

The Windsor Framework

HTA Briefing

21/03/2023

Introduction

The horticultural trade was severely affected by the arrangements in the original Trade and Cooperation Agreement (TCA) and NI Protocols. The trade in plants dramatically reduced GB to NI, to the extent where many GB based businesses ceased trading with NI customers altogether due to complexity, costs and prohibitions in place.

Whilst the Horticultural Trades Association (HTA) is encouraged by the starting point and tone of the Windsor Framework, further developments are required to increase the opportunity for our members to be able to resume trade. (For the purposes of this briefing, “trade” refers to GB to NI trade).

In the absence of an SPS (Sanitary Phytosanitary) agreement with the EU, Northern Ireland remained (and still remains) in the EU Plant Health area. Therefore, every movement of plants required a

phytosanitary certificate (PC) to enter Northern Ireland – along with pre-notification of movement, relevant plant health import checks and customs declarations. This meant significant bureaucracy for businesses, hauliers who didn’t want to take SPS goods and extra costs for GB & NI based businesses and NI consumers buying direct from GB horticultural businesses. There were also a set of 35 plant genus that are prohibited to enter the EU Plant Health area, along with a prohibition on seed potatoes.

The HTA welcome the possibilities of resuming trade for businesses registered as Professional Operators without the need for phytosanitary certificates and customs declarations. However, this does not mean there is now open access for all plants traded Great Britain to Northern Ireland – and consumers will not see the full range of GB grown plants return to garden centres nor be available mail order.

Issues and Impacts

Below, we set out the issues and their impact on NI consumers access to plants from GB, and the impact on GB based business that have held long standing trading relationships with NI businesses and consumers.

- There will still be **many 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. Whilst the EU has agreed to expedite dossiers for prohibited plants already submitted to EFSA, the remaining genus will still be prohibited, and dossiers will need to be submitted & processed in the same way as previously in order to lift the bans.

About us

The Horticultural Trades Association (HTA) represents 1500 members in the Environmental Horticulture Sector including; garden centre retailers, tree and plant growers, goods manufacturers, landscapers,

and service providers. Our industry supports nearly 700,000 jobs, has a national GDP of £28.8 billion, mitigates climate change and benefits health and wellbeing for 30 million gardeners in the UK.

Further information

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- **Seed potatoes sourced in Great Britain will not be able to be sold in NI garden centres**, nor via mail order direct to consumer, only grower to grower. This means NI consumers will not have direct access to GB grown seed potatoes, and none will end up with NI consumers.
- Northern Irish consumers will find it **difficult and costly to order plants from British based online sellers and mail order** growers. This is because the requirement remains for phytosanitary certificates for parcels of plants sent direct from GB businesses to NI consumers. Plants can only be sent without PCs by registered Professional Operators and can only be received by registered Professional Operators, thereby effectively excluding the NI consumer from direct access, unless willing to pay the cost of the PC.
- 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. Growers will need to 'grow on' GB bought plants for an unknown period to be able to sell into the EU (mainly the Republic of Ireland) market.
- 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. There may well also remain reluctance amongst carriers to take GB sourced SPS goods again, even though no import checks are planned for plants carrying the "Northern Irish Plant Health Label". Also, some GB nurseries will not be able to resume trading as the species they grow remain prohibited (see first point).
- Whilst a reduction in customs requirements is welcome, there are concerns about **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 NI Plant Health Label to be applied – meaning extra cost and resource requirements. There is uncertainty about the exact criteria to enable businesses to gain Green Lane access. 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.

Solutions

The HTA seek that these issues are addressed in a timely way, to properly open up access to trade once again for GB & NI businesses and consumers.

HTA are proposing that a "British & Northern Irish Horticulture & Seed Potato Traders Forum" be formed as soon as possible. The HTA has called for The Forum directly with the Prime Minister and wider government. The Forum would work through the issues and the detail, develop new policies, mitigate costs, reduce bureaucracy and move forward positive change as quickly as possible. We would be pleased if you could support this proposal.

We propose that the group includes trade associations, business representatives, and government officials from all the nations associated with horticultural and seed potato trade, with the aim of working towards finding solutions to these issues as quickly as possible. Additionally, this proposed forum would give a direct platform to those businesses impacted by GB-NI trade and allow up to date (and valuable) information and knowledge sharing.

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