

Lesley Griffiths MS

Minister for Rural Affairs, North Wales and Trefnydd

7 December 2022

Dear Lesley

The Organic Production (Amendment) Regulations (No. 2) 2022

Thank you for your [letter of 25 November](#) informing my Committee of your decision to provide consent for the UK Government to make the above Regulations yesterday, 6 December.

We considered your letter at our meeting on 28 November. We note the reasons you provide for giving consent and acknowledge your explanation of the role the Organics Four Nations Working Group played in developing the Regulations.

In particular, we note the following reason you provided for giving consent for these Great Britain-wide regulations to be made:

"Organic stakeholders have often pressed their desire for consistent regulation across Great Britain when it comes to organic standards, because of cross-border supply chains. It is in the interest of Wales to ensure these regulations be consistent and come into force at the same time across Great Britain."

However, you also state that new organic regulations will be developed, and "this substantive update to organic policy will be made in Welsh legislation".

To us, these statements do not appear to be compatible: if organics stakeholders require consistent regulation across Great Britain, and future organic regulations made by the Welsh Ministers may enable consistent regulation, it is unclear why the currently proposed regulations cannot also be made by the Welsh Ministers.



In this regard, you also said: "If Wales were to use a Wales-only SI to extend these derogations, it may not be possible to have them in place before the current derogation expires". As part of the Organics Four Nations Working Group, it is not clear why you were unaware of the need to extend the derogations in sufficient time to enable Wales-only regulations to be prepared and laid before the Senedd, in parallel with regulations laid before the UK Parliament. Such parallel regulations could have come into force on the same date, avoiding any inconsistency across Great Britain.

In light of the above, please can you therefore provide some further explanation as to why you could not prepare and lay Wales-only regulations in parallel with regulations prepared by Defra.

Finally, please you can explain why it took four weeks to notify us of these Regulations (and your decision to consent to them) once a formal request was received on 24 October, and why you were not in a position to notify us of your intention to consent much earlier, given that, presumably, the need to make these Regulations was being discussed much earlier in the Working Group?

I would be grateful to receive a response by 5 January 2023.

I am copying this letter to the Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely,

Huw Irranca-Davies

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Chair