



The Consumer Voice in Europe

Food and the Transatlantic Trade & Investment Partnership (TTIP)

BEUC position

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Ref.: BEUC-X-2014-030 - 07/05/2014

Summary

For TTIP to bring benefits to consumers in the area of food and nutrition, BEUC calls on the negotiation partners to:

- Put public interest first;
- Maintain the highest safety and consumer protection standards;
- Preserve the precautionary principle;
- Acknowledge that, in risk management, societal, ethical and environmental factors as well as consumers' expectations should be taken into account;
- Guarantee consumers the right to be informed about and choose the food they eat through compulsory labelling of food containing GMOs and of food from cloned animals and their offspring;
- Favour the "farm to fork" approach over decontamination treatments;
- Ensure that food imported in the EU fully complies with EU legislation, including approval procedures;
- Prohibit the use of veterinary drugs for growth promotion;
- Ban the non-therapeutic use of antimicrobials in animal and food production;
- Restrict the use of antibiotics critically important for human medicine (CIAs);
- Foster the efficiency of food alerts systems;
- Improve collaboration and mutual learning on food traceability, trans fats, menu labelling and marketing of unhealthy foods to children;
- Consider food and nutrition related issues on their own merit and not for negotiations against other sectors.

1. Introduction

The EU and the US have recently initiated negotiations on the 'Transatlantic Trade and Investment Partnership' (TTIP). It is expected that TTIP will focus on regulatory issues and non-tariff barriers with a view to making both regulatory systems more compatible, to facilitate trade and limit economic and administrative burden for businesses. The TTIP negotiations will also be a valuable **opportunity for both partners to identify best practices and learn from each other** experiences in the field of food safety, food information and public health.

The US and the EU have implemented different policies in the fields of food safety and food labelling and it is important for consumers to understand if and how TTIP will impact on existing EU food safety and quality standards.

With TTIP, both the US and the EU can learn from each other in the food area.

EU and US consumer organizations share common views on the approach to be taken in relation to food and nutrition issues in the TTIP. Under the framework of the Transatlantic Consumer Dialogue (TACD) they agreed a Resolution¹ including a set of recommendations to the TTIP negotiation partners in order to ensure the pact will improve consumer protection standards on both sides of the Atlantic.

On the basis of the TACD Resolution, this position paper aims to further elaborate the food-related threats and opportunities of the TTIP from a European consumer perspective. It also outlines the BEUC requests for a trade agreement that sets convergence at the highest level of consumer protection, that puts the public interest first and that ultimately benefits consumers and society as a whole.

2. Different approaches to risk management

Since the BSE crisis of the mid-1990s and the trust crisis it generated among the public, the EU has made significant progress in establishing a legislative framework for food which effectively protects consumers and enables them to have confidence in the food production system. Existing EU standards are meant to ensure that the food offered to consumers is safe and that they are provided with sufficient information to make informed choices. They are built on a set of key principles which are not necessarily recognised at the same extent in the US.

In particular, the '**precautionary principle**' is a fundamental part of risk management in the EU, while US authorities do not officially endorse this concept as a basis for policy making. In the EU, the General Food Law² provides that where there are reasonable grounds for suspecting an unacceptable level of risk to health but scientific uncertainty remains, risk managers may take measures to protect the public pending new evidence allowing for a more comprehensive risk assessment.

In the US, the concept of 'safety' for food is based on the 'reasonable certainty of no harm'³. The principle of 'reasonable certainty of no harm' recognises that it is not possible to prove a product will be absolutely safe to every individual in every circumstance and requires a reasonable certainty that a substance will not harm the vast

¹ <http://www.consumersinternational.org/media/1402104/tacd-food-resolution-on-the-approach-to-food-and-nutrition-related-issues-in-the-ttip.pdf>

² Regulation (EC) No 178/2002 of the European Parliament and the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

³ [21 CFR 170.3\(i\)](#)

majority of consumers. In other words, EU regulators seek to proactively regulate risks while their counterparts in the US wait for evidence of actual harm before regulating.

In addition to the different approaches to scientific evidence of harm, there are also different interpretations of what can be considered an acceptable level of risks and on how risk assessment rules are implemented.

While the EU ensures food safety from farm to fork, the US focus on the end product.

Differences exist also in the approach to ensuring food safety along the food chain. In the EU, food safety is guaranteed through the integrated "farm-to-fork" approach whereby all the necessary steps (hygiene prerequisites, traceability, etc.) are taken all along the production chain to ensure that food sold to the consumer is ultimately safe. The US system, on the other hand, mostly verifies the safety of the end product and therefore is more prone to resorting to pathogen reduction treatments.

Also food risk evaluation procedures are not equal. US authorities largely rely on companies' own private assessment⁴ while in the EU, authorisations for regulated products (e.g. genetically modified products) are delivered after a full scientific assessment has been performed by the European Food Safety Authority (hereafter EFSA), and approval has been granted by risk managers (the European Commission, European Parliament and EU Member States).

Another key specificity of EU food law is the consideration in risk management of 'other legitimate factors' such as societal, economic, ethical or environmental concerns as well as consumer expectations. This has led to the adoption of rules, particularly on labelling, to ensure consumers are provided with information that enables them to make informed choices. EU food law explicitly acknowledges consumers have a right to know what they are eating⁵. Although they are recognised to a certain extent within Codex standards⁶ and in the WTO SPS Agreement⁷, these 'other factors' are often considered as barriers to trade. In this respect, we consider that, especially in relation to sensitive issues such as GMOs and cloning consumers' rights and interests' should prevail over commercial considerations.



In brief		
'Precautionary principle'	Fundamental part of risk management	Concept not endorsed as a basis for policy making
Societal, economic, ethical or environmental concerns	Taken into account in risk management decision in line with the consumer right to information and choice	'other factors' considered as barriers to trade
Approach to ensuring food safety	Integrated "farm-to-fork" approach	Safety mostly verified at the end of the process
Food risk evaluation	Full scientific assessment by EFSA for regulated products such as GMOs and additives.	Largely relies on companies' own private assessment

Table 1: Comparison key elements of the EU-US food regulatory systems

⁴ Under current FDA practices, food manufacturers can self-determine whether their products are safe and should be granted 'Generally recognised as safe' (GRAS) status and can just notify the FDA about it. The FDA has no obligation to review manufacturers' assessment. See recent [lawsuit](#) filed by the CSPI.

⁵ European Commission White Paper on Food Safety (2000): "Consumers have the right to expect information on food quality and constituents that is helpful and clearly presented, so that informed choices can be made".

⁶ <http://www.fao.org/docrep/007/y5817e/y5817e0a.htm>

⁷ http://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm

3. Maintaining high safety standards and the consumer right to information and choice

Although it would still benefit from improvements – as recent incidents concerning food have demonstrated⁸ - the EU food legislative framework guarantees consumers a high level of protection and information. BEUC believes **the TTIP should not lead to a downward harmonisation** and that the EU should remain free to maintain, strengthen and enforce the rules it deems necessary to preserve the interests of consumers in areas such as food safety, GMOs, the use of growth promoters in livestock production or cloning.

Moreover we also have reservations on the implications of a **mutual recognition of regulatory procedures**. Even if it has been stated that EU food standards will not be changed we want to be reassured that products non-compliant with EU legislation will not enter the EU market.

3.1 Decontamination treatments

BEUC firmly supports the EU's "farm to fork" approach (see also point 4.2) to food hygiene whereby good hygienic practices (GHP) must be in place all along the production chain to guarantee that food sold to the final consumer is safe⁹. As long as GHP are complied with and Hazard Analysis and Critical Control Points (HACCP) systems are well managed by food business operators - as required by EU law – there should be no need for additional treatments of meat. The EFSA Opinion on *Campylobacter* in poultry confirmed prevention at farm level gives better results than cure at slaughterhouse level when it comes to protecting the public from foodborne pathogens¹⁰. Decontamination treatments have the potential to undermine safety by allowing 'cleaning up' at the end of the process, meaning on-farm biosecurity measures following of good hygiene requirements and careful handling and processing of carcasses at abattoir level might be considered less important.

Contrary to the US where decontamination treatments are used on a massive scale, for many years the EU only allowed potable water for carcass decontamination purposes¹¹. It was only very recently, and after an official US request¹², that EU legislation allowed the use of lactic acid to decontaminate beef carcasses. Other treatments, including peroxyacids and chlorine for poultry, have not been allowed in the EU due to insufficient evidence of their efficacy¹³ and/or due to a lack of conclusive evidence allowing to exclude the risk of antimicrobial resistance as a result of their use^{14,15}. In May 2013, the USDA re-submitted an authorisation request for the use of peroxyacetic acid (PAA) solutions on poultry carcasses and meat. The EFSA Opinion¹⁶ assessing the safety and

⁸ BEUC Press Release on the horsemeat scandal.

⁹ See BEUC [position](#) on the use of lactic acid on beef carcasses.

¹⁰ See in abstract of EFSA 2011 Scientific Opinion on "*Campylobacter* in broiler meat production: control options and performance objectives and/or targets at different stages of the food chain": "Handling, preparation and consumption of broiler meat may account for 20% to 30% of human cases of campylobacteriosis, while 50% to 80% may be attributed to the chicken reservoir as a whole". "The public health benefits of controlling *Campylobacter* in primary broiler production are expected to be greater than control later in the chain as the bacteria may also spread from farms to humans by other pathways than broiler meat".

¹¹ Article 3(2) of Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin.

¹² See EFSA [mandate](#) received from the Commission: 'The Commission received an application dossier from the U.S. Department of Agriculture'.

¹³ EFSA (2005). [Opinion](#) of the Scientific Panel on Biological Hazards on the 'Evaluation of the efficacy of peroxyacids for use as an antimicrobial substance applied on poultry carcasses'.

¹⁴ SCHER and SCENIHR (2008). [Opinions](#) on the 'Environmental impact and effect on antimicrobial resistance of four substances used for the removal of microbial surface contamination of poultry carcasses'.

¹⁵ EFSA (2008). [Opinion](#) of the Scientific Panel on Biological Hazards on the 'Assessment of the possible effect of the four antimicrobial treatment substances on the emergence of antimicrobial resistance'.

¹⁶ EFSA (2014) Scientific [Opinion](#) on the evaluation of the safety and efficacy of peroxyacetic acid solutions for reduction of pathogens on poultry carcasses and meat.

efficacy of PAA was released at the end of March 2014. Whilst no major toxicity concerns were identified by EFSA, it noted the absence of data on contamination levels of carcasses at the end of their shelf life, whereas this information is needed to carry out a complete efficacy assessment¹⁷. EFSA also recommended further studies to fully exclude the risk of antimicrobial resistance (AMR) as a result of PAA use. It is critical to keep in mind that TTIP should not be an opportunity to pressure the EU authorities in authorising new substances.

If meat products which have been undergoing such treatments were eventually permitted to end up on the EU market (after EFSA has delivered a positive opinion on both their safety and efficacy), we would at the very least insist that they should only be applied at the very end of the slaughter line, after final inspection by the official vet guaranteeing that meat is fit for human consumption.

Mandatory labelling should be in place to inform consumers when their meat has been subjected to such treatments. A Which? survey¹⁸ found that 82% of people in the UK thought that if decontamination treatments were used on chickens they should be labelled.

3.2 Growth promoters

While the use of hormones, beta-agonists and antibiotics for growth promotion has been banned for food production in the EU since 1981¹⁹, 1997²⁰ and 2006²¹ respectively, in the US farmers can legally administer antibiotics as well as other substances to food animals for growth promotion.

This is the case for ractopamine (also clenbuterol and zilpaterol), a veterinary medicine approved by US authorities as a feed additive for cattle, pigs and turkeys while it is prohibited in the EU due to the serious risk beta-agonists can pose to human health.

The EU is not the only jurisdiction which does not recognise ractopamine as safe enough to enter the food chain as more than 160 countries including China and Russia, have implemented bans. These bans have long been considered trade barriers by other countries, including the US, where ractopamine use in livestock production is permitted. When the ractopamine issue was brought up at the level of Codex Alimentarius, the international standards setting body for food, the EU mandated EFSA to conduct a comprehensive safety assessment of this substance²². EFSA concluded there is insufficient data upon which to derive maximum residue limits (MRLs) for ractopamine in meat and therefore risks to human health could not be ruled out. Given these outstanding safety concerns, the EU strongly deplored the setting by Codex following a narrow vote (whereas Codex usually works by consensus), of an international standard for ractopamine and instead reaffirmed its zero tolerance policy for ractopamine.

The US deem some growth promoters safe. But this is not enough to grant them access to the EU market.

¹⁷EFSA (2010) Revision of the joint AFC/BIOHAZ guidance document on the submission of data for the evaluation of the safety and efficacy of substances for the removal of microbial surface contamination of foods of animal origin intended for human consumption.

¹⁸Which? 2011 online [survey](#) of 1,406 UK adults (aged 16+) between 10 Feb-14Feb 2011.. 82% of respondents said they wanted controls in place throughout the food chain so that chickens aren't infected – rather than dealing with contamination at the end of the process. 60% of respondents were unlikely to buy chicken that had been sprayed or washed with a mild acid such as lactic acid, and 67% were unlikely to buy chicken that had been treated with chlorine.

¹⁹Council Directive 81/602/EEC concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action.

²⁰Council Directive 96/22/EC concerning the prohibition on the use in stock farming of certain substances having a hormonal or thyrostatic action and of beta-agonists.

²¹Regulation (EC) No 1831/2003 on additives for use in animal nutrition.

²²EFSA (2009). Scientific [Opinion](#) of the Panel on Additives and Products or Substances used in Animal Feed (FEEDAP) on the "Safety evaluation of ractopamine.

As for the use of hormones in cattle for growth promotion, it is also prohibited in the EU on safety grounds²³ and the ban applies to imports from third countries alike. The US and the EU, however, were able to put an end to a long-standing trade dispute over this ban by reaching an understanding regarding the importation of 'High Quality Beef' (i.e. raised without growth promoting hormones) from the US into the EU at zero duty²⁴.

TTIP should allow the EU to continue setting the standards it deems necessary to ensure a high level of safety in food - including the prohibition of the use of veterinary drugs for growth promotion, but also that of the import and sale of foods from animals that have been undergoing such treatments. The fact these products are recognised as safe by US authorities is not enough to grant them access to the EU market.

3.3 Cloning

Cloning is a relatively new technology and evidence of its impact is still very limited. If no food safety issues have been clearly identified so far, EFSA itself admitted that animal welfare is impacted²⁵. Clones suffer from severe health problems and most of them die or need to be euthanised. Also the surrogate dam welfare is an issue, with high rates of miscarriage and abnormally large offspring.

At the same time, EU consumers have spoken out against the use of cloned animals for food purposes and very few would be willing to consume meat from cloned animals or their offspring²⁶. Consequently BEUC has long been campaigning to prevent food products derived from cloned animals, their offspring or descendants from entering the EU market, at least until mandatory labelling can be put in place to ensure consumers know if the meat they consume comes from cloned animals and especially from their offspring or descendants, which are much more likely to end up as steaks.

The TTIP should not prevent the EU from passing a cloning law that reflects consumers' choice and right to know what's on their plate.

Cloned animals cost huge amounts of money and are not initially meant to be used for food production. Very few specimens actually end up in consumers' plates.

TTIP should not be an obstacle to adopting EU legislation on cloning which respects consumers' choice and right to information. It is vital to ensure food from the offspring and descendants of cloned animals can no longer enter the EU market without proper labelling. Traceability of farm animals, particularly cattle, is not an issue in the EU and it could be further developed to also encompass cloning aspects.

²³In 1999, the EC Scientific Committee on Veterinary Measures relating to Public Health (SCVPH) thoroughly re-evaluated the risks to human health from hormone residues in bovine meat treated with six hormones for growth promotion. It concluded that oestradiol-17 β had to be considered as a complete carcinogen, that no acceptable daily intake (ADI) could be established for any of these hormones and that for all six hormones, endocrine, developmental, immunological, neurobiological, immunotoxic, genotoxic and carcinogenic effects could be envisaged. Consequently, in 2003, Directive 2003/74/EC was adopted, which permanently banned oestradiol-17 β —while provisionally banning the use of the five other hormones pending new science is available, in application of the precautionary principle.

²⁴EU-US Memorandum of Understanding regarding the importation of beef from animals not treated with certain growth-promoting hormones.

²⁵EFSA (2008). Opinion of the Scientific Committee on the Food Safety, Animal Health and Welfare and Environmental Impact of Animals derived from Cloning by Somatic Cell Nucleus Transfer (SCNT) and their Offspring and Products Obtained from those Animals. This Opinion was reaffirmed in 2009, 2010 and 2012.

²⁶A 2008 [Flash Eurobarometer](#) on Europeans' attitudes towards animal cloning found that the vast majority of consumers said it is unlikely they would buy meat or milk from cloned animals and that 83% of them want food from the offspring of cloned animals to be labelled if it is to end up on EU supermarkets' shelves.

3.4 GMOs

In Europe, GMOs remain a controversial issue and specific laws have been implemented to guarantee high levels of food safety and consumer information standards are in place. EFSA is in charge of assessing the safety profile of GMOs, for both cultivation and authorisation, for entry to the food/feed chains, while risk managers - namely the Commission and Member States - give the final green light.

European consumers are informed of the presence of GMOs in foodstuff thanks to **mandatory labelling**.

It is a long-standing demand from biotech companies that GMOs approved in the US should be authorised *de facto* in the EU for cultivation and food/feed on the basis that the EU should recognise US food safety standards. This would be unacceptable to European consumers.

In the US, the FDA recognises GMOs as "substantially equivalent" to their non-GMO counterparts and as such US authorities do not have the obligation to sign off on their safety. As there is no pre-market approval process, the FDA largely relies on companies to conduct their own risk assessment and determine if the product is 'Generally Recognized as Safe' (GRAS).

US companies who want new GMOs to be approved in the EU should follow the regular procedure and file an application to EFSA. On this matter, US companies have also repeatedly complained of the lack of alignment of GMO risk assessment guidelines in the EU and the US and of what they consider the lengthy EU procedures for approval of new GMOs. Yet TTIP should not be an opportunity to discuss EFSA risk assessment procedures and push for face-to-face meetings with EFSA panel members, a demand which has been put forward by some over the last months. Nor should it be an opportunity to challenge the consideration of 'other factors' than science in the risk management phase.

GMOs approved in the US should not *de facto* be authorised in the EU.

Stemming from the above-described "asynchronous approval" of GMOs in the EU and the US, another demand from industry concerns the removal of the EU zero tolerance policy on the low level presence of unauthorised GMOs in food and feed.

Industries on both sides of the Atlantic argue that such policy is untenable given global trading trends. From our perspective, the extension of the so-called "technical solution" - regrettably so far applicable to feed - to food is totally unacceptable. When unapproved, GMOs are found in shipments of food imported into the EU, be it in traces amounts. These shipments should not be authorised to enter the EU food chain. The **EU's GMO approval system should not be circumvented**.

BEUC also remains firm in its belief that GMO labelling should not even be up for discussion as a consumer's right to choose is a non-negotiable. Therefore, BEUC urges EU negotiators not to yield to pressure from the biotech industry who wants to use TTIP to remove mandatory "contains GMO" labelling. Positive GMO labelling, as opposed to GM-free labelling, places the burden on businesses using GMOs, not on those who avoid this technology for the sake of consumer choice.

At present, GMO labelling does not apply to products derived from animals (meat and dairy) fed with GMOs. Should the EU contemplate legislation in this area in the future, TTIP should not be an obstacle.

4. Promoting best practices and better coordination

TTIP should be used to establish a **constructive dialogue on ways to improve consumer protection and information**. As such, both partners should improve the exchange of best practices in the area of food safety²⁷, food information and public health and learn from each other experiences. BEUC has identified several areas where we see opportunities to improve consumers' lives by extending good practices and to push for more concrete joint actions.

4.1 Food alert systems

TTIP aims to open trade barriers so that a broader range of foodstuffs circulate in a wider market. Yet if a food scandal arises it would mean consumers on both sides of the Atlantic would be affected. Consequently, the EU and the US should join forces and identify best ways to exchange information to quickly identify the source of contamination. Timely sharing experiences of outbreaks, including those linked to food of non-animal origin (e.g. sprouted seeds problems occurred in the US before the big outbreak in Europe) would be mutually beneficial.

It would also be a guarantee for transatlantic businesses as a scandal would ruin their reputation on both sides of the Atlantic and recalling products would cost huge amounts of money. As such, the development of a joint strategy for sharing emergency food safety hazard information both effectively and quickly, taking inspiration from the INFOSAN²⁸ and RASFF systems, should be a priority²⁹. Best methods of communicating the information to the final consumer in a timely manner should also be on the TTIP agenda.

The EU and the US should jointly optimise information exchange to quickly identify the source of contamination.

The two partners should also look at ways to include food fraud under the above-described joint alert systems and to collaborate more closely on this issue as crime organisations operate worldwide. Indeed a bigger market represents bigger opportunities for fraudsters. Eventually TTIP should be used to make available new rapid test technologies developed by EU and US companies.

Finally, we encourage more cooperation in monitoring on-line sales, for example of food supplements.

4.2 'Farm to fork' approach

The EU and the US should learn from each other's experience in this field. The US relies heavily on decontamination treatments while the EU has been working hard on a 'farm to fork' approach. The latter focuses on good hygienic rules which have to be applied along the food chain.

BEUC supports the EU approach of relying on prevention and good hygiene practices instead of using chemical carcass treatments. The EU should continue to reject over-reliance on such treatments and favour tighter controls at each stage of the production chain.

²⁷For instance, in 2007, EFSA and FDA signed an [agreement](#) designed to facilitate the sharing of confidential scientific and other information between the two agencies, such as methodologies to ensure that food is safe.

²⁸The International Food Safety Authorities Network (INFOSAN) is a joint initiative between WHO and FAO. This global network of national emergency contact points aims to promote the rapid exchange of information during food safety related events; to share information on important food safety related issues of global interest; to promote partnership and collaboration between countries; and help them strengthen their capacity to manage food safety risks.

²⁹<http://test.tacd.org/wp-content/uploads/2013/09/TACD-FOOD-33-12-Food-Safety-Rapid-Alert-Notification-Systems.pdf>

In addition, while the US Food Safety and Inspection Service (FSIS) is discussing changes to its meat safety programme and EU regulation on food hygiene is about to be reviewed, it is critical to recall that independent controls should remain the norm. This is particularly vital at a time when the economic crisis impacts on public body resources devoted to controls³⁰.

Putting increased responsibilities on companies' own staff to sign off food as safe cannot be considered an option. The US tends to rely more on third-party food safety audits, of which the severe shortcomings were demonstrated in the occasion of the 2009 Salmonella outbreak caused by contaminated peanut butter products. These products were manufactured by plants whose preceding audits by a private auditing company had failed to identify various sanitary problems.

Prevention and good hygiene must be favoured over end-of-chain treatments.

The EU should learn from the US experience and refrain from going down the route of delegating food control tasks to private operators. It should also stand firm on the contention that a food system based on third-party safety audits cannot be deemed equivalent to a system based on public independent inspections.

In the end, to prevent unsafe/substandard food reaching consumers, the EU should continue to implement its farm to fork approach, focusing on good hygiene practices and not end-of-the-chain treatments, while ensuring adequate controls are in place. Both partners can learn from each other in this area.

4.3 Food traceability

US and EU authorities should also use TTIP to improve their traceability systems, both of which are in need of upgrade as recent scandals involving beef products tainted with horsemeat in the EU and poultry meat and tomatoes in the US have shown. Indeed those scandals revealed that on both sides of the Atlantic, food businesses do not have a strong enough grip on their supply chain and are not always fully aware of where the ingredients they put in their products come from.

TTIP should also be seen as an opportunity to better cooperate on animal identification systems as animals for food are transported on a global scale.

4.4 Antibiotic resistance

The growing threat of antibiotic resistance knows no border and kills many people on both sides of the Atlantic every year (i.e. 25.000 in the EU, 23.000 in the US).

Consequently, close cooperation between the US-EU in this area should be addressed under TTIP. In particular, the issue of foodstuffs carrying resistant germs should be more closely considered as EU and US consumers could be exposed to resistant germs through products traded between the two blocs via consumption but also via cross-contamination. This is particularly relevant knowing that several consumers' organisations on both sides of the Atlantic recently found that the vast majority of meat products are contaminated with antibiotic-resistant bacteria³¹.

Most meat products are contaminated with antibiotic-resistant bacteria in both EU and US.

³⁰ See BEUC [position](#) on the EU proposal for a review of Official Controls.

³¹ Antibiorésistance: Il est grand temps d'agir, Test-Achats, Test Santé, Octobre/Novembre 2013;

- Antibioticos: llamamiento al use prudente, OCU, Novembre 2013;

- Volaille: les poulets font de la résistance, Fédération Romande des

Consommateurs, Octobre 2013;

- Antibiotiques : menaces sur notre santé, UFC Que-Choisir, Mars 2014.

Three groups of antibiotics have been classified as critically important antibiotics (CIAs) by the World Health Organisation (WHO): fluoroquinolones, 3rd and 4th generation cephalosporins and macrolides. To classify an antibiotic as CIA WHO assesses whether the antimicrobial agent is used as a sole therapy or one of few alternatives to treat serious human diseases and if it is used to treat diseases caused by organisms that can be transmitted via non-human sources or organisms that can acquire resistance genes from non-human sources. BEUC considers urgent to impose restrictions on the use of CIAs to preserve their effectiveness in human medicine.

Moreover, we call for a ban on antibiotic use for growth promotion (only very recently, the American FDA issued guidance for the *voluntary* phasing-out of such use by pharmaceutical companies³²) and also for a ban on the non-therapeutic use of antibiotics for food animals.

TTIP should also be used to reconsider the role of veterinarians, particularly their right to both prescribe and sell antibiotics. The US and the EU could discuss ways to reduce the use of antibiotics by exchanging best practices for health management and good hygiene requirements.

4.5 COOL for fresh meat

EU and US consumers want to know where their meat comes from and have similar expectations regarding the kind of information provided. Indeed recent European and American surveys found that 90 % of consumers favour requiring a label with the country of origin (COOL) on meat and most consumers favour requiring where the animal was born, raised and slaughtered.^{33,34} While a new EU regulation³⁵ was recently published which will limit mandatory COOL for fresh meat to the country of rearing and slaughter, thus omitting the country of birth, the US passed a law which requires food businesses to indicate the three stages.

90% of EU and US consumers favour a label with the country of origin on meat.

BEUC would welcome if the EU would follow the US example and provide consumers with consistent and complete information on the origin of the meat they buy.

4.6 Trans-fats

While the US FDA is in the process of withdrawing the 'Generally recognised as safe' (GRAS) status so far granted to trans-fats, the European Commission report is still awaited. Indeed the European Commission is supposed to release a report on the presence of trans-fats in Europeans' diet to decide whether legislation is required. The US move should inspire EU legislators to implement a mandatory restriction on the use of trans-fats to efficiently protect the health of EU consumers.

4.7 Menu labelling

Since 2014, US federal law requires fast-food chains and restaurants with more than 20 locations to provide calorie information on menu boards. This is a major improvement in terms of consumer information, as most people remain unaware of the high caloric content of food bought outside their home.

This is even more critical knowing that both in the EU and the US consumers now spend a greater share of their food budget on food eaten away from home. Consequently, we

³²See FDA [guidance](#) published in December 2013.

³³BEUC consumer [survey](#): "Where does my food come from?" published in January 2013.

³⁴<http://www.consumerfed.org/pdfs/CFA-COOL-poll-press-release-May-2013.pdf>

³⁵Commission implementing regulation (EU) No 1337/2013 laying down rules as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry.

call on EU legislators to take similar steps to enable consumers to make informed choices at the point of sale.

4.8 Marketing to children

If food companies operate on a global scale, their commitments to limit marketing of foods high in fat, sugar and salt to kids are not always consistent. Indeed food companies have delivered different voluntary pledges in the US and the EU to restrict marketing to kids while offering similar products to both sets of consumers.

Those companies reach EU and US consumers using the same marketing techniques, including internet platforms and so-called 'advergames', which escape parental control. We believe trade talks and reinforced EU-US cooperation in the food sector should be used to question companies' policies on marketing to kids and to identify best practices.

More regulation on mobile apps and internet games should be discussed. Closer collaboration in this area is urgently needed as the childhood obesity epidemic dramatically affects both trading partners.

Reinforced EU-US cooperation should question food makers' marketing to kids and to identify best practices.

5. Conclusions

BEUC urges the European Commission to pursue a TTIP agreement that brings substantial benefits to consumers. Both trading partners should strive for upward harmonisation in the food area by upholding 'best in class' food safety and consumer protection policies which are currently in place on both sides of the Atlantic. Where this proves unfeasible, TTIP should allow both the US and the EU to keep their standards in the field of consumer protection and information and afford both partners the autonomy to adopt additional non-discriminatory protections. Fundamental principles of the EU legislative framework and in particular the Precautionary principle and the consideration of "other legitimate factors" in risk management should be non-negotiable.

Reducing non-tariff barriers should only be done provided consumer protection and information rights remain untouched. As such, GMOs which have not been granted access to the EU market until now should not get onto consumers' plates on the basis that they are recognised as safe by US food safety bodies.

GMO labelling requirements should remain untouched while the use of meat decontamination treatments should not become the norm in the EU, as this is currently the case in the US. In this regard, we believe the EU farm to fork approach to food hygiene and safety should be promoted within the negotiations. The EU should also remain firm in their opposition to growth promoters in view of the risk they pose to human health.

At the same time TTIP should open a constructive dialogue identifying best practices. US consumers are provided with valuable COOL information, which covers the place of birth alongside the place of rearing and slaughter. They can also check the caloric content of food eaten outside home thanks to mandatory provisions on menu labelling. The US authorities are also in the process of recognising that trans-fats cannot be regarded as safe substances.

These efforts to improve consumer information and make sure they are protected against harmful nutrients should inspire EU legislators.

Moreover TTIP could be the opportunity to reopen several dossiers and to call for further cooperation in the area of traceability - especially on cloning - but also of rapid alert systems, risk communication and antimicrobial resistance.

Finally, we count on the approach that food and nutrition related issues will be considered on their own merit and not be negotiated against other sectors.

END