



Welsh Government
Consultation – Summary of Responses

Proposed amendments to Welsh Food Legislation

August 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview

This document provides a summary of the responses received by the Welsh Government to the consultation document '*Proposed amendments to Welsh Food Legislation*'.

Audience

EU PFN and GI Scheme award holders; enforcement authorities; horticultural producers; consumer groups; other industry stakeholders and wider public (e.g. non-government organisations) with an interest in food related legislation.

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Additional Copies

This document can be accessed from the Welsh Government website at:

<https://gov.wales/amendments-welsh-food-legislation>

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1. Introduction

The Welsh Government undertook consultation between 20 May 2019 and 28 June 2019 on proposed changes to correct deficiencies in Welsh Statutory Instruments (“SIs”) which arise as a result of the UK’s withdrawal from the European Union (EU).

Industry stakeholder views were invited as part of this six-week consultation period. The consultation paper was published on the consultation pages of the Welsh Government’s website. Respondents were able to submit their views and comments by using the form template in hard copy or electronic format, utilise the online survey form provided, or respond by letter or email, in either Welsh or English.

This document summarises the response we have received to the consultation.

The consultation concerned amendments Welsh Ministers propose to make to The Food Information (Wales) Regulations 2014 and The Marketing of Fresh Horticultural Produce (Wales) Regulations 2009. The proposed changes relate to Protected Food Name (PFN) and Geographical Indicator (GI) products; wine products; and mixed fruit and vegetable produce originating from more than one country.

The consultation concerned amendments Welsh Ministers propose to make to the above instruments to introduce transitional provisions in domestic legislation that will allow producers and manufacturers more time to meet new post-exit labelling requirements. The proposed amendments are designed to help businesses adapt to possible changes in labelling requirements arising from the UKs exit from the European Union (EU). These changes are necessary to successfully operate a UK PFN/GI scheme in place of the EU scheme, and manage a change for labelling mixed horticulture produce, by granting businesses a transitional period to adapt to the new post-exit arrangements.

2. Responses to the consultation – overview

One response was received during the consultation period, and it has been considered and analysed. In summary, the respondent supported the introduction of the changes. The Welsh Government is very grateful to the respondent for submitting their views.

3. Proposed Questions

The questions posed in the consultation document are summarised below:

Question 1
Do you agree with the proposed amendments regarding the Regulations mentioned above?

The response received was generally positive and expressed support for the Welsh Government's Brexit preparation work, which will ensure the legislative framework is fully prepared for the UK's exit from the EU. Additionally, the respondent expressed interest in the new UK Protected Food Name and Geographical Indicator Scheme (PFN/GI Scheme) being developed in collaboration with DEFRA and the other Devolved Administrations.

Question 2
Do you believe there is anything that could be changed or added to this proposed amendment to improve the positive impacts or mitigate any negative impacts?

The response received highlighted that in relation to businesses that supply both the UK and EU markets, an option to choose to incorporate both the UK and EU logos on packaging would prove beneficial. The respondent suggested that this would help businesses maximise market opportunities as it would allow them to use the UK PFN logo in the UK market and the EU Protected Geographical Indicator (PGI) logo in the EU market.

Welsh Government Response

The Welsh Government views the protection and promotion of Welsh food and drink as a key priority which will strengthen our global reputation for quality food.

We acknowledge the significance of the European Protected Food Name (EUPFN) scheme, and our prime concern is to continue to safeguard the integrity and unique selling point that a PFN affords to Welsh regional food and drink produce and its protection in the market.

For this reason, a new UK GI scheme is being developed in collaboration with DEFRA and other Devolved Administrations. Under this new scheme, it is proposed that current EU and UK PFN holders will automatically be given protection and will be required to use the new UK scheme logos in the UK market. Existing UK and EU GIs may continue to use the appropriate EU logo, alongside the UK logo, but this will only indicate that the product is protected within the EU (not the UK).

In a 'no deal' scenario the UK could lose automatic access to the EUPFN scheme. New UK products seeking protection will have to join the UK GI scheme. Existing producers will have a three year period from the launch of the UK scheme to adopt the relevant UK logo on food and agricultural product packaging. Recognition in the EU will be as a third country member. Therefore, it is considered that in a 'no deal' scenario, UK GIs sold in the EU market will have to follow the labelling rules as a third country member to access the EUPFN scheme.

Question 3
Are there any additional points you would like to make regarding the proposed changes to these regulations?

The respondent wished to emphasize the importance of ensuring the legislative framework remains operable, stressing that it is essential that Welsh products with EU PFN status maintain their protection post EU exit, in both the UK and EU markets, in order to retain the ability to attract a premium and protect them from imitation.

Question 4

We would like to know your views on any impacts these proposed amendments might have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

No comments were provided.

Question 5

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

No issues were reported.

4. Steps taken as a result of this consultation

The purpose of the proposed changes is to protect our regulatory framework, and to ensure the statute book remains operable and current as the UK exits the EU. The consultation response identified support for the proposed changes. Thus, the Welsh Government has reviewed the response received and will take forward the changes to the legislation outlined in the consultation.

Annex A

List of respondents who chose not to be anonymised:

Name of Respondent	Organisation
Gwyn Howells	Hybu Cig Cymru - Meat Promotion Wales (HCC)