

INFOFISH TUNA BANGKOK 2018

PRESENTATION ON BREXIT

WALTER J ANZER

DIRECTOR GENERAL

BRITISH FOOD IMPORTERS & DISTRIBUTORS ASSOCIATION

BREXIT

- Good morning Ladies and Gentlemen,
- I first of all would like to thank the Infofish Organising Committee and Dr Chanintr for inviting me to speak to you on the subject of BREXIT and the changes that will affect your tuna exports to the United Kingdom after it exits the European Union.
- I am the Senior Partner of Anzer Consultancy and the Director General of the British Food Importers & Distributors Associations whose members are importers of canned tuna and other processed foodstuff.

BREXIT

Our Government under Prime Minister Cameron called a Referendum on 23 June 2016 asking the British Electorate to vote on whether the United Kingdom should continue to be a Member of the European Union or leave it, a simple YES or NO vote was called for.

Against the expectations of the Government, 51.9 percent voted for leaving and 48.1 percent against, a majority of 3.8 percent “A total of 19.1 million votes have been cast across the UK, giving a turnout of 42%” which is rather small for such an important one could say life changing decision.

BREXIT

- In accordance with the Treaty of Lisbon, the present Government under Prime Minister Theresa May duly informed the President of the European Council Donald Tusk on 29 March 2017 that pursuant to Article 50 the United Kingdom will be withdrawing from the European Union after two years have elapsed namely on the 29 March 2019 at 11:00 pm UK time.
- At exactly that time the UK will cease to be a member of the EU and our government will have commenced negotiations of a comprehensive economic and trade agreement with the European Union.

BREXIT

- In March the UK and EU negotiating teams reached an agreement on the terms of the implementation period that will start on 30 March 2019 and last until 31 December 2020. For the duration of the implementation period the EU has stated in the Withdrawal Agreement that the UK is to be treated as a Member State for the purposes of international (trade) agreements.
- The EU will notify other parties of this approach in due course. The UK will be engaging with these partners to ensure that trade will not be disrupted.

BREXIT

- I would recommend that you make contact with your government department which is responsible for international trade arrangements to ascertain whether they received notification from the EU that the UK is to be treated as a Member States for the purpose of the EU trade arrangements with your Country until 30 December 2020. At the same time you should ask whether the UK has been engaging with them concerning the transfer of these trade arrangements to prevent a disruption to trade between the UK and your Country on the day of leaving the European Union.

BREXIT

- Let me now come to the practical effects of the UK exiting the EU.
- At present DG Trade, in consultation with other Commission Directorates, lead the negotiations of trade agreements with prospective third countries.
- **The Department of International Trade (DIT)** is responsible for negotiating trade agreements for all third countries BUT,
- **The Department for exiting the EU (DexEU)** in consultation with our **Department for the Environment, Food and rural Affairs (DEFRA)** is responsible for negotiating the transfer of existing EU trade arrangements in respect of foodstuffs.

BREXIT

I am now coming to the EU Economic Partnership Agreements (EPAs) and the Generalised System of Preferences (GSP) following EU-Exit.

Our Government has stated that it is a long standing supporter of EPAs, which provide duty-free access to the EU for developing countries. It would be detrimental to the economy of many of these countries and the UK would seek to continue the effects of existing EPAs which, for most countries, provide better market access than under the existing EU's GSP.

The UK will decide on its own GSP and GSP plus to take effect following EU-Exit.

BREXIT

- On the logistics of imports after the EU-Exit there are many issues of concern and I will briefly speak about them.
- The existing EU documentation will cease to be accepted by UK Customs and Port Health after the EU-Exit namely EUR1 (Origin Certificates), Health Certificates etc. and replaced by UK documentation.
- The EU approval lists with ID numbers of factories, freezer vessels etc will have to be replaced.

BREXIT

- It has not yet been decided which UK government department will replace the current EU Veterinary Service FVO which has responsibility for approving all facilities that produce animal, fisheries and meat products.
- I would expect that for the duration of the implementation period i.e. 30 March 2019 to 30 December 2020 nothing will change and this will allow time for the UK to replace everything I mentioned above.
- You should be aware that the UK is replacing the existing EU Chief system dealing with customs entries with its own system which they start to test in June.

BREXIT

- It is planned to come into operation sometime next year but I would suspect there will be some continued co-ordination with CHIEF. The reason for mentioning this is to make you aware of the importance of providing all the necessary documentation needed to clear shipments at Customs during this period of uncertainty. I am sure your customers will provide you with appropriate guidance.

BREXIT

- Let's come to the EU Regulations covering food health, safety and labelling. It is expected that all these regulations will continue to be in force in the UK until the end of the implementation period and will also be included in the European Union (Withdrawal) Bill better known as the Great Repeal Bill of the European Communities Act 1972. I quote from the Draft Bill "EU derived domestic legislation, as it has effect in domestic law immediately before the exit day, continues to have effect in domestic law on and after the exit day".
- It would not be in the UK's interest to change legislation for the time being as it is crucial for the negotiations of a comprehensive economic and trade agreement.

BREXIT

- Finally, I should like to speak about the existing EU regulations in respect of illegal, unreported and unregulated fisheries (IUU) which will continue to be kept as UK regulations and enforced accordingly.
- The Marine Management Organisation (MMO) which has responsibility for enforcing the IUU regulations domestically as well as on imports from third countries is currently discussing the logistics for taking over responsibility for the work currently carried out by DG Mare - IUU Section i.e. co-ordination with third countries' competent authorities as well as carrying out periodical controls to ensure proper functionality of the controls carried out by them.

BREXIT

- Taking appropriate actions when these controls are inadequate and if no remedial actions are being taken, issue either a yellow card allowing the third country to address the problem identified by the MMO , or where there is no cooperation from a third country to resolve the problem, issue a red card prohibiting exports to the UK.
- From the trade perspective, we have confirmed to our government that we support the continuation of the current regulations and wish for the MMO to assume these additional functions upon the UK's exit from the EU.

BREXIT

- The United Kingdom will independently be taking their seat from the EU on RFMO's that are of importance to our interests.
- One of these RFMO's will be the Indian Ocean Tuna Commission – IOTC.
- DEFRA being the responsible UK Ministry has set up a Tuna RFMO Strategy Stakeholder Group where I represent our Trade Association.

BREXIT

- I thank you very much for your attention and would much appreciate it if you would speak with your own Government to engage in negotiations with the UK so that we may continue with mutually beneficial trade arrangements after BREXIT.
- I am happy to answer your questions on my presentation or you may contact me at the Infofish desk.