

SL(5)671 – The Food and Feed Hygiene and Safety (Miscellaneous Amendments and Saving Provision) (Wales) (EU Exit) Regulations 2020

Background and Purpose

These Regulations make technical amendments to subordinate legislation, which apply in relation to Wales in the field of food and feed safety and hygiene, in order to address failures of retained European Union (EU) law to operate effectively/coherently and other deficiencies arising from the withdrawal of the United Kingdom from the EU, to reflect the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.

In particular these Regulations amend the following Welsh instruments:

- The Food and Feed Regulated Products (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019;
- The Food and Feed Hygiene and Safety (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019;
- The Food (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019;
- The Genetically Modified Food (Wales) Regulations 2004;
- The General Food Regulations 2004;
- The Fishery Products (Official Controls Charges) (Wales) Regulations 2007;
- The Food Irradiation (Wales) Regulations 2009;
- The Meat (Official Controls Charges) (Wales) Regulations 2009;
- The Official Feed and Food Controls (Wales) Regulations 2009;
- The Food Safety (Sampling and Qualifications) (Wales) Regulations 2013;
- The Contaminants in Food (Wales) Regulations 2013;
- The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013;
- The Honey (Wales) Regulations 2015; and
- The Caseins and Caseinates (Wales) Regulations 2016.



Procedure

Draft affirmative

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

The Committee notes the public, general consultation on these Regulations by the FSA and notes that following EU Exit, that this will continue to be the case with all the future revisions of Food law. Also, the consultation that has taken place with the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Health and Social care on 11 November 2020 (in accordance with paragraph 4 of Schedule 2 to the European Union (Withdrawal) Act 2018 – regarding the need for Part 2 of this instrument to be brought into force before IP completion day).

Implications arising from exiting the European Union

None.

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

2 December 2020



Senedd Cymru
Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad
—
Welsh Parliament
Legislation, Justice and Constitution Committee