

**Trading with the Britain:
The impact of the Windsor Framework
and UK Border Target Operating
Model**

23 June 2023



The Windsor Framework: Trade in goods between Britain and Northern Ireland



Overview

Political agreement to address issues for **GB-NI trade in goods**...

...as well as other issues regarding the supply of medicines to Northern Ireland and Ireland, VAT and excise rules in Northern Ireland, the application of state aid and EU and UK tariff rate quotas for Northern Ireland etc.

- **GB - NI: 'Green Lane'** for NI-only goods gradually over 12-18 months:
 - + Reduced customs and SPS burden
 - Significant labelling requirements at individual / box and / or retail level
- **GB - NI - IE(EU): 'Red Lane'** for EU(IE) goods with same conditions as direct GB-EU movements.

No changes for moving goods on the island of Ireland.



GB-NI: Green lane - General

The **new UK Internal Market Scheme {UKIMS}** will enable goods moved from GB-NI that are not at risk of entering the EU to benefit from reduced customs formalities and SPS checks.

- From 30 September 2023, it will replace the current TSS and operate the same conditions. It will be open to all UK-established businesses;
- **From 30 September 2024, the “green lane” will open:**
 - **Physical checks** on risk basis and “intelligence-led approach”.
 - Remote **documentary checks** on all general certificates for consignments of retail goods.
 - **Identity checks** drastically reduced as safeguards implemented.
 - Supplementary declarations will not be needed.
 - Requirement for a “reduced dataset, drawing already held commercial information”.

Additional requirements for goods moved to NI to be processed, SPS goods, and goods subject to specific controls (e.g., live animals).



GB-NI: Green lane – Retail +

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From 1 October 2023, a separate but complementary **NI Retail Movement Scheme (ReMoS)** will replace the existing Scheme for Temporary Agrifood Movements into Northern Ireland (STAMNI).

It will facilitate the movement of pre-packed retail goods and certain loose goods (incl. fruit and vegetables).

Detailed guidance will be provided in July 2023. The confirmed requirements include:

- **UK public health**, organics and fisheries, health and safety, and consumer protection rules will apply
- Requirement for a **single General Certificate** with a packing list (guidance in July 2023)
- **No requirement for vet documentation** approval. Instead, trader declaration under the competent UK authority.
- Open to all businesses selling or facilitating the movement of food for final consumption in NI (retailers, hospitality venues, wholesalers etc.)
- Official seal and channelling (guidance in July 2023) still required.



GB-NI: Green lane – Retail +

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Eligibility:

All GB origin products, NI products processed in GB and EU origin products are eligible.

A broader range of goods from the rest of the world are also eligible incl. products:

- travelling through EU BCPs before moving to GB
- processed in GB
- without SPS requirements
- which do not require certification or controls
- fisheries products that come from countries specified in the EU IUU implementing regulations
- where the UK takes the same approach as the EU on pests and diseases (e.g., meat, vegetables, fruit)

Duty reimbursement scheme

From 30 June 2023, businesses can reclaim EU duty paid on goods that can be shown not to have entered the EU for goods moved since 1 January 2021.



GB-NI: Green lane – Labelling not for EU

Individual labelling requirements:

Phase 1: From 1 October 2023 (GB-NI only)

- Meat: all prepacked meat; prepacked meat products; and meat packed on sales premises incl. compound products
- Some fresh dairy products: pasteurised milk, buttermilk or cream products; cottage cheese, quark cheese or raw (unprocessed) cheese, of any animal origin; crème fraiche and sour cream

Phase 2: From 1 October 2024 (all UK)

- All milk and dairy products (not incl. composite products that contain these products at this stage)

Phase 3: From 1 July 2025, composite products, fruit, vegetables, pet food and fish (all UK)



GB-NI: Green lane – Labelling not for EU

Box labelling requirements - exceptions to individual labelling:

From 1 October 2023, **ALL** other products must be labelled on the box or crate. If / when individual labelling applies, box labelling will cease to apply. This includes products:

- If sold loose or by weight on the sales premises
- If processed and sold on the sales premises by a retailer, for direct consumption
- If for sale in a canteen, restaurant etc.
- Shelf-stable composite products (e.g., confectionery, pasta, bread)
- If meets UK public health standards and does not require certification / controls (e.g., olive oil, jam, flour)
- Deregulated fruits (e.g., coconuts, pineapples, bananas)

“Pragmatic” approach planned e.g.,:

- Labelling of shrink wrap for transport permitted if not stored in boxes or crates.
- Trays that protect products do not need to be labelled if the box is labelled.

Further information is available [here](#).



GB-NI: Green lane – Labelling not for EU

Retail premises labelling (exceptions to individual labelling):

From 1 October 2023, where products are not individually labelled, all retailers in NI must also ensure “appropriate visibility” of information that the applicable goods are not for sale in the EU.

This is in addition to box labelling requirements.

- Food products under the Retail Movement Scheme should be labelled at shelf on or next to price tags.
- Digital / paper posters must also be displayed.

Further information is available [here](#).



GB-NI: Red lane

Goods that are not moved under the UK Internal Market Scheme will use the “red lane”.

The ‘red lane’ simply means that the current requirements for movements into the EU Single Market will continue to apply in the same way for goods brought into:

- Northern Ireland
- Ireland
- The rest of the EU

This includes that goods that are destined for Ireland, which are shipped through Northern Ireland. These goods will continue to be subject to full customs and import requirements.

Labelling requirements do not apply for these movements.

Further information is available [here](#).



**The draft UK
Border Target
Operating Model:
Trade in goods
from Ireland to
Britain**



Overview

- **What?** On 5 April 2023, the UK Government published its draft Target Operating Model (TOM) and opened a public consultation, to which Ibec and Food Drink Ireland responded, until 19 May. The final TOM was planned to be published in June but is now expected in July.
- **Content:** The TOM outlines a draft of the UK's new model for imports, including security controls, and sanitary and phytosanitary controls (applying to imports of live animals, animal products, plants and plants products) and a timeline for the introduction of the proposed changes.
- **Application:** The TOM will apply to all imports to Britain from Ireland, the EU and the rest of the world, except Northern Ireland which is governed by the Windsor Framework covered in the previous slides.

Further information from the UK Government is available [here](#) and Revenue's summary of the main aspects is available [here](#).



Draft timeline

31 October 2023	<ul style="list-style-type: none">• Export health certification for medium risk animal products, plants, plant products <u>and</u> high-risk food and feed of non-animal origin.• Full customs controls for all agri-food products - pre-notification.
31 December 2023	<ul style="list-style-type: none">• Permanent waivers of requirement to submit Safety and Security declarations for some low-risk movements: fish; outbound transit; and outbound freeport goods.
31 January 2024	<ul style="list-style-type: none">• Documentary and risk-based identity and physical checks on high and medium risk products <u>from the rest of the EU (dates for Ireland to be confirmed in the final TOM)</u>• Inspections will move from destination to BCPs.
31 October 2024	<ul style="list-style-type: none">• Documentary and risk-based identity and physical checks on high and medium risk products <u>from Ireland (dates for Ireland to be confirmed in the final TOM)</u>• Safety and Security declarations from the EU.• Reduced dataset to remove duplication of pre-arrival datasets e.g., S&S, SPS, pre-lodged customs declarations.



Risk Categorisation

Level	Products	Requirements
High risk	Live animals, live aquatic animals and germinal products (with exceptions) and commodities covered under safeguard measures	Pre-notification, simplified health certificates, documentary checks and a <u>higher degree of physical and ID checks</u>
Medium risk	Raw, chilled, frozen meat, meat products, dairy, animal by-products for use in animal feed, fishery products and aquatic animals imported as products of animal origin	Pre-notification, simplified health certificates, documentary checks and <u>risk-based physical and ID checks</u>
Low risk	Processed, shelf-stable products such as composites and certain canned meat products, processed animal by-products and certain fishery products and aquatic animal products from lower risk countries	Minimal controls: No health certification or routine checks. Pre-notification data set and commercial documentation required for low-risk animal products. Must enter via a port with a designated BCP

Information and supports

- **UK guidance:**
<https://www.gov.uk/government/publications/the-e-border-target-operating-model-draft-for-feedback>
- **IE guidance:**
<https://www.gov.ie/en/publication/668a0-uk-import-controls-2023-the-border-target-operating-model-tom/>
- **Planned Ibec member webinars** with IE Government in late July (date TBC).

For further information visit:

www.ibec.ie/brexit

www.ibec.ie/EUCampaign

