



Northern Ireland
Assembly

Committee for Agriculture, Environment
and Rural Affairs

OFFICIAL REPORT (Hansard)

Operational and Practical Issues Arising from EU Exit:
Department of Agriculture, Environment
and Rural Affairs

7 January 2021

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Declan McAleer (Chairperson)
Mr Philip McGuigan (Deputy Chairperson)
Ms Clare Bailey
Mrs Rosemary Barton
Mr John Blair
Mr Maurice Bradley
Mr Harry Harvey
Mr William Irwin
Mr Patsy McGlone

Witnesses:

Mr Norman Fulton	Department of Agriculture, Environment and Rural Affairs
Mr Robert Huey	Department of Agriculture, Environment and Rural Affairs
Ms Nicole McArthur	Department of Agriculture, Environment and Rural Affairs
Dr Denis McMahan	Department of Agriculture, Environment and Rural Affairs
Mr David Small	Department of Agriculture, Environment and Rural Affairs

The Chairperson (Mr McAleer): I welcome, in person, Denis McMahan, the Department's permanent secretary, and Robert Huey, the Chief Veterinary Officer (CVO). I also welcome, via StarLeaf, Norman Fulton, David Small and Nicole McArthur. We are here for a briefing on operational and practical issues arising from EU exit. Thank you very much for attending at such short notice; I appreciate that you are incredibly busy. This meeting now substitutes the meeting that we arranged for next week on 14 January, but I ask you to provide the Committee with a written update on EU exit matters for our next meeting, which is on 14 January, and fortnightly thereafter, if that is possible.

I invite you to kick off and to outline any issues arising from EU exit that you wish to bring to our attention. No doubt, after the briefings that we get from Seamus and Aodhán and the Ulster Farmers' Union (UFU) representatives, there will be questions that we will want to pick up on as well.

Dr Denis McMahan (Department of Agriculture, Environment and Rural Affairs): Thank you very much, Chair, for inviting us back to the Committee to give you an urgent update on where we are with the sanitary and phytosanitary (SPS) operational delivery programme as well as some of the key emerging issues in EU exit. I realise that you have already had briefings, as you just mentioned, Chair, from some of our stakeholders. We really welcome that, because it is good to hear it straight from the people who are impacted on most. Therefore, we also wish to focus on some of the emerging issues,

but, before we do, it is probably important to reflect on the breadth of work that has been ongoing across DAERA to ensure that we are ready for the end of the transition period.

In order to ensure that there was a functioning rule book, there have been an unprecedented 35 UK-wide statutory instruments (SIs) with devolved content, six reserved SIs and 39 statutory rules (SRs). The Committee has, obviously, been right in the middle of that as well. That is an unprecedented programme of legislation, all of which has gone through. DAERA is also leading on 15 common frameworks and has succeeded in ensuring that 14 of those achieved provisional status by the end of December. To put things in context, that is the focus at the moment, but an awful lot of other work has gone on alongside it.

It is important to state that we are less than one week into the new arrangements. Our people, our stakeholders and the wider industry are in the very early stages of adjusting to a new reality. I say that because the briefing that we provided you with today must be understood on the basis that it reflects a point in time as we move towards a new equilibrium. Robert will provide you with a specific update on the operational issues that he and his team have tackled from 1 January 2021, but, before he does, I remind the Committee of just where we have got to in the last seven months.

When we came to see the Committee on 4 June 2020, we explained that it had not been possible to take forward the necessary work without basic clarity from the UK Government. That was not received until 20 May 2020, and it was on that basis that the Northern Ireland Executive and DAERA were able to move forward. The programme of work began with a red/amber delivery status rating, and, within weeks, it moved to a red rating. That meant that it was, in effect, not possible to deliver the original programme for two reasons: first, there was a live negotiation process under way between the UK and EU; and, secondly, the scale of what we were trying to achieve was too great.

Specifically, in seven months we were seeking to deliver the people, processes, information technology and infrastructure that are necessary to conduct SPS checks as specified in EU legislation and specifically our obligations under the official controls regulation of the official controls regulation (OCR), which is built into UK/Westminster law. That is what is driving this. Since it was not possible to deliver the full programme of infrastructure by that date, we put in place contingency arrangements involving all the elements that I mentioned; that is, people, processes, information technology and temporary infrastructure.

At this point, I pay tribute to everybody who is involved in what has been a monumental programme of work. It has taken, frankly, everything we have to deliver. The people who have been at the heart of the programme put every ounce of their personal effort into it and, in some cases, I have to say, their well-being. I count in that the people who are on the call today and the gentleman to my right. People have done absolutely everything in their power to get this to work. Through that, they met the objectives in what was, hopefully, a once-in-a-lifetime global pandemic, as if we did not have enough to deal with.

I also thank our partners who have worked closely with us throughout this process, in particular the Food Standards Agency (FSA) in Northern Ireland, the councils, HMRC, Border Force and the Police Service of Northern Ireland (PSNI), as well as a number of key Departments, not least DEFRA, whose officials have consistently worked with us throughout. I especially thank all the business representatives who have worked so closely with us since the beginning of this process — you have probably had a flavour of that — and we have continuous engagement with them.

While there have, inevitably, been teething problems — nobody expected otherwise — the effort to get to this point has been an excellent example of partnership working. We will not shy away from the problems, which include general problems and problems arising from our piece of this big jigsaw.

My message to you is that, as we warned last year, this will be a bumpy process. I think it was Robert who first said that. That has been the case, but we will work continuously to improve the service over the coming weeks and months where it is in our control.

To set our evidence in context, it is important to look again at the elements of the process. There are three stages in the SPS checking process. Those are documentary, identity and physical checks. As we speak, we have a team in Larne undertaking the documentary checks remotely. They are doing that on a 24-hour, seven-day-a-week basis and are clearly supplementing their training with additional learning on the job.

We have people in place in Cairnryan, Birkenhead and Heysham ready to undertake identity checks using seals placed on the freight units. In a moment, I will update you on how that is going. For physical checks, we have very high-quality temporary facilities in place, and those were handed over to Veterinary Service colleagues for use in physical checks ahead of the 1 January 2021 deadline. That was over a matter of weeks, so to give you a sense of what has gone into this, I have to give full credit to people for that. Initial staff rotas are filled, and colleagues are working well together.

When we updated you before the holidays, we made it clear that, while the elements were in place, the major challenge was in ensuring that they all work together as one coherent system. I am pleased to say that that is happening. It is certainly so in the areas of work that we are controlling. I have been very impressed by the way that people have come together and demonstrated their professionalism. Furthermore, the IT systems in Northern Ireland are working well, given the very short timescale that we have had to develop and implement them. There are of course, minor glitches, which you would expect, but I have to say that even our local common health entry document inspection platform (CHIP) system, which works along with TRACES, is working well.

In line with the Chief Veterinary Officer's compliance protocol, the intention was to provide some space for businesses to come to terms with the new arrangements. The intention was to do the documentary and seal checks to confirm the identity of the consignments. If there was a failure to comply, we would provide businesses with some advice and a compliance note. As you have heard, a lot of advice has been given. Frankly, it has been more than advice; we have been helping people to do some of their paperwork. That is basically what has happened. Robert will talk in more detail about what has happened to date, but, essentially, due to the uncertainty arising from the negotiation process and the extremely short period between the final agreement and going live, businesses were not prepared as well as they would have wished. That meant that we could not carry out all documentary checks electronically, pre-notifications were not happening to the required degree and seals were not routinely in place to be checked.

That, in turn, meant that we had some challenges relating to COVID-19 safety requirements in light of the need to use paper documentation and manual workarounds. It also meant that identity checks could not happen in GB ports in the way that we had hoped. Those teething problems have also been affected by a delay in the delivery of HMRC systems. I think that you have heard about some of that already, and there was a lot of discussion about the Trader Support Service (TSS). It means that we have had to improvise a way to identify freight units from the ship's manifest before the arrival of the units into Northern Ireland. The idea was to identify any relevant vehicles and direct them to our point-of-entry facilities. There, we could do a quick check — most are quick — of the paperwork and a short identify check. However, the low level of compliance in the provision of basic paperwork meant that, initially, there was a need to check larger volumes of materials.

Are we necessarily surprised or alarmed by any of that? No. We knew that it would take some time for businesses to adjust to the new requirements; indeed, when I came to the Committee on 5 November, I made it clear that the paperwork would need to be produced in GB and that there would need to be support for that.

The systems that we have put in place are fundamentally sound. When businesses make the necessary adjustments to their routines, it will make life easier for us. Remember that I am talking about SPS: there is a wider business issue that is primarily about trade and compliance with HMRC protocols. We have been very heartened by the constructive responses of businesses, which have, on the whole, been happy to work with us. Those businesses have significantly improved their compliance, even in the short time that we have been up and running, which, in turn, means that we are able to stop fewer vehicles by using a risk-managed approach, and, indeed, we are doing that. It is important to note that, as of this point in time, we have undertaken very few physical checks on goods, concentrating instead on facilitating traders to put in place pre-notification and completion of the necessary certification. That reflects our desire to meet the joint objectives of keeping trade moving while complying with the law.

Many of those issues will be ironed out quickly. It is, therefore, our intention to move to a position where freight units can travel with as little friction as possible. However, there are some significant issues that will not be as easy to address in the short term, and, together with the UK Government, that will need to be a focus for us in the coming months. Those include, first, the complexity of logistic change, particularly the impact of customs arrangements operating through Dublin and moving to GB and vice versa. Secondly, there are difficulties for hauliers in the certification and sealing of groupage loads in GB. Again, you heard about some of that. We are working closely with them — again, that is as far as we can — on operational arrangements. However, as I think you heard this morning, there

are other things that can be done outside of that. Thirdly, there is the need to prepare for the end of the three-month grace period, when supermarket consignments will be subject to the full SPS checking regime.

In summary, there has been a monumental effort by many people in DAERA, the business community and a range of public-sector bodies. I am very proud of the team and the work that they have put in for the people of Northern Ireland. There have been short-term teething problems, as we expected. Those are being resolved as we speak, as far as we can resolve them. Businesses are adjusting rapidly to the new requirements and deserve huge credit for that. They are doing that in partnership with us; in fact, after this session, we have another one of our information sessions with businesses. The last that I heard was that 360 people are signed up to it. However, the heavy lifting must now happen in GB, as, I think, you heard this morning.

If you do not mind, Chair, I will hand over to Robert, who can give you a brief update on the numbers. Before I do, I just want to say that we really have done our bit. People have gone so far above and beyond the call of duty that I cannot praise them enough for it. That is not to say that it will be perfect, but they have done that. Robert can talk you through where we are with the process and the numbers. Robert, over to you. Sorry, Chair: with your permission, if that is OK, I will hand over to Robert.

Mr Robert Huey (Department of Agriculture, Environment and Rural Affairs): Thanks, secretary. My colleagues will look to the stars when I repeat my favourite quotation, which is from General Helmuth von Moltke, a Prussian general, who said that no plan ever survived first contact with the enemy. We had a plan, and it did not survive first contact with the enemy in this case. Our plan was heavily based on pre-notification so that we would know what was coming and, on the basis of that pre-notification and sealing of containers, checks being carried out in GB and us being able to select a number for physical checks in Northern Ireland. That did not even get started because a very high percentage of traders were not able to or did not know how to pre-notify. On day one, 1 January, we had to dump the plan and go back to the more traditional method of going through the manifest to identify likely SPS goods. We had to pull those lorries off the ramp, go through with the drivers, consignors and consignees of those consignments the process of pre-notifying, getting the paperwork right and letting them go as quickly as possible. We have been more or less doing that this week, and that is what we expected, to some extent.

I have produced a compliance document that is on the internet for everyone to see. It sets out that, for the first week, we would not enforce rigorously. I did not think that the support that the industry would need from us would be as extensive as it has been. However, my staff have been identifying goods on the manifest, selecting them — not all of them, by any means — and working with traders in order to get their systems in place. That has not been difficult, because the traders have wanted and welcomed our help. We have had workshops with small groups of particular types of trader. We have worked with the supermarkets and their agents, because a lot of traders, like people in the agro-industry and folks like that, work through agents. Over the last two or three days in particular, we have worked with the hauliers, whom you heard about this morning, and tried to deal with their issues. Across the hauliers, there is a vast range of models that they work to.

Have we made progress? I think that we have, and the level of compliance has gradually increased over the week. When will we start regulating and bringing in controls properly? That was planned for tomorrow. I will need to have another think about how we now move on to the controls properly, that is the identity, documentary and physical checks. That will be gradual, because people are able to comply at different speeds. Obviously, if someone has come through the port several times, has been talked through the process several times and chooses not to comply, they would seem to be someone who needs robust action to be taken. However, if someone turns up for the first time, such as a sole trader who has not been trading yet, that would be a different story.

One of the difficulties all along with planning the project was that our data was very poor. We did not really know what to expect on day one. However, we knew that 1 January, being a public holiday, would not be representative of what was coming. People had already stockpiled some product in Northern Ireland; others had put off moving goods. For example, we have had no animals yet, and I do not expect any animals for a week or two because people are waiting to see what happens and how the processes shake out. Our first animals are some chicks that are coming in tomorrow or today — I forget which day.

The up-to-date figures show that yesterday we checked 101 retail vehicles and 32 non-retail vehicles. Day one was an odd day; we did only 40 or so vehicles. On day two, we did 82 retail vehicles and 7 non-retail vehicles. You can see that we are getting through a higher percentage, but, at the same

time, there are more vehicles coming through the ports now, and I expect that that will increase again next week.

Staff are gradually getting to a position where there is sufficient compliance across the industry. We can start going back to the original plan, and that will start tomorrow. Today, the staff in Cairnryan who do the seal checks are finding that they can do that. We did more training with them yesterday to make sure that staff were ready to go today, and that is happening today. As the secretary said, documentary checks are going well, and a team of admin staff in Larne are doing that job. The pieces are coming together. It is just a matter of time and of giving the industry time to adjust to this monumental change.

The Chairperson (Mr McAleer): Thank you very much. It is important to say that we appreciate the staff. We do not underestimate the amount of work that you guys have personally put in and the way that you have been working above and beyond the call of duty to get us prepared for what you, Robert, described as "monumental change".

Obviously, full, rigorous enforcement has not kicked in on the checks yet. I noted from one of the reports that six out of 15 vehicles coming off a ferry were taken through the control post. Are you confident that, when the full flow of trade commences later this month, the Department's systems are ready to absorb that and to handle the increased trade?

Mr Huey: If we were trying to do what we are trying to do now, no, but I am confident that, with the level of compliance that we are getting to now, we will be able to go back to our original plan. There are reasons why companies want to comply. I made it clear that, if retailers in particular have pre-notified, have a retail cert on the system and have a seat in the vehicle, that is it — drive on. There are no other checks required, at least at this early stage. I may have to do the very occasional physical check at some stage, but, as far as I am concerned, if retailers have pre-notified us, allowing us to check the certificate online — that is the so-called common health entry document (CHED) — and there is a seal that ties the certificate to the goods so that I do not have to do an identity check, there is no friction. We will do that seal check in Cairnryan, Heysham or Liverpool, and the vehicle can drive on. That immediately takes away half the volume, if the retail is done properly.

I am not underestimating the difficulties that haulage has, and that is why we have been putting an awful lot of time into it. There are an awful lot of different models. For the small one- or two-lorry organisations that make their living out of going from 12 pick-ups and three deliveries of six or seven different commodities, it is a very, very difficult model. By working with them, those companies will come up with the answers, and we are helping them to address and mitigate the risks. The big companies almost have a different challenge with the volumes, but they have the infrastructure, which you heard about, to set up hubs that can move stuff as single consignments with the right certification.

There is an issue with veterinary capacity to carry out the certification, but having spoken to some veterinary suppliers, I think that the market will look after that. Remember that the certification in GB is supported by the movement assistance scheme (MAS), so the veterinarian carrying out the certification can apply straight to the scheme to be paid and does not charge the operator or the trader; they charge government directly for the costs of doing the certification. There is no administration for the business that is involved in that, to my understanding.

Do not underestimate any of the challenges that are still ahead of us. We have climbed a fair mountain this week. With the industry, we have made great progress towards compliance. Some of the systems on my side are not that complicated, but it presents a considerable challenge when you lay the customs/HMRC processes on top of them. We work in silos, to some extent, in government. I am confident in what I am doing. Although we are working with HMRC and Border Force on the ground, I cannot speak eloquently about HMRC and Border Force processes, which seem unbelievably complex to me.

The Chairperson (Mr McAleer): I want to ask another question before I move to other members around the room. You said that a very high percentage of traders did not pre-notify. I think that that tallies with what was said to us previously by the Brexit working group and the hauliers. It looks to me that the Trader Support Service did not do its job. It has been a disaster in Britain. There has been no proper preparation in Britain by the Trader Support Service to get shops and retail outlets ready. It looks to me that DAERA is paying the price for that in having to absorb the extra work, and that is an extra stress on your system. Fair play to you for being able to handle it.

Robert, you said that the rigorous enforcement regime was to kick in this week but that that may need to be reviewed. Obviously, it is important that we protect the integrity of the single market and our place within it. Moreover, EU officials are present to monitor the situation. What precise flexibility do you have with the enforcement regime until businesses and retail adjust to the new arrangements?

Mr Huey: Legally, I have none; operationally, I have some. That has come about by the way in which we have done this in that we have never said that it will be perfect from day one. That was precisely what my compliance protocol was for. It was so that everybody, including the EU, would be aware of the approach that we were taking. You have heard me use the words "sensitive", "pragmatic" and "sensible" when it comes to enforcement. That does not mean no enforcement, and do not let anybody think that it does. It means that we will enforce where it is appropriate to do so. There have been no physical checks yet, and no containers have been sent back yet, but I am certain that that will happen and that a huge kerfuffle will be made in the press when it does. To be absolutely clear, we have not sent anything back yet. One or two have gone back because they decided to, and that was a commercial decision, but we have not sent anybody back.

We are taking the time — sometimes it takes an inordinate amount of time — to work through the consignment with the operator in the process and get them onto the system and pre-notified. We get them a certificate, tell them how to get it and how to fill it out. We take them through the detail. I have a member of staff who has literally sat with supermarkets and with others and filled in their form for them to show them how to do it. For example, one of the supermarkets initially was taking 10 minutes to fill in a common health entry document, but, by the time he was finished with it, the supermarket was doing them in three. It is difficult. It is like filling in any form: you have to know what goes in what box, but, once you have done it, it is a repeat process and is doable. Once you know what you are doing, you can fill in a CHED in three minutes. That does not sound like onerous bureaucracy to me. That is all I want you to do: pre-notify and fill in part 1 of the CHED, stick a seal on the back of the lorry and get your certificate signed. That is what we are asking for, and we will do it.

The full enforcement regime will come in gradually; it will probably start from tomorrow. That does not mean that anybody will come back from tomorrow, but we will start winding it up. I have two objectives — it is good to have objectives because you can keep your eye on them — to keep the law and to keep stuff moving. Both are equally important. We have to keep food and goods and raw materials flowing into Northern Ireland, not just to keep food on shelves but to keep industry working and to keep raw materials flowing, and that is what we have been trying to do.

The Chairperson (Mr McAleer): Thank you, Robert. We will now move to Maurice. Maurice, can you hear us?

Mr M Bradley: Yes. Sorry, Chair.

The Chairperson (Mr McAleer): OK, Maurice. Go ahead.

Mr M Bradley: Thanks very much, gentlemen, for that very detailed brief; it complements what we have already heard and raises many issues. I offer my congratulations to the entire team on dealing with an extremely onerous workload to ensure a workable transition. As has been mentioned, there are quite a few bumps on the road. Systems seem to be efficiently in place on the Northern Ireland side regarding document identity and physical checks, but there seems to be a lack of urgency on the mainland to complement the efforts and diligence of the DAERA officials on this side of the Irish Sea. Like everyone present today, I am disappointed that there seems to be a lack of equal commitment on the mainland side. That is a disappointment, and, no doubt, we will hear more from our DAERA officials on progress in the coming weeks.

Robert made reference to little movement in to Northern Ireland in regard to livestock, but I will ask about pet passports. I have had a lot of queries from pet owners. There now seems to be a requirement for dogs travelling between Northern Ireland and GB to have a pet passport at a cost of £120 per dog. I have also been advised that any dog returning to NI from GB needs to have its passport stamped to prove that it has received its tapeworm vaccination, which needs to be administered by a vet in GB before returning to Northern Ireland. That creates extra expense not just for the pet passport but for vaccination and the time required to get a vet to administer the vaccination. Can that be addressed in future negotiations?

Mr Huey: That is an issue that we have known about for some years. Last year, when we were looking at a land border, we worried about the movement of pets on the island of Ireland and the

disruption that that would cause. This is one of the issues that were discussed in negotiations. It has been dealt with at a technical level by myself and my colleagues. We got nowhere, despite lots of false dawns and thinking that we would get to a good place on it. In fact, when it came to listing GB, which is the important thing, under the pets legislation, we did not get list 1, which we thought we could justifiably get; we got list 2, which, basically, meant that the full gamut of the pets requirements fell on Great Britain.

What do we have? We have freedom of movement of pets on the island of Ireland, and we have free movement of pets from Northern Ireland to GB. However, we have the full gamut of requirements between GB and Northern Ireland, which involves vaccination, a tapeworm tablet every time you travel and an animal health certificate from a vet, rather than a pet passport, every time you want to move. It is onerous, expensive and, in my view, unnecessary. I have to keep a law to which my Minister has voiced vocal opposition. He has written to Secretary of State Eustice in London and to the EU about it. We will continue to work on it.

We have a hope on these islands for a common travel area for pets, as we have for people. However, I can hold out no prospect that that will happen very soon and that these onerous requirements will be wiped away. Article 16 of the pets legislation allows for freedom of movement of pets, for example, between Norway, which is an EEA country, and Sweden, and between other small countries such as Andorra and its neighbours, Spain and France. Therefore there is a model to consider.

The fact that we do not have rabies on these islands and that Ireland is free from the echinococcus multilocularis parasite should make that doable, but I am afraid that it is in the hands of the political world; it will have to be dealt with through the political process. I am hopeful that that will happen, but it will not happen soon.

In my protocol I say that we will not implement enforcement until 1 February in order to give people a chance to get ready. I was concerned about people who had taken their pet to GB over the Christmas period and could not get back. Like others, I was concerned about the problems with guide dogs and wider assistance dogs and about puppy walking in Northern Ireland for the guide dog associations. All of those are issues that we need to deal with, and we have been talking to the interested groups for some time to find a solution.

At an operational level, I had hoped to find some room for pragmatism, but the legislation is written in a very black-and-white way so I cannot find any wiggle room at all. Therefore, I have no alternative but to enforce this legislation. However, we will, as far as we can, do so sensitively, pragmatically and sensibly. I am not happy with the situation that we find ourselves in, my Minister is not happy with the situation that we find ourselves in, and we will be doing all that we can to mitigate the problem. However, I do not want to give anyone the impression that this is easy; this is European legislation.

Mr M Bradley: Thank you very much for that, Robert. I have heard a lot of talk recently about Britain failing in the negotiations, but in any negotiations there are two sides and one side is as guilty or innocent as the other. So, I would bear in mind that it is EU regulation that has introduced this here. Thank you very much for that very comprehensive answer, Robert.

Mr Irwin: Robert gave a very wide answer. I too have been approached about the issue of gun dogs going to England for shoots, for example. Is it right that they have to get a permit costing £120 before they leave, or do they have to get the permit on return? I am not clear on that.

Mr Huey: They can get there OK; coming back is the problem.

Mr Irwin: Yes.

Mr Huey: There will have to be some thinking about how that can be done: for example, getting all the members of a gun club permits at the same time so that the process is as streamlined as possible. We are talking about new processes and challenges, and this is a new one. I hope that we can work with the various canine groups. There are people who go to GB for other sporting purposes, for canine events and for shows; it is important to them, and it is a key part of their social fabric, so we need to find ways round this. However, I have to be realistic and say that I do not see a solution in weeks or months.

Mr Irwin: That is unfortunate. It just seems crazy to the average person.

We know that there is free movement of goods and produce from here into the mainland at the moment, so there are no issues with that. With regard to goods entering Northern Ireland from the UK, if people have their paperwork in place, who decides what is checked or what checks there will be?

Mr Huey: These are the official controls regulation.

Dr McMahon: I knew that we were going to see the OCR.

Mr Huey: This is the official controls regulation; there is a lot of detail in it. Part of that detail is a table laying out for you, in excruciating detail, the checks that you have to do for each commodity. Live animals require 100% of checks, and there are other groups of commodities that require 30% of checks, such as, for example, red meat, and then there are some that require only 1% of checks. We have an electronic system called CHIP that is programmed with these frequencies, and it does a random selection of the checks to be done. With live animals, it is easy, as they all have to be checked, but, with other commodities, it does fewer checks.

One of the flexibilities in the legislation that the Commission explained to us — I have to say that Commission has helped us with finding flexibility — is that, on the basis of a risk assessment, you can deviate from the levels of checks laid out in legislation. That is what we have done with supermarket goods. We have had a comprehensive risk assessment carried out by an experienced person in the Department for Environment, Food and Rural Affairs (DEFRA). I will name her: Helen Roberts, who is well respected by the EU, did it for us. On the basis of that risk assessment, I can deviate way below the 1%. It is my intention to do that with supermarket goods, even after the various periods of the declaration, because, if the consignor has designated that they are all EU eligible, there is no risk to the single market or to public, plant or animal health. To summarise, you can deviate upwards and downwards from the frequencies laid down in legislation. The selection is random, so no one can feel picked on.

Mr Irwin: I did not say it at the start, but I want to thank you. I know that you have faced a nightmare scenario, and I understand that a lot of hard work has been put into it.

You said that nothing had been sent back to England yet.

Mr Huey: No.

Mr Irwin: Well, that is good. What is the situation with goods that were in transit over the new year, for example those that left England on the Saturday after or the Thursday before New Year's Day?

Mr Huey: If you arrive after 11.00 pm on the 31st, you are subject to full checks. Having said that, we were taking our pragmatic view. There were vehicles whose drivers we asked to sort out their paperwork because they had misunderstood and thought that they were OK as long as they left GB. No, it is when you arrive.

Mr Irwin: I had one such situation; maybe you are aware of that.

Mr Huey: I am aware of almost all of them [*Laughter.*] My deputy, Brian Doohar, got together with that group of traders on the Saturday night. They were feeling upset, not particularly with us but with third-party companies that they had expected to do the paperwork for them. They had been let down because the paperwork had not been done. It is just part of the complexity of this thing. As I said, one of the ways of getting round the paperwork is to get a third party to do it for you, classically a customs agent who then does the sanitary and phytosanitary paperwork as well. However, if they get overwhelmed, as I think some have been, that causes me problems because the CHEDs have not been completed.

Mrs Barton: Thank you, gentlemen, for all the work that you have done. I know that it is a mammoth task to come to terms with this and get us all going. I have had quite a lot of communications in relation to dogs, including concerns about the overmedication of dogs. Many foot passengers move back and forth to Scotland quite often bringing their wee dog over for the weekend, and there is a problem with bringing the dog back.

Mr Huey: This concern about overmedication and unnecessary medication is one that I first heard from my veterinary colleagues when they met the Minister. In one of my other priorities, antimicrobial

resistance and anti-parasite resistance, I am trying to encourage livestock farmers, equine owners and pet owners not to overmedicate or unnecessarily medicate their animals, and here we are vaccinating animals for a disease that they do not have and putting in an anti-parasite drug for a parasite that we do not have.

I started by saying that I have difficulties with that, particularly as the person who has to enforce it. All I can do is reassure you that this is not just words; we will do everything that we can to mitigate the effects and find a resolution, and we are looking at how to do that, particularly with my Chief Veterinary Officer colleagues in London and Dublin. They are well aware of the issue and wish to find an answer. My understanding is that there is a legislative way in which an answer could be found, which is through the EU legislation. You can look at article 16, if you are sad enough to read my protocol *[Laughter.]*

Mrs Barton: When we were in the EU, we were always told that they were concerned about the welfare and movement of animals, but here we have a welfare issue that needs to be addressed.

Mr Huey: In negotiations so far, when it comes to those issues, we have not yet been able to get past the fact that the UK chose to leave the EU and was aware of the consequences when it did so. This is one of them. That is the opening remark in virtually any conversations about the difficulties that we are facing. That day will pass quite quickly and, then, as technical people, we can get down to talking about technical problems.

My firm conclusion is that some issues can only be solved at a political level. However, there is a lot that can be done when technical people get together and talk common sense. I hope that that is how things will be done. These are not strange people whom we are talking to; they are fellow veterinarians who understand the issues and understand our language.

Mrs Barton: What would the difference have been had we been included on list 1? You mentioned list 1 and list 2 and we are in list 2. What would the difference have been in relation to pets had we been included in list 1?

Mr Huey: You would still need vaccination, but there would be more flexibility with the paperwork. Your passport would have done instead of having to get an animal health certificate and have the animal wormed every time. There would be more flexibility. It may be that we will have to go stepwise and try to get part 1 first to make it easier before we can get to my, and the Minister's, ultimate objective, which is a common travel area, so that there is no ambiguity and people can move their pets around these islands.

Mrs Barton: That leads me on to one more question. Many people have asked me whether they can bring their dog across to the beach in the South.

Mr Huey: You have not had as many queries as I have had, Rosemary *[Laughter.]*

Mrs Barton: There is no problem, then, bringing dogs into the South.

Mr Huey: None at all.

Mrs Barton: None at all — and bringing them home the same evening after a couple of hours.

Mr Huey: You can go to Dunfanaghy and walk on the beach. That is not a problem.

Mrs Barton: Thank you.

Mr Huey: I will say it again, just to be clear: there is free movement of pets on the island of Ireland and free movement from Northern Ireland to GB. The only place where we have a fetter, to use the language, is between GB and Northern Ireland.

Dr McMahon: May I add something generally? While we are referring, for example, to EU regulations and their various elements, it is important to say that the rationale for doing the programme — we talked about it in previous Committee meetings, but it is worth repeating — is that those things are built into UK law. The official controls regulation, from which Robert quoted, is UK law. It becomes part

of it. I just wanted to say that in case those listening get the impression that we are making it up as we go along or just doing it because it is in the EU regulations.

Mr Harvey: Thank you, everyone. I could not go without saying how much I appreciate all that you have done. You and your team have more than gone the extra mile; you have really excelled. Robert said that it would be a bumpy ride, and there is no doubt that it has been. That is because other people have not done their job to the extent that they should have, which has made your lives more difficult. You have been lenient in a few things, and, when that gets tightened up, it will get better.

May I ask about dogs? I know that everybody is talking about dogs today. We have pets, show dogs, gun dogs — all sorts — but the one that gets me is assistance dogs. Is there any leniency there or distinction being made? Is no allowance made for them? Blind people cannot do without them and should not be penalised.

Dr McMahon: I will hand over to Robert who will talk about that. I must say that it is something that really exercises our Minister. I will just say that very straight.

Mr Huey: I emphasise that we have been dealing with the assistance dog community for some weeks. Once it became clear what the legislation said, and what we were going to have to do, we met with it over Christmas. We will find a way around or through this. I have to try to balance what the law says with what the assistance dog community requires. We are actively working on that. All that I will say is that no genuine assistance dog will be turned back. We will find a way of doing that.

Mr Harvey: Good.

Mr Huey: I do not want to say much more, because I would be admitting to breaking the law, so I will not go there. There are all sorts of assistance dogs. There are animals that help people with their stress levels and that sort of stuff. I will not buy everything being an assistance dog; I have some integrity in this thing. A genuine assistance dog will not be turned back, however. We will find a way to deal with this.

Mr Harvey: That is great news. As you know, dogs are people's eyes at times. I appreciate that answer.

Mr McGlone: Thanks very much to all the officials for the work that they have done in the circumstances that they have been landed with. I will pick up on Harry's point about guide dogs. I have been contacted about a particular issue, and I think that the Committee has been contacted about it too. It is the issue of guide dog pups — there is a particular name for them — coming from GB to here. I do not know how that is covered.

I have also been contacted by the British Association for Shooting and Conservation (BASC). One of its members has been in touch. He goes to Scotland and places like that to do a bit of shooting, and he brings with him five dogs. That could cost him £120 a dog, which is pretty expensive. Can you expand a bit further on this for me, Robert? Do dogs coming back to Northern Ireland have to have rabies vaccinations? Do they have to be 12 weeks old prior to any vaccination? Are tapeworm treatments factored in as well? I ask you because you are the expert in all these things. I am trying to get my head around this stuff.

Mr Huey: There is a requirement for a current valid vaccination. This is off the top of my head, but let us say that the vaccine lasts a year. If you are travelling three or four times a year, you do not need a vaccine each time, just need a current vaccination. Each time, however, you need a tapeworm tablet and an animal health certificate, which will cost. If dogs are travelling with a shooting party, I am sure that someone in the group will be able to do a group negotiation with the vet who is carrying out the work to get the price down a bit. That would make sense.

I find myself saying, "The rules is the rules", and that is where we are at until we get some legislative change or status change. If we could at least get to part 1, as we talked about earlier, that would get rid of the requirement for an animal health certificate each time. That is our first objective, and then we have a longer-term objective of having a more pragmatic, sensible regime.

Mr McGlone: Are you getting positive vibes about that? Are you hopeful? We use that word "transition" from one to the other.

Mr Huey: I have got positive vibes from the Chief Veterinary Officers on these islands. The matter has not yet been raised in detail with technical experts in the EU, beyond what happened in the negotiations. That is still to come. I suspect, however, that that will be a difficult and protracted argument, because it would be a derogation from a rule and from the norm, and that is why I keep coming back to article 16. There is something in the European legislation that allows for the freedom of movement of dogs; for example, you do not have to vaccinate your dog to move between Italy and the Vatican City or between France and Andorra. There is a precedent, and, where there is a precedent, it is easier to find a way through when speaking with the Commission. It will not take weeks and probably not months. It could take a while.

Mr McGlone: OK. Thanks for that. I have two more queries that may be related. About two months ago, I asked what sort of tick-tacking or collaboration was happening among the Department, HMRC and the Trader Support Service. Seamus Leheny told us that there are some experienced people in the Trader Support Service and others with less experience. It seems that some of the people who have been in touch with me got the ones with less experience. Those are people with good, successful businesses, but there seems to be a void there. As I said, I raised that issue two months ago, so I am interested in getting an update. Following on from that, can you advise me whether there is a physical Trader Support Service presence on hand at the ports to guide people through the process or a hotline between the ports and the Trader Support Service to negotiate through, clarify and work out any problems?

Finally — this may be for HMRC — a business that trades on an all-Ireland basis has contacted me and wants to know the legal definition of what are at-risk goods and what goods are not at risk. Can a clear definition be obtained?

I thank everyone at DAERA. I am getting good reports about your officials.

Dr McMahon: Thank you very much. First, we have had continuous contact with HMRC through the programme team as it developed the process. I chaired regular reference group meetings, and we invited HMRC to those as well. HMRC has also been at some of the stakeholder engagement events that we have run. We have therefore continuously engaged with HMRC. We had some concerns coming up to Christmas about whether HMRC's systems would be ready enough for what we needed. We wrote to HMRC and got back a response, and it is clear that there are some things that are not working as well for it as it wants. There is no doubt about that.

It is not unlike our experience, in that you have to hear these things at first hand from businesses to understand just how the process is working. It is one thing for people to say, "We will do this and that": once those things come into contact with the real world, you soon find out how they work. We have been getting quite a bit of feedback, not just today, and we will feed that back through various routes to HMRC colleagues.

Robert may want to talk about the actual presence at the ports. You mentioned a company that is working on an all-island basis and asking what is an at-risk good: Norman might want to comment on that.

Mr Huey: At an operational level, a Border Force representative attends the daily stocktake every morning so that we can try to snag any problems that we have between us. Our biggest issue, as I have said to you before, is that we rely heavily on HMRC systems to control freight moving through the port. It is HMRC that, in general, controls the freight within the portal. The portal surrounds both sides and then releases on our behalf the consignment at the end.

The ICT systems to allow that to happen are late in delivery. I have to say that I underestimated just how dependent we were on HMRC systems to manage the freight through the port. Normally, when we identify a consignment that we want to look at, the HMRC systems will flag that consignment to the driver and to us. That was not in place, and hence I had people in yellow jackets at the bottom of ramps. That works, but it is not streamlined and is not what we want to do. We look forward to those systems being in place.

The working coordination and cooperation at an operational level has been very good and very close, and we have been managing issues as they arise.

Dr McMahon: I will ask Norman to touch on the at-risk goods.

Mr Norman Fulton (Department of Agriculture, Environment and Rural Affairs): When it comes to at-risk goods, we are potentially getting into complex territory. If we are talking about a business that is trading on the island of Ireland — North/South and South/North — there are no issues; that is completely free and unfettered movement. If we are talking about products coming in from GB to Northern Ireland only, that is where the at-risk issue may arise. The scope of all of that is now very much narrower, given that there is a zero-tariff, zero-quota trade deal between the UK and the EU. A lot of goods can therefore move between the UK and Ireland tariff-free, but not all, so we are not looking at a complete zero-tariff picture.

That takes us into the complex area of rules of origin: where the product or even indeed the ingredients in the product are sourced and whether they come from a third country, wholly originate within the UK or are from the EU. We start to get into complex territory there. It very much depends on individuals and on what they are trading and where they are trading it. It is not an issue on which I can give a blanket answer, as it very much depends on individual circumstances.

It should be a relatively narrow range of *[Inaudible]* goods that would be affected by a potential tariff. We are talking about a potential tariff issue.

Mr McGlone: Thanks very much for that, Norman. Is there a link or whatever that I could share with that gentleman, because he may not be able to get the clarity that he requires for his business. If I could get that, it would be very helpful.

I wish to go back to the issue of the ports. Robert referred to some sort of coordination being done every morning with Border Force. In the event of an issue arising, I presume that there are no HMRC officials present at the ports, other than if they come in to do checks now and again. Where a potential situation arises, is there a hotline available so that clarification can be obtained from HMRC or the Trader Support Service? Is a hotline available to them right through the hours that the ports are operational so that any issue that might need to be rectified does not have to wait until the next morning but can instead be done via some mechanism between DAERA and HMRC or the Trader Support Service?

Mr Huey: Again, to clarify, that is just our stocktake in the morning. There are Border Force staff at Larne port and Belfast port. I am not sure whether there is a permanent presence in Warrenpoint. We work very closely together on the operational issues. There are therefore Border Force staff at the ports carrying out their particular checks.

Dr McMahon: On the link through to HMRC, my expectation was that the hotline was to the TSS. Norman may have something more up to date to say on that. Do you have anything that you want to add, Norman?

Mr Fulton: The TSS is the consortium that has been contracted to provide the advisory service. I cannot tell you whether it is a 24/7 line, but the TSS is certainly the first port of call for seeking advice and information.

Dr McMahon: We are very happy to follow up on that. It is a really good query. It is not that we have not been hearing the feedback. We have been hearing a lot, but it tends to meld together because there is so much happening at this time. Having heard the feedback this morning and your question, I think that it would be good for us to follow up on it. I will write to colleagues in HMRC to make sure that, if there are alternatives that we can use, we use them. At the minute, however, the helpline is through the TSS.

Mr McGlone: OK. Thanks very much for that, Denis.

Ms Bailey: Thank you to everybody for your answers and updates so far. I commend the whole team. There is nobody on the Committee who has not seen the work that you are putting in, so thank you for that, and for the updates that you have been giving to the Committee. I know that you have probably had no holidays and that there is no respite in sight just yet, but it is good to hear that Robert is at least getting good vibes from somewhere for the minute.

I want to touch on a few wee issues that may not have been looked at or addressed yet. First, I know that a lot of the SIs, SRs and stuff that were going through in that big legislative framework timetable

were to ensure a functioning rule book. Are you content that we have a functioning rule book at the minute?

Dr McMahon: Yes is the straightforward answer. Something may come up, however, as there are one or two issues that are not as perfect as we would like. For example, legislative references are not as up to date as they could be. Have we the basic rule book in place to be able to do what we need to do, however? The answer is yes, unless my colleagues want to correct me because they have found out something in the last 24 hours. Even in our meeting this morning, nothing came up. The simple answer therefore is yes, but I will just check with Norman, Robert and David, who is also online.

Mr Huey: We are OK in the Veterinary Service animal health group.

Mr Fulton: I do not think that there is anything that I need to add to that, Denis.

Dr McMahon: And David? David Small? Sorry, if anything crops up from David, we will let you know.

The reason that I asked my colleagues that is because, even though we have these discussions every day, it is such a fast-moving situation that you might find that something has come up. I do not want to mislead the Committee, so, if anything comes up, we will certainly let you know.

Ms Bailey: Grand. Thank you. We have heard a lot about trade, traders and the flow of traffic. I want to ask you about people travelling. Have we had any issues arising from people travelling across the Irish Sea or across any borders?

Dr McMahon: Not that I am aware of.

Mr Huey: I am not aware of anything.

Dr McMahon: We are entirely focused on the SPS arrangements. I am not aware of anything, and I am not aware of anything being raised by colleagues across Departments at this point.

Ms Bailey: If you were listening in earlier, you will hopefully have heard Seamus Leheny raise the issue of facilities for drivers who are stopped and have to wait and even for those whose vehicles are just being checked. The time taken for checks is sometimes lengthy, but hopefully it will speed up with the passage of time. What infrastructure do we have? Will we need more? Are we planning to put facilities in place for drivers and others who are stopped?

Mr Huey: I heard him this morning, and I checked. We have facilities in Larne, at Redlands Road, and in Belfast, at Duncrue Street. Remember, though, that these are contingency plans and contingency facilities that we have. I know, because I asked, "What is that big block in the middle of the car park at the new facilities?", and the answer was, "That's the toilet block". I had wondered what it was. There will be more extensive facilities at the final premises, but we have toilets for drivers to use at Larne and Belfast. There was another bit to that question that I have dropped somewhere.

Ms Bailey: What about facilities for heat and comfort? Bathroom facilities are good to have, of course, but what about providing refreshments or just a space in which to stretch out?

Mr Huey: Sorry. I was told that, if lorry drivers find out that they are going to be held for a while, most of them just drop the lorry, disappear and come back to get it later. I was not sure whether we allowed them to do that, but we do.

Dr McMahon: It is also worth distinguishing that from some of the discussion around what is happening with lorries in GB, where they are waiting at the port, where there will be facilities. That is not our situation. In an ideal world, although we want to have those facilities as a backup, the intention is that, once this starts running in the way in which we want it to run, the documentary checks will be done remotely and the vast majority of the lorry ID checks will be done through seals. That will involve somebody looking at the seal in Cairnryan or wherever and saying, "Good to go". We will not see the lorries from that point. They will go on to the ferry and leave it at the other side. As Robert said, it will depend on the issues, but, at that point, ideally, the smaller the percentage that get pulled over for a physical check, the better. There is no comparison between the photographs taken so far and recent photographs from around Dover. We would not even want that many vehicles. In an ideal world, you would have very few vehicles sitting there: perhaps two to four a sailing. Again, we cannot guarantee

that, as a result of some of the points that Robert made earlier about the official controls regulation, but that is the aim.

Ms Bailey: There are two other issues that I want to address. We heard a lot about the fishing industry in the final few days and hours before the agreement was reached. Has there been any feedback from or engagement with our fishing sector so far? Have there been any impacts, negative or positive, from it?

Dr McMahon: I was hoping that David Small was on the call. Is he on the call today? Perhaps he is not on it. He was due to be on it, but that is OK. It is a blank screen, so maybe he is dealing with some fisheries issues at the minute.

In summary, it is helpful to raise the issue, because one of the issues was around the illegal, unreported and unregulated (IUU) regulation. That is a regulation around illegal catches that is about putting in catch certificates and regimes for the Northern Ireland fleet. The UK Government have developed a unilateral position on that and have written to the fishing industry here. We have not been applying all the requirements in the IUU at this stage. We have done that on the basis of legal advice, so we have to be content that there is enough of a grey area that we will not be doing enforcement on the IUU regulation. We will be happy to follow that up in writing to the Committee. I was hoping that David could talk in a little bit more detail about it today, but I am glad to have the opportunity to say that to the Committee. To be honest, had you not asked the question, I probably would have wanted to mention it at the end.

Ms Bailey: Have the domestic quotas for the Northern Ireland industry been confirmed? Is the sector content with them?

Dr McMahon: I do not have confirmation of that. All that I know at this stage is that there has been general feedback about the deal itself, but, again, we can follow that up in writing. It may be worth having a session about that on its own. I am sure that David would be happy to come back and do that.

Ms Bailey: I know that we are running over time, but I have one last quick question. It is about the avian flu outbreak that has been identified recently. One chicken farm had to be isolated. Is there any update on that? Do we have concerns that that will spread? What impact will that have? Is that another issue to be concerned about? Robert said that a consignment of chickens is coming in today. Are there any updates or concerns on that one?

Dr McMahon: I am glad that you asked that, because that is something that Robert would undoubtedly have mentioned before we left.

Mr Huey: It says something about the times that we are in that I declare high pathogenic avian influenza in Northern Ireland for the first time ever and it is a sub-note to this meeting. In different times, it would have been front and centre. It is a serious epizootic disease, and this is a major issue for the poultry industry. You will recall that GB has had this strain of high pathogenic avian influenza since the beginning of November. They have had 16 outbreaks there in a range of premises. We have had eight wild bird findings in Northern Ireland, many of them around the Bann valley, but this is the first time that it has been confirmed in commercial poultry in Northern Ireland.

It was detected on a family farm in Clough, between Ballymena and Ballymoney, in Antrim, initially by a private practitioner on 1 January. I asked not to get avian influenza until 2021, and they waited all of two hours. A total of 80,000 birds were destroyed on that farm this morning. It is a big shock for us all. Initially, it was found in young birds — in 16,000 14-week-old birds of layer breeders. There are clinical signs of nervousness and low mortality to start with, and then the mortality ramps up. On that holding, however, there are two other premises that are strongly associated. It is a family business with family members helping each other out in each other's houses. Across the road, there are 216,000 free-range layers of 70 to 74 weeks old and, then, about half a mile down the road, there is a house with 16,000 three- or four-week-old birds. They were all slaughtered this morning.

We have put 3 km and 10 km zones in place around that — a restricted zone and a surveillance zone. Within those areas, all movements of goods and poultry and people, to some extent, have to be licensed. Everything from the milk lorry to feed deliveries is licensed in order for us to be absolutely confident that we can keep the disease within that area. Yesterday, we confirmed that we had a second outbreak in Lisburn among 31,000 53-week-old layers, on the top of their lay type of thing. Those birds will be slaughtered tomorrow. Again, zones have been put in place.

As far as trade is concerned, it can continue from outside the 10 km zones within the EU and the UK. Third-country trade is dependent on specific conditions in the export licences, be that hatching eggs, table eggs or poultry meat or poultry products. It has significant consequences not just for the families involved but for the wider poultry industry. DAERA has a close working relationship with the entire poultry sector. We meet the sector regularly via the joys of Webex, and we keep it up to date with what we are doing. The plea is the same as it always is: it is about biosecurity. Biosecurity is about keeping contamination out of the houses and away from the poultry and other susceptible birds. It is as important for the people with five backyard chickens as it is for the people with 30,000 40,000, 50,000 or, in this case, 80,000 birds. So it is the same call as always for thinking through biosecurity. I have asked the companies to look again at it, because people can become complacent. People can think that they have good systems in place, but the systems are only as good as the man behind the wheelbarrow. I need them to check and make sure that what they think is happening is actually happening. Companies that have to go onto poultry farms to do their business, whether that is the collection of eggs or dead stock or delivering feed, need to redouble their efforts to ensure that everything is more than just OK and is as well as anyone can do it. We have another three months of this before the summer will, hopefully, take this virus away from us, but we have got through two months. You can surmise that the number of wildfowl has increased because of the cold weather in England this week. I do not know; I would need an ornithologist to help me with that. However, the risk is here in Northern Ireland, and we all have to do our bit to try to get on top of that.

Mr Blair: I am mindful that people arrived later than scheduled as the boat held them back, and I am mindful of the time. I want to add to the thanks expressed to the senior team and their respective business areas across the Department for their work, not just in recent weeks but in the last four and a half years, on these issues. We really are very grateful for your updates and hard work on this.

I want to follow up on a conversation earlier with our logistics and farming representatives. We had some discussion about the movement of goods from GB to ROI and into Northern Ireland and whether all avenues can be explored to find out if they can assist in supply chains. The phrase used was "a transit system that works". Are all avenues being explored to ensure that those routes can be used fully if required, and if it helps?

Dr McMahon: In general terms, we are working very closely with the industry, as we have said. We are looking at all options to improve the whole situation. There have been some proposals put forward in some of the meetings that Robert and his team have been having with the industry. Can you say anything more about that, Robert? Some of the comments made this morning reflect on what Robert has been doing.

Mr Huey: I will talk a little bit about SPS, and maybe Norman can help out with other details. A consignment in France that wants to come to the island of Ireland through either Cairnryan or Dublin can just drive straight through. It does not need an export health certificate, certification or a seal. You heard this morning that it is literally using Great Britain as a land bridge between the continent and here. Similarly, products of animal origin moving from Northern Ireland over the land bridge to Dublin and onwards require no documentation, sealing or anything else.

The difficulty is, as with many things, when coming the other way: products coming from GB to Northern Ireland through Dublin. As far as the Dublin authorities are concerned for SPS, they are entering the single market into Ireland, not Northern Ireland. Until they can verify that the goods are going to Northern Ireland, the Dublin they have to deal with the goods as if they were entering Southern Ireland rather than Northern Ireland, and that is what causes a lot of the difficulty. There are probably ways in which that can be mitigated for SPS, but that is my understanding of the position at the moment. Norman, can you add anything on HMRC and tariffs?

Mr Fulton: Yes. Ideally, on the journey from Northern Ireland through Dublin to GB, we would like the equivalent of the unfettered access that we have on the direct routes out of Belfast or Larne. That is where we would like to get to. The Minister wrote to his counterpart yesterday on the issue of trying to streamline, as much as possible, the processes through Dublin. That is effectively an unfettered access issue, and we need to try to see whether anything can be done there.

As for product coming from GB to Dublin to Northern Ireland, I know that there were discussions this morning about a transit mechanism. A transit mechanism is a means of holding over a potential tariff liability so that you do not pay it at the point of landing but, effectively, put it on a temporary hold, if you like, until you have moved on to your final destination, and you complete your customs processes at

your final destination. As I said earlier, we now have a free trade agreement between the UK and the EU. Therefore, the number of goods with a potential tariff issue is very much reduced, compared with what it might otherwise have been. There still could be some issues, depending on the rules of origin and the nature of the product or the good. A transit mechanism might still be relevant for a relatively small proportion of overall trade, and it could be put in place. Otherwise, you simply do your SPS, as you would do coming into Belfast, you do your customs, you clear the port and off you go. Where there are no tariffs involved, a transit mechanism is not necessary. Therefore, it is a simpler process. You just make good use of the free trade agreement mechanisms. It very much depends on the product that you are transporting.

Mr Blair: You indicated, Norman, that correspondence has gone from DAERA to Irish counterparts and that we are working on those issues, yes?

Mr Fulton: That is correct. The Minister wrote yesterday on the issue of trying to streamline processes as much as possible. As you heard earlier, it is a very important route, particularly for agri-food and the red meat sector. A significant volume of material goes out through that route, so if we can achieve unfettered access through it, as well as through the North Channel routes, that will be a big help.

Mr Blair: OK. Thanks for that.

Mr McGuigan: Like everybody else, I want to compliment the gentlemen and the officials. It was clear from the presentation this morning that there has been good work and engagement with the industry. That is really good. I held off until the end because I want to raise non-Brexit issues, particularly avian flu. The majority of the Brexit issues that I wanted to raise have been dealt with. It was clear from the presentation this morning that the issues with the Trader Support Service definitely need to be pursued. I encourage DAERA to continually bang the drum about the Trader Support Service to get those issues ironed out as quickly as possible, and I ask that the Committee be updated on that as the work goes along.

Like other members, I have been lobbied by the assistance dogs group. That is a very important issue. I am heartened to hear Robert say that the Minister is pursuing that, but disheartened to hear him say that it could take longer than months. Again, I would appreciate it if the Committee could get an update on that issue.

On the avian flu outbreak, obviously the farm in Clough is in my constituency, so I am very concerned about it. It will be a devastating blow to the family and their business. Given that it will be a devastating blow, will there be support for families and businesses affected by the outbreak? Further to that, Robert mentioned some of the measures that have been put in place for businesses. Does it affect domestic birds? Will any measures be put in place to ensure that there is no spread via domestic birds? I think that he also mentioned that it is a virus or a flu that diminishes in the summer, so I ask for a bit of clarity on whether that is the case.

Mr Huey: Generally, the virus gets here in wildfowl. It has swept across Europe and GB and has arrived on the island of Ireland. It did so around the end of October and beginning of November, when we started to find wildfowl. There has been an outbreak in Wexford in the South of Ireland, and then we have had two here. Most species of bird are susceptible but to different degrees. Some waterfowl can have the disease and spread it but not have clinical signs. Domestic fowl tend to get quite a severe form of the disease. It can also be spread by other birds, such as crows, and, yes, it can be in birds like canaries and other kept birds. In fact, it was suspected in a flock of peacocks; I think that it was cleared this morning. It affects virtually every species of bird. In GB, it has been suspected in a group of penguins. That gives you the full range of the birds that can be affected by it.

On financial support, there is, of course, compensation for the slaughter of the birds. The full cost of the destruction of the flock and its rendering is covered by government. However, that does not, of course, replace for the family their loss of income. It will be a period after cleansing and disinfection before they can repopulate. It is important to realise that it is not just one family; I think that three families are supported by that farm business, a very traditional Northern Ireland farm where they have diversified from livestock into poultry and several families live off the one parcel of land. It is a fairly typical situation for Northern Ireland.

Mr McGuigan: Thank you. I just reiterate the point about being kept up to date with those other ongoing issues if possible.

Dr McMahon: That is absolutely fine. We are happy to do that.

Mr Huey: Chair, do you want a regular update on avian influenza? Tell me what you want.

The Chairperson (Mr McAleer): Absolutely. That would be very helpful, given the seriousness of the situation.

Mr Huey: If you want a written update, we will get you a written update regularly, or I will come back and talk to you.

The Chairperson (Mr McAleer): That will be very helpful.

Given that we have no other members on the list to ask questions, I take the opportunity to thank you for taking time out of your busy schedule to come here. Sorry about the delay. It is such a hot topic, and there were many questions for the previous witnesses and you. We genuinely appreciate that. It is important to get these things thrashed out. Thank you very much, Denis, Robert, Norman, David and Nicole. Happy new year to you.

Dr McMahon: Thank you very much, Chair, and thanks to the Committee members for your challenge and support.