



Ein cyf/Our ref MA-LG-0367-23

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

SeneddLJC@senedd.wales

Cc: Counsel General and Minister for the Constitution

3rd April 2023

Dear Huw,

Legislative amendments to allow a change in Salmonella Serotyping

The UK government has requested my consent to progress GB-wide secondary legislation, required to amend 4 pieces of retained EU legislation, concerned with targets for the various requirements for sampling and testing for Salmonella.

- **Regulation 1190/2012** (concerning a Union target for the reduction of Salmonella Enteritidis and Salmonella Typhimurium in flocks of turkeys)
- **Regulation 517/2011** (as regards a Union target for the reduction of the prevalence of certain Salmonella serotypes in laying hens of Gallus gallus)
- **Regulation 200/2012** (concerning a Union target for the reduction of Salmonella enteritidis and Salmonella typhimurium in flocks of broilers)
- **Regulation 200/2010** (as regards a Union target for the reduction of the prevalence of Salmonella serotypes in adult breeding flocks of Gallus gallus)

The minor amendment to the regulations, to include a reference to typing method ISO – 16140-6, will enable the Animal and Plant Health Agency (APHA) to use Whole Genome Sequencing (WGS) as a stand-alone typing method for Salmonella in Poultry.

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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.

WGS provides much more information than conventional serotyping and facilitates the link between human and animal disease, which is key for aiding in epidemiological outbreak investigations.

The EU Reference Laboratories have moved to WGS, as well as public health authorities like the UK Health Security Agency (UKHSA), who fully transitioned to this method more than 5 years ago, for human isolates of Salmonella.

The retained EU legislation for the control of Salmonella in poultry currently only contains a reference to the use of alternative detection methods (ISO-16140-2) for Salmonella, but not for alternative typing method (ISO – 16140-6), required for WGS, as this ISO chapter had not been finalised at the time the legislation was published. Consequently, to allay any concerns that using WGS alone would not be consistent with current legislation, from January 2023, APHA has included WGS as a typing method for Salmonella in Poultry in **tandem** with conventional typing methods. Prior to legislative changes being completed, APHA will continue with this more resource intensive approach.

Although the Welsh Ministers are the appropriate authority, in relation to Wales, Regulation 2160/2003 (on the control of salmonella and other specified food-borne zoonotic agents) includes a concurrent plus power, which allows for a GB-wide SI, if consent of the relevant devolved governments is provided. The Scottish Government has requested the UKG take this approach. I have fully considered the risks and benefits to deliver the required legislative amendments through a GB-wide SI and I am minded to provide my consent to this for the following reasons.

Although our starting position is that legislative powers in devolved areas should be exercised by the Welsh Ministers in relation to Wales rather than the UK Government, collaborative working will, of course, sometimes be beneficial and when it is, we do so in accordance with the outcomes of the Inter-Governmental Relations Review, agreed by the four UK Governments in 2022. The review included principles for intergovernmental working practices built on mutual respect and trust, as well as respecting both the reserved powers of the UK Government and UK Parliament and the devolved competences of the Welsh Government, Scottish Government, Northern Ireland Executive and their legislatures.

APHA determines the serotype of Salmonella in Poultry on a GB-wide basis, and there is no policy divergence with UK and Scottish Government in these matters. Implementing these changes through a GB-wide SI will ensure these minor changes in laboratory methods, will be commenced seamlessly and swiftly throughout the UK, benefitting industry.

There are robust governance arrangements in place through weekly discussions with the UK Government and Scottish Government at official level to ensure an aligned approach to these amendments, recognising there is merit in harmonising the approaches to the greatest extent possible, minimising any possibility of different approaches in the UK.

Although this approach would result in a bilingual SI not being produced, it is worth noting that the four pieces of legislation in need of amendment are not bilingual.

I am therefore writing to let you know I give my consent to the Secretary of State to make the Instrument in relation to Wales. UK Government has confirmed a draft SI will be shared by the 31 March. Official request for consent is expected to be received 17 April. The anticipated laying date is the 13 July, and the SI is subject to the negative procedure.

I am copying this letter to the Counsel General and Minister for the Constitution.

Regards,

A handwritten signature in black ink, reading 'Lesley Griffiths'. The signature is written in a cursive style with a large, sweeping 'L' and a long, flowing 'G'.

Lesley Griffiths AS/MS

**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd**