

Proposal for a UK Trade, Food and Farming Standards Commission

UK farmers and growers are proud of their high standards of production – whether in terms of food safety, environmental protection or animal welfare. It is important that UK farmers are not put at an unfair disadvantage through the imposition of extra costs, both direct and indirect, that are not shared by overseas competitors exporting food to the UK. Equally, UK consumers have demonstrated a clear desire that food imports adhere to the same high standards as UK producers.

The government has said it has no intention of allowing the UK's high standards of production to be undermined after the UK leaves the EU but, regardless of our own standards, this would be the outcome of allowing imports of food produced to lower standards. Not only would it expose UK consumers to food on the market that may be unsafe and produced in farming systems that do not meet their expectations, but it also risks a contraction in domestic agricultural production leading to a reduction in food security and in the availability of high quality UK food.

The challenge of safeguarding standards in UK trade policy

The UK government has been clear that it intends to liberalise trade, allowing more market access for agricultural imports into the UK. This will create opportunities for more food exports overseas, which the NFU welcomes, but we believe the government should promote a model of “free trade” that incentivises sustainable models of production and consumption both here and abroad, not a model based solely on sourcing the cheapest goods regardless of the environmental and welfare costs.

There remain significant challenges if the government is to meet its aspiration on safeguarding food and farming standards. For example, what definition of standards will the UK government observe in its trade policy? While sanitary and phytosanitary standards (SPS) – broadly “product standards” that manage risk to human, plants or animals from the product itself – are well protected in trade law, “production standards” such as animal welfare or environmental requirements are not. It is not at all clear that the government will seek to control food imports on the basis of production standards as well as product standards.

In our current and forthcoming trade negotiations, other countries will not only urge the UK to follow their own SPS arrangements, which in many instances diverge from current UK practice, but will also resist any suggestion that their own producers meet the production standards and additional costs required of UK farmers. Furthermore, outside of any trade deals it is generally not possible under World Trade Organisation (WTO) obligations for governments to restrict imports on the basis of production standards. In summary, it is hard to see how trade liberalisation will not lead inevitably to an increase in food imports that are produced in ways that would be illegal in the UK.

These are complicated issues. Verbal assurances or manifesto commitments simply lack the force to answer the question at the heart of the matter: how can a government, in practical terms, liberalise trade while safeguarding the UK's high and valued standards of production? To overcome this, we propose that the government establishes a Trade, Food and Farming Standards Commission. This will bring together industry, government and experts to produce a “trade and standards roadmap” identifying the key issues and making a clear set of recommendations for government action. In doing so, it can tackle many of the concerns that have been raised in recent debates on the matter in a transparent and consensual manner, accommodating government trade policy alongside its ambitions on environmental policy and for the future of UK agriculture.

The details of this proposal are as follows:

1. The Secretary of State should convene a **high-level Commission on Trade, Food and Farming Standards**, bringing together ministers, government officials, industry representatives, environmental and welfare NGOs and experts in trade, food and farming policy. It is suggested that the members be comparatively few in number, but that working groups be established if necessary to ensure appropriate levels of expertise and representation in the Commission's work.
2. The Commission will be charged with **producing a report containing the following**:
 - criteria for defining “food and farming standards” in the context of the Commission's work
 - the policies and legislation that the government should adopt in order that imported products placed on the market in the UK meet equivalent standards to those required of UK producers
 - measures to ensure such an approach is compliant with the UK's international obligations;
 - the systems needed to effectively compare our standards with those of overseas producers;
 - systems or processes to allow overseas producers to demonstrate compliance with our standards;
 - identification of potential exceptions, for example to avoid serious negative impacts on consumer interests or on developing countries;
 - the ongoing role for the commission or other existing or new bodies in scrutinising trade negotiations as well as existing trade deals;
 - retrospective assessment of current or completed trade negotiations, as well as of existing “continuity” trade agreements, including recommendations for their review or amendment.
3. The Commission will be required to produce a **final report before the end of 2020**. The government would be required to give a statement to Parliament outlining its **response to the report within two months**, explaining how it intends to implement the Commission's recommendations, and if it feels unable to do so with respect to any specific recommendation, to set out an alternative course of action.

NB - it is not assumed that the Commission will automatically continue its role following the government's response to its report, although an ongoing role may be one of the recommendations it makes.