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Food & Rural Affairs

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Lord Teverson
EU Energy and Environment Sub-Committee
House of Lords
London
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Jrd

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Dear Robin,

I am most grateful to you and your Committee for the reports on Brexit: Agriculture and Brexit: Farm Animal Welfare and for the debate on 17 October which prompted discussion on a wide range of important issues. Time at the debate was inevitably limited and that is why I gave a commitment to follow up the debate with a written response to those questions I was unable to answer at the time.

Financial support

The Duke of Montrose referred to the Government's guarantee of the same level of funding at £3.1 billion for food production from the date of Brexit to the end of this Parliament. He asked how much, if any, of that sum was required for the administration of the current scheme or what additional costs were incurred under this heading.

The £3.1 billion figure does not include any administrative costs, as Member States must pay the administrative costs of CAP schemes themselves, although some Pillar 2 costs can be paid for out of Rural Development Programme funds through technical assistance.

Plant varieties

Baroness Miller of Chilthorne Domer asked what the Government was going to do to recognise the diversity of breeds and seeds and what would happen to the registration and intellectual property rights of EU-registered varieties once we have left the EU.

Diversity in the plant varieties available to farmers and consumers is important and we are working to maintain this. Existing EU legislation for the registration of plant varieties will be maintained under UK law after exit. We will continue to meet our obligations under international treaty for intellectual property protection of new varieties of plants.

Trade and WTO

A further question from The Duke of Montrose concerned the target date for finalising the UK's proposal for its World Trade Organisation (WTO) tariff rate schedule.

The Government is working to have its WTO schedules in place by the time we leave the European Union.

Lord Vaux of Harrowden asked what analysis the Government had carried out on the impact of a no-deal scenario on the beef and sheep sectors specifically, and what plans they had to mitigate the effects of this potential cliff edge.

The full range of UK-EU trade scenarios on UK agriculture (including the beef and sheep sectors) are being rigorously analysed as part of our planning. Other organisations have also conducted external analysis of future trading scenarios and their potential impact on individual sectors.

The UK will have an independent trade policy and new domestic agricultural policies. The impact of the UK's leaving the EU on agriculture (and the beef and sheep sectors) will thus depend not just on the shape of a UK-EU trade agreement but also on our future trade and agriculture policies.

The UK is pursuing a unique and ambitious economic partnership that provides the greatest possible tariff-free and frictionless trade with the EU. This is a mutually beneficial choice and we are confident we can achieve this.

The Government is engaging with businesses across the economy, in order to understand the challenges and opportunities that may impact them in the coming months and years.

Access to labour

The Earl of Sandwich asked when the Migration Advisory Committee would provide its advice to the Government on the reliance on EU migrant workers across the economy.

In August 2017 the Government commissioned the independent Migration Advisory Committee (MAC) to assess the role that EU citizens play in the UK economy and society. Defra has encouraged its sectors to contribute to this call for evidence which closed on 27th October. The MAC will be reporting later next year.

Genetic modification

The Duke of Somerset asked whether the Government would encourage the rollout of genetically modified (GM) crops.

The existing EU controls on the release of GM organisms will be converted into UK law as part of the overall approach to preparing for EU exit. It will be considered beyond that

whether the regulations in this area should be changed, with any proposal to do so subject to Parliamentary approval. It remains the Government's aim to implement a science-based policy and to support the adoption of safe and beneficial new technologies in agriculture.

Food prices

Lord Krebs asked whether the Government had estimated the impact of Brexit on food prices in a no deal or an "outside-the-single-market" case.

The Government monitors food prices using the CPIH (Consumer Prices Index which includes housing costs). Commodity prices, exchange rates and oil prices have been observed to be the key drivers of retail food price changes. These factors will continue to apply whether we are an EU member or not. The Government is committed to negotiating a deep and special partnership with the EU and is conducting analysis to help inform our negotiations, including consideration of numerous trade options.

Research, science and food safety

Lord Krebs asked what plans there were for replacing the role of the European Food Safety Authority (EFSA) after Brexit.

The Food Standards Agency, Defra and other government departments work with EFSA. This body provides independent scientific advice and risk assessments on a range of issues including food safety, emerging threats, public health, plant and animal health and welfare. Options for the future of risk assessment and scientific advice in the UK are being developed by the Government. Requirements will depend on the nature of the relationship the UK has with EFSA once the UK leaves the EU.

Baroness Jones of Whitchurch asked about continuing agreements on participation with or separate UK replicas for the Europe-wide scientific institutions, and about consumer rights in food safety and food quality standards.

Ensuring that the UK remains the best place for science and innovation is one of our twelve priorities for the negotiations on the UK's exit from, and future relationship with, the EU. The UK Government has made clear it would welcome an agreement to continue to collaborate with European partners on major science, research and technology initiatives. Engagement with the European Commission to find a mutually beneficial solution will be important. In addition, we have committed to underwrite the funding for all successful bids made by UK participants for the EU's Horizon 2020 Research and Innovation programme prior to EU Exit. We will work with the Commission to ensure payment when funds are awarded.

As regards food standards, the UK has world leading food safety and quality standards, underpinned by a rigorous legislative framework. The EU (Withdrawal) Bill will provide certainty and reassurance to individuals and businesses on the day we leave the EU. We

are working closely with the FSA, the Department for Health and others to ensure that the regulatory regime for food safety remains trusted and effective into the future.

Animal welfare

Lord Rooker asked for further explanation of paragraph 15 to the Government's response to the Brexit: farm animal welfare report, which concerned financial support and Lord Trees asked whether the Government had considered how financial inducements might be used to help to maintain animal welfare standards.

Leaving the EU and the Common Agricultural Policy provides us with an opportunity to develop gold standard policies on animal welfare, including reviewing and improving farm animal welfare standards and practices. As we develop a new agri-environment scheme, we will try new delivery mechanisms to ensure the best outcomes for Britain. We are meeting with a diverse range of stakeholders and exploring all our policy options to decide how best to maintain our reputation as a world leader on animal welfare.

Lord Trees asked which of the principles of animal sentience and environmental laws will be recognised as general principles under the terms of the EU (Withdrawal) Bill, and whether they would apply to future government decision-making and judgments in court.

The EU (Withdrawal) Bill will convert the existing body of direct EU animal welfare and environmental laws to become UK laws. It will make sure that the same protections are in place in the UK and laws still function effectively after the UK leaves the EU.

The Withdrawal Bill will preserve environmental principles where they are included in existing EU legislation and case law. We recognise the importance of these issues and will listen carefully to the views of Parliament as the Bill progresses.

Article 13 of the Treaty on the Functioning of the European Union (TFEU) created a qualified obligation on the EU and EU Member States "to have full regard [to] the welfare of animals as they are sentient beings" when formulating and implementing certain EU laws.

Existing domestic law such as the Animal Welfare Act 2006 and the various Welfare Codes made under it already protect animals where there is clear scientific evidence that they are capable of experiencing pain and suffering. Its scope is capable of being extended where the science justifies.

We are exploring how the 'animal sentience' principle of Article 13 can continue to be reflected in the UK when we leave the EU.

I am copying this letter to all Noble Lords who took part in the debate and a copy will be placed in the House Library.

*Yours ever,
John*