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Report Highlights:

Following the UK's departure from the European Union (EU), Great Britain (GB) is now outside of the EU single market and customs union, while Northern Ireland (NI) remains within the EU single market and customs union. Currently, rules in GB closely mirror EU law. However, it is important for traders to double check requirements, particularly for products that may require health certificates. This report gives links to UK competent authorities for information regarding the import of animal products, plant products, forestry products, fishery products and general food products. In addition, this report has links to guidance on health certificates, licenses, import duty, food labeling, additives, and packaging.

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DISCLAIMER: This report was prepared by FAS/USDA London, for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. **FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO THE IMPORTING COUNTRY’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

EXECUTIVE SUMMARY

The United Kingdom (UK) is the largest market for U.S. consumer-oriented food and beverage exports within Europe at around \$1 billion per year. The Netherlands is a hub destination within Europe, averaging \$1.2 billion per year of U.S. exports. However, the majority of U.S. product arriving at the Port of Rotterdam is distributed throughout mainland Europe. U.S. fresh produce, dried fruit, nuts, and other lightly processed foods may be sold loose or incorporated as ingredients in the UK's significant food manufacturing sector. Wine, craft beer, and other grocery products are sold as finished packaged goods. Packaging stickers or label conversions are necessary to comply with local labeling laws.

On January 1, 2021, Great Britain (England, Wales, and Scotland) exited the European Union (EU) single market and customs union. Under the Northern Ireland (NI) Protocol, NI will remain part of the EU single market and customs union for goods and continue to follow EU food laws. Great Britain now has regulatory autonomy, although in practice it is currently enforcing EU law that it has rolled over into domestic law. The main impact of the UK's departure from the EU (Brexit) is on the relatively small proportion of products that would typically have been imported into the UK and then onward to Ireland or into mainland Europe, and on products imported into mainland Europe and then shipped onward to the UK. Rules of Origin criteria under the Trade and Cooperation Agreement between the EU and UK mean that if insufficient processing takes place to materially alter the product, import duty is payable on third country goods (including from the United States) upon entry each country. This created a scenario where multiple duties must be paid (if applicable), and as a consequence, direct trade between the United States and certain EU countries (Ireland, the Netherlands) has experienced an uplift post-Brexit.

Since January 2021, the EU implemented import checks on goods arriving from the UK. However, the UK delayed customs controls and the requirement for pre-notification of Sanitary and Phytosanitary (SPS) goods from the EU until January 1, 2022. Certificates for EU animal products and other products of high risk are now required starting July 1, 2022.

We strongly advise U.S. exporters/export agents/freight forwarders to work closely with their UK importers or customs agents to ensure that the latest information on import requirements has been obtained and is followed. Port Health officials can be a helpful source of information, as well as an importer's local Trading Standards office, the Food Standards Agency, and the Department for Environment, Food, and Rural Affairs (Defra).

SECTION I. FOOD LAWS

As UK food law has its foundation in EU food law, it may be helpful to cross-reference this report with the Food and Agricultural Import Regulations and Standards (FAIRS) report produced by the U.S. Mission to the EU in Brussels, Belgium. This is available at: [FAS GAIN Report Database](#)

In 2018, the UK enacted the [European Union \(Withdrawal\) Act](#). This law enabled the transposition of directly-applicable, pre-existing EU law into UK law on January 31, 2020. Around 800 statutory instruments have been enacted in British law in connection with EU withdrawal since 2018. This body of law is referred to as “retained EU law”. All legislation in the area of imported food and agricultural products is encompassed in retained EU law and is expected to remain the same through 2022. However, the UK has the autonomy to deviate from EU law in the future. Significant deviation is not expected, at least in the short term, and there are mechanisms laid down in the UK-EU trade deal to impose penalties if the UK enacts trade distorting policy.

UK authorities enforce food regulations in a fair and consistent manner. Following several high-profile food 'scares' in the last three decades, the UK has a sophisticated and highly scrutinized food market. An ability to meet private standards, above those required by local food law, is a pre-requisite to supplying major food companies and retailers for many product sectors.

Port health officials are generally helpful in response to importer queries made in advance of shipping product to ensure that all import conditions will be met. The onus is on the UK importer make sure that the product can legally be imported and that the correct paperwork is organized to accompany the shipment. U.S. companies should endeavor to be flexible in responding to UK importer questions about ingredient origin and composition, and also be prepared to invest financially and with personnel resources to comply with the necessary steps for UK (EU) certification processes (red meat, dairy, poultry, honey, plant health, etc.).

UK Competent Authority

Department for Environment, Food & Rural Affairs (Defra)

Seacole Building

2 Marsham Street

London SW1P 4DF

Tel: 011 44 20 7270 3000

Contact emails for all sections: <https://www.gov.uk/guidance/contact-defra>

Web: [Defra](#)

The UK’s Department for Environment, Food & Rural Affairs (Defra) has overall responsibility for international trade policy, including agricultural biotechnology (commercial planting) and organic standards.

When it comes to importing animal or plant (horticultural) products, an executive agency (under Defra's oversight) known as the Animal and Plant Health Agency provides services and the detailed information on:

Animal product import regulations, including eggs, dairy, red meat, poultry, gelatin, honey and pet food. See: [Trade in animals and animal products](#)

Horticultural product import regulations, including plants, cut flowers, planting seeds, fruit and vegetables. See: [Plant health controls on imports](#)

The Food Standards Agency (FSA) has responsibility for all aspects of food safety and standards on all packaged and loose food products sold direct to the consumer, including wine. It also takes the UK policy lead on the assessment of agricultural biotechnology products for human food and animal feed through its Novel Food/Genetic Modification policy team.

Food Standards Agency (FSA)
Floors 6 and 7, Clive House
70 Petty France
London SW1H 9EX
Telephone: 011 44 20 7276 8000
Email: helpline@food.gov.uk
Web: www.food.gov.uk

Food that is intended for human consumption must meet the general food safety requirements of retained EU law. UK food law is documented as "Statutory Instruments", and these can be found at: [UK Legislation Archives](#). A comprehensive guide to UK food law is available here: [Food Standards Agency Food and Feed Law Guide](#)

There are guides for importing bakery products, cereal and cereal products, confectionery, cooking oils, drinks, food or dietary supplements and health foods, fruits and vegetables, herbs and spices, nut, plant products and vegetarian products, salt or low sodium salt alternatives, sauces containing products of animal origin, sugar and sweeteners, table sauces, preserves, pickles and chutney: [Import information sheets](#).

Enforcement of UK Regulations

The UK enforcement system is based on the "Home Authority Principle". Every UK business (including importers) can call on their local Trading Standards office for advice, guidance and information on consumer protection, trading standards, food safety, labeling and composition rules, and regulatory best practice. There are over 70 such regional Trading Standards offices located throughout the UK. Further information can be found at www.gov.uk/find-local-trading-standards-office

U.S. exporters are advised to encourage their UK importer to liaise with their local Trading Standards office when introducing U.S. products to the market. The "Home Authority Principle" aims to provide

advice and support to UK businesses to "get it right first time". This local government provision is particularly useful in seeking to resolve composition and labeling issues on U.S. food products.

Under the [Food Information Regulations 2014](#), local UK authorities and port health authorities have powers to take action to ensure that food business operators (importers, retailers, foodservice, etc.) comply with the labeling and information provision law. Enforcement may be through written warnings, improvement notices, or more formal legal action depending on the nature and the public health implications of non-compliance.

Under the UK's [Food Safety Act 1990](#), and [The Food Safety and Hygiene Regulations 2013](#), if a UK importer is threatened with legal action because a U.S. product contravenes the requirements, they must show that they took "all reasonable precautions" and exercised all "due diligence" to avoid committing an offence. As a result, UK buyers may ask U.S. suppliers for detailed information on the sources of individual ingredients that comprise the food product that they have made. This is a normal procedure to ensure product "traceability" and is helpful to identify ingredients that may be undesirable or illegal in the UK/EU.

SECTION II. LABELING REQUIREMENTS

The standard U.S. label does not comply with [UK/EU labeling requirements](#). The use of stick-on labels (that have the mandatory information and cannot easily be removed) may be permitted by some UK Trading Standards Departments, but label modification for the UK market is expected by major customers. Labels can be applied by the UK importer before the product is placed on the market. [Nutrition and health claim policy](#) follows that inherited by the EU.

Depending on the product, label conversion can be complex. Your importer may be able to assist you, or it may be advantageous to hire a food law and labeling expert. A list of food law and labeling consultants in the UK is provided in Appendix II to this report.

The links below provide information on how to comply with the EU Food Information to Consumer Regulation ([1169/2011](#)) that came into force fully in December 2016.

In England, responsibility for food labeling legislation and policy is split across the Department for Environment, Food and Rural Affairs (Defra), the Food Standards Agency (FSA) and Department of Health see: [Food Labelling and Packaging](#); [Labelling Durability and Composition](#); [FSA Packaging and Labeling](#); Scotland, Wales, and Northern Ireland follow the same labeling rules but there are local bodies overseeing various elements. The [Food Standards Agency Food and Feed Law Guide](#) details where devolved nations of the United Kingdom have legal jurisdiction.

For food labeling queries, please contact Defra helpline on: +44 20 7238 6951 or email the relevant department using: [Defra Contact Page](#)

Example of UK food label – chocolate advent calendar

Advent calendar with milk chocolate pieces
Milk chocolate contains: cocoa solids 30% minimum, milk solids 20% minimum.

INGREDIENTS	
Sugar, Dried Whole Milk , Cocoa Butter, Cocoa Mass, Milk Fat , Emulsifier (Soya Lecithin), Flavouring.	
MAY CONTAIN: Peanuts, Nuts.	

NUTRITION	
Typical Values	Per 100 g
Energy	2260 kJ 542 kcal
Fat	31.9 g
of which Saturates	19.8 g
Carbohydrate	55.4 g
of which Sugars	53.7 g
Protein	2.5 g
Salt	0.20 g

Suitable for vegetarians ✓
No artificial colours ✓
No artificial flavours ✓

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Our chocolate is happiest kept in a cool, dry place.
For Best Before see side of pack.

RECYCLABILITY

 PET  PAPER  ALU
PLASTIC PAPER FOIL

The tray is made from 50% recycled plastic.

83 g e

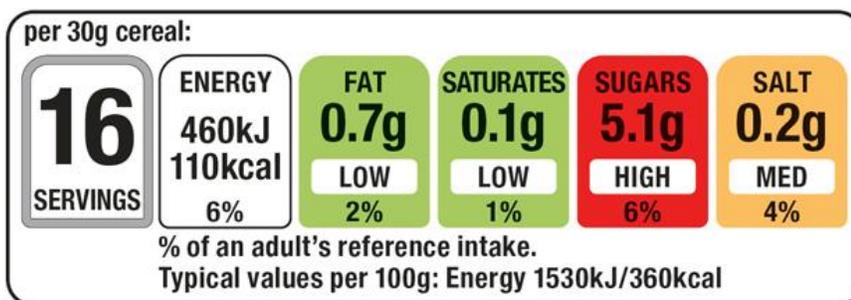


5 016346 231942 >

In the above label, note that potential allergens are indicated in **bold** in the ingredients list. Also note the format of the “Nutrition” panel. This is the basic nutritional information panel for compliance with UK (EU) regulations. It can be added to with vitamins and minerals, and the panel can also show nutrients per serving in addition to per 100 grams or per 100 milliliters.

Color codes: Although they are not a legal requirement, many UK manufacturers and retailer private label products display front-of-pack color-coded nutritional information using a voluntary “traffic light labeling” system. Guidance on how to create front-of-pack nutritional information for pre-packed products sold through retail outlets is available here: [Front of Pack Nutritional Labeling Guidance Notes](#)

Example front-of-pack labeling for a breakfast cereal



Environmental messaging

The UK government and supply chain is focused on reducing greenhouse gases associated with food production. The British Standards Institute (BSI) has a range of guidance on international and British standards for Biodiversity (PAS 2010); Carbon Footprint Verification (ISO 14064-1); Carbon Neutrality (PAS 2060) and Water Footprint Management (ISO 14046). See: [British Standards Institute](#)

The recyclability of packaging is a particularly hot topic, particularly for plastic. Note the format and prominence of recycling information in the chocolate advent calendar label example given above.

Given the significant difference in approach to labeling law in the UK/EU, it may be helpful to pay to have your label modified by a specialist food labeling consultant. Please see Appendix II for contact details of several organizations known to FAS/London (this list is provided for information only, and its provision does not constitute endorsement).

Other Specific Labeling Requirements

In addition to restrictions on making nutrition or health claims and claims on special use foods such as “gluten free.” there are additional labeling requirements for products derived from biotechnology (GMO), products to be marketed as organic, alcoholic drinks, meat and meat products, and frozen foods.

GMOs and Alcoholic Beverages

The UK competent authority for finished product and animal feed Genetically Modified Foods (GMOs) as well as for wine, beer, and other alcoholic beverages is the [Food Standards Agency](#).

See the following for general wine law and a link to wine labeling: [Wine Law](#)

There are no specific regulations covering beer. However, all alcoholic beverages must comply with allergen labeling requirements e.g. declare sulphites (in British English) if alcohol by volume is more than 1.2 percent.

The UK competent authority for spirits is the Department for Environment, Food & Rural Affairs (Defra). Spirit Drinks Regulations can be found [here](#).

Organic Foods

Label guidance for organic foods, from January 1, 2021 can be found at: [Trading and labelling organic food from 1 January 2021](#).

UK competent authority: [Department for Environment, Food & Rural Affairs \(Defra\)](#)

U.S. competent authority: [Agricultural Marketing Service/USDA](#)

The United States has an [organic equivalence arrangement](#) with the UK. This means that organic products certified to either the USDA or UK organic standards may be labeled and sold as organic in both countries if the products meet the terms of the arrangement.

Frozen Foodstuffs

The UK competent authority for frozen foodstuffs is the Food Standards Agency. The Quick-frozen Foodstuffs (England) Regulations 2007 prohibit the placing on the market of a quick-frozen foodstuff unless certain conditions are satisfied. See: [Quick Frozen Regulations](#)

Vertical Legislation on Specific Products

The UK competent authority for vertical legislation on specific products is Defra. Covering the manufacture and marketing of sugars, cocoa and chocolate products, honey, fruit juices and similar products, preserved milk, coffee extracts and chicory extracts, fruit jams and similar products, additional information from Defra can be found at: <https://www.gov.uk/food-standards-labelling-durability-and-composition>.

Plant-based Meat and Dairy Alternatives

There is no legal definition of the terms “vegetarian” and “vegan” and no specific requirements for the labeling of plant-based meat and dairy alternatives. The UK has adopted the EU position that plant-based products cannot be labeled with dairy names such as “cheese,” “butter” or “milk.”

SECTION III. PACKAGING AND CONTAINER REGULATIONS

The basic rules for UK packaging law are laid down in the [Packaging \(Essential Requirements\) Regulations](#).

Weights and measures

Legislation governing weights and measures comes under the jurisdiction of the UK’s Department for Business, Innovation and Skills (BIS) and is administered by the National Measurement Office. At a local level, enforcement is through Trading Standards Departments of local councils. Further information is available at: [Packaged goods weights and measures](#)

Packaging Waste

Responsibility for Packaging and Packaging Waste Regulations is split between the Department for Environment, Food & Rural Affairs (Defra) and the Department for Business, Energy and Industrial Strategy (BEIS).

BEIS leads on the implementation of EU Packaging and Packaging Waste Directive, and has responsibility over the UK's domestic Packaging (Essential Requirements) Regulations 2003, as amended. At a local level, enforcement is through Trading Standards Departments of local councils.

Defra leads on UK waste policy and all other aspects of domestic implementation of the Packaging Directive- including the setting of recycling and recovery targets – through the Producer Responsibility Obligation (Packaging Waste) Regulations 2005.

A not-for-profit organization known as [WRAP](#) (Waste and Resources Action Programme) works closely with government and business to drive sustainable change in supply chains towards achieving net zero greenhouse gas targets.

Materials in Contact with Food

The UK's national approach is governed through the Food Standards Agency and The Materials and Articles in Contact with Food Regulations 2012. This consolidates relevant retained EU regulations and directives, and consolidates previous national legislation. It includes plastics, ceramics and epoxy derivatives. Further information is available at: [Food Contact Material Information](#)

SECTION IV. FOOD ADDITIVE REGULATIONS

The UK has a positive list system (inherited from the EU) with maximum amounts laid down for approved additives such as colors, sweeteners, emulsifiers, preservatives, etc. Food additives fall under the jurisdiction of the Food Standards Agency. Please see: [Food Additives Guidance Notes](#)

The UK risk assesses and approves new food additives through an independent panel of experts known as the [Committee on Toxicity \(COT\)](#). For information on how to apply for approval of a new food additive, please email: cot@food.gov.uk

A notable food additive law difference between the U.S. and the UK/EU is that foods containing any of the six food colors listed in the table below have to be labeled with the phrase, ‘may have an adverse effect on activity and attention in children’ (Annex V to EU Regulation 1333/200). This has had a notable effect on the UK market. Manufacturers have reformulated to avoid using these colors, and are using more natural colors such as beetroot. Food color Red 2G (E128) has been removed from the UK/EU’s positive list.

EU name/number	Other names
Quinoline Yellow (E104)	Food Yellow 13, FD&C Yellow No. 10, Acid yellow 3
Sunset Yellow (E110)	Orange Yellow S, FD&C Yellow 6
Ponceau 4R (E124)	Cochineal Red A, C.I. Acid Red 18, Brilliant Scarlet 3R, Brilliant Scarlet 4R,
Tartrazine (E102)	FD&C Yellow 5, Acid Yellow 23, Food Yellow 4
Azorubine/Carmoisine (E122)	Food Red 3, Azorubin S, Brilliant Carmoisin O, Acid Red 14
Allura Red AC (E129)	Food Red 17, FD&C Red 40

SECTION V. PESTICIDES AND OTHER CONTAMINANTS

The competent authority in the UK for pesticides is the Chemicals Regulation Directorate of the Health and Safety Executive:

Chemicals Regulation Directorate (CRD)
Mallard House, 3 Peasholme Green
York, YO1 7PX
Tel: 011 44 1904 640500
Email: CRD.Information.Management@hse.gov.uk
Web: <http://www.hse.gov.uk/pesticides/>

Information on maximum residue limits (MRLs) for permitted pesticides can be found at:
[UK Pesticides Register Database](#)

Pesticide residues in food and drink in the UK are monitored through an official surveillance program conducted by the Chemicals Regulation Directorate (CRD) and overseen by the Defra Expert Committee on Pesticide Residues in Food (PRiF). The results of the surveillance are published quarterly and annually by PRiF. If the surveillance indicates a potential concern about intakes of pesticides by consumers, a risk assessment is carried out by CRD experts and any necessary follow-up action taken by CRD, overseen by PRiF.

Other contaminants

The Contaminants in Food (England) Regulations 2013 revoke The Contaminants in Food (England) Regulations 2010 and remake them with necessary amendments to provide for the enforcement of EU Commission Regulations 650/2012 and 1258/2011 as well as relevant parts of 1881/2006. Contaminants covered include: nitrates, mycotoxins, dioxins, heavy metals and tin. Food Standards Agency help and guidance: [Chemical contaminants](#)

SECTION VI. OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES

Guidance for British companies new to importing food, and useful background for U.S. exporters can be found here: [Food Standards Importing Advice](#). General advice on import procedures can be found here: www.gov.uk/browse/business/imports

A. Certification

Health certificates are mandatory for all UK imports of animal origin products and phytosanitary certificates are required for all plant products that could introduce pests into the UK.

For Animal Products, (including red meat, poultry, dairy, honey and products containing these as ingredients, as well as hay and straw), the UK competent authority is the Department for Environment, Food & Rural Affairs (Defra), please see: [Animal and Plant Health Agency \(APHA\) of Defra and APHA Centre for International Trade: Carlisle](#)

U.S. competent authority for meat & meat products: USDA's Food Safety & Inspection Service (FSIS) [FSIS EU Export Requirements](#)

U.S. competent authority for dairy, dairy products, eggs, and honey: USDA's Agricultural Marketing Service (AMS) [AMS Export Certification](#)

U.S. competent authority for "Other Animal Products", including live animals, semen, embryos, hatching eggs, pet food, pig bristles, animal casings, apiculture products, dried bones & products, raw materials for pharmaceuticals, serum, dog chews, plus all plant health certificates:

USDA's Animal & Plant Health Inspection Service (APHIS)
<http://www.aphis.usda.gov/wps/portal/aphis/ourfocus/importexport>
[USDA APHIS | Plant Health Export Information](#)

U.S. competent authority for seafood certification: National Oceanic and Atmospheric Administration [Export Certification to the European Union | NOAA Fisheries](#)

B. Inspections

Some products can only come into the UK, through specific ports. For example, animal products (such as meat, dairy foods and fish) can only enter through a port or airport that is a Border Control Post. Some plant material, and other foods that are not of animal origin have similar rules, see: [High risk food inspections and entry procedures](#). Further information on UK border inspection posts can be found at: [Point of Entry Information](#) and at: [Monitoring of Food Imports](#)

Upon entry to the UK, there are three levels of consignment check carried out - documentary, identity and physical.

In the documentary check, the health certificates and any accompanying laboratory test results are checked for authenticity and cross-matched with the details of the commercial documents to ensure that they relate to the consignment.

The identity check involves the inspection of the consignment, checking the container seals and often the packaging of the goods to ensure that the goods match the information on the certification. Labeling and health marking will also be checked.

The physical inspection of the goods involves the inspection of the product. The packaging will be opened, and the product examined to ensure that it is safe to eat and that it is the same product as certified. Where appropriate, the inspector will make an organoleptic (sight, smell, taste) assessment of the product. Samples may also be taken for laboratory assessment.

All consignments of controlled goods are subject to at least a documentary check. Other inspections will be applied randomly in accordance with the inspection quotas that are dependent upon the risk attributed to the product.

The UK has adopted EU rules related to [Commission Decision 94/360/EC](#) and [Regulation \(EU\) 2019/2007](#) that prescribe the level of physical checks for certain animal origin products. In general, the minimum number of consignments to be subjected to a physical check are 20 percent for red meat and meat products and fish, 50 percent for poultry meat, honey, dairy products and shellfish, and at between one percent and ten percent for most products of animal origin that are not intended for human consumption.

The frequency of identity and physical checks on certain other high-risk feed and food of non-animal origin under Regulation (EC) 669/2009 that the UK has also adopted can be found in Annex I of [Regulation 669/2009](#)

From time to time, mainly on food safety grounds, additional import conditions will be imposed on particular items. This may mean that Port Health Officers must undertake additional checks and sampling of specific products from a particular country.

Nuts from the United States can be subject to additional checks. Please see: [Importing nuts | Food Standards Agency](#)

Further information about current procedures regarding Port Health inspections can be found here: [Monitoring of Food Imports](#)

C. Facility Registration

The UK will follow the EU approved list of establishments for historic approvals, but following full transition from EU membership the UK will now approve establishments to ship products of animal origin based on submissions from U.S. government agencies. Only products processed in approved establishments may enter the UK. Detailed information on currently approved U.S. establishments is available on the U.S. Mission to the EU website at <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/>.

Should you wish to obtain UK approval for export from the United States, please contact the relevant U.S. authority for your product as listed under section ‘A. Certification’ above.

D. Product Registration

Certain regulated food and feed products require authorization before they can be sold in the UK. This [authorization](#) will be required for the following regulated product types:

- extraction solvents
- feed additives
- feed for particular nutritional uses (PARNUTS)
- feed (detoxification processes)
- flavorings
- food contact materials (active/intelligent materials)
- food contact materials (plastic additives)
- food contact materials (recycled processes)
- food additives
- food enzymes
- genetically modified organisms as food and feed
- irradiated food
- novel foods (full application)
- novel foods (traditional food notification)
- smoke flavorings

Novel foods are deemed to be foods that have not been widely consumed by people in the UK/EU before May 1997. The process for application and approval is outlined here:

<https://www.food.gov.uk/business-guidance/novel-foods>

Exporters of vitamin-enriched foods or nutritional supplements are advised to check if their product is deemed to be a medicinal product that needs a license. The Medicines and Healthcare products Regulatory Agency (MHRA) makes decisions on what is a medicine. MHRA has a ‘borderline products’ review team, see: <https://www.gov.uk/decide-if-your-product-is-a-medicine-or-a-medical-device>

SECTION VII. OTHER SPECIFIC STANDARDS

A. Novel Foods

UK competent authority: Food Standards Agency

<https://www.food.gov.uk/business-guidance/novel-foods>

B. Food from Animal Clones

UK competent authority: Food Standards Agency

<https://www.food.gov.uk/business-guidance/novel-foods>

C. Nanotechnology

UK competent authority: Food Standards Agency

<http://www.food.gov.uk>

D. Fortified Foods

UK competent authority: Department of Health (England), Welsh Assembly (Wales), Food Standards Agency (Scotland and Northern Ireland)

[Guidance on fortified foods](#)

E. Dietetic of Special Use Foods

Notification for new products is required.

UK competent authority: Department of Health (England), Welsh Assembly (Wales), Food Standards Agency (Scotland and Northern Ireland)

[Infant Formula and Foods for Particular Nutritional Uses](#)

F. Food Supplements

UK competent authority: Food Standards Agency and/or Medicines and Healthcare Regulatory Agency

<https://www.food.gov.uk/business-guidance/food-supplements>

<https://www.gov.uk/decide-if-your-product-is-a-medicine-or-a-medical-device>

G. Irradiated Foodstuffs

UK competent authority: Food Standards Agency

<https://www.food.gov.uk/safety-hygiene/irradiated-food>

H. Seafood

UK competent authority: Food Standards Agency

<http://www.food.gov.uk/business-industry/fish-shellfish/>

U.S. competent authority: National Oceanic and Atmospheric Administration (NOAA)

[NOAA Export Certification to the European Union](#)

I. Pet Food

UK competent authority: Food Standards Agency

[Pet Food Information](#)

J. Vegetarian and Vegan Foods

If a U.S. plant-based product has a name usually associated with a meat product, the name should be checked by the importer with their local Trading Standards office.

The use of terms such as milk, cheese, cream, yogurt is protected so they may only be used for the associated dairy products and not misused to describe non-dairy produce.

SECTION VIII. COPYRIGHT/TRADE MARK LAWS

The UK's Intellectual Property Office (IPO) is the official government body responsible for granting patents, designs, trademarks and copyright. Exporters wanting to register trademarks/brand names are advised to contact:

Intellectual Property Office
Concept House, Cardiff Road
Newport, Gwent NP10 8QQ
Tel: 011 44 1633 814000
Fax 011 44 1633 817777
Email: information@ipo.gov.uk
Website: [Intellectual Property Office](#)

You can also protect the intellectual property rights of your products in the EU by applying for either a [Trade mark](#) or an [EU Collective Mark](#).

From January 1, 2021, the UK will set up its own geographical indication (GI) scheme. It will be based on the three types under the EU scheme: Protected Geographical Indications (PGI), Protected Designation of Origin (PDO) and Traditional Speciality Guaranteed (TSG). Please see: [Protecting food and drink names from 1 January 2021 - GOV.UK \(www.gov.uk\)](#)

GI protection has continued after January 1, 2021, for products named in EU free trade agreements where the UK has signed a continuity agreement, and other EU third country sectoral agreements where the UK has signed a continuity agreement.

SECTION IX. IMPORT PROCEDURES

UK importers, or appointed agents, customarily handle all import procedures. The following information is provided to assist U.S. exporters in understanding the procedures, time-frames and costs that are involved in importing into the UK.

A simple overview of the steps involved in bringing products into the UK is provided here:

<https://www.gov.uk/import-goods-outside-eu>

Advice is available at: <https://www.gov.uk/topic/business-tax/import-export>

The Customs Handling of Import and Export Freight (CHIEF) system has historically recorded the movement of goods by land, air and sea. It allows importers, exporters and freight forwarders to complete customs formalities electronically and automatically checks for entry errors. The UK's departure from the EU has meant a new system is being introduced called the "Customs Declaration Service (CDS)". CHIEF and CDS systems will run in tandem into 2023, please see: [CHIEF and CDS](#) and [Customs Declaration Completion Requirements](#).

In addition to the above paperwork, U.S. products may require import licenses or health certificates. This particularly applies to certain plant materials, red meat, dairy, seafood and honey – see Defra's Animal and Plant Health Agency website for further information: [Live animal or animal product imports into the UK](#)

All imported goods can potentially be examined by Customs. In practice, if the product is not subject to special measures, less than five percent are physically inspected. If goods are selected for examination, the opening, unpacking and re-packing must normally be done by employees of the dock company or an agent of the importer. The examination of goods normally occurs at the place where they are being declared for importation.

Customs duties and other charges that are due must be paid, deferred or secured before the goods are cleared by Customs. It is advisable to show invoices with no freight costs incorporated, only the value of the imported goods, as import duty will be charged on the total amount presented for that shipment.

Charges payable on imported goods may include:

- import duties
- 'additional duties' on flour and sugar
- 'countervailing charges' on fruit and vegetables
- 'variable charges' on processed goods
- 'compensatory charges' on oils and fats
- 'extra charges' on eggs, poultry or pig meat
- 'sugar levies' on processed goods with sugar in them
- Value Added Tax (VAT)
- excise duty on alcoholic beverages

Charges payable are linked to the Commodity Code (similar to an HS code, but usually to the ten digit level) for a particular product. U.S. exporters will need to help the UK importer find out what the Commodity Code is for traded product, and what the associated import duty is likely to be. This will be necessary to determine a pricing strategy for the product.

Obtaining a Commodity Code and Relevant Import Duty

To obtain the Commodity Code (and related import duty/VAT payable) for your product, consult the UK Trade Tariff online tool here: [Trade Tariff tool to find a commodity code](#), this code should be the same throughout the EU. It is also possible to obtain a written ruling on the product's Commodity Code known as Binding Tariff Information (BTI). This service is advisable for more complex food products, as it involves closer consideration of the product's composite ingredients and is legally binding. See information on Classifying Your Goods at: [About Binding Tariff Information](#)

In connection with exit from the EU, the UK has published a Global Tariff of import duties linked to commodity codes. It is a simplification of the EU's tariff regime, with some rounding down (with the conversion from Euros to British Pounds) and some reduction on tariffs for non-sensitive products. See: [UK Trade Tariff](#)
http://customs.hmrc.gov.uk/channelsPortalWebApp/channelsPortalWebApp.portal?nfpb=true&pageLabel=pageVAT_ShowContent&id=HMCE_CL_001087&propertyType=document

Value Added Tax (VAT)

The UK standard rate of Value Added Tax (VAT) is 20 percent. While UK foodservice outlets must charge the standard rate of VAT on everything they serve, retail food products, in general, do not have VAT on them.

However, some exceptions that do incur VAT are:

- Ice Cream and similar products, and mixes for using them
- Confectionery
- Alcoholic beverages
- Other beverages, and preparations for making them
- Potato chips (crisps) roasted or salted nuts, and some other savory snack products
- Products for home brewing and wine making

VAT can also be a value located somewhere between the Standard (S = 20%) and the Zero (Z = 0%) rates. See more at: <https://www.gov.uk/topic/business-tax/vat>

Excise Duties

Alcohol

Product	Rate of Excise Duty
Rate per liter of pure alcohol	
Spirits	£28.74
Rate per hectoliter percent of alcohol in the beer	
Beer – General Beer Duty	£19.08
Rate per hectoliter of product	
Still wine and made-wine Exceeding 5.5%, but not exceeding 15% abv	£297.57
Sparkling wine and made-wine Exceeding 8.5%, but less than 15% abv	£381.15

The above table is an excerpt from information given by H.M. Revenue & Customs at: [UK Excise Rates and Allowances](#). The UK is developing a new alcohol excise duty system that will see it diverge from the EU approach, see: [Alcohol Duty Review and Consultation](#). If the proposal is adopted (implementation is due in 2023), the new system will be simpler with fewer bands of duty, and provide some relief to low alcohol products while penalizing some products with higher alcoholic content, for example, wines over 15 percent alcohol by volume.

SECTION X. Trade Facilitation

A. Advance Rulings

Advance rulings can be obtained on commodity codes and relevant import duties. Please see section above on Obtaining a Commodity Code and Relevant Import Duty. Advance rulings can also be obtained with regard to whether or not a product requires a health certificate by contacting the relevant section of the UK's [Animal and Plant Health Agency](#).

B. Pre-Clearance Program

The UK has implemented the EU Official Controls Regulation (OCR - Regulation (EU) 2017/625). The OCR permits (following a formal government to government consideration and approval process) pre-export controls to be performed by third countries. Currently, the U.S. almond industry has a pre-export clearance program (PEC) led by the Almond Board of California and administered by USDA's Agricultural Marketing Service. When a PEC has been agreed, UK Port Health authorities are directed to subject consignments covered by the regulation and accompanied by the appropriate U.S. Government Pre-Export Check (PEC) certificate to a less than 1 percent control level at the border. The PEC program is voluntary. A PEC certificate is not a requirement for import into the UK (EU). However, shipments without a PEC certificate do not benefit from the reduced inspection levels upon arrival at the border.

C. Electronic Certificates

The UK implementation of the OCR also provides the legal basis for the general acceptance of electronic certificates. For plant products, the UK is able to receive U.S. e-Phytos sent via [the Hub](#) created by the International Plant Protection Convention (IPPC). Please also read: [Importing plants, fruit, vegetables, cut flowers and other regulated objects to the UK](#)

For other commodities, there is currently no link from the respective systems U.S. Government Agencies uses to issue electronic certificates to the UK authorities. In absence of such a connection, paper certificates are required to satisfy the requirement for an original certificate with an ink signature.

D. Import and Inspection Fees

Each Port has a schedule of fees. For example, visit this link for Port of Felixstowe (Suffolk Coastal Port Health Authority) charges: [Fees](#)

Regulatory background that provides legal basis for fees:

[UK Plant Health Controls](#)

[Import of Meat Products for Human Consumption from Third Countries \(defra.gov.uk\)](#)

[Importing products of animal origin | Food Standards Agency](#)

E. Average Release Times at Port – Common Delays

The average release time for products depends on the port of import. The main ports in the UK are organized in an efficient way to perform customs formalities as well as the necessary veterinary and plant inspections. Incomplete or incorrect certification generally leads to delays in the clearance of goods, mainly in products of animal origin or composite products. Delays result in additional demurrage charges. There may also be additional charges for splitting out pallets - if there are multiple shipments within one container, and just one shipment has incorrect paperwork. These delays can be 1-2 weeks, perhaps longer in some cases.

F. Duplicative Inspections

Inspections on imported foods are concentrated at UK ports. Once goods have passed inspection and customs duties are paid, they can move freely throughout the UK. However, official controls and scrutiny by the Food Standards Agency and Trading Standards Departments remain possible at any stage of distribution.

APPENDIX 1. – Government Regulatory Agency Contacts

USDA/Foreign Agricultural Service

Embassy of the United States

Box 48, 33 Nine Elms Lane

London, SW11 7US

United Kingdom

Tel: 011 44 20 7891 3313

Email: AgLondon@fas.usda.gov

Web: [FAS USDA London](#)

Association of Port Health Authorities (APHA)

4th Floor, Walbrook Wharf

78-83 Upper Thames Street

London EC4R 3TD

Tel: 011 44 1792 653523

Email: apha@porthealthassociation.co.uk

Web: <http://www.porthealthassociation.co.uk/>

Department for Environment, Food & Rural Affairs (Defra)

Seacole Building

2 Marsham Street

London SW1P 4DF

Tel: 011 44 20 7270 3000

Contact emails for all sections: <https://www.gov.uk/guidance/contact-defra>

Web: [Defra](#)

Department for Business, Energy & Industrial Strategy (BEIS)

1 Victoria Street

London, SW1H 0ET

Tel: 011 44 20 7215 5000

E-mail: enquiries@beis.gsi.gov.uk

Web: [BEIS](#) (For weights & measures legislation)

Food Standards Agency (FSA)

Floors 6 and 7, Clive House

70 Petty France

London SW1H 9EX

Telephone: 011 44 20 7276 8000

Email: helpline@food.gov.uk

Web: www.food.gov.uk

H.M. Customs and Revenue (HMRC)

CITEX Written Enquiry Team

International inquiries should use the online form here: [International Trade Enquiries](#)

The Stationery Office (TSO)

Tel orders: 011 44 870 242 2345 **(To buy copies of UK legislation)**

Website orders: <https://www.tsoshop.co.uk/>

The National Archives

Web: <http://www.legislation.gov.uk/>

(To view web copies of UK legislation)

Rural Payments Agency

PO Box 69

Reading

RG1 3YD

Email: ruralpayments@defra.gsi.gov.uk

Web: <https://www.gov.uk/government/organisations/rural-payments-agency>

APPENDIX II. – Other Import Specialist Contacts

UK Trade Associations

Fresh Produce Consortium

Minerva House

Minerva Business Park

Lynch Wood

Peterborough PE2 6FT

Tel: 011 44 1733 237117

E-mail: info@freshproduce.org.uk

Web: www.freshproduce.org.uk

British Frozen Food Federation

Warwick House, Unit 7, Long Bennington Business Park,

Main Road, Long Bennington, Newark, NG23 5JR

Tel: 011 44 1400 283090

E-mail: generaladmin@bff.co.uk

Web: www.bfff.co.uk

Food and Drink Federation

6th Floor, 10 Bloomsbury Way

London, WC1A 2SL

Tel: 011 44 20 7836 2460

E-mail: generalenquiries@fdf.org.uk

Web: www.fdf.org.uk

Grain & Feed Trade Association

GAFTA House

9 Lincoln's Inn Fields

London WC2A 3BP

Tel: 011 44 20 7814 9666

Email: post@gafta.com

Web: <http://www.gafta.com/www.gafta.com>

Health Food Manufacturer's Association

1 Wolsey Road

East Molesey

Surrey KT8 9EL

Tel: 011 44 20 8481 7100

E-mail: hfma@hfma.co.uk

Web: www.hfma.co.uk

Institute of Grocery Distribution
Grange Lane
Letchmore Heath
Watford, Hertshire WD2 8DQ
Tel: 011 44 1923 857141
Email: igd@igd.com
Web: www.igd.com

UK Flour Millers (formerly National Association of British & Irish Millers)
21 Arlington Street
London, SW1A 1RN
Tel: 011 44 207 493 2521
Email: info@ukflourmillers.org
Web: www.ukflourmillers.org

Food Law & Labeling Specialists

Berry Ottaway & Associates Ltd
Kivernoll Cottage
Much Dewchurch
Hereford HR2 8DS
Contact: Sam Jennings, Director
Tel: 011 44 1981 541238
Email: spj.berryottaway@gmail.com and boa@berryottaway.co.uk
Web: <http://www.berryottaway.co.uk/>

Campden BRI
Chipping Campden
Gloucestershire GL55 6LD
Tel: 011 44 1386 842000
Email: support@campdenbri.co.uk
Web: www.campdenbri.co.uk

DWF LLP
20 Fenchurch Street
London WC3M 3AG
Contact: Dominic Watkins, Partner, Head of Food
Tel: 011 44 20 7280 8888
Email: Dominic.Watkins@dwf.law
Web: www.dwf.law

Kenneth Mitchell
Euro Fine Foods
High Street
Uffington, Oxon SN7 7RP

United Kingdom
Tel: 011 44 1367 820771
Contact: Kenneth Mitchell
Email: kenneth@eff2000.com
Web: www.eurofinefoods.co.uk

Leatherhead Food International
Randalls Road
Leatherhead
Surrey KT22 7RY
Tel: 011 44 1372 376761
Email: help@leatherheadfood.com
Web: www.leatherheadfood.com

Shoosmiths Solicitors
The Lakes
Northampton
NN4 7SH
Tel: 011 44 3700 864217
Contact: Hayley Saunders, Partner, Food Department
Email: hayley.saunders@shoosmiths.co.uk
Web: www.shoosmiths.co.uk

Testing Laboratories

ALS Food and Pharmaceutical
Bridge Street
Chatteris
Cambridgeshire PE16 6QZ
Tel: 011 44 1354 697028
Email: sales.uk@alsglobal.com
Website: www.als-testing.co.uk

Campden BRI
Chipping Campden
Gloucestershire GL55 6LD
Tel: 011 44 1386 842000
Email: information@campdenbri.co.uk
Web: www.campdenbri.co.uk

Eurofins Food Testing

Valiant Way
WV9 5GB Wolverhampton
Tel: 011 44 845 604 6740
Email: sales@eurofins.co.uk

Web: www.eurofins.co.uk

Leatherhead Food International
Randalls Road
Leatherhead
Surrey KT22 7RY
Tel: 011 44 1372 376761
Email: help@leatherheadfood.com
Web: www.leatherheadfood.com

Reading Scientific Services (RSSL)
Readings Science Centre
Whiteknights Campus
Pepper Lane
Reading, Berkshire RG6 6LA
Tel: 011 44 118 918 4000
Email: enquiries@rssl.com
Web: www.rssl.com

RHM Technology (Premier Analytical Services)
The Lord Rank Centre
Lincoln Road
High Wycombe
Buckinghamshire HP12 3QR
Tel: 011 44 1494 809600
Email: www.paslabs.co.uk/contact-us.html
Web: www.paslabs.co.uk/

Attachments:

No Attachments