



The Scottish Parliament
Pàrlamaid na h-Alba

Mairi Gougeon
Cabinet Secretary for Rural
Affairs, Land Reform and
Islands

Rural Affairs and Islands Committee
c/o Clerk to the Committee
The Scottish Parliament
Edinburgh
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4 October 2023

By email only

Dear Cabinet Secretary,

EU law tracker report

At its meeting today, the Committee considered the [first EU law tracker report](#) which was commissioned by the CEEAC Committee.

Members noted the four case studies set out in the report which relate to the Committee's remit and agreed to ask the Scottish Government for further information on the following points—

- In relation to the legislative changes to EU animal health law which has resulted in partial alignment—
 - why it has made some updates to this retained/assimilated EU law since the end of the transition period but has not made all the changes to Scots law to achieve full alignment;
 - which changes remain to achieve full alignment; and
 - what will be the impact of any divergence between Scots law and EU law in this policy area.

- In relation to legislative changes to the EU official controls regulation (OCR) which has resulted in divergence (with the policy impact expected to be minimal at present)—
 - the reasons why the retained EU law has not been updated to reflect changes that continue to be made to the EU law version of the OCR;
 - for further information about how the [UK's new Border Target Operating Model](#) (BTOM; the UK's new approach to security, sanitary and phytosanitary checks at the border) will likely impact the retained versions of OCR legislation in Scotland when it is introduced; and
 - what will be the impact of divergence between Scots law and EU law in this area.

- In relation to the plant pests regulation which has resulted in divergence—
 - why the retained version of the Plant Health Regulation (PHR) in Scotland is not being updated to reflect technical changes being made to the EU version of the PHR; and
 - what will be the impact of divergence between Scots law and EU law in this policy area.

- In relation to the fertilising products regulation which has resulted in potential divergence—
 - why the changes that have been made at EU level since the end of UK transition period have not been reflected in the Scots Law retained version of the earlier fertilisers regulation; and
 - what will be the impact of any potential divergence between Scots law and EU law in this policy area.

A response by Wednesday 1 November would be appreciated.

I am copying in the Convener of the CEEAC Committee for information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Finlay Carson', with a long horizontal flourish extending to the right.

Finlay Carson MSP
Convener
Rural Affairs and Islands Committee