

European Scrutiny Committee

House of Commons, London, SW1A 0AA

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From: Sir William Cash MP

23 June 2021

Lord Benyon
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs
Seacole Building
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London SW1P 4DF

8537/21: Commission Regulation (EU) .../... of XXX amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the prohibition to feed non-ruminant farmed animals, other than fur animals, with protein derived from animals (41852)

We considered your Explanatory Memorandum on the above document at our meeting of 23 June 2021.

We note that, under the market access principles enshrined in the Internal Market Act 2020, any products from Northern Ireland produced under the terms of this amended legislation should in principle be accepted on the market across Great Britain. We recognise too, however, that Schedule 1 of that Act provides that threats to human and animal health are legitimate bases for exclusion from the market access principles. Our understanding is that England, Scotland and Wales could all prevent the placing on their markets of any food or feed from Northern Ireland containing ruminant collagen and gelatine or non-ruminant processed animal protein, and destined for feeding non-ruminants. Equally, though, England, Scotland and Wales could all mirror the changes to EU legislation.

Your Explanatory Memorandum lacked detail as to the process that is underway to make the requisite assessment across Great Britain. Could you please explain the process and consultation that you are pursuing for England and as part of a co-operative approach with Scotland and Wales? Do you have access to the same information as the European Commission had when making its decision? Please also give an indication of the potential impact in Northern Ireland of a)

the changes to the Regulation and b) any restriction on access to the GB market. Finally, the change could also affect the import into Great Britain of feed from the EU. What impact might such a change have on Great Britain producers?

We look forward to a response by 7 July 2021.

We are copying this letter to Neil Parish MP, Chair of the Environment, Food and Rural Affairs Committee and Ian Bradshaw, Clerk of the Committee; Simon Hoare MP, Chair of the Northern Ireland Affairs Committee and Stephen Habberley, Clerk of the Committee; Pete Wishart MP, Chair of the Scottish Affairs Committee and Leoni Kurt, Clerk of the Committee; Rt Hon. Stephen Crabb MP, Chair of the Welsh Affairs Committee and Dr Adam Evans, Clerk of the Committee; the Earl of Kinnoull, Chair of the European Affairs Committee in the House of Lords and Simon Pook, Clerk of the Committee; your Departmental EU Scrutiny team; and Les Saunders and Donald Harris in the Cabinet Office.

CHAIR