



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2018**

DATE **20 November 2018**

BY **Julie James AM, Leader of the House and Chief Whip**

The Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2018

The [retained EU] Law which is being amended

Legislation amended by - The Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2018:

- The Genetically Modified Organisms (Risk Assessment) (Records and Exemptions) Regulations 1996
- Regulation (EC) No. 1946/2003 on transboundary movements of genetically modified organisms
- Regulation (EC) No. 1830/2003 on the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms
- Commission Regulation (EC) No. 65/2004 establishing a system or the development and assignment of unique identifiers for genetically modified organisms
- Commission Decision 94/730/EC establishing simplified procedures concerning the deliberate release into the environment of genetically modified plants
- Council Decision 2002/812/EC establishing the summary information format relating to placing on the market of genetically modified organisms as or in products
- Council Decision 2002/813/EC establishing the summary notification information format for notifications concerning the deliberate release into the environment of genetically modified organisms for purposes other than marketing
- Commission Decision 2003/701/EC establishing a format for presenting the results of the deliberate release into the environment of genetically modified higher plants for purposes other than placing on the market
- Commission Decision 2009/770/EC establishing standard reporting formats for presenting the monitoring results of the deliberate release into the environment of genetically modified organisms, as or in products, for the purpose of placing on the market

- Commission Implementing Decision (EU) 2016/321 adjusting the geographical scope of the authorisation for cultivation of genetically modified maize (*Zea mays* L.) MON-00810-6.

Any impact the SI may have on the Assembly’s legislative competence and/or the Welsh Ministers’ executive competence

Control of Genetically Modified Organisms is a devolved function

The purpose of the amendments

The purpose of this SI (negative procedure) is to correct retained, directly-applicable EU legislation and the Genetically Modified Organisms (Risk Assessment) (Records and Exemptions) Regulations 1996, as the latter pre-date devolution and applies to Great Britain. The amendments would ensure on day-one exit GMOs could continue to be authorised, marketed and cultivated. The overarching EU legislation in the case is the 2001/18 EU Directive on the deliberate release into the environment of genetically modified organisms.

The SIs and accompanying Explanatory Memorandums, setting out the effect of each amendment is available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments/the-genetically-modified-organisms-amendment-eu-exit-regulations-2018>

Why consent was given

Consent has been given for the UK Government to make these corrections in relation to, and on behalf of, Wales for reasons of efficiency, expediency and due to the technical nature of the amendments. The amendments have been considered fully; and there is no divergence in policy. These amendments are to ensure that the statute book remains functional following the UK’s exit from the EU. This is in line with the principles for correcting agreed by the Cabinet Sub-Committee on European Transition in May.