

At the end of July, the UK government issued [new guidance on how the Windsor Framework will work in practice](#).

From October 2023, a broad range of products moving from Great Britain (GB) to Northern Ireland (NI) (and that are intended for “final consumption” in NI) will be processed through a “green lane” and be subject to fewer checks and controls. While this will ultimately facilitate movements of various products, there are implications for businesses in the short term. This new arrangement will replace the Scheme for Temporary Agrifood Movements into Northern Ireland (STAMNI).

Background on the Windsor Framework

Agreement on the Windsor Framework was reached by the UK and the EU on 27 February 2023 as a way to address some of the issues presented by the Northern Ireland Protocol.

The UK government has now unveiled the Northern Ireland Retail Movement Scheme (NIRMS), which will commence on 1 October 2023. NIRMS will allow UK public health and consumer protection standards to apply for all retail food and drink moving to NI through the scheme, while recognising that goods that are potentially not compliant with EU requirements should not be able to pass into the EU through the NI and Republic of Ireland (ROI) border without checks.

The new scheme is based on sharing commercial and transport data rather than international customs processes, which should simplify how certain goods pass to NI. However, there will be a number of considerations for agrifood businesses and retailers ahead of 1 October.

What Products Will Benefit From the Green Lane?

A broad selection of foods that are intended for final consumption in NI will be eligible to move under this new framework, and the new [UK government guidance on how the NIRMS will work](#) splits these into three main categories:

- All GB origin products
- All NI products processed in GB
- All EU origin products

In addition, various categories of agrifood goods from the rest of the world will benefit from the arrangements, including where those goods have travelled through EU border control posts before arriving in GB, where they have been processed in GB (like products turned into ready meals), where there are no sanitary phytosanitary (SPS) requirements (e.g. tinned fish, bananas, pineapples, pasta, noodles, couscous (except where they contain meat), cakes, biscuits and others) or where they do not require certification or controls (e.g. processed or canned fruits and vegetables, nuts and seeds, flour or wine).

Movements of goods that do not qualify for NIRMS (or where the requirements of NIRMS are otherwise not met) will have to use the red lane – this will also be the case for food that is not intended for consumption in NI (i.e. goods that will be used for manufacturing other products in NI, with such other products to then be moved into ROI and/or other parts of the EU).

A New General Certificate

GB-based businesses moving eligible goods under NIRMS should benefit from the new green lane arrangements in terms of limiting the extensive and costly certification and assurance processes that are otherwise required under EU rules, and so being able to move products that meet UK public health, organics and fisheries rules more easily into NI. There will be no need for an official vet or plant health inspector to approve the documentation.

Instead, goods will move based on a single general certificate for eligible consignments, which is essentially a declaration by the trader of various details relating to the consignment, supported by a packing list. We understand that there is no prescribed format for this packing list, but descriptions of the goods in the consignments will be required, including any treatment undergone by those products, the registration/approval number of the relevant establishment, the number of packages and net weight.

These arrangements and the underlying standards on which the scheme will operate are intended to ensure that consumers and businesses in NI will have access to the same goods as the rest of the UK (even if these have been prepared to UK standards rather than EU standards).

“Not for EU” Product Labelling – Individual Products and Labels for the Box or Crate

To avoid onward movement to the EU of goods destined for the NI market, NIRMS will introduce “proportionate labelling requirements”, meaning that certain foods that are considered higher risk must be individually labelled as “Not for EU”. These labelling requirements for higher risk (essentially meat and dairy) individual products are being introduced on a phased basis, starting in October 2023 and concluding in July 2025.

Not all products headed to NI for final consumption must be individually labelled – shelf-stable composite products are generally excluded from the requirements for individual product labelling. However, the current [NIRMS labelling guidance](#) indicates that “Not for EU” labelling will, nevertheless, need to be affixed to the box or crate in which other agrifood products, including shelf-stable composite food and drink products, are shipped.

[Separate guidance](#) has also been issued to clarify how the NIRMS will affect “groupage” movements, where a single sealed trailer or container is used to ship products from separate companies, or where a single company moves a mix of NIRMS and non-NIRMS goods.

Registering for NIRMS

From 1 September 2023, all businesses responsible for selling or facilitating the movement of food for final consumption in NI will be able to register for NIRMS. This could include retailers selling finished goods to end consumers in NI, hospitality venues such as pubs and restaurants in NI bringing goods in from GB directly, those providing food to the public sector in NI, wholesalers supplying NI retail outlets and businesses operating factory canteens in NI.

Before registering for the NIRMS, if not already registered, traders will need to register for a Government Gateway account, Export Health Certificate Online (EHC Online), Food Business Operator (FBO) number and TRACES NT account. Businesses based in NI will also need to register for the Common Health Entry Document (CHED) Operators Portal (CHOP). Full [guidance on registration and sealing consignments](#) was also published at the end of July.

“Significant Concern” From Some Stakeholders Over the Windsor Framework

Clarification is still needed on how certain aspects of NIRMS will function. While the House of Lords Northern Ireland Protocol Committee has generally welcomed the benefits the green lane will bring to large retailers in particular, it has [flagged](#) “significant concern over the lack of clarity about the Windsor Framework’s operation, against the backdrop of tight deadlines for implementation.”

In the meantime, there is no evidence of the deadlines being extended and, therefore, affected businesses should review the new guidance, register for the scheme and begin discussions with export partners and retailers in NI on responsibilities for meeting labelling requirements.

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