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Rt Hon George Eustice MP  
Secretary of State for Environment, Food & Rural Affairs  
Seacole Building  
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SW1P 4DF

16 October 2020

Dear George,

## FOOD STANDARDS AND FUTURE TRADE DEALS

I note in the recent “ping pong” debate on the Agriculture Bill that the Lords Amendment 16 was disagreed to by the Commons. This particular amendment would have enshrined into law that imported food must meet the relevant domestic standards adopted within the UK. I have previously written to you on this subject and encouraged the UK Government to include such an amendment in the bill. I am therefore extremely disappointed that neither this amendment nor the amendments proposed by the Scottish Government have been adopted.

This is not the first time that the House of Commons, mainly Conservative MPs, have voted against amendments to protect food standards. Amendments to the Trade Bill were also voted down despite the UK Government previously stating that the Trade Bill was the appropriate place to protect British farmers and consumers from lower standard imported foods via trade agreements. If not in the Agriculture Bill, or the Trade bill, then where will the UK Government legislate to ensure that imported food must meet the relevant domestic standards and give producers and consumers the protection they deserve and evidentially seek?

Parliamentarians from all 4 UK Parliaments and a wide range of stakeholders have repeatedly called for the UK Government to reassure through legislative commitment that the UK will maintain the current high food, environmental and animal welfare standards we all benefit from as members of the EU. Indeed, the NFUS President, Andrew McCornick, said: *“such assurances could be negotiated away. I’m not saying that’s the intention of the government but certainly there is potential – there’s a weakness in what they’re promising because it isn’t written in law”* Given that there is an overwhelming lack of trust in the UK Government to uphold food standards with the current protections in place, what will you do to alleviate these legitimate concerns?

Recent consumer research carried out by the Food Standards Scotland (FSS) showed that the overwhelming majority (75%) said they would not buy chlorinated chicken – even if the product was ‘significantly cheaper’. Further consumer research conducted by ‘Which?’ concluded that 94% of respondents want food standards to be upheld in any FTA. The research conducted by FSS and ‘Which?’ is a clear indication of the very real concerns that the Scottish people have ahead of the conclusion of the Transition Period and the intentions of the UK Government. The Lords amendment 16 would have reassured the public and stakeholders – this is now another missed opportunity from the UK Government.

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I appreciate that you and other UK Ministers have indicated that you will not allow lower standard foods to be imported into the UK market via FTAs. However, there is still a growing sense of frustration over the continuing uncertainty around the UK Government approach to food standards, animal health and welfare and antimicrobial resistance in FTAs. In the single FTA renegotiated to date, with Japan, there was an opportunity to ensure that Antimicrobial Resistance, which is a shared priority for public and animal health, was taken forward in that renegotiated deal. UK negotiators failed to achieve this. That does not augur well for negotiations with other countries where we need a commitment to addressing this key health issue, as well as maintain standards on imported food.

I would ask you to appreciate that an FTA is not only about economics. An FTA is about the morals and the values of a country and what we should aspire to be: a world leader in food standards and animal health and welfare setting the standard for countries who wish to enter our UK market. The Scottish Government will continue to push for policies that recognises the importance of food standards including progressive animal health and welfare practices and the necessity of combatting Antimicrobial Resistance.

It is now increasingly clear the UK Government is ready and willing to inflict a 'no-deal' Brexit on the people of Scotland: a 'no-deal' that will bring untold disruption, chaos and delay and make some Scottish exports, such as beef and lamb, almost unviable with tariffs in the region of 50% to 70%. In addition to potentially losing our export markets, Scottish farmers may now face increased competition from food produced to a lower standard undercutting domestic production.

The UK internal market bill makes all this worse. The bill takes a wrecking ball to devolution and you will be aware that the Scottish Parliament supports the Scottish Government in not giving consent to it. It will oblige the Devolved Administrations to accept goods from elsewhere even if they do not meet the standards legislated in Scotland, despite food standards and animal health and welfare being devolved to the Scottish Parliament. It will fire the starting pistol for a race to the bottom on food and animal health and welfare standards. The appropriate means of dealing with differences of policy between the administrations is through the programme of common frameworks that we have agreed, not through imposition by the UK Government.

I acknowledge and value the working relationship we have built over recent years. . I would hope that this can continue in the future. However, I am increasingly alarmed at what recent actions and omissions by the UK Government – before we have even left the EU – signal for the future. The risks of potential significant damage to Scotland's food and drink sector are now considerable. Matters can still be remedied – devolved competence over food, environmental, animal health and welfare standards could be recognised and protected; should Lords Amendment 16 be reinstated in the Agriculture bill, the UK Government could accept it; the UK Government could amend the trade bill to include a suitable clause. I hope you will look favourably at these proposals and encourage government colleagues to do likewise.

I am copying this letter to the Secretary of State for International Trade, the Minister for Environment, Energy & Rural Affairs in the Welsh Government and the Minister of Agriculture, Environment and Rural Affairs in the Northern Ireland Executive.

Yours sincerely,



**FERGUS EWING**

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