



Farm Animal Welfare after the UK leaves the EU

FROM THE PUBLIC AFFAIRS DEPARTMENT

Key facts...

- ★ 18 of the 44 European animal welfare laws concern farm animals and these need to be nationalised in full to prevent any reduction in standards.
- ★ The UK is currently limited in how it delivers subsidies to farmers under the CAP and now has a huge opportunity to deliver a sustainable humane support system to use €3 billion paid to farmers annually more effectively eg reward them to improve farm animal welfare
- ★ The four devolved nations have a huge opportunity to deliver better farm animal welfare in areas such as CCTV in slaughterhouses, non-stun slaughter, and the transport of farm animals without compromising the competitiveness of British farmers.
- ★ There is a risk when the UK negotiates its free trade agreement with the EU, and with other non-member countries post-EU membership, that it allows products into the UK which are produced to lower welfare standards or to methods prohibited in the UK; it should ensure any FTA allows a competitive farming system without compromising on animal welfare.

Introduction

Now the UK is leaving the Single Market, it needs to negotiate a new trade treaty with the EU. This probably has its greatest impact on farming, a devolved issue. Defra is responsible for around 40% of the acquis in England. The devolved governments pay out over €3.1 billion of annual farm subsidies. There are great opportunities for farm animal welfare as well as risk.

18 of the 44 animal welfare laws that have been agreed at the European level are on farm animal welfare, by far the largest part of the acquis on animal welfare (see table). There are five laws setting standards on the way farm animals are reared and produced with species specific laws being limited to laying hens, veal calves, meat chickens and pigs. There is legislation covering consumer information, the live transport of animals and on how animals must be killed/slaughtered. These set the baseline standards that the UK currently has on farm animal welfare.

As the UK now is moving towards negotiating free trade agreements (FTAs) with other countries, it is crucial that these FTAs maintain these welfare standards and do not undercut them by allowing imported products into the UK, which have been produced to lower welfare standards. Finally the devolved authorities, as the UK leaves the single market, have to decide which European farm animal welfare legislation they will retain, which they will drop and which ones they will improve upon.

Opportunities

Farming Support System

The way in which we produce food impacts on the welfare of the animals. The nationalisation of the farming support system gives a once in a generation chance to radically transform Common Agricultural Policy (CAP) into a British policy for sustainable land and animal management. Farm support through the CAP has been hugely successful in helping the farming industry to increase output. However, this intensification of production has had unintended negative consequences for animal welfare and challenges for international trade, whilst being at considerable cost for the taxpayer. 80% of funds currently given to farmers really have no conditions attached and far outweigh the 20% of funds given to reward farmers for making positive contributions to the

environment or farm animal welfare. Now is the opportunity to use the €3 billion to reward farmers for improving farm animal welfare and deliver other public goods., solving the challenges that the previous support system could not address. It could:

- Link the clear desire from consumers for improvements in farm practices to payments which help to deliver public goods such as improved farm animal welfare.
- Ensure that improvements in farm animal standards do not leave UK producers at a competitive disadvantage in a global and European economy, e.g. ensuring that the import of animal-based products meet at least minimum UK animal welfare standards or pay a duty to assure they are not cheaper than products produced under EU animal welfare standards.
- Ensure the agricultural market works for farmers to get a fair price for their products, which then gives them the opportunity to invest in their businesses to provide better welfare conditions for their animal.

Developing new welfare legislation for farm animals

The EU has limited detailed farm animal specific legislation to laying hens, meat chickens, pigs and veal calves. Other farmed animals that do not have specific standards include ducks, dairy and beef cattle. The UK could not deliver its own farm laws as a member of the EU. There is now the opportunity to develop legislation to protect the welfare of animals such as dairy and beef cattle, ducks, sheep, turkeys, salmon and trout. Laws could build on the detailed voluntary industry and/or private assurance scheme standards (e.g. www.rspca.org.uk/sciencegroup/farmanimals/standards).

Developing higher standards in existing legislation not presently allowed under EU laws:

1. Amending Welfare of Animals at the Time of Killing (WATOK) Regulations 2015

There is widespread concern about the exemption within the WATOK Regulations that allows some animals to be slaughtered without pre-stunning. The RSPCA and others believe that, on available evidence indicating the suffering caused by the slaughter of conscious animals, the exemption should be removed and all animals should be stunned before slaughter. Whilst the UK continues to maintain the exemption that allows non-stun slaughter for religious purposes, it must ensure that the provisions are used purely for those purposes only and that improvements are made to the welfare of those animals during slaughter. A system must be developed which ensures that non-stunned animals do not enter the food chain and sold into the conventional market. A robust labelling system will help to facilitate this.

2. Amendment of Welfare of Animals in Transport Order 2006

British Governments have previously indicated they could not go further than existing EU-generated transport conditions on journey times or vehicle specifications. It is still concerning that the current specifications for maximum journey times, space allowances and feed/water intervals are not in line with information from scientific research¹ on the needs of farmed animals. Effective enforcement of rules is also a key area, as information relating to numbers and quality of checks, and on the level of compliance with important provisions, is not readily available¹.

Although the number of animals transported live from the UK to overseas is currently low, the UK's departure from the EU could lead to reduced ability to influence the welfare of the animals once they leave UK, heightening the importance of reducing the trade and replacing with meat and products. Leaving the EU presents an opportunity for Governments to introduce their own rules preventing the 'export' of live animals for slaughter or further fattening. This would not only reduce the risk of the potentially serious welfare problems associated with travel, it would make the previously exported

¹ http://www.efsa.europa.eu/sites/default/files/scientific_output/files/main_documents/1966.pdf

animals available to the UK market which is not self-sufficient in many meat sectors. Amending the Ports and Harbours Act 1847, would also make it easier for Councils to be able to refuse to allow certain activities to operate from their ports.

3. Inclusion of mandatory CCTV in abattoirs

Despite the use of CCTV in abattoirs to improve animal welfare is recommended by the Food Standards Agency² and the Farm Animal Welfare Committee³; the UK Governments have not yet implemented mandatory CCTV as the legislation does not insist on it. Although 55% of white meat slaughterhouses and 43% of red meat slaughterhouses now have some form of CCTV, an increase in availability and coverage compared to 2011⁴, there is no quality control on the placement of the cameras, or the quality and review process of the footage. It may be the case that slaughterhouses that do not have CCTV may be the worst performing in terms of non compliance under WATOK.

4. Implementing Method of Production labelling and the labelling of meat from animals slaughtered without pre-stunning

There has been no appetite to implement method of production labelling as European legislation covered country of origin. Method of production labelling identifies the farming system used to produce the food, and helps consumers make an informed choice about which production methods to support through their purchases. This form of labelling has existed for shell eggs since 2004 and is generally considered to have contributed to the significant shift away from eggs from caged hens. Catch method labelling for all fish products has been in place since December 2014. A 2016 Eurobarometer survey showed that 55% of UK consumers surveyed looked for animal welfare labelling when shopping. The RSPCA believes that consumers may switch more quickly to higher welfare products if retailers were required to label clearly the provenance of all livestock products with regard to the way the source animals were reared. The extension of the egg labelling model to all animal-derived products would be preferable. Further, meat from animals slaughtered without pre-stunning should also be labelled and a system of enforcement should be in place which avoids non-stunned products entering the conventional stunned animal market place.

Risks

The European Union is recognised as a world leader in animal welfare and Defra has stated that it sees animal welfare as a USP that it wants to keep and will not negotiate away⁵. The Government has stated that it wishes to nationalise farm welfare legislation, with the exception of the CAP which is only guaranteed until 2020. Risks to farm animal welfare legislation fall into two main areas. Firstly, if any Governments decided to derogate from existing standards, animal welfare may suffer.

However, the greater risk comes from negotiating free trade agreements with the EU and with non EU countries. There are 12 sets of global farm animal welfare guidelines but as they are only guidelines there is little consequence should non-compliance with the guidelines occur. Similarly, they have no standing in a WTO context. FTAs will decide upon, and determine the level of standard to be imposed on imported farm products. They will have to consider the level of tariff, the amount of quota and the methods of production, all of which can impact upon, and at worst, undercut the same products produced by British farmers.

² Food Standards Agency: Slaughter licensing and animal welfare.

<https://www.food.gov.uk/enforcement/approved-premises-official-controls/meatplantsprems/animal-welfare#toc-5>

³ Farm Animal Welfare Committee Opinion on CCTV in slaughterhouses.

<https://www.gov.uk/government/publications/fawc-opinion-on-cctv-in-slaughterhouses>

⁴ FSA. 2015. Results of 2013 animal welfare survey in GB.

<https://www.food.gov.uk/sites/default/files/2013-animal-welfare-survey.pdf>

⁵ Andrea Leadsom. 2017. Speech at the Oxford Farming Conference

Certain farming practices used in other countries are banned in the UK eg use of growth hormones in livestock and chlorine washing of meat chickens. As are many methods of production, prohibited for welfare reasons under UK law still used in some exporting countries. These include barren battery cages for laying hens and sow stalls. As there is a price differential between producing a high welfare product and a low welfare product, (e.g. the cost of a free range egg is around 40% higher and a barn egg around 20% higher to produce than an egg from a conventional battery cage⁶) there is a danger that cheap imports could undercut home producers, preventing them from operating a higher-welfare system as it is economically unviable. Safeguards would have to be introduced.

The WTO rules on what is permissible to prevent certain products being imported have shown more flexibility recently with the decision to allow an EU ban on imported seal products. However, the rules dictate that differential tariffs are not set for different countries on the same product, or that there are different rules depending on how a product is produced e.g. banning imports of caged-hen eggs but allowing in free-range eggs. The UK will have to be careful when agreeing FTAs to ensure that it is allowing the farming industry to export its goods whilst remaining competitive against imported ones.

Summary of post-brexit farm animal welfare considerations

Legislation to keep/transpose and opportunities to improve			
	EU legislation Directives	International agreements	Opportunities
<ul style="list-style-type: none"> ● General protection ● Laying hens ● Meat chickens ● Veal calves ● Live transport ● Pigs ● Slaughterer ● Dairy ● Bans on BST and hormones ● Farm subsidies ● Country of origin Labelling ● Poultry meat marketing standards ● Beef labelling ● Egg labelling ● Organic Production ● Horse identification ● Feed and food law 	<p>98/58 1999/74 2007/43 2008/199 1/2005 2008/120; 2016/336 1099/2009</p> <p>1999/879 1305/2013, 1307/2013 1169/2011 543/2008</p> <p>566/2008 1097/90, 5/2001 834/2007 90/426, 504/2008* 1804/1999*</p>	<p>OIE Guideline</p> <p>OIE Guideline</p> <p>OIE Guideline OIE Guideline</p>	<p>To set rules on dairy cattle, beef, sheep, turkeys, ducks, fish.</p> <p>To set higher standards on the journey times and transport conditions for animals that are transported in the UK and overseas.</p> <p>To prohibit the non-stun slaughter of animals and to mandate CCTV in slaughterhouses.</p> <p>Deliver more funding under the new farm support mechanism for animal welfare schemes.</p>

Proposals:

- A new farm subsidy system that rewards farmers to produce under higher welfare assurance schemes or farm to meaningful higher welfare standards.
- Mandatory method of production labelling for meat, milk and dairy products.
- A ban on cloning and genetic engineering of animals for food.
- Prohibit the non-stun slaughter of animals.
- Require CCTV in all slaughterhouses.
- Specific welfare standards for all farm animals eg dairy cattle, beef cattle, sheep, turkeys, ducks and fish.
- Higher standards on journey times and transport conditions for animals transported in the UK and for export/import.

⁶ [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2010/438590/IPOL-AGRI_ET\(2010\)438590_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2010/438590/IPOL-AGRI_ET(2010)438590_EN.pdf)