



The Scottish Parliament
Pàrlamaid na h-Alba

Joe FitzPatrick
Minister for Public Health, Sport
and Wellbeing

Via email only

Health and Sport Committee
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Dear Minister

UK Common Frameworks – Provisional UK Common Framework on Nutrition labelling, Composition and Standards

Thank you for your letter of 22 October 2020 providing the Committee with the Provisional UK Common Framework on Nutrition labelling, Composition and Standards.

At its meeting today the Committee considered its approach to its scrutiny of the Provisional Framework. The Committee would like to invite you along with representatives of Food Standards Scotland to provide oral evidence to the Committee on the Provisional Framework at its meeting on the morning of **Tuesday 8 December**. To inform this evidence session it would be much appreciated if you could provide a response to the questions detailed below:

Regime being introduced

- ***Given this framework has been in development for some months, and given they are subject to a degree of parliamentary scrutiny, could early drafts or thinking have been shared with the Parliaments concerned? Is this to be the model for the remaining Common Frameworks?***
- ***What public or private consultation processes have the Scottish and UK Governments undertaken in developing the frameworks? Who has been in the room, and at which phase of the framework development?***
- ***Which SI notifications from the Scottish Government to the Parliament to date are relevant to this specific Framework?***

- ***Were there any concerns raised by stakeholders? What were they?***
- ***Why is this framework important for Scotland?***
- ***This is a non-legislative framework – why is a non-legislative approach appropriate? Was a non-legislative approach always the plan? If not, what changed?***

Is the framework fit for purpose? I.e. Do you believe that the framework can meet its aims?

- ***What is the view of other devolved governments? In particular Wales and Northern Ireland? Have other devolved assemblies considered this framework? If so, what was their view?***
- ***How does the framework interact with other frameworks under development? Can you update the committee on how the other frameworks are progressing – and explain how the parliament can suitably judge one without seeing the others?***
- ***The framework is accompanied by a concordat - why has this model been used? Is a concordat on these issues already in place? If so, how has it changed? Will this model be replicated for other common frameworks?***
- ***The Joint Ministerial (EU Negotiations) Communiqué – October 2017 - states that frameworks will “lead to a significant increase in decision making powers for the devolved administrations”. Is that the case for this framework?***

Governance and enforcement

- ***Is the framework introducing complete regulatory alignment within the UK or does it allow for national flexibility/variation?***
- ***Does the framework introduce or maintain standards? If so, what standards does the framework introduce/maintain?***
- ***Is the framework a continuation of the status quo? If so, is it regulatory alignment to the EU or to other international standards?***
- ***Is the governance regime significantly different from what was in place prior to the UK leaving the EU?***
- ***What enforcement regime is envisaged? Who will be responsible for enforcement? By what authority will the enforcement agency act?***
- ***How will success be measured?***

The Committee also agreed at its meeting to explore with relevant stakeholders their views on their engagement to date in the development of the provisional framework, its content and how they believe it will operate in practice. The Committee plans to hold this evidence session on the 1 December. The Clerk will be happy to liaise with your officials on attendees for this session once we've received confirmation.

To enable the Committee to consider your response to the questions we've posed in advance of your oral evidence session it would be much appreciated if these could be provided by 5pm on Thursday 26 November.

Yours sincerely

Lewis Macdonald
Convener, Health and Sport Committee