

Abstract

This report summarises the presentations and discussions at the Conference “TTIP talks – What’s Cooking? – Perspectives on Food and Farming” held at the European Parliament in Brussels on Wednesday 10 December 2014. The aim of the conference was to present and discuss the main challenges and future perspectives on TTIP and its foreseeable impact on food and farming. The conference was hosted by Greens/EFA in co-operation with civil society organisations ARC2020, Compassion in World Farming, Corporate Europe Observatory, Eurocoop, European Coordination Via Campesina, European Milk Board, Friends of the Earth Europe and Slowfood.

TTIP Talks: What’s Cooking – Perspectives on Food and Farming
European Parliament Conference

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Executive Summary

The conference “TTIP talks – What’s cooking: perspectives on food and farming” organised by the Greens/EFA group in the European Parliament, brought together a wide range of stakeholders concerned with the impact of TTIP on food and farming in the EU and the US. The main objective of the conference was to highlight how TTIP will affect different issues ranging from food safety standards to protection of consumer interests and public health. The TTIP project is not a traditional trade deal, because tariffs between the two trading blocks are very low on average in most sectors. The main objective of the EU – US trade deal is to remove non-tariff barriers (NTBs) to trade between the Europe and the US. In layman’s terms these NTBs are areas standards relating to food safety, environmental and consumer protection, and public health.

The main issues raised during the conference were:

- The substantial differences in rules regulating food and farming in the EU and US. This relates both to specific differences in rules and regulations, and key differences in how the US and EU deal with scientific uncertainty and risk assessment;
- The precautionary principle is used in both the US and EU in practice, however Precautionary Principle is an integrated component of EU risk management, while in the USA it is not a component endorsed in policy making;
- The European model of a whole food chain approach (from farm to fork) should and will be maintained as it pertains to the EU – US trade negotiations;
- Regulatory convergence is the overarching concept of working out differences between regulatory regimes in the US and EU. The concept of regulatory convergence will put pressure on the EU regulatory framework and its implementation.
- The EU regulatory regime relating to animal welfare is significantly advanced compared to the US. No regulation or standards for protecting animal welfare for farm animals exists at federal level in the US, although some standards and protections exist at state and local levels.
- In terms of managing chemicals, and in this case in particular pesticides there are significant difference because the EU has traditionally used hazard based cut off points, instead of the US system of risk based assessment.
- Agribusiness on both sides of the Atlantic, as documented by publically available documents, see TTIP as a vehicle for changing regulations and rules in favour of “least trade restrictive” regulatory frameworks and regulation. In this sense TTIP should not be seen as merely a battle between the EU and the US, but between industrial agribusiness versus the development of sustainable agriculture and food production.;

- The EU – US trade deal also threatens fragile gains made in the US at local and state level towards more sustainable food systems i.e. using public procurement as tool to support local food economies and small and medium size producers;
- The European Commission maintains that certain “red lines” will be maintained relating to food safety standards, authorisation of GMOs and current legal bans on hormone beef, meat of cloned animals and their offspring as well as other novel foods; and
- Although several studies have looked at the impact on jobs and growth, using different economic models with very large variations in estimated impacts, few have examined impacts specifically relating to farming and food, and have not adequately addressed impacts on broader socioeconomic aspects relating to environment and public health.

The conference demonstrated that there was broad agreement from both civil society, members of the European Parliament, citizens, respondents from the European Commission and representatives from the US that this is an important debate that should be continued. There is also a broad consensus from civil society organisations that important standards and protections relating to consumer interests, environment and public health should not be an issue for trade to decide or merely considered as technical barriers to trade. This debate should be seen as a starting point for developing an alternative framework for trade, food and agriculture policy that respects the rights of EU and US citizens and farmers in their efforts to build more sustainable food systems.

TTIP – how will it impact on food and farming?

In the first event of its kind, the Greens/EFA group in the European Parliament with the support of civil society organisations from both sides of the Atlantic organised a conference on the impacts of a potential trade agreement between the European Union (EU) and the United States (US) on food and farming.

Much of the debate around the Transatlantic Trade and Investment Partnership (TTIP) and its impact on food and farming has revolved around food safety issues, specifically chlorinated chickens. Although this is one important aspect, this conference was organised to look at the broader impacts and concerns raised by civil society and how it will affect progress in building more sustainable food systems and the broader socioeconomic impacts of TTIP on food and farming.

Invited speakers from the food and farming sectors, and civil society presented their views and concerns relating the EU-US free trade agreement currently being negotiated (TTIP). Respondents from the European Commission, the United States Trade Representative (USTR) responded to the challenges and concerns in an open and frank debate on TTIP and its potential consequences on food safety standards, environmental and health protection legislation, animal welfare and TTIPs broader impact on farmer's livelihoods and rural areas.

There are many unanswered questions. For example, even though DG Trade says there will be no lowering of EU standards, how will this be ensured if EU and US diplomats negotiate on harmonisation and mutual recognition? This is at odds with the citizens "Right to choose" versus a "priority for increasing transatlantic trade". At a broader level, questions have been raised on how TTIP and other bilateral trade agreements will lead to unfair competition. These kinds of agreements favour a "cheaper industrial model of food production" and do not reflect the true costs of production compared to production systems that work within ecological boundaries, with respect to health and well being of ecosystems and citizens.

This conference is seen as a first step in a debate between civil society and legislators in both the EU and the US on TTIP and its broader impact on food and farming.

Objectives

The objectives of the conference are to:

1. Share information and raise awareness about concerns on how TTIP could water down key rules and standards for food and farming in particular regulatory cooperation's effect on democratic processes of regulating in Europe, and how fierce competition from agribusiness would undermine ecological robust forms of agriculture and small scale farmers;
2. Make clear that it is not possible to trust the constant reassurance by the EC that EU food laws or standards will not be changed, simply because

cheaper production methods in the US will compete heavily with EU production;

3. Make food and farming a more prominent issue in the Brussels TTIP debate; and
4. Make clear that EU agriculture and food production needs to choose course: further intensification and industrialisation or a more robust sustainable and socio-economically viable path.

Conference programme

- **15:05 Welcome MEP Ska Keller – general concerns about TTIP**
- **15:10 Keynote speech by Robert Weissman, President of Public Citizen (USA)**
- **15:20 TTIP – trading away good food and farming, Moderated by MEP José Bové**
 - Magda Stoczkiewicz, director Friends of the Earth Europe (precautionary principle, food safety differences EU-US)
 - Karen Hansen-Kuhn, Director International Strategies at Institute for Agriculture and Trade Policy (IATP) (on US-EU perspective, via video connection in Washington)
 - Todor Ivanov, Secretary General EuroCoop (on consumers rights, labeling issues and food safety standards)
- **15:50 Response from John Clarke, Director of International affairs in DG AGRI, European Commission**
- **16:00 Response by Elena Bryan, Senior Trade Representative at the US Mission to the EU**
- **16:10 Debate / Q&A**
- **16:20 Harmonizing rules and standards – a race to the bottom?, moderated by MEP Bart Staes**
 - Olga Kikou, Manager of European Affairs Compassion in World Farming (on animal welfare issues)
 - Vito Buonsante, Law and Policy adviser Client Earth (on pesticides and chemicals in food)
 - Michael Scannell, Director of the Food and Veterinary Office FVO (on controls and inspections)
 - Erica Smith, law and policy consultant for the Centre for International Environmental Law (CIEL) (on how the pesticide industry uses TTIP to harmonise EU and US law)
- **16:45 Response from Ladislav Miko, Deputy Director General DG SANCO, European Commission**
- **16:55 Debate / Q&A**
- **17:15 Start TTIP: Socioeconomic Impact on Food and Farming, moderated by MEP Benedek Javor**
 - Hanny van Geel, European Coordination Via Campesina (on consequences for farmers of free trade agreements)
 - Sieta van Keimpema, Vice-Chair European Milk Board (on consequences for farmers of free trade agreements)
 - Robert Marshall Pederson, Food Policy expert Aalborg University and Arc2020 (on impacts on nutrition and dietary transition, sustainable food and agriculture systems)

- **17:35 Response by Monique Pariat, Deputy Director General DG AGRI, European Commission**
- **17:45 Response by Jim Higginston, Minister Counselor for FAS (foreign agriculture service) US Mission to the EU**
- **17:55 Concluding remarks by MEP Philippe Lamberts, vice-president Greens/Efa Group in European Parliament**
- **18:00 End**

Proceedings of the Conference

Introduction and Welcome

Ska [Keller](#) Vice Chair of the Greens/EFA group and Member of the Committee on International Trade (INTA) welcomed conference attendees and speakers.

In her introduction, Ska Keller pointed out that trade should no longer be purely in the realm of trade and trade negotiators because it affects a much broader set of political outcomes that are important for EU citizens. She went on to highlight the very important aspects of transparency and democracy, and that decision makers and people should be granted better access to documents relating to the trade deal.

“Trade is no longer, and has not been for a long time only concerning tariff lines, but issues that concern our everyday lives - it’s about food, it’s about consumer protection, it’s about environmental legislation, all those things that are dear to us” Ska Keller, MEP

The negotiations themselves take place behind closed doors. Ska Keller explained that the European Parliament is not fully involved in the process. Only 13 out of 751 MEPs are allowed to read some of the negotiation documents, which are not even the key negotiating texts¹.

Ska Keller expressed her sincere hope that this conference will shed some light on this obscure trade agreement and what is actually at stake for food and agriculture and what can we do about it.

Keynote: Regulatory convergence

Robert Weissman, President of Public Citizen² (USA) explained that he will focus on regulatory convergence. The starting point is to understand that the TTIP project is not a traditional trade project, it does not have to do with traditional norms of trade, that is reducing tariffs, but is about eliminating non-tariff barriers to trade (NTBs). Robert Weismann explained, “the things that trade negotiators call NTBs are what we call consumer protection, environmental protection, programmes for protection of privacy and national services.” In

¹ The European Commission has since the conference made a number of their proposals public. <http://trade.ec.europa.eu/doclib/press/index.cfm?id=1230>

² <http://www.citizen.org/Page.aspx?pid=183>

reality this means, actually evading the regulatory standards and the core mission of government, in the name of advancing trade.

The Investor-State-Dispute-Settlement (ISDS) is one example that has received a lot of attention. The main idea is to create special rights for large foreign corporations that exceed the rights of domestic investors and domestic citizens, and empower them to enforce those rights in special outsourced, privatised courts. Because of the costs associated with ISDS litigation, it is only the large multinational corporations that in principle can use ISDS. Potentially, large agro industrial corporations, hampered with regulations that limit their ability to access export markets can openly challenge regulation. This will have a significant impact on food and agriculture.

The proposed chapter on regulatory convergence in TTIP is landmark. Proponents of TTIP describe it as a regulatory agreement between the US and EU. Regulatory convergence is the signature piece of TTIP and will define the overall content of the agreement. According to Robert Weissman, the short version of what the US is proposing, is that the EU regulatory system should look more like the US regulatory system.

One of the main elements of the US system of regulations is called Notice and Comment. Notice and Comment is very attractive in principle and works in theory, but in practice is tilted in favour of industry. The core idea behind Notice and Comment is that in any regulation the public is given notice on proposed legislation and allowed to comment.

Robert Weissman, explained the 3 key features of the Notice and Comment system.

First, it has a fundamental reliance on Cost-Benefit analysis, which in the United States is an evolved pseudo science that is fundamentally tilted in favour of industry. The costs are mainly related to financial burden for the industry, using estimated costs provided by the regulated industry. Looking at cost-benefit analyses in retrospect shows that the industry estimates of costs are never as high as projected. The benefits are also biased because benefits are monetized, and that is a problem when examining issues like lives saved in the long-term, injuries prevented, biodiversity protected, dignity and equality preserved, and this is inherently underappreciated in a cost benefit analysis based purely on economic impacts. This is embedded in the notice and comment system.

A second problem is centralised administrative review. The US Office of Information and Regulatory Affairs³ (OIRA) reviews cost benefit analysis conducted by government agencies. In almost 100 % of the reviews OIRA intervention favours industry and limits regulation or waters down the legislation to meet the needs of the regulated industry.

³ <http://www.whitehouse.gov/omb/oira>

A third area of concern is judicial review. After a rule is finally issued it is subject to judicial review, where industry can challenge the rule or legislation. The judicial review process can examine the cost benefit analysis, i.e. if all costs provided by the industry in the notice and comment phase, were included.

These three chokepoints mean that in practice it is very difficult to regulate and this leads to a chilling effect on regulation. It is a big endeavour to make new rules and agencies are reluctant to do so.

“Our system is worse than you think, you will look at it and it is worse than you think...our regulatory system did not look this way 30 years ago, but this is where we are now.” Robert Weissmann, Public Citizen, USA

Two examples were given to illustrate how difficult and time consuming this system is, ultimately with a “chilling effect “on legislation, where government agencies are reluctant to propose new rules or legislation. In both examples given, regulating silica dust at work sites and technology in automobiles that would improve safety relating to back-over accidents regulation was delayed and finally not implemented.

In conclusion, Robert Weissman suggested that Europeans take a much closer look at the US system of legislation and how big business influences legislation.

TTIP – trading away good food and good farming?

[José Bové](#), Greens/EFA MEP member of the Committee on Agriculture and Rural Development (AGRI) and the Committee on International Trade (INTA) introduced the first panel. The objective of the first panel is to give a general overview of major concerns for consumers, farmer and food on TTIP.

Magda Stoczkiewicz (Director Friends of the Earth Europe -FOEE) explained that there are similarities between the EU system of Impact Assessment and the US system of cost-benefit analysis. In the EU, the Impact Assessment Board only wants economic factors included in impact assessments and are working to include trade impact; this is moving us in the wrong direction. Impact Assessments already place more focus on economic impacts, compared to social and environmental impact. Including trade impact would exacerbate this already biased approach.

Magda Stoczkiewicz stressed that good food and good farming is in crisis – the reform of the Common Agricultural Policy (CAP) did not move us towards better food and farming. We currently produce more food than necessary and at the same time we waste about 50% of food produced⁴. Malnutrition exists both in the developing world and the developed world, indicating that our food system is broken.

⁴ <http://www.imeche.org/knowledge/themes/environment/global-food>

First of all, it is important to look at who will benefit from TTIP and who will bear the risks. It is clear that the big winners will be big corporations and big agribusiness. Who will lose: citizens and the environment on both sides of the Atlantic. It is estimated that TTIP will lead to a 0.5 % decline in farm incomes on average⁵. In addition, it is unsure whether TTIP will lead to a net increase in trade or diversion of trade. So perhaps it is understandable that the Polish Minister of Agriculture is [worried](#)⁶ that Poland will be pushed out of the EU market in favour of US products.

EU food safety regulation builds on a whole food chain that addresses the safety of food produced at all stages, while the US is pushing for their system which focuses on end of production treatments like chlorine rinses. It is important to maintain food safety legislation that looks at all stages of production and how to effectively reduce risk in each part of the food chain.

The necessary regulations are there to protect people, the environment, to protect our rights, and the social system that we have in Europe and want to have in Europe, and this should not trade it away. Magda Stoczkiewicz, Friends of the Earth Europe (FOEE)

In conclusion, Magda Stoczkiewicz highlighted the differences in regulations relating to GMO authorization and explained that US biotech industries have made it very clear that they see TTIP as a way to remove barriers for Genetically Modified Organisms (GMO). She explained that although laws and policies on GMO will not change, the implementing rules will change the “reality” of how the laws are put into effect.

Karen Hansen-Kuhn, (Director International Strategies at Institute for Agriculture and Trade Policy - IATP) highlighted the problems in relation to the US food system and real reasons to be concerned about hormones in beef and chlorine rinses. There is progress at local and state levels, but there are concerns that TTIP could undermine these fragile gains.

Change is happening in the USA. One of the first building blocks is the right to know what is in food. A New York Times poll showed that 90% of Americans want GMO labelling⁷, and there are campaigns⁸ in many states. Three US states

⁵ European Parliament (2014) RISKS AND OPPORTUNITIES FOR THE EU AGRI-FOOD SECTOR IN A POSSIBLE EU-US TRADE AGREEMENT. Policy Department B: Structural and Cohesion Policies, Agriculture and Rural Development
[http://www.europarl.europa.eu/RegData/etudes/STUD/2014/514007/AGRI_IPOL_STU\(2014\)514007_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2014/514007/AGRI_IPOL_STU(2014)514007_EN.pdf)

⁶ <http://www.arc2020.eu/front/2013/12/polish-agriculture-minister-questions-benefits-of-ttip/>

⁷ http://www.nytimes.com/2013/07/28/science/strong-support-for-labeling-modified-foods.html?_r=1

⁸ <http://www.centerforfoodsafety.org/issues/976/ge-food-labeling/state-labeling-initiatives>

already have legislation to require GMO labelling laws and 20 states are considering legislation requiring labelling foods that contain GMOs.

“There is progress happening at state and local levels, there is progress led by civil society organisation and in state legislature. We are very concerned that TTIP can undermine these fragile gains.” Karen Hansen-Kuhn, Institute for Agriculture and Trade Policy (IATP)

There are also campaigns to ban toxic chemicals in our food system. Neonicotinoids are a group of pesticides associated with bee colony collapse. There are already restrictions already in place in New York, Minnesota and Oregon. There are local restrictions on Endocrine Disruptors in 12 states and in each of these cases local and state regulation are the building blocks to work towards broader policy change at federal level.

Karen Hansen-Kuhn highlighted that the good food and farming movement is not just about keeping bad food out, but bringing good food in. A big part of this work has been through public procurement programmes, particularly farm-to-school programmes. These programmes give procurement preferences for healthy, locally produced foods. There are farm-to-school programmes in all 50 states. It is not only about bringing healthy local foods into schools, but to build ties between farmers and communities, to create jobs and to strengthen rural economies. There are genuine concerns that these gains are at risk⁹ in TTIP¹⁰.

In conclusion, experiences with TTIP and other free trade agreements such as NAFTA¹¹, will lead to further intensification and dramatic increases in market concentration in the food and farming sector. IATP has expressed its concerns about how TTIP and free trade agreements will affect efforts to build more sustainable food systems, how regulatory convergence will make it more difficult to regulate toxic chemicals and how the EU’s push to open US public procurement at local state level will affect efforts to strengthen rural economies. All of these concerns have not received any answers yet. This short sided approach should be opposed.

Todor Ivanov, (Secretary General EuroCoop) emphasised the importance of maintaining consumer confidence in our food. Specifically working towards regulatory coherence will not lead to better standards, but endanger the high level of freedom enjoyed by European consumers to choose what they have or don’t have on their plates, from cloned animals to GMOs.

⁹ http://www.iatp.org/files/2014_11_05_TTIPProcurement_KHK.pdf

¹⁰ IATP (2014) Local Economies on the Table – TTIP Procurement Update.

http://www.iatp.org/files/2014_11_05_TTIPProcurement_KHK.pdf

¹¹ Robert A. Hoppe, James M. MacDonald and Penni Korb, Small Farms in the United States, Persistence Under Pressure, USDA Economic Research Service, Economic Information Bulletin Number 63, Feb. 2010, p. 27. - See more at: <http://www.iatp.org/blog/201311/nafta-and-us-farmers%E2%80%94years-later#sthash.9410WzZg.dpuf>

Food labelling allows EU consumers to make informed choices, not to their detriment and adopt responsible consumer practices. TTIP should not influence legislation that is intended to protect the interest of consumers. Consumer trust is at its lowest ebb, and EuroCoop is concerned that TTIP could further erode consumer confidence. The EUs farm-to-fork approach to food safety should be non-negotiable in TTIP negotiations.

EU consumers have clearly and consistently voiced their concerns about cloned animals¹² for food use, because of its negative impact on animal welfare and health, and biodiversity. Therefore, according to Mr Ivanov it is important to preserve EU legislation that prevents foods with cloned animals or their offspring from entering Europe without being labelled. Similarly, concerns have been expressed that TTIP will be a subtle vehicle to force GMO into the EU market, *de facto* limiting EU consumers right to know and choose.

“We believe that TTIP should not limit the impact of the EUs ability to enforce the rules it regards as necessary to protect the interest of consumers in areas such as cloning and GMOs. Consumer confidence is at its lowest ebb for several years, and we are concerned that TTIP will lead to further erosion of consumer confidence.” Todor Ivanov, EuroCoop

Growth promoters, antibiotics have been banned in food in the EU since 2006, while there is no federal legislation in the US. Antibiotic use in farm animals poses a substantial risk to health and limits the ability to treat infections because bacteria are increasingly resistant to antibiotics. In seeking regulatory convergence, TTIP should still have room for setting standards on food safety and consumer protection.

In conclusion, food safety legislation and consumer protection should not merely be considered as a trade barrier. Europe enjoys the highest standards of food safety and consumer protection in the world, and this should not be approached purely from a cost-benefit view as it tends to be in the US.

In response **John Clarke (Director of International Affairs, European Commission Directorate General Agriculture and Rural Development - DG AGRI)** , agreed that TTIP is potentially about much more than trade and tariffs, and recognised the concerns expressed by panelists and that public authorities need to provide answers. There are substantial differences in the way that the EU and US regulate food and farming. European rules will not be changed because of TTIP.

We should not fear lowering standards... and we should not create a false dichotomy between farming and agroindustry. John Clarke, DG AGRI

¹²
076_cpe_beuc_position_paper_on_cloning.pdf.

<http://www.beuc.org/publications/beuc-x-2014->

The European model of agriculture because of its high animal welfare, environment and public health standards leads to higher production costs in the EU. However it was indicated that this could be used as a positive factor in creating added value for European food products. Certainly American consumers value European and ideally TTIP will allow more trade between the EU and US.

The question has been raised as to whether TTIP will benefit agribusiness or farmers and producers. John Clark warned of creating “a false dichotomy between farmers and agribusiness”, because these sectors are highly interrelated. There are 4.5 million working in the agriculture food sector, more than 90% of food businesses can be classified as SMEs and 70 % of farm production goes into European agrifood business, so there should be benefits for both large agribusiness and small scale family farmers to enter the value chain.

In conclusion, John Clarke stressed that instead of focusing on the negative aspects of TTIP we should look at what TTIP can do to create better access for SMEs and small producer to export markets.

Elena Bryan (Senior Trade Representative at the US Mission to the EU) stressed that people have the right to make their voices heard in a democratic process in both the US and EU, and that the US has an open regulatory system with rules that regulators propose being open to public scrutiny.

Elena Bryan explained that the US does not expect the EU to copy their regulatory system to the US system based on the three branches of government. However the US would like to see more transparency in European Commission system of developing legislation. This is not just a corporate interest but a broader interest to ensure that people that are regulated are allowed to comment on regulation.

Elena Bryan explained that there are a wide variety of experts that are involved in trade negotiations, including regulator-to-regulator dialogue. This involves regulators with expertise in certain areas from both the EU and US with the mission to develop regulation to protect public health, the environment and labour rights.

I will close with this point - maybe this is a little known fact, there is a lot of discussion about the use of antimicrobial chlorine on chicken, but did you know that bagged salad in some Member States is treated with chlorine, including France - Mr. Bové” Elena Bryan, US Mission to the EU.

In conclusion, Elena Bryan stressed that as many interests as the US has interest in European markets, the EU has many interests in US markets whether it be procurement or raw milk. Neither system is perfect, but discussion of these

issues by regulators and experts is important. “We don’t see it as a race to the bottom but a way to uphold high standards on both sides”.

Harmonizing rules and standards – a race to the bottom?

[Bart Staes](#), Member of the European Parliament and the Committee on Environment, Public Health and Food Safety (ENVI) introduced the panellists and explained the objective of the panel, which is to provide clear examples of different food and farming standards applied in the EU and US.

The first panellist, **Olga Kikou (Manager of European Affairs, Compassion in World Farming)** expressed concerns relating to the substantial differences in regulation on Animal Welfare in the EU and the US, and the potential effects of TTIP in the field of animal welfare. The cumulative voices of citizens concerned with animal welfare and health standards has led to change and series of legislative provisions in animal welfare.

The EU has made substantial progress over the years and recognises animals as sentient beings in the EU Treaty. Further legislation - e.g bans on cruel practices, bans on using non-therapeutic antibiotics and hormones as growth promoters and current proposal bans on cloned animals in the food supply - echoes this positive development. The EU is the most advanced region in the world in terms of animal welfare legislation to protect farm animals.

The US lags far behind the EU in protecting farm animals. In stark contrast to the EU, there is no legislation at federal level governing animal welfare on the farm and minimal legislation at state level. In view of this difference, it is difficult to see how can there be regulatory convergence in this case. A push for harmonisation and mutual recognition of standards, would greatly undermine existing EU legislation, lead to a sharp lowering of standards and hurt European farmers because they would not be able to compete with their American counterparts – and undermine progress made.

“We should change the way we look at regulation. Regulation reflects the concerns and values of citizens on issues like food safety and animal welfare. They should not be considered as a trade barrier. We should focus on quality and not quantity. Through trade policies we should be looking at more sustainable, healthier and equitable food systems.” Olga Kikou, Compassion in World Farming

In conclusion, Olga Kikou stressed that our decision makers must show vision, listen to the voices of citizens and challenge agribusiness. The newly appointed Commissioner for Trade Cecilia Malmström, recently indicated that TTIP is really about setting new global standards, the question is then, what standards we will set for the rest of the world.

Vito Buonsante, (Law and Policy Advisor, Client Earth) focused on TTIP and its impact on pesticide legislation, using the specific case of rules and regulations

pertaining to Endocrine Disruptors (ED) or Endocrine Disrupting Chemicals (EDC). This relates to the chapter on regulatory coherence¹³.

The EU established regulation in 2009 that in essence means that pesticides with EDs should not be used to contaminate our food, so a very protective law. EDCs have been an issue of concern for almost 20 years, and the research and science around EDCs is becoming even more robust and most of the scientific community agree that legislators should act on EDCs. Although it is easy to show association between EDCs and health and environmental problems, it is difficult to show causality in the case of EDs, because of the long-term nature of EDCs and their impact.

The EU uses precautionary principle. This practice means that if there is a risk that science cannot yet determine with certainty, then the precautionary principle may apply and prevent a product to be placed on the market. . However in the US, regulators need to prove the product is unsafe before restrictions can be imposed. This is evident through the number of chemicals on the US market and also applies to a plethora of environmental legislation.

We are already seeing the effect of this regulatory cooperation. Here we are not talking about our existing laws will be repealed, but existing laws are often frameworks that need to be implemented. What we fear is the implementation of this law will not happen.

Vito Buonsante, Client Earth

The law regulating EDCs should have entered into force by December 13, 2013¹⁴, but in order to implement it, it was necessary to develop criteria for defining EDs. The agrochemical industry disapproved, as did the US government as documented in a official USTR report¹⁵, as it would mean banning a number of pesticides containing EDCs.

As a result the proposal on criteria for definition of EDs was blocked. The EU Secretary General ordered an impact assessment, assessing the cost to industry, leading to a delay in developing criteria for endocrine disruptors and ultimately missing the deadline to propose criteria for implementation of legislation in this important legislation. Finally the file has been transferred from DG ENVI, initially in charge of the dossier, to DG SANTE.

¹³ Client Earth, CIEL & NRDC (2014) Toxic Partnership Revealed.

<http://www.clientearth.org/reports/20141002-chemical-annex-commission-proposal-sept-2014.pdf>

¹⁴ The [Plant Protection Product Regulation](#) (EC 1107/2009) and the Biocides [Regulation](#) Prohibit products with endocrine-disrupting properties. Both regulations required the Commission to specify scientific criteria for the determination of endocrine-disruption properties by 13 December 2013.

¹⁵ USTR (2014) 2014 Report on technical barriers to trade. United States Trade Representative: Washinton DC, <https://ustr.gov/sites/default/files/2014%20TBT%20Report.pdf>

In conclusion, Vito Buonsante stressed that we are already seeing the chilling effect of this regulatory cooperation, not that existing laws will be repealed, but in the case of EDs, implementation of the law will not happen.

Michael Scannell, (Director of the Food and Veterinary Office - FVO) explained that FVO audits member states and third countries against standards and legislation. FVO does not interpret legislation, whether it is proportionate and based on science. The question arising with TTIP is to what extent is there latitude in this agreement to increase trade within the respective regulatory regimes.

Examples were given within main commodity groups. For example in the beef sector, the main obstacle is the EU ban on hormones. On the assumption that legislation remains in place, only hormone free beef will be allowed to enter the EU market. There are small but growing exports of hormone-free beef from the US. The main barrier is related to traceability and animal identification provisions in the US, specifically the absence of the individual bovine identification.

In poultry the main obstacle for increasing US exports are EU bans on the use of antimicrobial treatments (AMTs). There are two opportunities in the current regulatory regime. Firstly, the US could choose to export poultry production that doesn't use AMTs, however this is not the route currently being used. The second option within the current regulatory regime would be EU approval of AMTs, and this is possible within the current legislation. The challenge for the FVO in this case would be to ensure that US producers are not using AMTs to cover up poor hygiene in poultry processing plants generally.

In the pig meat sector, the main barrier for export of US products to the EU, is the use of ractopamine, a feed additive to promote leanness in animals raised for their meat. There is a total ban in the EU on using ractopamine. Exporting pig meat requires ractopamine free production lines. This is already being done successfully in both the US and Canada. However, there are other barriers relating to quality or consumer preference for example, that would make it difficult for the US to export to the EU.

*"In the context of the TTIP, we will respect our regulatory regimes."
Michael Scannell, Food and Veterinary Office (FVO)*

In conclusion, Michael Scannell stressed that it is important to recognise the increasing trend of multinational corporations (MNCs) operating in all major economic zones. MNCs would like to have one harmonized regulatory framework, but in the absence of this they locate where their customers are and comply with local regulations. It is also important to note that trade does not take place in whole carcasses, and this complicates trade for operators because of different regulatory frameworks.

Erica Smith (Law and Policy consultant Center for International Environmental Law - CIEL) presented a study¹⁶ analysing a joint recommendation recommendations by the European Crop Protection Association (ECPA) and CropLife America¹⁷. The document shows how the US and EU pesticide industries use regulatory convergence and cooperation under TTIP to lower environmental, consumer and health standards.

There are differences in US and EU pesticide regulatory regimes, mainly relating to considerations on scientific uncertainty and risk management. This has led to large differences in regulating pesticides in the US and EU. Unlike the US, the EU uses hazard based cut off points for chemicals. The pesticide industry advocates for the EU to abandon its hazard based approach and adopt the US risk based management approach, arguing that “without science-based risk assessment as the unified basis for pesticide regulation any additional requests for regulatory convergence are unattainable”.

“If Crop Life America and ECPAs recommendations are adopted in the final text, this will delay, weaken and ultimately frustrate pesticide regulation that will likely open up the EU market to products containing carcinogens, mutagens, hormone disrupting chemicals and reproductive toxicants at the expense of health of European Citizens.” Erica Smith, Center for International Environmental Law (CIEL)

CIEL's study identifies 82 active ingredients that are banned in the EU due to serious concerns of their adverse effects on health and environment but still used in the US. The general pattern is that Maximum Residue Levels (MRL) allowed in food in the US are substantially higher compared to the EU.

If Crop Life America's and ECPA's recommendations for regulatory convergence are adopted, it will delay, weaken and ultimately frustrate pesticide regulation and most likely opening the EU market to products containing carcinogens, mutagens, hormone disrupting chemicals and reproductive toxicants at the expense of European Citizens.

In his response **Ladislav Miko, (Interim Director General DG SANTE European Commission)** stressed that this discussion is extremely important and useful, but has the tendency to focus on the potential negative effects of TTIP. However at a global level, the EU and US share the highest standards, and have more in common than difference. Secondly, he noted that it is ridiculous to believe that US consumers are more interested in getting cancer or low fertility

¹⁶ CIEL (2015) Lowest Common Denominator – How the proposed EU-US Trade Deal Threatens to Lower Standards of Protection from Toxic Pesticides.

http://ciel.org/Publications/LCD_TTIP_Jan2015.pdf

¹⁷ CropLife America & European Crop Protection Association (ECPA), Proposal on US-EU Regulatory Cooperation at 2, March 7, 2014, available at: <http://www.croplifeamerica.org/sites/default/files/ECPA-CLA%20TTIP%20Position%20-%20Paper%2010-03-14.pdf>.

than Europeans. There is interest on both sides to maintain standards within “the safety zone”.

Ladislav Miko explained that there are certain “redlines” or non-negotiable standards that will not be compromised such as beef produced using hormones and growth promoters and the EU regulatory regime on GMOs. TTIP is a great opportunity to export the EU approach to Animal Welfare to the other side of the Atlantic. So it is not only about a race to the bottom, but also an opportunity to raise standards in areas like animal welfare. He also indicated that there are areas where the EU can learn from the US.

“We also have to realize that if we look on the global scene and we look at the quality of the standards for food and agriculture, the USA and the EU are certainly areas with the highest standards. We have potentially much more in common than differences in this area.” Ladislav Miko, DG SANTE.

In conclusion, Ladislav Miko said that we have to remain vigilant and keep our lines, so it is important to keep this discussion going, so that standards can be improved. The Commission is making efforts to make the negotiations more transparent and demystify what is behind TTIP talks.

TTIP: Socioeconomic Impact on Food and Farming

MEP and vice-chair of ENVI, [Benedek Javor](#) introduced the next panel and speakers which will look at the socioeconomic impact of TTIP on food and farming. Even if we accept that TTIP will bring jobs in some limited specific sectors, very few studies look at TTIP's impacts on other important socioeconomic sectors, and who will benefit and who will bear the costs of this important trade agreement.

Hanny van Geel, European Coordination La Via Campesina (ECVC) expressed concerns with lowering standards, lower prices and how this affects farmers ability to compete and remain on their farms.

Free trade agreements, like in TTIP are a run for the lowest price and the lowest standards. When price is the leading factor, standards will follow in a negative way. There are only a few benefits with free trade agreements and the benefits are unequally distributed. Farmers and consumers have developed systems of autonomous food production, but farmers and citizens will become dependant on corporate control of food production. TTIP will drive farmers further out of practice. That is happening already. It is difficult to understand how TTIP will provide jobs for farmers, when farmers will have to leave their farms, when they are unable to earn a decent income. This is happening in all European countries, not only in southern Europe but in Northern Europe and in the US. Farmers cannot compete with each other worldwide.

What we see is small and medium size farms being taken over by big farming enterprises. This is often perceived as being more efficient, but in fact is driven by the European and global systems of trade. This is a choice and other choices can be made. Cheap food is an illusion; food is only cheap when the real costs are being paid elsewhere. Nowadays, good food produced in a sustainable way seems expensive, not affordable for poor people. However most food is being produced and consumed locally, also in the EU. We should not think that exports are the solution for our economies. TTIP is in fact, not facilitating these local economies. Currently our policies place too much emphasis on the importance of export markets, we should not see exports as the only solution for our economies. We should strengthen and support short food supply chains; this is for the benefit of everyone.

*Trade is not evil or wrong, trade is useful, but we need trade that makes sense - TTIP does not make sense. We need trade that supports local economies and climate, this is possible but we must make other choices.
Hanny van Geel, European Coordination La Via Campesina (ECVC)*

In conclusion, **Hanny van Geel** stressed that we really need to rethink our food system. So in the case of TTIP, emphasis should be placed on creating jobs and strengthening local economies. TTIP will only benefit big transnational corporations operating at international level. Food sovereignty offers an alternative framework and solution to current trade and food policies.

Sieta Van Keimpema, Vice-Chair European Milk Board (EMB) stressed that citizens should be guaranteed the right to determine how their food is produced, animals treated and how food security is guaranteed. In this process, farmers need equal treatment, and above all citizens need information about this trade deal. The whole negotiation process is taking place behind closed doors, people are locked out and do not know what is cooking. Policy makers and civil servants insist that food safety, produced with high environmental and animal welfare standards will be maintained.

“In the eyes of our policy makers, retailers and trade companies, being competitive mean nothing more than being the cheapest. The way TTIP and other free trade agreements are imposed on us is indeed cheap. Cheap in phrases, cheap in promises and cheap in selling out our democracy.” Sieta Van Keimpema, European Milk Board (EMB)

The way foods are produced in the EU with high standards does not ensure ban on products which do not respect EU rules. Dairy products that are produced in the US and Canada using milk stimulating hormones (BST) already enter the EU market. Using BST is prohibited in the EU and producers risk high penalties and imprisonment if they choose to use these hormones. The World Trade Organisation (WTO) has ruled that the EU cannot ban US dairy imports unless illegal residues are found in the end product, even though it is common knowledge that these hormones are widely used in the US and Canada. Similarly it is difficult to control and audit imports of beef using hormones as growth

promoters, although there are no isolated hormone free beef slaughter lines in Canada.

In the US and Canada, there are still a lot of unregistered cattle, animals that we don't know how they are fed or what medicines they take. In contrast, every calf in the EU is registered from birth until slaughter, so feed, medication and its whereabouts are known. The cost of these regulations and control mechanisms are borne by the producers, and ultimately paid by consumers.

In Free Trade Agreements (FTA) principles such as mutual recognition and harmonisation of standard mean that protecting EU standards are hollow phrases. Mutual recognition ultimately means lower production costs for US producers, uncompetitive prices for European producers and the end of small-scale family farms both in the EU and US.

In conclusion, Sieta Van Keimpema stressed that this trade deal could have far reaching consequences for the European model of agriculture and that our political leaders should not jeopardize that, in the name of trade.

Robert Marshall Pederson – Food Policy Coordinator, Arc2020 highlighted the potential impact on nutrition and dietary transition, sustainable food and agriculture systems.

Food, agriculture and trade policies are at a crossroads and must increasingly deliver against a more complex set of outcomes such as rural development, environmental, social justice, health and food consumption.

As highlighted by the EU Commission appointed Standing Committee on Agriculture Research (SCAR) 3rd Foresight Report¹⁸, “a radical change in food consumption and production in Europe is unavoidable to meet the challenges of scarcities and to make the European agro-food system more resilient in times of increasing instability and surprise.” This will also entail a radical reform of trade and how we think trade policy. The United Nations Conference on Trade and Development (UNCTAD) calls for a trade regime that supports the transformation of food systems and allows making local and regional products the first choice¹⁹.

¹⁸ http://ec.europa.eu/research/agriculture/scar/pdf/scar_feg3_final_report_01_02_2011.pdf

¹⁹ UNCTAD 2013, Trade and Environment Review 2013: Wake up Before its too Late - Make Agriculture Truly Sustainable for Food Security in a Changing Climate, United Nations Conference on Trade and Development (UNCTAD), Geneva.

Proponents of free trade agreements, including TTIP, promise that free trade will bring jobs and growth, but it is important to think about what sort of jobs and what sort of growth, and to seriously examine the consequences and costs associated with TTIP and other free trade agreements. What will TTIP mean for farmers, food and health - will it undermine the progress we have made so far in moving towards more equitable, just, sustainable food systems. Robert Pederson, ARC 2020

Anand Grover, former UN special rapporteur on the right to health²⁰, highlights that Trans-national corporations – including food and beverage companies and supermarket chains – have been some of the driving forces behind free trade agreements. This free trade food model is gradually altering diets relying on traditional, local and seasonal and unprocessed foods to diets high in fats, salt, added sugars and increasing global demand for meat and dairy products. Diets closely linked with chronic diseases such as obesity, certain cancers, heart disease, and diabetes. The costs of poor diet are substantial, it is estimated that Cardiovascular Disease alone costs the EU 196 B Euros²¹. At a global level, it is estimated that these non-communicable diseases to cost 47 trillion US dollars, and a “business as usual” approach will result in productivity losses and escalation of health care costs in all countries²².

This is just one side of the picture. TTIP will affect a number of areas relating to food and agriculture. Further intensification (forget about the myth of 'sustainable intensification') of food and farming systems will put pressure on farmers to grow as much and as quickly as possible, as cheaply as possible, and to sell to agribusiness companies which seek ever-expanding export markets for meat, other foods and animal feeds. From this perspective food is just one more commodity, rather than the central element of a healthier, more sustainable and equitable food system. The impact of TTIP and other free trade agreements on small and medium size family farms, biodiversity, food safety standards – and ultimately the health of ecosystems and people need to be part of the economic justification.

In conclusion, **Robert Pederson** stressed that policy makers, civil society and economic operators are faced with some tough decisions relating to the rational for increasing trade, who will benefit and who will bear the risks. TTIP is not

²⁰ Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover (2014) **Unhealthy foods, non-communicable diseases and the right to health**. United Nations General Assembly: Human Rights Council Twenty-sixth session

²¹ EHN (2012) European Cardiovascular Disease Statistics. Euroheart II: European Heart Network-Brussels.

²² Bloom, D.E., Cafiero, E.T., Jané-Llopis, E., Abrahams-Gessel, S., Bloom, L.R., Fathima, S., Feigl, A.B., Gaziano, T., Mowafi, M., Pandya, A., Prettnner, K., Rosenberg, L., Seligman, B., Stein, A., & Weinstein, C. (2011). The Global Economic Burden of Non-communicable Diseases. Geneva: World Economic Forum.

about Europe versus the US, but about a corporate food agenda versus the right of citizens to develop a food system that is good for people and the planet- now and in the future. Therefore it is important that we continue to develop the dialogue between civil society and legislators in both the EU and US to develop an alternative to current practice in food, agriculture and trade policy.

Monique Pariat (Deputy Director-General European Commission Directorate General Agriculture and Rural Development - DG AGRI) thanked the panel for their input. First of all, all of the concerns raised are legitimate. Too much food is wasted, and we eat too much with at least 1/3 of the people being overweight or obese on both sides of the Atlantic. There are high standards on both sides of the Atlantic and in the European model of agriculture- a model based on small farms, should be preserved. These concerns are being taken into account in the current negotiations. However the concerns expressed today, go far beyond the current trade negotiations, and also relate more generally to changing global economies and globalisation. Monique Pariat stressed that the reality is that we live in a globalised world and European citizens have taken that choice through their democratic choice.

Currently the US is our main export trade partner and main trade partner overall. In the food drink sector it is mainly for processed goods such as wine and liquors produced with European grapes and grains. It is important to see where increase in demand will come from. Increase in global demand – demand will come from exports. So why do we need an agreement when exports are still high? For a series of products, the US can export more. For example in the dairy sector, there are still high tariff barriers on the American market.

Geographical Indications (GI) are a priority for EU agricultural products and to ensure that they are protected. GIs are good for small and medium size producers. GIs guarantee that these products are protected and it is important that GIs are not “edged out” of the American market.

“At the end the day it will be you who decides what happens to this agreement and if the deal isn’t up to scratch then you can reject it”
Monique Pariat , European Commission

It is the goal of TTIP to increase jobs. Several socioeconomic studies show that certain sectors are more at risk than others. In the deal, the US has placed emphasis to open all markets and eliminate tariffs for example meat, sugar and rice. It is not the intention of the EU to remove all tariffs; it will still protect sensitive sectors and agree on specific measures and quotas.

In conclusion, **Monique Pariat stressed** that the agreement will ultimately be decided by citizens through their elected officials in the council and the European Parliament, and if it is not up to expectations, can be rejected. The European Commission is making efforts to attain the best results and to achieve the highest level of transparency.

Jim Higginston (Minister Counselor for Foreign Agriculture Service US Mission to the EU) gave several statistics showing that the US farming sector is not corporate owned, that much of the growth currently is in smaller farms and that most farms benefit from exports. Simply saying trade is bad is not a solution to obesity. We have to educate children and the public.

This is not just about organic, not just about locally produced food, there is a part of the farming sector that relies on exports and through trade incomes have gone up.

The arguments heard today are the same arguments that were heard 20 years ago when discussing the Sanitary and Phyto-sanitary chapters in WTO agreement, but in reality food safety systems have improved at a global level. 20 years of NAFTA has brought increase in trade both from Mexico and Canada and at the same time better food safety.

“It comes down to faith - either you believe in trade or you don’t, either you believe in what your government says or you don’t.” Jim Higginston, US Mission to the EU

In conclusion, **Jim Higginston** stressed that it comes down to faith - either you believe in trade or you don’t, either you believe in what your government says or you don’t. There has been discussion about the precautionary principle; the US also uses the precautionary principle. TTIP is not going to be a one-way street and that is how an agreement is done.

Conclusion

MEP and co-president of the Greens/EFA in the European Parliament Philippe Lamberts questioned the democratic principle of free trade and globalisation, and asked whether it is citizens who have requested globalisation and free trade or governments. On the question of share values and standards, the US and EU agribusiness share the same interest and standards, and that corporate control should be curbed.

MEP Lamberts criticised the European Commission for being out of touch with European citizens in the current trade agreement although attempting to give it a varnish of democracy. Agribusiness multinationals share the same values and interests on both sides of the Atlantic and it is these multinationals that will be the big winners. Indeed, efforts should be made to curb the power of multinational corporations.

It is important to ask the question, who will benefit from this trade deal? We are putting the legislative systems in competition or in the case of multinationals playing systems against each other to maximise shareholder value.

*Who is asking for TTIP? Did you hear Civil Society asking for TTIP, I didn't! Did you hear the trade unions ask for TTIP? I didn't! Did you hear SMEs asking for TTIP, well some of them. Who asked for TTIP: multinationals on both sides of the Atlantic have asked for TTIP .
Philippe Lamberts, Member of the European Parliament.*

In conclusion Philippe Lamberts wished the Commission and US Trade representatives good luck with their negotiations, because with the unprecedented level of public mobilisation against TTIP it is not likely that the TTIP project will succeed, at least not in its present form.