October 2020

**Freshfel Europe Statement on EU-UK Trade**

**Worst Case Scenario Fresh Fruit & Vegetables Sector’s ‘de minima’ Priorities**

Freshfel Europe, on behalf of the European fresh fruit and vegetables sector, commends the efforts of EU and UK negotiators to reach a trade agreement with the UK. The sector is increasingly worried about the lack of certainty about the future of EU-UK F&V trade in 2021, which represents almost 4 billion euros of EU exports, and is crucial for the food security of the UK (one third of the UK F&V supply).

Uncertainty is of course first and foremost due to the stalemate in FTA negotiations and tariff liberalisation prospects, which are of essence for the continuous competitiveness of the European sector in this market. In addition to this, the trading requirements and environment needed to continue trading between the EU and the UK remain an unknown, making it impossible for the sector to conduct its readiness check. We therefore ask both parties to ensure urgent progress in the following priority technical aspects, which cannot wait for the finalisation of political negotiations to be conducted, as their implementation requires time and preparation of public authorities and the sector.

1. **Ensuring a ‘green corridor’ to allow trade in highly perishable commodities**

The UK estimations of long queues and waiting time at the border[[1]](#footnote-1) are an important threat for trade in highly perishable commodities like fresh fruit and vegetables. Therefore, creating ‘green corridors’ across the Channel for highly perishable commodities could prevent the loss of quality of produce traded with the UK, particularly in the first months of 2021. These should also entail the adaptation of the pre-notification period for trade of perishables across the Chanel.

These corridors could draw inspiration from the EU ‘Green Lanes’ set up during the COVID-19 peak and the UK suggestions to prioritise certain goods under Operation Brock, notably highly perishable, essential commodities. This could prevent economic losses for this already weakened sector after COVID-19, and prevent major food waste.

1. **Ensure maximum trade facilitation through the use of digitalisation**

As outlined in the Political Declaration for the future partnership, ‘the Parties should establish provisions to facilitate electronic commerce, address unjustified barriers to trade by electronic means, and ensure an open, secure and trustworthy online environment for businesses and consumers’. In this context, it is essential to prioritise work to allow the electronic transmission of certifications (customs, phytosanitary, organic and rules of origin), for the benefit of both parties and the industry. Thus, the work to connect the UK Import of products, animals, food and feed system (IPAFFS) to ePhyto and/or TRACES should be pursued urgently with 1 January 2021 as a deadline, as this paperless transmission and facilitation can greatly contribute to avoid the feared scenario of long queues at the border due to the presence of unready or missing documentation.

1. **Allowing ‘readiness’: clarification of UK import rules for fresh produce**

To the sector’s knowledge, the UK intents to transfer into their legislation the main SPS related-*EU acquis* (e.g. EU Food Law, EU Plant Health Law, Official Controls Regulation etc.), but with ‘some amendments’. So far, the only information shared by the UK are the guidance on trade in plants and border operations and their intention to have a ‘stage approach’ to customs[[2]](#footnote-2). However, the relevant UK SPS legislation has not been announced. Therefore, at this stage, it remains unknown which commodities will require a phytosanitary certificate (high risk plants), what will be the UK quarantine organisms, what changes the UK will implement into their approach to MRLs, etc.

This is not only an EU problem, but also a strong uncertainty for non-EU operators (which supply one third of the UK’s fresh produce). Against this backdrop, we urge the UK to comply with the Transparency requirements under the WTO SPS Agreement (Annex B), whereby any changes affecting trade should be notified in advance to allow for comments from third countries and adaptation for operators. The organisation of workshops on UK trading requirements, similar to the events the UK organised in for ‘no deal’ preparedness in 2019 and 2018, would also be very much welcome by the sector -especially now that these could be conducted online to reach out to more stakeholders, notably SMEs, in an efficient manner. Moreover, should the UK requirements not be published by end of October, the sector would be of the view that a grace period beyond 1 January 2021 should be granted to European (and the country) exporters to the UK affected by the change of rules.

1. [Reasonable Worst Case Scenario for borders at the end of the transition period on 31 December 2020](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/920675/RWCS_for_our_borders_FINAL.pdf), UK Government, 23 September 2020 [↑](#footnote-ref-1)
2. [Importing and exporting plants and plant products from 1 January 2021](https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-from-1-january-2021), Last update 10 September 2020; [The Border with the European Union](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908534/Border_Operating_Model.pdf), July 2020. [↑](#footnote-ref-2)