

BVA response to International Trade Committee inquiry on UK trade negotiations: Agreement with Australia

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.

Introduction

- 2) As the UK takes control of its trade policy, it should be assertive in spreading animal welfare norms via trade agreements. Therefore, existing animal health, animal welfare, public health, veterinary medicines, workforce, and environmental protection standards must at least be maintained and opportunities to improve and enhance standards and outcomes should also be taken.
- 3) The UK-Australia Free Trade Agreement is the first trade deal the UK has negotiated from scratch since it left the EU. It is a serious concern that the UK has offered tariff free access to products which do not meet our high standards of animal welfare and sets a worrying precedent. However, the inclusion of a chapter on animal welfare and antibiotic resistance is a positive step,
- 4) It is vital that Parliament undertakes full scrutiny of the FTA and ensures the UK's hard-won reputation for high standards in animal health and welfare is neither undermined nor compromised. We welcome the fact that the House of Commons International Trade Committee and Environment, Food and Rural Affairs Committee have both launched inquiries considering the FTA. The House of Lords International Agreements Committee has reopened its inquiry into the negotiations. We would welcome collaboration between the three inquiries.

Trade and Agriculture Commission

- 5) Greater clarity is needed on the role of the Trade and Agricultural Commission (TAC) during the Parliamentary scrutiny of the UK-Australia FTA. We would ask that procedures are put in place, as a matter of urgency, to support the role of the TAC in advising Parliament.
- 6) The original TAC was established to advise the UK government on how best to advance the interests of British farmers, food producers, and consumers in future trade agreements. Veterinary perspectives were included on the TAC. Former UK CVO Nigel Gibbens sat on the TAC, and former BVA President Simon Doherty joined the Commission's standards sub-group. The Commission reported in March 2020.
- 7) BVA has welcomed the announcement by Government that it would place the TAC on a statutory footing.¹ Chaired by Lorand Bartels, Professor of International Law, the new TAC will provide expert scrutiny of new trade deals once they reach the signature stage.

¹ <https://www.bva.co.uk/news-and-blog/news-article/bva-welcomes-important-step-for-animal-health-and-welfare-as-government-puts-trade-and-agriculture-commission-on-legal-footing/>

- 8) The new TAC was announced on 21 October 2021. Nearly three months later, it is still not clear that the TAC is ready to provide robust scrutiny of the UK-Australia FTA. It is vital that government clearly establishes how the TAC will operate and provide its analysis to Parliament ahead of the introduction of the UK-Australia FTA. The Government should ensure that the TAC is given the time it needs to carefully scrutinise the free trade deal with Australia, and subsequent FTAs such as any potential deal with the GCC, and to advise Parliament in a timely manner.

Tariff reduction and standards

- 9) 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. 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 including those with Australia.
- 10) The FTA sets out a process to remove tariffs and quotas on a range of agricultural products entering the UK over a 15-year period. The implication of a transition period is that this will give UK farmers time to adjust. However, for the relevant sectors (beef, sheep meat, and dairy) sizeable tariff-free quotas will be available for Australian imports from year one, and they grow quickly before being effectively eliminated in year 10, with only a few safeguards in place for 5 years. It is disappointing that the government has decided to offer tariff and quota-free access to the larger UK market of consumers while not securing any firm commitments from Australia to improve its animal welfare standards in return. The impact this would have on our farmers has been well set out by the UK's farming unions.²
- 11) Animal welfare standards diverge significantly between the UK and Australia. 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 lack of a national strategy for animal welfare in Australia acts as a barrier for full implementation of OIE standards and continual improvement.³
- 12) Although Australia is working towards converting the Model Codes of Practice into Australian Animal Welfare Standards and Guidelines aimed at harmonising and streamlining livestock welfare legislation, progress has been slow and concerns have been raised that the development of the standards are being unduly influenced by industry. Extreme confinement systems for pigs and poultry are still permitted.
- 13) The recently published BVA position on the welfare of animals at slaughter recommends that "all animals should be effectively stunned before slaughter to render them unconscious and therefore insensible to pain, distress, fear and suffering."⁴ In the UK it is a statutory requirement for all animals to be effectively stunned before slaughter in the UK, there is a derogation in

² <https://www.nfuonline.com/media-centre/releases/the-nfu-has-responded-to-the-uk-and-australia-trade-deal/> <https://www.ufuni.org/news/ufu-comment-on-uk-australia-trade-deal>
<https://www.fuw.org.uk/en/news/14516-concerns-over-australia-and-other-trade-deals-well-founded-says-fuw>
<https://www.nfus.org.uk/news/news/australia-trade-deal>

³ <https://api.worldanimalprotection.org/country/australia>

⁴ <https://www.bva.co.uk/media/3664/full-position-bva-position-on-the-welfare-of-animals-at-slaughter.pdf>

place to permit slaughter without stunning for slaughter in accordance with religious rites which provides for non-stun slaughter where food is intended for the consumption of Jews and Muslims.

- 14) At present the slaughter of non-stunned animals remains allowed in all States and Territories in Australia. The Model Code of Practice for Domestic Poultry requires that 'birds must be slaughtered in a manner that minimises handling and stress' but it is not mandated that birds shall be stunned before being slaughtered.⁵
- 15) In Australia, sheep raised for wool are commonly subjected to a painful procedure called mulesing, where flaps of skin from around a lamb's breech and tail are cut off using sharp shears to reduce the risk of flystrike. Mulesing has never been practised in the UK. The practice is used mainly in the Merino breed and breeding to reduce the need for mulesing is a long-term aim. Merinos are crossed with other breeds for meat production, so the welfare concerns are not limited only to wool production. RSPCA Australia⁶ is opposed to mulesing and some clothing brands have ceased using Australian wool due to welfare concerns. However, there is still opposition to a complete ban.
- 16) The use of analgesia (pain relief) during the mulesing procedure is inconsistent. Rules differ between states. There are best practice guidelines produced by Meat and Livestock Australia (MLA) which include advice on use of analgesia and accreditation of contractors undertaking the procedure.⁷ However, there is no data on adoption of the guidelines.
- 17) In 2008, the Australian Wool Exchange (through which around 90% of Australian wool is sold) introduced the National Wool Declaration (NWD).⁸ This declaration allows wool growers to voluntarily communicate the mulesing status of their sheep to wool buyers at auction. In July 2021 national percentage of bales with mulesing status declared was 74%. The percentage declared 'non mulesed' and 'ceased mulesed' was 15% and 4% respectively and the percentage of bales declared that pain relief was used was 41%.⁹
- 18) The use of some Hormonal growth promoters (HGPs) in beef is approved in Australia. In the UK, the use of growth promoters is banned, and pharmacological hormones are restricted for clinical use only.
- 19) Within the UK, Australian products would become indistinguishable from UK produce, jeopardising the ability of exporters to trade using the good reputation of the UK as a high animal health and welfare producer. This would increase the risk that goods leaving the UK would fail to meet EU standards. Consequently, there would be a need for additional risk-based checks on Great British goods entering the EU Single Market, and potentially Northern Ireland. This would place additional delays on producers selling into the EU.
- 20) As a matter of urgency, Government should adopt the recommendations of the first TAC. Core standards should be developed before the UK offers tariff-free access to its market. Consideration needs to be given to how the UK would determine a standard as being

⁵ <https://api.worldanimalprotection.org/country/australia>

⁶ <https://kb.rspca.org.au/knowledge-base/what-is-the-rspcas-view-on-mulesing-and-flystrike-prevention-in-sheep/>

⁷ <https://www.mla.com.au/research-and-development/animal-health-welfare-and-biosecurity/husbandry/tail-docking-and-mulesing/>

⁸ Australian Wool Exchange – AWEX (2017) National Wool Declaration Frequently Asked Questions. Australian Wool Exchange Limited, June 2017.

⁹ <https://www.awex.com.au/market-information/mulesing-status>

equivalent to these core standards. It will be vital to have engagement with the veterinary profession in developing these standards. This will require a system requiring checks and continuous monitoring such as the existing EU FVO Audit Inspection system.

Chapter on animal welfare and antimicrobial resistance (AMR)

- 21) The FTA contains a standalone chapter on animal welfare and antimicrobial resistance (AMR). BVA has called for the UK to be ambitious with the incorporation of these in our submissions to government. It is therefore welcome to see one, and indeed the first time Australia has incorporated such a chapter in any trade deal. However, the aspiration of the chapter is limited, especially as the UK will have already given away any leverage in the form of tariff-free market access. There are welcome words around general cooperation on welfare and AMR.
- 22) This chapter contains a non-regression commitment on animal welfare standards. However, a commitment to not regress from current standards would be more welcome if we were assured by Australia's current welfare standards. Animal welfare standards diverge significantly between the UK and Australia. There are concerns that practices utilised in Australia, would fail to meet the standards expected in the UK or across the EU.
- 23) The FTA would see the parties establish a Joint Working Group on Animal Welfare. As can be seen above there is considerable scope for the UK to engage with Australia on animal welfare issues. Therefore, the membership of this working group will be important. We would ask the UK government to consider the balance of expertise it proposes for the group. Defra, as the UK Government department with responsibility for animal welfare should lead on this process. The involvement of veterinary surgeons will be essential.

Sanitary and Phytosanitary (SPS) measures

- 24) 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 pet animals. Sanitary and phytosanitary (SPS) measures are those measures to protect humans, animals, and plants from diseases, pests, or contaminants. SPS measures form a vital part of the UK's biosecurity framework and should not be seen solely as a barrier to trade that needs to be overcome. In the broadest sense, biosecurity can be said to cover every aspect of disease control, prevention and treatment, all of which are areas that rely upon the knowledge and skill of veterinary professionals.
- 25) The great majority of new free trade agreements (FTAs) now contain provisions seeking to simplify SPS trade requirements. SPS issues have often taken centre stage in the most recent and wide-ranging trade agreements.
- 26) The agreement in principle stated that imports "will still have to meet the same respective UK and Australian food safety and biosecurity standards."¹⁰ This has now been agreed in the final text of the FTA. As such, the UK retains the ability to ban goods based on animal or public health grounds. However, this would not apply to barriers that are based on animal welfare grounds or environmental concerns.
- 27) The FTA would create a forum where opportunities to simplify SPS requirements or remove barriers can be agreed. This work is often technical and requires professional knowledge,

¹⁰ <https://www.gov.uk/government/publications/uk-australia-free-trade-agreement-negotiations-agreement-in-principle/uk-australia-fta-negotiations-agreement-in-principle>

hence the importance of veterinary surgeons within the trade sphere. The inclusion of veterinary surgeons as part of trade negotiation teams, trade missions, and within embassies is the norm for many of our trading partners, and we strongly believe the UK should bolster its trade personnel with veterinary surgeons who can provide an unparalleled level of assurance to trading partners.

- 28)** To support cooperation on SPS barriers under a new FTA, the UK Government should develop a process whereby vets, farmers and processors are engaged to identify unnecessary SPS barriers. This could form a key component of the UK's ongoing cooperation with Australia on SPS issues.

Geographical Indications

- 29)** In the FTA there is a commitment that if Australia introduces bespoke GI schemes for spirits and agri-foods, the UK will be able to propose GIs for protection, subject to Australia's legal procedures.
- 30)** High animal welfare standards and high environmental standards reinforce the marketability of our produce. So, within its trade policy, the UK 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 that demonstrates region of origin (e.g. Scottish salmon, Welsh lamb and Yorkshire Wensleydale cheese). This can help secure opportunities for UK farmers and open up new export opportunities. It is therefore welcome to see that FTAs include a provision allowing more British products to receive protected recognition in these markets.

Engagement with the veterinary profession

- 31)** UK production meets very high standards of animal health, animal welfare and food safety thanks to veterinary surgeons who deploy their expertise across domestic food production, from farm to fork. They also play a unique role in international trade which is recognised around the world. The involvement of veterinary surgeons in international trade protects public health, food safety and animal health and welfare as well as providing assurance to trading partners. Therefore, the inclusion of veterinary advice at all stages of FTA negotiations will serve to facilitate acceptable trade.
- 32)** The UK will require a veterinary workforce with the capability and capacity necessary to facilitate international trade. In particular, the UK must have enough appropriately trained Official Veterinarians (OV) across the food chain to meet the additional demands for export and import certification. If that requirement is not fulfilled, it could present a significant barrier to trade and limit any opportunities for the farming and food sectors that may be found in a new FTA.
- 33)** FTAs contain provisions relating to animal health, animal welfare and public health: areas which fall within the expertise of the veterinary profession. Therefore, it has been disappointing that consultation with the veterinary profession on FTAs has been so limited. DIT held no meeting with the profession prior to the publication of the recent Australian Trade Deal. This is despite the BVA submitting an 8-page consultation response in 2018 highlighting serious concerns about animal welfare in Australian agriculture.
- 34)** This poor engagement has highlighted the need for genuine veterinary input into future trade negotiations. As the UK continues to strike new trade deals with partners around the world,

which will have consequences for animal health, animal welfare and public health, as well as the ability to export easily to the EU Single Market, we would ask that the Department for International Trade, and Defra which leads on SPS aspects, reflect on how better to engage with our uniquely relevant profession.

- 35) We note the existence of the Agri-food Trade Advisory Group. However, the membership of this group consists of business representative organisations and contains nobody from a veterinary, animal health, food safety or animal welfare science background. Therefore, engagement with this group can in no way be seen as meeting a requirement to have consulted on the wide range of concerns held by the veterinary profession.
- 36) It is welcome to see veterinary expertise represented within the membership of the TAC. It will also be essential that this strengthened body draws upon additional veterinary expertise to scrutinise future trade deals and put animal health and welfare at the centre of decision making.
- 37) When the impact of trade deals on animal health and welfare is considered, there is often a focus on the effect on agriculture and aquaculture sectors. However, there is the potential for impacts on wider sectors such as companion animals, equines, and wild animals. It is imperative for mechanisms beyond the TAC to be developed to give due regard to the impact of trade deals on animals which will be considered sentient beings under legislation currently before Parliament i.e., beyond agriculture and aquaculture sectors. Engagement with the veterinary profession will be vital for government to meet this duty.

Conclusion

- 38) As Parliament continues to scrutinise this FTA, clarity is needed on the role of the Trade and Agricultural Commission and how it will advise Parliament on the implications for animal health and welfare.
- 39) The UK must safeguard its high reputation for animal health, animal welfare, and food safety. In all trade agreements it negotiates, the government must only grant tariff free access to agricultural goods where there is equivalence with core standards of animal health, animal welfare, public health and food safety and responsible antibiotic use. At present, we are not satisfied that Australia would meet those standards.
- 40) The news of the deal comes at a point when progress has been made by government, industry, and vets to use public money to incentivise and support animal health and welfare outcomes as public goods. There is a concern that the UK government has signed an FTA which has the potential to undermine this investment.
- 41) Ongoing consultation with the veterinary profession on all relevant aspects of trade will be essential. BVA, as the representative body for the profession, looks forward to engaging with Parliament further as this FTA and others progress.