

## **PROPOSED CHANGES TO THE UK HEALTH AND IDENTIFICATION MARKS**

### **SUMMARY REPORT OF STAKEHOLDERS RESPONSES**

Between the 11<sup>th</sup> September – 8<sup>th</sup> October 2018 the FSA carried out a formal consultation in England, Wales and Northern Ireland seeking comments on proposed changes to the UKs health and identification marks, which are applied to all products of animal origin produced in the UK.

The purpose of the consultation was to provide interested parties with the opportunity to comment and express their opinions on the proposed changes to the health and identification marks as a result of the UK leaving the EU and to provide information regarding the impact of such changes.

The FSA is grateful to those stakeholders who responded and sets out in the table below responses in order of the questions set out in the formal consultation.

The key proposals on which the formal consultation sought views were:

- **Do you have any views or concerns with the proposed approach to change the health and identification mark?**
- **Is it reasonable to assume on average that business will stock approximately 6- 12 months' supply of packaging at any time?**
- **Do you have any information that might help us to understand the proportion of businesses that will directly apply their identification mark to packaging at the establishment where the product is produced?**
- **Is it reasonable to assume that UK businesses would want to be able to use up existing stocks of packaging containing the old identification mark for products that are intended only for placing on the national UK market?**
- **We would welcome your views on whether the proposals to permit the continued use of packaging bearing the 'EC' ID mark for products placed only on the national market for a period of 12 months after the UK exits' the EU is**

**proportionate. (This is based on the assumption that businesses typically hold supplies of packing between 6 – 12 months).**

- **Are there any other impacts or considerations resulting from changing the UK health and identification marks that we have not identified in this consultation?**
- **We would welcome any other views or comments that you have in relation to this issue.**

Between 27<sup>th</sup> July – 27<sup>th</sup> August 2018 a targeted consultation took place, and all approved establishments within England, Wales and Northern Ireland were sent a letter seeking their opinions regarding proposed changes to the health and identification marks as a result of the UK leaving the EU. As the informal consultation asked similar questions to the formal consultation the responses have been combined. For reference the informal consultation questions are as follows;

- Please tell us of any views or concerns with this change to the health and identification mark?
- If you store pre-printed labels or packaging bearing the identification mark, we would be interested to know how long it would take you to use your existing stock
- Are there any other impacts we should be made aware of as a result of changing the health and identification mark? It is important that the FSA fully assesses the impact of this change so please tell us of any views or evidence to assist our assessment.
- In particular, the FSA would welcome any information you can provide on the costs associated with. printing identification marks for EU export, printing identification marks for the domestic market and (re)designing those labels

A total of 141 responses were received by the FSA for both consultations and a list of stakeholders who responded can be found at the end of the document.

A range of generic comments and questions were raised that did not fall within the scope of the consultation, these will be analysed and referred to the relevant departments

### **Summary Statement**

The consultation received 141 responses from a good cross section of food businesses (dairy, fish, meat, cheese makers) of different sizes, small independents and large UK businesses as well as local authorities and organisations representing industry.

There was overwhelming support for keeping the changes as simple as possible, dropping the EC abbreviation and retaining the current form and dimensions of the health and identification marks. There is a wide variation in costs associated with changing the design of packaging labels and or re-ordering packaging with the new identification mark.

A key issue for industry was whether a transitional period be provided for the using up of old packaging still bearing the identification mark carrying the 'EC' abbreviation. Typically, a small or medium sized business will hold a stock of packaging of up to 36 months, while for a larger business this may be 6 months. The majority of respondents expressed a preference for 12 months or over to use up old packaging and of this group a majority suggested between 12 and 24 months would provide sufficient time to use stocks.

The information contained within the consultation will enable the FSA to make an informed decision regarding the new form of the UKs health and identification marks. The FSA will make changes to these marks and other inoperabilities of retained EU legislation Regulation (EC) No. 853/2004 and Regulation (EC) 854/2004) that arise as a consequence of the UK's exit from the European Union through a Statutory Instrument, The Specific Food Hygiene (EU Exit) Regulations 2018. The FSA will contact key stakeholder groups to keep them informed of the progress of change.

## SUMMARY OF SUBSTANTIVE COMMENTS TO THE FSA CONSULTATION – Proposed Changes to the UK Health and Identification Marking 11 September 2018 – 8<sup>th</sup> October 2018

### 1. Do you have any views or concerns with the proposed approach to change the health and identification mark?

Consultation letter 27<sup>th</sup> July – 27<sup>th</sup> August 2018 question / Please tell us of any views or concerns with this change to the health and identification mark?

Respondent	Comment	Response
The Preseli Gold Sausage Company	Would it be better to use United Kingdom rather than the UK abbreviation?	Accepted, we will look at how we can provide industry with a choice as to what they use for the identification mark, this being the UK abbreviation or full country name.
Peterborough Game Company Ltd	We gained our license under the EU and licensed under the EEC Regulations, so why should we want to take off the EEC.	When the UK is no longer a Member State of the EU, the UK will have no option but to change the health and identification marks and as a minimum this means the removal of the EC abbreviation from the marks.
Vicars Game Ltd	Prefer the larger, bolder UK12345 oval. As this will be quite an expensive transition (stationary specifically), I would also suggest that we are allowed to start the transition now and that provisions are made for the new marks to be accepted.	Comments noted, nothing can change, until such time that the UK leaves the EU.
T Davey	My only comment would be that we retain the letters and numbers allocated to the relevant premises but, change the outline shape from an oval surround to another shape to differentiate ourselves.	We are not proposing to alter the establishment approval number. The removal of the EC abbreviation from the health and identification

		marks will differentiate products labelled before and after the UK leaves the EU. Altering the shape will impose additional impacts on industry such as re designing labels and therefore we do not accept the need to change the shape of the health and identification mark.
Chiltern Cold Storage Group	I would like to see the "UK 12345" health mark adopted.	Noted
Kerry Foods Ltd	No major concerns from an identification mark point of view, as the site code would still be present. The main concerns are the management of the change, administration time and cost. We will need to change over a high number of SKU's and will require adequate time to administer this change.	Noted. The FSA is aware of the time constraints on industry and will communicate the decision to change the health and identification marks as soon as possible.
Penny Lane Foods	Changing the health mark is fine, provided manufactures have time to run out old stocks.	Noted, the FSA is looking into the possibility of allowing industry to use packaging bearing the EC identification for non-export products once the UK ceases to be a Member State of the EU. Once we have identified a solution we will communicate this to industry.
Western Brand Poultry Products Ltd	While the proposed changes do seem to be a practical solution for trade within the UK after the UK leaves the EU, do we have any indication as to whether the countries remaining within the EU are agreeable to this solution.	The FSA has no information to suggest that the proposed changes to the health and identification mark would not be accepted by EU Member States. The proposal incorporates the minimum necessary change to the marks which is to remove the EC abbreviation when the UK is no longer a Member State of the UK.
Provision Trade Federation	There is clearly a need to amend the current health and identification mark to remove the 'EU' or 'EC' pre- fix. Subject to the points we have raised on the practical implications and timing, we support this proposal. We welcome the fact that the dimensions and form of the current health and identification marks will remain the same.	Noted
Youngs Sea Foods	As a business the major concern of the proposed changes is the cost of the exercise. The cost of the changes are significant for both consumer and business. The style and the format of the	Comments noted regarding the proposed form of the health and identification mark. The consultation has provided an opportunity for

	health mark does not raise any concerns and the size of the health mark is in keeping with the current EU health mark.	respondents to identify the impacts of change and the FSA will use this information to consider the impact on industry.
Hull City Council	Proposed changes to the health and identification mark will have a cost and time impact on businesses.	<p>The FSA has proposed the minimum necessary changes to reduce the impact on industry, this being retention of the oval form and removal of the EC abbreviation.</p> <p>The consultation has sought information to enable the FSA to evaluate the proposal to allow the use of packaging bearing the old identification mark for a limited period of time for domestic use only, to reduce the impact on industry.</p>
Seafish	We agree that the changes proposed are sensible and simple, we welcome the maintenance of the oval shape as it would allow existing design dimensions to be used when amending labels and packaging. Consideration should be given to the parallel requirements to change the “product of the EU” statement from labels and the requirement to have an EU address when exporting to the EU27.	Noted. The FSA is working with Defra to develop joint commutations on labelling issues.
John Sheppard Catering Butchers	Our view on the change in the ID mark is that it is an unfortunate necessity as we will leave the EU in 2019 so cannot retain status quo ID mark as would be the easiest option.	Noted
BMPA	<p>We are happy with the proposal to leave the mark as it currently is with just the removal of the ‘EU’ or ‘EC’ letters. This will avoid consumer confusion and reassure 3rd countries that understand the current health mark.</p> <p>We suggest that there be ideally a 24-month transition period, but at the very least, a 12-month transition over to the new health mark, with companies permitted to use the new mark immediately if they are able to.</p>	<p>Comments noted about the form of the proposed health and identification marks.</p> <p>The FSA is considering the evidence to support the continued use of packaging bearing the old identification mark for a limited period for products on the domestic market, to minimise the impact on industry and reduce waste created by the disposal of old stock.</p>

	<p>To avoid sites having to print a second load of packaging and also having to batch product according to country of destination, we would ask that the UK seeks agreement with the EU and other 3rd countries that we can continue to export product using the 'EU' health mark even after our formal date of exit.</p> <p>In the event of a No Deal exit, we would expect Defra to already be talking to 3rd countries and the EU about accepting the current health mark for that transition period.</p>	<p>When the UK leaves the EU, it cannot use the EC abbreviation on products exported to other countries, as this would imply the UK was a Member State of the EU. Any measures to continue using packaging bearing the old health and identification marks for export of products to either a third country or the EU will be subject to a negotiated outcome.</p> <p>The FSA is supporting a Defra led project which aims to communicate the changes in the health and identification marks to third countries.</p>
Suffolk Meadow	The proposed change to remove the EC would not cause an issue on the packaging itself, but it would cost to have all of my packaging printing plates changed.	Comments noted about the form of the health and identification marks. The consultation has provided an opportunity for respondents to identify the impacts of change and the FSA will use this information to assess the impact on industry.
ABP	A change in the health and identification marks will cause confusion in export and domestic markets with supermarket shelves having some product with the old identification mark and other product with the new identification mark. There is a risk that the consumer sees this as two different standards. Export customers receiving frozen consignments with two different identification marks will also raise concerns.	The FSA will work with industry to ensure consumers and customers are aware of the change and that for a period of time they may see products with the EC abbreviation. We will do all we can do to ensure consumers and customers understand that there is no difference in the standards of production between the products.
Dairy UK	<p>Dairy UK's main concern is the length of the transitional period and the cost impact on businesses should this period be too short (e.g. stock write off and one-off artwork changes).</p> <p>With regards to the examples proposed in the consultation paper, Dairy UK prefers the second choice with "UK" displayed above the site number.</p>	Comments regarding the form of the marks are noted. Through this consultation the FSA has invited respondents to comment on impacts so that we can evaluate change. The FSA is aware that industry needs time to run down existing packing stock levels and is looking at the possibility of a transition period for products placed on the domestic market. As soon as we

		know what this will look like we will communicate this to industry.
British Frozen Food Federation	<p>Our main concern is the proposed costs of change. Both consumer facing packaging and raw material packaging used by our business will have to change. The style and the format of the health mark should not raise any concerns on the premise that the size of the health mark is in keeping with the current EU health mark.</p> <p>A further concern to our business is not only focused around changes to health marks but packaging changes in general as a result of the Brexit process. As a business we would request that wholesale changes to product packaging required post Brexit are considered at the same time in order to collate and manage changes once and not piece meal moving forwards.</p>	<p>Comments regarding the form of the marks are noted. Through this consultation the FSA has invited respondents to comment on impacts so that we can evaluate the impact of change.</p> <p>The FSA is working with DEFRA, FSA Northern Ireland, FSA Wales and FSS to coordinate communications to industry concerning changes to labelling requirements as result of the UK leaving the EU.</p>
National Game Dealers Association	We have no issues with the proposed new layouts. Separate EU labels would be an extra burden, so it would be helpful to avoid.	Comments regarding the health and identification mark are noted. Our proposal is for one form of the health and identification mark, applicable to products placed on either the domestic market or for export.
LNCD UK	At the moment the current health mark pack is accepted in all of the above markets, for non-EU with additional export certification. With the changes proposed we would be concerned that separate health mark would be required to be printed for export to EU and non-EU countries and this would impact our business.	Our proposal is for one form of the health and identification mark, applicable to products placed on either the domestic market or for export.
BRC	We urge FSA to liaise with all other Government departments responsible for food labelling (DEFRA, DHSC and BEIS) and coordinate all label changes, so businesses do not need to address every single change individually but can coordinate a minimum number of label changes.	The FSA is working with DEFRA to coordinate communications to industry concerning changes to labelling requirements as result of the UK leaving the EU.
Nimea	<p>This change raises the risk of confusion and disruption to the export trade and in the domestic market. It also risks increased costs and wastage unless the change is phased in carefully.</p> <p>There must be a realisation now, that there is product, currently in production or in storage that may be placed on the market after the change is made, creating the possibility of mixed</p>	The FSA will work with industry to ensure consumers and customers are aware of the change and that for a period of time they may see products with the EC abbreviation. It will be important to convey that there is no difference



	consignments, containing different health marks, which may create confusion at home and abroad.	<p>in the standards of production between the products.</p> <p>The FSA is aware that industry needs time to run down packaging stock levels and is looking at the possibility of a transition period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry</p>
Tesco	We support the proposal to retain the existing format, without the EC lettering in the ID mark. These marks are recognisable by our customers, producers and processors, Labelling changes can be costly to a business and keeping the same design reduces both the administrative burden and the risk of unintentionally using the wrong mark, particularly on products with long shelf lives.	Noted
FDF	<p>FDF acknowledges that the change proposed by the FSA consists of a practicable adaption of the existing health and identification marks. The removal of the 'EC' reference reflects the new status of the UK as a third country whilst at the same time, ensuring the key information as to the approved status of a given establishment is maintained.</p> <p>There is, however, a cost in updating packaging which bears the mark, whether this be applied directly to packaging, pre-printed films, outer boxes, lids and labels; and it is likely to involve the origination of new artwork and associated costs.</p>	<p>Comments noted regarding the form of the health and identification marks.</p> <p>The FSA is aware that industry needs time to run down packaging stock levels and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry.</p>
McCologan's Kendal Nutricare Ltd Boil and Broth Speldhurst Quality Foods Ltd Primepak Foods Meats Snacks Group	Respondents indicated that they had no issue with the proposed changes or supported changes to the health and identification marks.	Comments noted.

<p>P and B Foods Ltd  Richard Whittaker Ltd  Riverfood Organic Dairy  Hemswell Coldstore Ltd  Crust and Crumb  Walter Holland and Sons  Meat Hook  SeeWoo UK Ltd  Devro Plc  Loscoe Chilled Foods Ltd  Baileys Turkeys Ltd  Forresters Chicken  Celtic Fish and Game  Wicks Manor  2 Sisters Red Meat</p>		
<p>NFU</p>	<p>The NFU does not represent the red meat processing industry so our only comment is confined to maintaining a health mark that clearly indicates that the product slaughtered and processed in the UK and is fit for human consumption. This is essential to maintain customer and consumer confidence in the British red meat supply chain. Any changes to the health mark must be clearly communicated, understood and recognised by all domestic and export customers to ensure product is not rejected.</p>	<p>The proposed health and identification marks will have the same dimensions as the EU health and identification marks. We are planning to provide guidance to stakeholders once we know the new form of the marks and when they are to be used.</p> <p>We will do all we can to ensure the communications are targeted at consumers to inform them of the change and reinforce that standards remain the same.</p> <p>We are working with Defra to make sure countries that the UK exports to outside of the EU are made aware of the change to the marks.</p>

**2. Is it reasonable to assume on average that business will stock approximately 6- 12 months' supply of packaging at any time?**

Consultation letter 27<sup>th</sup> July – 27<sup>th</sup> August 2018 question / If you store pre-printed labels or packaging bearing the identification mark, we would be interested to know how long it would take you to use your existing stock

Respondent	Comment	Response							
Celtic Fish and Game 2 Sisters Red Meat Clough Bane Farm Potters of Barnsley Ltd Forresters Chicken Rea Valley Speciality Foods Malton Foods Ltd Lisola Buona Ltd	<p>The FSA is grateful for the comments received from respondents and the table below summarises the levels of stock held by respondents.</p> <table><tr><td></td><td>Less than 6 months</td><td>6 months</td><td>12 months</td><td>18 Months</td><td>24 months</td><td>Over 24 months</td></tr></table>		Less than 6 months	6 months	12 months	18 Months	24 months	Over 24 months	<p>The FSA is aware that industry needs time to run down packaging stock levels and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we</p>
	Less than 6 months	6 months	12 months	18 Months	24 months	Over 24 months			

BW and DJ Glaves and Sons Ltd J Shipton Crust and Crumb Walter Holland and Sons Chiltern Cold Storage Group Gro Continental Fulibroch Dairy Lean Enterprise Director Meat Hook The Lobster Pot SeeWoo Ltd Essex Farm Foods Ltd Castleford Slicing Company Ltd Europa Foods Ltd Scorese Foods Dolcetti Ice Cream The Real Lancashire Black Pudding Voakes Pies Ltd Netherend Farm Ltd Thorpe Leazes Farm Porlock Bay Oysters GCL Food Ingredients Environmental Health, Regulatory Services East Lindsey District Council Dales Dairies Ltd Gressingham Foods Micks Eel Supply Ltd Kerry Foods Ltd N Wrigley A Sandham Powters Ltd	No. Responses	15	15	34	6	5	11
	In summary it was noted that:						
	A number of businesses reported that they have to make minimum purchase orders of stock to make it viable for the printer and or manufacturer of packaging to produce and this contributed to them holding a large quantity of packaging, which ranged from less than 6 months to a maximum of 5 years.						
	A number of respondents reported that to keep packaging costs to a minimum, large quantities are ordered, and this meant that companies may hold packaging stocks of between 1 – 2 years.						
	Use of packaging stock can vary in a business dependent upon how fast or how slow a line moves. Therefore, some stock may shift within 6 months some may take 12 months.						
	Business may retain seasonal packaging stock from year to another, i.e. Christmas stock and this means that such stock may last a number of seasons.						
	Respondents asked for a period of time to allow businesses to use up packaging stock, to minimise the impact of replacing stock and to spread the cost of restocking over a longer period of time as possible.						
Respondents were also concerned about the creation of waste should they not be given sufficient time to use existing stocks.							
know how this will be implemented we will communicate this to industry.							

My Fish Company Braeforge Ltd Lane Farm Suffolk Salami Sharpham Ferrantes Chilled Foods Riverfood Organic Dairy Cranswick Country Foods PLc Ornua Ingredients UK Meats Snacks Group Youngs Sea Foods Dairy Gold Food Ingredients Speldhurst Quality Foods Ltd Hull City Council / Stapleton Farm John Sheppard Catering Butchers Ornua Foods Hambleton BMPA Suffolk Meadow Kendal Nutricare ABP Bartlett and Sons Ltd Caroline Dairy Yeo Valley Family Farm British Frozen Food Federation National Game Dealers Association Public a Group Neuadd Fach Baconry Northumbrian Pedigree Milk and Cream Smith Taylormade Trade Ltd		
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Polarkold Ltd Netherend Farm Ltd Ty Tanglwys Dairy BRC Nimea Lyons Total Supply Chain Dalziel Ewing Seafood's McCologan's M Smales FDF Fresh Pak Grays Packaging		
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**3. Do you have any information that might help us to understand the proportion of businesses that will directly apply their identification mark to packaging at the establishment where the product is produced?**

Respondent	Comment	Response
Loscoe Chilled Foods Ltd Kingfisher Brixham Devro Plc Dairy Partners Ltd Cooper Foods Ltd Ewing Seafood's	Respondents indicated that having the ability to print labels directly on to products, provided them with the means to be more flexible when accommodating label changes. However, while some respondents suggested that they required very little time to change the design of labels, just reasonable notice, some indicated they would require anything up to 6 months' notice. In addition, respondents indicated that there	This is dependent upon the outcome of the negotiations between the UK and the EU. The FSA will keep industry informed as to when to use the new health and identification marks.



Chilled Food Association British Poultry Council FDF	<p>Respondents also noted that for some products with a long shelf life, notably canned foods, the labels on such products could potentially bear the old mark for a number of years. Typically, once manufactured, products have 18-24 months shelf life depending on product type.</p> <p>Respondents requested sufficient time to use up old stocks of labels and would call for this to be as long as possible in order to reduce the impact, and any extra costs associated with changes such as this which are purely as a consequence of leaving the EU. A 2 year interim period would be reasonable, helpful environmentally and would also be commercially fairer for smaller/speciality producers who may have lower volume lines.</p>	look at producing guidance for Local Authorities and consumers so there is no confusion as to what is acceptable and not acceptable.
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**5. We would welcome your views on whether the proposals to permit the continued use of packaging bearing the 'EC' ID mark for products placed only on the national market for a period of 12 months after the UK exits' the EU is proportionate. (This is based on the assumption that businesses typically hold supplies of packing between 6 – 12 months).**

Respondent	Comment	Response														
Torquay Town Hall 2 Sisters Red Meat Bells Fish Mongers Pieminister Ltd Pro Pak Foods Ltd T Davey Riverside Bakery and Dorset Foods Lean Enterprise Director Gundenham - Dairy Devro Plc Gressingham Foods	<p>To avoid significant waste and costs associated with disposing of packaging stock, respondents have suggested varying lengths of notice period they would require using up old stock, see table below;</p> <table><tr><td></td><td>Less than 6 months</td><td>6 months</td><td>12 months</td><td>18 Months</td><td>24 months</td><td>Over 24 months</td></tr><tr><td>No. Responses</td><td>1</td><td>1</td><td>8</td><td>3</td><td>4</td><td>3</td></tr></table> <p>Again, many respondents pointed out that in addition to their ordinary stock of packaging which they may consumer in 12 months, they may</p>		Less than 6 months	6 months	12 months	18 Months	24 months	Over 24 months	No. Responses	1	1	8	3	4	3	<p>The FSA notes that industry requires time to run down stocks of packaging and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry.</p>
	Less than 6 months	6 months	12 months	18 Months	24 months	Over 24 months										
No. Responses	1	1	8	3	4	3										



<p>Pukka Pies John Sheppard Catering Butchers Ornua Foods Hambleton The International Meat Trade Association Dairy UK Chilled Food Association LNCD UK</p>	<p>also carry seasonal packaging which, they may hold for 2 years or more.</p>	
<p>Tesco</p>	<p>We support a transition period for the following reasons:</p> <ul style="list-style-type: none"> <li>□ In some instances, packaging stocks can be held for up to two years, so a suitable transition period will allow businesses time to sell their stock on with the current labels and artwork, and minimise the cost of trading losses. This is particularly important for smaller businesses who typically hold stock for longer.</li> <li>□ The changes will affect thousands of products and a transition period will be necessary to give businesses time to use existing packaging and update the artwork and labels on their products.</li> </ul> <p>We encourage the FSA to adopt the same approach to phasing out packaging as set out in its 2012 Guidance for local authority authorised officers on the approval of establishments (paragraph 57), which advises local authorities to allow companies to phase out old packaging when new approval numbers are allocated. Allowing a transition period that provides flexibility to make all those changes at once will be vital to large businesses such as ours as we will need to manage the change of all artwork and packaging centrally across all products impacted and managing that change in a short period of time is not feasible. Similarly, packaging manufacturers will be required to make changes for many customers and as this will affect all products that require an ID mark, those packaging manufacturers will be under significant pressure to update all relevant packaging simultaneously.</p> <p>Allowing a transition period that provides flexibility to make all those changes at once will be vital to large businesses such as ours as we</p>	<p>The FSA notes that industry requires time to run down stocks of packaging and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry.</p>

	will need to manage the change of all artwork and packaging centrally across all products impacted and managing that change in a short period of time is not feasible. Similarly, packaging manufacturers will be required to make changes for many customers and as this will affect all products that require an ID mark, those packaging manufacturers will be under significant pressure to update all relevant packaging simultaneously.	
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**6. Are there any other impacts or considerations resulting from changing the UK health and identification marks that we have not identified in this consultation?**

Consultation letter 27<sup>th</sup> July – 27<sup>th</sup> August 2018 question Are there any other impacts we should be made aware of as a result of changing the health and identification mark?

- It is important that the FSA fully assesses the impact of this change so please tell us of any views or evidence to assist our assessment.
- In particular, the FSA would welcome any information you can provide on the costs associated with printing identification marks for EU export, printing identification marks for the domestic market and (re)designing those labels

Respondent	Comment						Response
Clough Bane Farm Weddel Swift Distribution Ltd Loscoe Chilled Foods Ltd Forresters Chicken The Lobster Pot Essex Farm Foods Ltd Scorese Foods	Respondents have provided a cost associated with the change and these costs are summarised below in the following table						We note the costs you have provided and will use this information to understand the impact the proposed changes will have on industry.
		Less than £5k	More than £5k – less	More than £20k	More than 50k –	More than £100k	

Castleford Slicing Company Ltd Voakes Pies Ltd Brinkworth Dairy J Shipton Cooper Foods Ltd Europa Foods Ltd Netherend Farm Ltd My Fish Company Gressingham Foods Kerry Foods Ltd Richard Whittaker Ltd Braeforge Ltd Dales Dairies Ltd Lane Farm Suffolk Salami Sharpham P and B Foods Ltd Western Brand Poultry Products Ltd Cranswick Country Foods PLC Bernis Swansea Ltd DPS Inskip Ornua Ingredients UK Meats Snacks Group Whitby -Sea Foods Stapleton Farm Speldhurst Quality Foods Ltd Thorpe Leazes Farm John Sheppard Catering Butchers Hambleton ABP Suffolk Meadow Kendal Nutricare Snowdonia Cheese Bartlett and Sons Ltd			than £20k	– less than £50k	less than £100k	
	No Responses	6	9	1	5	4

That many respondents have over, 1000 labels to change and there are costs implication in terms of time checking such changes and agreeing changes with customer.

Respondents identified the cost on new art work and re designing the label as an issue

Impacts also included costs associated with preparing new product specifications

The International Meat Trade Association Yeo Valley Family Farm British Frozen Food Federation National Game Dealers Association Public a Group South England Pastries Ltd Netherend Farm Ltd LNCD UK Lyons Total Supply Chain Ty Tanglwys Dairy Ewing Seafood's Provision Trade Federation Dairy Gold Food Ingredients JC Fish Atlas for Industry Youngs Sea Foods Sekisui Jushi Strapping BV		
Dairy Partners Ltd Rick Bestwick Cranswick Country Foods Plc British Poultry Council The International Meat Trade Association Torquay Town Hall	<p>Respondents indicated the issue of changing the UK health and identification marks and the problems associated with registering new marks with countries that we export to outside the EU.</p> <p>It's crucial the EU has confidence in products coming from the UK.</p>	We are working with Defra who has policy responsibility for international trade and market access for food and feed products, to make sure that countries we export to outside the EU are aware that the UK's health and identification marks are changing and when this change will happen.
St Edmundsbury Borough Council and Forest Heath District Council Norish Group	A number of respondents indicated the costs associated with changing the individual establishment approval number.	We are not planning to change the establishment approval number.
Tesco	To reduce the impact of labelling changes within supply chains on cost and administration to trade, we support calls across industry for a suitable transition period. Labelling changes can carry a significant cost to businesses, including: changing the labelling design and print, the potential for lost stock that carry non-	The FSA notes that industry requires time to run down stocks of packaging and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this

	compliant labels, and the financial and environmental impact of discarded packaging.	will be implemented we will communicate this to industry
British Poultry Council	<p>Indicative costs for simple plate changes on existing designs is between £50 and £200 dependant on complexity. There can be up to approximately 600 designs currently in use. We estimate that a more complex change will be required for 10% of these and the full re-design cost for these is approximately £1500.</p> <ul style="list-style-type: none"> <li>• There are internal costs that may be involved such as changes to the inventory codes for affected items and subsequent changes to product specification and process control sheets which control the information flow on to the production line.</li> </ul> <p>We would be happy to discuss any of our points above.</p>	We note the costs you have provided and will use this information to understand the impact the proposed changes will have on industry
BMPA N Wrigly Pro Pak Foods Ltd Pieminister Ltd Bells Fish Mongers	Respondents highlighted the high cost of disposal should they have to discard packaging stock and the impact this would potentially have on the environment, particularly as the majority of packaging will be made from plastic.	Noted. We are looking at ways to allow industry the ability to use stocks of packaging bearing the old identification mark and will inform industry as soon as we come to a decision.
Kingfisher Brixham Devro plc Richard Whittaker Ltd Nimea Youngs Sea Foods Pukka Pies Bells Fish Mongers British Frozen Food Federation ABP Beechdean Manufacturing Ltd Hemswell Coldstore Ltd Forresters Chicken Loscoe Chilled Foods Ltd	Respondents indicated that if there was a transitional period allowing industry to use stocks of packaging bearing the old identification mark and given that some products have a long shelf life or placed in cold storage, such products would still be available on the market 3 – 5 years or more after the change takes place.	Noted. We accept that products bearing the old identification mark i.e. those products produced before the UK ceases to be a Member State will continue to be in circulation for some time. These products will continue to be accepted for the domestic UK market and we will do all we can to ensure consumers are informed about the change and that for a period of time they may see the same products with a EU or UK identification mark on them.

Cranswick Foods		
Chilled Food Association	<p>A phased approach is required, similar to when businesses changed from EEC to EC marking and when FIR came in place, to help manage the change and phase in the costs.</p> <p>A 3 year derogation would allow costs to be reduced and may fit into other changes (such as range reviews and marketing changes).</p> <p>The cost of a plate change is around £2k per SKU and 2D barcode updates are ca. £150. The chilled sector has some 12 000 SKUs according to our estimates, with would reflect a potential cost of £24m (if all were POAOs). A significant burden will be placed on artwork houses and printers, therefore a phased approach is required. Given the scale of business in CFA's membership, there would be several hundred SKUs per business to move over across multiple retailers and brands. This will be a significant body of work which will need resourcing and funding.</p>	<p>The FSA notes that industry requires time to run down stocks of packaging and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry.</p> <p>We note the costs you have provided and will use this information to understand the impact the proposed changes will have on industry</p>
Dairy UK	<p>Impacts of changing health and identification marks include:</p> <p>Costs associated with changes to artwork: origination and changing printing plates.</p> <p>Costs associated with new moulds.</p> <p>Printers' capabilities associated with huge sudden demand for labelling changes.</p> <p>Waste, storage and disposal of unused packaging, with associated impact on environment.</p> <p>Changes to all necessary documentation, including specifications, customer systems, dispatch documents, delivery notes, certifications of conformance and/or export documents.</p>	<p>The FSA notes that industry requires time to run down stocks of packaging and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry.</p> <p>We note the costs you have provided and will use this information to understand the impact the proposed changes will have on industry</p>

	<p>Time resource in relevant teams within companies.</p> <p>What are the costs associated with:</p> <ul style="list-style-type: none"> <li>- Printing identification marks for EU export;</li> <li>- Printing identification marks for the domestic market;</li> <li>- (re)designing those labels?</li> </ul> <p>This is of course dependent on the size of the business and the type of packaging. One company with approximately 300 SKUs has estimated that the costs would be £500,000 minimum just for artworks changes.</p> <p>Another company has indicated that this would depend on whether they have to go through full artwork processes with each retailer or if concessions will be given to make amends directly at printers. If derogations are given to amend at printers, then the cost will be anything from £75-500/SKU. However, if full artwork processes with each retailer were necessary, costs could become £1000s/SKU for some products. This is a very important point and one which needs to be addressed in order to reign in the costs and the time associated with going through full artwork processes with each customer (whether domestic or for export).</p> <p>The costs would be especially high if the transitional period was not long enough, leading to write offs and one-off artwork changes.</p> <p>To minimise cost and disruption, it is important that the same transitional period – we recommend a minimum of 2 years - be applied for sale in the UK and abroad. Otherwise, FBOs will need to print and store different packaging for export, which – with minimum order quantities for packaging - could make trade prohibitive</p>	
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	<p>in some cases. SKUs for export are often slower selling, so no transition for export presents a real risk to business. As already mentioned, given that the changes proposed will not affect the ability to identify the manufacturer in question, we believe that 2 years is an appropriate transitional period.</p>	
BMPA	<p>The cost of replacing that packaging would be enormous: many of our members have over £25,000 of packaging in store, some in the £200,000+ region. It is about 4.5p a carton or bag, and minimum print runs mean that about 50,000 individual items are printed at a time for each product. Minimum print runs mean more packaging is held for slow moving items, sometimes as much as 24 months' worth.</p> <p>As well as the cost of wasted packaging if FBOs were no longer able to use it, there would be the cost of new packaging once we are out of the EU. Virtually all packaging material comes from the EU, and after Brexit there is a likelihood that it would be subject to tariffs. Therefore, requiring packaging to be purchased before strictly necessary would add more cost.</p> <p>The lead-in time for printing new packaging, taking into account the need to have the new artwork done, obtain retailer approval, make changes, get the new packaging printed, etc. is about 3 months. The cost to one of my members of re-designing his label/package stock would be a minimum of about £200 a line, with over 100 different products, these costs alone would be £20,000.</p> <p>What must also not be underestimated is the demand there would on packaging suppliers, design studios and printing companies if all FBOs needed their packaging re-designed and printed within a short</p>	<p>We note the costs and the suggested lead in time you have provided and will use this information to understand the impact the proposed changes will have on industry.</p> <p>The FSA notes that industry requires time to run down stocks of packaging and is looking at the possibility of a transitional period for products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry.</p>



	<p>timescale. We would, therefore, propose that there be at least a year's transition period, and preferably 2 years, with plants able to switch to using the new format as and when they can during the transition period</p>	
BRC	<p>The Department of Food, Environment and Rural Affairs (DEFRA) estimates the average label change cost to be around £2000 per product. This value is dependent on the printing material, the nature of the change, etc.</p> <p>There are numerous label changes in the pipe line for the next couple of years. These include legislative provisions such as those in Implementing Regulation 2018/775 on country of origin of ingredients, as well as all the changes required because of the BREXIT correction exercise. As stated earlier it is essential for the introduction of these changes to be co-ordinated across government to minimise the financial impact and disruption to businesses.</p> <p>Sourcing of packaging and labelling It is worth noting that a large amount of packaging materials are sourced from outside the UK.</p> <p>Therefore, while we are still unclear on what the final agreement on import of goods from the EU will be, particularly whether the smooth movement of these goods will continue, it is important to factor in the possible need for extra time for businesses to source the necessary supplies before changes can be made.</p>	<p>The FSA notes that industry requires time to make ready any changes to labels and we will provide as much notices as possible.</p> <p>We note the costs you have provided and will use this information to understand the impact the proposed changes will have on industry</p> <p>We are working with Defra, FSA NI, FSA Wales and FSS to ensure all changes to labels as a result of the UK leaving the EU are communicated to industry where possible at the same time.</p>
Food and Drinks Federation (FDF)	<p>FDF recommends that products bearing the old identification mark, which have been labelled or placed on the market prior to the end of implementation</p>	<p>Products produced and provided with either a health or identification mark before the UK</p>

	<p>period, are allowed to be marketed until stocks are exhausted.</p> <p>Subsequently, this means that at some point, both formats of the mark would be on the market.</p> <p>With consideration to affected food categories that have the longest shelf-life, such as frozen foods with 18-24 months shelf-life, it would therefore be expected that foods with the old marks could be on the market for at least 24 months after the implementation period</p> <p>This timescale should be closely comparable to the transition period allowed to implement the labelling changes required under Food Information for Consumers (FIC) Regulation (i.e. 3 years),</p> <p>This change has an impact on businesses in terms of redesigning and relabelling food products as mentioned. Moreover, it has a greater impact on businesses that have food products exported and unsold prior to EU exit; the incurring cost of returning these products back to the UK for relabelling is much greater than the relabelling project itself. For example, it would cost a medium-sized company approximately £10M to return goods to the UK, while another medium-sized company operating solely in the UK would spend £48K to change the identification mark on labels.</p>	<p>leaves the EU will continue to be accepted on the domestic market in the UK.</p> <p>Whether such products are accepted within the EU will dependent upon the outcomes of negotiations to between the UK Government and the EU.</p> <p>We are looking at the possibility of agreeing a period of time in which it will be possible for UK industry to use packaging bearing the old identification mark to be used on the UK domestic market and we will keep you informed.</p> <p>Noted. We accept that products bearing the old identification mark will be in circulation for some time. There will be products produced before the UK leaves the EU and potentially those produced during an agreed period of time that allows industry to use up old packaging stock once the UK has left the EU. These goods will continue to be accepted for the UK domestic market and we will do all we can to ensure consumers are informed about the change and that for a period of time they may see the same products with a EU or UK identification mark on them.</p> <p>The costs associated with labelling of returned stock is noted.</p>
Provision Trade Federation	<p>Ideally it would be helpful to be able to phase in any changes as soon as possible, allowing new labels to be produced without the EC/EU prefix before we</p>	<p>The FSA notes that industry requires time to run down stocks of packaging and is looking at the possibility of a transitional period for</p>

	officially leave the EU. This would help to minimise the impact, not only on the food businesses concerned but also on printers who are likely to be working to capacity to re-print all labels that are affected by this change, and who will not welcome a tight deadline. This phasing in period, if permitted, will influence how long it will take to use up packaging stocks and relabel.	products bearing the old identification mark placed on the domestic market after the UK leaves the EU. As soon as we know how this will be implemented we will communicate this to industry.
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**7. We would welcome any other views or comments that you have in relation to this issue.**

<b>Respondent</b>	<b>Comment</b>	<b>Response</b>
Loscoe Chilled Foods Ltd	A number of respondents asked whether they could alter the label before the UK left the EU or apply dual marks in advance of leaving.	Until the UK leaves the EU the current health and identification marks must be applied.

Lean Enterprise Director Cleveleys Foods Ltd Sykes House Farm Bombay Halwa Ltd Dairy UK		
Cooper Foods Ltd	We freeze fresh meat and fish products that we prepare with a one year freezer shelf life. If we freeze a product up to an including 28th March which health mark are we supposed to use as the product will potentially be sold to customers for the following year.	The health and identification marks that are legally required must be used, this is the EU marks until such time the UK ceases to be a member state of the EU. We will notify industry when the new health and identification marks must be used.
Western Brand Poultry Products Ltd	The availability of printing capacity if everyone in the food industry needs stock at once will be a concern. At worst there will difficulty getting packaging at all, at best the cost of printed packaging will rise.	Noted
Youngs Sea Foods	A further concern our business has is not only focused around changes to health marks but packaging changes in general as a result of the Brexit process. As a business we would request that wholesale changes to product packaging required post Brexit are considered at the same time in order to collate and manage changes once and not piece meal moving forwards. Within our own business we utilise a large variety of packaging formats ranging from basic pre-printed labels to printed pouches and bags. Consideration needs to be made to cover not only the lead times all packaging formats but also the availability of raw materials such as cardboard. The entire industry making changes at same time would be impossible in this sense.	We are aware of other changes required to labels as a result of leaving the EU and are liaising with Defra FSA NI, FSA Wales and FSS about how we jointly communicate change.
BMFA	To give 3rd countries confidence in our health mark and reason to allow us to continue to use the EU one, we emphasise that it is vital that the UK's food hygiene legislation stays exactly in step with the EU's until at the very least the new health mark is the only one legally permitted.	We are not proposing to change UK standards or introduce a second health or identification mark for non-exporting establishments.  Once we know what the new health and identification marks looks like and when they

	<p>There have been musings about whether or not there should be a different health mark for plants that are approved for export to the EU. We strongly ask that this doesn't happen as we believe it would imply to the rest of the world that we don't regulate adequately, otherwise why would only some plants be authorised to export, it would tell consumers that domestic meat is produced to a lower standard and, as a result of that, it would lead to imported meat being seen as better quality or safer. The only possible outcome we envisage would be the loss of whole country approval from third countries and a drop in domestic and global demand for UK meat.</p> <p>Some product will be packed the day before Brexit, therefore we would need to know as early as possible the timescales for how long frozen stock with 'EC/EU' in the health mark would be accepted within the EU and within other 3rd countries.</p> <p>Relabelling with a new identification mark, if permitted, would be a huge logistical task with additional cost.</p>	<p>need to be applied we will communicate this to industry. We also aim to produce guidance for industry and regulators on the proposed changes and when the new marks should be applied.</p>
ABP	<p>Frozen stock will have a shelf life of two years or longer. Therefore for a period of time, for the shelf life of the frozen product, product bearing the old identification mark will be exported after the UK has exited the EU.</p> <p>Also for a period of time, for the shelf life of the frozen product, exports will have containers with some product bearing the old identification mark and some product bearing the new identification mark, i.e. both identification marks in the one consignment.</p> <p>Businesses plan frozen stock years ahead. Changes in the export or domestic status of frozen stock bearing the old identification mark will greatly reduce its value, and may even deem it to be animal by-product. These losses would be at a huge cost. The biggest costs would be in reduction in value of frozen stock bearing the old identification mark should its export or domestic status change.</p>	<p>Noted</p> <p>Once we know what the new health and identification marks looks like and when they need to be applied we will communicate this to industry. We also aim to produce guidance for industry and regulations on the proposed changes and when the new marks should be applied.</p>

	<p>There will also be a cost in managing the change in export markets, for instance if an export customer were to become aware of high levels of frozen stock bearing the old identification label to be sold within a short timeframe.</p> <p>Relabelling with a new identification mark, if permitted, would be a huge logistical task with additional cost.</p>	
FDF	<p>FDF recognises that, following EU exit, the United Kingdom will have a 'third country' status, meaning the country code used in health and identification marks will have to comply with the international code list established by the International Organisation for Standardisation (ISO), which in this case is the alpha-2 code is 'GB' and not 'UK'. It is important that the 'UK' country code remains accepted by the EU and internationally.</p>	<p>The UK format is already widely used, and our aim is to make the minimum necessary changes to the marks.</p> <p>The UK abbreviation represents the four countries that make up the United Kingdom, and we are aware that the GB abbreviation does not embrace Northern Ireland.</p> <p>We will make sure the EU are aware of the new format for the health and identification marks and the sensitivities of retaining the UK abbreviation, that encompasses NI.</p>

### **Organisations that responded to the consultations:**

The Preseli Gold Sausage Company  
Torquay Town Hall  
Celtic Fish and Game  
Wicks Manor  
Sykes House Farm  
2 Sisters Red Meat  
Peterborough Game Company Ltd  
Bells Fish Mongers  
Vicars Game Ltd  
Clough Bane Farm  
Weddel Swift Distribution Ltd  
Dairy Partners Ltd  
Rick Bestwick  
Fresh Pak  
Loscoe Chilled Foods Ltd  
Norish Group Compliance Manager  
Potters of Barnsley Ltd  
Baileys Turkeys Ltd  
Forresters Chicken  
Rea Valley Speciality Foods  
Malton Foods Ltd  
Lisola Buona Ltd  
Forest Heath District Council  
St Edmundsbury Borough Councils  
T Davey  
Brinkworth Dairy  
Itero Ltd  
Riverside Bakery and Dorset Foods

BW and DJ Glaves and Sons Ltd  
Hemswell Coldstore Ltd  
J Shipton  
Crust and Crumb  
Beechdean Manufacturing Ltd  
Dairy UK  
Walter Holland and Sons  
Chiltern Cold Storage Group  
Gro Continental  
Pieminister Ltd  
Fulibroch Dairy  
Lean Enterprise Director  
Meat Hook  
Kingfisher Brixham  
The Lobster Pot  
SeeWoo UK Ltd  
Essex Farm Foods Ltd  
Castleford Slicing Company Ltd  
Cooper Foods Ltd  
Europa Foods Ltd  
Scorese Foods  
Dolcetti Ice Cream  
North Norfolk District Council  
National Farmers Union  
The Real Lancashire Black Pudding  
Bombay Halwa Ltd  
Voakes Pies Ltd  
Pro Pak Foods Ltd  
Linda Weeks  
Thorpe Leazes Farm  
M Lynch  
Porlock Bay Oysters



GCL Food Ingredients  
Gundenham - Dairy  
East Lindsey District Council  
Dales Dairies Ltd  
Devro Plc  
Gressingham Foods  
Nicola  
Kerry Foods Ltd  
N Wrigley  
A Sandham  
Penny Lane Foods  
Powters Ltd  
My Fish Company  
Richard Whittaker Ltd  
Braeforge Ltd  
Lane Farm Suffolk Salami  
Sharpham  
Ferrantes Chilled Foods  
Riverfood Organic Dairy  
Western Brand Poultry Products Ltd  
P and B Foods Ltd  
Cranswick Country Foods Plc  
Provision Trade Federation  
Bernis Swansea Ltd  
DPS Inskip  
Cleveleys Foods Ltd  
Otter Valley Poultry  
Primepak Foods  
Ornua Ingredients UK  
Meats Snacks Group  
Whitby -Sea Foods  
Youngs Sea Foods

Dairy Gold Food Ingredients  
Speldhurst Quality Foods Ltd  
Hull City Council  
Seafish  
Pukka Pies  
Stapleton Farm  
John Sheppard Catering Butchers  
Ornua Foods  
Hambleton  
BMPA  
Suffolk Meadow  
JC Fish  
Kendal Nutricare  
ABP Beef  
Snowdonia Cheese  
Bartlett and Sons Ltd  
Food and Drink Federation  
The International Meat Trade Association  
Caroline Dairy  
Chilled Food Association  
Yeo Valley Family Farm  
British Frozen Food Federation  
National Game Dealers Association  
Atlas for Industry  
Public a Group  
Boil and Broth  
Northiam Dairy  
South England Pastries Ltd  
Neuadd Fach Baconry  
Northumbrian Pedigree Milk and Cream  
Smith Taylormade Trade Ltd  
Polarkold Ltd

Netherend Farm Ltd  
Ty Tanglwys Dairy  
LNCD UK  
BRC  
Nimea  
British Poultry Council  
China Tea Culture Ltd  
Lyons Total Supply Chain  
Dalziel  
Kendal Nutricare Ltd  
Ewing Seafood's  
Yorkshire Products  
McCologan's  
Tesco  
M Smales  
Sekisui Jushi Strapping BV  
Grays Packaging