

Parliamentary Briefing: How the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) threatens to weaken UK pesticide standards and farming – March 2023

The UK Government is aiming to join the CPTPP in 2023. CPTPP is one of the world’s largest Free Trade Agreements (FTAs) with eleven member countries, including a number of major agricultural exporters such as Canada and Mexico. Having been conceived and designed by the US Government (which eventually decided not to join the deal), CPTPP is a US trade deal in all but name, very similar to the Trump deal which was vehemently opposed by the UK public in 2020.

CPTPP raises a number of significant concerns related to pesticides, which are described in brief below. More detail and additional examples are available in the ‘Toxic Trade: CPTPP’ report which is co-authored by PAN UK, Sustain and international trade law expert Dr Emily Lydgate:

<https://www.pan-uk.org/toxic-trade-cptpp/>

Summary of concerns

CPTPP encourages regulatory alignment between member countries on a wide range of issues, including pesticides. While far from perfect, UK pesticide standards are some of the strongest in the world in terms of protecting human health and the environment. As a result, joining CPTPP presents a risk to the health of UK citizens and the environment as major agricultural exporting member countries have much to gain from weakening UK pesticide standards in order to secure increased access to the UK market for their food exports.

The deal also threatens to undermine UK agriculture by handing agribusiness in CPTPP countries a competitive advantage at a time when we are asking our own farmers to produce more sustainably. The UK’s border testing regime is in flux since EU exit and does not appear to have the infrastructure or resources required to adequately test an influx of produce from CPTPP member countries. The CPTPP core agreement is finalised and there is almost no opportunity for the UK to change the text.

The UK’s membership of CPTPP also risks driving pesticide-related harms to both health and environment on the ground where the food is grown. This is particularly true for member countries such as Vietnam, Peru and Chile where pesticide regulations tend to be weaker and poorly enforced.

Threats to UK human health and environment

- **RISK 1: The amount of pesticides in food could increase** – CPTPP member countries tend to allow larger amounts of Highly Hazardous Pesticides (HHPs) to appear in food than the UK. For example:

Pesticide active substance	UK	New Zealand	Australia	Chile	Peru	International standard	Health issues
Iprodione in grapes	0.01 mg/kg	X 1000	X 6000	X 1000	X 1000	X 1000	<ul style="list-style-type: none"> • Carcinogen • Suspected Endocrine Disruptor
Malathion in apples	0.02 mg/kg	X 25	X 100	X 25	Not Available	X 25	<ul style="list-style-type: none"> • Carcinogen • Suspected Endocrine Disruptor • Cholinesterase inhibitor

Pesticide active substance	UK	Canada	Australia	Health issues
Diuron in wheat	0.01 mg/kg	x 100	x 10	<ul style="list-style-type: none"> • Carcinogen • Suspected Endocrine Disruptor • Developmental or Reproductive Toxin

- RISK 2: The type of pesticides in food could become more toxic – Many pesticides banned from appearing in UK food are permitted in food grown in CPTPP member countries. For example:
 - Chlorpyrifos – Permitted to appear in food produced in CPTPP countries Australia, Chile, New Zealand and Peru. Shown to impair children’s brain development.
 - Triadimefon – Permitted to appear in food produced in Australia, Chile and Peru. Classified as a suspected endocrine disruptor (EDC) and developmental or reproductive toxin with links to cancer.
 - Dimethoate – Permitted to appear in food produced in Australia, Canada, Chile, Mexico, New Zealand and Vietnam. Classified as possible human carcinogen. Banned in UK due to potential risk posed to consumer health through long-term exposure via diet.
- RISK 3: The UK is likely to be pressured to approve or reapprove harmful pesticides – The UK takes a far more precautionary approach to which pesticides it decides to approve for use than any of the CPTPP member countries. When a pesticide is banned for use in the UK it is generally not permitted to appear in food. As a result, the UK could come under pressure to weaken its own domestic standards both during and after the CPTPP accession process.
 - 119 pesticides are approved for use in one or more CPTPP member country but banned in the UK to protect health and/or the environment. 67 (56%) of this total are classified as Highly Hazardous Pesticides (HHPs).
 - Bee-toxic neonicotinoids are banned in the UK but still permitted for use in almost all CPTPP member countries.
 - Water contaminants, such as the insecticides propargite and cadusafos, are banned in the UK but still permitted for use in almost all CPTPP member countries. Both of these insecticides are toxic to aquatic organisms and persistent in water.

Threats to UK agriculture

- UK farmers undermined by food imports produced in CPTPP member countries using pesticides banned in UK – The deal risks handing agribusiness in CPTPP member countries a competitive advantage since they are able to operate more cheaply using harmful pesticides that are banned in the UK to protect human health and/or the environment. In some cases, the UK even allows residues of banned pesticides to appear in food imports (e.g. paraquat is banned for use in the UK but imported apples are allowed to contain residues of up to 0.02 mg per kg).
- Trade and Agriculture Commission has highlighted pesticide double standard as a key problem – The TAC warned that *“The [UK-Australia] FTA is likely to lead to increased imports of products that have been produced at lower cost by using pesticides in Australia that would not be permitted in the UK”*. Given that CPTPP includes some of the world’s largest agricultural exporters, this competitive advantage is likely to cause much greater problems for UK farmers.
- Moves to weaken UK standards won’t solve the problem – Any weakening of domestic pesticide standards could result in UK exports struggling to meet EU standards. The EU remains the UK’s primary agricultural export destination, accounting for roughly 60%.
- Risks undermining recent progress on making UK farming more sustainable – Any pressure to lower UK pesticide standards via CPTPP risks damaging recent UK Government commitments to minimise the impacts of pesticides. In addition, if UK farmers are forced to compete with imports

produced more cheaply to lower standards they are less likely to sign up to England's Environmental Land Management Scheme (or similar schemes in the other three nations). At a time when the UK is asking its own farmers to produce more sustainably, the Government should not be making it harder for them to earn a living.

Key problems with the CPTPP core agreement

- Pushes for all member countries to adopt international standards – These standards are set by the UN FAO's Codex Alimentarius and tend to be weaker than their UK equivalents. Codex is widely criticised for prioritising free trade over concerns over consumer health and for being influenced by the agrochemical industry.
- Undermines the precautionary principle – If a CPTPP member country wants to go beyond international standards to introduce measures which are more protective to human health or the environment then it must be 'based on documented and objective scientific evidence that is rationally related to the measure.' This undermines the precautionary principle which theoretically underpins all UK decision-making on pesticides and allows regulators to adopt precautionary measures when scientific evidence regarding an environmental or human health hazard is uncertain and the stakes are high.
- Pressure to acknowledge 'equivalence' – Member countries are encouraged to acknowledge that their regulations are 'equivalent' and therefore achieve the same level of protection. However, every government inevitably considers its own regulation to be 'safe' and can pressure the UK Government to conclude the same. Adding to the pressure, each country is required, upon request, to explain the objective and rationale of their regulations.
- Introduces new avenues for member countries to request removal of UK pesticide regulations – There are regular meetings where Parties can raise concerns about each other's regulations if they feel they are obstructing exports. These provide a forum for CPTPP countries to challenge UK safety limits for the amount of a pesticide permitted to appear in food. CPTPP countries could also object to the current UK ban on residues of pesticides not approved for use in the UK.
- Reduces UK control over its trade policy – The UK Government presents trade sovereignty as one of the key benefits of EU exit. However, joining CPTPP with almost no opportunity to change the text of the agreement reduces the level of control that the UK has over its trade policy.

Key recommendations for the UK Government

- Do not allow any weakening of UK pesticide standards via CPTPP, including resisting all pressure during the accession process. This must include:
 - Ensuring that no currently banned pesticides are allowed for use in the UK
 - Ensuring that food containing detectable residues of currently banned substances cannot be imported into the UK
 - Ensuring that Maximum Residue Levels are maintained or strengthened.
- Prevent UK farmers from being disadvantaged by cheap food imports produced to weaker pesticide standards in CPTPP member countries. In particular, the UK must address the potential competitive threat to UK farmers by not allowing food imports grown using pesticides banned for use domestically.
- Make the UK's intention to maintain pesticide protections clear to all CPTPP member countries and seek agreement to use side letters to opt out of any elements of the CPTPP Agreement that which create additional obligations to justify taking a more stringent approach to protecting human health and the environment from pesticides.
- The UK Government and the Trade and Agriculture Commission should undertake and publish detailed assessments on the likely impacts of joining CPTPP on pesticide use in the UK and the associated impacts on public and environmental health.

- The UK should ensure that its borders are adequately resourced to ensure that products with illegal levels of pesticide residue aren't circulating in the UK.
- Ensure that membership of CPTPP does not hamper the ability of the devolved nations to introduce stricter measures to protect human health and the environment from pesticides.
- Resist all attempts by CPTPP member countries to push the UK to revert to weak Codex Alimentarius standards on pesticide residues.

What can parliamentarians do?

There is a real concern that political pressure to join CPTPP in order to recoup lost EU market access will cause the UK Government to accede to the deal without considering the impacts on human and environmental health or the farming sector. Parliamentarians have a key role to play in helping to keep these concerns on the political agenda.

PAN UK and Sustain are keen to work with you to help put pressure on the UK Government, including via oral and written questions and raising the issue in relevant debates and committee meetings.

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