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Border Target Operating Model (BTOM) and the Trade in Plants and Trees

The Horticultural Trades Association (HTA) welcomed certain aspects of the model, such as commitments to digitise phytosanitary certificates and for the government to create a consultative business readiness group. However, it also expresses disappointment in other areas that could have critical implications for the horticultural sector and says that the BTOM is potentially a missed opportunity for UK horticulture.

Fran Barnes, Chief Executive at the Horticultural Trades Association (HTA), said, “Our unwavering focus has consistently centred on ensuring the seamless, swift and secure movement of plants and plant products, whilst protecting the UK against biosecurity threats. While we acknowledge the positive strides made with the formal release of the Border Target Operating Model, the model doesn’t go far enough in adequately addressing the legitimate needs of the horticultural sector.

“One major concern lies in the readiness of Border Control Posts (BCPs) to handle the diverse range of imports received by the horticultural sector from the EU. We welcome the proposed delay to the introduction of checks at BCPs until 30 April 2024. However, we are disappointed that this date is inconveniently placed in the middle of the high season for the plant trade and that the delay is not long enough to complete the proposed pilot of the Authorised Operator Status model.

“Since January 2021, the industry has followed import and export requirements outlined in the Trade & Co-operation Agreement (TCA) due to the absence of a Sanitary Phytosanitary (SPS) or plant health agreement with the EU. However, it is clear there needs to be better dialogue between the EU and the UK regarding plant imports. Given that the value of imported plant material surpassed £753 million in 2022, constituting half of the cumulative value of the UK's trees, plants, seeds, and bulbs production sector, it is imperative that we impress upon the government the need for ongoing refinement of the BTOM.

“Furthermore, this issue will impact garden centre customers: the expected costs of full border controls to the supply chain are estimated to top £42m per annum (at existing pre-notified consignment numbers). **Therefore, beyond 2024, this would equate to a 4.5% cost increase for no material gain.** And there is also potential that plant ranges will be restricted or delayed, meaning a reduced choice for garden enthusiasts.”

The HTA emphasises the importance of meticulous planning, thorough testing, and effective communication to ensure a smooth transition to any new trade system, recognising the significance of the horticulture industry.

The following concerns still need to be addressed:

- **Systems, processes and equipment must be thoroughly tested**, preferably using a soft launch approach. The seamless integration of technology is key to a successful border, and clear timelines on business-critical upgrades to current systems, such as IPAFFS, e-phyto and CITES, need to be set out with some urgency.

- **Control Points as an alternative to BCPs for businesses.** While the 3-month delay gives more time for businesses to complete Control Point designation, the government should allocate sufficient resources to assist businesses through the process in a timely and cost-effective manner. There is also still no surety of costs, and the ability to compare BCP costs with CP costs is still not evident.
- **The detail of the Authorised Operator Model status (AOS) and its accessibility for horticulture businesses** – The HTA continue to be concerned about the AOS model, its pilot and subsequent launch. The proposed timings do not afford a seamless transition for businesses from the point of designation system to Control Points status and achieving AOS. The process for attaining AOS is still unclear, with costs and processes unpublished.

The HTA, representing over 1,500 members across the UK environmental horticulture sector, plays a crucial role in the industry. The association is committed to working collaboratively with the Government to ensure that the plant trade remains a top priority.

Windsor Framework and the Trade in Plants, Trees and Seed Potatoes

The HTA welcomes the Windsor Framework and recognises the effort and difficulties involved to achieve a negotiated outcome. Resuming trade into Northern Ireland is of huge importance to many HTA members, who have seen an almost complete cessation of trade into Northern Ireland. Trade relationships which had existed for decades have been lost or reduced while many previous NI businesses now buy plants direct from continental EU suppliers, with the orders transiting across GB in order to reach NI.

In the PM's speech announcing the Windsor Framework on the 27th of February 2023 he said, "The same quintessentially British products like trees, plants and seed potatoes will once again be available in Northern Ireland garden centres." However, when we reviewed the detail we realised the statement does not reflect the reality our members will experience, nor what NI consumers will see, because there are several substantial issues that remain unresolved around the trade in trees, plants and seed potatoes.

Below we set out the main issues:

- The proposed Northern Ireland Plant Health Label (NIPHL) still requires plants & plant products to **comply with EU Plant health rules**, still requires NI businesses to prenotify the authorities using the EU's TRACES system and still means onerous administration & compliance from GB suppliers. The NIPHL only removes the need for an official to inspect.
- There will still be **several key species of trees and plants that will remain prohibited** for exporting to Northern Ireland. Iconic and popular native British species such as hawthorn, hazel and cherry along with honeysuckle and jasmine will still be banned. This represents £millions of lost trade and biodiversity. While the existing "High Risk Plant" dossiers

already submitted to EFSA have been expedited, the remaining 40 prohibited plants will still need to follow the existing procedure, which takes years to complete.

- **Seed potatoes sourced in Great Britain will not be able to be sold in NI garden centres**, nor directly to consumers via mail order, only grower to grower, with NI consumers missing out on direct access. Official certification is still required, under the NIPHL scheme.
- Northern Irish consumers will find it **difficult and costly to order plants from British based online sellers and mail order** growers due to the requirement for phytosanitary certificates remaining for parcels of plants sent from GB businesses to NI consumers there is no easement for parcels going business to consumer, only privately sent parcels.
- For Northern Irish growers there is uncertainty about when a GB-sourced plant **becomes a Northern Irish good** this may mean Northern Irish businesses will decide to buy from EU suppliers to ensure their goods can subsequently be sold in the EU.
- There will be difficulties around **regaining business lost to EU-based suppliers**. GB businesses who make the decision to re-establish their market in NI will be competing against EU businesses that will still be able to sell to NI growers and garden centres directly, with no administrative burden or phytosanitary prohibitions or requirements.
- There are legitimate concerns around the **extra administrative burdens for businesses**. Commercial information will still need to be supplied to authorities and authorisation audits will need to be passed to enable the NIPHL to be applied. This means extra cost and resource requirements.
- Retailers who previously used the STAMNI scheme **cannot use the replacement scheme for retailers (NIRMS)** to move plants GB to NI. They will need to implement the NIPHL scheme, which means two schemes where previously there was only one. Potted herbs, pot plants, containerised Christmas trees and houseplants are all now outside of NIRMS.
- All this extra burden makes crop and **supply chain planning** for this year and beyond even more difficult - meaning the cost of doing business in and with Northern Ireland is also unclear and expected to rise.

Government decisions & subsequent guidance have been extremely slow to be produced and provided. For example, it was only on the 27th September that a “Pro-Forma” was published that GB suppliers /consignors would need to fill in for NI receiving businesses/consignees. HTA have discovered that each and every decision would need to be ratified by the EU before being issued to businesses – so if any stakeholder raised a new question and any new clarifications or decisions were needed, then this had to go back to the EU for decision.