

**Parliamentary Briefing: How the UK-India Free Trade Agreement threatens UK pesticide standards and farming – March 2023**

The UK and India are in the midst of negotiating a comprehensive Free Trade Agreement (FTA), with the UK Government aiming to “double trade with India by 2030”. The deal 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: India’ report which is co-authored by PAN UK, Sustain and international trade law expert Dr Emily Lydgate in consultation with PAN India:

[www.pan-uk.org/toxic-trade-india/](http://www.pan-uk.org/toxic-trade-india/)

**Summary of concerns**

While an FTA with any country with weaker pesticide protections presents a risk, the UK Government should be particularly concerned about a deal with India. With Indian food exports regularly containing high levels of pesticide residues, and the UK border control system under-resourced and in flux due to EU exit, it is highly likely that a rise in Indian food exports incentivised by an FTA will result in the increased exposure of UK consumers to harmful pesticides. Since India is one of the world’s largest agricultural producers, the deal also threatens to undermine UK farmers’ competitiveness by driving an influx of Indian food imports produced more cheaply using pesticides banned domestically to protect health and environment.

A UK-India FTA also risks driving pesticide-related harms to both human health and the environment in India where the food is grown. A. D. Dileep Kumar, CEO, PAN India said: *“Weakening pesticide standards in the UK has deadly consequences for farmers on the ground in India. Over 30,000 people die each year in pesticide-related deaths, and incentivising greater pesticide usage with relaxed laws and an expanded market will compound this problem even further.”*

**Threats to the health of UK consumers**

- Amount of pesticides in food could increase – India tends to allow larger amounts of Highly Hazardous Pesticides (HHPs) to appear in food than the UK. For example, the Maximum Residue Level (MRL) for malathion in both Indian apples and grapes is 200 times that of the UK (4 mg per kg in India vs. 0.02 mg per kg in the UK). Malathion is a carcinogen, cholinesterase inhibitor and suspected endocrine disrupter.
- Type of pesticides in food could become more toxic – Many pesticides banned from appearing in food in the UK are permitted in Indian food. For example, India allows food to contain residues of chlorpyrifos which has been shown to negatively affect the cognitive development of foetuses and young children.
- Indian agricultural exports frequently contain illegally-high levels of pesticide residues – Indian exporters regularly face problems with shipments of food being rejected by importing countries. While the list of Indian produce being rejected includes mangos, chillies and spices, the most problematic crop has proven to be basmati rice. In 2021, 200 tonnes of Indian basmati rice were rejected every month due to pesticide residues that exceeded the national limits of a wide list of countries including Egypt, Lebanon and Yemen.
- UK border controls unlikely to be able to prevent contaminated food from entering the country – Despite India’s ongoing problems with pesticide residues, just four Indian products are flagged as

requiring automatic testing (curry leaves, okra, peppers and sesame seed). The UK pesticide residue testing regime has not experienced a major rise in investment nor staff capacity since EU exit, despite the significant additional border control challenges it has brought. As a result, it is unlikely that the UK has the infrastructure and resources required to adequately test produce imported from India for pesticide residues.

- UK likely to be pressured to approve or reapprove harmful pesticides – India allows the use of 62% more Highly Hazardous Pesticides than the UK (118 to the UK's 73). The list of HHPs banned in the UK but still in use in India includes many that present a risk to human health (such as the lethal herbicide paraquat) and environmentally-damaging chemicals (such as bee-toxic neonicotinoids and atrazine which is persistent in water and harmful to aquatic ecosystems).

### Threats to UK agriculture

- UK farmers undermined by Indian food imports produced using pesticides banned in UK – Indian farmers growing crops that can be produced in the UK (such as wheat, onions, apples and sugar) are able to operate more cheaply using harmful pesticides that are banned in the UK, giving them a competitive advantage over UK producers. In some cases, the UK even allows residues of banned pesticides to appear in food imports. For example, a UK wheat producer cannot use the insecticide carbaryl because it is banned for domestic use. However, imported wheat is allowed to contain residues of up to 0.5 mg per kg of carbaryl.
- Trade and Agriculture Commission has highlighted pesticide double standard as a key problem – The TAC warned the UK Government 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 India is one of the world's largest agricultural exporters, this competitive advantage is likely to cause much greater problems for UK farmers. The Government's own impact assessment has projected a fall of £10m in domestic agricultural output if a trade deal is agreed with India.
- Moves to weaken UK domestic standards won't solve the problem – If the UK Government agrees to weaken domestic standards in order to facilitate imports from India, thereby encouraging British farmers to start using currently banned pesticides, then UK exports will struggle to meet EU standards. Given that the EU remains the UK's primary agricultural export destination, accounting for roughly 60%, this could have a devastating impact on the UK farming sector.
- Risks undermining recent progress on making UK farming more sustainable – Any pressure to lower UK pesticide standards via a deal with India risks damaging recent UK Government commitments to minimise the impacts of pesticides. In addition, if UK farmers are forced to compete with Indian 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.

### Factors to consider during UK-India negotiations

- India is one of the world's largest agricultural producers and exporters – This gives India a particular economic interest in weakening UK pesticide standards in order to ease access to the UK market for their food exports. UK imports of Indian agri-food are currently fairly low, leaving potential for a major increase under new trading arrangements.
- India has a long history of attempting to weaken pesticide standards – The Indian Government has long pushed for the EU to weaken its pesticide standards. India also has a track record of obstructing international efforts on pesticides and has chosen to repeatedly obstruct global attempts to regulate a number of Highly Hazardous Pesticides.

- Many Indian food exports already enter the UK tariff-free – While the UK does apply tariffs to some Indian agri-food imports, much of its produce (including rice, wheat and tea) already comes into the UK tariff-free. As a result, Indian negotiators are likely to focus on removing non-tariff (or regulatory) barriers which would almost certainly include pressure on the UK to facilitate Indian exports by allowing larger amounts of more toxic pesticides in food.
- India unlikely to agree to an FTA which doesn't increase access to UK food market – The UK Government has repeatedly promised not to sign a trade deal which compromises on existing food standards. However, it is highly unlikely that Indian negotiators would agree to eliminate tariffs on UK agri-food exports to India without securing significant benefits in terms of trading arrangements for their own agri-food exports in return.

### **Key recommendations for the UK Government**

- Do not allow any weakening of UK pesticide standards via a UK-India FTA. This must include:
  - Ensuring that no currently banned pesticides are allowed for use in the UK
  - Ensure that food containing detectable residues of currently banned substances cannot be imported into the UK
  - Ensure that Maximum Residue Levels are maintained or reduced.
- The UK Government and the Trade and Agriculture Commission should undertake and publish detailed assessments on the likely impacts of a UK-India FTA on pesticide use in both countries and the associated impacts on public health and the environment.
- Prevent UK farmers from being disadvantaged by cheap food imports produced to weaker pesticide standards in India. 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.
- The UK should not liberalise (phase out Tariff Rate Quotas) for Indian products that have a proven track record of violating Maximum Residue Level legal requirements or driving pesticide-related harms to human health or the environment in India.
- 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.
- The UK Government should reject clauses in a UK-India FTA which create additional obligations to justify taking a more stringent approach to protecting human health and the environment from pesticides.

### **What can parliamentarians do?**

There is a real concern that political pressure to conclude trade agreements in order to recoup lost EU market access will cause UK negotiators to bow to Indian Government demands on pesticides and food imports more broadly. Parliamentarians have a key role to play in helping to keep concerns regarding the impact of the UK-India FTA on consumer health and farming 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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Sustain's briefing on the impacts of the UK-India FTA on broader food issues is available at:

<https://www.sustainweb.org/reports/mar23-uk-india-trade-deal/>