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As you know from our telephone conversation of 8 October, the Scottish Government has two main areas of concern about the Agriculture Bill as currently drafted.

Firstly, there are important clauses which, as currently drafted, would apply UK-wide – and which clearly impinge on the legislative competence of the Scottish Parliament. We agreed to continue to seek possible solutions, including looking in good faith at each other's proposals.

Accordingly I have enclosed with this letter the text of amendments to the Bill which we would wish to see and which address these issues, along with some short explanatory notes.

The amendments cover the three areas of the Bill we have previously discussed: clauses 22-24 on Producer Organisations, clause 25 on Fair Dealing in supply chains, and clause 26 on the WTO Agreement on Agriculture. They are designed to reflect devolved competences and bring the relevant clauses into line with the devolution settlement.

Secondly, there are a number of substantive omissions from the bill which you will recall, I have requested previously in meetings, calls and correspondence, be addressed in this bill.

It would be appropriate to give devolved administrations an appropriate statutory role in a future UK geographical indications scheme, if such a role were not to be already included in the immediate post-exit secondary legislation. Unfortunately the provisions of the post-exit SI do not meet our needs, and I am sure you will understand why it is important for devolved administrations to have a role in a scheme of such importance to our food producers. I am therefore also enclosing the text of a stand-alone amendment which would insert an appropriate provision into the Agriculture Bill.

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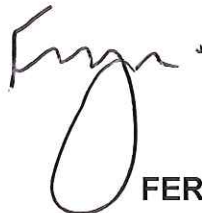
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I have already written to you on 16 October about the Red Meat Levy, and trust that you will urgently act on the policy proposals I provided and introduce an appropriate amendment.

I also continue to believe that, as I have mentioned in our previous ministerial meetings, this Bill should be used as a vehicle for the UK Government to honour promises made during the EU referendum campaign regarding future funding – that all lost funding would be at least replaced – and also to ensure that our producers will not be unfairly undercut by imports which are produced to lower standards.

I am aware, from official-level discussions, that you are planning to introduce a number of government amendments in the coming weeks. I hope that these will include measures to address the matters outlined above. I may come back to you soon with the text of further amendments to address these omissions, depending on what progress we make in the meantime. If I or Scottish Government officials can assist in that regard, please do not hesitate to involve us.

Yours sincerely,


FERGUS EWING

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