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Dear Constituent,

Thank you for contacting me about the Trade Bill and food standards.

I appreciate your strength of feeling on this issue, but I want to reassure you that the Trade Bill will not undermine food standards.

The powers within the Trade Bill cannot be used to implement new free trade agreements with countries such as the US, Australia or New Zealand. Instead, the Bill can only be used to roll-over the free trade agreements that the UK has been party to through its EU membership.

I know that my Ministerial colleagues have no intention whatsoever of lowering standards in transitioned trade agreements, as the very purpose of these agreements is to replicate as close as possible the effects of commitments in EU agreements. You will be pleased to hear that none of the 20 continuity agreements signed have resulted in standards being lowered.

Although future trade agreements are outside the scope of the Trade Bill, the Government has made a clear and absolute commitment to uphold the UK's high animal welfare, environmental, food safety and food import standards in any future free trade agreement. I know Ministers do not intend to compromise the UK's domestic welfare production standards either and I welcome the creation of the Trade and Agriculture Commission to advise the Secretary of State on protecting these standards while capitalising on trading opportunities.

The Government has amended the Trade Bill to put the Trade and Agriculture Commission on a statutory footing and confirmed that the body will produce a report, to be laid in Parliament at the start of each 21-day scrutiny period, on the impact on animal welfare and agriculture arising from each new free trade deal.

Without exception, all animal products imported into the UK under existing or future free trade agreements from all trading partners, including the EU and others, will have to meet our stringent food safety standards, as they do now. The UK's independent food regulators will continue making sure that all food imports into the UK comply with those high standards.

I did not support new clauses 7 and 11 as they could have significant unforeseen consequences and could well endanger existing trade.

The UK operates trade on the grounds of adherence to sanitary and phytosanitary (SPS) requirements only. Indeed, the UK does not require other countries who trade with us to follow our own domestic regulations, whether we trade on WTO terms or through preferential trade agreements.

This is not a UK-specific position. Existing trade agreements in place around the world do not require partner countries to operate by another country's domestic regulations and standards; doing so would be unprecedented. If the UK were to insist on its domestic regulations being applicable to imports then it would create new barriers to trade for our own exporters, including our own farmers. In addition, if the UK



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adopted such a position it would hurt developing nations where access to UK markets is key to lifting millions out of extreme poverty.

I do not believe that signing new clause 20 would be in the UK's interest. The UK has already negotiated investment agreements with Investor-State Dispute Settlement (ISDS) provisions with over 90 trading partners. Despite the UK's participation in these agreements there has never been a successful ISDS claim made against the UK and nor has the threat of potential disputes affected the Government's legislative programme. It is also important to stress that ISDS does not, and cannot, force the privatisation of public services.

ISDS mechanisms help to protect UK investors, both large and small, from discriminatory or unfair treatment by a state when operating abroad. Indeed, a number of ISDS cases have been brought about by UK companies and investors directly, with UK jobs at stake.

The exact details of any future FTA are a matter for formal negotiations, and I would not seek to pre-empt these discussions. However, where ISDS is included in future agreements, I know the Government will seek to ensure fair outcomes of claims and high ethical standards for arbitrators, with increased transparency and efficiency of proceedings.

I know the Government is committed to engaging with Parliament throughout the negotiation of future trade agreements. It has clearly demonstrated this during discussions on the Japan trade agreement and ahead of negotiations with the United States, Australia and New Zealand. The Constitutional Reform and Governance Act 2010 more broadly provides the legislative framework by which international agreements are scrutinised by Parliament. Under the Act, the Government must lay any agreement before Parliament for 21 sitting days and provide explanation of the treaty's provisions and the reasons for seeking ratification. If Parliament is not willing to support a particular agreement, it can resolve against ratification and indefinitely delay any primary or secondary legislation which would implement an agreement.

Thank you again for taking the time to contact me.

Yours faithfully,

CHRIS HEATON-HARRIS MP
MEMBER OF PARLIAMENT FOR DAVENTRY