

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

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Presentation Paper: Balance of Competences Review

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Food
Standards
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*Review of the
Balance of Competences*

BALANCE OF EUROPEAN COMPETENCES REVIEW

Rationale

- Coalition Government commitment
- Analyse what membership of EU means for the UK's national interest and deepen understanding
- Constructive and serious contribution to the debate about modernising, refining and improving the EU
- Not about the detail of individual regulations

Competence

- Competence is the power to make legislation/take action. Set out in European Treaties
- The EU can only act within limits of competences
- Feed and food is shared competence
- EU has legislated widely in feed/food
- Wide definition being used – everything deriving from EU law that affects what happens in UK

Products

- 32 reports published over 2 years (4 semesters)
- No recommendations/pre-judging of future policy (will discuss options)
- Important – evidential basis for future policy right across Government

Animal health, welfare and food safety review

- Joint Defra/FSA review
- Covers:
 - Animal health, welfare
 - Food hygiene/safety
 - **Feed hygiene/safety**
 - Food labelling
 - Compositional standards

Stakeholder engagement

- Evidence is vital for robust foundation (evidence will be published)
- Opportunity to influence
- Wide engagement to gather evidence – UK , EU and international

Competence in feed

- No specific Treaty Articles on feed
- Feed law mainly under:
 - 43 – CAP
 - 114 – Internal Market
 - 168(4)(b) – Public health, vet & phytosanitary fields
- All (?) feed law is EU derived.
- Is this in the UK's best interest?

Points for discussion/evidence (1)

- Does the UK benefit from EU level feed legislation?
 - Feed businesses
 - Consumers
 - Enforcers
- What are the benefits?
 - Trade?
 - Consumer protection?
 - Incidents handling?

Points for discussion/evidence (2)

- Are there any disbenefits from EU level competence?
- Is the legislation sufficiently risk based?
- Are burdens on businesses minimised?
- Are European processes proportionate, responsive and transparent?
- Would it be better for all/some legislation to be at national or higher international level?

Summary

- Important opportunities to influence future policy
- Evidence from stakeholders is vital
- Intention to publish evidence
- Encourage submissions, either as Committee or individually