

**Pwyllgor yr Economi,
Masnach a Materion Gwledig**

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**Economy, Trade and
Rural Affairs Committee**

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Lesley Griffiths MS

Minister for Rural Affairs and North Wales, and Trefnydd

30 March 2022

Dear Minister,

Scrutiny of Common Frameworks: Provisional Common Framework on Organics

On 3rd March the Committee gave further consideration to its approach to seven Provisional Common Frameworks which fall within its remit and are now published for scrutiny. The Committee decided to prioritise three of the frameworks for technical briefing from Welsh Government officials at its meeting on 17th March. For the framework to which this letter relates, it was agreed that scrutiny would be undertaken via correspondence. The Committee would therefore welcome further information on the following:

General points

- The framework includes a number of errors and inconsistent terminology and diagrams. Can you explain why these were not addressed through internal sign off processes prior to publication?
- The framework says that there is on-going disagreement between the governments about what is reserved and what is devolved. Can you clarify what this disagreement is, and explain why it does not affect the operation of the framework?



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Scope

- To clarify the scope of the framework and whether it relates solely to the management of regulation previously governed by the EU, or organics policy in its entirety?
- If the framework does relate to all organics policy, to explain how this differs from how organics policy was governed prior to the UK's exit from the EU?
- To confirm if the Welsh Government has the same flexibility to develop organics law and policy that it had before the end of the transition period?
- The framework sets out that it interacts with a number of other frameworks. How will these interactions be managed?

Decision-making: Four Nations Working Group

- Is the group a new governance structure of collective decision-making on all organics policy, or is it only a mechanism for managing divergence?
- Will any assessment of a proposed policy change in the UK developed by one of the Parties be shared with stakeholders?
- Will the decision-making process requiring notification and collaborative assessment delay the policy-making process?
- If proposals are changed as a result of the decision-making process in the framework, will you inform the Senedd and stakeholders?

Decision-making: UK Expert Group on Organics

- Can you explain why the Expert Group has not yet been set up and what the timeframe for its establishment is?
- Can you clarify on what evidence base decisions are being made in the absence of this Group?

Decision-making: Competent Authority

- In its Competent Authority role will Defra be acting as the government for the whole of the UK or as the government for England?

- The framework states the Competent Authority will play a role in government business. Can you clarify what this means and on whose behalf would they be acting in this role?
- The framework implies the Competent Authority will be responsible for labelling and logo decisions but also that the Parties will be involved. Can you clarify how decisions on logos and labelling will be made?

Divergence

- Different terms are used to describe divergence in the framework. Can you clarify on what basis the Parties will decide if divergence is harmful or acceptable?

UK Internal Market Act

- How does the framework interact with the UK Internal Market Act?
- Does the Welsh Government intend to seek an exclusion for this framework from the UK Internal Market Act?

Northern Ireland Protocol

- To explain what if any risks there are for divergence with Northern Ireland on organics regulation and how this will be managed through the framework?

Transparency and Accountability

- The framework states that stakeholder consultation will continue for 'major' regulatory changes. Can you clarify what would constitute a major change and explain what kind of changes stakeholders would not be consulted on?
- The framework states that the governments will keep the parliaments in their respective countries informed 'where appropriate'. Can you clarify what this term means in practice?

Thank you in advance for providing this information to the Committee. A response by 29th April would be helpful to the Committee.

Kind regards,

Paul Davies

Paul Davies MS

Chair: Economy, Trade and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.

