



# SAFEGUARDING ANIMAL WELFARE AT THE END OF THE BREXIT TRANSITION PERIOD

Recommendations  
for Government

A report by the UK-EU Animal Welfare Taskforce chaired by the RSPCA  
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# About the UK-EU (Animal Welfare) Taskforce

The following organisations work together in a coalition to protect and advance animal welfare as the new relationship between the UK and the EU develops:



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## Ending the transition period

The UK's withdrawal from the European Union Single Market and Customs Union on 31 December 2020 will represent one of the biggest changes in a generation to how animals, animal-derived products, veterinary medicines and animal feeds are moved and traded.

There will be an impact on areas that affect all of us including the UK's food chain, medical supplies, agriculture and leisure pursuits, and not to mention animal welfare.

While Northern Ireland will continue to apply EU law in a range of areas, including sanitary and phytosanitary (SPS) and farm animal welfare rules<sup>1</sup>, Great Britain will constitute an entirely separate regulatory territory, with Westminster, Cardiff Bay and Holyrood free to diverge from existing standards.

The RSPCA, in conjunction with eleven other animal welfare charities as part of the UK-EU Animal Welfare Taskforce, is concerned that clarity has not yet been provided on several key areas which will be impacted by the end of the transition period.

While our primary concern remains protecting and advancing animal welfare, these areas extend significantly beyond welfare concerns. If action is not taken, then clear risks will be posed to issues as diverse as human health, the UK's research and development industry, and the viability of regulated leisure pursuits such as horse racing.

In this report we clearly outline these areas of greatest concern and provide a series of recommendations on how they can be addressed by policymakers. It is therefore crucial that farmers, animal keepers, veterinarians, traders and government agencies are fully prepared so that animal welfare is not compromised as a result, and to ensure that the UK retains its position as one of the greatest countries for protecting animal welfare.

<sup>1</sup> Article 5(4), Protocol on Ireland/Northern Ireland (for a full list of provisions of EU law that will have continued application in Northern Ireland, see Annex 2 of the Protocol).

## Areas of concern

### Food

Great Britain imports more than it exports for all animal-derived products other than milk, with 73 percent of all agri-food imports coming from the EU<sup>2</sup>.

In May 2020, the UK Government published its Most Favoured Nation (MFN) tariff rates that will be applied to any territories with which it has not agreed a free trade agreement (FTA) including, by definition, the EU from January 2021<sup>3</sup>.

The prior MFN rates, as existed within the European Customs Union, are not being reduced by any significant extent on beef, lamb, pork and eggs. However, if the British Government agrees to lower tariffs during FTA negotiations for most animal-based products without any conditions linked to animal welfare, as could happen with the United States of America, or relaxes its rules on imported products, it will undermine production of these products within Great Britain.

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The UK as a whole produces the equivalent of only 61 percent of the food it consumes. Once exports are considered, the UK imports half of all food that is consumed. Thirty percent of the UK's goods come from the EU, with another 11 percent coming from non-EU countries under the terms of trade deals negotiated by the EU<sup>4</sup>.

Disruption to current supply chains will therefore inevitably create pressure for a higher proportion of food to be imported from non-EU countries, including from countries where animal welfare standards are much lower, thus undercutting domestic farm animal welfare standards within England, Wales and Scotland.

### Feed

Similar to the above, the UK is also a net importer of animal feed or ingredients for animal feed<sup>5</sup>. Sixty percent of our animal feed is imported from the EU at present<sup>6</sup>. Any severe disruption to supply chains could leave farms unable to adequately feed their livestock, resulting in a fall in animal welfare and potential disruptions to the UK's food supply chain.

Moreover, all pet foods in Great Britain are made from some EU ingredients or are imported, and shortages in supply could also lead to price rises.

### Medicines

While veterinary medicines that have previously been authorised for veterinary use within Great Britain – through the European Medicines Agency (EMA) or through a process of mutual recognition – will remain authorised<sup>7</sup>, it is not clear whether new medicines will be able to gain authorisations as quickly.

In particular, clarification is needed as to whether the Veterinary Medicines Directorate in the UK will have the additional capacity to undertake new authorisations.

The import of veterinary medicines made in the EU could face tariffs and possible delays in supply at the end of the transition period. This also applies to the many imported component substances that form the basis of such medicines that are manufactured within Great Britain.

Any disruption that reduces, delays or stops the supply of medicines for veterinary use would reduce the ability to prevent and control disease outbreaks within Great Britain, with potential harm to animal health and welfare, the environment and wider food safety and availability.

Crucially, in the case of zoonotic diseases, such delays also pose risks to human health.

<sup>2</sup> European Commission: [https://ec.europa.eu/info/food-farming-fisheries/farming/eu-agriculture-and-brex-it\\_en](https://ec.europa.eu/info/food-farming-fisheries/farming/eu-agriculture-and-brex-it_en)

<sup>3</sup> [gov.uk/government/news/uk-global-tariff-backs-uk-businesses-and-consumers](https://www.gov.uk/government/news/uk-global-tariff-backs-uk-businesses-and-consumers)

<sup>4</sup> House of Lords' European Union Committee: (14th Report of Session 2017–19) 'Brexit: Food prices and availability'.

<sup>5</sup> HMG: Food statistics in your pocket 2017 – Global and UK supply, 9 October 2018.

<sup>6</sup> ONS: Trade in goods, country-by-commodity experimental data: 2011 to 2016.

<sup>7</sup> Food and Drink, Veterinary Medicines and Residues (Amendment etc.) (EU Exit) Regulations 2019.

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### Animal movements

Delays are expected at ports, notably at the Channel ports, because of the new processes that will be needed to move live animals between Great Britain and both the EU and Northern Ireland. These include transporter authorisations, registration on relevant import notification systems, animal health certificates and veterinary checks, customs declarations and checks, and entry and exit declarations.

Research by Imperial College London has shown that two extra minutes spent on each vehicle at the Port of Dover could more than triple the existing queues on the M20/A20, with nearly five hours of traffic delays at peak times<sup>8</sup>.

Furthermore, experience from Border Control Posts (BCP) on the EU's other external borders shows that further delays can be expected at the port itself. For example, animals, on average, experience delays of at least six hours in vehicles at the BCP when crossing from the EU into Turkey<sup>9</sup>. Any significant delays, in addition to the increased time for the new checks, will invariably cause stress for the animals involved.

### Animal movements: Equines

Specific concerns exist around the movement of equines between the island of Ireland, Great Britain and the European mainland, including those animals which are being transported for racing or cultural events.

All equines, other than those destined for slaughter, can travel without veterinary health certification under the Tripartite Agreement between France, the UK and Ireland. From January 2021, additional tests and certification will be required, with time needed to undertake these.

Equines will be required to enter the EU through a dedicated BCP, although there are currently too few of these to be viable. Although the Government of Ireland has stated that Dublin and Rosslare Ports will be authorised to take all equines at the end of the transition period, no such BCPs yet exist at the ports of Belfast or Dublin. On the European mainland, a new post has been constructed in Calais, and there are existing BCPs at both Rotterdam and Ostend.

There are also existing BCPs at a number of airports for equines, including Ostend, Schiphol, Dublin and Shannon, although it is currently unclear whether air travel will be an economically viable option for the majority of equine movements into the EU or Northern Ireland.

While only 10 percent of consignments with 10 equines or more need to be checked entering the EU or Northern Ireland, it is likely all animals will need to be unloaded if there is no way to access them on the transport vehicle. Without appropriately trained personnel, such procedures are likely to compromise equine welfare.

Within Great Britain, the only designated control posts that exist catering for equines are at Heathrow, Gatwick and Stansted Airports, and it is unclear in what form, if any, these will remain after the end of the transition period. This raises questions over the animal health regime that will be applied on the British mainland from January 2021 onwards.

These issues place animal welfare clearly at risk, while also posing a threat to cultural institutions, such as racing, which require the safe transportation of equines between Great Britain, Ireland and the European mainland

### Animals in science

While the Government has committed to establishing a national regulatory framework and building domestic capacity to deliver functions currently performed by the European Chemicals Agency, there are ongoing issues around ownership of testing data by companies within Great Britain<sup>10</sup>.

<sup>8</sup> Dr Han: Post-Brexit impact analysis on M20/A20 motorway congestion (Imperial College London/BBC), 2018.

<sup>9</sup> European Commission (DG SANTE): Final report of a fact-finding mission carried out in Turkey from 5 September to 8 September 2017 on animal welfare during transport to non-EU countries (DG(SANTE) 2017-6110).

<sup>10</sup> Companies in NI will continue to have access to REACH under the provisions of Annex 2 of the NI Protocol.

Under one assessment, British companies do not own the data for roughly 75 percent of the chemicals covered by the EU's REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) regulation, meaning that they would need to reproduce many of the tests that have already been undertaken.

This risk of increased animal testing has been acknowledged by the Government<sup>11</sup>, but it is still unclear what strategy is in place to ensure that data covering those chemicals covered by REACH is captured before the end of 2020.

Uncertainty in this area will impact on the chemical industry's exports from Great Britain to the EU and Northern Ireland as, without an equivalence agreement, double testing may have to occur, thereby limiting the export market potential for British companies.

## Summary of recommendations

Given the scale of the challenges outlined above and the limited time available before the end of 2020, the following actions constitute the absolute minimum that needs to be done to ensure that animal welfare is not compromised.

### Food

- Extra financial support mechanisms, as the Government replaces the Common Agricultural Policy, should be put in place to cushion domestic producers that adhere to higher welfare standards, to avoid them being adversely impacted by any increase in animal-derived imports from territories with lower welfare standards.
- MFN tariffs on animal-based products should not be lowered to a point where imported products produced to lower or illegal standards are competitive against British products.
- In trade negotiations with third parties, the UK should only offer trade preferences on animal-based products on the condition that imported products respect animal welfare standards applied in Great Britain.

### Feed

- Advice should be provided to animal keepers, including pet owners, on maintaining a sensible provision of animal feed and food.
- Central and devolved governments in Great Britain should ensure that, where possible, sensible reserves of farm animal feed are maintained in case of any initial delays to supply chains.

### Medicines

- Government should work with industry to ensure that the maintenance of a sensible provision matches the four to 12 weeks' worth of supply that was prepared in March 2019.
- Government should further explore the use of air freight and the special import scheme as ways to mitigate risks associated with veterinary medicine availability issues and develop a strategy accordingly for a worst-case scenario, including the potential impact on human health.

### Animal movements

- New BCPs, both for farm animals, and specifically for equines, must be constructed at the ports of Belfast, Larne and Warrenpoint.
- In addition, Great Britain should have further designated control posts to conduct intelligence-led checks, and occasional spot checks on entry. This will ensure the welfare of animals entering Great Britain is protected and biosecurity is not compromised. These posts should include sufficient unloading areas at port and lairages close by where animals can be kept in case of delays or border infractions.
- Dedicated rest areas must be established for animals alongside major transportation routes to ports and at the ports themselves, thereby ensuring that there is capacity for animals to be unloaded during any delays.

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<sup>11</sup> Evidence to the House of Lords EU Energy and Environment Sub-Committee by Thérèse Coffey, 18 July 2018.

- Enhanced communications should be provided to pet owners on the need for pet passports between Great Britain and Northern Ireland from January 2021, and to equine owners on the process for moving horses between Great Britain and the EU/Northern Ireland, and vice versa.

**Animals in science**

- Government should work with industry to ensure access to relevant testing data for chemicals covered by REACH, with the clear objective of ensuring that companies based in Great Britain have access to all information that they need by the end of 2020.
- Mutual equivalence on animal testing should be agreed with the EU to ensure no double testing involving animals.

**The UK-EU (Animal Welfare) Taskforce will continue to work on these matters with Government, with a view to ensuring the smoothest possible departure from the EU to safeguard animal welfare.**