

[Impact of a potential EU-US FTA \(TTIP\) on consumer protection and food safety](#)

Keysources by Jan Baeverstroem, published on 08 September 2014

In the [Final Report to Leaders](#), on February 11 2013 the Co-Chairs [EU-U.S. High Level Working Group on Jobs and Growth](#) states that an objective of the negotiations is to achieve "the levels of health, safety, and environmental protection that each side deems appropriate" at the same time. A key shared objective should be to "identify new ways to prevent non-tariff barriers from limiting the capacity of U.S. and EU firms to innovate and compete in global markets. The two sides should also seek to strengthen upstream cooperation by regulators."

The negotiations should be used to find new ways to reinforce existing mechanisms like the [Transatlantic Economic Council- TEC](#) and the [High Level EU-US Regulatory Cooperation Forum - HLRFCF](#)". Areas where EU and US differ includes: hormones in meat, GMOs; energy consumption of cars, nanotechnology and privacy issues. The European Commission General Directorate for Trade has compiled a fact sheet "the [Regulatory part](#)"

Overviews

[Public Health and Food Safety Policies and Regulation in the United States](#) / Policy Department Economic and Scientific Policy, June 2013

This briefing note is made of two parts. The first on "Public Health Policy and Regulation in the United States", the second on "Food Safety Policy and Regulation in the United States".

[Legal Implications of TTIP for the Acquis Communautaire in ENVI Relevant Sectors](#) / Ecologic institute & Lorenzo Vicario, Policy Department A: Economic and Scientific Policy, October 2013

This study discusses the potential impact of the Transatlantic Trade and Investment Partnership agreement on the EU acquis in the areas of environmental and food safety. It recommends, in particular, that the European Parliament pays very close attention to the precise wording of provisions regarding the environment, food safety, and investment set out in the final text to ensure that both parties are able to maintain the environmental and consumer protection standards they deem appropriate, as provided for in the European Commission's negotiating mandate

Analysis

[Chancen und Risiken der Transatlantischen Handels- und Investitionspartnerschaft \(TTIP\) für die Verbraucherwohlfahrt](#) : Expertise im Auftrag der Abteilung Wirtschafts- und Sozialpolitik der Friedrich-Ebert-Stiftung / Jana Diels ; Christian Thorun. Friedrich-Ebert-Stiftung, November 2014

Ziel der vorliegenden Studie ist es, den derzeitigen Verhandlungsstand und den gesellschaftlichen Diskurs zum Abkommen im Hinblick auf die verbraucherpolitischen Implikationen zu analysieren und zu bewerten. Zu diesem Zweck wird ein Bewertungsrahmen entwickelt, der den Einfluss der in Frage kommenden Instrumente zum Abbau nichttarifärer Handelshemmnisse auf die einzelnen Dimensionen der Verbraucherwohlfahrt in den verbraucherrelevanten Teilmärkten (1) Lebensmittel und Ernährung, (2) Arzneimittel und Medizinprodukte, (3) Datenfluss und Datenschutz sowie (4) Finanzdienstleistungen zu messen erlaubt

[Lebensmittelstandards in Handelsabkommen : Unterschiedliche Regelungstraditionen von EU und USA und Tipps für TTIP](#) / Bettina Rudloff, SWP-Aktuell 2014/A 63, Oktober 2014, 8 Seiten

[‘Race to the bottom’ or setting global standards? Assessing the regulatory impact of the Transatlantic Trade and Investment Partnership \(TTIP\)](#) / Gabriel Siles-Brügge, Real Instituto Elcano. ARI 42/2014 - 19/9/2014

This study considers the likely regulatory impact of the proposed EU-US Transatlantic Trade and Investment Partnership (TTIP) in three key policy areas: investor protection, public services and food safety.

[The Transatlantic Free Trade Agreement : What’s at Stake for Communities and the Environment](#) / The Sierra Club, Juni 2013

U.S. - EU Regulatory Differences - Environment and Climate Change - Food Safety and Agriculture - Chemical Safety

[Trade, the Precautionary Principle, and Post-Modern Regulatory Process: Regulatory Convergence in the Transatlantic Trade and Investment Partnership](#) / Lucas Bergkamp, Lawrence A. Kogan, European Journal of Risk Regulation 4/2013, pp. 493-507

Europe’s precautionary principle (“PP”) has been identified as a potential obstacle to a successful outcome of TTIP negotiations. In our view, TTIP presents a significant opportunity for creating a process for regulatory cooperation, harmonization, and convergence. In this article, we focus on the PP and related differences in regulatory procedures. Specifically, we discuss the PP’s relationship to post-modernism, and its influence on EU regulatory procedure and science, highlighting the paradoxes inherent in the PP. To put these issues into perspective, we also review the ‘reality of precaution.’ In light of this analysis, we assess the effectiveness of the trading partners’ attempts to reduce the regulatory divide, and explore what the EU and US can learn from each other. We then proceed to present some recommendations on how they should proceed in the TTIP negotiations.

[Transatlantic regulatory cooperation : the shifting rules of the EU, the US and California](#) / Vogel, David, 1947- ; Swinnen, Johan F. M., 1962-, Cheltenham: Edward Elgar, 2011. EP Library Shelfmark 20.12.04 TRA 11

Legal guidelines for cooperation between the EU and American state governments / Daniel Farber -- Transatlantic environmental regulation-making : strengthening cooperation between California and the EU / Christina G. Hioureas and Bruce E. Cain -- California motor vehicle standards and federalism : lessons for the EU / Ann E. Carlson -- Rivers of diversity : water regulation in California and the EU / Gabrielle Bouleau and Matt Kondolf -- Reshaping chemicals policy on two sides of the Atlantic : the promise of improved sustainability through international collaboration / Megan R. Schwarzman and Michael P. Wilson -- Climate change policy in California : balancing markets versus regulation / Michael Hanemann and Chris Busch -- US versus EU biotechnology regulations and comparative advantage : implications for future conflicts and trade / Gal Hochman, Gordon C. Rausser and David Zilberman -- Circuits of regulation : transatlantic perspectives on persistent organic pollutants and endocrine disrupting chemicals / Chris Ansell and Jörg Balsiger -- How to get out of the transatlantic regulatory deadlock over genetically modified organisms? / Alberto Alemanno -- Food labels and the environment : towards harmonization of EU and US organic standards / David E. Winickoff and Kendra Klein -- EU-US horizontal regulatory cooperation : mutual recognition of impact assessment? / Anne C. M. Meuwese -- Transatlantic regulatory cooperation : conclusions and implications / Axel Marx and Jan Wouters -- Lessons learned and suggestions for improving regulatory cooperation between California and the EU / Ian Clark

Stakeholder views

EU Institutions' views .

[EU negotiating positions in more areas](#), 14 May 2014

[EU position on chemicals](#) - [EU position on cosmetics](#) - [EU position on pharmaceutical products](#) - [Sanitary and phytosanitary issues](#) ([Textual proposal](#), Jan 2015 & [Factsheet](#))

Internal market and consumer protection (IMCO) committee, February 5 2015, [discussion on amendments](#) tabled to the IMCO opinion on recommendations on the TTIP negotiations

[European Parliament resolution of 23 May 2013 on EU trade and investment negotiations with the United States of America](#)

17. Emphasises the sensitivity of certain fields of negotiation, such as the agricultural sector, where perceptions of Genetically Modified Organisms (GMOs), cloning and consumer health tend to diverge between the US and the EU; sees an opportunity in enhanced cooperation in agriculture trade, and stresses the importance of an ambitious and balanced outcome in this field; stresses that the agreement must not undermine the fundamental values of either side, for example the precautionary principle in the EU; calls on the US to lift its import ban on EU beef products, as a trust-building measure;

[European Parliament resolution of 23 October 2012 on trade and economic relations with the United States](#)

4. Stresses the importance of continuing with the strengthening of transatlantic economic relations, while supporting EU interests, in fields such as environmental, health and animal protection standards, food safety, cultural diversity, labour rights, consumers' rights, financial services, public services or geographical indications, among others;

11. Recognises that overly burdensome regulatory standards serve as significant barriers to trade, and that additional growth could follow from addressing such barriers; emphasises that an alignment of EU and US regulatory standards should aim at reaching the highest common standard and, thereby, also improve the product safety for consumers; underlines the need to avoid creating new (even if unintended) barriers to trade and investment, especially in key emerging technologies and innovative sectors;

13. Notes the importance of establishing data sharing protocols between the US Consumer Product Safety Commission and the European Commission in order to deal speedily and effectively with unsafe products placed on the market in either region

US Dep. Agriculture

[U.S.-EU Organic Equivalence Arrangement](#), 2012

A partnership that will recognize the two organic programs as equivalent and allow access to each other's markets

Congressional Research Service - CRS

[Proposed Transatlantic Trade and Investment Partnership \(T-TIP\)](#) / Shayerah Ilias Akhtar, Vivian C. Jones, February 4, 2014

Data Privacy -- Genetically Modified Organisms -- Approaches to Transatlantic Regulatory Cooperation

[The Consumer Product Safety Commission \(CPSC\) and International Trade: Legal Issues](#) / Brandon J. Murrill, Legislative Attorney, November 5, 2013

Most consumer products within the jurisdiction of the U.S. Consumer Product Safety Commission (CPSC) are imported into the United States. The CPSC is the central, federal authority for the promotion and enforcement of consumer product safety. In 2008, following several well-publicized national recalls of toys and children's products, many of which contained lead, Congress passed the Consumer Product Safety Improvement Act (CPSIA), which included provisions addressing the CPSC's role in ensuring the safety of imported and exported consumer products

Consumers' views

BEUC (The European Consumer organisation)

[Consumers at the heart of the Transatlantic Trade and Investment Partnership \(TTIP\)](#) / BEUC Position Statement, Last update 21 May 2014

[BEUC statement on Food & TTIP](#) BEUC Statement delivered at the TTIP Stakeholder Presentation Event, Brussels, 16th July 2014

Transatlantic Consumer Dialogue (TACD) is a forum for US and EU consumer organisations which develops and agrees on joint consumer policy recommendations to the US government and European Union to promote consumer interests in EU and US policy making.

2013 TACD Stakeholder Forum: “[The Transatlantic Trade and Investment Partnership: can it bring benefits to the people?](#)”, October 30, 2013

[Resolution on Regulatory Coherence in the Transatlantic Trade and Investment Partnership](#), December 2013

[Resolution on better regulation of chemicals, including nanomaterials](#), October 2013

[Resolution on the approach to food and nutrition related issues](#), October 2013

[Resolution on Trade Rules and Financial Regulation](#), October 2013

[Resolution on Data Flows in the TransAtlantic Trade and Investment Partnership](#), October 2013

[The Consumer Perspective on addressing e-commerce within the Transatlantic Trade and Investment Partnership](#), October 2013

Consumer Reports / Consumers Union is a non-profit organization best known as the publisher of Consumer Reports. Its mission is to "test products, inform the public, and protect consumers." It focuses on policy issues related to telecommunications, mass media, vehicle safety, health care, product safety, financial services, investing, food safety, housing, and energy and utility deregulation.

[The Overuse of Antibiotics in Food Animals Threatens Public Health](#), 11/10/12

[Stakeholder Presentation of Susan Grant, Director of Consumer Protection](#) / Consumer Federation of America: To Negotiators in the Transatlantic Trade and Investment Partnership, December 18, 2013

The Consumer Federation of America (CFA) is a non-profit organization founded in 1968 to advance consumer interests through research, education and advocacy. According to CFA's website, its members are approximately 300 consumer-oriented non-profit organisations, which themselves have a combined membership of 50 million people. It is generally regarded as liberal in the modern American sense of the term, and is associated with the consumer movement.

[Comments on the Transatlantic Trade and Investment Partnership](#), May 9, 2013

Public Citizen is a non-profit, consumer rights advocacy group based in Washington, D.C., United States. Public Citizen was founded by Ralph Nader.

Public Citizen

[Letter to USTR and EU Trade Commissioner](#), 10 July 2014

The undersigned organizations write to express our strong opposition to the inclusion of any terms in the Transatlantic Trade and Investment Partnership (TTIP) agreement that implicate the regulation of chemicals. This includes, but is not limited to, chapters on regulatory cooperation, investment, technical barriers to trade (TBT), sanitary and phytosanitary measures (SPS), and all sectoral annexes.

[TAFTA as Monsanto's Plan B: A Backdoor to Genetically Modified Food](#), 2013

European and U.S. agribusiness corporations, in their formal demands issued to TAFTA negotiators, have been remarkably candid in naming the specific U.S. and EU GMO regulations that they would like to see dismantled via TAFTA

[TAFTA Could Make You Sick: A Backdoor for Food Contamination](#), 2013

[TAFTA Studies Project Tiny Economic Gains, Ignore Major Costs from Gutting Environmental, Health, Financial and Other Safeguards](#), 2013

That is why studies focused on the impact of TAFTA's possible tariff reduction have produced meager estimates of any economic impact.

[U.S. Polling Shows NAFTA-style Trade Deals Becoming Even More Unpopular](#), 7 Nov. 2012 Recent polling indicates that American public opinion over the past few years has intensified from broad opposition to overwhelming opposition to NAFTA-style trade deals.

[Handelsabkommen: Die deutsche Angst vorm Chlorhühnchen](#) / Daniela Siebert, SWP & deutschlandfunk.de, 03.06.2014

Mit Chlor desinfizierte Hühnchen oder Gentechnik-Flocken im Müsli – in den USA werden solche Produkte akzeptiert, bei uns hätten sie keine Chance. Angesichts eines möglichen Handelsabkommens mit den USA kommt die Frage auf: Wie umgehen mit unterschiedlichen Lebensmittelstandards?

Producers' views

TransAtlantic Business Dialogue (TABD)

On October 31, 2012 TABD submitted its [joint statement](#) along with the Business Roundtable and ERT to the Federal Register Notice USTR-2012-0028 and to the European Commission request for comments earlier today. The submission on regulatory issues for a possible future trade agreement included 2 additional documents ([Forging a Transatlantic Partnership for the 21st Century](#) and [Letter on Regulatory Compatibility](#)) that were referenced in the joint statement.

[Business Roundtable](#), an association of CEOs leading U.S. companies, amplifies diverse business perspectives on the world's most difficult challenges. [Submission to the European Commission Directorate-General for Trade: Public Consultation on the Future of EU-U.S. Trade and Economic Relations](#). October 19, 2012

[American Chamber of Commerce to the European Union \(AmCham EU\)](#)

[Discriminatory taxation of food and beverages is ineffective and distorts competition](#), 6 November 2012
AmCham EU is concerned about discriminatory taxes applied to the food sector for the following reasons:

- Food and beverage taxes generate competitive disadvantages;
- Food taxes are regressive in nature and hit lower socio-economic groups hardest;
- There is no evidence demonstrating a positive impact of food taxes on the 'healthiness' of people's diets;
- Punishing specific food products alone would not automatically lead to the elimination of bad diets and lifestyles; and
- Food taxes hit companies that produce locally and could discourage investment in Europe by both European and non-European companies.

[AmCham EU's response to the European Commission Public consultation on the future of EU-US trade and economic relations](#), 27 September 2012

Regulatory Cooperation and Coherence: -- Regulatory Cooperation and Coherence -- Common Impact Assessment procedures -- Common Impact Assessment procedures

[AmCham EU's Position on the 2013 Ban on Animal Testing](#), 5 September 2012

- The goal of the testing and marketing bans of the Amendment 7 to the Cosmetic Directive was to eliminate the use of animals for EU cosmetics legislation purposes. The legislator has explicitly specified that the bans apply only to animal tests carried out ‘in order to meet the requirements of this Directive’ (emphasis added).
- There will be no positive impact on animal welfare by banning or refusing data that has been developed to meet EU non-cosmetic or third country regulatory requirements in line with applicable animal welfare standards.
- Refusing this data could run counter to OECD and WTO rules.

[AmCham EU's Position Statement on a Common European Sales Law](#), 20 August 2012

The American Chamber of Commerce to the European Union (AmCham EU) welcomes the initiatives of the European Commission aimed at strengthening the internal market and easing cross border transactions. From this perspective, AmCham EU supports the Commission's intention to improve the quality and coherence of European contract law in the framework of the better regulation agenda

[State Toxic Chemical Regulations at Risk in Upcoming Trade Negotiations](#) / Oct 3, 2013 by Katie Weatherford, Center for Effective Government

On Oct. 7, the United States and European Union will resume negotiations that began earlier this year over the Trans-Atlantic Free Trade Agreement (TAFTA). Since tariffs and quotas between the U.S. and EU are already quite low, the negotiations will focus primarily on reducing “non-tariff barriers” (such as differences in standards and regulations) to expand trade across the Atlantic.

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