

Written submission from WWF UK (UST0037)

The WWF-UK welcomes the opportunity to respond to the Business & Trade Committee's inquiry into UK trade with the United States. Current global food systems generate 29% of greenhouse-gas emissions and drive 70% of terrestrial and 50% of freshwater biodiversity loss. Trade should be a lever for this transition; instead, it often accelerates environmental harm. With every agreement we sign that lowers barriers to agri-market access, without conditionality on how agri-food is produced, the UK increases the risk of offshoring, incentivising environmentally harmful practices overseas, and undermining sustainable producers at home and abroad.

The EPD sets out intentions from both governments to address non-tariff barriers across agriculture, industrial mutual recognition arrangements, and discussions on standards recognition. What progress has been made on these commitments, and what concerns remain about the implications for UK regulatory standards?

Regulatory cooperation and non-tariff barrier reduction are being advanced without a clearly defined cross-government framework that sets non-negotiable environmental and animal-welfare baselines for imports. In this vacuum, it is difficult to see how the UK's stated commitments on maintaining high standards are being operationalised in practice.

While the UK's Sanitary and Phytosanitary Standards (SPS) regime ensures that food imports meet human health and safety requirements, there are **no equivalent rules governing the environmental or animal welfare conditions under which imported food is produced**. This creates a structural gap: UK producers must meet high domestic standards, while overseas producers face no comparable obligations when accessing the UK market.

The Government has repeatedly stated that it will maintain high environmental and animal welfare standards in trade policy, and that UK farmers will not be undercut by imports produced to weaker rules. The UK's Trade Strategy reinforces this, noting that the Government is prepared to use "the full range of powers at our disposal to protect our most sensitive sectors" where overseas producers have an unfair competitive advantage.

However, recent developments raise questions about whether these commitments are being upheld. Under the EPD, the UK agreed to a tariff-free import quota of up to 13,000 tonnes of beef, granted without public or Parliamentary scrutiny, despite its potential implications for domestic producers and the UK's ability to maintain high production standards. This sets a concerning precedent, particularly given the significant differences between UK and US food production systems.

The USA permits **224 more pesticide active substances** than the UK, including alachlor and simazine, which are associated with aquatic contamination and carcinogenic risks. Intensive water use in key US agricultural regions also raises sustainability concerns. In animal welfare, practices banned in the UK, such as battery cages for laying hens, sow stalls for pigs and veal crates, remain legal and widely used in many US exporting states.

The last public consultation on UK-US trade took place in 2018 and informed the 2019 UK-US Free Trade Agreement scoping assessment. Since then, the Government has not produced a comprehensive impact assessment of preferential UK-US trade, including the EPD and its preferential agreement on beef imports. DBT has stated it will conduct an impact assessment once a final deal has been agreed; however, it is not clear whether a final deal will be forthcoming or several sector-specific deals, leaving the prospect of an impact assessment in the lurch.

Without such assessments, the cumulative impact of these agreements on UK regulation, production, consumption and the environment cannot be properly understood. **The UK government should conduct an impact assessment on the deals, comprehensive or sector-specific, that it agrees on, which have an impact on the environment, UK businesses and consumers.**

Furthermore, the UK has not put the EPD to a debate. UK trade scrutiny is sorely lacking, with only one deal, UK-India, being put to a debate as part of the CRAAG (Constitutional Reform and Governance Act 2010). This represents a significant democratic deficit in UK trade policy, denying parliamentarians the opportunity to reflect constituent support or concerns about agreements with far-reaching implications for society, the economy and the environment.

Signing agreements of this nature without conditionality, assessment or scrutiny risks initiating a **race to the bottom** in environmental and animal welfare production standards. UK producers, forced to compete with imports produced to significantly weaker rules, may face increased pressure to dilute domestic standards over time.

We welcome the Government's commitment to treating UK food standards as a red line in UK-US negotiations. Public support for this position is strong: polling shows that **68% of consumers oppose** the sale of chlorinated chicken and hormone-treated beef in the UK. However, maintaining this red line requires more than statements of intent.

To safeguard the high environmental and animal welfare standards adhered to by UK producers and expected by UK consumers, the UK needs core environmental standards for agri-food imports. These would establish a minimum production threshold for all imported food, ensuring that imports meet standards comparable to those required of UK producers. This approach would allow the UK to pursue beneficial trade agreements while protecting domestic producers and environmental outcomes.

A clear example of how production standards in trade can support sustainable production, and how WTO jurisprudence supports well-designed PPM measures, comes from the United States' **Marine Mammal Protection Act (MMPA)**.

The MMPA prohibits the taking of marine mammals except with explicit authorisation and, in practice, bans the import of fish caught using commercial fishing methods that result in incidental marine mammal mortality or serious injury in excess of US standards. Section 101 of the Marine Mammal Protection Act requires imported fisheries products to minimise incidental mortality and severe injury of marine mammals, aligning with the US domestic

standards. The MMPA reflected a shift from product based controls to **production-standard equivalence**, recognising that environmental impacts occur during harvesting, not at the border.

Since its implementation on 1 January 2023, the MMPA has driven significant regulatory change in exporting countries to retain access to the US market. This has already resulted in the UK introducing a new licence condition in January 2021, requiring vessel operators in the UK's Exclusive Economic Zone to report all intentional and incidental marine-mammal mortality and injury during commercial fishing operations.

The MMPA demonstrates that it is possible, outside of free trade agreements, to implement production-standard requirements in a **WTO-consistent, science-based** manner. It also shows that such measures not only level the playing field for high-standard producers but can also catalyse improvements in **standards and processes in partner countries**.

The approach to the EPD market access, particularly following the tariff-free beef quota, highlights the risks of deepening trade cooperation **without establishing sustainable production safeguards**. Without core environmental and animal welfare standards, UK farmers and consumers will always be at risk of broader market access for both the best and the worst overseas producers, distorting competition for UK farmers who operate to the higher environmental and animal welfare standards they expect.

Embedding production standards in UK trade policy is therefore essential to ensure that UK agri-trade is conducted on a fair and level playing field, and does not undermine domestic regulation, weaken environmental outcomes, or erode the UK's high standard agricultural model.

The UK should learn the lessons of previous trade agreements. This includes delivering a comprehensive impact assessment of aspects of the EPD already introduced, and other terms which may be part of other "mini-deals" with the USA; ensuring such deals are given at least the same scrutiny as comprehensive trade agreements, though Government should improve this process to ensure Parliament is given a debate and vote on the matter; finally the UK must introduce core environmental standards in domestic legislation, so that all food imported into the UK meets the standards expected of UK consumers, reflects those required of UK farmers and protects precious ecosystems overseas.

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