

FDf Cymru Submission

Legislation, Justice and Constitution Committee

18 November 2022

Introduction

The Food and Drink Federation (FDF) Cymru¹ represents the food and drink manufacturing industry in Wales. We are Wales' largest manufacturing sector, accounting for over 12% of total manufacturing turnover. Our gross value added to the economy is £1.7 billion, representing over 15% of Welsh manufacturing value added. We have 555 food and drink manufacturing businesses, employing 22,500 people, which represents 16% of the Welsh manufacturing workforce. In 2021, manufactured food and drink exports from Wales increased by 20.1% to £558 million from 2020.

Food and drink manufacturers are proud to make a wide variety of great-tasting, safe and nutritious products which are available to, and affordable by everyone. Food and drink are essential for people's lives and brings pleasure and joy to millions. Food and drink are deeply embedded in our history and our culture. Our relationship with food and drink goes way beyond its intrinsic nutritional value; eating and drinking and the occasions that surround them are part of what defines us.

Overview

In relation to the EU Retained Law Bill currently going through parliamentary scrutiny, in principle, the FDF can see the benefit in the domestication and consolidation of all retained EU law to ensure we have a functioning UK statute book, now that we are outside of the EU.

It remains unclear however as to why such an exercise is required to be carried out at such pace with a very concerning sunset date having been set as the end of 2023. With this, it could be easy for legislative mistakes to be made.

This is also compounded by the sheer scale of legislation to review and then for considered decisions to be taken to either keep, amend or lose. Such a process is further complicated by there being no full authoritative list of all EU law in scope.

¹ FDF Cymru is a division of FDF representing the food and drink manufacturing industry in Cymru.

The specific Welsh context is yet to be completely understood, particularly in terms of its impact on future law making in areas of already devolved policy. This has the potential to drive through significant divergence if changes are not aligned on a UK basis and this would then put additional burdens on Welsh businesses, particularly smaller enterprises.

The FDF would echo the Food Standards Agency's already aired concerns with this Bill's challenging timeframe and potential to erode consumer protections. We therefore would prefer the creation of a roadmap with more appropriate timeframe to allow due process to be followed. This would allow all UK authorities time to working together, in collaboration with industry stakeholders, to identify areas of suitable reform that would continue to maintain consumer protection, business compliance and trade.

In terms of the specific questions raised by the committee we would respond as follows

- To what extent the Bill might impact Wales' regulatory landscape;

From the [UK Governments public dashboard](#), of the 2,400 pieces of legislation that form the estimated scale of Retained EU Law (REUL) required to be adopted into UK law, 723 items can be initially identified as potentially within the devolved powers of Welsh Government. This assessment combines 570 for Department of Environment and Rural Affairs (Defra), 137 for Department of Health and Social Care (including FSA and 16 for the Department of Education.

For food and drink manufacturers, our focus is on the close to 30% of the overall total that are identified as under the remit of Defra and FSA. At this stage we have not been able to complete a detailed review and impact assessment, however the scale of this impact is potentially of a very significant nature to the food and drink supply chain in Wales.

Unfortunately, for the remaining questions we are unable to take a view, as we are unclear of how the Westminster Bill will impact the regulatory landscape in Wales.

This in itself is a cause of serious concern as an industry we pride ourselves on the integrity and safety of the food and drink we produce in Wales.