

Cyflwynwyd yr ymateb hwn i'r ymgynghoriad ar y [Bil Bwyd \(Cymru\) Drafft](#)

This response was submitted to the consultation on the [Draft Food \(Wales\) Bill](#)

FB004

Ymateb gan: | Response from: RSPB Cymru

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## 1. Do you agree with the overarching principles that the Bill seeks to achieve?

We understand the overarching principles to be:

*The proposed legislation seeks to establish a more sustainable food system in Wales to strengthen food security, and improve Wales's socio-economic well-being, and enhance consumer choice.*

While we welcome the proposals to improve the sustainability of Welsh food systems we believe they should be more ambitious and aim to establish a **sustainable food system**, as apposed to a **more** sustainable food system, which implies ongoing, if reduced unsustainable activity.

We are also very concerned the principles do not appear to recognise or encompass nature. This includes the impact of food systems on nature (on land and sea), the vital role sustainable food systems must play in restoring nature or that nature underpins food production and wider ecosystem resilience essential to broader economic activity and social well-being, as highlighted in [Food security and nutrition: building a global narrative towards 2030](#). We also believe the principles should include mitigating and adapting to climate change to reflect the role sustainable food systems must play in addressing the Climate **and** Nature Emergency.

With almost 90% of land in Wales farmed how we produce food has a huge impact on the state of nature and the wider environment nature creates and on which we depend. This impact includes the condition of our natural resources, such as soils and water, essential to food production.

For over 50 years Welsh farming has been shaped by the European Union's Common Agriculture Policy (CAP), which has driven the intensification of farming while failing to adequately protect nature. Unustainable farming (and therefore food production) is the main reason why:

- Wales is now one of the most nature depleted countries in the World<sup>1</sup> with 1 in 6 species threatened with extinction<sup>2</sup>.
- None of our ecosystems (including soils, air and water), essential to our well-being, are resilient<sup>3</sup>. Most of our soils (except for woodlands) are in poor condition and almost all our water bodies are impacted by agricultural pollution, including all our SAC rivers<sup>4</sup>.
- Agriculture contributes 12.0% of Welsh greenhouse gas emissions, much of it methane from livestock. This figure is higher when imported feeds are factored in<sup>5</sup>.

Leaving the EU provides us with a unique opportunity to develop new farming and food polices for Wales that will help address significant environmental challenges essential to securing a sustainable Wales. As such its vital that this draft Bill, should it become law, is an effective means of developing a nature/environmentally friendly food system for Wales.

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<sup>1</sup> <https://www.rspb.org.uk/globalassets/downloads/about-us/48398rspb-biodiversity-intactness-index-summary-report-v4.pdf>

<sup>2</sup> <https://nbn.org.uk/wp-content/uploads/2019/09/State-of-Nature-2019-UK-full-report.pdf>

<sup>3</sup> <https://naturalresources.wales/evidence-and-data/research-and-reports/state-of-natural-resources-report-sonarr-for-wales-2020/?lang=en>

<sup>4</sup> Tackling Phosphorous Pollution in Wales' Special Area of Conservation Rivers. Welsh Government, 2022.

<sup>5</sup> <https://gov.wales/sites/default/files/publications/2019-06/agriculture-sector-emission-pathway-factsheet.pdf>

Whilst unsuitable farming and food production, driven by poorly conceived policies, is the main driver of biodiversity loss and contributes to climate change, sustainable, nature friendly farming is also the key to restoring nature and the ecosystems we depend on. The [Nature Friendly Farming Network](#) highlights food production that works with nature. In their latest report [Rethink Food: The Need For Change](#) the Network examines why food system change is needed to support the transition to nature-friendly farming and in doing so secure improvements to soil health, biodiversity and climate mitigation to ensure viable UK food production and bolster necessary adaptation to a warming climate.

At a time of global food insecurity resulting from the pandemic and the war in Ukraine, the report argues that fragilities in the food system have long been present. Current research predicts that the land's overall productive capacity will reduce due to climate change, increasing supply and demand pressure, and making on-farm adaptation through nature-friendly systems a priority. This report compliments the Network's previous report [Nature Means Business](#), on establishing the balance between food production and improving nature.

**Sustainable fisheries for Wales:** Future Welsh policies impacting fisheries (such as this draft Bill) must have sustainability at their core and deliver [UK Fisheries Act](#) objectives. In 2015, 53% of marine fish (quota) stocks of UK interest were fished at or below sustainable levels<sup>6</sup>, whilst most national shellfish stocks have either not achieved Good Environmental Status or their status is uncertain. Future policies should recognise the need to sustainably manage fisheries in Welsh waters to ensure this natural resource continues to meet our needs as well as those species that also depend on them e.g., Wales's internationally important seabird populations.

The [UK Government Food Strategy](#) also recognises the importance of nature in its overarching objectives:

*a sustainable, [nature positive](#), affordable food system that provides choice and access to high quality products that support healthier and home-grown diets for all.*

A **Nature Positive** food system is one that contributes to **halting and reversing nature loss** measured from a baseline of 2020, through increasing the health, abundance, diversity and resilience of species, populations and ecosystems so that **by 2030** nature is visibly and measurably on the path of recovery.

**By 2050**, nature will have recovered so that thriving ecosystems and nature-based solutions continue to support future generations, the diversity of life and play a critical role in halting runaway climate change.

In developing a sustainable food system for Wales its essential that impact beyond Wales is considered and that future food legislation and policy serves to eliminate unsustainable practises here and overseas. [Wales and Global Responsibility](#), a report by WWF, RSPB Cymru and Size of Wales found that:

*An area nearly half the size of Wales was required overseas to grow Welsh imports of cocoa, palm, beef, leather, natural rubber, soy, timber, pulp and paper in an average year between 2011- 2018, causing deforestation, habitat conversion, greenhouse gas (GHG) emissions, and risking exploitative labour practices.*

Based on the points raised above we recommend the principles for the draft Bill are broadened to include nature and climate, including overseas impact as follows:

***The proposed legislation seeks to establish a sustainable food system in Wales, including overseas impact, to strengthen food security, restore and maintain biodiversity, mitigate***

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<sup>6</sup><https://moat.cefas.co.uk/pressures-from-human-activities/commercial-fish-and-shellfish/>

*and adapt to climate change and improve Wales's environmental, social and economic well-being, and enhance consumer choice.*

This would ensure future food systems contribute fully to addressing the *Nature and Climate Emergency* and are aligned with and contribute to the aims of the Well-being of Future Generations (Wales) Act 2015, including Goal 2, a Resilient Wales:

*A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).*

And Goal 7, a Globally Responsible Wales:

*A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.*

We are concerned that a failure to recognise nature in future food legislation and policy risks embedding unsustainable practise at a time when we need to take every opportunity to ensure sustainability is at the heart of all decision making.

[Tackling Biodiversity and Climate Crises Together and Their Combined Social Impacts](#) (IPBES Report 2021) highlights 'human-caused climate change is increasingly threatening nature and its contributions to people, including its ability to help mitigate climate change. The warmer the world gets, the less food, drinking water and other key contributions nature can make to our lives, in many regions'. The report goes on to say 'biodiversity loss and climate change are both driven by human economic activities and mutually reinforce each other. Neither will be successfully resolved unless both are tackled together'.

The findings of this report highlights the vital relationship between nature and our well-being, including our ability to maintain food production, and in doing reinforces the requirement to ensure nature is given full consideration in the development of this draft Bill.

## 2. Do you think there is a need for this legislation?

We recognise the benefits of establishing a legal framework to secure a sustainable food system in Wales. We also recognise the importance of the various aspects of the framework identified in this proposal, including:

- Food goals, **provided these include goals and related targets that secure positive action for biodiversity and climate change**
- A statutory Food Commission to provide independent oversight, give expert advice, and encourage public participation.
- National Food Strategies, with the aim of creating a cohesive government strategy that joins up policies from production to consumption, **with outcomes linked to statutory targets (including environmental) and the Well-being Goals.**
- Local Food Plans, **but which go beyond the proposal to have regard for, and instead place a duty on public bodies** (i.e., schools and hospitals,) to incorporate the National Food Strategy priorities into their decision making e.g. when sourcing and buying food.
- Effective means of tackling food waste is also very important if we are to secure the sustainable management of natural resources (as required by the Environment (Wales) Act 2016.

- If we are to use our natural resources sustainably we also believe future food policy has a vital role in **driving sustainable, healthy diets**, in line with advice from The EAT – Lancet Commission on Food, Plant, Health<sup>7</sup>. This includes the sustainable consumption of less but better meat and dairy.

To what extent new legislation is required depends on how much of the proposed framework Welsh Government can establish using existing legislation and commitments, including the introduction of its Community Food Strategy. Therefore, until there is clarity on how Government intends securing a sustainable food system for Wales it is difficult to comment on how much new legislation may be required. However, as current Government plans do not appear to include provision for independent oversight or the means of aligning a food policy across portfolios **there appears to be the need for legislation to establish a National Food Strategy and an independent Commission to oversee its delivery.**

**3. Please provide your views on the inclusion of the Food Goals within the Bill as the means to underpin the policy objectives.**

*and*

**4. Do you agree with the inclusion of a Primary Food Goal supplemented by Secondary Food Goals?**

*and*

**5. Are there additional / different areas you think should be included in the Food Goals?**

*and*

**6. Do you have any additional comments on the Food Goals, including the resource implications of the proposals and how these could be minimised?**

Our response to questions 3 – 6 is covered in questions 2 & 3 above i.e., we recognise the value of Food Goals and support their inclusion, provided they include biodiversity and climate change goals given the food systems' impact (positive and negative) on nature and climate in Wales and beyond.

**7. Please provide your views on the inclusion of targets within the Bill as the means to measure how the Food Goals are being advanced.**

*and*

**8. Do you agree with the process for setting the targets?**

*and*

**9. Do you think the reporting mechanisms set out in the draft Bill provide sufficient accountability and scope for scrutiny?**

*and*

**10. Do you have any additional comments on the targets, including the resource implications of the proposals and how these could be minimised?**

*Response to questions 7 - 10:*

It is important the draft Bill drives essential change across the entire food system (including fisheries), and this will require tangible targets to stimulate action on a range of food system issues e.g.:

- reducing chemical inputs (pesticides, fertilizers)
- eliminating agricultural pollution,
- adopting agro-ecology as the basis for farming and food production,
- sustainable seafood,

<sup>7</sup> <https://eatforum.org/eat-lancet-commission/>

- reducing food waste,
- tackling childhood obesity,
- addressing food poverty,
- effective use of public procurement,
- restoring biodiversity, including securing 30% of land and sea well-managed for nature and ensuring all designated sites (SSSIs, Special Protected Areas and Special Areas of Conservation) achieve favourable condition,
- reducing greenhouse gas (GHG) emissions and helping the food system mitigate and adapt to the impacts of climate change, and
- securing a fair income for farmers, fishers and all food sector workers

To be effective targets and objectives, including environmental, must either be set out in the Bill (rather than associated plans) to drive action and/or the Bill must be aligned with, and be an effective means of delivering the targets and objectives of other relevant legislation and commitments e.g., net zero. This includes contributing to the Well-being Goals, securing the sustainable management of natural resources (SMNR) and delivering the objectives of future legislation where the impact of the Welsh food systems is relevant e.g., the promised Environmental Protection (Wales) Bill on environmental principles, governance and nature recovery targets.

[Putting Wales on a Path to Nature Recovery](#) report, published in 2021 by RSPB Cymru and WWF Cymru set out five key recommendations for future legislation which we consider should be adopted and which a Food Bill should be aligned to:

- An overarching new duty on the Welsh Government to embed and integrate nature recovery and environmental protection across Government, expressing the key objectives to be achieved by 2050.
- A duty to halt and begin to reverse the loss of biodiversity by 2030, and achieve recovery by 2050.
- A duty to set long term and interim targets via a framework informed by independent expertise and scientific advice, aligned with those to be set in post-2020 CBD framework to 2030. The targets would ideally be set in five year cycles, to match the climate plan or Senedd term. If the expert scientific advice is not followed the Minister must explain why to Senedd.
- Secondary legislation establishing a comprehensive plan with appropriate SMART targets, subject to regular review and reporting, with scrutiny at a high level, to ensure progress towards targets is maintained.
- A legal requirement on Ministers to ensure the targets are met. This should help break out of the cycle of 'too little too late' that has dogged biodiversity delivery to date.

In addition to the reporting mechanisms set out in the draft Bill we recommend the duty for the Welsh Ministers to review the targets that they have set should so include a duty to *implement changes* where they are required to meet objectives and targets. We also recommend that reporting should be aligned with other relevant reporting across Wales e.g., the [State of Natural Resources Report \(SoNaRR\)](#), climate change and biodiversity reporting (including designated sites condition).

**11. What are your views on the need for a Welsh Food Commission?**

*and*

**12. Do you agree with the goals and functions of the Welsh Food Commission? If not, what changes would you suggest?**

*and*

**13. Do you agree with the size of the membership of the Food Commission and the process for appointing its members?**

*and*

**14. What are your views on the proposal that the chair and members can serve a maximum term of five years and that an individual may be re-appointed as a chair or member only once? Do you believe this is appropriate?**

*and*

**15. Do you have any additional comments on the Food Commission, including the resource implications of the proposals and how these could be minimised?**

*Response to questions 11 – 15:*

Current Government plans do not include provision for independent oversight of a Welsh food system, which is essential if we are to have an environmental and socially sustainable supply chain from farm to fork. As such there appears to be the need for an independent Commission to oversee delivery of a joined-up and effective food strategy for Wales.

Our food system has significant impact on nature and the wider environment e.g., farming is the biggest driver of nature's loss in Wales and produces 12% of Welsh greenhouse gas emissions. Therefore, its essential membership of the Commission includes appropriate environmental expertise if our future food system is to restore and maintain nature and the resilient ecosystems that we all depend on. This dependency includes our capacity to produce food now and in the future.

**16. Do you agree that there is a need for a national food strategy?**

*and*

**17. Do you believe the Welsh Government's current strategies relating to 'food' are sufficiently joined up / coherent?**

*and*

**18. Does the draft Bill do enough to ensure that Welsh Ministers take advice and consult on the strategy before it is made. If no, what additional mechanisms would you put in place?**

*and*

**19. Do you think the provisions of the draft Bill relating to reporting on the national food strategy are sufficient? If not, what changes would you like to see?**

*and*

**20. Do you think the provisions of the draft Bill relating to reviewing of the national food strategy are sufficient? If not, what changes would you like to see?**

*and*

**21. Do you have any additional comments on the National Food Strategy, including the resource implications of the proposals and how these could be minimised.**

*Response to questions 16 – 21:*

Despite Welsh Government food plans highlighting the need for sustainability much of our farming and food production in Wales has prioritised unsustainable growth and produces a very narrow range of commodities, meat and dairy in particular. In some cases, production vastly outweighs consumptions e.g. we only eat 5% of the lamb we produce.

There is clear and mounting evidence that the implementation of food strategies and policies in Wales is having a detrimental impact on nature and the wider environment<sup>8</sup>. This degradation is continuing and is exacerbated by the erroneous belief that somehow we can continue to 'produce/grow' our way to a resilient environment, instead of recognising the fundamental need to prioritising nature's restoration to ensure we can maintain our capacity to produce food.

Welsh Government's Food Division is still highlighting growth as a key indicator for Wales's food system despite evidence that current levels of production are unsustainable; there are no environmental indicators in the Divisions' Measures of Success:

*Every year the turnover value of Wales's food and drink sector will proportionately grow more than the rest of the UK, and to at least £8.5bn by 2025.*

This failure to embed sustainability at the heart of decision-making highlights the need for a National Food Strategy to align food policy across portfolios within the context set by the Well-being of Future Generations (Wales) Act 2015. This includes agriculture (and the new Sustainable Farming Scheme), environment (biodiversity and climate change), health and well-being, procurement, and planning (e.g., to avoid the proliferation of Intensive Poultry Units we've seen in Powys, which are now impacting water quality).

Rather than expedient growth the aim of a future Welsh food strategy should be to enhance [food sovereignty](#) (which in turn will improve food security) and promote the sustainable production and consumption of more of what we eat in Wales and to improve people's access to good quality, nutritious food. Key to this will be aligning output with the natural productive capacity of land and working with nature, as opposed to damaging it, to ensure we can continue to produce food. This approach is known as the Maximum Sustainable Output (MSO) and is explored further in [Less is More](#)<sup>9</sup>. Sustainable Welsh food production and supply chains will also require the adoption of agro-ecological as the underlying principle, and is one of the key recommendations in [A Welsh Food System fit for Future Generations](#), along with moving to local supply chains and sustainable diets. Food Policy Alliance Cymru also highlight many of these same requirements in its [2021 FPAC Manifesto](#), drawing particular attention to the potential to produce a greater diversity of the foods we eat in Wales and the benefits of integrating production and consumption strategies.

We support the following proposal provided it includes persons suitably qualified to advise on environmental issues, including biodiversity and climate change:

*Before making the strategy, Welsh Minister must also consult with persons they consider to be independent and to have relevant expertise, and such other persons as the Welsh Ministers consider appropriate.*

We believe a National Food Strategy would create a cohesive government strategy, with outcomes linked to Well-being Goals and other national priorities, targets and indicators, including biodiversity.

**22. Do you agree that there is a need for local food plans?**

and

**23. Does the draft Bill do enough to ensure that public bodies consult on their local food plans before they are made. If no, what additional mechanisms would you put in place?**

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<sup>8</sup> <https://naturalresources.wales/evidence-and-data/research-and-reports/state-of-natural-resources-report-sonarr-for-wales-2020/?lang=en>

<https://nbn.org.uk/wp-content/uploads/2019/09/State-of-Nature-2019-UK-full-report.pdf>

<sup>9</sup> Clark C, Scanlon B, Hart K, (October 2019). *Less is more: Improving profitability and the natural environment in hill and other marginal farming systems. A Report funded by the RSPB, the National Trust and The Wildlife Trusts*

and

**24. Do you think the provisions of the draft Bill relating to reporting on the local food plans are sufficient? If not, what changes would you like to see?**

and

**25. Do you think the provisions of the draft Bill relating to reviewing of the local food plans are sufficient? If not, what changes would you like to see?**

and

**26. Do you have any additional comments on local food plans, including the resource implications of the proposals and how these could be minimise**

*Response to questions 22 – 26:*

We support the proposals for Local Food Plans within the draft Bill, however we believe there should be a **duty** (rather than have regard for) placed on public bodies to incorporate the National Food Strategy priorities into their decision making e.g. when sourcing and buying food.

[Sustain's, The Case for Local Food](#) suggests that a well-designed local food system can help drive climate action and nature recovery, reconnecting people with the impact of their food. Growth in localised food systems, will be unlikely to disrupt mainstream supply chains and form part of a diverse system able to withstand future strains, while offering clear opportunities for communities, economies and environments. This all contributes towards food security enabling access to food that is good for people, nature and climate.

**27. Do you agree with the list of persons defined as being a 'public body' for the purpose of this Bill?**

*No response to this question.*

**28. Do you have any views on the process for making regulations set out in the Bill?**

*No response to this question.*

**29. Do you have any views on the proposed commencement date for the Act?**

*No response to this question.*