

BVA response to Common Framework for Food and Feed Safety and Hygiene Stakeholder Feedback

Who we are

- 1) The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 18,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.
- 2) In developing this response we have consulted with colleagues at the Veterinary Public Health Association (VPHA). VPHA is a division of BVA and aims to further the advancement of veterinary public health within the UK and abroad. The Association is made up of veterinarians and allied professionals and is actively involved in the development of legislation, the delivery of training, and the promotion of the role of the veterinarian in public health at all levels.

The need for common frameworks

- 3) In May 2017, when we published our report "Brexit and the Veterinary Profession", we recognised the importance of developing frameworks for collaboration between the four governments of the UK following EU exit:

"Trade and animal movements across the borders of the UK are likely to remain hugely important for the whole UK economy; diseases do not necessarily respect political borders meaning that shared surveillance will continue to be a priority; and it is imperative that animal welfare regulations do not simply export poor welfare to neighbouring countries. For all of these reasons, in a post-Brexit UK we believe that structures should be put in place to ensure ongoing cooperation and collaboration. Our overarching call is therefore for the four parts of the UK to continue to work together for the good of animal health and welfare, and public health."

Legislation and regulation governing the work of the veterinary profession in the UK is a mixed picture. While much of the direction comes from the EU, implementation happens at both UK and devolved levels. Regulation of the veterinary profession and legislation relating to veterinary medicines, for example, are UK-wide, while animal health and welfare are devolved matters."

- 4) As an EU member, Directives and Regulations have provided for common approaches across the UK to many of the issues of interest to the veterinary profession. Leaving the EU may allow policy differentiation within the UK in areas where EU law has previously provided a common legal framework. According to analysis conducted by the UK government, there are a total of 142 distinct policy areas where EU law intersects with devolved powers in at least one of the three devolved nations.¹
- 5) The UK, Scottish and Welsh governments agreed in October 2017 that new UK-wide arrangements should be created to replace EU law in some areas, to provide legal certainty and

¹ Institute for Government, Brexit, devolution and common frameworks, <https://www.instituteforgovernment.org.uk/explainers/brexit-devolution-and-common-frameworks>

regulatory consistency. Northern Ireland was represented by civil servants due to the ongoing absence of a devolved government in Belfast. Together they announced six broad principles to determine where new UK-wide “common frameworks” should be established. Nearly two years later, and with fewer than 100 days until the end of the transition period, we continue to support the need for common frameworks and welcome the work that has been completed to date on the framework for Food and Feed Safety and Hygiene.

Transparency and consultation

- 6) We agree with the need for the four governments and in this case two agencies (FSA and FSS) to agree common approaches. Where there are agreements between governments as opposed to decisions by a single government there is a risk of a lack of transparency and an exclusion of outside stakeholders. The approach taken to this collaborative framework should endeavour to be as transparent as possible and ensure opportunities for consultation and engagement with key stakeholders.

Scope

- 7) We understand the remit of this framework is limited to areas of food and feed safety. However, there is a wider scope of relevant competences returning from the EU including animal health, animal welfare, agricultural policy and trade policy. There is an opportunity to more clearly align all of the relevant “farm to fork” policies that are returning from the EU within the framework process. Therefore, we are concerned that the framework process has potentially missed that opportunity and instead created a silo.
- 8) BVA supports a holistic One Health approach that considers all aspects of animal health, animal welfare and wider issues of relevant public health (eg Antimicrobial Resistance). These do not necessarily need to form part of this framework, but we need assurance that those interconnected issues will be considered together.

Capacity

- 9) BVA is aware of the vast amount of expert work carried out by EFSA. EFSA’s scientific work is led by its scientific committee and its 10 panels, made up of leading scientists. If more specialised knowledge is needed, a panel may set up a working group. These groups include both EFSA scientists and external experts. The UK contribution to this expertise is well documented.
- 10) It will be necessary to replicate a similar level of expertise within the UK which, although in principle available, will be diluted by other demands associated with EU Exit. The challenge will be made more complicated by replication of the risk assessment function within the different jurisdictions of the UK. Therefore, we welcome the commitment that risk assessments “will be undertaken on a UK wide basis, taking into account data and consumer interests from all parts of the UK.” In the short-term, a transition period where EFSA guidance is routinely accepted, should be considered.

Confidence

- 11) BVA would stress the significance of the operation of this framework to UK exports. Safeguarding the UK reputation for high animal health, animal welfare and the safety of food and feed produced in the UK and exported abroad must be at the heart of what this framework seeks to achieve.
- 12) This consultation is focussed on domestic stakeholders. However, the governance structure that will be put in place and its functioning will be considered by foreign authorities when considering whether the UK should be listed for the export of food and feed as well as live animals and other products of animal origin such as germplasm. As such, internationally agreed terminology should be used throughout. The term ‘hygiene’ should not be used as ‘hygiene’ is explicitly implied within the term ‘safety’ and its usage is therefore redundant. Furthermore, the term is inconsistent with the application of the process of risk assessment and risk management which are considered the modern and appropriate method to achieve the desired level of consumer protection.

13) In particular, we would note that the fact the enforcement falls outside of the scope of the framework may prove concerning for our export partners. A clearer statement on how the UK governments and agencies will cooperate on enforcement processes even where these fall outside of this framework would prove useful for providing confidence to our export partners as well as consumers at home.