



Department
for Environment
& Rural Affairs

Food labelling in a no-deal scenario

Tuesday 5th February 10:00 – 13:00



Department
of Health &
Social Care



Department for
Business, Energy
& Industrial Strategy



Food
Standards
Agency



Forestry Commission
England



NATURAL
ENGLAND



Environment
Agency

Overview of forthcoming food labelling changes

- Definition of 'Goods on the Market'
 - UK Exports to EU
 - UK Exports to Third Countries
- General changes: Transition Periods; Statutory and non-statutory
- Principles adopted by UK for goods in the UK
 - Organics
 - Food Operator Addresses
 - Health Mark
 - Country of Origin
 - Geographical Indicators
- Allergens - update

Food labelling changes after EU exit

- Current state of play
- Consumers have a right to know where their food comes from - and we want to make sure that our high food standards are easily recognisable and understood.
- We are working closely with food retailers and suppliers to help them prepare for leaving the EU - including providing information on labelling changes that must be made to UK products sold in the UK and EU after 29 March 2019.
- Proposals are subject to agreement with devolved administrations and Parliamentary process

Goods on the Market: No change.

Goods already placed on the market on or before exit day

In food information legislation, the definition of 'placing on the market' (together with other definitions) is taken from Regulation 178/2002 and will be incorporated into UK law under the Withdrawal Act. This states, that, "*placing on the market*" means the holding of food or feed for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution, and other forms of transfer themselves."

The above definition will therefore be applied to food and drink commodities and will ensure that these may continue to be sold through until those stocks become exhausted.

For goods placed on the market after exit day which are leaving the UK

The UK has no control over enforcement outside the UK. The EU and other non-EU countries may require wholly accurate labelling for access to their markets. In these instances, the UK can only recommend that labels are replaced or over-stickered as required to ensure they are fully accurate. This would include ensuring country of origin labelling, health marks and responsible business addresses were correct. Accurate labels should reflect the UK's altered status as no longer being a member of the EU.

For goods placed on the UK market after exit day – general

The UK Government is aiming wherever possible to allow a transition period for labelling changes in relation to goods produced or imported and placed on the UK market after exit day. Wherever changes to legislation – which would put a transition period into law - are not possible, we will encourage pragmatic enforcement which recognises that industry will find it difficult and costly to manage the scale of labelling changes required.

General changes: Transition Periods; Statutory and non-statutory

The UK Government is aiming wherever possible to allow a transition period for labelling changes in relation to goods produced or imported and placed on the UK market after exit day.

Wherever changes to legislation – which would put a transition period of 21 months (or 3 yrs in the case of GI's) into law - are not possible, we will encourage pragmatic enforcement which recognises that industry will find it difficult and costly to manage the scale of labelling changes required.

Labelling changes required from 30 March 2019 for goods placed on the UK market after exit day

If we exit the EU without a deal, the following changes will take effect immediately.

We are working with local authorities and enforcement bodies to make sure that, in protecting consumers' interests fully, they are helping businesses transition by taking a pragmatic approach to enforcement for 21 months:

- **Country of Origin Labelling:** It will be inaccurate to label UK food as origin 'EU'. Additional information such as signage in shops and online information can clarify the accurate origin of the food, so that the consumer is not misled
- **The EU organic logo** belongs to the EU Commission and cannot be used on UK organic produce. We hope to achieve equivalence before or shortly after we leave the European Union. If equivalence is achieved, the EU organic logo will be allowed. UK organic control body logos can still be used.
- **The EU emblem** must not be placed on UK produced goods except where the ongoing use of the emblem after exit day has been authorised by the EU. We are not aware that any such authorisations have been granted.



Labelling changes required by December 2020 for goods placed on the UK market after exit day

- If we exit the EU without a deal, a 21 month transition period has been agreed to give businesses more time to make the following labelling changes. These transition periods will be set out in statute:
- The address of the responsible **Food Business Operator (FBO)** or importer into the UK given on the label will need to be in the UK. Officials are available this morning to discuss the details of this requirement
- The new UK health and identification marks for **Products of Animal Origin (POAO)** will ensure that UK products continue to display an appropriate label that clearly shows the product has been subject to the strict health and welfare checks that will continue after the UK leaves the EU. We are talking to countries about the new marks and will update you if there is any need to adjust them.
- The terms 'EU' and 'non-EU' will be removed as options for describing the origin of minced meat, blended honey, olive oils and mixed fruit and vegetables. Where each country involved in the origin is not used, other terms such as 'UK' and 'Non-UK' will be available.
- Where **eggs** are imported **from outside the EU** and it cannot be sufficiently guaranteed that they were produced to a standard that is equivalent to the UK's standard, the packs must be labelled with "non-UK standard" as the farming method.

Principles adopted by UK for goods in the UK

Country of origin labelling

- The requirements for origin labelling not to mislead the consumer will remain. It could mislead to describe UK produced food as origin 'EU'
- This is expected to affect mandatory origin declarations for the following products:
 - Beef, veal, lamb, mutton, pork, goat and poultry
 - Fish and shellfish
 - Honey
 - Olive oil
 - Wine
 - Fruit and vegetables
 - Organics
- The 'EU' and 'non-EU' origin descriptors that are currently allowed for some foods requiring origin labelling will change.

Principles adopted by UK for goods in the UK

Geographical Indications - Adoption Period

- A three year adoption period has been consulted on and agreed for the new UK Geographical Indication (GI) scheme logos.
- The new UK GI logos will be available shortly after day one of exit so producers have the option to make GI labelling changes before the end of the adoption period if they wish.
- As with the current EU schemes, the use of logos will not be mandatory on wine and spirit products

Allergens - update

- Changes to allergen labelling are currently out to consultation
- These proposals are not driven by EU Exit

Goods for Export

The UK has no control over enforcement outside the UK.

The EU and other non-EU countries may require wholly accurate labelling for access to their markets. In these instances, the UK can only recommend that labels are replaced or over-stickered as required to ensure they are fully accurate. This would include ensuring country of origin labelling, health marks and responsible business addresses were correct. Accurate labels should reflect the UK's altered status as no longer being a member of the EU.

Organics: Where the UK is not recognised by the EU as having 'equivalency' i.e. UK organic goods are accepted as meeting EU organic standards, then no UK organic food will be allowed to enter the EU, or other markets where access is dependent on EU equivalency.

Campaign launch today

A press notice and social media posts are live.

These will signpost to gov.uk where there is updated guidance on the labelling changes discussed today.

HM Government

UK LEAVES THE EU 29.03.19

Food and drink labelling will change when the UK leaves the EU

Stay updated: search **food labelling** at gov.uk



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Please share any further information with us:

foodchainengagement@defra.gov.uk

Thank you for your time and contributions

Annex - Use of the EU organic logo

- Any use of the EU Organic logo on UK products after 29th March will be misleading to consumers as it indicates that products are accredited to the EU standards, which will no longer be the case.
- The logo is EU owned and the EU has set strict rules in respect of its use and on Day 1 the UK will not meet the requirements to use the logo.
- However, in recognition of the challenges faced by industry in removing the organic logo by 29th March we will encourage enforcement officers take a pragmatic approach for the duration of the 21-month transition period to cases where labels were designed pre-exit, within the UK market.
- The UK is aiming to be recognised by the EU as having equivalence to organic standards and establish reciprocal arrangements but at present there is no agreement on this. If agreement is reached, it is anticipated that use of the EU logo will be allowed on an optional basis, as it is now.
- If we do not achieve recognition from the EU, the EU market will be closed to UK organic certified produce from day 1. The EU organic logo belongs to the EU Commission. We anticipate achieving equivalence before or shortly after we leave the European Union. Once equivalence is achieved, the logo will be allowed. UK organic control body logos can still be used.