

Explanatory Memorandum to the Beef and Veal Labelling (Wales) (Amendment) Regulations 2018.

This Explanatory Memorandum has been prepared by the Environment and Rural Affairs Division within the Economy, Skills and Natural Resources Department and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Cabinet Secretary's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Beef and Veal Labelling (Wales) (Amendment) Regulations 2018.

Lesley Griffiths AM,

Cabinet Secretary for Energy, Planning and Rural Affairs

16 November 2018

PART 1

1. Description

The Regulations amend the Beef and Veal Labelling (Wales) Regulations 2011 (S.I. 2011/991) (W. 145). They implement a technical change to the updated general beef labelling principles, set out in Regulation (EU) No 653/2014, as regards electronic identification of bovine animals and labelling of beef.

2. Matters of special interest to the Constitutional and Legislative Affairs Committee

None.

3. Legislative background

The Regulations are made in exercise of powers contained in section 2(2) of the European Communities Act 1972. The National Assembly for Wales is designated by virtue of Article 4 of the European Communities (Designation) (No. 2) Order (S.I. 2005/1971) for the purposes of making regulations under section 2(2) of the European Communities Act 1972 in relation to measures in respect of food (including drink) including the primary production of food. By virtue of sections 59(1) and 162 of, and paragraphs 28 and 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) functions conferred on the National Assembly for Wales are exercisable by the Welsh Ministers.

The Regulations are subject to the negative procedure.

4. Purpose and intended effect of the legislation

Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 sets out the European Union system for the identification and registration of bovine animals as well as the requirements in respect of labelling beef and beef products, including the labelling of meat (including offal) of bovine animals aged 12 months or less and the labelling of pre-packed and non pre-packed beef products. The Regulation is implemented in Wales by virtue of the Beef and Veal Labelling (Wales) Regulations 2011.

Regulation (EU) No 653/2014 of the European Parliament and of the Council amends Regulation (EC) No 1760/2000 as regards electronic identification of bovine animals and labelling of beef. The amendments remove provisions relating to a voluntary labelling scheme specific to beef and veal, and have now been overtaken by the general labelling principles in Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers.

The technical changes to the EU legislation necessitate amendments to be made to the Beef and Veal Labelling (Wales) Regulations 2011 and this will be

done by way of the Beef and Veal Labelling (Wales) (Amendment) Regulations 2018.

5. Consultation

Article 9 of Regulation (EC) No 178/2002 requires that an open and transparent public consultation be carried out before making these Regulations. A public consultation was carried out by the Welsh Ministers between 28th August – 25th September 2018. Given the technical nature of the amendments a four week formal consultation was undertaken on Welsh Government Beta.gov website. No responses were received in response to the consultation.

6. Regulatory Impact Assessment (RIA)

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment because the Regulations only introduce minor technical corrections.