

Food in TTIP



Introduction

As far as agricultural products are concerned, TTIP not only focuses on tariffs but also on removing 'behind the border' regulatory barriers. These can be any laws dealing with our food. This makes it important for consumers to understand if and how TTIP will affect existing EU food safety and labelling standards¹.

The US and the EU have implemented quite different approaches in terms of food policy. Most notably, in the EU the 'precautionary principle'² is a fundamental part of food risk management while the US takes a cost-benefit approach. For instance, while Ractopamine and other similar drugs used for fattening farm animals have been prohibited in the EU – as the limited data available did not rule out risks to human health – they are permitted and used heavily in the US.

Another key feature of EU food law is respect for consumer choice and the recognition that 'other legitimate factors'³ such as societal, economic, ethical or environmental concerns and consumer expectations should be considered in food policy making, as well as safety. This can translate into labelling requirements, e.g. to inform EU consumers about the presence of genetically modified organisms (GMOs) or nano-ingredients in their food. In contrast, the US has no such labelling provisions in place.

While food trade can benefit consumers – e.g. by offering a wider variety of products at lower prices – **it should not be at the expense of food safety or consumer protection.**

What is on the table?

The EU position⁴ on 'Sanitary and Phytosanitary Measures (SPS)' (covering food safety, animal and plant health issues) was made public on 7 January 2015. The US SPS position was shared with the European Commission in February 2015 but has not been made public. Both parties will now work on the basis of 'consolidated' texts⁵ to try and find common ground.

The EU position builds on the existing Veterinary Agreement with the US, with added measures relating to plant health, language promoting greater EU-US cooperation on animal welfare and provisions for establishing a 'Joint Management Committee' to strengthen cooperation between EU and US regulators with a view to increasing 'regulatory convergence' on food standards.

1. http://beuc.eu/publications/beuc-x-2014-030_ipa_beuc_position_paper_tt看ip_food.pdf

2. The precautionary principle allows authorities to take action to protect the public without waiting for proof of certainty of harm and pending new science becomes available for a more complete risk assessment.

3. EU [General Food Law](#) 178/2002 and EU [White Paper on Food Safety](#) (2000)

4. http://trade.ec.europa.eu/doclib/docs/2015/january/tradoc_153026.pdf

5. Consolidated texts present, in a single text, the drafting proposals of each side on a given issue.

6. http://trade.ec.europa.eu/doclib/docs/2015/january/tradoc_153025.pdf

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What does it mean for EU citizens/consumers?

With only half of the picture available (no access to consolidated texts or to the US position), it is difficult to gauge what exactly is at stake. Public demands made by US officials, industry and farming groups nevertheless give a flavour of some of the key issues on the table.

- While the EU bans hormones and other veterinary drugs used to make livestock grow faster because of concerns about the risks posed to human and animal health, these substances are not prohibited in the US. US farmers have complained that the EU ban is an unjustified trade barrier;
- In the EU, preventive actions and controls must be in place from the farm to the fork to ensure animals are raised hygienically and meat is ultimately safe to eat.** In the US, there tends to be greater reliance on decontamination treatments (e.g. chlorine, peroxyacetic acid) applied on carcasses in the abattoir. Most of the meat and poultry 'rinses' which are used in the US are not approved for use in the EU and meat treated with these substances cannot be imported into the EU. It was only recently (2013) that the EU authorised lactic acid washes for beef after a request from the US which is now pushing for more washes to be approved (e.g. chicken rinses with peroxyacetic acid). The EU and US approaches to food hygiene and safety are however not equivalent from a public health perspective. Evidence suggests that controlling bacteria on the farm leads to greater benefits than at a later stage in the food chain as bacteria can spread from farms to humans by other pathways than the final meat product^{7,8};
- Unlike the US, the EU prescribes mandatory labelling for foods containing more than 0.9% GMOs. As the European Commission has stated that mandatory labelling is one of the EU's red lines in the negotiations, the US is pushing for GMO information to be provided through barcode scanning⁹ instead of on the label. This would make it difficult for EU consumers to know if their food contained GMOs. The US demand must therefore be rejected;
- EU consumers have little appetite for animal cloning for food production**¹⁰ and 83% of them have said they want to know if the meat on their plate comes from a clone's offspring¹¹. The US has made it clear they would challenge any EU law on cloning that is not science-based¹² (i.e. consumer and ethical concerns are – in their view – not a justified reason to regulate). This US position is thought to have influenced the content of the draft law tabled by the European Commission¹³ (now being debated in the Council and the European Parliament), which does not require labelling for food from the offspring of clones.

7. EFSA [Scientific Opinion](#) on Campylobacter in broiler meat production: control options and performance objectives and/or targets at different stages of the food chain (see abstract).

8. http://beuc.eu/publications/beuc-x-2014-052_cpe_beuc_position_paper-use_of_peroxyacetic_acid_on_poultry_carcasses_and_meat.pdf

9. <http://www.euractiv.com/sections/trade-industry/us-wants-science-settle-gmo-debate-trade-deal-eu-302876>

10. http://www.beuc.org/publications/beuc-x-2014-076_cpe_beuc_position_paper_on_cloning.pdf

11. [Flash Eurobarometer](#) 238 published in October 2008. Europeans' attitudes towards animal cloning.

12. <http://www.fas.usda.gov/joint-statement-animal-cloning-livestock-production>

13. http://ec.europa.eu/food/food/biotechnology/novelfood/initiatives_en.htm

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Our recommendations

- Fundamental pillars of EU food law, including the precautionary principle and ‘other legitimate factors’ (ie not just risk assessment), must be upheld in TTIP;
- The EU must remain free to set the level of protection it deems appropriate for its citizens, at present and in the future. It is vital the envisioned regulatory cooperation mechanisms do not result in a loss of regulatory sovereignty and/or a regulatory chill;
- Rather than a race to the bottom, TTIP should be about harmonising food safety and labelling standards upwards in the interest of both EU and US consumers¹⁴;
- TTIP could also be an opportunity to strengthen EU-US cooperation to:
 - Adopt ambitious measures to address the over- and misuse of antibiotics in farm animals (i.e. ban prophylactic use and agree on restrictions on the use in veterinary medicine of those antibiotics that are critically important for treating humans from veterinary medicine)¹⁵;
 - Ban the use of industrially-produced trans fatty acids in the food supply as they are known to be harmful to human health;
 - Optimise the rapid exchange of information between EU and US regulators to swiftly identify the source of food contamination and outbreaks.

We challenge negotiators to show us they are delivering on this.

14. <http://tacd.org/wp-content/uploads/2013/09/TACD-FOOD-Resolution-on-the-approach-to-food-and-nutrition-related-issues-in-the-TTIP.pdf>

15. http://www.beuc.eu/publications/beuc-x-2014-043_pca_beuc_position_paper_on_antibiotic_resistance.pdf