

UK MINISTERS ACTING IN DEVOLVED AREAS

151 - The Specific Food Hygiene (Regulation (EC) No. 853/2004) (Amendment) (EU Exit) Regulations 2019

Laid in the UK Parliament: 9 September 2019

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Made affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	N/A
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	N/A
Date sifting period ends in UK Parliament	N/A
Written statement under SO 30C:	Paper 6
SICM under SO 30A (because amends primary legislation)	N/A

Scrutiny procedure

Outcome of sifting	N/A
Procedure	Made affirmative
Date of consideration by the Joint Committee on Statutory Instruments	Not known
Date of consideration by the House of Commons Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	15 October 2019

Commentary

These Regulations are made by the UK Government pursuant to section 8(1) of the European Union (Withdrawal) Act 2018.

These Regulations clarify an amendment to retained EU law made by the Specific Food Hygiene (Amendment etc.) (EU Exit) Regulations 2019 (SI No. 640), which concerns the process for approval of substances which may be used to remove surface contamination from products of animal origin, as presently set out in EU Regulation (EC) No. 853/2004 laying down specific hygiene rules for food of animal origin.

The amendments made by these Regulations provide that ministers (and therefore the Welsh Ministers in relation to Wales), as opposed to the Food Standards Agency, will be responsible for authorising the use of any additional substances to remove surface contamination from products of animal origin following EU Exit.

Legal Advisers agree with the statement laid by the Welsh Government dated 11 September 2019 regarding the effect of these Regulations.

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.

Legal Advisers do not consider that any significant issues arise under paragraph 8 of the Memorandum on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks in relation to these Regulations.