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Lord Teverson  
EU Energy and Environment Sub-Committee  
House of Lords  
London  
SW1A 0PW

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Dear Robin,

Following the House of Lord's EU Energy and Environment Sub-Committee's inquiry into Brexit: Farm Animal Welfare and the subsequent publication of your Committee's report, please find attached the Government response.

We welcome the Committee's scrutiny of farm animal welfare following the UK's exit from the EU and we thank you and the other members of the Committee for your hard work in producing these recommendations and advice.

I look forward to the forthcoming debate on 17 October on this important report together with your Committee's report on Brexit: Agriculture.

*Yours sincerely,  
John Gardiner*

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## **RESPONSE TO THE HOUSE OF LORDS EUROPEAN UNION COMMITTEE REPORT ON BREXIT: FARM ANIMAL WELFARE**

The Government welcomes the House of Lords EU Committee's Report on Brexit: Farm Animal Welfare and welcomes the Committee's recognition that the UK has some of the highest farm animal welfare standards in the world. The Government has made clear that we intend to retain our existing high standards of animal welfare once we have left the EU and that leaving the EU provides us with an opportunity to develop gold standard policies on animal welfare. We also wish to ensure that our farming industry is competitive and productive, and that our environment is improved for future generations.

Animal welfare is a devolved issue and each administration in the UK has its own legislation covering farm animal welfare.

Responses to specific conclusions and recommendations from the Committee are provided below.

### **Maintaining standards**

**1. UK farmers and producers are rightly proud of their high animal welfare standards. Our evidence suggests the industry is united in seeking to maintain these standards and the UK's status as a world leader on farm animal welfare. We therefore welcome the Government's commitment to ensuring high animal welfare standards are maintained after Brexit.**

We welcome the Committee's recognition of the UK's high animal welfare standards. The Government has made clear that we intend to retain our existing high standards of animal welfare once we have left the EU, and the EU (Withdrawal) Bill will convert the existing body of EU animal welfare law into UK law.

**2. We note that transposing the body of EU farm animal welfare legislation into domestic law and delivering continued enforcement will require resources. Though we recognise and commend Defra for the preparatory work it has undertaken regarding the legislative transfer from the EU, we urge the Government to review whether Defra and its associated bodies have sufficient resources to deliver on the commitments made, particularly on enforcement.**

The Government agrees that effective enforcement forms a key part of providing high animal welfare standards. There are a number of elements to this, including the roles, responsibilities and powers of key stakeholders (including industry bodies, farm assurance schemes, local authorities and government delivery bodies such as the Animal and Plant Health Agency) as well as the amount of resourcing available. The Government and the devolved administrations in Wales, Scotland and Northern Ireland are keeping these aspects under review.

**3. The repatriation of farm animal welfare policy presents opportunities to review and improve farm animal welfare and standards, including the Codes of Recommendation for animal welfare in the UK and the practice of exporting live animals for slaughter. But the Government will also need to consider the effect of increasing standards on the competitiveness of UK producers and the future trading relationship with the EU. We encourage the Government to work in**

**partnership with the industry to ensure that any policy changes support the long-term viability of UK farming and are based on sound evidence.**

We agree that the repatriation of farm animal welfare policy presents opportunities to review and improve farm animal welfare standards and practices. As we prepare to leave the EU, the Government has already announced a series of measures to strengthen further animal welfare standards. The Government has a manifesto commitment to take early steps to control the export of live farm animals for slaughter once we leave the EU. We have already consulted on requiring CCTV to be installed in every slaughterhouse in England, another manifesto commitment. We are also raising standards for animals on farm by modernising statutory animal welfare codes. We are currently consulting on a new code for meat chickens in England and plan to update the codes for laying hens and pigs. We agree that in pursuing these and other reforms we should also consider the impacts on farm sector competitiveness, trading relationships and productivity.

We agree that when developing policy reforms the Government should engage with a wide range of key stakeholders including producers, in order to build a sound evidence base and to understand the impacts on the farming sector including issues relating to long-term viability. In order to support working in partnership with the industry Defra established the Animal Health and Welfare Board for England (AHWBE). The AHWBE has a strategic role in providing advice to Defra Ministers on health and welfare matters relating to all kept animals in England, including assessing threats from animal disease; prioritising surveillance and research topics; monitoring the regulatory framework; approving the operational plans of the Animal and Plant Health Agency and other bodies; and reviewing contingency plans for dealing with disease outbreaks. One of its primary roles is to support UK EU exit and post-exit strategic policy considerations by providing support, advice and constructive challenge relating to the development and implementation of animal health and welfare policy. With its industry and sector group representative focus, the AHWBE has a key role in leading, co-ordinating and communicating across industry, and in championing partnership working.

**4. In leaving the EU, the UK will find itself outside the European Food and Safety Authority (EFSA) and therefore outside the Panel on Animal Health and Welfare (AHAW). It will be important to retain a degree of coordination with EFSA. We also heard strong support for giving the Farm Animal Welfare Committee (FAWC) a stronger mandate and role in the legislative process, enabling it to inform government policy on farm animal welfare in the absence of input from AHAW. We therefore call on the Government to bolster the remit and resourcing of FAWC to ensure that animal welfare policy continues to be evidence based.**

We agree with the importance of basing animal welfare policy on sound evidence, including research as well as the views of experts. EFSA reports will continue to be considered carefully when developing future welfare policy.

The Government also has an on-going evidence programme to ensure that our policy development is based on the best available evidence. Animal welfare policymakers are supported by veterinary and scientific advisers and economists, who provide evidence and advice on animal welfare. The team oversees a research programme which draws on the existing evidence base and identifies priority areas for further research.

As part of this evidence programme, the Farm Animal Welfare Committee (FAWC) provides Defra and the Devolved Administrations with valuable expert advice on targeted, contemporary topics relating specifically to the welfare of farmed animals which is used to

inform policy development. FAWC is comprised of independent technical experts who are able to provide specialist advice based on a robust and detailed analysis of all available information, including published science, written and verbal consultations, field visits and the collective knowledge and experience of the membership. The remit and resourcing of FAWC have recently been reviewed by Defra and the Devolved Administrations and improvements have been made to bolster FAWC's influence and effectiveness.

The Government also funds a number of external research projects relating to animal welfare, to complement the expertise provided by FAWC and governmental advisers, for example where further primary or secondary research is required.

**5. Much farm animal welfare research is funded through the EU and Brexit could lead to a major funding gap. This would have adverse effects on the long-term evidence base for policy making. We call on the Government to set out a strategy for how it will prevent such a shortfall.**

One of the UK Government's priorities for negotiation on the UK's exit from, and future relationship with, the EU is to ensure that the UK remains the best place for science and innovation. We would welcome an agreement to continue to collaborate with our European partners on major science, research and technology initiatives and will approach negotiations with the EU on this basis.

The Government's paper, "Collaboration on science and innovation: a future partnership paper" outlines the UK's objectives for an ambitious science and innovation agreement with the EU that ensures the valuable research links between us continue to grow.

We agree that we need to ensure that we have a long-term evidence base for policy making. We are currently working with stakeholders from the industry and other funding bodies to identify ways to maximise joint funding opportunities and to coordinate efforts in relation to shared priorities. We are also working to improve communication between the academic community and policy makers, to ensure that policy makers are aware of the most recent advances in animal welfare science. In September, we held a workshop with the academic community to identify ways to improve further the link between science and policy making in animal welfare. This was attended by Government policy makers and animal welfare scientists, as well as representatives from industry, animal welfare organisations and other research funders.

## **Trade**

**6. Our evidence strongly suggests that the greatest threat to farm animal welfare standards post-Brexit would come from UK farmers competing against cheap, imported food from countries that produce to lower standards than the UK. Unless consumers are willing to pay for higher welfare products, UK farmers could become uncompetitive and welfare standards in the UK could come under pressure.**

The Government agrees that we should seek to avoid high UK animal welfare standards potentially being undermined by cheaper imports produced to lower animal welfare standards. It is important that consumers have confidence in the food they eat and this will not change when we leave the EU. There are a number of possible measures which could be adopted, including trade policy measures and this issue is under active consideration.

**7. In our report *Brexit: agriculture* we concluded that “It may be hard to reconcile the Government’s wish for the UK to become a global leader in free trade with its desire to maintain high quality standards for agri-food products within the UK”. We take this opportunity to reiterate the importance of this conclusion.**

We have a golden opportunity to design a new approach to agriculture and negotiate trade deals with the world that will help our food industry to grow more, sell more and export more great British food. As we move towards a new relationship with Europe and the rest of the world, we are determined to maintain our high standards and keep improving where possible. We will also continue to work with the World Organisation for Animal Health (OIE) to raise international standards more generally, cementing our position as a world leader in animal welfare.

Many British products are renowned worldwide for their quality and it is this mark of prestige that has given British producers access to global markets. We are clear that any new trade deals must be right for UK consumers, businesses and farmers, and ensure food safety, environmental protection and animal welfare standards.

**8. In the same report we concluded that “There is some doubt over whether animal welfare can be used as a rationale to restrict imports from other countries under WTO rules. However, we encourage the Government to secure the inclusion of high farm animal welfare standards in any free trade agreements it negotiates after Brexit.” The evidence heard in the present inquiry underlines the importance and urgency of this conclusion. We also urge the Government to explore the recent developments in WTO case law highlighted by witnesses as examples of permissible import restrictions on the grounds of animal welfare.**

The Government agrees that future trade policy should consider how to treat imports from other countries which are subject to lower welfare standards and that we should uphold our high standards of animal welfare. A number of current EU trade agreements include commitments and provisions relating to animal welfare and this is something we wish to build upon where possible. We are already examining the requirements of WTO rules and recent developments in WTO case law and we continue to do so. This forms part of our active consideration of what approach we should take in relation to imports from other countries.

### **Veterinary staff**

**9. Veterinarians play a key role in ensuring and inspecting farm animal health and welfare in the UK from farm to abattoir. They also play an important role in certifying animals in the context of trade. We note the overwhelming reliance on non-UK EU citizens to fill crucial official veterinary positions in the UK, and call on the Government to ensure that the industry is able to retain or recruit qualified staff to fill these roles post-Brexit.**

The Government recognises the key role played by vets in ensuring high farm animal health and welfare standards, including in relation to slaughter and in relation to certifying animals in the context of trade. Many vets working in the UK are EU nationals, including those filling Official Veterinary positions, and the Prime Minister has made clear that securing the status of the veterinary workforce is a top priority. Ongoing negotiations as part of the Article 50 negotiations will help firm up our commitment to do this. This is part of a broader consideration of the rights of EU citizens to work and live in the UK after EU exit.

We are continuing to work across government and with the veterinary profession to help develop a flexible and skilled workforce which meets the UK's needs.

### **The role of consumers**

**10. Though citizens have high aspirations for farm animal welfare in the UK, as consumers they are not always aware of the difference between production systems or willing to pay a higher price for premium welfare products. This could exacerbate the challenge to UK farmers' competitiveness arising from a potential increase in cheaper imports produced to lower welfare standards.**

The Government agrees that consumer awareness of and appreciation for higher welfare products are key elements of consumer willingness to pay. This may take a variety of forms, and in addition to having a preference for particular production systems consumers may place their confidence in particular brands and also in products coming from particular countries. Our future post-EU agriculture policy is currently being developed, all administrations in the UK are considering a range of issues and this includes considering the important role played by consumers and how best to support that.

**11. Our evidence suggests that effective and transparent labelling has in some cases helped consumers to distinguish higher welfare products, thereby influencing consumer choices. Given the challenges that will face UK farmers in competing with lower welfare imports post-Brexit, there is now a strong case for simplifying labelling systems, to ensure consumers can easily process and act upon the farm animal welfare information contained in the label. We also note that some call for the introduction of mandatory country of origin and method of production labelling based on welfare outcomes. We urge the Government to consult with the industry, consumers and retailers to ensure that any new or simplified labels or labelling systems are effective and proportionate.**

As above, we agree that consumers play an important role and we will consider this as part of developing our future post-EU agriculture policy. We agree that labelling is one key aspect of consumer transparency and awareness, and we note the various options that have been suggested. In addition there are other means of raising consumer understanding and awareness which can play a role. We are planning to engage with a wide range of stakeholders in the course of developing our future agriculture policy, including the industry, retailers and consumers. We agree that future reforms should be effective and proportionate.

**12. We recognise that the retail and catering sectors, from supermarkets to restaurants, will continue to play a key role in promoting the uptake of high farm animal welfare throughout the food chain after Brexit.**

We agree that the retail and catering sectors play a key role in promoting higher animal welfare throughout the food chain and this will continue after we have left the EU. For example we note that major retailers are pledging to stop selling eggs from production systems using cages from 2025.

**13. Voluntary assurance schemes have been effective in increasing standards across the UK and provide high levels of consumer confidence through their inspection and labelling systems. We call on the Government to encourage, and where possible facilitate, uptake of farm assurance schemes across the UK.**

The Government agrees that farm assurance schemes, including linked retailer assurance schemes, have played an important role in raising standards and in building consumer confidence. We are considering what role such schemes should play in our future post-EU agriculture policy, including in relation to promoting high standards of animal welfare and in relation to their implementation.

**14. We note that, for those products which are not produced under the auspices of a voluntary assurance scheme and the associated labelling system, there is a role for Government in setting mandatory labelling requirements.**

As above, we are considering the role played by consumers in our future post-EU agriculture policy, and we agree that labelling is one aspect of consumer awareness and transparency. We agree with the Committee's next recommendation that the case for government intervention (in setting mandatory labelling requirements) should be founded upon the existence of market failures. We note that farmers who are not members of assurance schemes are nonetheless obliged to comply with our comprehensive animal welfare legislation, and that this is an important aspect of consumer confidence in British produce.

### **Financial support**

**15. We note the Minister's stated intention to review options for prioritising farm animal welfare in future agriculture policy, including by means of grant support or incentive payments. Any decision to give financial support to higher welfare standards should be made on the basis of consultation with the industry; deliver public goods where there is market failure; and be targeted to minimise market distortion. Support would need to be justified and, as we noted in our report *Brexit: agriculture*, to be compatible with WTO rules.**

The Government will obviously take into account the points raised by the Committee relating to the potential unintended consequences of new policy innovation in this area. In particular we will take account of any potential impacts on the market. The Government will also ensure that any future payments to farmers fall either within the green or amber box provisions as defined by the WTO. However, we should also recognise that leaving the EU is an opportunity, for the first time in almost half a century, to try new ideas and pilot new ways of working. Policy makers must not allow their familiarity with the current CAP to militate against creative or innovative ideas for the future.