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Legislation, Justice and Constitution Committee

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Sarah Murphy MS
Minister for Mental Health and Wellbeing

28 November 2024

Dear Sarah

The Nutrition and Health Claims (Wales) (Amendment) Regulations 2024

You will be aware that the Legislation, Justice and Constitution Committee has recently reported to the Senedd on The Nutrition and Health Claims (Wales) (Amendment) Regulations 2024.

At the Committee's meeting on 25 November 2024, we considered the Welsh Government response to the points raised in our report. There is one matter on which we would welcome further information.

The second technical point raised in the Committee's report highlights issues relating to defined terms. We asked the Welsh Government to confirm why certain terms had not been inserted as new definitions in the modified text of the *Food Safety Act 1990*. In response, the Committee has been told:

> *"The Welsh Government agrees that the term "specified provision of the Regulation" in the modified text of the 1990 Act has not been given a meaning. We are investigating with the SI Registrar the possibility of making the change by correction slip."*

In our view, inserting defined terms into the modified text is potentially a substantive change. As such, we would welcome confirmation of the outcome of the Welsh Government's discussions with the SI Registrar, and whether all three matters we raise in reporting point two have been accepted for a correction slip.

I would be grateful to receive a response by 2 January 2025.

I would also like to take the opportunity to thank you for laying before the Senedd a revised Explanatory Memorandum in line with your commitment given in response to point seven in the Committee's report.

Yours sincerely,

Mike Hedges
Chair