



Humane Farm Animal Care

Post Office Box 727 Herndon, Virginia 20172 • Phone: 703-435-3883 • Fax: 703-435-3981 • www.certifiedhumane.org

Transatlantic Trade and Investment Partnership

Docket No: USTR-2013-0019

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To: Hon. Ron Kirk, USTR

Mr. Douglas Bell, Chair, TPSC

The U.S.-EU Transatlantic Trade and Investment Partnership (TTIP) promises vast opportunities to citizens of the world's two largest economies, providing greater access by U.S. investors and producers to the EU's 500 million-plus consumers, and increasing jobs and incomes in the process. Such an agreement is just what we need to give an urgently-needed boost to the global economy.

As has been the case in prior FTAs, this deal has the potential to provide particular benefits to America's beef, pork, poultry, egg, and dairy producers, in terms of vastly expanded markets. Indeed, recent FTA gains play a large role in the record-breaking profitability the U.S. agricultural industry has enjoyed, year after year, in recent memory.

Yet TTIP allows us to couple this dramatic economic growth with raised standards in keeping with American values: when it comes to negotiating with a sophisticated, developed partner such as the EU, it is time to recognize that beef-pork-poultry-eggs-dairy are not merely commodities on the level of corn, carrots, or soybeans. Given that sentient creatures are involved, any market access delivered to these producers should be balanced with an acknowledgement that corresponding animal welfare considerations are intrinsic to these industries. The EU has already made this connection, as demonstrated in its reference to animal welfare cooperation in its recent trade agreements with Korea and Colombia/Peru. It is time for the United States to update its definition of 'sound science', to include meeting the behavioral needs as well as the physiological needs of farm animals. The United States should additionally modify its position

that 'only sound science' will be discussed, and acknowledge that ethical considerations are as important to Americans as to Europeans in this regard.

A negotiating priority as fundamental to this comprehensive agreement as eliminating tariffs and opening markets should be that the very animals which will deliver a significant portion of our economic gains should be afforded the modest considerations -- space and decent care -- that is owed them by a civilized society.

As a practical matter, recognizing this fact would be a reasonable place to start when attempting to resolve the problems that have been mired in decades of transatlantic deadlock: chlorinated poultry, hormone-injected beef, ractopamine-laced pork, cloned animals. All of these issues share a common thread reflecting an EU acknowledgement of certain limits when dealing with animals, while U.S. trade policy makes no distinction between animals and inanimate objects.

This idea of a new approach towards these intractable issues is not novel; Secretary Kerry has indicated a need to recalibrate our positions in his recent trip to Europe, where he highlighted the need to switch from a 'lowest' to 'highest' common denominator mentality.

Former USDA trade negotiator, Jim Grueff, stated in his February 2013 'Achieving a Successful Outcome for Agriculture in the EU-U.S. TTIP Agreement':

"... In fact, a wholly new approach may be needed to talks on biotechnology and animal welfare. In both areas, there appear to be rather fundamental differences in attitudes between the EU and the U.S. On many issues, the resulting trade troubles have been negotiated between the two sides for years, without much progress, and it should not be expected that merely shifting the talks to bilateral negotiations on an FTA will necessarily yield more progress in the future."

Animal welfare language in the EU's FTAs with Korea and Colombia/Peru is really quite modest: a commitment to promote collaboration, to exchange information, to cooperate in the development of animal welfare standards in appropriate international fora. Engaging with the EU on these issues is not too much to ask.

But negotiators should agree to more than merely establishing a mechanism for future dialogue. Absent some balanced approach that includes specific regard for

animal welfare, TTIP will precipitate a 'race to the bottom' where high-standard producers are not able to compete with their low-standard counterparts. Bringing the question of standards into TTIP could provide the economic stimulus needed to cover transitional costs.

Gestation crates are one example: These have been banned in the EU but are still legal in the United States. Any "science-based approach" would clarify that, given what we know about the sentience and social nature of pigs, such highly confining devices are egregiously cruel. They are, in fact, on their way out in many U.S. production facilities, thanks to overwhelming consumer pressure. Linking their phase-out with increased transatlantic market access is an eminently fair trade.

Battery cage size is another example: If the EU were to accept American eggs, produced by hens confined in smaller cages, it would spark a 'race to the bottom' in those minimal standards that currently exist. The U.S. egg industry has actually supported legislation to upgrade standards to 'enriched battery cages' (2012 HR 3798/S 3239) but needs to 'all jump together' if it is to prevent such a transition from disadvantaging the early adopters. Coupling this industry-wide transition with increased market access across the Atlantic would mitigate the cost of what consumers and industry already seek to accomplish.

Given the overwhelming support we find in America for reasonable animal welfare standards, identified in poll after poll and in citizen referendums (California Prop 2 of 2008 being the most notable, carrying 63% of the vote), U.S. negotiators have nothing to lose and everything to gain by adopting a more balanced approach in attempting to find new areas of compromise on the way to a high-standard, comprehensive agreement with our European partners.

As the Founder and CEO of an organization that sets humane standards and performs audits on farms across the U.S., I can assure you that there is a lot of support from farmers of all species for this approach.

Sincerely,



Adele Douglass

CEO, Executive Director