

# Is child health up for negotiation in the UK's new food trade deals?

by Kath Dalmeny, chief executive of Sustain: The UK alliance for better food and farming; and Orla Delargy, leading for Sustain on food standards and public health in international trade

DATE: First submitted July 2020, updated and resubmitted November 2020

Currently, the UK supplies just over half of its own food. We [rely on imports](#) for over 80% of our fruit and just under half of our vegetables, a lot of it from the European Union. Clearly, securing good trade deals will be critical for not just our food supply, but – depending on the foods and standards prioritised –our public health and for dietary and health inequalities.

The UK government has already signed a deal with far-off Japan and started formal trade negotiations with Australia, New Zealand and the United States, all of which are likely to include a significant emphasis on agricultural exports and food products. By the time this article is published our trade negotiators may, or may not, still be playing hardball with our closer neighbours the EU, which currently supplies just under 30% of our food.

The United States is often demonised for their approach to trade, but they have open consultation with companies and civil society, they publish their negotiating objectives and deals are voted on in Congress. There is a high level of transparency, engagement and clarity about the national objectives that negotiators must work for in trade deals.

In the UK, on the other hand, trade talks have been taking place behind closed doors and there seems little likelihood of this changing. As citizens, even if we have specialist knowledge on nutrition, safety, farming, labour, ethical or environmental standards, we are not allowed to know who is advising the Government (the authors have specifically asked this question and been rebuffed) and what health and environmental standards they must take into account. The slim information any of us get from the talks comes via – for example – leaked minutes placed on the internet, or carefully polished top-line statements, light on detail, shared in select committees or in the media, often behind a paywall. Ironically, the British public and even our own elected representatives in parliament, have less scrutiny over trade deals now than when the UK was a member of the European Union.

What we *do* know is that public health is not a focus of the UK's published negotiating objectives. Furthermore, despite the fact that talks are underway, the government does not seem to have undertaken, and certainly has not published, any impact assessment of future trade deals on public health in the UK. It is not clear how they intend to marry trade policy with their domestic public health agenda and priorities, but taking a more careful look reveals some disheartening warning signs.

## *Trade negotiations*

In June 2020, Boris Johnson held a press conference to celebrate the start of the trade negotiations with Australia. As a visual aid, he waved a bag of Tim Tams, chocolate-covered biscuits with a chocolate cream filling, saying *"Think of the potential that we have. I want a world in which we send you Marmite, you send us Vegemite, we send you Penguins, and you send us, with reduced tariffs, these wonderful Arnott's Tim Tams. How long can the British people be deprived of the opportunity to have Arnott's Tim Tams at a reasonable price?"*

So, what might be the benefits to our health of a Tim Tam? Well, a Tim Tam, nutritionally is much the same as a Penguin. The UK needs no lessons in how to produce, promote and consume large amounts of sugary, fatty biscuits. And according to the makers of Penguins, biscuit sales in 2018 in the UK hit just over [£2.6bn in retail](#) and were bought by 99.1% of all households.

Thinking from the point of view of public health, how does importing increasing amounts of chocolate-covered, cream-filled biscuits serve the Government's current Obesity Strategy? At the end of July 2020, rocket-fuelled by concerns about high mortality rates from Covid-19 among people with obesity, and the Prime Minister's own brush with death, the government's new [Obesity Strategy](#) announced a ban on TV and online adverts for food high in fat, sugar and salt before the 9pm watershed. It will ban buy one, get one free (BOGOF) deals on "unhealthy food high in salt, sugar and fat", as well as promotion of sweets, chocolates, soft drinks and biscuits (chocolate coated or otherwise) at eye-catching ends of supermarket aisles and at entrances. It will also introduce mandatory calorie labelling on menus in larger restaurant chains.

Meanwhile, the lead author on the [National Food Strategy](#), the first part of which was published in the same week as the government's Obesity Strategy, has indicated that he hopes to commission the Institute of Fiscal Studies to look at what fiscal incentives, such as sugar and fat taxes, could reduce consumption of sugary and fatty foods. It's not clear where an influx of reasonably priced Tim Tams fits with any of these plans.

In the [Obesity Strategy](#), the government acknowledges that front-of-pack nutritional labelling is a key way to present information that people find helpful and easy to understand. They commit to publishing a four-nation public consultation to gather views and evidence on the current 'traffic light' label and on new international examples, opining that "We have an opportunity now we have left the EU to make decisions on labelling which are best for Britain."

Unfortunately, in international trade negotiations, decisions on labelling are hugely contentious. Previous experience should warn us that decisions on labelling that are best for British arteries, cancer rates and waistlines are very likely to come up against hugely well-resourced legal and commercial challenges. The rule of thumb in trade deals is that decisions must be best for the profitability of large national and multinational food companies that will benefit most from the deals.

In November 2019, [papers were leaked](#) from the trade negotiations between the US and the UK. They show clear hostility from the US negotiators to the introduction of health

warning labels on food, claiming they are "harmful" rather than a step to helping people identify more or less healthy foods. The US side said they were "concerned that labelling food with high sugar content is not particularly useful in changing consumer behaviour".

Every year the US government helpfully publishes a report outlining all the barriers they identify as getting in the way of them doing more trade. The [most recent paper](#) shows them arguing with India over traffic-light nutrition labelling, on-pack warnings about artificial sweeteners that are not suitable for children and labels on high-caffeine energy drinks. Mexico is chided for the same issues and for attempting to restrict the use of cartoon characters or celebrity endorsement for the marketing of less healthy processed foods. Saudi Arabia, meanwhile, which has seen an alarming increase in the prevalence of [overweight and obese children and adolescents](#), face opposition for trying to restrict the import of products with high levels of salt and sugar, due to the "lack of scientific justification" for establishing such limits.

The UK's front-of-pack, traffic-light labelling scheme – which uses colours, words and numbers to help UK consumers understand at-a-glance the amount of fat, saturated fat, sugar, salt and calories in a product – was introduced in 2013. In 2019 our government said, "This scheme was the result of over 15 years of research to provide a label that meets the needs of UK shoppers". Will US trade negotiators, lawyers and food companies accept our domestic policy and research, or dismiss these as 'unscientific' and oppose colour-coded labels on their products? We could have a long legal battle on our hands.

## *The UK's Global Tariff schedule*

With less fanfare, in May 2020 the Government announced the UK's new [Global Tariff](#), due to come into force when our temporary trading arrangement with the EU finishes in January 2021.

In their announcement the Department for International Trade said, "The new tariff system will support the economy by making it easier and cheaper for businesses to import goods from overseas. It will scrap red tape and other unnecessary barriers to trade, reduce cost pressures and increase choice for consumers and back UK industries to compete on the global stage." On the face of it, this sounds reasonable. However, closer examination reveals that our government plans to scrap 13,000 tariff variations: "*on products like biscuits, waffles, pizzas, quiches, confectionery and spreads*". Given the investment going into tackling obesity in the UK it is difficult to see why the government prioritises streamlining the importation of products that are high in fat, salt and sugar, just at a time when we are introducing a suite of measures to make the promotion and purchase of such products less appealing, not more.

So far, the UK has published its negotiating objectives for future trade deals with the [United States](#), [Australia and New Zealand](#). No doubt mindful of the high consumer concerns around chlorine-dipped chicken, the UK's objectives for the US deal do lightly touch on public health, but only in the context of ensuring food is safe to eat, within the very narrow definition of 'safety' being about control of pathogens. This does not include the longer-term impact of increased consumption of unhealthy products. There is no mention of public health in the other deals.

## *Sugar*

Back in 2017, health campaigners were bemused (and not a little angry) to discover that the conference of the political party of government, the Conservative Party, [had been sponsored](#) by the American-owned sugar company Tate and Lyle, which specialises in cane sugar. At the time, Professor Russell Viner, health promotion officer (now President) at the Royal College of Paediatrics and Child Health, said: "It's a really poor choice of sponsor and sends a very mixed message. On the one hand the government says it's determined to tackle obesity and to bring in the sugar tax. On the other, they're giving major prominence to a sugar company at their conference."

When the UK announced its new global tariff, UK sugar beet farmer [Tom Clarke](#) noticed that cane sugar was the only product to be given a tariff free quota. Processed foods, sugar and high fructose corn syrup (another form of sugar) are all [high on the list of edible goods exported by the US](#) and expected to be a prominent feature in any future UK/US trade deal.

Following the adoption of the North American Free Trade Agreement (NAFTA) in 1993 adult obesity rates rose in both Mexico and Canada. In Mexico, this has been attributed to [investment in processed food](#), additional advertising and an increase in the consumption of sugary beverages. Market watchers felt the increase in Canada was down to a sharp decline in the price of fructose, making it a more appealing ingredient for manufacturers of processed foods and sugary beverages.

Figures show obesity rates in the US of over 20% in comparison to 12% in the UK. Self-reported rates of being overweight (including obesity) [in US teenagers](#) is more than double (31%) that of the UK (14%). Trends in child and adolescent type 2 diabetes are also alarming. [Nearly 7,000 children](#) in England and Wales were reported in 2018 to be receiving treatment for this very serious, life-limiting condition, with greater prevalence in both children and adults from Black, Asian and minority ethnic backgrounds. Figures from the US [National Diabetes Statistics Report](#) (2020) show a similar pattern, with 23,000 children and adolescents under the age of 20 in the US diagnosed with type 2 diabetes. They further note rapidly increasing incidence over a five-year period, especially among Black, non-Hispanic young people.

Such trends in diet-related disease should stay our hand when signing deals that could disastrously increase the availability, marketing and consumption of cheap, sugary and fatty calories; and disastrously undermine efforts to regulate marketing of the products that contain them.

## *Babies and young children*

Trade deals have implications for how babies and young children are fed. For example, the health evidence in favour of breastfeeding is abundantly clear. A breastfed child is less likely to suffer from gastroenteritis, respiratory and ear infections, diabetes, allergies and other illnesses. According to the [World Health Organisation](#) breastfeeding has the potential to prevent about 800,000 under-five deaths per year.

That is why a marketing code was introduced in 1981 to regulate the marketing of breastmilk substitutes. This is implemented in the UK through strong regulations that prevent the aggressive marketing to parents and health professionals of infant formula, and prevents unwarranted health, nutrition and convenience claims. Infant formula is a key market opportunity for the dairy industry and a focus of heavy investment worldwide.

The US wants its corporations to trade these products freely and to do that it must prevent other countries from bringing in laws to stop them or regulate their marketing. We need to ensure that in leaving the EU, the UK does not weaken our laws protecting parents and health professionals from aggressive and misleading promotion of baby formula.

Additionally, we rightly expect [high quality food sold for babies and young children](#), free from harmful levels of contaminants such as pesticides, and with ingredient and nutrition labelling presented in a way that is familiar and readable. And we are making improvements all the time with new regulations currently under discussion to reduce the sugar and pesticide content of baby foods further, to look carefully at some of the potentially harmful processing by-products that appear in baby foods and to change the age that foods are marketed from to align with infant feeding recommendations. In the US for example there are no standards about the amount of sugar allowed in baby foods. There is also ongoing policy discussion about health claims made on foods and whether these should be further restricted on foods for babies and young children.

What approach will our trade negotiators take on baby foods and infant formula from other trading areas where compositional standards are non-existent or weak, and health claims are rife? Our government has yet to say.

## *Pesticides*

It is not just in diet-related disease that we have concerns about the impact of future trade on health. In June, we published a report [‘Toxic Trade’](#) with the Pesticides Action Network. It showed that UK consumers are likely to be exposed to larger amounts of more toxic chemicals in their food if our government does not take steps to protect us.

The UK currently has some of the most stringent pesticide regulations in the world, meaning that many agricultural products produced elsewhere cannot be sold here. However, concern is mounting that in the wake of the UK’s exit from the EU, trade deals currently under negotiation with the US, Australia and India will drive down UK pesticide standards.

UK citizens could soon have no choice but to consume food containing residues of pesticides that are currently banned from appearing in UK food. The US allows the use of almost 1.5 times the number of highly hazardous pesticides as the UK, while Australia permits almost double. As just one of many examples, unlike the UK, the US and India continue to allow food to contain residues of the insecticide chlorpyrifos which has been shown to negatively affect the cognitive development of foetuses and young children.

American grapes are allowed to contain 1,000 times the amount of the insecticide propargite than their UK equivalents. Propargite has been linked to cancer and classified as

a 'developmental or reproductive toxin', meaning that it can negatively affect sexual function and fertility and can cause miscarriages. An Australian apple can contain 30 times the amount of buprofezin – an insecticide classified as a possible human carcinogen – than a UK-produced apple.

## *Antibiotics*

Nearly three quarters of the total use of antibiotics worldwide is thought to be in animals rather than humans. Quite often their use enables less costly, cramped and less hygienic conditions for the farm animals. In many countries high levels of antibiotics can also be used as growth-promoters to enable faster and more profitable meat production. High levels of farm antibiotic use raise serious concerns about fuelling dangerous anti-microbial resistance, which affects us all.

Early this year, the Alliance to Save our Antibiotics (of which Sustain is a founding member) published [fresh analysis](#) of the difference in usage between the US and the UK. It showed that total antibiotic use in US farm animals is more than 5 times higher than in UK farm animals and in US cattle it is about 8–9 times as high as use in UK cattle. Our investigations also showed Australia does not monitor antibiotic sales and although New Zealand have been doing well on reducing their usage, there are some signs their sales are *increasing*.

The EU has recently announced a ban on group preventative treatment by 2022 and a 50% reduction in by 2030. The UK is refusing to confirm it will do the same. If we continue on this track, we will have the weakest rules on antibiotics in Europe and could lock in these low ambitions through trade deals that do not allow for regulation or systematic progress.

## *Summary*

Sustain has been carefully monitoring emerging UK government trade policy. We are deeply concerned that their approach does not take into account the impact of trade on public health, with particular reference to child health. Furthermore, if we lower our food and environmental standards to facilitate trade, we will jeopardise improvements made in domestic farming, land management, as well as action on climate change and biodiversity loss – at home and overseas.

In November, the Government announced it would put its Trade and Agriculture Commission on a statutory footing and extend its term so it could provide parliament with written reports on the possible impact on animal welfare and agriculture of the proposed trade deals. While this sounds like a welcome step towards better scrutiny we remain concerned that the government has failed to secure our food standards in law and that the Commission is poorly representative of farming, environmental, health and animal welfare concerns.

We continue to call for high food standards to be protected in law and for the Government to widen the membership of the Commission. Furthermore, we would like to see assessments on the possible impact on public health of each trade deal submitted to parliament in time for meaningful consideration and debate.

In addition, we need the Department for Health and Social Care to make an urgent assessment of how public health could be impacted by trade deals and – in a transparent and accountable way – for this to be part of the UK's general trade policy development. If we do not set robust public health ground rules, then others with a different agenda and wealthy food corporation backing will.