



HFMA UPDATE

by Graham Keen,
Executive Director

Our work goes on

At the HFMA, we are always watching for the bigger-picture developments whilst at the same time keeping a really close eye on the lower profile, but no less important, practical day-to-day issues.

On a global level, it is clear that a huge amount of effort is going into the drive to develop the UK's trade outside the EU, and an example of this is that the UK has become a Dialogue Partner of the Association of Southeast Asian Nations (ASEAN). This agreement is intended to help the UK deepen its economic links to ASEAN, which has a combined GDP of \$3.2 trillion. Regarding our trading with the EU, First Minister, Paul Girvan, has said there was now a "window of opportunity" to resolve post-Brexit trading issues, so perhaps cause for some hope on that front.

The Department for International Trade announced the latest statistics on trade and investment between the UK and trading partners overseas, publishing the latest trade and investment factsheets which summarise the statistics on trade and investment between the UK and individual trading partners overseas. In the four quarters to the end of Q1 2021, the total trade in goods and services between the UK and China was £84.6bn; between the UK and United States was £188.1bn; between the UK and Japan was £23.9bn; and between the UK and Australia was £13.2bn.

Closer to home, the last week has been fairly uneventful, further confirming that a return to something approaching normality is now well under way. The UK Government announced updates for international travel, and scrapped the 'amber plus' list, and reportedly abandoned a proposal to create an 'amber watch list' for countries at risk of moving from the amber list to the red list, while 16- and 17-year-olds in England will be offered COVID-19 vaccines. Scotland, Wales, and Northern Ireland have all confirmed they will follow

this move. The UK Government also announced it has updated the COVID-19 app so that it now notifies fewer contacts to isolate. The latest voting intention polls show a decline in support for the Conservative Party, which are now leading by just five percentage points. In addition, a poll of Conservative party members has found that support for the Prime Minister is on the decline. Speculation that the Budget will be delayed until 2022 is also growing.

In the meantime, our work continues, and I thought a brief update on some of the current issues we are dealing with offers a glimpse into just how very broad and diverse these are:

■ China's new rules for import and export of foods

In April, the Chinese General Administration of Customs (GAC) published two key regulations applicable to overseas food products exported to China. Both regulations will take effect on January 1, 2022 and replace the existing laws that regulate imported food and overseas facility registration. Under the new legislation, food supplements will be included in the list of specified foods for which the more arduous site registration procedures will be required. In particular, this will mean that companies exporting 'specified food' to China (B2B or B2C), must be registered via government food hygiene and safety authorities in the country of origin, or they can submit the registrations themselves, not via parties in China.

The HFMA is assisting members asking for guidance regarding the registration process, which UK Authority will administer the registrations, transition periods and various procedural issues, and has submitted a range of questions to the British Embassy in Beijing, which will be forwarded to GAC, along with other industry queries from UK.

■ CBD status in the UK

It remains the case that, technically, there are thousands of CBD products

currently illegally on the market in the UK. Over 800 applications for 'approved' product status have been received, the vast majority being incomplete, but there are still only four validations covering 43 products. Two hundred of these applications are being progressed, and the reviews are expected to be complete in the next month or so, the majority in August. Companies with products on the market but not on the lists will be offered voluntary withdrawal, before further enforcement options are pursued. At time of writing, there have still been no new additions to the authorised list of products for well over two months.

■ Status in UK of on-hold botanical health claims

Further European Commission action on the review of its 'on hold' list of botanical health claims is now understood to be unlikely, as the EC has decided to devote its attention to determining the rules for nutrient profiles. The UK's post-Brexit Nutrition and Health Claims Committee (UKNHCC) is now in action and is considering its first health claim application prior to issuing its scientific opinion – a process that can take up to five months.

What action the UK intends to take on its 'on hold' list of botanical health claims is not yet clear. The latest news is that the anticipated UK consultation and impact assessment – to include consumers and industry – is delayed, but still on its 'to do' list. It is likely to be a two-stage process: firstly, a consultation detailing the issue, background etc, followed by a consultation on potential solutions. In anticipation of DHSC action, the HFMA has formed a small core group to explore and determine the potential risks now facing botanical health claims in the UK, and evaluate possible mitigation strategies and determine if, when and how to act. We will also investigate and evaluate realistic opportunities to influence or develop a more suitable future

framework for UK.

■ Legal actions over HADs and aloe products

In the EU, there are now four separate legal actions for the annulment of Regulation 2021/468 on HADs (which effectively bans aloe products in the EU), which have been submitted to the European Court of Justice and have now been published in the *Official Journal of the EU*. Two of these actions are from consortiums of EHPM member associations and companies, and likely to have the added weight of an intervention from the Italian Ministry of Health as an 'Interested Party' (IP). The other two actions have been lodged by individual companies, and it is anticipated that the EU Court will 'group' these cases.

Our European federation, EHPM, is likely to participate as an IP to one of the actions, with the aim of sending a strong signal to the Commission that the food supplement sector is deeply affected by the regulation, and its adverse impact is an EU-wide issue. In the UK, where no action on HADs has yet been taken, a group of associations including the HFMA is working on a joint industry submission to the UK authorities, which seeks, among other requests, a safety assessment by an independent scientific committee of the totality of the currently available data on HADS in aloe vera preparations.

These examples are typical of the numerous issues that we discuss with members in our technical and working group meetings. If you'd like more information about the HFMA, or any of the issues summarised above, then we'd love to hear from you. hfb

To help us in our efforts to protect this industry and benefit from the gold-standard advice we provide, join the HFMA at the earliest opportunity. To learn more about our activities, please contact graham@hfma.co.uk

HFMA membership is vital to ensure that your company keeps abreast of the fast-changing regulatory environment. The HFMA is the UK's best source of information and most effective defender of our industry's interests. To help the HFMA defend your business at this most critical time contact hfb@hfma.co.uk or call 020 8481 7100.

