

Brexit: to the land of hope and glory?

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Plan: keep it simple...

Labour availability

Over 40% of the sector's labour comes from the EU. Concept of employee now more fluid than ever.

Regulation

95% of the sector's regulation comes from the EU. Do we want a new system keeping the best. Do we want a third way?

Tariffs, quotas and trade

Food will be the most impacted sector by moving to WTO system. Even if you don't export final product, increased supply chain cost will impact you.



The one historical reference point



CRUISE PORT:
NUUK
GREENLAND



What do we know ?

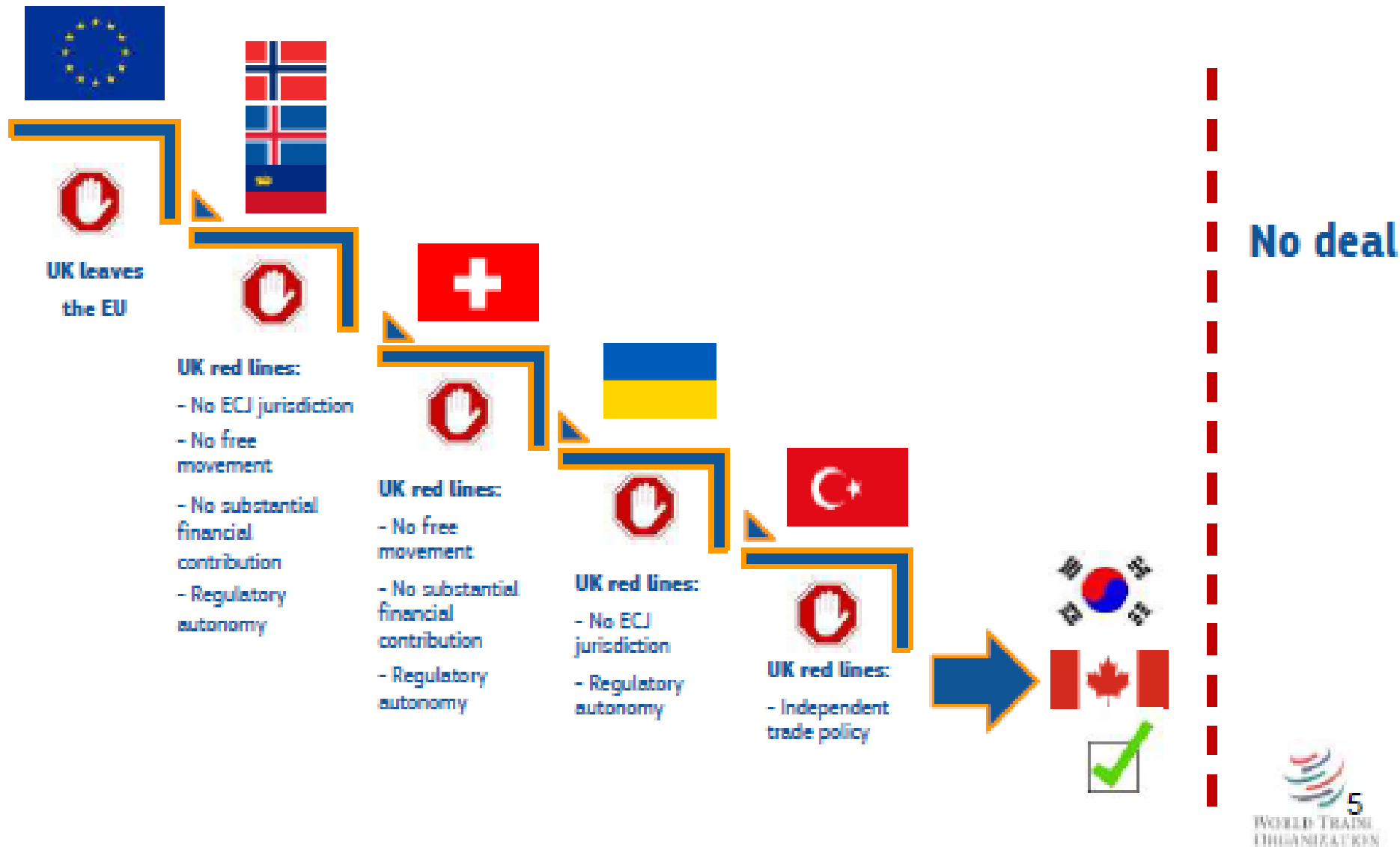
It is all about the negotiation...



Brexit in itself can mean a variety of different things. The Government's aim is to end up with a deep and comprehensive free trade agreement with the European Union and the opportunity to secure free trade agreements with other countries. As we acknowledge, we might not necessarily get a trade agreement that is perfect in every respect. Indeed, there is a chance—though we are doing everything we can to prevent it—that we might end up trading with the EU, at least for a period, on WTO terms.

Michael Gove, evidence to Environment, Food and Rural Affairs Committee. 20 December 2017.

Future relationship and UK red lines



Source: EU



Rt Hon Greg Clark MP
Secretary of State for
Business, Energy and
Industrial Strategy
1 Victoria Street
SW1H 0ET



**Rt Hon Philip
Hammond MP**
Chancellor of the
Exchequer
1 Horse Guards
Road
SW1A 2HQ



Rt Hon David Davis MP
Secretary of State for
Exiting the European Union
9 Downing Street
SW1A 2AG

Dear business leaders,

The Government is determined to support businesses and the economy, and is committed to implementing the Government's Industrial Strategy, building a Britain fit for the future. As this new year gets underway, we are also conscious that many businesses are examining the implications of our withdrawal from the EU for themselves and their supply chains. Businesses have been clear that they need time to adjust to the terms of our new relationship with the EU - and are therefore following closely negotiations on the Government's proposal for a time-limited implementation period.

The purpose of such a period is to give people, businesses, and public services in the UK and across the EU the time they need to put in place the new arrangements that will be required to adjust to our future partnership. This is why, during the implementation period, we are clear that the UK's and the EU's access to one another's markets should continue on current terms, meaning there will only be one set of changes at the end of the implementation period, as we move into our future partnership. The period's duration will be strictly time-limited, and should be determined simply by how long it will take to make these changes – as the Prime Minister has previously set out, this will be around two years.

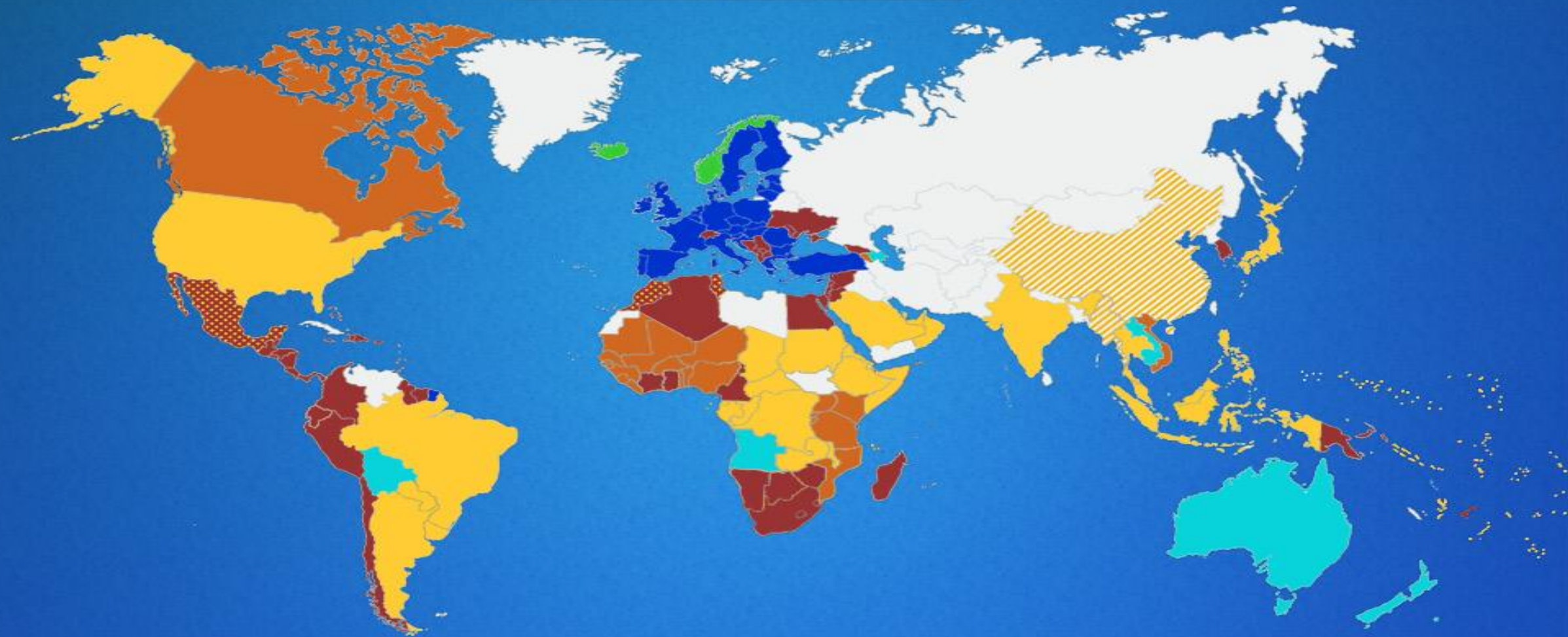
First, in order that our terms of trade remain unchanged during the implementation period, it will need to be based on the existing structure of EU rules and regulations. And for these common rules and regulations to work effectively, they will need to remain common to both parties. We will therefore maintain continuity with rules during the period. Of course this will require both parties to continue to act in good faith, reflecting the spirit of our future partnership – but it is the right way to give businesses certainty, and avoid unnecessary disruption.

Second, no business need worry that it will fall outside the scope of this period. Our intention is to mimic the breadth of our current arrangements, from goods to agriculture to financial services, meaning that every business, small or large, will be able to go on trading with the EU as it does today until it's time to make any changes necessary for the future partnership. We also plan to work together with the EU to ensure the UK remains covered by those international agreements, including free trade agreements, to which it is currently a party by virtue of our EU membership.

Third, EU citizens will continue to be able to come and live and work in the UK, with no new barriers to taking up employment. As the Prime Minister has made clear, we will introduce a registration scheme for new arrivals in preparation for our future immigration system, but this will not place any new burdens on businesses during the implementation period.

THE STATE OF EU TRADE

2017



- EU & Customs union (Andorra, Monaco, San Marino, Turkey)
- European Economic Area (Norway, Iceland, Liechtenstein)
- Preferential trade agreement in place (FTA, EPA, DCFTA)
- Preferential agreement awaiting adoption/ratification

- Preferential trade agreement being negotiated
- Potential for free trade partnership
- Stand-alone investment agreement being negotiated
- Preferential agreement in the process of modernisation

Is this feasible?

(b) for the European Union, to the territories in which the Treaty on European Union and the Treaty on the Functioning of the European Union are applied and under the conditions laid down in those Treaties. As regards the provisions concerning the tariff treatment of goods, this Agreement shall also apply to the areas of the European Union customs territory not covered by the first sentence of this subparagraph.

CETA



The ambition is to:

1. Agree detail of implementation period by end of March
2. Mimic existing arrangements
3. Which will have legal status in the Withdrawal Agreement
4. Agree a EU-UK FTA in parallel
5. Ensure EU FTA continue to apply...

The Withdrawal Treaty



PART ONE COMMON PROVISIONS

Article 1 Objective

This Agreement sets out the arrangements for the withdrawal of the United Kingdom of Great Britain and Northern Ireland ("United Kingdom") from the European Union ("Union") and from the European Atomic Energy Community ("Euratom").

Article 2 Definitions

For the purposes of this Agreement, the following definitions shall apply:

- (a) "Union law" means:
- (i) the Treaty on European Union ("TEU"), the Treaty on the Functioning of the European Union ("TFEU") and the Treaty establishing the European Atomic Energy Community ("Euratom Treaty"), as amended or supplemented, as well as the Treaties of Accession and the Charter of Fundamental Rights of the European Union, together referred to as "the Treaties";
 - (ii) the general principles of Union law;
 - (iii) the acts adopted by the institutions, bodies, offices or agencies of the Union;
 - (iv) the international agreements to which the Union or Euratom is party and the international agreements concluded by the Member States acting on behalf of the Union or Euratom;
 - (v) the agreements between Member States entered into in their capacity as Member States of the Union or of Euratom; and
 - (vi) acts of the Representatives of the Governments of the Member States meeting within the European Council or the Council of the European Union ("Council");


Article 37

Continued circulation of goods placed on the market

1. Any good that was lawfully placed on the Union market or the United Kingdom's market before the end of the transition period may:
 - (a) be further made available on the market of the Union or of the United Kingdom and circulate between these two markets until it reaches its end-user;
 - (b) where provided in the applicable provisions of Union law, be put into service in the Union or in the United Kingdom.
2. The requirements set out in Articles 34 and 35 TFEU and the relevant Union law governing the marketing of goods, including the conditions for the marketing of goods, applicable to the goods concerned shall apply in respect of the goods referred to in paragraph 1.
3. Paragraph 1 shall apply to all existing and individually identifiable goods within the meaning of Title II of Part Three of the TFEU, with the exception of:
 - (a) live animals and germinal products;
 - (b) other animal products than those referred to in point (a), including food and feed of animal origin and animal by-products.
4. In respect of a movement of live animals or of germinal products between a Member State and the United Kingdom, or vice-versa, the provisions of Union law listed in [Annex y] shall apply, provided that the date of departure was before the end of the transition period.

So what is the future?



A circular inset image on the left side of the slide shows a buffet table. In the foreground, there are several metal serving spoons and tongs resting on a tray of green olives. Behind them, a tray of a salad with white cheese cubes, red beans, and other vegetables is visible. The background shows more trays of food, including what appears to be fried items, all in a brightly lit setting.

So what will the future look like?

-
- Greater role for Codex?
 - WTO rules
 - Complete new FTA? If so which model?
 - Chaos?

Consequences of agreeing an FTA

Targeted and not holistic

Regulatory autonomy - two regimes, cooperation is voluntary

Must comply in full fil host state rules, no harmonisation

No general free movement, agreed and limited access to market

Results in border controls – but customs cooperation can mitigate, to an extent

Need to agree mutual recognition, not automatic. No automatic acceptance of 3rd party certification etc.

Potential for removal of some/most tariffs

Article X.5: Compatibility of Regulations

With a view to enhancing convergence and compatibility between regulatory measures of the Parties, each Party shall, when appropriate, consider the regulatory measures or initiatives of the other Party on the same or related topics. This consideration does not prevent either Party from adopting differing measures or pursuing differing approaches for reasons including different institutional and legislative approaches, or circumstances, values or priorities particular to that Party.

Article 7 **Equivalence**

1. The importing Party shall accept the SPS measures of the exporting Party as equivalent to its own if the exporting Party objectively demonstrates to the importing Party that its measure achieves the importing Party's appropriate level of protection.
2. Annex IV sets out principles and guidelines for the determination, recognition and maintenance of equivalence.
3. Annex V sets out:
 - a) The areas for which the importing Party recognizes that the measures of the exporting Party are equivalent to its own, and
 - b) The areas for which the importing Party recognizes that the fulfilment of the specified special conditions, combined with the exporting Party's measures, achieve the importing Party's appropriate level of protection.

WTO position covers the same topics...

Agreement on the Application of Sanitary and Phytosanitary Measures

(Article 1 – 11)

On this page:

- Article 1 General Provisions
- Article 2 Basic Rights and Obligations
- Article 3 Harmonization
- Article 4 Equivalence
- Article 5 Assessment of Risk and Determination of the Appropriate Level of Sanitary or Phytosanitary Protection
- Article 6 Adaptation to Regional Conditions, Including Pest- or Disease-Free Areas and Areas of Low Pest or Disease Prevalence
- Article 7 Transparency
- Article 8 Control, Inspection and Approval Procedures
- Article 9 Technical Assistance
- Article 10 Special and Differential Treatment
- Article 11 Consultations and Dispute Settlement
- Article 12 Administration
- Article 13 Implementation
- Article 14 Final Provisions
- Annex A Definitions

Members,

Reaffirming that no Member should be prevented from adopting or enforcing measures necessary to protect human, animal or plant life or health, subject to the requirement that these measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between Members where the same conditions prevail or a disguised restriction on international trade;

Desiring to improve the human health, animal health and phytosanitary situation in all Members;

Noting that sanitary and phytosanitary measures are often applied on the basis of bilateral agreements or protocols;

Desiring the establishment of a multilateral framework of rules and disciplines to guide the development, adoption and enforcement of sanitary and phytosanitary measures in order to minimize their negative effects on trade;

Recognizing the important contribution that international standards, guidelines and recommendations can make in this regard;

Desiring to further the use of harmonized sanitary and phytosanitary measures between Members, on the basis of international standards, guidelines and recommendations developed by the relevant international organizations, including the Codex Alimentarius Commission, the International Office of Epizootics, and the relevant international and regional organizations operating within the framework of the International Plant Protection Convention, without requiring Members to change their appropriate level of protection of human, animal or plant life or health;

Recognizing that developing country Members may encounter special difficulties in complying with the sanitary or phytosanitary measures of importing Members, and as a

Agreement on Agriculture

(Articles 1 – 7)

On this page:

- Article 1 Definition of Terms
- Article 2 Product Coverage
- Article 3 Incorporation of Concessions and Commitments
- Article 4 Market Access
- Article 5 Special Safeguard Provisions
- Article 6 Domestic Support Commitments
- Article 7 General Disciplines on Domestic Support
- Article 8 Export Competition Commitments
- Article 9 Export Subsidy Commitments
- Article 10 Prevention of Circumvention of Export Subsidy Commitments
- Article 11 Incorporated Products
- Article 12 Disciplines on Export Prohibitions and Restrictions
- Article 13 Due Restraint
- Article 14 Sanitary and Phytosanitary Measures
- Article 15 Special and Differential Treatment

Members,

Having decided to establish a basis for initiating a process of reform of trade in agriculture in line with the objectives of the negotiations as set out in the Punta del Este Declaration;

Recalling that their long-term objective as agreed at the Mid-Term Review of the Uruguay Round "is to establish a fair and market-oriented agricultural trading system and that a reform process should be initiated through the negotiation of commitments on support and protection and through the establishment of strengthened and more operationally effective GATT rules and disciplines";

Recalling further that "the above-mentioned long-term objective is to provide for substantial progressive reductions in agricultural support and protection sustained over an agreed period of time, resulting in correcting and preventing restrictions and distortions in world agricultural markets";

Committed to achieving specific binding commitments in each of the following areas: market access; domestic support; export competition; and to reaching an agreement on sanitary and phytosanitary issues;

Having agreed that in implementing their commitments on market access, developed country Members would take fully into account the particular needs and conditions of developing country Members by providing for a greater improvement of opportunities and terms of access for agricultural products of particular interest to these Members, including the fullest liberalization of trade in tropical agricultural products as agreed at the Mid-Term Review, and for products of particular importance to the diversification of production from the growing of illicit narcotic crops;

Noting that commitments under the reform programme should be made in an equitable way among all Members, having regard to non-trade concerns, including food security and the need to protect the environment; having regard to the

What could an FTA or WTO mean for hygiene?

Examples	
<p>Existing Agreements with USA, Canada, NZ, Chile....</p>	<ul style="list-style-type: none"> • Recognition of disease status and regionalisation • Certification procedures • Information exchange • Recognition of certain production standards
<p>Multilateral (by default): WTO/SPS</p>	<ul style="list-style-type: none"> • Commitment that regulatory measures are science-based, proportionate, non-discriminatory and transparent. • Cooperation with the UK aimed at enhancing trade and averting problems, e.g. in agreeing trade conditions, certification requirements etc. (like any third country)

Source: EU

Should we care?

- Yes – you should.
- There are many, many, myths and many very charged views
- WTO position is a more general position than any FTA and does not give the flexibility that an FTA might.
- It also comes with the consequence of no customs union / single market which means that borders will be more challenging and more checks would be required.

Many myths ever since TTIP

"Everyone in Europe thinks they're going to be forced to eat chlorine-rinsed chicken, or in the United States, cheese rotting with bacteria. The solution is to say, once and for all, that the goal is to harmonise protection."

Pascal Lamy, ex-WTO
7 May 2015

What is TTIP and why should we be angry about it?

The Transatlantic Trade and Investment Partnership may sound boring, but it could affect everything from your income to the food you eat and the state of the NHS. Here is a beginners' guide to the controversial trade deal





A balanced debate...

- What of this is actually true?
- What is the best way forward?
- Can we have our cake and eat it?

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Bacon with banned additive among risks of US-UK trade deal | World ...
<https://www.theguardian.com/.../bacon-laced-banned-additive-us-trade-deal-food-risk...>
16 Jan 2018 - Chlorinated chicken, hormone-fed beef and bacon produced with additives strong enough to cripple pigs have been listed by British campaigners as three of the top 10 food safety risks posed by a free-trade deal with the US. ... 10 food safety risks under a free-trade deal with US.

UK anti-obesity drive at risk from new US trade deal, doctors warn ...
<https://www.theguardian.com/.../uk-anti-obesity-drive-risk-from-new-us-trade-deal-do...>
18 Mar 2018 - Britain's post-Brexit trade deal with the United States could lead to even higher rates of obesity through the import of American foods high in fat ...

Resist a US trade deal. Your life may depend on it | George Monbiot ...
<https://www.theguardian.com/.../us-trade-deal-government-farming-practices-livestock-a...>
14 Feb 2018 - The US Food and Drug Administration asks drug companies voluntarily to ... His department has insisted that any trade deal with the US is ...

Brexit trade deal: US lays out 'wishlist' and it does not look good for the ...
<https://www.independent.co.uk > News > Business > Business News >>
6 Apr 2018 - The US has laid out its annual trade "wish list" and it will not make easy ... the US is unlikely to budge on issues of animal welfare or food safety, ...

Ditch trade deal with Trump rather than accept chlorinated chicken ...
<https://www.independent.co.uk > News > UK > UK Politics >>
7 Apr 2018 - With the US commerce secretary Wilbur Ross suggesting that the UK ditch rules on food imports as a precondition of a trade deal, our polling ...

US urges Britain to press 'reset button' on food rules after Brexit
<https://www.ft.com/content/0d3d1978-f16c-11e7-b220-857e26d1aca4>
4 Jan 2018 - A US trade official urged Britain to press the "reset button" and move ... he would not "compromise on high standards" in any future trade deals.

'US trade deal risks not limited to chlorinated chicken' - The Grocer
<https://www.thegrocer.co.uk/buying-and.../food.../us-trade-deal-risks.../562062.article >>
11 Jan 2018 - The NGO has listed ten key food safety 'risks' from a potential trade deal with the US in a report published this week.

'Chlorine rinsing'

Vastly differing hygiene treatments - most famously - chicken, turkey, pork and other meats are regularly washed or sprayed with disinfectants in the USA. These so-called 'pathogen reduction treatments', such as hyper chlorinated water and acid washes, are supposed to reduce harmful bacteria

But US would argue that its an effective control for campylobacter...

FSDA presentation from 2009 suggests:

10 ppm free available chlorine can eliminate *Campylobacter* in 120 minutes

30 ppm free available chlorine can eliminate *Campylobacter* in 6 minutes

50 ppm free available chlorine can eliminate *Campylobacter* from the water in 3 minutes

Potential for substantial tariffs...

US juice and peanut butter face new EU tax

7 March 2018

f t w e Share

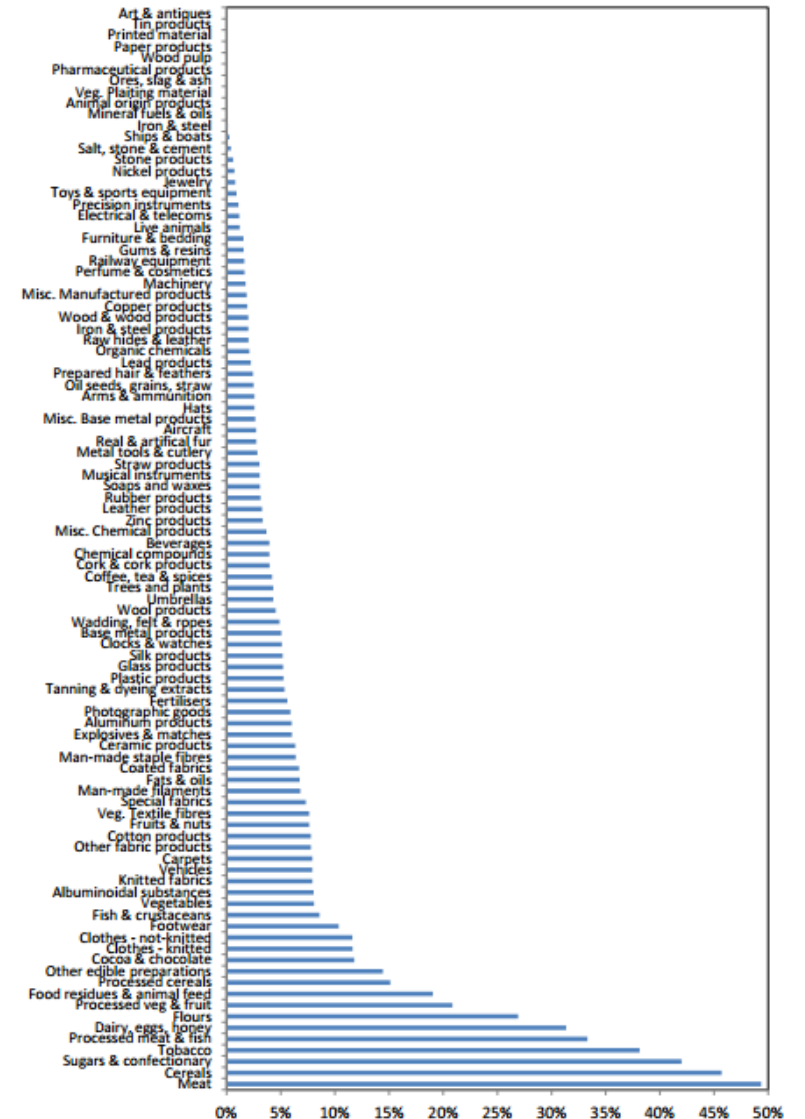


The US is reliant on steel imports from more than 100 nations

The EU has condemned US plans for tough tariffs on steel and aluminium imports, saying they jeopardise European jobs.

EU trade commissioner Cecilia Malmstrom set out plans to retaliate against the proposed US tariffs.

Figure 3: WTO Implied Tariffs on UK to EU Exports by Product



So, what does that mean?

Michael Gove: In basic terms, if we went out on WTO terms and we maintained tariffs— because of course there is the option of going to unilaterally tariff-free or a lower tariff situation—there **would be increased prices for consumers** but there would also be increased opportunities for farmers with import substitution. I will hand over to George.

Chair: But, of course, the reverse of that coin is that, if there were tariffs and Government decided not to put tariffs on imported food, it could be the worst of all worlds—better for the consumer, but very bad for farmers.

Michael Gove: It would be better for consumers, yes, in that, if there were no tariffs at all, food prices would fall, but it would put considerable strain on farmers. The strain would be felt more in some sectors.

Of course, we have to stress that this is not the goal towards which we are aiming. It is not what we anticipate will happen but, quite rightly, you would expect us to look at every available scenario.

What does the EU understand the UK position on regulation to be?

"Greatest possible" tariff-and-barrier free trade in goods and services, while ensuring regulatory autonomy, and no ECJ.

"...take in single market arrangements in certain areas" such as motor vehicles and financial services (*Lancaster House speech*);

"Both sides have regulatory frameworks and standards that already match"... "prioritise how we manage the evolution of our regulatory frameworks" (*Article 50 notification*)

Reference to the "creative arrangements" the EU has developed with neighbouring countries (*Florence speech*)

"New ways of managing our interdependence" (*Florence Speech*):

- Areas where the EU and the UK "want to achieve the same goals in the same ways"
- Areas where the EU and UK "share the same goals but want to achieve them through different means"
- Areas where the EU and the UK "may have different goals"

Conclusions:

- UK views on regulatory issues in the future relationship including "three basket approach" are not compatible with the principles in the EuCo guidelines:
 - **Autonomy of EU decision-making:** if UK seeks to preserve influence over EU rule- and decision-making → risk to unsettle EU "ecosystem"; no "gradation" possible (in, or out); no "EU-UK co-decision" possible.
 - **Preserving the role of the CJEU:** if reliance on EU law concepts, CJEU must have a role → but even if CJEU role preserved, risk for EU in the absence of full EU "ecosystem"; no same effectiveness in enforcement.
 - **Preserving the integrity and functioning of the internal market, no sector by sector approach/ensure level playing field:** if UK aspires to cherry pick → risk for integrity and distortions to proper functioning of internal market, aggravated by absence of full EU "ecosystem" (including regulatory, supervisory, enforcement tools, with CJEU on top) and by proximity and level of economic integration; predictability for business to suffer.
 - **Avoid upsetting existing relations with third countries:** risk to undermine relations with countries participating in the internal market (EEA)

Regardless, to make all this happen...



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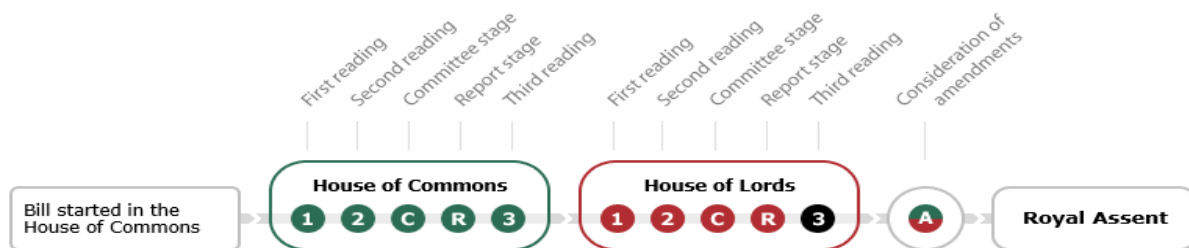
*We face a
'legislative tsunami'*

Lord Judge, former Lord Chief Justice.

European Union (Withdrawal) Bill 2017-19

Type of Bill: Government Bill
Sponsors: Mr David Davis
 Department for Exiting the European Union
 Baroness Evans of Bowes Park - The Lord Callanan
 Department for Exiting the European Union

Progress of the Bill



Last events

R Report: 6th sitting (Hansard): House of Lords 8 May, 2018 | 08.05.2018

R Report: 6th sitting (Minutes of Proceedings): House of Lords 8 May, 2018 | 08.05.2018

■ [Read debates on all stages of the European Union \(Withdrawal\) Bill 2017-19](#)

Next event

3 3rd reading: House of Lords | 16.05.2018

Latest Bill

House	Bill	Date
	HL Bill 102 (as amended on Report) PDF version, 418KB	08.05.2018

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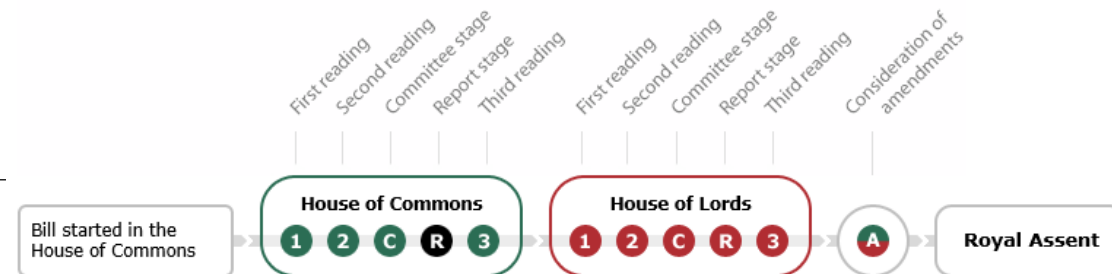
But don't forget:

- The Customs Bill
- The Immigration Bill
- The Agriculture Bill

Trade Bill 2017-19

Type of Bill: Government Bill
Sponsor: Liam Fox
 International Trade

Progress of the Bill



Last event

C Committee Debate: 8th sitting: House of Commons 1 February, 2018 (1) (2) | 01.02.2018

■ [Read debates on all stages of the Trade Bill 2017-19](#)

Next event

R Report stage: House of Commons | Date to be announced

Latest Bill

House	Bill	Date
	Bill 122 2017-19, as introduced PDF version, 153KB	07.11.2017

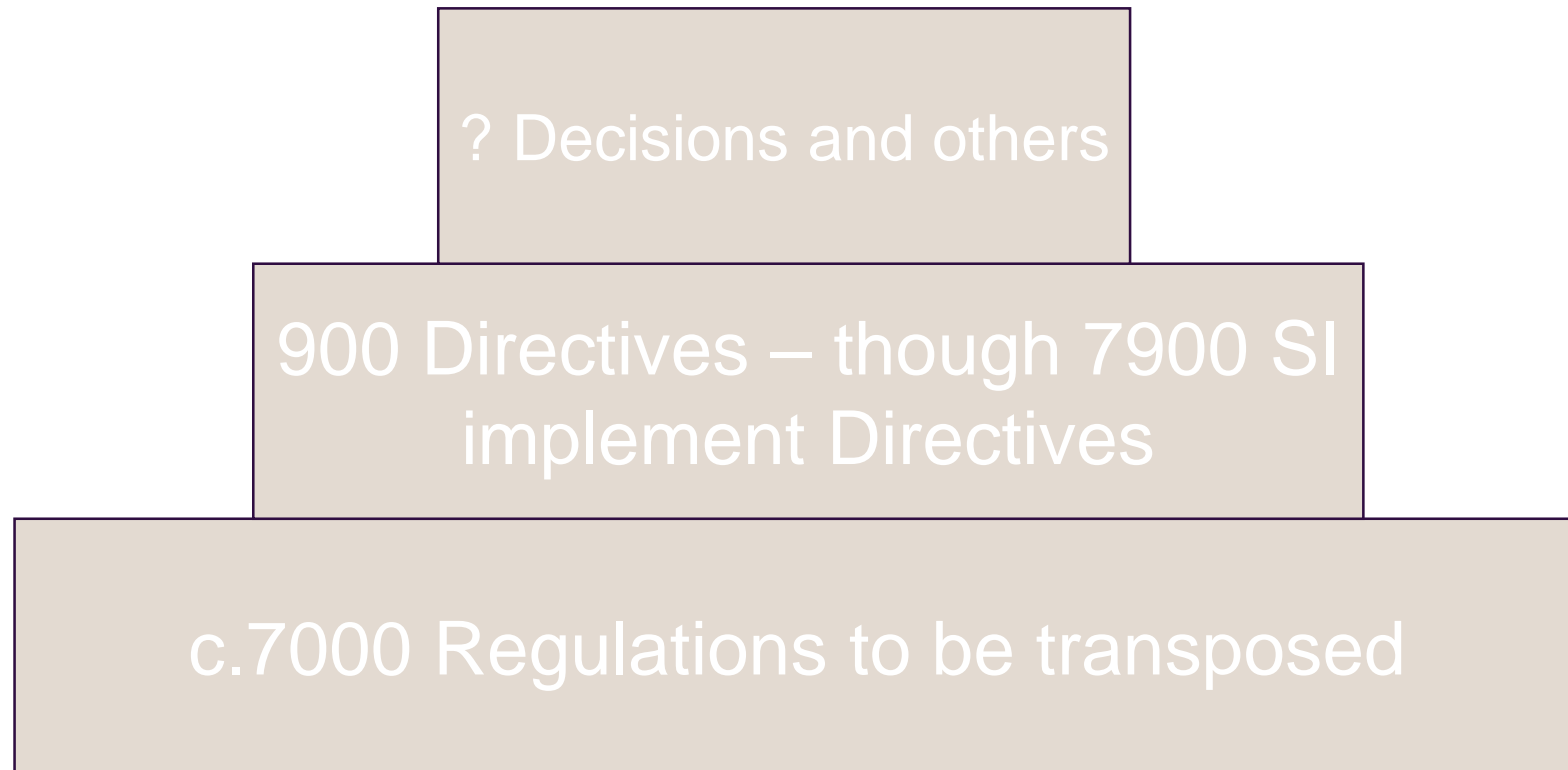
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Scale of the task



Why does this matter? The basics...



Automatically in force across EU. EU sets exact wording

Regulation



UK only decides how to be enforced

EU sets rules but requires m/s to implement

Directive

UK creates the rules to reflect Directive as a minimum standard. That includes enforcement

Regulations include



Opportunity vs Risk: the eternal balancing act

- How do we ensure safety and high standards of consumer protection and simultaneously reduce cost/ burden on business?
- Need to think big - changes to labelling or policy in the UK will only benefit UK market, clearly business would still need to meet EU standards for any export to EU market.
- Biggest opportunities – novel foods (including nanotechnology), GMO, US FTA etc., all come with the appearance of significant risk
- So how do we create a system that respects the precautionary principle whilst embracing greater market openness?



A dual track system?

- At present several systems rely on EU assessment process and the publication of a positive approved list: health claims, novel food, GM, additives etc.
- Do we have the resources to do this domestically? Clearly some of these regimes have existed domestically before, but the infrastructure is unlikely to be present.
- Those lists should be transposed, so status quo should be maintained, but clearly divergence will occur quickly
- Will we have a mutual recognition of decisions taken by EFSA moving forward? Will we merely consider its reports as persuasive?
- What of RASFF? Will we create our own version?



Opportunity: simplification eg. the importing/ exporting process

Calais after Brexit 'could be 10 times worse than Irish border'

Boss of French port says customs and sanitary checks could lead to 30-mile tailbacks



▲ The Calais port boss said the UK could have no more status than developing countries in getting goods through EU controls. Photograph: Anadolu Agency/Getty Images

The boss of the port of Calais has said there could be tailbacks up to 30 miles in all directions and potential food shortages in Britain if a Brexit deal involves mandatory customs and sanitary checks at the French ferry terminal.

Jean-Marc Puisseuseau made an impassioned plea to Theresa May and Michel Barnier to put plans in place immediately to avert congestion in Calais and Dover, where bosses have already warned of **permanent 20-mile tailbacks**.

At the same time a leading politician for the Calais region said the problems in France would be 10 times worse than at the Irish border.



Opportunity: making health claims system fit for purpose

- Assessment process is challenging and confusing to use – opportunity
- Allow sensible decisions to be taken regarding claims language – changing the claims wording to something comprehensible to consumers.
- Antioxidant and probiotic...
- System creates homogeneity, not consumer protection – opportunity

Claim	Options	Some example sources
Energy - “contributes to the reduction of tiredness and fatigue”	9	B6, B12, Vit C, Folate, magnesium, iron
Bones – maintenance of normal bones	8	Calcium, Vitamin D, Zinc, Magnesium, Protein
Immune health - “Contributes to normal function of the immune system “	10	B6, B12, Vit C, Folate, Vit D, Zinc, iron
Mind - “contributes to normal psychological function”	8	B6, B12, Vit C, Folate, Magnesium

Theoretical freedom to create laws supporting nutrition and food waste policy

- FIC sets out rules on front of pack labelling and also the use of durability indications.
- Post-Brexit this could be reviewed and changed. Opportunity for stricter HFSS rules
- But – food only policy is only going to scratch the surface of the problem
- Downside is that any business exporting to EU still need to comply with the EU system.

News

Middle-aged male office workers 'more sedentary than over-75-year-olds'



Five of the best single malt whiskies

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By **Telegraph Reporters**

27 JUNE 2017 · 1:49AM

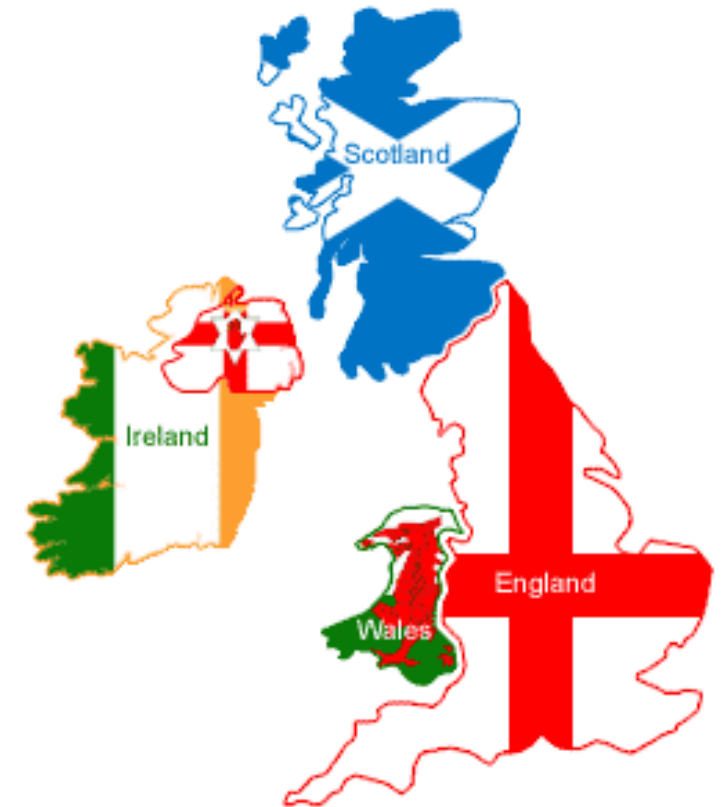
Middle-aged male office workers spend more time sitting down than pensioners, with large parts of the population "dangerously sedentary", according to new research.

The Edinburgh University study found 45 to 54-year-old men spend on average 7.8 hours per weekday sitting down, compared to 7.4 hours for men aged over-75.

Domestic devolution – a third force

Food is already a devolved power

- Local legislation for England, Scotland, Wales and sometimes NI exist already in several areas including:
 - implementation of Directive 2002/43 eg: Food Supplements (England) Regulations 2003; and
 - The Food Safety and Hygiene (England) Regulations 2013 and others
- Additionally the LGA is calling for it to have more powers. Could we end up with a really fragmented regulatory system?
- Risk that can growth further apart domestically as well as with the EU.



Is it already happening?

- action on junk food advertising
- action on food purchases for consumption outside the home
- preventative services including information, advice and support for children and families on healthy eating
- practical support for small & medium sized food manufacturers to reformulate and develop healthier products
- a range of opportunities for people to be more active
- working with the public sector and a wide range of partners to support local improvement work on diet & weight

IMPROVING
SCOTLAND'S
HEALTH

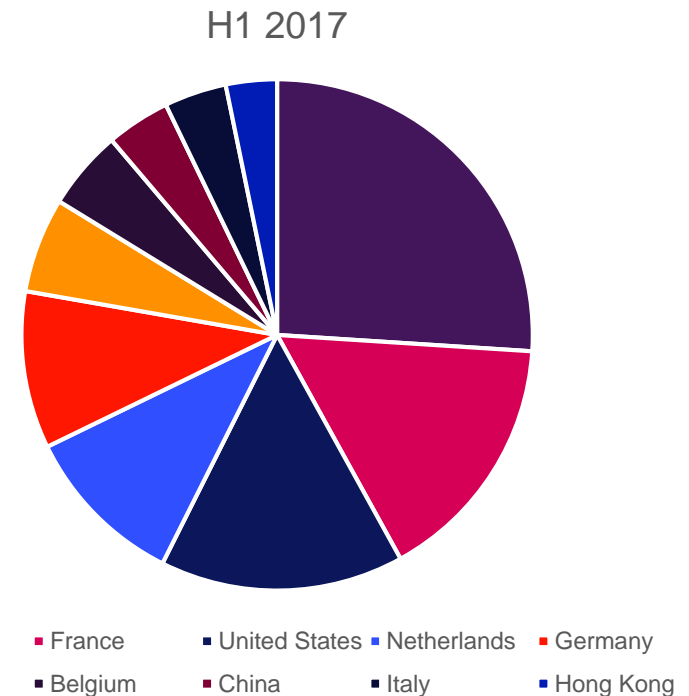


A Healthier Future –

Action and Ambitions on Diet, Activity
and Healthy Weight
Consultation Document

Why substantial divergence is a challenge: some context

Top 10 export locations



Additional cost for multi-national businesses

- If we deviate from FIC or other EU requirements then that food cannot be sold in EU – think of what happened with the traffic light system...
- Changes to labelling cost at least £1800 per sku for a minor change and £3000 for a major change
- Ireland is the biggest issue- they eat all that we do – and the border is fluid, with no border inspection post...

NUTRITION Serves/Portions/Porties: 4		per 1/4 pudding (100g)
Typical values Valeurs moyennes/Gemiddelde waarden		
Energy kJ /Énergie/Energie		1874
Energy kcal		451
Fat /Matières grasses/Vetten		31.8g
of which saturates /dont acides gras saturés/ waarvan verzadigde vetzuren		17.8g
Carbohydrate /Glucides/Koolhydraten		34.3g
of which sugars /dont sucres/waarvan suikers		29.2g
Fibre /Fibres alimentaires/Vezels		2.2g
Protein /Protéines/Eiwitten		5.7g
Salt /Sel/Zout		0.43g

Reference intake (adult) Energy 8400kJ/2000kcal
Fat 70g Saturates 20g Sugars 90g Salt 6g

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3rd country consequences

- Almost all legislation contains obligations that must be considered from the UK being a third country.
- Each regime should be considered
- That might give alternate routings to market, but on the whole creates further obligations.
- Placing on the market – are products on the UK market but not elsewhere considered to have been placed on the EU market post Brexit? – if not novel foods

‘history of safe food use in a third country’ means that the safety of the food in question has been confirmed with compositional data and from experience of continued use for at least 25 years in the customary diet of a significant number of people in at least one third country, prior to a notification referred to in Article 14;

‘traditional food from a third country’ means novel food as defined in point (a) of this paragraph, other than novel food as referred to in points (a) (i), (iii), (vii), (viii), (ix) and (x) thereof which is derived from primary production as defined in point 17 of Article 3 of Regulation (EC) No 178/2002 with a history of safe food use in a third country;

What should you do now?

Review your business – are you ready for a period of instability?

Identify your priorities: both opportunities and threats

Prepare for the worst and hope for the best



