

Programme update: how the FSA is preparing for a UK-EU SPS agreement

This paper provides an update on the Food Standards Agency's work to support UK Government preparations for a UK–EU Sanitary and Phytosanitary (SPS) Agreement, and to ensure the Agency is ready to implement any future arrangements across England, Wales and Northern Ireland.

1. Summary

1.1 This paper provides an update on the Food Standards Agency's work to support UK Government preparations for a UK–EU Sanitary and Phytosanitary (SPS) Agreement, and to ensure the Agency is ready to implement any future arrangements across England, Wales and Northern Ireland. The UK Government has set out its ambition to pursue an SPS Agreement with the EU and has published its assessment of the overall benefits such an agreement could bring for consumers and businesses. The FSA's role is to provide independent, evidence-based advice so any future Agreement continues to protect public health and consumers' interests in relation to food and feed, and to support wider government work with industry on the implementation of any Agreement.

1.2 The paper outlines what has been set out publicly to date by the Government, the implications of the approach described in the [Common understanding](#), and the preparatory work already underway within the FSA. It explains why we consider that the proposed model can maintain high standards of food and feed safety. It also sets out the significant programme of work required to prepare for implementation.

1.3 Our involvement in the technical work means that we are well-placed to identify any risk that proposals agreed in negotiations may lead to a reduction in public health protection or in the protection of consumers' interests. At this stage, we have not identified any such concerns. The paper therefore provides the Board with early assurance that the FSA remains confident that an SPS Agreement can be compatible with our statutory remit. The Board is invited to note progress, discuss the implications of the Agreement for the FSA and provide steers on priorities for business readiness and implementation planning.

2. Introduction

2.1 The SPS Agreement is a formal arrangement that would establish a common SPS Area between the UK and EU. The UK and the EU set out their intention to work towards such an Agreement in the published Common Understanding following the 2025 UK–EU Summit. They made clear that any Agreement would be based on dynamic alignment with relevant EU SPS rules meaning that GB and the EU would apply equivalent standards to goods moving within a shared SPS area, subject to a short list of limited exceptions.

2.2 The FSA has a substantial interest in the SPS Agreement as it would introduce significant changes to food safety law and regulatory processes. It also offers opportunities for strengthened

cooperation with EU competent authorities, which could enhance consumer protection and reduce friction for businesses trading in agri-food goods.

2.3 The FSA has a statutory duty to protect public health and consumers' interests in relation to food across England, Wales and Northern Ireland, and we advise all three governments on food safety policy and legislation. FSA officials will play a central role in advising ministers on the technical development of the SPS Agreement, and on the implementation of it for areas of food law within our remit. The FSA is working across England, Wales and Northern Ireland and with Food Standards Scotland, to ensure that arrangements reflect devolved responsibilities and operational realities.

3. The FSA's approach to preparing for an SPS agreement

3.1 In late 2024, the FSA Board provided early direction to guide the FSA's work as the UK explored a SPS Agreement with the EU. This included a steer that they would want assurance any SPS Agreement would continue to protect public health and maintain high standards of food and feed safety, so that we can maintain consumer trust and confidence in UK food standards throughout the process. The Board also underlined the importance of early engagement with Devolved Governments in the process.

3.2 An SPS Agreement is an international trade negotiation led by the UK Government. The FSA's role is to provide independent, evidence-based, technical advice on food and feed safety, working across England, Wales and Northern Ireland, and in close collaboration with Food Standards Scotland. Our advice is informed by the Board's early direction and by our statutory duty to protect public health and consumers' interests.

3.3 The FSA has established an SPS Agreement Programme, bringing together policy, science, legal, operational and delivery expertise in several projects across the Agency. The programme supports negotiations by providing technical advice, and assessing legislative, operational and food safety implications of developing positions. The programme reflects the FSA's responsibilities across all three countries, including our broader remit for food standards as well as food and feed safety in Wales and Northern Ireland.

3.4 The programme provides regular updates to the FSA Board, and the FSA Chair is closely engaged in this work and provides ongoing oversight on behalf of the Board. Where necessary, the programme will flag issues that may raise concerns for consumer protection or require further clarity to support safe and workable implementation.

3.5 The form of any Agreement will depend on the outcome of negotiations. As work progresses on the SPS Agreement with the EU, the FSA will work across Whitehall and the Devolved Governments to plan implementation.

Resourcing

3.6 Delivering an SPS Agreement is a substantial programme of work for the FSA. We have already reprioritised internally to support negotiations and preparatory work for implementation. Discussions with HM Treasury about future funding requirements are ongoing, and it is acknowledged that the scale of work for SPS poses an issue for the existing FSA budget. However, to date no additional funding has been granted to the Agency. Further updates will be provided to the Board as these discussions progress.

4. Business readiness and preparing for implementation

4.1 UK Government have committed to an ambitious timeline of concluding negotiations on the Agreement and having the necessary legislative and operational arrangements in place by mid-2027. This timeline requires both the FSA and industry to move at pace to be ready.

4.2 Under the proposed common SPS area, Great Britain would dynamically align with relevant EU SPS rules in defined areas. Implementation will require coordinated work across Government and ongoing engagement with industry. The Government has now published information on the areas of [EU SPS legislation that are expected to fall within scope](#) of the Agreement, to provide businesses with clarity and support. However, this list of regulations is still under consideration and subject to ongoing negotiations.

4.3 Since EU Exit, most divergence has arisen from specific regulatory updates made by both the UK and the EU. These differences range from technical adjustments, such as updates to authorisations or analytical requirements, to changes that affect the composition or permitted use of certain products.

4.4 Many businesses already meet EU requirements because they export to the EU, while others, particularly domestic-only SMEs may be less familiar with EU rules and may need additional support to prepare. The FSA knows that some of the technical changes required under dynamic alignment will take time for businesses to prepare for. Through early engagement, businesses have indicated that a period of 12–24 months would be their preferred timeframe to make the necessary adjustments, such as adapting processes, updating supply chains or reformulating products.

4.5 We recognise that in a small number of areas there has been more significant change, where more adjustment by businesses will be necessary to dynamically align. The FSA and Department for Environment, Food and Rural Affairs (Defra) have been working with industry to identify whether there are specific areas in which there is a strong case for additional time-limited arrangements to support a smooth transition to the new requirements; however, any such arrangements cannot be guaranteed and would depend on the outcome of negotiations. Our assessment so far is that realigning with EU SPS rules in these areas would, from a food and feed safety perspective, be consistent with maintaining the UK's high standards.

4.6 The FSA will work closely with delivery partners, including Local Authorities, Port Health Authorities and Official Laboratories throughout transition and implementation. We will need to ensure these critical delivery partners are aware of how their own responsibilities will change following an SPS agreement and we will work with them to prepare. We also need them to help businesses understand and prepare for the changes.

4.7 The FSA is contributing to UK Government business readiness work, including the development of a central gov.uk page for SPS information and is planning proactive business engagement.

5. Protecting public health and consumers' interests

5.1 The FSA's overriding statutory objective is to protect public health and to protect the interests of consumers in relation to food and feed. We know that the Board will want to be assured that an SPS Agreement will not conflict with this objective, and to have the opportunity to raise any concerns about this with ministers.

5.2 The Common Understanding envisages enhanced cooperation between UK and EU competent authorities. For the FSA, the most important elements are the UK's decision shaping role and access to relevant EU agencies, systems and databases (ASDs). Early visibility of, and engagement with EU SPS policy development would support us in ensuring that UK public health and consumer interests are properly considered where EU rules apply under the

Agreement. Access to ASDs would strengthen our ability to respond swiftly to cross border food and feed safety incidents, support effective data sharing, and help maintain appropriate levels of protection where routine import controls are reduced or removed. Together, these mechanisms are central to allowing border processes to change without reducing the protections that consumers and businesses rely on.

5.3 The Agreement will have specific implications for Northern Ireland, where alignment with EU SPS law under the Windsor Framework already underpins the movement of goods. The Common Understanding indicates that an SPS Agreement could help to smooth the movement of goods between Great Britain and Northern Ireland, by simplifying the overall arrangements under which businesses operate.

5.4 In practice the implications of an SPS Agreement will involve changes across several areas, including future legislative alignment, approaches to managing incidents, the way in which certain border processes operate, and how [market authorisations](#) are handled under a common SPS area. We are working with colleagues in Wales, Northern Ireland and with Food Standards Scotland, to ensure that the implications across all four countries are fully understood and reflected in our advice to Government.

5.5 Alongside the potential advantages of an SPS Agreement, there are significant delivery and implementation challenges for the FSA and others. Dynamic alignment will require a substantial programme of legislative change in Great Britain, alongside operational changes for industry, regulators and delivery partners. The FSA's preparatory work is focused on ensuring that these changes can be managed in a way that maintains food and feed safety, supports business readiness and upholds consumer confidence throughout the transition.

5.6 Based on the Common Understanding and our engagement so far, we remain confident that it is possible to reach an SPS Agreement that is compatible with the FSA's statutory remit to protect consumers in relation to food and feed safety and authenticity. We will continue to keep this under close review as negotiations progress and we will advise the Board if that assessment changes.

6. Next steps

6.1 Over the coming months, the FSA will continue to work closely with Cabinet Office, Defra and the Department of Health and Social Care as negotiations progress, ensuring that public health and consumer protection remain central to the development of the SPS Agreement.

6.2 The FSA will support business and industry engagement in line with the recent [Government announcement](#). Early engagement will help familiarise sectors with the potential implications of dynamic alignment, and will form the basis for more detailed, sector-specific guidance over the course of 2026–27.

6.3 Alongside this, the FSA will continue to develop detailed implementation plans. This planning will ensure that, when an agreement is reached, the FSA is well positioned to deliver the transition smoothly across England, Wales and Northern Ireland, and to support businesses to adapt at the right pace.

7. Recommendation

The Board is invited to:

1. **Note** the progress made to date on the SPS Agreement Programme and the implementation preparatory work.

2. **Discuss** the implications of a potential SPS Agreement for the Agency's future work, including programme capacity, delivery and business readiness.
3. **Advise** on priorities for supporting business readiness and communications throughout 2026–27, recognising the importance of early, clear engagement with industry.