

Ensuring high animal welfare standards in future trade deals

Introduction

Summary of our concerns regarding animal welfare in trade deals

Compassion in World Farming and Sustain are concerned that the UK government is on a path to break its own manifesto commitment to protect the UK's food safety, animal welfare and environmental standards from future trade deals.

We are concerned the Government might inadvertently support low standard, low animal welfare farm systems around the globe through the trade deals it negotiates now that it has left the European Union. This might include things such as the use of growth hormones in livestock, abuse of medically-critical antibiotics to prop up poor farming practices, chemical washes to mask low standards of hygiene and animal welfare, or cruelty to animals.

There is a danger that in pegging the UK's standards to low standards in other countries, the Government would make it difficult for the UK to improve its own farm animal welfare standards in the future. The UK should be a global leader for higher standards, a standard setter rather than standards taker.

If the Government permits low quality imports, produced more cheaply by cutting corners in areas such as hygiene or animal welfare, we fear that UK farmers could come under pressure to compete by lowering their own standards.

Our concerns about animal welfare span all future trade deals however, in this briefing, we have chosen to focus on differences between the UK and Australian farm systems. There are a number of farming practices that are banned in the UK that are still permitted in Australia. Yet, the UK is set to sign an agreement in principle with Australia in June 2021 and spend six months on legal due diligence - all of which will take place with scant parliamentary scrutiny of the deal.

Policy interventions we are calling for:

- The UK negotiating objectives for all trade agreements to clearly state that not only will the UK not lower its own food, farming, environmental and animal welfare standards, but it will only permit imports of goods produced to standards that are as high as, or higher, than UK's domestic standards.
- The UK should not conclude any new trade agreement that compels it to allow the import of products produced to standards of animal welfare, food safety or environmental protection that are lower than those required by UK law.
- The UK to ensure that any trade agreement with any other country must include effective guarantees that safeguard the UK's capacity to continue to enhance the welfare of farm animals.
- The Government to defend these actions, if challenged at the WTO, under Article XX of the GATT, which allows countries to protect 'public morals' where it represents a legitimate public policy consideration, enabling a country to justify such a measure in certain circumstances.
- Such a commitment needs to be reflected in law, following our exit from the EU, giving a solid mandate and strength to the UK's trade negotiators.
- Parliament must have a proper involvement in agreeing the terms of new trade agreements. This includes setting the mandate, regularly scrutinising negotiations as they progress and the right to consent to, amend or reject a trade agreement.
- Concluded agreements should not be presented to Parliament as a *fait accompli* leaving Parliament in the position of simply being able to accept or reject the agreement as a whole. Parliament must have the power to be properly engaged in shaping the terms of the agreement.

Background

The Conservative manifesto¹ for the December 2019 elections pledged to enter formal trade negotiations with the EU at the same time as the United States, Japan, Australia and New Zealand. It also pledged to protect UK animal welfare, food safety and environmental standards from future trade deals.

¹ <https://www.conservatives.com/our-plan>

On numerous occasions, government ministers have reiterated this commitment. Prime Minister Boris Johnson said: *"I don't want us to do any deal with the US which in anyway jeopardises our animal welfare standards or our food hygiene standards. The quality of food in this country must be protected and, if anything, we should be insisting that if the Americans want to trade with us, they should be obeying our standards."*²

The UK and Australia have been in formal trade discussions since 2020; the UK's negotiating objectives refers to Australia as a 'like-minded' partner. However, there are a number of key differences in animal welfare standards between the two countries.

This includes things such as animal welfare legislation, intensive farm systems, practices such as mulesing (the removal of skin from live sheep), growth hormones, feed additives, overuse of antibiotics, chemical washes, slaughter practices and live transport.

Multiple sources report that agricultural standards have been a sticking point between the two countries but that they hope to sign an agreement in principle in June 2021.³

Australian animal welfare legislation and international performance

Australia has no federal animal welfare legislation, opting instead to devolve responsibility to states and territories. These do have anti-cruelty laws, but in most cases this does not extend to 'animals raised for food' which, according to a coalition of European animal welfare charities 'allows for horrendous practices to be maintained in food production'.⁴ With regard to cattle, national guidelines were drawn up and agreed in principle in 2016, by all the Australian states, but have yet to be made mandatory (with the exception of South Australia).⁵

These new rules have been criticised by Australian animal protection organisations as they still permit practices such as dehorning, debudding

²<https://www.telegraph.co.uk/politics/2019/07/08/boris-johnson-will-not-sacrifice-food-standards-us-trade-deal/>

³<https://www.ft.com/content/7d432850-8dea-4ee3-b408-02723d6c7cb3>

⁴https://www.eurogroupforanimals.org/sites/eurogroup/files/2020-02/E4A-CP-EU_Australia-screen.pdf

⁵<http://www.animalwelfarestandards.net.au/cattle/>

(destroying newly developed horns), castration and branding without any requirement to use pain relief.

The UK by contrast has detailed species-specific legislation on pigs, hens, broiler chickens and calves to protect their welfare on farm and at slaughter.

The World Animal Protection Index, which ranks 50 countries around the globe according to their legislation and policy commitments to protecting animals, has awarded Australia an D versus a B for the UK. Australia scores particularly badly on government accountability for animal welfare and protecting farm animals.⁶ Its Model Codes of Practice have yet to be converted into legally enforceable standards and guidelines so are non-binding.

It is worth noting that the coalition of animal welfare charities mentioned above are so concerned about the lack of recognition of animal sentience in Australia that they are lobbying EU officials to include it in the terms of the EU-Australia trade deal.⁷

Large and intensive farm systems

In the last forty years, the number of dairy farms in Australia has fallen by almost three quarters, to 5,055 but the average herd size is growing. In 1985 the average herd size was 93 cows and in 2019–20 this had grown to 279. There is also an emerging trend of large farm operations of more than 700 dairy cattle.⁸ By contrast, in the UK, the average size of a dairy herd is 148.⁹

In Australia, over 600 million animals are killed in slaughterhouses each year. The vast majority (around 500 million) are raised on intensive farming facilities where many shocking practices are often allowed, such as the caging of battery hens and single stalls for breeding pigs.¹⁰ UK standards on welfare at the time of slaughter apply to imported meat¹¹, yet in Australia there is no compulsory CCTV in abattoirs and no Model Conditions for animal welfare. Standards are lower in Australia on the level of training required for auditors and those working in abattoirs and animal welfare is not prioritised as an objective of Australia's export legislation.

⁶ <https://api.worldanimalprotection.org/>

⁷ https://www.eurogroupforanimals.org/sites/eurogroup/files/2020-02/E4A-CP-EU_Australia-screen.pdf

⁸ https://www.dairyaustralia.com.au/industry-statistics/cow-and-farms-data#.YMHkB0wo_IU

⁹ <https://ahdb.org.uk/dairy/uk-and-eu-cow-numbers>

¹⁰ https://www.eurogroupforanimals.org/sites/eurogroup/files/2020-02/E4A-CP-EU_Australia-screen.pdf

¹¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/955031/welfare-animals-time-of-killing-reqs-2015-post-implementation-review.pdf

Approximately 40% of Australia's total beef supply is produced in intensive feedlot systems where the animals are kept in close confinement and fed largely on grain rather than pasture¹².

Farming practices

Mulesing (the removal of skin from live sheep)

Mulesing is a painful procedure that involves cutting skin around the tail area from live sheep. When this heals it creates a bare area of scar tissue that is smooth and less likely to attract flies. This makes mulesed sheep less susceptible to a condition called flystrike.

Mulesing is usually carried out at six to 10 weeks of age, alongside other painful procedures such as tail docking and castration. Mulesing is performed without anaesthesia, and pain relief is not always used.¹³

Use of feed additives and growth hormones

According to Food Standards Australia New Zealand (FSANZ) about 40 per cent of Australian cattle are treated with hormone growth promoters, adding millions to the value of the Australian beef industry.¹⁴

If the UK lowers its food standards to facilitate trade with Australia, this would also open the door to other low standard produce from other larger agricultural countries. A Which? Consumer survey conducted in 2018 found that 80% of British people specifically said they were not at all or not very comfortable with growth hormones in beef production.¹⁵

Overuse of antibiotics

Antibiotics are used in intensive farming systems, where animals are closely confined, in order to ward off disease. The import of meat from Australia from animals treated with higher levels of antibiotics may exacerbate the risk of UK consumers being affected by antibiotic-resistant foodborne diseases.

¹² <https://futurebeef.com.au/knowledge-centre/feedlots/>

¹³ <https://kb.rspca.org.au/knowledge-base/what-is-the-rspcas-view-on-mulesing-and-flystrike-prevention-in-sheep/>

¹⁴ <https://www.foodstandards.gov.au/Pages/default.aspx>

¹⁵ https://www.sustainweb.org/news/jun18_which_brexit/

In a report released in December 2020,¹⁶ the Alliance to Save Our Antibiotics calculated that the use of antibiotics in poultry in Australia is more than 16 times higher than in the UK, and use per animal in pigs is nearly three times higher.

Using antibiotics as growth promoters has been banned in the UK since 2006 but is still permitted in Australia. Furthermore, antibiotics deemed critically important for human health are still permitted for use as feed additives too.¹⁷

There is no national system to monitor how much antibiotics are given to farmed animals in Australia, and no law that requires farmers to notify the detection of superbugs that are resistant to antibiotics.¹⁸

Live transport

Australia's rules on transporting live animals over long distances are minimal and virtually unenforceable, as they have to be adopted by each state. The guidelines allow for most animals, including cattle and sheep, to be kept without water, and so in transit, for 48 hours, and even longer if certain conditions prevail. In the UK cattle and sheep can be transported for just 8 hours, or 14 hours under certain conditions.¹⁹

In June 2021, the UK Government published the Animal Welfare (Kept Animals) Bill. This proposes a ban on all live exports for slaughter or fattening, from across Great Britain.²⁰ New measures to improve welfare during transport are also expected shortly.²¹

Chemical-washed chicken (pathogen reduction treatments, such as chlorine washes)

Poultry reared in Australia is mostly retained for domestic consumers. However, chicken production increased by 55% between 2008 and 2018. Australian farmers are permitted to wash chickens in chemicals to eliminate bacteria that have infected the birds during rearing and slaughter. Chemical-

¹⁶<https://www.saveourantibiotics.org/media/1864/farm-antibiotics-and-trade-could-uk-standards-be-undermined-asa-nov-2020.pdf>

¹⁷<https://www.thegrocer.co.uk/sourcing/how-do-uk-food-standards-differ-from-the-rest-of-the-world/645635.article>

¹⁸<https://www.animalsaustralia.org/features/global-superbug-threat.php>

¹⁹https://www.eurogroupforanimals.org/sites/eurogroup/files/2020-02/E4A-CP-EU_Australia-screen.pdf

²⁰<https://bills.parliament.uk/bills/2880/publications>

²¹<https://www.gov.uk/government/news/uk-to-lead-the-way-on-animal-welfare-through-flagship-new-action-plan>

washed chickens are likely to be reared to poor welfare standards, and the slaughter of chickens in Australia is generally carried out to much lower animal welfare standards than in the UK.

Chlorine-washed chicken has been banned in the EU since 1997²² because of this chemical washing process. In 2005 the EU acknowledged that the chemicals themselves (e.g. chlorine) were not injurious to health but continued to object to it on animal welfare grounds.²³

Recently, however, a study by Southampton University²⁴ found that chemical washing makes pathogens undetectable rather than eliminating them; this was subsequently backed up by a study from Cardiff Metropolitan University²⁵ Furthermore, studies have shown that if the concentration of chlorine is high enough, it can cause carcinogens such as semicarbazide²⁶ and trihalomethanes²⁷ to form in the poultry meat.

Under current UK rules (inherited from the EU)²⁸, the chlorine wash is classed as a processing aid rather than an ingredient and so wouldn't have to be declared on the packaging. This means UK consumers would be unlikely to know whether imported chicken had been through the chlorination process unless it was voluntarily declared.

Broilers

Scale – approximately 650 million chickens are slaughtered annually in Australia, compared to one billion in the UK. The Australian population is just over a third of the UK's (25m v 67m).

Production - most broiler production in both the UK and Australia entails many serious animal welfare problems. For example, in both countries the maximum legally-permitted stocking density is far too high; the broiler sheds are so overcrowded that as the birds get bigger, one can barely see the floor so thickly 'carpeted' with chickens.

The chickens used in today's industrial meat production reach their slaughter weight about twice as quickly as 40 years ago. This change has been achieved by genetic selection for fast growth. The legs fail to keep pace with the rapidly

²² <https://fas.org/sqp/crs/row/R40199.pdf>

²³ <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2006.297>

²⁴ <https://www.southampton.ac.uk/news/2018/04/foodborne-illness-study.page>

²⁵ <https://inews.co.uk/news/consumer/chlorine-chicken-washed-chlorinated-germs-illness-safe-90830>

²⁶ <https://www.ncbi.nlm.nih.gov/pubmed/15204530>

²⁷ <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1365-2621.1977.tb08411.x>

²⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R1169&from=EN>

growing body and often are unable to support it properly. As a result, many chickens suffer from painful, sometimes crippling leg disorders. The heart and lungs, too, often cannot keep pace with the body growth and many chickens succumb to heart failure. The UK should retain the right to improve standards at home, not lock in standards we would like to enhance.

Battery cages

The UK has banned barren battery cages for egg laying hens since 2012.²⁹ They are still permitted in Australia.

Sow stalls

The UK has banned sow stalls since 1999. These are narrow metal cages which confine female pigs after they have mated or been artificially inseminated. There is no Australian ban on sow stalls.

Conclusion

The Government needs to legislate to ensure all new trade agreements, not just that being negotiated with Australia, only permit agricultural goods into the UK that are produced to standards of animal welfare, food safety, labour or environmental protection that are as high as, or higher than, UK standards.

The proposed UK-Australia trade agreement could create a downward pressure on existing standards. It also poses considerable threats to the ability of the UK to make further improvements to the welfare of domestic farm animals. The agreement must include effective guarantees that safeguard the UK's capacity to continue to enhance the welfare of farm animals.

In negotiating the new agreement, Australia is likely to press the UK to accept imports of food products even though these are generally produced to much lower animal welfare standards than those of the UK. If the UK agrees to this, the deal could act as a Trojan horse that sees UK farmers undermined by lower standard imports permitted through similar deals the UK hopes to secure with the US, Brazil and other major agricultural nations. To avert this danger the UK must insist on the inclusion of a clause in the UK-Australia FTA that permits the UK to require imports to meet UK animal welfare standards.

Failing that, the Treasury should ensure that UK farm businesses are not undermined by low quality products, and UK consumers are protected from chemical-washed chicken, and hormone-treated beef, by placing higher tariffs

²⁹ <https://www.gov.uk/government/news/uk-unites-to-stamp-out-battery-cages>

on all imports that do not meet the standards UK consumers expect their food to be produced to.

These tariffs would effectively make the cost of these lower animal welfare, lower standard products sufficiently high to protect UK farmers, and would apply to similarly produced products from elsewhere in the world. However, it would be very much better to have a clause in the agreement that allows the UK to refuse to import products produced to standards below those of the UK.

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Compassion in World Farming (Compassion) was founded in 1967 by a British dairy farmer who became horrified at the development of intensive factory farming. Today Compassion is the leading farm animal welfare organisation dedicated to ending factory farming and achieving humane and sustainable food. With headquarters in the UK, we have offices across Europe, in the US, China and South Africa.

Sustain is the alliance for better food and farming. We represent around 100 national public interest organisations working at international, national, regional and local level. We advocate for food and agriculture policies and practices that enhance the health and welfare of people and animals, improve the working and living environment, enrich society and culture and promote equity.