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Sir William Cash MP  
Chairman  
European Scrutiny Committee  
14 Tothill Street  
House of Commons  
London  
SW1H 9NB

7 February 2019

L Bill,

**EM 7809/18: PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON UNFAIR TRADING PRACTICES IN BUSINESS-TO-BUSINESS RELATIONSHIPS IN THE FOOD SUPPLY CHAIN**

Thank you for your report of 16 January. I am writing with a brief update on the progress of the Directive.

At the Special Committee on Agriculture meeting on 14 January, Member States were asked for comments on the compromise text, with the Presidency hopeful of securing an indicative final agreement. The UK lodged our scrutiny reserve in the discussion, with other Member States demonstrating near unanimous support. The Presidency were satisfied that they had a sufficient majority to confirm to the Parliament that agreement had been reached.

The Commission have subsequently initiated the jurists linguists process, which indicates no further substantive changes to the Directive text are expected.

The European Parliament Committee on Agriculture voted to agree the Directive on 23 January. The Directive is scheduled to be submitted to the Parliament for approval in the plenary session on 19 March.

The anticipated Council vote on 28 January was not held. It remains unclear when the new Romanian Presidency intends to include the Directive on an AgriFish Council agenda. Given the expectation that the Directive will be voted on in the March Parliamentary plenary, it is likely that the Directive will be included for approval on the agenda of the March AgriFish Council.

With respect to the UK's intended strategy towards implementing the Directive, in either the full transposition scenario or the third-country requirements, this will be tightly bound with the work undertaken to explore enforcement strategies for domestic powers contained in the Agriculture Bill. I will write again to inform you once this work has developed.

I am copying this letter to Lord Boswell, Chairman of the European Union Committee. I am also copying this letter to the Clerks of the Commons and Lords Committees, Lynn Gardner and Chris Johnson respectively; Les Saunders, Department for Exiting the European Union; and Tess Hanneman, Defra Scrutiny Co-ordinator.

Yours sincerely,



**DAVID RUTLEY MP**