

Title of Report:	IMPLEMENTATION OF THE OFFICIAL CONTROLS REGULATION (EU) 2017/625 (OCR) CONSULTATION
Committee Report Submitted To:	ENVIRONMENTAL SERVICES
Date of Meeting:	12th November 2019
For Decision or For Information	FOR DECISION

Linkage to Council Strategy (2019-23)	
Strategic Theme	Resilient Engaged and Healthy Communities
Outcome	Compliance with Statutory Requirements
Lead Officer	Head of Health & Built Environment

Budgetary Considerations	
Cost of Proposal	N/A
Included in Current Year Estimates	YES
Capital/Revenue	N/A
Code	N/A
Staffing Costs	None

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

- 1.1 The purpose of this report is to advise and seek member approval of the consultation reply prepared with respect to Implementation of the Official Controls Regulation (EU) 2017/625.

2.0 Background

- 2.1 Until the UK ceases to be a member of the EU the Government will continue to negotiate, implement and apply EU legislation. The Official Controls Regulation (EU) 2017/625 (OCR) takes effect and will be directly applicable in Northern Ireland, on 14 December 2019.
- 2.2 The OCR addresses official controls, and other official activities, performed to ensure the application of food and feed law rules on animal health and welfare, plant health and plant protection products.
- 2.3 This consultation focuses on the implementation of legislation in Northern Ireland to provide for the execution of powers and enforcement of the OCR only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.
- 2.4 The full consultation paper can be found at <https://www.food.gov.uk/news-alerts/consultations/implementation-of-the-official-controls-regulations>
- 2.5 Attached as Appendix 1 is a suggested response to the consultation. The closing date for submission of responses to the Food Standards Agency was 11th October 2019. Due to time constraints the attached has been submitted as an Officer response pending endorsement by Council.

3.0 Recommendation

It is recommended that the Environmental Services Committee recommends to Council that the response be endorsed.

Consultation on the Implementation of the Official Controls Regulations

Closing Date 11th October 2019

Causeway Coast and Glens Borough Council welcomes the opportunity to comment on the Consultation on the Implementation of The Official Controls Regulations.

Questions asked in the consultation:

Q.1: Have we appropriately identified the key aspects of the OCR application that apply from 14 December 2019.

Council agrees that based on the information available in the consultation the key aspects have been identified.

Q.2: Have we appropriately identified the impacts of the changes that apply from 14 December 2019 in our Impact Assessment?

Council agrees that based on the information available the key impacts have been identified.

Q.3: Do you agree with the assumptions made in our Impact Assessment?

Council agrees with the assumptions the FSA have made in the Impact Assessment.

Q.4: Are you aware of any other significant impacts of the changes that apply from 14 December 2019?

Council is not aware of any additional significant impacts of the changes that will apply from the 14th December 2019.

Questions asked in the Impact Assessment (Annex B)

Q.I: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.

Council agrees with the sectors of industry that have been identified within the documentation. However, we would like clarification on whether relevant industry bodies have also been consulted, as this was not readily identifiable within the consultation documentation.

Costs:

Q.II: We would welcome evidence from affected businesses on the expected costs on their establishment if the FSA were to verify compliance by either a) collecting industry data or b) by sampling.

Council considers this question is outside the scope of Local Authority remit.

Q.III We would welcome supporting evidence on the total throughput levels of low capacity slaughterhouses and Game Handling Establishments, and the distribution of such establishments in relation to the new maximum annual threshold. We would also welcome views on our assumption that the new requirement may result in additional costs on such businesses and the degree to which this change is likely to impact them.

Council considers this question is outside the scope of Local Authority remit.

Q.IV: We would welcome any evidence stakeholders are able to provide in relation to the number of food business operators that currently harvest echinoderms from unclassified areas.

Council does not have any evidence of FBO's in NI harvesting echinoderms from unclassified areas.

Q.V: We would welcome views, and where possible supporting evidence, from business importing one or more of the products subject to the above changes. What impact do you believe the harmonising of controls will have on your business?

Council considers this question is outside the scope of Local Authority remit.

Q.VI: We would welcome evidence from stakeholders, and in particular Port Health Authorities (PHAs), on the number of controls on reptile meat and insects currently performed.

Council considers this question is outside the scope of Local Authority remit as this is a DAERA function.

Q.VII We welcome enforcement authority views on our stated assumptions for training requirements to support delivery of the changes introduced by the OCR. Please provide details of any specific training needs you think will be necessary.

Council considers that the allocated time for officer familiarisation with the new requirements is significantly under estimated. Council would welcome the development of a bespoke training package for Local Authorities outlining the key changes and implications. In terms of Port Health Authorities (PHA), Council would request clarification that the current Fish Inspector qualification will meet the needs of the additional training requirements outlined in the consultation.

Q.VIII We would welcome information from existing specialised border facilities (DPE/Is and BIPs) on what necessary changes and/or upgrades are required in order to obtain certification as a Border Control Post.

Council considers that the question is relevant to Belfast City Council Port Health. Belfast City Council PHA has raised, with FSA (NI), the current arrangements that they have in place as a designated BIP and DPE and await an assessment audit. It is anticipated that there will be no significant change or upgrade from initial discussions with FSA (NI).

Q.IX: We would welcome views from Official Control Labs representatives, or LAs that currently send/receive sub-contracts samples to/from other non- designated laboratories in other Member States. Specifically, we invite evidence on the impact(s) that may arise from this change.

Council considers that this question is for Official Control Labs as all NI and PHA official control samples are sent to an appropriately accredited laboratory.

Benefits:

Q.X: Do you agree that a harmonised and coherent regulatory approach to official controls will deliver any benefits and/or cost savings to industry? We would welcome evidence on what benefits (if any) you expect to be delivered.

Council agrees that the harmonisation of these Regulations will simplify the legislative framework under which importers and stakeholders operate. We anticipate that this will reduce the administrative burden on industry and result in associated savings.

Q.XI: We would welcome stakeholders' views on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

N/A

Q.XII: We would welcome views from PHAs and LAs on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

Council does not anticipate any significant benefits for District Councils other than the simplification and consolidation of the existing framework.

We do, however, note that the consultation refers to increased scope of goods that will be subject to certain forms of harmonised import conditions for the first time. These changes will include (e.g.) composite products, raw materials from the production of gelatine and collagen, sprouts for human consumption and fats and greaves. Council would welcome the impact of these proposed changes to be explained and do acknowledge the later date of April 2021.

There are a number of unpublished documents identified in the consultation (e.g.) transshipment of goods entering the EU. Council cannot provide comment at this time and would like further opportunity to comment when it becomes available.