

Official – Sensitive – Scottish Government Briefing

**BRIEFING FOR INTER-MINISTERIAL GROUP FOR
ENVIRONMENT, FOOD AND RURAL AFFAIRS**

Monday 28 June 2021

CABINET SECRETARY FOR RURAL AFFAIRS & THE ISLANDS

MINISTER FOR ENVIRONMENT, BIODIVERSITY & LAND REFORM

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| Date and Time of Engagement | Monday 28 June 2021 from 0930 to 1100 |
| Where | The UK Government are hosting via MS Teams |
| Key Message/Objectives | <ul style="list-style-type: none"> • [REDACTED] |
| Who | <p><u>Welsh Government</u></p> <ul style="list-style-type: none"> • Lesley Griffiths MS, Minister for Rural Affairs and North Wales, and Trefnydd, • Julie James MS, Minister for Climate Change • Welsh Officials: Gian Marco Currado (Director Environment and Marine), Christianne Glossop (Chief Veterinary Officer), Graham Rees (Deputy Director EU Exit & Strategy), [REDACTED] (Head of Trade Policy), [REDACTED] (Head of Inter-Governmental), [REDACTED] (Inter-Governmental Officer), [REDACTED], EU Exit and Strategy (Shadowing) <p><u>Northern Ireland Executive</u></p> <ul style="list-style-type: none"> • Minister Poots (Minister of Agriculture, Environment and Rural Affairs, Northern Ireland Executive) • <u>NIE Officials:</u> [REDACTED] (Head of Food and Farming Group, DAERA) Robert Huey (CVO, DAERA), Rosemary Agnew (Director, Transition Policy Division, DAERA), [REDACTED] (Transition Policy Division, DAERA), [REDACTED] (Transition Policy Division, DAERA), [REDACTED] (Private Secretary), [REDACTED] (Assistant Private Secretary), Mark Beattie (Special Adviser) <p><u>UK Government</u></p> <ul style="list-style-type: none"> • George Eustice MP, Secretary of State, Defra • Victoria Prentis MP, Parliamentary Under Secretary of State, Defra • David Duguid MP, Parliamentary Under Secretary of State for Scotland • David TC Davies MP, Parliamentary Under Secretary of State for Wales • Robin Walker MP, Minister of State for Northern Ireland • Defra Officials: Danny Jeyasingam (DD, Devolution), Lisa Gill, and Yegor Ryazanov (Devolution team), Nick Barter, (DD, Net Zero and Carbon Budgets Strategy) and [REDACTED] (Net Zero and Carbon Budgets Strategy); Katie Waring, (DD, EU Strategy & Negotiations); [REDACTED], (Head of UK-EU, Trade and Cooperation); Rose MacFarlane, (DD Global |

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|----------------------------------|--|
| | Trade Negotiations); Alice Cardy, Northern Ireland Boundary team, (Peter Jinks, (DD, SPS and Imports); Richard Moir, (DD EU/GB Border); [REDACTED] and [REDACTED], (Marine and Fisheries); Fiona White or Tim Morden (DD, Future farming); [REDACTED], [REDACTED] and [REDACTED] (Territorial Offices) |
| Why | <ul style="list-style-type: none"> • [REDACTED] |
| Official Support Required | <ul style="list-style-type: none"> • Jesus Gallego, Deputy Chief Veterinary Officer [REDACTED] (Lead DD) • Mark Nicoll, Head of European Fisheries Fund Team, Marine Scotland [REDACTED] • George Burgess, Deputy Director, Food and Drink [REDACTED] • Katriona Carmichael, Deputy Director, Future Environment [REDACTED] • Leanne Dobson, Special Adviser [REDACTED] • [REDACTED], Head of Engagement, ENFOR [REDACTED] |
| Media Handling | [REDACTED] |
| Dress code | [REDACTED] |
| Pre-meeting | [REDACTED] |

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| 1. [REDACTED] | 7 |
| 2. [REDACTED] | |
| 3. [REDACTED] | 8 |
| 4. <u>Gene Editing</u> (10 min) | |
| • To discuss working together to explore amending the definition of GMOs to permit and encourage investment into the research and development of GE plants | 12 |
| 5. [REDACTED] | |
| 6. [REDACTED] | 14 |
| 7. [REDACTED] | |
| 8. <u>AOB</u> (10 min) | 16 |
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ANNEX A – AGENDA

**Inter-Ministerial Group for Environment, Food and Rural Affairs
Hosted by UKG via MS Teams
Monday 28 June 2021, 09:30-11:00
Agenda**

| Item | Subject |
|-------------|--|
| 1 | [REDACTED] |
| 2. | [REDACTED] |
| 3. | [REDACTED] |
| 4. | <u>Gene Editing</u> (10 min) Purpose: To discuss working together to explore legal mechanism to permit and encourage investment into the research and development of GE plants |
| 5. | [REDACTED] |
| 6. | [REDACTED] |
| 7. | [REDACTED] |
| 8. | <u>AOB</u> (10 min) <ul style="list-style-type: none">• [REDACTED] |

ANNEX B – KEY ISSUES TO PRESS

[REDACTED]

[REDACTED]

2. [REDACTED]

3. [REDACTED]

4. Gene Editing (10 min)

- Seek more information while expressing extreme caution about any change in position in Scotland
- Remain aligned with the EU, who are exploring their policy position following the recent study

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. AOB (10 min)

[REDACTED]

ANNEX C - OBJECTIVES, HANDLING, SUGGESTED LINES AND RELEVANT BACKGROUND

**AGENDA ITEM 1
[REDACTED]**

Formally agree minutes and actions from the previous meeting

MINISTERIAL BACKGROUND

Ministers have already agreed the minutes and action log from the 23 March IMG.

[ACTION LOG AT ANNEX E](#)

To note that Minister McAllan has been given speaking notes in her pack should the Minister wish to introduce herself.

AGENDA ITEM 2
[REDACTED]

[REDACTED]

AGENDA ITEM 3
[REDACTED]

- **[REDACTED]**

AGENDA ITEM 4 GENE EDITING (10 MIN)

Purpose: To discuss working together to explore legal mechanism to permit and encourage investment into the research and development of GE plants

LEAD MINISTER – MS MCALLAN

Issue:

Defra intend to ask if DAs wish to work together to explore legal mechanism to permit and encourage investment into the research and development of GE plants.

SG Objective:

- Seek more information while expressing extreme caution about any change in position in Scotland
- Remain aligned with the EU, which is exploring its policy position following the recent study

Position of UKG/other DAs

- **UKG** recently consulted on genetic technologies and were expected to change legislation to allow gene edited crops to be grown and marketed. Ministers have not yet publicly responded but the fact their focus has changed to research trials suggests that the response to the consultation has encouraged Defra to take a slower, more considered approach than they originally intended
- **WG** position is unknown. It has historically been cautious
- **NIE** are limited in taking a position by the NI Protocol
- **EU** has indicated it is also reviewing its legislation, first focusing on targeted cisgenesis and mutagenesis for plants (i.e. techniques such as gene editing)

Top Lines

- We welcome the opportunity to work with Defra to try to have a consistent approach across GB, but our policy is to remain aligned with the EU, who are undertaking a review of their policy
- Scotland is committed to remaining free of GM cultivation, but we recognise that there have been advances in the technologies and are considering those developments
- Given this, and not having received any detail beyond what has just been said, you will appreciate that we simply do not have sufficient information to consider the proposals fully, especially as sufficient work would need to be undertaken before we could give serious consideration to what is being proposed

BACKGROUND

- Gene editing is one of many 'novel genomic techniques' (NGTs) developed since the main Genetically Modified Organisms (GMO) legislation was made in 2001. NGTs were ruled to be in scope of the legislation by the European Court of Justice (ECJ) in 2018, effectively preventing their use outside of a laboratory. This was seen as a controversial ruling by many since gene editing is a different, more precise technique than GM and can bring about changes which could have occurred naturally

- GMO legislation is devolved. Scotland has been opposed to GMOs for ‘deliberate release into the environment’ (e.g. crops) in order to protect the clean, green status of Scotland’s food and drink industry, and to stay aligned with the EU. ‘Contained use’ GMOs, which are restricted to indoor laboratory settings, are less controversial and used for research and medicine development
- Between January and March Defra consulted on removing gene editing from the definition of GMOs in England when it produces changes that could have been introduced by traditional breeding. Defra have not yet responded to the consultation, but conversations with officials have indicated the change in approach to a focus on facilitating research in the first instance. This includes field trials, which count as ‘deliberate release to the environment’. They are expected to write to Scottish Ministers on the matter imminently
- The current proposal as we understand it, would not be to deregulate gene edited products for marketing, therefore the Internal Market Act would not have any role in this policy direction
- The EU have recently published a study concluding that the GMO legislation (which Scotland has transposed) is not fit for purpose with regard to novel genomic techniques, and that novel genomic techniques have the potential to contribute to a more sustainable food system. The Commission are now preparing a consultation and impact assessment on reviewing the legislation for targeted mutagenesis and cisgenesis in plants – essentially techniques where no foreign DNA is used
- Policy officials are preparing papers for ministers in order for them to consider if Scotland wishes to review its policy

AGENDA ITEM 5
[REDACTED]

- **[REDACTED]**

AGENDA ITEM 6
[REDACTED]

[REDACTED]

AGENDA ITEM 7
[REDACTED]

- **[REDACTED]**

AGENDA ITEM 8
AOB (10 MIN)

[REDACTED]

- **[REDACTED]**

ANNEX D – MS TEAMS JOINING INSTRUCTIONS

[REDACTED]

OFFICIAL SENSITIVE

ANNEX E – ACTION LOG FROM MARCH IMG MEETING – OPEN ACTIONS

[REDACTED]