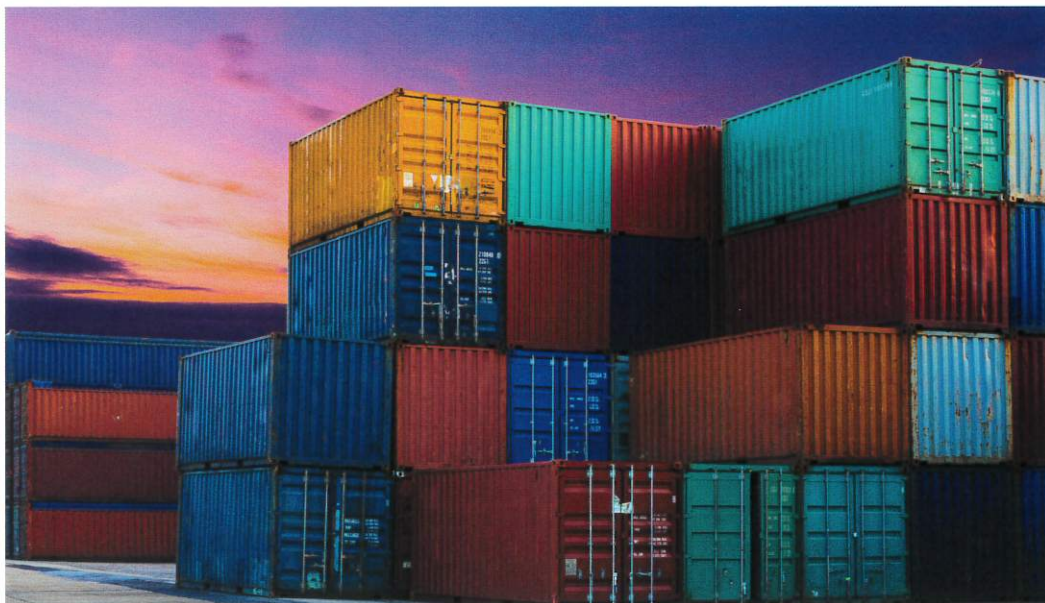




## HFMA UPDATE

by Martin Last,  
Director General

# Regulatory transitions



**M**ight it be that we are seeing the faint signs of economic recovery? I have seen in the last few days reports stating that fuel costs are falling, the first drop in raw material prices since 2020, and a reduced rate of rise in the cost of food bills, all of which have prompted lower-than-expected Government inflation figures, and this must be a welcome sign for our High Streets. And the development of improved import sales is also looking brighter.

The recent publication of The Government's Windsor Framework is intended to restore the smooth flow of trade with the UK internal market and safeguard Northern Ireland's place in the UK by practically addressing problems affecting the availability of goods from GB. Technically known as EU Regulation 2023/1231, it provides clarity and specific rules on the imports into Northern Ireland from other parts of the UK, which will restore trade and provide UK VAT and excise arrangements benefits to help make this trade move better with Northern Ireland.

The Border Target Operating Model (TOM) is also due to be implemented from October 31. TOM sets out a new model for importing goods into the UK from countries inside and outside the EU. It provides border controls for international trade that introduce an improved regime of sanitary, phytosanitary and security controls on imports. These controls are essential to maintaining a safe and secure supply chain across our borders and ensure food safety. The model will take a data-driven approach to managing the UK border, utilising technology to reduce paperwork, checks, and replacing current cumbersome methods with a more targeted, risk-based system that is underpinned by evidence and data. A scale of risk assessment from low, medium, and high-risk product categories will apply.

I am pleased to say that the HFMA is at the forefront of helping companies understand these new measures and interact and monitor their planned implementation. For instance, one aspect of the introduction of TOM is a proposed Common User Charge (CUC), which is still in consultation. It proposes administration charges for each consignment of product imported into the UK, which could vary from £10 for low risk to £20-£43 for medium and high-risk products. We have responded to this consultation as it would potentially increase costs of goods and it appears unwarranted to apply a charge to low-risk products as, by their nature, they would not require administrative time to charge against. In addition, how the Government intends to practically collect such charges is by no means clear.

We have also responded to related transition legislation proposals with the Retained EU Law Bill (REUL), by making the case for review of the Nutrition and Health Claims Regulation and changes to the prohibition of term 'Probiotics' on pack. It was initially thought that transitioning EU law into UK law

could provide a real opportunity to make reform that would give benefit to UK trade and operations. Unfortunately, in a meeting of shareholders, including the HFMA, the Department of Health & Social Care (DHSC) announced that none of the scheduled laws for revocation or reform related to nutrition legislation. As a result, as we approach December 31, 2023, no existing nutrition legislation will be changed or amended.

So, HFMA is now working with other trade associations, such as the Committee of Responsible Nutrition (CRN) and The Proprietary Association of Great Britain (PAGB) on an extended campaign to make direct joint representations to Members of Parliament, particularly on the issue of probiotics to campaign for product to be able to be labelled clearly so that consumers can make informed choice when purchasing a probiotic product. Currently, the absence of the term confuses or misleads consumers who are seeking out such products or have been recommended such products by a health professional, only to be unable to clearly locate these products at point of sale. Such a change does not require any legislative change,

just a practical implementation of UK packaging law.

HFMA continue to monitor and assist members with all regulatory matters that impact on their business. We offer insight and expertise in many ways, from awareness of post-transition opportunities and challenges, through to technical information, advice, and updates, as well as regular member communications. Such support comes from a strong team within the HFMA, who all help support our members, every day.

I trust that we are starting to see some seeds of encouragement that the economic downturn is now turning a corner. And whatever the trend maybe, I can assure you that the HFMA will continue to represent the interests of our members' needs, be them regulatory, scientific, technical, or political and I will continue to make the HFMA the voice of our industry and see that it is best placed to address the challenges that the future brings.

If you would like to know more about the benefits of membership to your company, simply visit our website, [www.hfma.co.uk](http://www.hfma.co.uk), to learn more, or contact me directly at [martin@hfma.co.uk](mailto:martin@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 [hfma@hfma.co.uk](mailto:hfma@hfma.co.uk) or call 020 8481 7100.**

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