



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Sprouts and Seeds (Amendment) (EU Exit) Regulations 2019**

DATE **6 February 2019**

BY **Rebecca Evans AM, Minister for Finance and Trefnydd**

The Sprouts and Seeds (Amendment) (EU Exit) Regulations 2019

These Regulations will correct the deficiencies in the retained direct EU legislation which lays down the rules on the import, production and handling of seeds for sprouting (also called ‘sprouted seeds’ or just ‘sprouts’) for human consumption. The retained EU law will ensure that public health remains protected with regards to these foodstuffs.

The retained EU law which is being amended

- Regulation (EU) 208/2013 on traceability requirements for sprouts and seeds intended for the production of sprouts
- Regulation (EU) 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No. 852/2004 of the European Parliament and of the Council
- Regulation (EU) 211/2013 on certification requirements for imports into the Union of sprouts and seeds intended for the production of sprouts.

Any impact the SI may have on the Assembly’s legislative competence and/or the Welsh Ministers’ executive competence

The SI only makes minor technical amendments to the retained direct EU law and involves no transfer of European Commission functions. Consequently, there is no impact on the Welsh Ministers’ executive competence or the National Assembly’s legislative competence.

The purpose of the amendments

The Regulations will only make technical fixes such as removing references to EU institutions and other Member States and will define ‘third countries’ as ‘any country outside of the UK’. It will also amend the provision for labelling from ‘an official language of the EU’ to ‘in English, or English and Welsh’.

The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment is available here:

<https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments/the-sprouts-and-seeds-amendment-eu-exit-regulations-2019>

Why consent was given

There is no divergence between the Welsh Government/FSA Wales and the UK Government (FSA UK) on the policy for the corrections. Therefore, making separate SIs in Wales and England would lead to duplication, and unnecessary complication of the statute book. Consenting to a UK wide SI ensures that there is a single legislative framework across the UK which promotes clarity and accessibility during this period of change. In these exceptional circumstances, FSA Wales/the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.