

The UK-Australia Free Trade Agreement: **An animal welfare perspective**

Reaction to the TAC Report



May 2022

TAWC Position on the UK-Australia FTA



The UK-Australia FTA, signed on 17 December 2021, includes:

- a liberalisation of the imports of Australian beef and sheep meat products into the UK over fifteen years;
- a cooperation-based chapter on animal welfare and antimicrobial resistance that recognises animal sentience, and the link between animal welfare and sustainable food systems;
- an explicit reference to the UK's ability to use Article XXa if they believe imports are impacting on UK animal welfare standards
- no reference, even inexplicit, to the use of measures based on precautionary principles. This principle is of great importance for animals, as several trade restrictions based on animal health and welfare rely on it.

While the animal welfare provisions rely on language that can be deemed stronger than usual, they remain soft provisions that can only deliver impact if political and financial resources are mobilised on both sides to that end.

The deal does not include tariff reduction for several animal products - such as pig and chicken meat as well as egg products. The argument that was officially made is that this decision was based on the difference in production standards, including animal welfare. Yet, Australia does not export much of these products to the UK, and they were thus not offensive interests for the country. When it came to discussing tariffs on products that were key for Australian exports - for instance beef and sheep meat - the difference in animal welfare standards did not prevent a full removal of tariffs within fifteen years.

The UK-Australia FTA sets a bad precedent for the UK in its negotiations with other countries, such as India, Mexico or Canada, as the UK demonstrated it would not push for any animal welfare conditions where offensive interests of the partner are at stake.

“ The TAC report confirms the many examples of lower animal welfare practices in Australian farming. This deal could mean that the UK fuels cruel practices abroad that are not accepted domestically.”

David Bowles, Chair of the Trade and Animal Welfare Coalition (TAWC)

Animal Welfare Standards in Australia and in the UK



The UK has over 40 specific legal animal health and welfare standards, with around half being farm standards, and the UK Government has a manifesto commitment not to lower such standards in any Free Trade Agreements (FTAs).

Australian farming still permits the following practices which are all illegal in the UK, but not yet banned in imported goods:

- Long distance transport of cattle and sheep up to 48 hours. In the UK, the maximum journey is 29 hours and there is a proposal to reduce further to 21 hours in 2022;
- Hot branding of cattle;
- Mulesing of sheep in the lamb sector;
- Use of the conventional battery cages for laying hens (58% of UK production is free range compared to 40% in Australia)
- Sow stall systems in pig production (banned since 1991 in the UK);
- Cattle production on feedlots (around 4% of cattle are on barren feedlots not currently seen in the UK)

Some practices are still legal in Australia, but currently banned under legislation for any imports into the UK:

- Use of growth promoters such as hormones in beef production (around 20% of the cattle herd);
- The use of animal testing for cosmetics ingredients and use of data from toxicity testing for new cosmetics' products.

There are cost differentials in production methods, owing to increased labour, land and feed costs. Agreeing trade deals by relaxing tariff protection without any conditionality on standards undercuts UK producers producing to higher standards, potentially putting them out of business and leading to a race to the bottom. It may also lead to UK consumption of products that fuel practices that the consumers do not support.

TAWC Reaction to the TAC report on the UK-Australia FTA



The TAC report analysed the extent to which measures in the FTA are consistent with the UK maintaining its current levels of protection for animal welfare. It did this by assessing each of the standards against three criteria: the difference in standards and any cost implications, the impact of the trade on the products related to these standards, and any mechanisms that the UK could mobilise in the FTA to avoid any negative effect.

What did the TAC Report say?

MEASURE	DIFFERENCE IN STANDARDS	COST IMPLICATIONS	TRADE INFLUENCE OF THE FTA	PROTECTIVE MEASURES
Hot branding cattle	√	X	X	The UK always has the possibility to set up trade restriction using GATT Article XXa
Long distance transport	√	X	X	
Feedlots	X	√	√	
Mulesing	√	X	X	
CCTV and slaughter	X	X	√	
Animal health standards: beef-hormone	√	√	X	Labelling of products
Animal health: GMO	√	√	X	
Animal health: antimicrobials	√	√	X	
Cosmetics testing and labelling	√	√	√	TAC did not consider as not agriculture



While TAWC agrees with some of the findings listed in the report, it still suffers from important shortcomings that must be set out.

General Limitations

The most critical issue is the narrow focus of the report. It evaluates the extent to which the UK's statutory animal welfare and health standards will be impacted by the FTA but not the extent to which the producers farming to those standards would be undercut by imports. It thus considers only the legal dimension and short term implications. TAWC is aware that FTAs are unlikely to directly undermine standards and it has never argued that the FTA could force the UK to adopt lower standards or not adopt higher standards. Rather, TAWC has questioned the long term impacts, such as whether a change in trading patterns could pressure the UK not to further widen the gap between UK and Australian standards to avoid undermining the competitiveness of UK products, or whether it could result in UK consumers inadvertently purchasing products derived from practices they deem cruel.

The report also overstates the protections afforded by the agreement. In regards to the differences in animal welfare standards, it welcomes the fact that the FTA "strengthens the right of the UK to adopt trade restrictions". However, this is misleading: any WTO member enjoys this right regardless of the contents of an FTA. In that sense, the FTA merely reiterates existing rights. Furthermore, by confirming that the UK has the capacity to invoke WTO exceptions the report overlooks the fact that the UK has made no indications that it will do so.

Last year, TAWC published its briefing on core standards for animal welfare. The idea of including core standards as a key element of UK trade policy has received widespread support, including from the Royal Society for the Prevention of Cruelty to Animals, the World Wildlife Fund and the National Farmers Union. The Interim TAC even included the application of core standards to imports in their 2021 report. Despite this, the UK Government has so far resisted such calls. This is not only a worrying sign for future trade deals but, insofar as it is a missed opportunity to elevate standards abroad, it also flies in the face of the UK's stated ambition of leading the world on animal welfare.



Comments on the Animal Welfare section of the TAC report

Feedlots

The report accepts that imports of beef derived from cattle raised on feedlots will increase under the FTA and could undercut UK farmers. While it considers that standards are comparable between the countries in terms of space provisions, space is only one part of the picture when it comes to cattle welfare. Australia does not require shade in feedlots, despite the often hot conditions which are particularly difficult for black breeds, such as the commonly feedlotted black angus. Further, stress of crowding and mixing increases the prevalence of diseases, such as Bovine Respiratory Disease. While the UK does not prohibit the use of feedlots, UK consumers do not want to further fuel the practice due to concerns for the animals and the environment; not only is grain bad for ruminants, but there are also severe ecological impacts.

Mulesing

On the issue of mulesing, the report concludes that although Australian standards are lower than in the UK, as the tariff on wool has already been removed, UK standards are unlikely to be undercut at current trade levels. It recognises that there is a chance of wool imports from mulesed sheep being imported, but dismisses the likelihood of mutton from mulesed sheep being imported as negligible. This claim is inaccurate. 10 million lambs are mulesed each year in Australia (where pain relief is not mandatory) and many of these sheep make it into the mutton trade as sheep bred for wool are commonly used for mutton after slaughter. Lambs imported to the UK could also come from adults that have been mulesed. .

Transport

The report considers that there is only a low risk that meat from stock that has endured significantly longer transport times than would be permitted in the UK will be imported in increased quantities under the FTA. This is because the relevant cattle and sheep breeds are generally reared in the south, where travel times are similar to UK times. However, Australia's Land Transport Standards for cattle and sheep permit up to 48 hours off water, and many Australian sheep are transported long distances, with over 1 million being sent from the west of the country to the east each year when seasonal or economic conditions make it commercially viable.



Comments on the Animal Welfare section of the TAC report

Hot branding

The report considers that there is no risk of beef from hot branded cattle being imported into the UK, as Australia's National Livestock Identification Scheme negates the need for branding. Despite this, the hot branding of cattle remains legal in Australian states and it is not straightforward to find out whether cattle killed for UK meat exports have been branded. It is likely that many farmers still brand their cattle, due to concerns about the loss of ear tags or the deliberate removal of tags when cattle are stolen (cattle theft is so common a problem that some states have specialised police forces). The risk of branded meat being exported to the UK might be low, but it is not non-existent.

CCTV footage

The report states that imports from abattoirs not using CCTV could be imported in increased quantities under the FTA. Indeed, the use of CCTV in abattoirs is not a UK-wide requirement. While most export abattoirs in Australia likely use CCTV voluntarily, this does not mean they are regularly monitored or reported upon, as this is not mandatory.

Pain relief

The report accepts that, compared with the UK, Australian rules enable producers to carry out painful procedures without pain relief on animals at an older age, and that products from these animals are highly likely to be imported to the UK. The Cattle and Sheep Standards, for instance, allow painful mutilations to be carried out until 6 months old, or 12 months in certain cattle. This means pain relief is not required during the normal time mulesing, castration and tail docking is usually done. Aside from the question of pain relief, subjecting older animals in Australia to these procedures creates larger wounds from which they must recover over weeks. The Australian exemptions were written in a way that ignores science and the community standards in the country.

This briefing analyses the impact of implementing the UK-Australia Free Trade Agreement on maintaining UK higher animal welfare standards, and on animal welfare in general.

It also includes TAWC’s reaction to the findings detailed in the report published in April 2022 by the Trade & Agricultural Commission (TAC) on the said FTA .

The Trade & Animal Welfare Coalition (TAWC UK) is a group of organisations that work together to protect and advance animal welfare in trade policy.



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Coalition members

