

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Twelfth Delegated Legislation Committee

DRAFT GENERAL FOOD HYGIENE
(AMENDMENT) (EU EXIT) REGULATIONS 2019

DRAFT CONTAMINANTS IN FOOD
(AMENDMENT) (EU EXIT) REGULATIONS 2019

DRAFT SPECIFIC FOOD HYGIENE (AMENDMENT
ETC.) (EU EXIT) REGULATIONS 2019

DRAFT GENERAL FOOD LAW (AMENDMENT
ETC.) (EU EXIT) REGULATIONS 2019

Tuesday 5 March 2019

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The Committee consisted of the following Members:

Chair: SIOBHAIN McDONAGH

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| † Abrahams, Debbie (<i>Oldham East and Saddleworth</i>) (Lab) | † Flint, Caroline (<i>Don Valley</i>) (Lab) |
| † Brine, Steve (<i>Parliamentary Under-Secretary of State for Health and Social Care</i>) | † Hodgson, Mrs Sharon (<i>Washington and Sunderland West</i>) (Lab) |
| † Burghart, Alex (<i>Brentwood and Ongar</i>) (Con) | † Mackinlay, Craig (<i>South Thanet</i>) (Con) |
| † Chalk, Alex (<i>Cheltenham</i>) (Con) | † Menzies, Mark (<i>Fylde</i>) (Con) |
| † Clarke, Mr Simon (<i>Middlesbrough South and East Cleveland</i>) (Con) | † Morris, David (<i>Morecambe and Lunesdale</i>) (Con) |
| † Coyle, Neil (<i>Bermondsey and Old Southwark</i>) (Lab) | † Morton, Wendy (<i>Aldridge-Brownhills</i>) (Con) |
| † Debbonaire, Thangam (<i>Bristol West</i>) (Lab) | † Norris, Alex (<i>Nottingham North</i>) (Lab/Co-op) |
| † Fellows, Marion (<i>Motherwell and Wishaw</i>) (SNP) | † Scully, Paul (<i>Sutton and Cheam</i>) (Con) |
| † Fitzpatrick, Jim (<i>Poplar and Limehouse</i>) (Lab) | |
| | Kenneth Fox, <i>Committee Clerk</i> |
| | † attended the Committee |

Twelfth Delegated Legislation Committee

Tuesday 5 March 2019

[SIOBHAIN McDONAGH *in the Chair*]

Draft General Food Hygiene (Amendment) (EU Exit) Regulations 2019

8.55 am

The Chair: For the avoidance of doubt, gentlemen may remove their jackets. As it is the Committee's wish to take the instruments together, I will call the Minister to move the first motion and speak to all four instruments. At the end of the debate I will put the Question on the first motion and then ask the Minister to move the remaining motions formally.

8.56 am

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I beg to move,

That the Committee has considered the draft General Food Hygiene (Amendment) (EU Exit) Regulations 2019.

The Chair: With this it will be convenient to discuss the draft Contaminants in Food (Amendment) (EU Exit) Regulations 2019, the draft Specific Food Hygiene (Amendment etc.) (EU Exit) Regulations 2019 and the draft General Food Law (Amendment etc.) (EU Exit) Regulations 2019.

Steve Brine: If one has to be in a Delegated Legislation Committee at 8.55 on a Tuesday morning, this room is a good result. Happy Tuesday.

It is a pleasure to see you in the Chair, Ms McDonagh. The instruments, which all concern food and feed safety, food hygiene and food contaminants, are made under the powers in the European Union (Withdrawal) Act 2018. They make necessary amendments to the overarching food regulations so that we can continue to protect public health from risks that may arise in connection with the consumption of food. The instruments correct deficiencies in the regulations to ensure that the UK is prepared to leave the EU without a deal on exit day. The instruments are limited to necessary technical amendments—the legislation does not allow for anything else—to ensure that the regulations are operative on EU exit day. No policy changes are made through the instruments.

As Members know, the Government have negotiated a deal with the EU and are in the process of taking it through Parliament. The deal is designed to ensure a smooth and orderly exit from the EU. As a responsible Government, we have been preparing for all scenarios, including the outcome that we leave the EU without a withdrawal agreement. We are committed to ensuring that our regulatory controls function effectively after exit day in the event of no deal, ensuring that public health continues to be protected, which is my priority. It is for that scenario that the instruments have been laid before the House.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I am grateful for the opportunity to intervene on the Minister, and it is a pleasure to see under you in the Chair this morning, Ms McDonagh. Can the Minister reinforce and clarify what he is saying? Is he saying that if there is a deal next week, the regulations will not be necessary, and that if there is no deal next week, and in the event of no deal, the regulations will be necessary for the protection of public safety?

Steve Brine: Yes. The regulations transpose into domestic law the good public health requirements that we are part of as a member state. If we agree a deal or a withdrawal agreement next week that is subsequently legislated for, everything that we currently enjoy as a member state will roll over during the transition period. If we then negotiate a future trade deal that incorporates all those undertakings, the regulations will not be necessary, but it is about putting the necessary regulations in place to ensure a seamless bridge between membership and being a third country to protect public health, which is what I am interested in.

The instruments will ensure that UK domestic legislation that directly implements applicable EU regulations continues to function effectively after exit day. The proposed amendments are critical to ensuring minimal disruption to general food and feed law, food hygiene and controls on contaminants if we do not reach a deal. The regulations on general food and feed law, food hygiene and controls on contaminants are key to ensuring the safety of food and thereby public health. Consumers in the UK will benefit from a high standard of food and feed safety and quality. The Government are committed to ensuring that the high standards are maintained.

The main changes are that the instruments will transfer responsibilities incumbent on the European Commission to Ministers in England, Wales, Scotland, and the devolved authority in Northern Ireland. They also transfer to the relevant food safety authority the responsibilities currently incumbent on the European Food Safety Authority, the body that provides scientific advice on food safety to the European Commission, the European Parliament and EU member states. That authority will be the Food Standards Agency in England, Wales and Northern Ireland, and Food Standards Scotland north of the border.

Let me take the regulations in turn, because they start very general and get more specific. The General Food Law (Amendment etc.) (EU Exit) Regulations 2019 ensure that Regulation (EC) 178/2002, which lays down fundamental principles underpinning food law, basic food and feed business requirements, as well as describing certain functions carried out by EU institutions, will function effectively on exit day. The regulation states that food placed on the market must be safe to eat, and it provides for other fundamental food and feed safety and hygiene requirements, including presentation, traceability—we must be able to look one step back and one step forward in the supply chain—the enforcement of regulations, and open and transparent public consultation during the preparation, evaluation and revision of food law. I used the word “presentation”, which is to ensure that we do not mislead consumers. Members may remember that a few years ago there were a lot of concerned constituents because of press coverage about horse meat being sold as certain other meats, and these regulations will ensure that food is what it says on the tin.

The General Food Hygiene (Amendment) (EU Exit) Regulations 2019 ensure that Regulation (EC) 852/2004, which contains basic food hygiene requirements for all food businesses, will function effectively on exit day. It sets out the general requirements for the hygienic production of foodstuffs by all food business operators, through the provision of effective and proportionate controls throughout the food chain to the final consumer. Its farm-to-fork scope covers basic hygiene requirements for food businesses, as well as hygiene requirements relevant for the primary production sector.

Caroline Flint (Don Valley) (Lab): It is a pleasure to serve under your chairmanship, Ms McDonagh. As a former public health Minister, I am interested to hear what the Minister says about this issue, and I feel reassured that as we leave the European Union there is no question of the UK falling behind on food safety standards. In many respects, while being a member of the EU we have been at the forefront of pushing higher standards—in fact, we probably have higher standards than a number of EU member states. Will the Minister say a little more to reassure the public? There have been some wild scare stories out there about how Sodom and Gomorrah will somehow arrive if we leave the EU, and that there will be lightning bolts from the sky, earthquakes, and we will fall off a cliff edge and no longer be able to buy a portion of fish and chips without worrying about our public health.

Steve Brine: I thank one of my esteemed predecessors for that point. When we had a referendum on our membership of the EU, we heard talk of “take back control”. Ultimately, that was about many things—it was about sovereignty, the economy and trade, but I do not think it was about weakening the public food standards that our constituents expect. When I delved into this area of policy as part of my portfolio for these statutory instruments, I realised how much heavy lifting goes on in the European Commission to protect that food security, which we benefited from as a member state. I also realised—the right hon. Lady made the point well—how much we have shaped that. The idea that when we are a third country we will want to diverge from those standards is for the birds. If anything, I want us to increase food safety standards, and the idea that leaving the European Union will leave us as a country, and our constituents and the public exposed, is indeed “Project Fear”, and people should be more responsible in the way they use such language. I thank the right hon. Lady for her point.

Regulation (EC) 852/2004 contains a key requirement that food businesses—except primary producers—must put in place food safety procedures based on the principles of the internationally recognized hazard analysis critical control point procedures. That means that each food business must assess hazards to food safety, and put in place steps to ensure they are controlled, thus ensuring the high level of consumer protection that we all expect.

The Specific Food Hygiene (Amendment etc.) (EU Exit) Regulations 2019 relate to Regulation (EC) 853/2004, which covers specific hygiene rules for products of animal origin, and Regulation (EC) 854/2004, which relates to the organisation of official controls for products of animal origin. Let me unpack that. We are talking about meat, fish, dairy and eggs. Regulation (EC) 853/2004, for instance, is the regulation by which we determine

what kind of wash we might use on certain products. Our standards, as a member state, say—just to give an example that somebody might be interested in—how we wash chicken after it has been killed. Currently, we wash with drink-water. We will continue to wash with drink-water and the standards that we transpose protect that safety standard, which exists for a reason, and long may that continue. That regulation is about the processing stage—cutting plant standards and standards relating to the wash, for instance.

Regulation (EC) 854/2004, which relates to the specific food hygiene regulations, concerns vet involvement. When I have been to cutting plants, I have seen vets’ involvement at the pre-kill stage, to ensure that the animals have no sign of disease, and at the post-kill phase—which is not to be done after breakfast, I would suggest—to check the carcasses and ensure that there are no signs of ill health. These specific hygiene rules set out the requirements and the specific health standards for establishments on land, or at sea, for the slaughtering process, as I have said, and for the storing or transporting of products of animal origin.

The fourth and final set of regulations in this esteemed grouping, the Contaminants in Food (Amendment) (EU Exit) Regulations 2019, will ensure that the provisions in the three main pieces of EU contaminants legislation continue to function effectively after exit day. These are Council Regulation (EEC) No. 315/93 and Commission Regulation (EC) No. 1881/2006, which is the main one, which sets maximum levels for certain contaminants in foodstuffs. For instance, lead in offal is a possible concern, and that regulation ensures that the maximum level of certain contaminants in that foodstuff is not exceeded.

Finally, Commission Regulation (EC) No. 124/2009 sets maximum levels for the presence of coccidiostats or histomonostats—easy for me to say—in food resulting from the unavoidable carryover of those substances in non-target feed, while associated regulations relate to appropriate methods of sampling and analysis.

The three contaminants regulations protect consumers by ensuring that they are safeguarded from the adverse effects of exposure to contaminants that may be present in food. Chemical contaminants may be present in food from the environment or as a result of growing conditions, which is perfectly natural; it is part of the natural evolution and the natural supply chain. The legislation sets out maximum limits for those certain contaminants in food and provides a clear legal basis on which enforcement action—by local authorities, by trading standards officers or by ports’ health officers—may be taken, where necessary, to protect consumers by facilitating the removal of unsafe food from the food chain.

There are a couple of other points to make. The first is about the impact on industry. I am clear that these instruments do not introduce any changes for food businesses in how they are regulated and how they are run, nor do they introduce extra burdens. These instruments just provide continuity for businesses and the protection of consumers’ interests, and ensure that enforcement of the regulations can continue in the same way—I gave three examples of that. These changes will ensure that a robust system of controls will underpin UK businesses’ ability to trade both domestically and internationally.

It is also important to note that, as with many of the statutory instruments that I have been involved with—in fact, as with all of them—the devolved Administrations

[Steve Brine]

have provided their consent for these SIs. We have engaged positively with the devolved Administrations throughout the development of these instruments. That ongoing engagement has been very warmly welcomed, and I place on the record my thanks to all the officials and Ministers who we have worked with.

In conclusion, these instruments are necessary to ensure that our food safety and hygiene legislation continues to work effectively after exit day. I urge right hon. and hon. Members to support the amendments proposed in these four instruments, to ensure the continuation of effective food and feed safety, and public health controls, which our constituents rightly expect. I commend the regulations to the Committee.

9.9 am

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is indeed a pleasure to serve under your chairmanship this morning, Ms McDonagh; I hope I give you no trouble.

I thank the Minister for providing a summary of these statutory instruments and for his letter in advance of the Committee, which gave me further details about them. As he has heard me say many times before, this is not the first group of no-deal SIs that we have debated. We are just 24 days away from Brexit day and are yet to agree a deal with the EU. I wonder when the Government might start to become concerned about the clock ticking down. I am greatly concerned, and I know that many others across the country are too. We do not have a deal yet, but we are rushing through so many statutory instruments in such a short period of time that it is deeply concerning for accountability and proper scrutiny. As legislators, we have to get it right, and I deeply regret that we have been put in this position by the Government, but here we are again.

The safety of our food is of the utmost importance to our health and wellbeing. We cannot get it wrong; food safety must be protected at all costs. There is also the element of consumer trust. We must not allow that to break down in any event, particularly if there is any relaxation of regulations, which I hope will not happen. I share the Government's commitment to ensuring no change in the high-level principles underpinning the day-to-day functioning of the food safety and feed safety legal framework. Ensuring continuity for business and public health bodies is important in the interests of the public. As the Minister would expect, I have questions and concerns about these statutory instruments, which I will set out for the Committee.

When food is found to be unsafe for human consumption, we need a quick and effective mechanism to ensure that it is withdrawn from the market. In 2017 alone, the rapid alert system for food and feed issued more than 3,800 "original notifications", of which 942 were classified as an alert. It is crucial that any food warnings are communicated quickly and effectively. Will the Minister revise the explanatory memorandum for the General Food Law (Amendment etc.) (EU Exit) Regulations 2019 and ensure that alternative arrangements are made to receive food safety warnings that are quick, clear and effective?

As a result of these regulations, the Food Standards Agency will have additional responsibilities in the result of a no-deal Brexit. I am aware of additional funding being made to the FSA, but is the Minister confident that it will have enough funding and staff to take on those additional responsibilities? Will he outline how many additional staff have already been recruited, when they started work and what roles they are currently undertaking? Will the FSA have the ability to work and communicate with European bodies to ensure that information and intelligence is shared?

Regulation 19(c) of the general food law regulations assigns the Secretary of State for Health and Social Care the power to make provisions considered "necessary or expedient". Will the Minister say whether there will be any oversight over such decisions and whether the Secretary of State will justify any decisions made under those powers in the House?

All the regulations must be easily amendable, if and when necessary, to respond to any emerging threats or changes in safety standards, but I hope that any changes will be justified and overseen by the relevant bodies. What will the arrangements be for collecting data, monitoring the effectiveness of the regulations and regularly reporting? What bodies will be able to scrutinise performance and delivery, and what assessment has been made of their capacity to take on such work?

Concerns were expressed in the public consultation on these statutory instruments about the additional burden on industry and enforcement authorities to communicate changes. Will the Minister reassure me and the Committee that communications with respect to the proposals outlined in these SIs will be delivered with sufficient time to make the necessary preparations to minimise the impact of any changes?

Businesses and food business operators have raised concerns about the lack of information given to them, as well as about their own understanding of the information. Will the Government make their information clear to the public, and if so, when will they do this by? Sufficient transition periods will be required for these statutory instruments. Can the Minister provide some clarity on the transition periods that will be in place to assist businesses and industry in complying with any changes? The explanatory memorandum states that there will be "an Equivalent Annual Net Direct Cost to Business...of...£600,000."

Can the Minister explain how those costs will be accrued and by whom, and if they have been communicated to those affected?

Respondents to the consultation on the Specific Food Hygiene (Amendment etc.) (EU Exit) Regulations 2019 raised concerns about the cost of changing their labels. Some respondents estimated that that could cost between £200,000 to £500,000. Has the Minister made any assessment of the impact that that could have on businesses?

In the public consultations, local authorities expressed concerns about the need for them to make the required updates to legal references in official documents and online, which will take significant time and effort and will naturally have cost implications for local authorities, which is concerning in the light of budget cuts. Can the Minister confirm whether the Government will fund any additional burdens on local authorities, especially in the event of a no-deal Brexit?

It is estimated that it will take local authorities less than 60 minutes to read and familiarise themselves with the new regulations and to disseminate them to staff and keyholders—they must be able to read a lot faster than me. Is the Minister convinced that that is a realistic assessment?

Is the Minister confident that, from day one of Britain's exit from the EU, the high standards of food safety will be maintained? Can he explain what implications a no-deal Brexit would have on the future monitoring of food safety standards and legislation in this country? As I have said, the safety of our food is hugely important and we cannot get it wrong.

Caroline Flint: Does my hon. Friend agree that if we agree a deal, there will be no change to any of the systems that we currently share and enjoy? Does she also agree that more should be said publicly about how many of the regulations that we enjoy and support in the House—I have sat on many of these Committees—will continue to be in place as we leave the EU?

Mrs Hodgson: My hon. Friend is entirely correct.

Caroline Flint: Right hon.

Mrs Hodgson: I do apologise. If we leave with a deal, all this will have been for naught. We have some of the highest food standards and regulations, and they would continue to exist. That is all the more reason why it is such a disappointment to us all that we are at the eleventh hour and the 58th or 59th minute and we still do not have a deal. I sincerely hope that one is brought before the House next week that a majority of the House can vote for.

Craig Mackinlay (South Thanet) (Con): I am sure the hon. Lady is aware that the pages of regulations that we are trying to transpose into UK law have never had parliamentary scrutiny. They are regulations, so as soon as the ink is dry in Brussels, they become the law of the land whether we like it or not, with no debate in this place. Uniquely, in future, we will have the opportunity to shape our regulations.

As the hon. Lady is aware, the EU operates a precautionary principle. Many think that the standards that come out of Brussels are somehow gold-plated holy writ, but she will be aware of the problems that we have faced in past years, such as the Fipronil scandal in August 2017, which affected eggs. That happened under the regulations that are meant to be the gold standard, but I certainly hope that the UK will be able to do better in future. Can she comment on the fundamental principle that it is better that this place decides food safety, rather than it being decided by regulations over which we have no authority?

The Chair: Order. I would like us to concentrate on the detail of the regulations, rather than straying into the territory of whether we should be leaving the EU.

Mrs Hodgson: With that advice in mind, Ms McDonagh, I would say that, given that the hon. Gentleman had quite a lot to say, perhaps he should have considered making a full speech and graced us with his further thoughts on these matters. I am sure that we would all

have enjoyed that immensely. However, I disagree with the fundamental principle of what he said, which is that these regulations were passed in Europe with no scrutiny here.

As a new MP, as I am sure a number of us were at one time or another, I had the huge pleasure of serving on the European Scrutiny Committee. Week in, week out, we would be sent reams of documents containing EU directives and regulations that our esteemed Clerks would have rated as politically or financially sensitive. They gave us advice, but we had to read all those documents and sit and scrutinise them all, week in, week out. We could then refer them for further debate in a European Standing Committee or on the Floor of the House, if we thought something needed scrutiny. I know for a fact that we scrutinised all EU directives that came to this House. Nothing was passed without proper scrutiny. It is a shame the hon. Gentleman has not had a chance to serve on that Committee, because he might never get a chance.

Craig Mackinlay: I have.

Mrs Hodgson: Oh, he has; because I was going to say, the hon. Gentleman has missed a treat.

I hope the Minister will respond to my concerns, either now or in a letter. I know he always sends a letter if he is unable to respond on the day. I know, too, that many others, not only in this room but across the country, will be looking forward to his response.

9.22 am

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve under your chairmanship, Ms McDonagh.

I will be brief. Regardless of the SNP's opposition, in principle and in its entirety, to the UK's withdrawal from the EU, we recognise and understand how important it is that these statutory instruments are established and that we preserve the framework around the status quo. Food standards post-Brexit will be a critical issue. It is crucial that neither food safety nor standards are diluted or diminished. Scotland has a great record in food exports, and our great Scottish food is recognised across the world as being of a particularly high standard. We all want that to continue.

The stockpiling of food in preparation for Brexit demonstrates the drastic effect that the Brexit process has had on the most basic of human requirements. It is important to emphasise that the review of these instruments should ensure the retention of the highest standard of food safety. The Government could avoid all this administrative burden if they simply ruled out a no-deal Brexit. It is especially important to small businesses that any additional requirement placed on them, or any financial burden, no matter how small, is recompensed by the Government.

It is a pleasure to follow the hon. Member for Washington and Sunderland West. I cannot compete with all her questions to the Minister and will not repeat them. I will simply say to the Minister, please answer them, because we are interested in these matters too. Given that no policy change is being enacted and these instruments are required to ensure food standards, I will abstain if they are put to a vote.

9.24 am

Jim Fitzpatrick: It is a pleasure to follow the hon. Member for Motherwell and Wishaw. Unlike my right hon. Friend the Member for Don Valley—or, for that matter, the Minister—I was not a public health Minister. However, I was the Minister of State at the Department for Environment, Food and Rural Affairs responsible for food. Food security in all its aspects—continuity of supply, quality, safety and sustainability—was absolutely critical to the Department. That was very much the case for producers, suppliers and retailers big and small, as the hon. Member for Motherwell and Wishaw mentioned.

I am grateful to my hon. Friend the Member for Washington and Sunderland West, the shadow Minister, for raising her questions with the Minister. As I mentioned in my brief intervention earlier, I oppose no deal and I do not think that there is a majority for it in the House. Therefore, I do not think that the regulations will have to apply. However, the Government must make contingency plans, and perhaps the Minister can reassure us that, in line with what my hon. Friend said, the regulations are a straight transposition of the existing arrangements and regulations that apply to the British food industry.

I would be reassured by that, and I am grateful to my hon. Friend the shadow Minister for indicating that we will not oppose the regulations. I would find it difficult to oppose them, on the public safety and health basis that she outlined. I look forward to getting that reassurance from the Minister, as well as some reinforcement of the points he made in his opening remarks.

9.25 am

Steve Brine: I shall work in reverse and begin with the comments of the hon. Member for Poplar and Limehouse, who is a good man. He may not have been a public health Minister, but if he had been, he would have been a very good one. We have engaged with certain issues many times in Westminster Hall and I know exactly where he would place his focus if he were in my job. Hey, he might be one day—who knows?

To begin with the point about transposition, the simple answer is yes. As I said, the European Union (Withdrawal) Act 2018 allows us only to do the housekeeping. That is effectively what these constant fun Tuesday mornings about. They are about the housekeeping and transposing regulations into domestic law. I cannot imagine why anyone would oppose them, because it would be to oppose the status quo, which, I think everyone agrees, keeps the public safe.

There were lots of questions from my dear friend and shadow, the hon. Member for Washington and Sunderland West. She started where she always does, and I shall start where I always do, with the withdrawal agreement. Let us remember, we are not discussing a deal, or a future trade deal, but a withdrawal agreement—a divorce, if you like. Yes, there is no withdrawal agreement yet, and there are 24 days, but the hon. Lady knows what I am going to say. She has a golden chance next week, on or before next Wednesday, to change that.

As to scrutiny, we have spent quite a lot of time in Committee sittings scrutinising SIs together, and in some ways it has been an interesting spring cleaning process, has it not? We have delved into some regulations that I suspect have not been discussed in this place for a long time. The hon. Lady rightly says that we cannot get

this wrong, because we have to bear in mind consumer confidence always. That is why we are so keen to get things right.

The hon. Lady raised the issue of relaxation, but that would not happen under the present process, because, as I said to the hon. Member for Poplar and Limehouse, this is a process of transposition. Any relaxation—or indeed increase—of rules in the area in question would be subject to discussion, consultation and approval by this place. That is when we finally find out what “take back control” means.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): This follows on a little from what the Minister has been saying, but I understand that rates of food poisoning in the US are 10 times those of the UK, and the death rates from food poisoning are also much higher. Whatever happens next week, will the Minister assure us that any trade deals negotiated with the US and elsewhere will involve the same standards of food safety that we require now?

Steve Brine: What I can do is repeat the words of the Prime Minister and the Secretary of State for Environment, Food and Rural Affairs, who have said that there will be no diminution of food safety standards in pursuit of trade deals with the US or anywhere else; and even if such changes were proposed, Parliament would have the final say. Hon. Members can read the paper that was set out last week, on how the Government would conduct future trade negotiations and engage with Parliament. I think we know where Parliament would stand on the matter of diminution of food standards.

Debbie Abrahams *rose*—

Steve Brine: I am happy to give way to the hon. Lady a second time, but then I must make progress.

Debbie Abrahams: The Minister is always very kind. Can I assume, then, that he and his Secretary of State have sent a letter to the US ambassador, giving short shrift about our agricultural farming methods?

Steve Brine: I do not think that we have sent a letter. I am not sure that it would be my place to do so anyway, but the British Government have been crystal clear that we do not expect any degradation of food standards in pursuit of a future trade deal. That has been said by the Prime Minister, down to those at my lowly rank.

To go back to what the hon. Member for Washington and Sunderland West said about maintaining high standards of food safety, leaving the EU does not change our top priority, which is to ensure that UK food remains safe, and that the label says what it is. The Food Standards Agency is working very hard to ensure that high standards of food safety are maintained. We are committed to having a robust regulatory regime in place from day one that will mean that businesses can continue as normal. That is why we are transposing the legislation word for word.

The hon. Lady talked about RASFF, the rapid alert system for food and feed, to which the UK is a major contributor. RASFF facilitates vital food and feed safety data sharing. It is clearly of mutual benefit to the UK

and our EU partners to share food and feed safety information quickly, so securing continued access to, and participation in, the system after leaving the EU is one of our top food safety priorities. We continue to press for full access to that vital data-sharing system in our negotiations with the EU. Even as a third country, the UK will continue to receive information from the EU as required by EU law—it is worth putting that on the record—where a food or feed subject to notification under the rapid alert system has been dispatched from the EU to the UK. However, not having full RASFF access would mean less data than is currently available, which may affect UK timely communications on food safety issues.

With regard to actions that we will take to mitigate the loss of full access, the FSA has been building on proven mechanisms, such as the monitoring of key data sources and a new strategic surveillance programme, to enhance its capability and capacity to respond effectively to any food-borne contamination or outbreak incident that occurs in the UK, for the protection of our consumers. In terms of other international engagement, the FSA is implementing an enhanced programme of bilateral engagement and surveillance that focuses on the exchange of information on risks to the food chain. It is engaging with competent food safety authorities across Europe and worldwide, building on its strong reputation and established contacts to develop a mutually supportive approach to information sharing on food safety incidents.

There is no getting away from the fact that we have decided to leave, and are leaving, the EU. We therefore will leave some of its processes, one of which is the RASFF. However, as I have said, we will do our utmost to secure continued access to it—we were, of course, a huge contributor to establishing it in the first place. If we cannot, some of the mitigations that I have outlined will be important.

The hon. Member for Washington and Sunderland West asked about the FSA. Her Majesty's Treasury has made significant extra funding available to the FSA to increase staff, for instance, some of whom are in the room. The FSA's resource has expanded to ensure that it can undertake the assessment and the risk exercise, to ensure food safety. In answer to a direct question, I am satisfied that it has the new resources that it needs.

The hon. Lady asked about the additional burden on industry for enforcement. We do not expect any additional enforcement burdens. The law and the regulations remain exactly the same, which is why I addressed the transposition point first in my response. She also mentioned the need for clarity on the transition period for businesses to implement any changes. As I have said, the transition period will involve the continuation of the existing standards, so businesses will not need to adapt to any extensive changes.

I was asked whether we will fund local authorities for additional burdens. We are providing support to enforcement officers in local authorities to allow them

to continue to enforce the legislation. However, no policy changes are being made in practice. For labelling changes domestically, the transition period will be considered. We may talk about such statutory instruments in future happy moments, but today's legislation is not about the labelling of products. Of course, we will have a whole new freedom once we leave the European Union in terms of labelling. I have talked about that in other policy areas—around obesity, for instance, with traffic light labelling.

The hon. Lady talked about 60 minutes of familiarisation not being realistic. Were there substantial changes, I suppose that that would not be realistic, no matter how fast one reads. However, businesses will need little familiarisation time, for the reasons that I have said.

Finally, the spokesperson for the Scottish National party, the hon. Member for Motherwell and Wishaw, talked about the importance of Scottish food exports. They are indeed very important to the country, including within the UK single market. That is why there is some level of consistency, and why we expect to have convergence across the four nations of the UK. That is very important for the internal market, and for Scottish food exports to the EU. I know what I would do if I represented a seat in Scotland and the Scottish food industry: I would ensure that we have a smooth and safe transition out of the EU at the end of March. There will be a golden opportunity for the hon. Lady to do that next week.

Resolved,

That the Committee has considered the draft General Food Hygiene (Amendment) (EU Exit) Regulations 2019.

DRAFT CONTAMINANTS IN FOOD (AMENDMENT) (EU EXIT) REGULATIONS 2019

Resolved,

That the Committee has considered the draft Contaminants in Food (Amendment) (EU Exit) Regulations 2019.—(*Steve Brine.*)

DRAFT SPECIFIC FOOD HYGIENE (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2019

Resolved,

That the Committee has considered the draft Specific Food Hygiene (Amendment etc.) (EU Exit) Regulations 2019.—(*Steve Brine.*)

DRAFT GENERAL FOOD LAW (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2019

Resolved,

That the Committee has considered the draft General Food Law (Amendment etc.) (EU Exit) Regulations 2019.—(*Steve Brine.*)

9.36 am

Committee rose.

