protection of biosecurity, animal and public health whilst being closely regulated by government. The checks carried out by the Trusted Trader at their own site will not necessarily replicate the Border Control Post model but will provide at least the same biosecurity and public health assurance to government.
- Journey Assurance Module (JAM) – this builds on the work of the Cabinet Office [Ecosystem of Trust \(EoT\) pilots](#) that concluded this year, where government departments worked collaboratively with industry to design technical solutions that reduced trader burdens for border processes while maintaining or enhancing security, biosecurity and public health protection. The outputs of EoT pilot aim to assist further development and delivery of the 2025 UK Border Strategy. The EoT pilots included exploring utilisation of industry data and technology to provide assurance to government about goods coming to the UK by providing real time tracking and monitoring of consignments through GPS, temperature control devices, smart seals, as well as early access to commercial documentation and other data sets. The JAM pilot is similarly intended to make use of this existing industry data and technology to provide assurances about a journey - providing evidence that the provenance of goods are as expected; goods are maintained at the appropriate temperature; and goods have not been tampered with enroute to the UK.

7.5 Defra together with FSA and FSS is currently developing an approach to audit the pilots while they are in process. This will be based on the principles outlined above. For the certification logistics pilot module, this will include physical visits by Defra and FSA/FSS auditors to perform inspections of the sites used by members. This will involve auditors visiting European locations to assess whether the company is fully complying with the requirements of the scheme. Within the UK for the CAB pilot a similar process will be developed – this is in earlier stages of consideration at the time of writing.

7.6 Expressions of Interest to be trusted traders from businesses are being assessed by Defra, the FSA, CO and representatives of the Devolved Governments. The selection criteria and requirements for participation have been published and the intention is to bring a range of businesses into the pilots so that both large and smaller organisations can take part. The pilots and approach will be co-designed with Industry. The timing of pilots may vary but can be up to 12 months following which there will be an assessment as to whether or not they have been successful.

7.7 The FSA continues to work with Defra on the principle that food and feed safety must be maintained (or improved). We recognise that there are potential risks within the Trusted Trader Scheme, such as deliberate fraud or a failure to comply with the conditions of membership however we are advising and working with all relevant partners to be alert to and mitigate those risks. These will need to be managed through detailed design of the pilots so that the schemes can deliver the assurance necessary, provide benefits for business and still reduce costs to consumers. The FSA's work with wider law enforcement bodies who deal with cross cutting threats and safeguarding powers will remain in place.

7.8 It should be noted that the first examples of trusted trader schemes are primarily concerned with SPS controls at the border and do not immediately lend themselves to matters of authenticity which will still be monitored and enforced by inland local authorities. We are, however, working with Defra to consider whether an authenticity element could be added, possibly into the CAB module, or a later stage.

7.9 The overall decision making for scheme membership and management will sit with Defra Ministers. The FSA has worked with Defra alongside, colleagues from across the UK, to ensure that if a company were found to be involved in fraud of this nature that they could be removed

from membership. In addition, the FSA has taken steps to reassure itself that no companies being considered for membership are of concern to the FSA.

## 8. Legislation

8.1 The FSA is supporting Defra in the preparation of the necessary legislative changes that are required to implement the BTOM. The Cabinet Office and HM Revenue & Customs are also closely involved in this work.

## 9. Governance

9.1 We are recommending that **decisions about commodity and country risk ratings on food safety will be made by the FSA executive team** during the course of the year. Defra will continue to be responsible for making decisions about animal health aspects for the risk model. This is the same process that was followed prior to the UK's departure from the EU, and the one we already follow for HRFNAO. It is intended to provide a smooth and efficient way of managing any necessary changes in a business-as-usual manner. **Does the Board agree to this proposed approach?**

9.2 We propose we report these decisions to the Board on an annual basis through the Business Committee, highlighting any changes that have been made and bringing any risks or concerns to the attention of the Committee.

9.3 This process will enable the Board to assess whether and how the FSA is meeting BTOM principles and provide the relevant data and other information to assure the Board that food and feed safety outcomes are being maintained or improved.

## 10. Conclusions

10.1 The BTOM represents one of the biggest changes to Borders in the past 40 years or more. As with any major change there are risks attached, some of which can be foreseen and others which are less predictable.

10.2 As the BTOM has moved into the implementation phase the FSA will continue to provide advice to government, driven by our science and evidence led approach, to ensure the UK's standards of food and feed safety continue to be maintained and verified.

1. Note that Ports on the West Coast of Great Britain handling imports from Ireland will not introduce controls on commodities from the EU before October 2024. This does not affect imports from the Rest of the World.
2. Standards in this context refers to areas such as the Minimum Residual Levels of pesticides permitted, or the absence of microbiological risk in food and feed. It does not refer to the volume, type or style of checks that take place to assure that those standards are being met.
3. Qualifying Northern Ireland Goods are also able to enter the UK under the terms of the Windsor Framework.

4. Intensified Official Controls are a process whereby the level of physical checks and sampling can be increased in response to concerns about compliance of a commodity with the UK's standards.
5. Removal from the list of establishments entitled to export commodities to the UK.
6. Arrangements for Northern Ireland are governed by the [Windsor Framework](#).