

SL(5)683 – The Animal Feed (Particular Nutritional Purposes and Miscellaneous Amendments)(Wales) Regulations 2020

Background and Purpose

These Regulations make amendments to the legislation in the field of feed safety and hygiene to provide for the execution and enforcement of Commission Regulation (EU) 2020/354 establishing a list of intended uses of feed intended for particular nutritional purposes and repealing Directive 2008/38/EC, which will take effect on 25th December 2020 in parallel with the coming into force of this instrument.

In particular, these Regulations make amendments to the Animal Feed (Marketing, Composition and Use) (Wales) Regulations 2016 and the Animal Feed (Hygiene, Sampling etc. and Enforcement) (Wales) Regulations 2016, which provide for the enforcement in Wales (including offences) of the EU legislation in this area. This instrument substitutes provisions for enforcement of Regulation (EU) 2020/354 for the current provisions that implement Directive 2008/38/EC, which is repealed as of 25th December 2020.

All feed businesses that produce, supply or use animal feed, for particular nutritional purposes are covered by this instrument.

Procedure

Negative

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

The Committee notes the comments in the Explanatory Memorandum concerning the FSA's assessment for not producing a Regulatory Impact Assessment in respect of these Regulations.



“The FSA considers the impact on both businesses and enforcement authorities of this instrument will be negligible. The FSA has identified no significant change to the requirements for business, or in the regulatory approach undertaken. Regulation (EU) 2020/354 contains transitional measures that will allow existing stocks of product labelled before 25 March 2022 under the present rules to be used up. Therefore, an impact assessment has not been produced.”

Implications arising from exiting the European Union

These Regulations will form part of retained EU law after IP completion day (i.e. the end of the implementation period, on 31 December 2020).

Welsh Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 14 December 2020 and reports to the Senedd in line with the reporting point above and also to highlight issues as a result of the UK exiting the EU.

