

Lynne Neagle MS  
Deputy Minister for Mental Health and  
Wellbeing  
Welsh Government

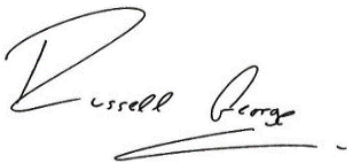
18 March 2021

Dear Lynne

**Provisional food compositional standards and labelling common framework**

To inform our consideration of the food compositional standards and labelling provisional common framework, we would welcome the views of the Welsh Government on the matters set out in the annex to this letter **by Friday 22 April**.

Yours sincerely



Russell George MS  
Chair, Health and Social Care Committee

cc Huw Irranca-Davies, Chair, Legislation, Justice and Constitution Committee

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

## **Annex: Common frameworks: request for further information**

To assist our deliberations on the food compositional standards and labelling provisional common framework, we would welcome further information on the matters listed below. We would be grateful to receive your response **by Friday 22 April**.

### Reasons

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1. Why is a framework needed for this policy area?
2. The framework sets out that governments will be able to diverge under this framework “where evidence is clear that divergence is both necessary and proportionate to meet local needs”. How will you determine if divergence is “necessary and proportionate”?
3. This framework is closely linked to frameworks for food and feed safety and hygiene and nutritional labelling, composition and standards. How will the connections between these common frameworks be managed?

### Managing divergence

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4. The framework requires the Welsh Government not to take forward a policy proposal in scope until it has gone through a joint decision-making process. What impact could this have on the competence of the Senedd and Welsh Government?
5. The framework requires that Welsh Government not launch a public consultation, or progress in any other material way, with a policy proposal in scope, until it has been considered by the FCSL officials’ group. How will this affect the role of Welsh stakeholders in developing Welsh law and policy?
6. Why will changes to the law be in scope of the framework’s decision-making processes where EU law allows scope for national measures to achieve common outcomes?
7. Why will changes to the law be in scope of the framework’s decision-making processes that would only apply to businesses established or products circulated in Wales?
8. The UK Government intends to bring forward new proposals on food labelling as part of its upcoming National Food Strategy. What consideration have you given to these proposals and whether any changes should apply in Wales?
9. Are you content that the list of legislation in scope of the framework in Annex C is complete? For example, why are regulations on spreadable fats listed, but regulations on olive oil absent?

## Role of the Foods Standards Agency (FDA)

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10. How will the Welsh Government ensure the FSA has the expertise and capacity to make decisions and recommendations on future food labelling and compositional standards for Wales?
11. Will Welsh Government officials play any role in the work of the FCSL officials' group?
12. What progress has been made in the review of FSA Wales announced in June 2021?
13. When will the Welsh Government and Food Standards Agency publish an updated Concordat?

## UK Internal Market Act 2020

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14. What impact could the UK Internal Market Act 2020 have on Welsh law on food compositional standards and labelling?
15. Do you intend to request any exclusions from the Act in this common framework area?

## EU and Northern Ireland

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16. How will the Welsh Government continue to monitor changes to EU law on food compositional standards and labelling and assess the implications of divergence from the EU and Northern Ireland?
17. How will you assess the risks and benefits of keeping pace with changes to EU law on food compositional standards and labelling?

## International law and international agreements

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18. What international obligations are there in this policy area?
19. Will the governments work together to agree positions for international policy on food standards, and (if so) how?
20. Why does the framework make no reference to the UK-EU Trade and Cooperation Agreement?
21. The framework provides that it will enable the governments to "consider any implications stemming from international trade which have a direct bearing on the operation of a Common Framework." Do you consider that this gives the Welsh Government adequate involvement in UK positions on food compositional standards and labelling during international trade negotiations?

## Governance and dispute resolution

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22. Do you consider the dispute resolution mechanism robust enough for its intended purpose?
23. If another government objects to a Welsh Government policy proposal through the dispute resolution mechanism, could that cause delays to Welsh legislation?
24. Why are no time limits for dispute resolution set?

## How the framework was developed

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25. How did the Welsh Government engage with stakeholders on the development of the framework?
26. How does the framework reflect the responses of stakeholders in Wales?

## Review and revision

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27. How will the Senedd be able to contribute to the review and amendment process for the framework?
28. How will stakeholders be able to contribute to the review and amendment process for the framework?