



The Scottish Parliament  
Pàrlamaid na h-Alba

## Rural Affairs, Islands and Natural Environment Committee

Mairi Gougeon  
Cabinet Secretary for  
Rural Affairs, Islands and  
Natural Environment

c/o Clerk to the Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP

[rural.committee@parliament.scot](mailto:rural.committee@parliament.scot)

***By email only***

16 March 2022

Dear Cabinet Secretary,

### **The Organics (Derogations) (Amendment) Regulations 2022**

Thank you for your letter, dated 7 February 2022, relating to a consent notification for the above proposed UK SI.

The Committee considered the notification at its meeting this morning and agreed with the Scottish Government's decision to consent to the provisions set out in these notifications being included in UK, rather than Scottish, subordinate legislation.

The Committee also agreed—

- a) to note that the derogation provided for the introduction of non-organic pullet hens under 18 weeks into organic livestock units no longer aligns with the most recent position in EU law;
- b) to ask the Scottish Government that, in future notifications, it specifies where the proposed provision diverges from the current EU position;
- c) to note that, while the original notification described the proposals as “technical”, the Scottish Government has now confirmed that they do constitute policy decisions; and
- d) to note that the UK derogation on the introduction of non-organic pullet hens into organic livestock units expires on 31 December 2022, prior to the deadline for reassessment of equivalence of organic standards under the TCA. In the event that the UK and Scottish Government wish to further extend this derogation beyond 31 December 2022, the Committee asks that the relevant

notification addresses whether this would have any impact on the reassessment of equivalence on organics under the TCA.

I am copying in the Convener to the Constitution, Europe, External Affairs and Culture Committee in relation to a) and b) above.

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, Island and Natural Environment Committee