

BVA submission to the House of Lords EU International Agreements Sub-Committee: UK-US Trade Negotiations

Who we are

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 18,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.
2. We have consulted with specialist divisions the Pig Veterinary Society (PVS), the Goat Veterinary Society (GVS), the British Cattle Veterinary Association (BCVA), the Veterinary Public Health Association (VPHA), the British Veterinary Poultry Association (BVPA), and with our Branches in the devolved regions of the UK.
3. We welcome the opportunity to provide evidence in relation to ongoing UK-US trade negotiations, recognising that agreeing a comprehensive free trade agreement with the US is a priority for the UK when the US is our largest bilateral trading partner and largest export market outside of the EU.

Introduction

4. Veterinary surgeons, as qualified professionals who play an essential role in the operation of international trade, want to see a high standard of animal health, welfare and food hygiene prioritised within any trade negotiations and deals. High UK animal health and welfare standards have been recognised within the Agriculture Bill as public goods, and as such will be able to receive financial support. We strongly support this approach, having called on the Government to utilise public money to incentivise and support animal health and welfare outcomes as public goods in our Veterinary Vision for Post Brexit Agriculture Policy¹. It is essential that the UK upholds these standards in all trade negotiations. Although products from the US may be safe from a public health point of view, they do not adhere to the animal health and welfare standards which UK consumers expect and value, and risk undermining 'Brand Britain'.
5. Currently lamb meat is not exported from the UK to the US and this market is likely to be relatively small even if USDA rules allow ovine products in the future. Beef export is relatively small in volume and generally lower value cuts of meat that are used for grinding in the US to produce burgers, although this market has the potential to grow. Future export potential into the EU, by far the UK's largest beef and lamb customer currently, is uncertain and tariffs could severely reduce or even stop this trade. This coupled with cheaper US imports is of great concern to the UK agricultural and veterinary sector and could decimate domestic beef and sheep production.

Animal welfare

6. Animal welfare is a global concern and ensuring the health and welfare of sentient animals is important as a marker of social progress, as well as for the role it plays in achieving other sustainability objectives. UK citizens see value in the welfare of farmed animals. In a recent survey

¹ <https://www.bva.co.uk/media/1179/bva-veterinary-vision-for-post-brex-it-agricultural-support.pdf>

of 600 people in Great Britain, 96% agreed that we have a moral obligation to safeguard the welfare of animals.

7. We are extremely concerned that current US production systems fail to meet UK standards, with a significant divergence in the field of animal welfare. The [Animal Protection Index](#) gives the UK a rating of B for overall animal welfare and government accountability, where the US holds a D grade under both indicators. Defra and the relevant devolved administrations of the UK act in accordance with the guiding principles of the World Organisation for Animal Health - the OIE - with all eight points of the OIE's Guiding Principles for Animal Welfare incorporated by legislation, including through the Animal Welfare Act 2006, the Animal Health and Welfare Act 2006 (Scotland) and the Welfare of Animals Act (Northern Ireland) 2011. In comparison, the US has incorporated only some elements of the OIE's guiding principles and the animal welfare standards within federal legislation. For instance, the Animal Welfare Act in the US does not encompass the basic concept of the Five Freedoms or five welfare needs as it does not recognise the importance of animals having the freedom to perform normal behaviours or to be in a state of psychological well-being. Nor does the US have federal legislation in place in areas such as the humane slaughter and humane transport of poultry².
8. There is also divergence between the various states in the US. There is no federal legislation to protect farm animals during rearing, and the Animal Welfare Act explicitly excludes farm animals from its scope of application. Although the general anti-cruelty legislation in some states applies to farm animals, 34 of the 50 US states specifically exclude livestock from anti-cruelty provisions. Only 11 of the 50 states have acted, in response to local advocacy campaigns, to introduce measures aimed at preventing the use of confinement systems such as crates for veal calves and gestation crates for pigs. These systems are illegal in the UK where we require animals to be able to stand up, lie down and turn around, and where we supplement legislation with welfare codes which provide keepers with information on how to meet the welfare needs of their animals through good husbandry. In the US, although state initiatives exist aimed at establishing stronger standards for animal welfare, the result is a patchwork of variable animal welfare protections.
9. In the US the Humane Slaughter Act 1978 requires cattle, calves, horses, mules, sheep and swine to be handled and slaughtered in a humane way by rendering the animals 'insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut'. However, the Act does not apply to poultry, and at a US state level, as of 2018, only 22 states have humane slaughter legislation. Approaches to emergency culling of pigs seen recently in the US, including the use of ventilation shutdown, would not be considered humane in the UK.
10. The World Animal Protection 'Animal Protection Index' considers that the lack of federal legislation and inconsistent provisions of state legislation to protect the welfare of all farm animals during rearing, transport and slaughter presents a barrier to improving animal welfare³.
11. In the US there is no legislation at the federal level limiting stocking density of broiler chickens. High stocking densities can be associated with reduced health and welfare. In the USA, food production systems have developed such that poultry carcasses are subject to disinfection at the end of the production process in order to comply with food safety regulations. Furthermore, there are growing public health concerns in relation to this practice, with a recent study finding that bacteria such as

² <https://api.worldanimalprotection.org/country/usa>

³ https://api.worldanimalprotection.org/country/usa#_ftn1

- listeria and salmonella remain viable, though non-culturable, on poultry carcasses after chlorine washing⁴. We strongly oppose the import of US chicken meat and meat products to the UK on both animal welfare grounds and on the basis that public health should not be put at risk.
12. The use of growth promoters is banned, or severely restricted for clinical use only, in the UK. Bovine somatotropin (BST) has been banned in the EU since 1990, with a report on animal welfare aspects of the use of bovine somatotropin from the Scientific Committee on Animal Health and Animal Welfare concluding that “Where BST increases milk yield and also thereby increases mastitis, foot or leg problems, reproductive disorders or other production-related disease, then BST is causing poor welfare which would not occur if it were not used”⁵. Bovine somatotropin is routinely used in the US, where the beef industry utilises growth promoting compounds with a focus on improvements in efficiency and cost of production⁶. Several other key classes of growth promoters are also used widely, either as feed additives or as hormone-impregnated implants that are inserted beneath the skin of the ears⁷. This, combined with current poor traceability in the US cattle system, means that any attempts to set up dedicated UK standard supply chains would require the introduction of robust auditable tracing systems from birth to export.
 13. Through the Agriculture Bill, the UK will provide financial support to farmers to protect and improve animal welfare as a public good. However, future trade deals could undermine this investment as US industry producing to lower standards of animal health and welfare would inevitably hold a competitive advantage over UK farmers, undercutting UK producers on price. UK farmers competing against cheap imports produced to lower standards represents a significant threat to farm animal welfare standards after EU Exit.
 14. UK farm assurance schemes empower shoppers to make sustainable and ethically informed choices about the food they buy, including the impact of food production on animal health and welfare. Assurance schemes allow farmers to demonstrate that the food they have produced has met specific, independently certified standards at each stage of the supply chain from ‘farm to fork’. These standards include animal health and welfare, food safety, stockmanship training and competencies, and environmental protection. It is essential that the consumer confidence such assurance schemes attract is not undermined by imports from systems where standards are lower than the UK⁸. Instead Government should look to maximise opportunities to promote high-quality high welfare UK produce to export markets, including those products which might benefit from labelling demonstrating region of origin (eg Scottish salmon).
 15. In our recent response to the Public Bill Committee on the Trade Bill 2019-2021 we indicated support for proposals to establish a UK body – the Trade Remedies Authority (TRA) – to ensure the UK can continue to protect domestic industries against injury caused by unfair trading practices, such as dumping and unforeseen surges in imports. This non-departmental public body, responsible for conducting trade remedies investigations under a statutory framework provided by the Taxation (Cross-border Trade) Act 2018 and for making impartial recommendations to the Secretary of State,

⁴ Callum J. Highmorea, Jennifer C. Warnera, Steve D. Rothwellb, Sandra A. Wilksa, C. William Keevila, Viable-but-Nonculturable *Listeria monocytogenes* and *Salmonella enterica* Serovar Thompson Induced by Chlorine Stress Remain Infectious, 2018 <http://mbio.asm.org/content/9/2/e00540-18.full>

⁵ https://web.archive.org/web/20080904003449/http://ec.europa.eu/food/fs/sc/scah/out21_en.pdf

⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6039332/>

⁷ Ibid

⁸ <https://www.bva.co.uk/take-action/our-policies/farm-assurance-schemes/>

should provide a critical safety net for the livestock industry. However, this does not negate the need for Government to secure the inclusion of high farm animal welfare standards in all trade agreements it negotiates.

Antimicrobial resistance

16. The UK Government has demonstrated strong leadership at home and globally in tackling the issue of antimicrobial resistance. Thanks to these efforts, action has been taken at all levels, at the United Nations; within the EU and domestically. Encouraged by the publication of the O'Neill Review on Antimicrobial Resistance, the UK agricultural and food industry has taken steps to further the responsible use of antimicrobials. Alongside our specialist divisions we are a member of the Responsible Use of Medicines in Agriculture (RUMA) alliance, which launched sector specific reduction targets for antimicrobial use in late 2017, resulting in a reduction in overall sales, and sales of the most critically important antimicrobials.
17. Responsible on-farm antimicrobial use must be incorporated into future trade deals to ensure progress on responsible antimicrobial use is not undermined creating potentially significant human health issues with multi-resistant bacteria. Agricultural use of antimicrobials has historically been higher in the United States than the UK, with more than 70 percent of medically important antibiotics in the US used in animals⁹. In 2018 the RUMA Targets Taskforce reported that UK sales of antibiotics for food-producing animals had fallen 40% since 2013, with overall use in 2017 at 37mg/kg, one of the lowest in the EU. The report also estimated that only 30% of the UK's antibiotics were being used to treat disease in farm animals, with further reduction targets due to be achieved by 2020. In the UK Highest Priority Critically Important Antibiotic (HP-CIA) sales for use in animals fell 52% between 2013 and 2017 from an already low level, and 29% between 2016 and 2017¹⁰.
18. In the US there continues to be the use of antimicrobials for production purposes, such as enhancing growth and feed efficiency, whereas an EU-wide ban on the use of antibiotics as growth promoters in animal feed has been in place since January 1, 2006.

Sanitary and Phytosanitary checks

19. Allowing goods onto the UK market which fail to meet EU standards of animal health, animal welfare and public health will increase the need for Sanitary and Phytosanitary (SPS) checks as within the UK these goods will become indistinguishable from UK produce. This has the potential to jeopardise the ability of exporters in the UK to trade with the EU due to the increased risk that goods leaving the UK fail to meet EU SPS standards. The need for risk-based checks on UK goods entering the EU Single Market would increase, placing an additional administrative burden on UK producers and increase the potential for delays.
20. Vets both certify and supervise the import and export of animals and animal products to and from third countries. The vital role of veterinary surgeons in trade, protecting public health, food safety and animal health and welfare is recognised around the world. To continue to trade, the UK will need enough vets to meet the additional demands for export and import certification.

⁹ The Review on Antimicrobial Resistance, Antimicrobials in agriculture and the environment - Reducing unnecessary use and waste, 2015

¹⁰ <https://www.ruma.org.uk/wp-content/uploads/2018/11/RUMA-TTF-1-year-on-Full-Report-FINAL.pdf>

21. From January 2021, exporters will require an export health certificate (EHC) signed by an Official Veterinarian (OV) to transport animals, products of animal origin or germplasm from the UK to the EU. The OV signature attests that relevant public and animal health requirements have been met. The requirement for EHCs will be similar if the UK and EU reach a free trade agreement, or if no trade deal is agreed. However, there are material uncertainties and limitations on knowing what the exact increase in export health certification is likely to be. When preparing for a no deal exit in 2019, Defra's "mid estimate" assumption was a fivefold increase in the number of EHCs.
22. Where third countries export into the EU, EU Law requires animals and products of animal origin to enter via a designated border control post for documentary, identity and physical checks by vets. A veterinary agreement could be reached between the UK and EU, similar to that between the EU and New Zealand, which could significantly reduce the level of physical checks. However, this would not eliminate all checks or the need for infrastructure.
23. The UK Government should seek to apply a minimum animal health and welfare standard to the production of animal products imported directly for consumption by UK consumers or as material destined for re-export, potentially onto the EU market. A minimum standard that includes veterinary controls and certifications will avoid the confusion and the opportunity for fraud that is associated with multiple parallel standards, avoid compromised animal health and welfare, and ensure consumer confidence at home and abroad.

Conclusion

24. The UK must safeguard its reputation for animal health, animal welfare, and food safety, and in order to do that it is essential that those standards are upheld in trade negotiations with the US. Products which do not conform to the animal health and welfare standards which UK consumers expect and value risk undermining 'Brand Britain' and have the potential to irreparably damage the UK agricultural sector. In all trade agreements it negotiates, the government must secure the inclusion of equally high standards of animal health, animal welfare, public health and food safety and responsible antibiotic use.

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