

Huw Irranca-Davies AS/MS  
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid  
Hinsawdd a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate Change  
and Rural Affairs



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/HIDCC/0569/26

Mike Hedges MS  
Chair  
Legislation, Justice and Constitution Committee

26 February 2026

Dear Mike,

I received a letter from Baroness Hayman of Ullock, the UK Government Minister for Animal Welfare and Biosecurity, requesting consent to the application of the Windsor Framework (Retail Movement Scheme: Plant Health) (Amendment) Regulations 2026 (the Regulations), which are due to be laid on Tuesday 28 April 2026. I wish to inform the Committee of the intention to consent to the application of the Regulations to Wales. The Regulations will be made by the Secretary of State and apply to Wales, England and Scotland.

The purpose of the Regulations is to bring Great Britain (GB) into alignment with European Union (EU) import requirements for certain Rest of World goods (originating from non-EU or UK countries), specifically for pest control reasons, protecting the biosecurity of the island of Ireland whilst maintaining the flow of trade between GB and Northern Ireland (NI).

The arrangements for the Northern Ireland Retail Movement Scheme (NIRMS) were announced by the UK Government and the EU on 27 February 2023. The list of goods eligible to move from GB to NI under NIRMS includes tomato, pepper and ginger. The EU will amend import requirements for tomatoes and peppers from Taiwan and Israel, and all ginger from the Rest of World, via an Implementing Regulation, published in draft on 3 December 2025, amending Commission Implementing Regulation (EU) 2019/2072. The amendments relate to pest measures, specifically against the pest *Bactrocera latifrons* for tomatoes and peppers, for which GB currently aligns on import controls. The EU are also introducing new measures on ginger against the pest *Ralstonia pseudosolanacearum* to mitigate this developing pest risk.

GB is not dynamically aligned with the EU in this area. Alignment of import controls for these goods, both in the legislation and in practice, makes them eligible for NIRMS and is included in the Written Guarantees associated with the Scheme.

These goods are currently eligible for movement to NI under NIRMS. GB currently aligns with the EU's import controls on *Bactrocera latifrons* for tomatoes and peppers. However, the EU are updating their legislation to include Taiwan and Israel in the current legislation.

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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 EU are also introducing new measures against *Ralstonia pseudosolanacearum* for all Rest of World ginger. The Regulations are required to amend the entry requirements for the relevant products, to maintain alignment with EU legislation in order to keep these goods on the list of Rest of World products eligible to move via NIRMS.

Although the Welsh Government's general principle is the law relating to devolved matters should be made by the Welsh Ministers, on this occasion it is considered consistent with the Welsh Government's principles on UK legislation in devolved areas that the Regulations be made by the Secretary of State. The Regulations impact on biosecurity which has traditionally been approached as a joint concern. GB is an island and plant pests and diseases have no respect for the borders between countries. The Regulations relate to the importation of plants and most of these goods which enter Wales come through English ports.

Introducing separate regulations in Wales, England and Scotland would risk divergence on biosecurity matters where policy is aligned. This may hamper enforcement by cross border bodies and place an additional burden on businesses. Businesses benefit from significantly reduced certification and checking requirements when moving products from GB to NI via NIRMS.

There is no policy divergence between the Welsh and UK Government in this matter, and the Regulations amend legislation that was not made bilingually. We will notify the general public when consent is given and the Regulations are laid before the UK Parliament.

I have written similarly the Chair of the Climate Change, Environment, and Infrastructure Committee.

Yours sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping loops and lines, positioned above the printed name and title.

**Huw Irranca Davies AS/MS**

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Gwledig Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs