

Minister for Agriculture and Connectivity  
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28 January 2025

Dear Convener,

**THE OFFICIAL CONTROLS (PLANT HEALTH) AND PHYSTOSANITARY CONDITIONS  
(AMENDMENT) REGULATIONS 2025 – “DEFRA PH/052/R”  
EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT**

The Scottish Parliament agreed on 17 December 2024 that it was content for Scottish Ministers to give their consent to the The Official Controls (Plant Health) and Phytosanitary Conditions (Amendment) Regulations 2025 – “Defra PH/052/R” including Scottish devolved matters, as set out in the notification to the Parliament.

Defra PH/052/R was made on 7 January 2025 under the powers conferred by Articles 5(3), 30(1) and (1A) and (5), 37(5) and (5A), 41(3), 72(3), 73(2) and 79(3) of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants (“the Plant Health Regulation” (PHR)); and Articles 64(4), 90, 144(6) and paragraph 3(2) of Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (“the Official Controls Regulations”).

During the period when the PH/052/R notification was being considered by the RAI Committee, additional powers were incorporated, and various pest names in Annex 2 and the list of provisional GB quarantine pests were updated to ensure those pests are identified by their current names.

Despite these changes being made after the notification was put forward to the Committee for its consideration, my officials from both SGLD and SASA confirmed these were necessary operational amendments to ensure the continued and effective operation of the GB-wide Plant Health regime. Against this background, I can confirm the SI is consistent with the consent granted.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

I am copying this letter to the Convener of the Delegated Powers and Law Reform Committee and Cabinet Secretary for Rural Affairs, Land Reform and Islands.

Yours sincerely



**JIM FAIRLIE**

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