

HFMA Bulletin

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Brexit's disproportionate impact on natural products

I thought long and hard about whether yet another article on the subject of Brexit would be a turn-off for readers as it is clearly a subject suffering from news overload and reader fatigue. However, because there do seem to be some specific issues that affect natural products, I think it's worthwhile to take the risk and report on these.

I'm sure that we have all had our own problems with the consequences of Brexit, and undoubtedly there will be more to come when the full requirements come into force.

One of the most illogical relates to organic products. Correctly certified organic products from third countries can be imported directly from those countries into the UK and the EU, but then it is not possible under the agreement between the EU and the UK for the UK to supply the imported product to the EU and vice versa, unless the products are further processed.

Very little thought seems to have gone into looking at organic products during the negotiation of the agreement. This has led to some creative activities around the meaning of the term 'further processing', although Defra guidelines are not helpful in this respect and one wonders why not everyone is battling for Britain.

Another relates to the export of products of animal origin (POAO) to the EU. Whilst we were aware that health certification would be required for such shipments, it's not possible to obtain such a certificate without

being an EU-approved establishment. Operations such as storage do not qualify for approved establishment status unless there is temperature control. This has led to costly transfers of goods to approved establishments so that health certification can be obtained – another area where the UK authorities needed to be more pragmatic, and pro-Britain.

Another consequence of the requirement for a health certificate is that the shipment to the EU needs to go through an official border control post (BCP) and has to be pre-notified via the EU TRACES system. Since this requires a document and possible physical inspection and sampling at the BCP, transport companies are reluctant to handle POAO unless it is a whole lorry or container load, because they will hold up the shipment.

Up until the end of September, the UK did not require the issue of health certificates for POAO coming from the EU. However, from 1 October 2021 health certificates have been required, and from 1 January 2022 the shipments will need to go through a BCP in the UK and be subject to inspection and sampling; this could give rise to issues in obtaining products.

UK exporters have been suffering since the start of the year, but it will soon be the turn of the EU exporters to suffer in the same way. Maybe then a more common-sense agreement could be reached. Don't hold your breath!

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