

Sarah Murphy AS/MS
Minister for Mental Health and Wellbeing
Y Gweinidog Iechyd Meddwl a Llesiant



Llywodraeth Cymru
Welsh Government

Our ref: MA/SM/10886/24

Russell George MS
Chair
Health and Social Care Committee
Cardiff Bay
Cardiff
CF99 1SA

14 January 2025

Dear Russell,

The Food and Feed (Regulated Products) (Amendment, Revocation, Consequential and Transitional Provision) Regulations 2025

I wish to inform the Committee of my intention to consent to Andrew Gwynne MP, the Parliamentary Under-Secretary of State for Public Health and Prevention laying before Parliament, pursuant to the affirmative procedure, the Food and Feed (Regulated Products) (Amendment, Revocation, Consequential and Transitional Provision) Regulations 2025 (“the Regulations”).

The purpose of the Regulations is to make substantive reforms, on a GB-wide basis, to the pre-market authorisation processes within regulated food and feed product legislative regimes. The Regulations aim to reduce the regulatory burden of the approval process for regulated products for food and feed that are put on the GB market.

The Regulations will deliver two main policy proposals:

- the removal of the fixed 10-year authorisation period (and associated renewal processes) from three regulated product regimes, and
- enable regulated product authorisations to be made by ministerial decision, rather than being prescribed in regulations by way of statutory instrument. Details of the authorisations are to be made available to the public within an official register or list published and maintained by the Food Standards Agency (FSA).

All statutory legislation containing the existing authorisations will be revoked. The existing authorisations will remain valid and continue to have effect by virtue of the transitional and savings provisions in the Regulations. Publicly accessible details of the existing authorisations will be made available in the FSA’s published and maintained lists.

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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 Regulations will make necessary consequential amendments to certain domestic and assimilated legislation. Existing Welsh subordinate legislation that reference amended legislation require minor consequential amendment to remain operable. All changes to bilingual Welsh subordinate legislation will be made bilingually.

As the authorisations are subordinate legislation, albeit not made by statutory instrument they will be made bilingually and published on the Welsh Government website.

Although the Welsh Government's general principle is that the law relating to devolved matters should be made and amended in Wales, on this occasion, providing consent for the laying before Parliament, of the Food and Feed (Regulated Products) (Amendment, Revocation, Consequential and Transitional Provision) Regulations 2025 is deemed appropriate. To keep pace with innovation, and in preparation for receiving future applications for innovative products, the FSA wants to ensure the system works efficiently and effectively for applicants. Working collaboratively with UK Government on a GB statutory instrument provides a more efficient means of introducing these amendments that have a consistent application across each nation.

The Regulations will be laid before Parliament on 29 January 2025 and, if approved by Parliament, made using the concurrent powers of the Secretary of State in sections 14(1), (3), (4)(a) and (b) and 20(1) of the Retained EU Law (Revocation and Reform) Act 2023 on 1 April 2025.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Murphy'.

Sarah Murphy AS/MS
Minister for Mental Health and Wellbeing
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