



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**            **The Food and Drink (Amendment) (EU Exit) Regulations 2020**

**DATE**            **02 December 2020**

**BY**                **Rebecca Evans MS, Minister for Finance and Trefnydd**

**SO30C –SI laid in Parliament which amends legislation in a devolved area**

**The Food and Drink (Amendment) (EU Exit) Regulations 2020**

### **The Law which is being amended**

- Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers.
- Commission Delegated Regulation (EU) 2018/273 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties.

### **The purpose of the Regulations**

The 2020 Regulations make amendments to retained EU legislation on food information rules and wine.

The changes to the wine regulations ensure the provisions concerning trade of wine, monitoring production and maintaining records will operate correctly after implementation date and will be re-allocated appropriately taking into account the transition from being a singular member state to being separate singular country.

The 2020 Regulations set out various changes that will reflect the interdependencies with other legislation, primarily that made by HMRC, to ensure that following the transition from Single Customs Union controls to UK specific customs controls they continue to operate correctly.

The minor changes to food labelling are being made to the definition of “place of

provenance” and “country of origin” by replacing cross cutting references to the EC regulation with cross references to the replacement domestic legislation introduced by the HMRC.

The Regulations and accompanying Explanatory Memorandum, setting out the effect of amendments are available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments/the-food-and-drink-amendment-eu-exit-no-4-regulations-2020>

### **Any impact the SI may have on the legislative competence of Sanded Cymru and/or the Welsh Ministers’ executive competence**

The 2020 Regulations make minor technical amendments to retained direct EU legislation to ensure the operability of this legislation at the end of the transition period. There is no impact on the Welsh Ministers’ executive competence or the Senedd’s legislative competence.

### **Why consent was given**

Consent has been given for the UK Government to make these corrections in relation to, and on behalf of, Wales on matters relating to Wine and food information rules, for reasons of efficiency, expediency and due to the technical nature of the amendments. There is no divergence in policy after full and careful consideration of the proposed amendments, assessment of the policy instructions and legal analysis of the drafting. These amendments are to ensure that the statute book remains functional at the end of the Implementation Period.