

Four Paws UK

1. FOUR PAWS is the global animal welfare organisation for animals under direct human influence, which reveals suffering, rescues animals in need and protects them. As experts in animal welfare, we would like to respond to this call for evidence with our own research, knowledge and expertise on these issues raised in regard to farm animal welfare and the impact of a trade deal with nations with lower animal welfare standards than our own.

Question 1) What are the potential benefits for the UK of an FTA with India, and what are the potential downsides?

2. Most animal-based products imported into the UK, except European ones, will not meet animal welfare standards equivalent to those applicable in this country, including India. As the UK aims to improve several standards above the current EU level, such as chicken and pig standards, this discrepancy between local and imported goods is likely to increase.
3. Firstly, these imports negatively impact the competitiveness of UK producers who must comply with higher national animal welfare standards. Under pressure, farming lobbies will not want further costly regulation of their production. At the most extreme, this may put existing UK standards at risk of being ineffectively implemented and enforced. Pressure on competitiveness could also bring about a chilling effect on animal welfare regulations. This has already been witnessed in the EU and the UK, where no new farm animal welfare regulation has been adopted since the amendments in 2010¹.
4. Secondly, increasing market access to poorer welfare products means that more animals will suffer globally, as production under lower animal welfare standards will continue in Third Countries and potentially increase to meet the higher demand generated by a lower price in the UK.
5. More positively, trade agreements could be an effective tool for the UK to cooperate and assist other countries with lower animal welfare standards. Trade policy represents a unique opportunity for the UK to positively influence animal welfare abroad and ensure its place as a world leading force for higher welfare standards. Because the UK has some of the best animal welfare legislated standards in the world, it will be possible for the UK to use its trade agreements as a means to help other countries to raise their animal

¹ <https://www.legislation.gov.uk/ukdsi/2010/9780111503546/contents>

welfare standards, notably by offering cooperation and technical assistance. This was

outlined in the report from the Trade and Agriculture Commission (TAC)². The UK can also use conditional access to its market to incentivise states and producers to improve their animal welfare standards. Again, this was a recommendation from the TAC.

Question 5) How should consumer interests be promoted and protected?

6. Transparency in labelling of any animal products entering the UK from India is essential – indicating ideally both the welfare standards in which the animals were reared and slaughtered, but also the carbon footprint of such imports. It is likely that any food produced and imported from India will fall below UK welfare standards for farmed animals and therefore it is imperative that this information is made clear on product labels/advertising so that consumers can make an informed choice at the point of purchase.

Question 8) What are the UK's key defensive interests, i.e. sensitive areas where the UK should not make concessions during the negotiations?

7. With new trade deals, the UK and devolved assemblies should always look to adopt a trade policy that:
 - Works with other countries to improve animal welfare at a WTO level and ensure there is cross-departmental collaboration in its trade, aid and animal welfare policies, particularly in developing countries.
 - Puts animal welfare at the heart of its trade policy, seeking conditional liberalisation for higher welfare animal-based products based on preferential tariffs, tariff rate quotas or non-tariff measures.
 - Includes Trade and Sustainable Development chapters the link between animal welfare and sustainable development, with last-resort sanctions.
 - Sets out a transparent negotiation and implementation process, providing continuous engagement with civil society at all stages.
8. The UK should not make concessions on animal welfare at negotiations and should instead look to uphold its commitment to ensure world-leading British agricultural standards are maintained.

Question 9) What risks could a trade agreement with India pose to the UK's food safety standards, animal and plant health or animal welfare standards? How could any such risks be mitigated?

9. According to World Animal Protection's Animal Protection Index (API)², a system that ranks countries according to their legislation and policy commitments to protecting animals, India is rated as C for animal welfare and E for farm standards compared to the UK which scores B and D respectively. The Prevention of Cruelty to Animals Act 1960 is the main piece of animal welfare legislation in India, with Section 11 stating prohibitions on:
- Transporting in a way that subjects an animal to unnecessary pain or suffering (Section 11(d)).
 - Confining an animal in a way that does not permit reasonable opportunity for movement (Section 11(e)).
 - Tethering an animal for an unreasonable time on an unreasonably short or heavy chain (Section 11(f)).
10. However, it is regrettable that the 1960 Prevention of Cruelty to Animals Act exempts several mutilations and religious slaughter without stunning to be considered under the animal cruelty criteria outlined in Section 11. India remains the largest exporter of beef worldwide, with annual exports worth US\$4 billion, so by allowing the import of beef slaughtered in India we are directly funding the practice of cattle being conscious, able to sense pain and suffering severe mental stress at the time of slaughter.
11. The government department of Animal Husbandry, Dairying and Fisheries publishes guidelines regarding several issues of agricultural management for pigs and poultry, including trade and many schemes for animal health and disease control, breeding and slaughter. However, these guidelines do not contain any animal welfare provisions and so cruel farming practices such as using sow stalls (a practice completely banned in the UK in 1999) and the castration of piglets without appropriate anaesthesia or analgesia are permitted. In accordance with the Defra guidance on Caring for pigs (6.2),

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

“You should avoid castrating pigs wherever possible and use other ways to reduce aggression and avoid boar taint”.

12. Antimicrobial resistance (AMR) is a global health and development threat and requires urgent multisectoral action. The WHO has declared that AMR is one of

the top 10 global public health threats facing humanity³ and therefore AMR must be a significant factor in UK core standards. This standard should consider both regulation (e.g. prescribing requirements) and actual outcomes in terms of antimicrobial use or sales data. We hold serious concerns about the use of antimicrobials in India. In the absence of any uniform policy about the antibiotic usage in animals in India, prophylactic use of antibiotic in poultry production and in livestock is common. In India over-the-counter access to antimicrobials, without prescription, and direct marketing of drugs to farmers are widespread. The presence of antimicrobial residues in food animal products has been reported from India which indicates the unregulated and extensive use of antibiotics. Awareness of AMR is low and antimicrobial stewardship in livestock is yet to be developed.

13. Between 2018 and 2020, India exported an average of £188 million in dairy⁴, yet there is limited legal protection for dairy animals in India as the Registration of Cattle Premises Rules 1978 is the only national legislation. This law is also not properly enforced, which has led to unregulated dairy systems developing quickly in cities and suburbs without much control. 90 million of India’s dairy cows and buffaloes are held in dairies in the cities and suburbs, some of them illegally, that keep the animals in inappropriate conditions. Cows and buffaloes are tethered throughout the day in cramped, barren conditions with no ventilation that causes immense suffering through malnutrition and stress. The potential for milk contamination due to unhygienic milking practices, water and land pollution from improper waste management, and diseases spreading from improper disposal of carcasses all offer serious food safety and environmental concerns that we would be allowing into our food supply. The National Dairy Code of Practices for the Management of Dairy Animals in India does not contain any enforcement mechanisms, so it is likely that these concerns will continue unchecked.

³ <https://www.who.int/news-room/fact-sheets/detail/antimicrobial-resistance>

⁴ USDA, IHS Maritime & Trade- Global Trade Atlas®

14. Imports of both animals and animal products may carry pathogens that can represent a threat to UK public health and the health of livestock, wildlife and domesticated animals. India's average tariff rates on most products, including food, are higher than those for the UK. India also has a higher number of nontariff measures, such as sanitary and phytosanitary conditions (SPS), quantitative restrictions and safeguards compared to the UK. SPS are complex and challenging for agri-food firms wishing to export to India, so a free trade agreement with India would seek to enhance access for agri-food by increasing transparency of SPS standards for the FTA to be beneficial for the UK. SPS

measures form a vital part of the UK's biosecurity framework and are essential to protect humans, animals and plants from diseases, pests, or contaminants. Maintaining biosecurity whilst increasing trade with India will be important as trade will pose disease risks and simplifying SPS measures will lessen our ability to provide assurance that standards have been met. Simplifying SPS trade requirements must be considered with care, as any discussions on the removal of quarantine that would allow free access to domesticated animals would raise very significant concerns about introducing disease into the UK. Information concerning the epidemiology, diagnosis and management of canine vector-borne diseases in India is limited. The UK is rabies free, but India is endemic for rabies accounting for 36% of the world's deaths⁵.

15. Within any FTA the UK should not permit imports that fail to meet the current high animal and public health standards of the UK market. Within the UK these goods would become indistinguishable from UK produce, especially if labelling is not required and enforced, jeopardising the ability of exporters to trade using the good reputation of the UK as a high animal health and welfare producer.

Question 12) How would you rate the Government's mechanisms for engaging with stakeholders and seeking input into the negotiations? What is your assessment of how well Government departments are coordinating with each other to help deliver the best outcomes in the negotiations?

⁵ <https://www.who.int/india/health-topics/rabies>

16. The 2019 Conservative Party Manifesto stated: *"In all our trade negotiations, we will not compromise on our high environmental protection, animal welfare, and food standards."* This message was further supported by the former Secretary of State for International Trade, Liz Truss MP, who restated this promise in the House of Commons in February 2021, saying *"I have been very clear that in every trade deal we sign, we will not lower our excellent standards... and we will not expose our farmers to unfair competition."*
17. Whilst these commitments are positive, the recently finalised Free Trade Agreement with Australia has raised numerous concerns. This deal was discussed and developed behind closed doors and before the successful reappointment of the TAC, so no proper scrutiny was possible or given to the deal on animal welfare.
18. Trade agreements can have a big impact on animal welfare, an issue made evidently clear through the Australia Free Trade Agreement. While FTAs do not explicitly lower domestic animal welfare standards, they aim at liberalising

trade, including trade in animal products. As the UK only applies rules related to welfare at the time of slaughter to imports, FTAs are likely to contribute to an increase in imports of lower welfare animal products. The Australia FTA in particular contained some large increases in tariffs in sensitive products such as beef and lamb, where animal welfare standards in Australia are well below those in the UK. Whilst it is welcome that the UK has confirmed they will only import meat slaughtered in line with UK standards and in accordance with UK legislation, there appeared to be no equivalent language in the Agreement in Principle (AiP) with Australia that would stop imports of products produced to lower standards than in the UK. As it currently stands, the Australia FTA will allow the import of eggs from barren battery cages (banned in the UK since 2012), pork products from pigs reared in sow stalls (banned in the UK since 1999), beef from cows subject to hot iron branding and sheep meat from lambs subjected to mulesing (both practices banned in the UK since 1968).

19. FOUR PAWS UK is a member of the Trade and Animal Welfare Coalition (TAWC)⁶ and believes that the UK should continue to act as a global leader on animal welfare, by helping to set international standards where possible, and by using its trade agreements as platforms to develop cooperation on the matter with third partners, including capacity building and technical

⁶ <https://tawcuk.org/>

assistance. We have produced a number of briefing papers and position statements and are happy to provide information upon request.

20. As a coalition of NGOs from across the devolved nations, we welcome public consultations such as this. However, to truly ensure our high animal welfare standards are retained, we should include relevant animal welfare standards in the FTA's 'Core Standards' and should strive, where in line with WTO rules, to apply such animal welfare standards on all imports. This could be done gradually, when the UK reviews its existing standards, which could allow such measures to be accompanied by cooperation with trading partners to ensure a proper transition. In the meantime, the UK should aim to use the respect of standards equivalent to its existing animal welfare standards as a condition to obtain better market access. By doing so, the Government can ensure that UK consumers have the confidence that any products they buy will not result in the offshoring of animal welfare abuse or environmental harm to countries with lower regulatory protections. It will also clearly set out our position with trading partners as to what is to be negotiated and what is off the table.