



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Marking of Retail Goods Regulations 2025**

DATE **9 June 2025**

BY **Huw Irranca-Davies MS, Deputy First Minister and Cabinet Secretary
for Rural Affairs and Climate Change**

I am writing to inform the Senedd that I have given consent to the Secretary of State for Environment, Food and Rural affairs to lay and make the Marking of Retail Goods Regulations 2025. The Regulations apply to England and Wales and Scotland.

These Regulations have been made using powers in Section 8C(1) of the European Union (Withdrawal) Act 2018.

The purpose of the Regulations is to provide for a contingency power to introduce 'Not for EU' labelling for specific food products in Great Britain. This measure would be enacted where the Secretary of State, is satisfied that the supply of certain retail goods to consumers in Northern Ireland is at risk and considers that intervention is necessary to safeguard food supply to the people of Northern Ireland.

The possibility of introducing 'Not for EU' labelling for the GB market, is intended to incentivise retailers and manufacturers to make the necessary changes to comply with the labelling requirements for goods moved into Northern Ireland by GB businesses. This would remove any financial incentives for de-listing products in Northern Ireland rather than labelling them, thereby safeguarding the flow of goods to Northern Ireland.

The requirement for labelling would be targeted at specific products rather than the blanket approach the previous UK Government consulted on in February 2024. Small businesses will be exempt from these requirements.

These Regulations include provisions for the labelling of food products, and require the

Secretary of State to consult the Welsh Ministers and Scottish Ministers before the Secretary of State determines that labelling is required and issues a notice to that effect. Following discussions with the Secretary of State for Northern Ireland I have received assurances that the powers would be activated as a last resort should consultation with industry fail to improve supply. He has also clarified that these Regulations will only be in place until there is a sanitary and phytosanitary agreement between the UK Government and the European Commission, which will facilitate the smooth flow of agri foods and plants from Great Britain to Northern Ireland after it is implemented.

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, in order to adopt a consistent and coherent approach which allows the UK Government to meet its commitments to safeguard the supply of food to Northern Ireland, which the Welsh Government supports, I consider it appropriate to consent to the laying of these Regulations. I understand the Scottish Government has also agreed to consent.

The Regulations are subject to the affirmative procedure and were laid before Parliament on 5 June 2025 with a commencement date which will be subject to the SIs approval by resolution of each House of Parliament.

The Regulations can be found [here](#).