

Health marks on meat, fish and dairy products if there's no Brexit deal

Summary

What health and identification marks on meat, fish and dairy products will look like if the UK leaves the EU with no deal.

Detail

If the UK leaves the EU in March 2019 without a deal, find out how this would affect health and identification marks for food products of animal origin such as meat, eggs, fish, cheese and milk.

A scenario in which the UK leaves the EU without agreement (a 'no deal' scenario) remains unlikely given the mutual interests of the UK and the EU in securing a negotiated outcome.

Negotiations are progressing well and both we and the EU continue to work hard to seek a positive deal. However, it's our duty as a responsible government to prepare for all eventualities, including 'no deal', until we can be certain of the outcome of those negotiations.

For two years, the government has been implementing a significant programme of work to ensure the UK will be ready from day 1 in all scenarios, including a potential 'no deal' outcome in March 2019.

It has always been the case that as we get nearer to March 2019, preparations for a no deal scenario would have to be accelerated. Such an acceleration does not reflect an increased likelihood of a 'no deal' outcome. Rather it is about ensuring our plans are in place in the unlikely scenario that they need to be relied upon.

This series of technical notices sets out information to allow businesses and citizens to understand what they would need to do in a 'no deal' scenario, so they can make informed plans and preparations.

This guidance is part of that series.

Also included is an [overarching framing notice](<https://www.gov.uk/government/publications/uk-governments-preparations-for-a-no-deal-scenario>) explaining the government's overarching approach to preparing the UK for this outcome in order to minimise disruption and ensure a smooth and orderly exit in all scenarios.

We are working with the devolved administrations on technical notices and we will continue to do so as plans develop.

Purpose

This notice provides information to certain businesses on action they would need to take before EU exit to ensure that trade can be maintained in a 'no deal' scenario. It is specifically aimed at UK businesses that use the health and identification marks for food products of animal origin such as meat, eggs, fish, cheese and milk.

Before 29 March 2019

If you produce meat, fish or dairy products, you must be approved to operate by a competent authority. Approval is under Regulation (EC) 853/2004 Article 4 (2).

In England, Wales, and Northern Ireland, the Food Standards Agency (FSA) is the competent authority that approves slaughterhouses, meat cutting plants, and game handling establishments. Food Standards Scotland (FSS) carries out similar functions in Scotland.

Local authorities are the competent authorities responsible for all other relevant establishments in England, Wales and Scotland.

In Northern Ireland, the FSA is also the competent authority that approves liquid milk dairy establishments and egg packers. The Department of Agriculture, Environment and Rural Affairs (DAERA) carry out hygiene official controls (on behalf of the FSA) in slaughterhouses, meat cutting plants, game handling establishments and liquid milk dairy establishments and egg packers.

You cannot produce or process meat, fish or dairy products for sale unless your establishment is approved. Your produce must carry an appropriate health or identification mark. These are requirements under Regulation 853/2004, Articles 4 and 5.

The health or identification mark must be oval in shape and state:

- that it's produced in the EU
- the EU country it's from
- your unique approval number

The above are described respectively in Regulation (EC) 854/2004, Annex I, Section I, Chapter III and Regulation (EC) 853/2004 Annex II.

After March 2019 if there's no deal

The FSA is not planning to change approval numbers, but the health and identification marks would need to change after 29 March 2019 if there's no Brexit deal.

The UK would not be entitled to use any abbreviation in the health and identification marks that implies membership of the EU. The form of the health and identification marks would therefore need to change. This is a requirement under Regulation (EC) 853/2004, Article 6 (1), Regulation (EC) 853/2004 Article 5 and Annex II and Regulation (EC) 854/2004 Annex I, Section I, Chapter III.

The FSA recently wrote to industry about what the new health and identification marks should look like.

The aim is to keep any change to the health and identification marks as simple as possible, minimise the impact on industry and ensure continued recognition by consumers in the UK, EU and countries that we export to outside the EU. The new health mark design would need to meet the EU's requirements for a third country health and identification mark to ensure recognition by EU countries. As a minimum, the EU abbreviation would have to be removed from the health and identification marks.

The FSA in England and Wales, FSS in Scotland and DAERA, in conjunction with FSA in Northern Ireland, are taking steps to ensure that operational staff will be equipped with new health marks from 29 March 2019, so they can be deployed on this date if necessary.

Local authorities will be kept informed of developments regarding proposed changes to the health and identification marks.

A consultation period will give stakeholders the chance to comment and respond to our proposals. After this, industry will be notified as soon as possible regarding the new health and identification marks. If you export meat, fish or dairy products to the EU or other countries you would need to use the new marks.

If you don't export, the FSA is currently considering proposals that may allow the continued use of the old identification marks on domestic produce for a limited time

after 29 March. This would help to minimise the impact on industry by allowing businesses to use up old stocks of packaging.

What you'd need to do

When the consultation process has been completed, you will be told what changes you will need to make to health and identification marks. These changes will be communicated by November 2018. You will need to change health and identification marks to continue exporting meat, fish and dairy products.

Defra, which has responsibility for international trade in food and feed products, will inform other countries that receive UK exports about the changes to UK health and identification marks.

More information

This guidance should be read in conjunction with Defra's guidance on [live animal and animal product exports](<https://www.gov.uk/government/publications/exporting-animals-and-animal-products-if-theres-no-brexit-deal>), and on [food labelling](<https://www.gov.uk/government/publications/producing-and-labelling-food-if-theres-no-brexit-deal>).

This notice is meant for guidance only. You should consider whether you need separate professional advice before making specific preparations.

It is part of the government's ongoing programme of planning for all possible outcomes. We expect to negotiate a successful deal with the EU.

The UK government is clear that in this scenario we must respect our unique relationship with Ireland, with whom we share a land border and who are co-signatories of the Belfast Agreement. The UK government has consistently placed upholding the Agreement and its successors at the heart of our approach. It enshrines the consent principle on which Northern Ireland's constitutional status rests. We recognise the basis it has provided for the deep economic and social cooperation on the island of Ireland. This includes North-South cooperation between Northern Ireland and Ireland, which we're committed to protecting in line with the letter and spirit of Strand two of the Agreement.

The Irish government have indicated they would need to discuss arrangements in the event of no deal with the European Commission and EU Member States. The UK

would stand ready in this scenario to engage constructively to meet our commitments and act in the best interests of the people of Northern Ireland, recognising the very significant challenges that the lack of a UK-EU legal agreement would pose in this unique and highly sensitive context.

It remains, though, the responsibility of the UK government, as the sovereign government in Northern Ireland, to continue preparations for the full range of potential outcomes, including no deal. As we do, and as decisions are made, we'll take full account of the unique circumstances of Northern Ireland.

Norway, Iceland and Liechtenstein are party to the Agreement on the European Economic Area and participate in other EU arrangements. As such, in many areas, these countries adopt EU rules. Where this is the case, these technical notices may also apply to them, and EEA businesses and citizens should consider whether they need to take any steps to prepare for a 'no deal' scenario.