



Ein cyf/Our ref LG/02782/20

Mick Antoniw MS
Chair of the External Affairs and Additional Legislation Committee

mick.antoniw@senedd.wales

2nd December 2020

Dear Mick,

Written statements under Standing Order 30C: The Agricultural Products, Food and Drink (Amendment Etc.) (EU Exit) Regulations 2020

Thank you for your letter dated the 17th of November expressing concerns about the Agricultural Products, Food and Drink (Amendment etc.) (EU Exit) Regulations 2020.

The Regulations correct deficiencies in the retained EU law concerning the relevant Geographical Indicators (GI) regimes, to put in place amendments ensuring the law functions from 1 January 2021 when the Transition Period ends. This is a straight forward solution to the policy need to have a comprehensive, successor scheme ready to commence straight away.

It achieves the Welsh Government's immediate goal of providing certainty and continuity, a goal which is shared by Welsh businesses. Welsh food and drink products are traded within a UK market, not Wales alone. The accreditation and promotion of the kind afforded by a GI scheme common to the UK has a far greater potential for impact, which supports our overall strategy to grow the food and drink sector in scale and reputation.

By establishing the UK scheme this will provide the ongoing means by which existing protected products from Wales and the UK will receive protection in our domestic markets and continue to be recognised in the EU as well. This is only possible if the UK establish a scheme which meets the EUs requirement for third country membership of the EUGI schemes. Any new applicants to the UK scheme, once successful, will also have a clear pathway to seek EU recognition if they choose to do this. This is important to ensure the consumer trusts and recognises the scheme equally in Wales, the UK and globally.

The Regulations put in place the favoured policy choice for all the devolved administrations at a timescale which we agree with.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The Welsh Government and Devolved Administrations have persuaded Defra to create a scheme in which we will have satisfactory input regarding the appraisal of applications in a transparent and objective manner. A comprehensive operational process has been co-designed and I am satisfied it should create a successful scheme.

It has been evident throughout the policy development and legislative process that Defra would not concede any statutory role for the Welsh or other devolved ministers and the only outcome Defra would accept was one which conferred all functions on the Secretary of State alone. Our policy objective throughout has been to create a pan UK scheme, providing continuity without any pause between it starting and the EU schemes ending, and this should be underpinned by appropriate input to the application appraisal process from the Welsh Government. The regulations and administration process we have agreed with Defra and Devolved Administrations achieve this and we have a clear process for dispute resolution should conflict arise. Consequently, there has been no need to consider further the question of how functions are conferred for the time being.

Looking ahead, the Welsh Government will play its part fully in the new scheme and we will be monitoring and evaluating how it operates carefully. We are hopeful for success but we will naturally consider the appropriateness and utility of the arrangements as our own policy evolves and the UK and international markets adapt following Brexit.

Regarding the section 109 order, WG anticipates this will be laid in the Senedd before Christmas.

Yours Sincerely,



Lesley Griffiths AS/MS

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

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