Submission from Friends of the Earth, GM Freeze and GMWatch on the draft Food and Feed (Regulated Products) (Amendment, Revocation, Consequential and Transitional Provision) Regulations 2025

Introduction

The Food and Feed (Regulated Products) (Amendment, Revocation, Consequential and Transitional Provision) Regulations 2025 removes requirements for the periodic renewal of authorisations for feed additives, GMOs and smoke flavourings and allows ministers to authorise changes currently made via SI (which will then be published in an official register or list), in total revoking 630 legislative instruments (not all assimilated laws).

Broadly, the less formal the process is for assessing risk, the weaker it is. We consider it irresponsible and disproportionate to risk for the government to assume evidence will become known to regulators without committing time and resources to the process. We have a number of questions for the Department for Health and Social Care on the specifics of this instrument.

This instrument amends a number of EU regulations that still need updating on gov.uk for outstanding changes made during Brexit. This hinders scrutiny and clear comprehension of the changes being made. **We'd encourage the committee to request the government takes this opportunity to prioritise updating the regulations online.** There are a huge number of regulations being amended in this SI, which also does not lend itself to effective scrutiny. Moreover, the consultation on this instrument was inadequate given the number of changes and impact on devolved nation issues. The Secondary Legislation Scrutiny Committee has previously said (p.10) "Such wide-ranging instruments should only be used for tidying up the statute book and not include any major new policy developments: the Committee has been very critical in the past of SIs that have hidden a major change, even if unintentionally, among many minor ones**." Given that this SI introduces new policy, we'd encourage the committee to raise this point again and to note that consultation was disproportionately small relative to the changes made.**

The instrument as drafted lacks clarity on lists, domestic lists and registers. For example:

- In part 3, a "register" is used to refer to transitional/pre-authorisation registers established through EU regulations.
- In part 5, a "register" is the new UK public register, not an EU register, and not a list.
- In part 6, the SI refers to a "domestic list" rather than a "list" or a "register" in its definitions.

We understand that this SI amends various different regulatory systems, but the Department could have taken the opportunity to give each term a clear and unique meaning

in UK law. **It would be helpful for the Department to set out which of these lists will be held separately by the authority and which will be split up by the headings / old regulation divisions, and to explain why it amended different regimes in one instrument.**

The Department's approach to the explanatory memorandum for this SI is less helpful and thorough than that taken by Defra in recent SIs and there is no impact assessment. **We'd suggest the committee notes this with the Department for Health and Social Care.**

Scrutiny of Part 2

Regulation 3(4) removes references to authorisations not being renewed other than through processes set out in (EC) No 1831/2003, but maintains the prohibition on granting/refusing/modifying etc. Para 7 of the EU regulation (which references the 10 year renewal cycle) is also deleted and replaced with a provision focusing only on authorisation.

Supervision processes are added to act on monitoring, although these only function if requirements are set. This means **additives will not be required to be reauthorised every 10 years as is currently the case. This carries clear potential for additional risk which might be expected to be considered in an impact assessment. Could the Department explain how potential risks were considered here and why an impact assessment was not undertaken, particularly given the majority of consultation respondents represented industry and the consultation notes that the Government Chemist raised concerns that the renewals process "provides necessary scientific checks"? This question on consideration of risks and impact assessment also applies to other relevant parts of the SI, such as parts 5 and 7.**

Regulation 3(9) deletes article 14 of (EC) No 1831/2003, on renewal. This is consistent with the above. However, according to article 14, the applicant must send documents to the Food Standards Agency including "a report on the results of post market monitoring, if such monitoring requirements are included in the authorisation". The potential for such monitoring is laid out in article 8 4(c) of the EU regulations, which this SI does not amend ("depending on the outcome of the assessment, specific conditions or restrictions in relation to handling, post-market monitoring requirements and use, including animal species and categories of animal species for which the additive is to be used"). **The committee may wish to ask the Department what the purpose of this retained post-market monitoring is if it is not used in a renewals process, and what conversations DHSC has had with Defra on monitoring risks to the environment, given the limitations to the remit of the FSA.**

Regulation 3(10) makes a number of amendments to article 15, on urgent authorisation. This responsibility is accorded to the "appropriate authority" (ie the Secretary of State).

This SI is not clear on how the Secretary of State will make this determination or the advice or evidence they might take on necessity to protect animal welfare, particularly as it is unlikely to come from the FSA. **The committee may wish to ask the Department whether this is a gap in the SI or, if not, where these criteria might be found, and/or where further information on animal welfare may be sought.**

The regulation also amends (EC) No 378/2005 to remove references to 10 year expiry periods in 3(3) of the EU regulations, yet it appears to specifically keep a reference to re-providing any reference samples/approvals that expire despite this. **The committee may wish to check if this is an error in the SI and, if not, what the policy intent was in continuing to require reference samples if there is no renewals process for them to feed into.**

Scrutiny of Part 3

Part 3 amends (EC) No 1331/2008, primarily to replace references to a domestic list with the overall concept of authorisation. Regulation 6(3)(b) deletes definitions of updating the domestic list, then 6(4) adds new articles 2a/b/c on determining authorisation status and updating the domestic list(s). There are some parts of the SI drafting that would benefit from some additional clarity. **Could the Department clarify why "authorisation", "authorisation process" and "domestic list" are not directly defined within article 2 itself? And why the definition of "authorisation" in 2b applies only to that article?**

Wales shares an "authority" (the FSA) with England but not an "appropriate authority" (ministers). This suggests that under new article 2B, the Secretary of State and Welsh ministers may make different decisions, but under 2C, the FSA maintains "a" single "domestic list". **Could the Department explain how the process of updating a domestic authorisation list (2C) is envisaged to function in respect of Wales? Is the committee satisfied that that these proposals will maintain the functioning of the Internal Market Act and provide appropriate powers for the Welsh government to hold a different position on authorisation to England?**

Regulation 7(4) of the SI changes article 4 of (EC) No 1332/2008 to "Only authorised food enzymes may be placed on the market as such and used in foods, in accordance with the specifications and conditions of use provided for in Article 7(2)", removing references to the domestic list throughout the EU regulations, replacing them with "authorisation", and then adding a new article 8A essentially saying that the list must include the details of such authorisation. As above, this focus on ministerial authorisation and "a" domestic list appears to present the potential for a disconnect between products authorised and placed on the market and the information provided on such lists, particularly in Wales. The SI also replicates/updates the transitional provisions for the EU regulation for establishing a register of products to be potentially added to the list, and then ceasing that register once things are

authorised. This process presumably took place prior to the UK's exit from the EU. **Could the Department clarify the policy rationale for replicating this transitional process?**

Scrutiny of Part 4

(EC) No 1935/2004 is amended with the overall effect of replacing references to specific "lists" of approved substances with the words "provision regulating specific substances". For example, article 11(3) amends specific measures that the appropriate authority may set out for the use of products (in article 5 of the EU regulations) to remove the references in (a) and (b) to "lists" and adds a potential register "or list" to (m). **This potentially decreases public transparency, and seems like unclear drafting. Could the Department clarify the difference between a register and a list? And why both are specified?** In other parts of this regulation, a register is clearly a transitional EU document, while a list is the new UK document.

The changes made in part 4 use an approach of defining and then referring to the "Food Safety Authority" (ie FSA/FSS), which the approach used in parts 1 and 2 above define and use "authority" (ie FSA/FSS). **The committee may wish to propose that these terms are used in a uniform way across legislation pertaining to food authorisations for clarity.**

Scrutiny of Part 5

In part 5, a "register" is the new UK public register, not an EU register, and not a list.

(EC) No 1829/2003 is amended to delete references to renewal, including the whole of article 11 of the EU regulations. **Can the Department explain the policy basis for removing authorisation renewal on all GMOs, not just other "novel" foods?**

Scrutiny of Part 6

As above, could the Department explain how the process of updating a domestic authorisation list is envisaged to function in respect of Wales? And how references to "authorisation in GB" fits with the role of the FSS and its list? And whether these changes maintain the functioning of the Internal Market Act?

Scrutiny of Part 8

Regulation 23(5) specifies that an authorisation "means, and includes, the terms, conditions and specifications on, or pursuant to, which anything was, immediately before the entry into force of these Regulations, permitted to be used, processed or placed on the market in or

under regulated products legislation, and for this purpose "specifications" includes any specifications set out in the Annex to Commission Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008". But regulation 23(6) says "an authorisation does not include any terms, conditions and specifications on, or pursuant to, which anything was, immediately before the entry into force of these Regulations, permitted to be used, processed or placed on the market pursuant to a saving or transitional provision in an instrument—

1. (i) made under Regulation (EC) No 1829/2003; [feed additives – part 2 above]
2. (ii) made under Regulation (EC) No 1831/2003; [GMOs – part 2 above]
3. (iii) that amended relevant revoked provision; or
4. (iv) revoked by Schedule 1, 2 or 3."

Could the Department clarify whether the combined impact of these changes is:

- **To clarify that authorisations on GM/feed additives continue to be seen as authorisations, but with relevant terms/conditions removed, or**
- **As above but only if the authorisation was originally granted under regulations that have now been revoked, or**
- **That none of these authorisations now stand.**

4 February 2025

Response from the Food Standards Agency

Q1: The instrument as drafted lacks clarity on lists, domestic lists and registers. For example:

- **In part 3, a "register" is used to refer to transitional/pre-authorisation registers established through EU regulations.**
- **In part 5, a "register" is the new UK public register, not an EU register, and not a list.**
- **In part 6, the SI refers to a "domestic list" rather than a "list" or a "register" in its definitions.**

We understand that this SI amends various different regulatory systems, but the Department could have taken the opportunity to give each term a clear and unique meaning in UK law. It would be helpful for the Department to set out which of these lists will be held separately by the authority and which will be split up by the headings / old regulation divisions, and to explain why it amended different regimes in one instrument.

- A1: The market authorisation process for each regime broadly aligns with the risk analysis process however, there are nuances in each regime (e.g. in deadlines, roles, responsibilities, powers and administrative requirements).

- The amendments made by this SI apply in a similar manner across all the regimes it relates to, warranting a single instrument for such changes.
- The SI achieves the policy objective of streamlining the authorisation process by replacing the requirement to prescribe authorisation decisions by SI with provisions allowing authorisations to come into effect following ministerial decisions in England, Wales and Scotland, and then be published in an official register or list maintained by the FSA and FSS.
- The current assimilated legislation, inherited from the EU, refers to both lists and registers in different contexts. These terms are entwined in the legislation to such an extent that it would be disproportionately complex to resolve any inconsistencies in this SI and is not necessary to achieve the policy objective.

Q2: Could the Department explain how potential risks were considered here and why an impact assessment was not undertaken, particularly given the majority of consultation respondents represented industry and the consultation notes that the Government Chemist raised concerns that the renewals process "provides necessary scientific checks"? This question on consideration of risks and impact assessment also applies to other relevant parts of the SI, such as parts 5 and 7.

- A2: Under the UK Government's Better Regulation Framework, a regulatory Impact Assessment is required to be prepared for all Regulatory Provisions where impacts are greater than ± £10m Equivalent Annual Net Direct Cost to Business (EANDCB). The FSA has assessed and self-certified the monetised regulatory impact of this measure to be below the +/- £10m EANDCB.
- The FSA and FSS considered the impacts of this regulatory change on businesses, public/enforcement bodies and consumers and conducted a cost-benefit analysis. The results of this analysis are set out in the Explanatory Memorandum.
- Given that the changes made by the SI maintain food and feed standards and safety, there were no direct costs or benefits to consumers identified in the analysis. Wider potential benefits include more variety of choice to consumers due to the more efficient process for bringing products to market.
- The Government Chemist (part of DSIT and hosted by LGC, the UK National Reference laboratory for GMOs), expressed the view, in response to the consultation on these reforms, that the renewals process provides necessary scientific checks **on the currency of validation methods**. The Government Chemist wrote:

  'For both GMO and feed additives renewals, we still consider a requirement to implement scientific checks to inform whether a laboratory-based method validated ten years ago, is important.'

  GMO authorisations include details of the approved laboratory-based methods that have been validated for the identification, detection and quantification of the GMO. Following the reforms, businesses will continue to be required to notify the FSA and FSS if they have any new information which might affect the suitability of a validated method.

This will allow the FSA, FSS and LGC to provide scientific checks to inform that the method is still current.

- The public consultation on the proposals was well publicised. It was sent to 26,816 subscribers of UK-wide FSA alerts and a further 66,075 subscribers to country-specific alerts received automatic notifications. The link to the consultation was posted on the FSA Facebook, X (formerly Twitter), and LinkedIn pages. These have approximately 120,500, 61,600 and 57,500 followers respectively. Following a press release, the consultation was reported by a number of trade publications. It was also shared directly with organisations (including consumer groups and non-governmental organisations) that have engaged with the FSA and FSS on the subject of regulated products in general, or a specific regime (including GMOs).
- In addition to the public consultation, these organisations were invited to attend online consultation sessions to discuss the proposals. The sessions, which gave interested parties an opportunity to express their views and ask questions ahead of formally responding, were attended by representatives from GM Watch, GM Freeze and Beyond GM. A total of 123 responses to the consultation were received: 42% were from NGOs and consumers, and 54% were from industry. Discussions at the sessions and the responses to the consultation informed the FSA/FSS's proposals.

Q3: The committee may wish to ask the Department what the purpose of this retained post-market monitoring is if it is not used in a renewals process, and what conversations DHSC has had with Defra on monitoring risks to the environment, given the limitations to the remit of the FSA.

- A3: The FSA, FSS and DHSC have engaged with other government departments, including Defra, throughout the policy development process. The proposals have subsequently received Cabinet collective agreement from the Home Affairs Committee. DHSC, the FSA, FSS and Defra continue to work together to ensure the changes made by this SI are ready to be implemented by the proposed coming into force date.
- This SI does not change the role of Defra and the Advisory Committee on Releases to the Environment (ACRE) in considering the risks posed by the release of GMOs into the environment. The reforms do not change the existing laws governing cultivation of GMOs in any parts of the UK.
- Post-market environmental monitoring and reporting is applied to all GMO authorisations. Businesses submit annual reports to the FSA and FSS. This monitoring and reporting confirms there are no detected unanticipated effects for an authorised GMO and provides monitoring of direct and indirect effects as required by the pre-authorisation environmental risk assessment. This helps ensure that GMOs don't have unexpected adverse effects on the environment. Upon request, these reports are shared with Defra.
- Requirements such as the submission of post-market monitoring reports and post-market environmental monitoring and reporting will continue to be set within the terms of authorisation of products where appropriate and necessary. Businesses will need to continue to conduct any post-market monitoring and post-market environmental

monitoring requirements applied to current authorisations, including supplying reports to the FSA and FSS.

- Retaining the ability to set monitoring requirements ensures that the FSA and FSS can make use of this information to review authorisations where required and to subsequently inform any potential ministerial decisions on modifying, suspending or revoking authorisations.

Q4: Regulation 3(10) makes a number of amendments to article 15, on urgent authorisation [.....] The committee may wish to ask the Department whether this is a gap in the SI or, if not, where these criteria might be found, and/or where further information on animal welfare may be sought.

- A4: Urgent feed additive authorisations are provisional authorisations granted for a maximum period of five years and used only in exceptional circumstances, such as for the protection of animal welfare.
- This SI replaces the requirement to prescribe authorisation decisions on urgent (provisional) feed additive authorisations by statutory instrument with provisions allowing authorisations to come into effect following ministerial decisions and then be published in an official register or list maintained by the Food Safety Authority (FSA and FSS). This is in line with other product types covered by this SI.
- This SI does not change the factors which must currently be considered by the appropriate authority when making decisions on urgent authorisations, including animal welfare. To urgently authorise a feed additive, there would need to be evidence that not authorising the feed additive would negatively affect animal welfare.
- A pre-market assessment of safety is undertaken before an urgent authorisation decision is made to ensure feed safety and animal welfare. The nature of this assessment varies depending on the type of risk. The FSA and FSS risk analysis process has been designed to be agile and flexible to meet requirements for individual issues, and can adapt quickly, on a case-by-case basis, to the time available and issue at hand to provide advice to ministers.

Q5: The regulation also amends (EC) No 378/2005 to remove references to 10 year expiry periods in 3(3) of the EU regulations, yet it appears to specifically keep a reference to re-providing any reference samples/approvals that expire despite this. The committee may wish to check if this is an error in the SI and, if not, what the policy intent was in continuing to require reference samples if there is no renewals process for them to feed into.

- A5: This is not an error, as reference samples themselves may expire.
- For certain feed additives legislation requires reference samples must be kept and replaced if the reference sample concerned expires. A reference laboratory is responsible for evaluating the method of analysis of the feed additive, and of other relevant methods of analysis related to it, on the basis of the data provided in the application for authorisation of the feed additive as regards its suitability for official control.

Q6: Could the Department clarify why "authorisation", "authorisation process" and "domestic list" are not directly defined within article 2 itself? And why the definition of "authorisation" in 2b applies only to that article?

- A6: "Authorisation process" is not a term used in the instrument, and so it does not require definition. Article 2C concerns the "domestic list", and so that is where it is defined. The definition in Article 2B of "determining the authorisation status" applies throughout the Regulation, with a definition of "authorisation" only being required for the purposes of Article 2B itself to make it clear that the food enzymes and flavouring substances described in Article 2B(4) are included. The term 'authorised' is widely understood by stakeholders as meaning a substance that has been assessed for safety and decisions have been made to authorise its use; the meaning of "authorisation" is also made clear in existing Article 1(1) (which this SI does not amend).
- Article 2B of Regulation (EC) No 1331/2008, as proposed to be amended by this SI, concerns the determination of authorisation status of the product types covered by the regulation.
- This SI amends provisions concerning the placing on the market of flavourings under evaluation and food enzymes which have not been authorised for use as the evaluation process for these types of flavourings is still ongoing and as work has not yet started on establishing a domestic list of authorised food enzymes. These products are currently permitted to be placed on the market, so long as they meet certain legislative safety requirements pending further assessment and authorisation decisions. This SI does not change the current status of these products.
- When authorisation decisions are made on flavourings under evaluation and/or food enzymes, transitional measures (e.g. to allow existing stocks to be used) may need to be set if the terms under which they are authorised are different to the way in which they are currently placed on the market or if authorisation is not granted. Therefore, in order to allow transitional measures to be set for flavouring substances under evaluation where the permission for use will be withdrawn, these substances are treated as being 'authorised' for the purpose of Article 2B so that transitional measures can be defined in the authorisation decision (or rather the decision not to authorise). Similar transitional measures may be needed for enzymes and so for the purposes of Article 2B these are also considered to be authorised.

Q7: Could the Department explain how the process of updating a domestic authorisation list (2C) is envisaged to function in respect of Wales? Is the committee satisfied that that these proposals will maintain the functioning of the Internal Market Act and provide appropriate powers for the Welsh government to hold a different position on authorisation to England?

- A7: Food policy is a devolved matter and as such, the FSA is responsible for upholding food safety standards in England, Wales and Northern Ireland, and FSS has equivalent functions in Scotland. The FSA and FSS advise their respective ministers in England, Wales and Scotland on the authorisation of regulated products. The FSA and FSS are

strongly committed to achieving four-nation consensus in line with our commitment to the Food and Feed Safety and Hygiene common framework. This approach to four-country working ensures that public health and consumer interests are protected across the nations.

- Following the reforms, approval from ministers in England, Scotland and Wales will still be required for authorisation decisions. This SI does not change the process by which ministers across the nations make decisions on authorisations. The SI means that authorisations will come into effect following those ministerial decisions and will then be published in an official register or list, rather than being prescribed by SI.
- This SI allows the FSA and FSS to maintain registers/lists which includes substances authorised in some but not all constituent countries. Where a substance is authorised only in a specified country that will be reflected in the entry in the register/list. If different decisions are reached on the terms of authorisation for products across the nations, that will be reflected in the entry in the register/list.

Q8: The SI also replicates/updates the transitional provisions for the EU regulation for establishing a register of products to be potentially added to the list, and then ceasing that register once things are authorised. This process presumably took place prior to the UK's exit from the EU. Could the Department clarify the policy rationale for replicating this transitional process?

- A8: Food enzymes are currently permitted to be placed on the market, so long as they meet certain legislative safety requirements pending further assessment and authorisation decisions.
- This SI makes amendments to Article 17 of Regulation (EC) No 1332/2008 to cover the initial authorisation of food enzymes. With the same policy objective as for other product types covered by the SI, these amendments replace the requirement to prescribe any future authorisation decisions on food enzymes by statutory instrument with provisions allowing authorisations to come into effect following ministerial decision and then be published in an official register or list maintained by the FSA/FSS.
- Whilst the EU had established a register of products on 28 April 2020, which covered enzyme applications that had been classed as valid, the UK did not adopt this register on EU Exit, as only applications received by the deadline (11 March 2015) could be considered for authorisation. There is no EU list of authorised food enzymes as the risk analysis process is ongoing.
- Therefore, the process of setting deadlines for applications to be received and establishing a UK register of valid enzyme applications (i.e. Article 17) was retained.
- Once the UK list is established, only authorised food enzymes will be able to be used. There are a number of food enzymes that are currently being used in food production under the transitional measures in Article 18 and Article 24. The appropriate authority can consider these for initial authorisation, once the date for submitting applications under Article 17 has been prescribed. All such applications for initial authorisation would then be entered on the register and then, once all those applications had been

determined, the list of initially authorised food enzymes would be established, rather than authorising separate food enzymes over a long time period.

Q9: (EC) No 1935/2004 is amended with the overall effect of replacing references to specific "lists" of approved substances with the words "provision regulating specific substances". [....] potentially decreases public transparency, and seems like unclear drafting. Could the Department clarify the difference between a register and a list? And why both are specified? In other parts of this regulation, a register is clearly a transitional EU document, while a list is the new UK document.

- A9: Across regulated product regimes, the current assimilated legislation, inherited from the EU, refers to both lists and registers in different contexts. These terms are entwined in the legislation to such an extent that it would be disproportionately complex to resolve any inconsistencies in this SI and is not necessary to achieve the policy objective.
- Regulation (EC) No 1935/2004 is an overarching piece of legislation and must be read in conjunction with other specific measures for groups of food contact materials and articles. Therefore, it must reflect both the lists and registers referred to throughout the specific measures. The regulatory status of food contact materials includes some materials having additional measures in place and some (such as active and intelligent materials intended to come into contact with food) that are permitted to be placed on the market, so long as they meet certain legislation safety requirements and pending further assessment and authorisation decisions. Therefore, distinctions between registers and lists are required.

Q10: (EC) No 1829/2003 is amended to delete references to renewal, including the whole of article 11 of the EU regulations. Can the Department explain the policy basis for removing authorisation renewal on all GMOs, not just other "novel" foods?

- A10: The current requirement for renewals only applies to three regulated product regimes: feed additives, GMOs and smoke flavourings. This SI removes renewal requirements for these three regimes. Novel foods are not subject to renewal requirements.
- An evidence-based review system will ensure already authorised products are reviewed based on risk and new evidence, rather than on a fixed timetable that requires comprehensive reviews of all products even if there is no new evidence to suggest this is needed.
- The FSA and FSS carry out ongoing risk analysis and horizon scanning to inform them whether products are safe to remain on the market. The reform also builds upon existing powers where the regulators can request information for any review, and for businesses to proactively provide it.

Q11: As above, could the Department explain how the process of updating a domestic authorisation list is envisaged to function in respect of Wales? And

how references to "authorisation in GB" fits with the role of the FSS and its list? And whether these changes maintain the functioning of the Internal Market Act?

- A11: Food and feed policy is a devolved matter and, as such, the FSA is responsible for upholding food safety standards in England, Wales and Northern Ireland, and FSS has equivalent functions in Scotland. The FSA and FSS advise their respective ministers in England, Wales and Scotland on the authorisation of regulated products. The FSA and FSS are strongly committed to achieving four-nation consensus in line with our commitment to the Food and Feed Safety and Hygiene common framework. Our approach to four-country working ensures that public health and consumer interests are protected across the nations.
- Approval from ministers in England, Scotland and Wales will still be required for authorisation decisions. This SI does not change the process by which ministers across the nations make decisions on authorisations. The SI means that authorisations will come into effect following those ministerial decisions and will then be published in an official register or list, rather than being prescribed by SI. The changes this SI makes therefore maintain the functioning of the Internal Market Act.
- The FSA and FSS already work together to maintain registers/lists of authorised regulated products for the majority of regimes on the FSA website. These currently run alongside the relevant legislation, making it easier for interested parties to find out information about regulated food and feed products authorised for use in Great Britain. These existing registers/lists are currently being updated in line with the requirements of the SI and will become the official registers/lists when the SI comes into force.
- This SI allows the FSA and FSS to maintain registers/lists which includes substances authorised in some but not all constituent countries. Where a substance is authorised only in a specified country that will be reflected in the entry in the register/list. If different decisions are reached on the terms of authorisation for products across the nations, that will be reflected in the entry in the register/list.

Q12: Could the Department clarify whether the combined impact of these changes is:

- **To clarify that authorisations on GM/feed additives continue to be seen as authorisations, but with relevant terms/conditions removed, or**
- **As above but only if the authorisation was originally granted under regulations that have now been revoked, or**
- **That none of these authorisations now stand.**

- A12: This SI revokes annexed lists of authorisations and individual authorising regulations so that they can be published in the official register or list.
- The savings and transitional provisions provided for in Part 8 of the SI clarify that these authorisations, including their terms, conditions and specifications, remain valid (continue to have effect) despite the revocation of the legislation or provisions containing them. These provisions also remove the expiry dates for existing

authorisations that are subject to renewal. The expiry dates for current urgent feed additive authorisations will not be removed.

7 February 2025