



Government of the United Kingdom

Section 42 Report: Comprehensive Economic and Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and India

Presented to Parliament pursuant to Section 42 of the Agriculture Act 2020

21 November 2025

**Department for Business and Trade
Department for Environment, Food and Rural
Affairs**

Section 42 Report: Comprehensive Economic and Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and India

Presented to the Parliament pursuant to Section 42 of the Agriculture Act
2020



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ISBN 978-1-5286-6086-0

E03490474 11/2025

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty's Stationery Office

Ministerial Foreword

India is one of the fastest-growing economies in the world, and a country with whom the UK shares strong cultural, historic and economic ties. Trade between our two countries stood at £43bn in 2024. Investment supports over 600,000 jobs in the UK and India.

In July the UK and India signed a landmark free trade agreement, which will make trade quicker, cheaper, and easier for UK businesses and allow us to build on our strong links with India, a major global economy. It is the best deal that any country has ever agreed with India.

The deal will boost UK GDP by £4.8bn and bilateral trade with India by £25.5bn every year by 2040. The UK has secured tariff liberalisation from India on 90% of all tariff lines, with India's trade weighted average tariff dropping from 15% to 3%. As a result, tariff duties are estimated to fall by around £400 million initially, and £900 million after the tariff agreement is fully implemented.¹

In addition, the deal binds in existing market access and reduces barriers for UK service suppliers providing certainty for UK businesses to expand in India's growing market.

This deal demonstrates not only that we are delivering on the Growth Mission right across the UK, but also that we have championed our values. We are showing the world that we stand for free, fair, and open trade.

We are grateful to the Trade and Agriculture Commission, Food Standards Agency and Food Standards Scotland for the advice they have provided on the deal. It is encouraging to see that they agree that the UK-India Comprehensive Economic and Trade Agreement is consistent with maintaining our levels of statutory protection in relation to human, animal or plant life or health, as well as animal welfare and the environment.

We look forward to seeing the UK-India economic relationship continue to grow closer in the coming years, as our businesses and citizens benefit from this landmark deal.



The Rt Hon Peter Kyle MP

Secretary of State for Business and Trade

President of the Board of Trade



The Rt Hon Emma Reynolds MP

Secretary of State for Environment, Food and Rural Affairs

¹ [Impact assessment of the Free Trade Agreement between the UK and India executive summary \(web version\) - GOV.UK](#)

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Background

The UK-India Comprehensive Economic and Trade Agreement (CETA) was signed on 24 July 2025. The Government is now progressing the agreement through the statutory processes for its ratification.

Section 42(1) of the Agriculture Act 2020 requires that, where a Free Trade Agreement (FTA) includes measures applicable to trade in agricultural products², the Secretary of State must lay a report (the “S42 report”) before Parliament before the FTA can be laid in Parliament under the Constitutional Reform and Governance Act 2010 (CRaG).

The S42 report must explain whether, or to what extent, measures in that specific FTA applicable to trade in agricultural products are consistent with the maintenance of UK levels of statutory protection in relation to the following areas:

- (a) human, animal or plant life or health,
- (b) animal welfare, and
- (c) the environment.

Under Section 42 (4), the Secretary of State can seek advice from independent, expert persons in preparing the S42 report. To produce the India CETA S42 report, the Secretary of State has sought advice from the Trade and Agriculture Commission (TAC). The TAC’s remit is to produce advice on whether, or to what extent, the measures in the FTA which are applicable to trade in agricultural products are consistent with the maintenance of UK levels of statutory protection in relation to:

- (a) animal or plant life or health,
- (b) animal welfare, and
- (c) the environment.

Advice has also been sought from the Food Standards Agency (FSA) and Food Standards Scotland (FSS). The FSA and FSS are statutory bodies which collectively have responsibility for human health in relation to food safety across the UK. The FSA and FSS have produced joint advice, annexed to this report, on whether, or to what extent, the measures in the CETA are consistent with the maintenance of UK levels of statutory protection in relation to human health. The Department of Health and Social Care, as the department responsible for human health, has also been consulted on the main body of this report.

In line with the UK’s Trade Strategy, the period between the publication of the S42 report and the commencement of the statutory CRaG process will double from 10 sitting days to 20 sitting days allowing for more robust and deeper parliamentary scrutiny of the deal.

² As defined in [Section 42 \(7\)](#) of the Agriculture Act 2020.

Section 42 Report Scope and Conclusions

The S42 report considers the impact of the UK-India CETA on relevant UK statutory protections. Legislation that relates to UK levels of statutory protection in human, animal or plant life or health, animal welfare, and the environment is wide ranging and has varying territorial extent and application, based on the legislation in question. The UK is obliged to continue to apply in Northern Ireland the body of EU law set out in the Windsor Framework.

The scope of this report extends to all measures within the CETA that are applicable to trade in agricultural products. Accordingly, the following chapters in part or in whole are in scope of this report:

- Chapter 1: Initial Provisions and General Definitions
- Chapter 2: Trade in Goods
- Chapter 3: Rules of Origin
- Chapter 5: Customs and Trade Facilitation
- Chapter 6: Sanitary and Phytosanitary Measures
- Chapter 7: Technical Barriers to Trade
- Chapter 21: Environment
- Chapter 24: Good Regulatory Practice
- Chapter 28: General Provisions and Exceptions
- Chapter 29: Dispute Settlement

Additionally, this report considers the impact of tariff liberalisation on sensitive sectors and the consistency of these measures with the maintenance of UK levels of statutory protection.

For each of these chapters, this report assesses whether the measures within it are consistent with the maintenance of relevant UK statutory protections, with reference to the advice of the independent TAC, and the independent advice of the FSS and FSA where appropriate. This report also summarises what each CETA provision does to aid clarity and understanding of the effect of the CETA.

Section 42 Report Criteria

The following criteria have been used to determine whether, or to what extent, measures are consistent with the maintenance of UK levels of statutory protections:

- With reference to the implementation of the CETA, whether any changes to primary or secondary legislation are required for (a) human, animal or plant life or health, (b) animal welfare, and (c) the environment.
- Whether there are any measures in the CETA that affect the right to regulate of the UK Government and Devolved Governments.

Section 42 Report Conclusions

The chapters above identified as within scope of Section 42 (1) are consistent with the maintenance of UK levels of statutory protection in relation to human, animal or plant life or health, animal welfare, and the environment; no new import conditions are required through

implementation and there are no changes to statutory protections in these areas. Further, no measures change or restrict the right to regulate of the UK Government and Devolved Governments.

TAC Advice: Criteria and Conclusions

The TAC's full advice was laid in Parliament and published in full on 30 October 2025.

The TAC addressed three questions, in accordance with their terms of reference:

1. *Does the FTA require the UK to change its levels of statutory protection in relation to (a) animal or plant life or health, (b) animal welfare, and (c) environmental protection?*

The TAC concluded: no - "the FTA does not require the UK to change its existing levels of statutory protection in relation to animal or plant life or health, animal welfare, or environmental protection."

2. *Does the FTA reinforce the UK's levels of statutory protection in these areas?*

The TAC concluded: yes - "these various obligations reinforce the UK's ability to maintain its levels of statutory environmental protection".

3. *Does the FTA otherwise affect the ability of the UK to adopt statutory protections in these areas?*

The TAC concluded: no - "the India FTA does not otherwise affect the ability of the UK to adopt statutory protections in these areas."

This report considers detailed conclusions from the TAC advice in the relevant Chapter sections below.

FSA and FSS Advice: Criteria and Conclusions

The FSA and FSS' advice is annexed to this report. In summary, their advice states that:

- No changes to UK food and animal feed laws or standards are needed for the UK-India CETA to take effect.
- The UK-India CETA maintains all current UK rules and statutory protections on food safety and nutrition that fall under the responsibilities of the FSA and FSS.
- Some stakeholders and members of the public have expressed concerns about the agreement with India. Their concerns mostly centre on production standards, specifically India's use of pesticides and antibiotics prohibited in the UK, and exceeding UK MRL's (maximum residue levels) for pesticide residues.
- The agreement respects the respective powers of the UK Government and the devolved administrations to set rules on sanitary and phytosanitary (SPS) measures within their areas of competence. This means that any future decisions about domestic regulations will remain under UK and devolved government control.
- The agreement with India does not require any changes to UK laws that protect public health in relation to nutrition. This is based on analysis by the FSA and FSS, covering

areas such as nutrition and health claims, adding vitamins and minerals, food supplements, foods for specific groups, and nutrition labelling.

- This trade agreement does not restrict the UK's ability to negotiate an SPS Agreement with the EU.

The UK's Food Safety Authorities have concluded that measures in the UK-India CETA are consistent with the maintenance of UK levels of statutory protection in relation to human health.

Relevant Measures

The following sections provide rationale as to how the UK Government believes, having sought independent advice from the TAC, Food Standards Agency, and Food Standards Scotland, that the relevant Chapters within the India CETA are consistent with, and in some Chapters improve, the UK's ability to maintain its statutory protections in relation to human, animal, and plant life or health, animal welfare, and the environment.

Chapter 2: Trade in Goods

Chapter Summary

This chapter contains core provisions governing preferential trade between the Parties. These include articles on national treatment and treatment of customs duties. The chapter reiterates WTO rights and obligations on administrative fees, customs valuation, import and export restrictions, import licensing and non-tariff measures on importation and exportation. It includes transparency obligations.

Through this chapter and relevant annexes, the UK and India will each remove or reduce import duties on most agricultural and non-agricultural imports that originate in the other party. As part of the negotiated outcome, the UK confirmed that it would not apply WTO special agricultural safeguards³ in relation to India. This obligation is technically mutual, but India has no reserved WTO special agricultural safeguards.

Goods imports from India will receive duty-free access on 99% of UK tariff lines from entry into force of the agreement. In 2025, 47% of UK tariff lines are already MFN zero, and India benefits from duty-free access on a further 12% tariff lines under the UK's unilateral preferences for developing countries.

The UK has not offered preferential FTA access to India on the following agricultural goods: pork, chicken, eggs, milled rice, and sugar.

India will remove or reduce tariffs, or retain pre-existing zero tariffs, on 90% of tariff lines covering 92% of existing goods imports from the UK (based on 2022 trade).

In addition to affirming both countries' rights and obligations under the relevant WTO agreements, allowing members to apply trade remedies (anti-dumping, countervailing and global safeguard measures) proportionately and transparently, the Trade Remedies chapter of the CETA also includes a bilateral safeguard mechanism. This will allow the UK or India to temporarily increase tariffs or suspend tariff concessions if the tariff liberalisation agreed in the CETA leads to a surge of imports that causes or threatens to cause serious injury to domestic industry.

The TAC's advice (p. 16) noted that the Trade in Goods chapter "prohibits all other border restrictions on imports and exports, in the same terms as WTO law".⁴ This does not apply to

³ WTO special agricultural safeguards aim at raising tariffs. They can be triggered by import surges or price falls, virtually automatically (i.e., without any need to test injury or to negotiate compensation). They can only be used on products that were "tariffed" (e.g. quantitative restrictions converted to equivalent tariffs) and cannot apply to imports under tariff quota commitments.

⁴ Article 2.11 ('Import and Export Restrictions')

restrictions applied at the border to replicate internal measures in a non-discriminatory manner, such as a ban on sales of unsafe products; internal measures are subject to a national treatment obligation.⁵

Conclusion

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Nothing in the Chapter changes or restricts the right to regulate of HMG or Devolved Governments. As mentioned, a range of pre-existing WTO rights and obligations are reiterated in this Chapter, along with transparency obligations and other elements, and discipline a Party's measures affecting trade in goods.

Scope

The Trade in Goods chapter sets out provisions governing preferential access for goods under the CETA.

The chapter provides for annual data sharing on imports under the CETA. A goods sub-committee will meet at least every two years, to monitor implementation of the chapter, and seek to address promptly any barriers to trade in goods between the Parties, as well as any other matters referred to it by the Joint Committee.

The impact of tariff liberalisation on UK statutory protections

The UK currently imports a wide range of agricultural goods from India, such as tea and coffee, spices, fruits, vegetables, and nuts. These goods already need to meet UK food safety import rules. The liberalisation of tariffs does not entail changes to statutory protections on human, animal or plant life or health; animal welfare; or the environment. Tariff liberalisation does not restrict the ability of the UK Government and Devolved Governments to set or revise statutory protections on any of the above in the future.

All products imported into the UK will continue to have to comply with the UK's food safety and biosecurity standards, as they already must. The agreement protects the UK's regulatory autonomy to set its own independent standards, ensuring the UK can continue to uphold its high level of protection for human, animal, and plant life and health.

The Government has conducted an Impact Assessment, which considers potential impacts of the CETA on UK sectors and provides the government's best estimates of how UK imports from India might change.⁶

Chapter 6: Sanitary and Phytosanitary Measures

Chapter Summary

This chapter sets out the application of sanitary and phytosanitary (SPS) measures to trade between the UK and India. It focuses on the development and application of human, animal and

⁵ Article 2.4 ('National Treatment').

⁶ [Impact assessment of the Free Trade Agreement between the UK and India executive summary \(web version\) - GOV.UK](#)

plant life and health regulations. The chapter also sets out commitments to cooperate on animal welfare and antimicrobial resistance (AMR).

The chapter builds on the WTO SPS Agreement and aims to protect human, animal and plant life and health, while promoting co-operation, transparency and trade facilitation.

The CETA does not create any new permissions or authorisations for imports from India. All agri-food products must comply with UK SPS standards and wider import requirements in order to be placed on the UK market. The UK is not making any changes to UK's SPS legislation or import requirements, nor does the chapter require the UK to change its existing levels of statutory protection.

In relation to human health, the FSA and FSS state (section 8.1) that:

“The SPS chapter text agreed within the UK-India CETA is of fundamental importance as regards to reserving the UK's right to maintain existing laws and regulations to protect human life and health, including food safety and nutrition. It is also important in preventing any limitations in the way food regulation and enforcement is implemented in the UK.”

They conclude (section 14.1) that “no changes to the UK's food safety legislation are required for the UK-India CETA to take effect, and the UK will continue to uphold its existing food safety laws and protections under UK legislation.”

The TAC advice (p.25) notes that “the chapter manages to preserve the UK's rights to regulate”, and they conclude (p.30) “that the FTA does not require the UK to change its existing levels of statutory protection in relation to animal or plant life or health, animal welfare”.

Conclusion

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment. Furthermore, nothing in the chapter changes or restricts the right to regulate of the UK and Devolved Governments.

Scope

The majority of chapter 6, except for the articles listed below, is within the scope of this report, in that it applies to the maintenance of UK levels of statutory protection on human, animal or plant life or health.

Articles 6.15-6.18 are outside the scope of this report. These primarily relate to cooperation or governance measures of the CETA, with no impact on UK statutory protections.

Article 6.19 (Non-Application of Dispute Settlement) is covered under Chapter 29: Dispute Settlement in this report.

Articles

Article 6.1: Definitions

This article sets out that the definitions of the WTO SPS Agreement (as set out in Annex A to that agreement) shall apply to the SPS chapter. In addition, the definitions of organisations recognised by the WTO SPS Committee, and specifically the Codex, the World Organisation for Animal Health (WOAH), and the International Plant Protection Convention (IPPC) shall apply to this chapter. This supports an interpretation of the language used in this chapter that is consistent with the definitions that are used in WTO SPS Agreement and these international organisations.

Article 6.2: Objectives

This article establishes the objectives of the chapter, and whilst they have no direct effect on the UK levels of statutory protection, they signal the intention of the chapter and may affect its interpretation. This article includes an objective to protect human, animal and plant life and health in the territory of the Parties while facilitating trade.

Article 6.3: Scope

This article sets out the scope of the chapter. It specifies that all SPS measures that may directly or indirectly affect trade between the Parties are in scope of the chapter. This applies equally to both existing and future SPS measures.

In addition, the article provides that separate provisions on animal welfare and antimicrobial resistance are also in scope of the chapter.

Article 6.4: Rights and Obligations

The Parties have existing rights and obligations under the WTO SPS Agreement.

This article affirms that the Parties will continue to have these rights and obligations. The SPS chapter will not affect those WTO rights and obligations, which, where applicable, must be observed when any Party establishes or modifies its levels of statutory protection.

The TAC noted that Article 6.4.2 “indicates that the UK’s rights under the [WTO] SPS Agreement, including its obligation to base its SPS measures on science and, where science is insufficient, its right to adopt provisional measures, are not affected by the UK-India FTA.”

Article 6.5: Adaptation to Regional Conditions, including Pest- or Disease-Free Areas and Areas of Low Pest or Disease Prevalence

This article sets out the framework for assessing the safety of imports where the exporting country has a localised pest or disease outbreak. This will help to avoid unnecessary trade restrictions by facilitating the safe movement of products between areas which are unaffected whilst an outbreak elsewhere is managed.

This article underlines the importance of domestic legislation aimed at protecting human, animal and plant health, as the UK Government can make an evidence-based decision to block or allow specific product imports or imports from a specific region or location.

Article 6.6: Equivalence

This article highlights the importance of recognition of the equivalence of SPS measures to facilitating trade. It does not in itself recognise the equivalence of any SPS measures in either Party but outlines a procedure for recognition of the equivalence of SPS measures and seeks to ensure that determinations of equivalence are made within a reasonable period of time.

The article requires each Party to consider relevant guidance of the WTO SPS Committee, and relevant international standards, guidelines and recommendations when determining equivalence.

The article is clear that the final determination of equivalence rests with the importing Party. No new recognitions of equivalence have been made as part of the CETA negotiations.

The TAC notes that (p. 18) “the FTA mechanism does not limit the UK’s right to deny an equivalence request when compared to its position under WTO law.”

The Article also states that an accepted equivalent SPS measure of India under this Chapter is still required to comply with other relevant UK mandatory requirements.

The FSA and FSS note (section 8.3) that: “final decisions on equivalence rest with the importing Party, in line with its legal framework and international guidance.

No new equivalence decisions for agri-food products were proposed under the UK’s agreement with India.”

Article 6.7: Import Conditions

This article sets out the various requirements that each country’s import regime needs to comply with, with the intention of facilitating trade. These include obligations for import conditions to be made public; import conditions relating to the import of specific goods to be identified on request; SPS control, inspection, assessment, approval procedures, and audits to be completed without undue delay; risk assessment outcomes to be communicated upon request; and establishments or facilities to be approved without prior inspection if the importing Party has determined they meet its SPS requirements.

The TAC notes (p.26) in relation to the WTO SPS Agreement reference in Article 6.7.2 of the CETA that “by referring to Article 3 [of the WTO SPS Agreement] in this way, we believe the UK has incorporated the UK’s right under Article 3.3 of the [WTO] SPS Agreement to adopt measures that achieve a higher level of protection, provided that these are based on a scientific risk assessment, or on a provisional basis where there is insufficient science to conduct a risk assessment. Such a reading would replicate the UK’s legal position under Article 3 of the [WTO] SPS Agreement.”

The UK-India SPS chapter does not stop the UK establishing SPS measures or import conditions that go beyond international standards, guidelines or recommendations, or that are established on a precautionary basis, as provided for under the WTO SPS Agreement.

Article 6.8: Audit

This article sets out that each Party has the right to audit the regulatory control programme of the exporting Party’s competent authorities to attain and maintain confidence in their regulatory control programme, and to comply with the importing party’s import conditions and control measure.

The article sets out how such audits shall be conducted, and how measures can be taken in consequence of an audit.

The TAC notes (p.27) that Article 6.8 “enhances the UK’s WTO rights,” and that as the WTO SPS Agreement does not specifically regulate audits “the provisions in the FTA permitting and regulating audits represent additional rights for the UK, or at least elaborations of what can be implied from the [WTO] SPS Agreement.”

In relation to the conditions that apply to the UK’s additional rights under the CETA, the TAC concludes (p.27) that “we do not consider that these provisions limit the UK’s WTO rights to protect its levels of SPS protection.”

The FSA and FSS note (section 7.4) that “this Article does not prevent the UK from conducting audits where justified to verify India’s food safety controls, nor from taking emergency measures to protect food safety when necessary.”

Article 6.9: Certification

This article sets out the framework for certification on goods. Official certificates shall be in line with the principles in the relevant international standards, guidelines, and recommendations, and applied only to the extent required to meet the importing Party's appropriate level of protection. This is to ensure that certification does not present an unnecessary barrier to trade.

Article 6.10: Import Checks

This article sets out that each Party has the right to carry out import checks based on the SPS risk associated with imports, to ensure products comply with domestic import requirements and statutory protections. It states that checks shall be carried out without undue delay. The importing Party can take action on the grounds of non-compliance if products do not meet import requirements, but this must be based on an assessment of the risk involved and not be more trade-restrictive than required to achieve the Party's appropriate level of protection.

The TAC considered the UK's ability under the CETA to take action in the event of non-compliance, and the interactions between the CETA article and WTO SPS Agreement and concluded (p.28) that "article 6.10.2 does not change the parties' rights under the [WTO] SPS agreement."

The FSA and FSS state (section 7.5) that "this Article does not limit the UK's ability to carry out risk-based import checks or to take enforcement action when non-compliance is found, in accordance with existing UK laws and regulations.

The emphasis on risk-based checks in this Article is in alignment with the UK's risk-based approach to official controls."

Article 6.11: Emergency Measures

The article does not place any restrictions on a parties' ability to enact emergency SPS measures where there is a particular risk to animal, plant or human life or health. It includes a notification requirement and, given that emergency measures affect existing trade flows, sets out how technical consultations can be requested. This article states that if a Party adopts an emergency measure, it shall undertake a science-based review of that measure within a reasonable period of time.

The TAC stated that they do not believe Article 6.11 limits the rights of the UK to adopt emergency measures on a provisional basis when science is lacking. The TAC concludes (p.26) that "in short, Article 6.11 does not limit the UK's rights under the [WTO] SPS Agreement."

This is consistent with preserving the UK's freedom to set and maintain its levels of statutory protection in response to new and emerging risks.

Article 6.12: Animal Welfare

The article recognises the connection between the improved health of farmed animals and the welfare of farmed animals.

The article affirms the right of each Party to set its policies and priorities for the protection of animal welfare. It includes commitments to cooperate on animal welfare, and on the World Organisation for Animal Health animal welfare standards.

The TAC notes (p.29) that Article 6.12.3 "reinforces the international law position for the UK and has no limiting effect on the UK's rights."

The TAC also notes (p.35) that including the provisions on animal welfare “represents an achievement in pursuing the UK’s policy on animal welfare protections”.

Article 6.13: Antimicrobial Resistance

Both the UK and India recognise that antimicrobial resistance (AMR) is a global threat to human and animal health.

The article focuses on bilateral cooperation, including commitments on the exchange of experiences, relevant information, expertise and data with each other. The Parties acknowledge that the threat of antimicrobial resistance requires the development and implementation of their respective National Action Plans.

The TAC notes (p.35) that the inclusion of provisions on AMR “represents an achievement for the UK’s pursuance of its policy in this regard.”

All agri-food products imported into the UK under existing or future FTAs will, as now, have to comply with our import requirements which includes clear controls on limits of veterinary medicine residues in meat and other animal products.

Article 6.14: Technical Consultations

This article sets out that if a Party has concerns with any proposed or implemented SPS measures, or any other measure within scope of the chapter, it may request technical consultation.

The purpose of technical consultations is to share information and increase understanding, with a view to resolving any concerns about the specific measure within a reasonable period of time.

Chapter 7: Technical Barriers to Trade

Chapter Summary

This chapter facilitates trade by addressing non-tariff barriers caused by technical regulations, standards, and conformity assessment procedures for goods. The objective of the chapter is to eliminate unnecessary technical barriers to trade (TBT), enhance transparency, and promote greater regulatory cooperation and good regulatory practice.

TBT covers how trade in all products is regulated, except for Government Procurement measures and Sanitary and Phytosanitary (SPS) measures. Examples of TBT regulations include toy safety and minimum cocoa requirements for chocolate.

This chapter builds on the WTO TBT Agreement⁷ while protecting each country’s right to regulate to fulfil legitimate policy objectives, such as the protection of human, animal and plant life or health and the environment⁸. This right to regulate extends to Devolved Government regulation.

This chapter, including Annex 7A, does not change or reduce UK levels of statutory protections (including Devolved Government statutory protections) including with relation to human, animal and plant life or health and the environment.

⁷ The WTO TBT Agreement can be found at: https://www.wto.org/english/tratop_e/tbt_e/tbt_e.htm

⁸ As incorporated by Article 8.4 of this Chapter.

Paragraph 9 of Article 7 (Conformity Assessment) of this chapter extends equal treatment for conformity assessment bodies located in the territory of either Party, for the specific product sectors laid out in Annex 7A (reproduced below). This equal treatment allows UK or India-based conformity assessment bodies to apply to the other Party's national accreditation body to potentially enable them to provide conformity assessment services for specific regulations. In practice, this means that UK accredited and approved Indian conformity assessment bodies will be able to test products to UK regulations prior to exporting, whereas previously products had to be tested by an accredited and approved conformity assessment body based in the UK (or a CPTPP country). National treatment of conformity assessment bodies is not extended to agricultural or food products.

Secondary legislation under the Product Regulation and Metrology Act 2025 will be required to implement these changes, amending 12 regulations which are listed in Annex 7A below. This will provide National Treatment of Conformity Assessment Bodies for specific product sectors owned by DBT. These amendments will not adversely impact existing statutory protections and are consistent with maintaining UK-wide statutory protections.

Conclusion

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Scope

Chapter 7 is in scope of this report, as TBT-related measures include product types specified in Section 42.2(a) of the Agriculture Act 2020.

Articles

Article 7.1 Definitions

This Article applies the definitions in Annex 1 to the WTO TBT Agreement.

Article 7.2 Objective

The Article's objective is to facilitate trade by eliminating unnecessary technical barriers to trade, enhancing transparency, and promoting cooperation.

Article 7.3 Scope

This Article sets the scope of the chapter, which applies to the preparation, adoption and application of all technical regulations, standards and conformity assessment procedures of central level of government bodies that may affect trade in goods between the Parties, except for Government Procurement and SPS measures. It confirms that Parties may still adopt or maintain technical regulations, standards, or conformity assessment procedures in accordance with their rights and obligations protected under the TBT Agreement.

Article 7.4 Affirmation of the TBT Agreement

The Parties affirm their rights and obligations under the WTO TBT Agreement.

The FSA and FSS note (section 8.2) that "the agreed text therefore reinforces the UK's right to adopt technical measures aimed at achieving legitimate public policy goals—such as the protection of human health and food safety—as set out in Article 2.2 of the WTO TBT Agreement and reiterates key provisions of that Agreement."

Article 7.5 Standards, Guides, and Recommendations

The Article confirms that the Parties recognise the important role that international standards, guides, and recommendations can play in supporting greater regulatory alignment which can reduce unnecessary barriers to trade.

It sets out how to determine whether an international standard exists. This is important because of WTO-level commitments which require members to base technical regulations and conformity assessment procedures on relevant international standards, except where these would be ineffective or inappropriate for fulfilling legitimate regulatory objectives.

If a Party does not use relevant international standards, guides or recommendations, they must explain their reasons and provide information.

The Article requires the Parties to encourage their national standards bodies to develop gender responsive standards.

The FSA and FSS note (section 8.3) that “this reaffirmation does not constrain the UK’s regulatory autonomy, nor does it necessitate changes to existing statutory protections related to food safety or nutrition.

Article 7.6 Technical Regulations

This Article requires Parties to positively consider accepting technical regulations of the other Party as equivalent, provided they fulfil the objectives of its own regulations. It also facilitates information exchange on technical regulation development to foster greater alignment between the Parties’ regulatory systems.

Article 7.7 Conformity Assessment

This Article sets out commitments to ensure government authority conformity assessment body fees are fair.

It requires that mandatory conformity assessment processes are proportionate and based on relevant international standards. It encourages Parties to consider allowing manufacturers to self-declare compliance as an alternative to mandating third party testing.

It encourages the use, where appropriate, of online testing.

This Article requires Parties to accord to conformity assessment bodies located in the territory of the other Party treatment no less favourable than that it accords to conformity assessment bodies located in its own territory for sectors listed in Annex 7A below.

In practice, this means that conformity assessment bodies established in India must be able to apply for accreditation in the UK to carry out conformity assessment for goods covered by the specific product sectors (all owned by the Department for Business and Trade) listed in Annex 7A entering Great Britain. This is currently not possible under some of the UK’s sectoral regulations, which require conformity assessment bodies to be based in the UK, Great Britain, a CPTPP country, or in a country with which the UK has a mutual recognition agreement.

Secondary legislation will be required to implement this change and amend 12 relevant regulations. India-based conformity assessment bodies applying to the UK competent authority – the United Kingdom Accreditation Service (UKAS) – will only be granted accreditation if UKAS deems that the conformity assessment body meets the same competence requirements as any UK-based conformity assessment body would need to. As such, this change will have no impact on UK statutory protections or UKAS’ role as the UK’s national accreditation body.

Article 7.8 Marking and Labelling

This Article ensures that the Parties' technical regulations concerning product marking and labelling do not accord favourable treatment to domestic goods and do not create unnecessary obstacles to trade.

The Article includes particular requirements that allow for corrections to labelling to take place in designated areas in the destination country, that allow for adhesive labels, that permit other languages on the label, and that pictograms and similar devices can be used. These facilitations help businesses label products flexibly and avoid unnecessary product returns.

Article 7.9 Transparency

This Article emphasises WTO TBT Agreement commitments to provide 60 days for comments on proposals for technical regulations and conformity assessment procedures and to provide 6 months between their publication and entry into force.

It ensures that Parties provide a rationale for regulations to be introduced. It commits Parties to take comments from the other Party into account when developing technical regulations. It also commits both Parties to ensure public access to final versions of the technical regulations and conformity assessment procedures.

It stipulates that each Party shall allow persons from the other Party to participate in developing technical regulations, standards, and conformity assessment procedures on terms no less favourable than those that are afforded domestic persons.

It allows the UK to request summaries in English of draft technical regulations and conformity assessment procedures. It confirms that information exchanges and explanations be provided in English.

Parties commit to consider methods to provide additional transparency when developing technical regulations, standard and conformity assessment procedures.

Article 7.10 Cooperation and Trade Facilitation

This Article sets out a range of measures that Parties may take to further cooperation and facilitate trade. This includes considering sector-specific cooperation proposals and exploring further opportunities to cooperate on technical regulations, standards and conformity assessment procedures.

Article 7.11 Technical Discussions

This Article sets out that a Party may request technical discussions to resolve matters under this chapter with the other Party, and discussions shall be held within 60 days of the request.

Article 7.12 Contact Points

This Article sets out that each Party will designate a contact point to facilitate cooperation on topics relevant to this chapter.

Article 7.13 Subcommittee on Standards, Technical Regulations, and Conformity Assessment Procedures

This Article establishes a Subcommittee on standards, technical regulations and conformity assessment procedures to monitor the implementation of this chapter and to facilitate technical discussions and cooperation.

ANNEX 7A Product Sectors

The product sectors referred to in paragraph 9 of Article 7.7 (Conformity Assessment), to be identified by reference to the scope of the UK legislation listed and as amended from time to time and as replaced by any successor legislation, are:

- (a) *Measuring instruments*: The Measuring Instruments (EEC Requirements) Regulations 1988
- (b) *Non-automatic weighing instruments*: The Non-automatic Weighing Instruments Regulations 2016
- (c) *Equipment for potentially explosive atmospheres*: The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016
- (d) *Pressure equipment*: The Pressure Equipment (Safety) Regulations 2016
- (e) *Lifts*: The Lifts Regulations 2016
- (f) *Simple pressure vessels*: The Simple Pressure Vessels (Safety) Regulations 2016
- (g) *Appliances burning gaseous fuels*: Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels
- (h) *Pyrotechnics*: The Pyrotechnic Articles (Safety) Regulations 2015
- (i) *Recreational craft*: The Recreational Craft Regulations 2017
- (j) *Noise emissions*: The Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001
- (k) *Personal protective equipment*: Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment
- (l) *Machinery*: The Supply of Machinery (Safety) Regulations 2008
- (m) *Electromagnetic compatibility*: The Electromagnetic Compatibility Regulations 2016
- (n) *Toys*: The Toys (Safety) Regulations 2011
- (o) *Radio equipment*: The Radio Equipment Regulations 2017
- (p) *Sporting products (including cricket equipment)*: Insofar as they are regulated in the legislation listed in this Annex.
- (q) *Textiles*: Insofar as they are regulated in the legislation listed in this Annex.

Of these, the regulations pertaining to (a), (b), (c), (d), (e), (f), (g), (i), (k), (m), (n) and (o) require a change in legislation.⁹

⁹ 1. The Party's request should identify with precision the respective technical regulation it considers to be equivalent and any data or evidence that supports its position.

2. Nothing in this Article requires a party to accept the results of a conformity assessment body which has not been accredited by an accreditation body of that Party.

3. For greater certainty, it is recognised that prior consultations may be necessary in order to arrive at a mutually satisfactory understanding.

4. For greater certainty, a Party may comply with this obligation by ensuring that the proposed and final measures in this paragraph are published on, or otherwise accessible through, the WTO's official website.

Chapter 21: Environment

Chapter Summary

The objective of this Chapter is to promote sustainable development, mutually supportive trade and environmental policies, high levels of environmental protection, and to enhance the capacities of the Parties to address environmental issues, including through cooperation. Article 21.3.1 of the Chapter (General Commitments, Right to Regulate and Levels of Environmental Protection) recognises the sovereign right of the UK to establish its own levels of environmental protection and priorities and to establish, maintain, or modify our environmental laws and policies accordingly.

The Chapter also includes commitments on cooperation across a range of environmental issues of mutual interest, including in relation to climate change, environmental goods and services, transition to resource-efficient and circular economy, air quality, and sustainable forest management. The Parties' cooperation commitments are subject to national circumstances. All references below to cooperation within specific Articles of the Chapter must be read accordingly.

Under Article 21.3.4, a Party shall not waive or otherwise derogate from, or offer to waive or otherwise derogate from, its environmental laws in a manner that weakens or reduces the protection afforded in those laws in order to encourage trade or investment between the Parties.

Conclusion

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Scope

The majority of Chapter 21 lies within scope of this report.

Articles

Article 21.1 Definitions

This Article sets out the definition of what is meant by the term “environmental law”.

Article 21.2 Objectives

This Article sets out the objectives of this Chapter, which include to promote mutually supportive trade and environmental policies; to promote high levels of environmental protection; and to enhance the capacities of the Parties to address environmental issues, including through cooperation.

Article 21.3 General Commitments, Right to Regulate, and Levels of Environmental Protection

This Article sets out multiple statements and commitments on environmental protection, including recognising the sovereign right of each Party to establish its own levels of environmental protection and priorities, and to establish, maintain, or modify its own environmental laws and policies accordingly.

This Article commits Parties to strive to ensure their environmental laws and policies provide for, and encourage, high levels of environmental protection, and to strive to continue to improve their respective levels of environmental protection.

This Article recognises that the Environment Chapter does not oblige the Parties to harmonise their environmental standards to achieve the objectives of this chapter.

This Article contains a commitment that neither Parties shall fail to effectively enforce its environmental laws through a sustained or recurring course of action or inaction to encourage trade or investment between the Parties.

This Article recognises that it is inappropriate to encourage trade or investment by weakening or reducing the protection afforded in their respective environmental laws. Accordingly, this Article obligates the Parties not to waive or otherwise derogate from, or offer to waive or otherwise derogate from, their respective environmental laws in a manner that weakens or reduces the protection afforded in those laws, in order to encourage trade or investment between the Parties.

This Article also recognises that it is inappropriate for a Party to apply its environmental laws, policies, or measures in a manner that would constitute an arbitrary or unjustifiable discrimination or a disguised restriction on trade or investment between the Parties.

Article 21.4 Multilateral Environmental Agreements

This Article recognises the important role that multilateral environmental agreements ('MEAs') play in protecting the environment and affirms each Party's commitment to implement the MEAs to which it is a party.

This Article provides for cooperation with respect to environmental issues of mutual interest related to MEAs.

Article 21.5 Climate Change

This Article recognises the importance of achieving the ultimate objective of the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement. Amongst other things, it further recognises that the impacts of climate change will be much lower at the temperature increase of 1.5°C compared with 2°C, and the call for parties to the UNFCCC and the Paris Agreement to accelerate efforts towards the phase-down of unabated coal power, in accordance with the Glasgow Climate Pact 2021.

This Article accordingly commits the UK and India to endeavour to encourage the transition to clean energy; and affirms their respective commitments to implement the Paris Agreement with the aim of strengthening the global response to climate change by holding the increase in global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels.

This Article provides for cooperation with respect to climate change.

Article 21.6 Environmental Goods and Services

This Article commits the UK and India to endeavour to facilitate and promote trade and investment in environmental goods and services, including through the CETA's Sustainability Subcommittee and in conjunction with other relevant committees established under the CETA, as appropriate.

This Article provides for cooperation with respect to ways to enhance trade in environmental goods and services.

Article 21.7 Ozone Depleting Substances and Hydrofluorocarbons

This Article recognises that emissions of ozone depleting substances can significantly deplete and otherwise modify the ozone layer in a manner that is likely to result in adverse effects on human

health and the environment. The Parties further recognise the importance of reducing the use of ozone depleting substances and hydrofluorocarbons.

This Article, accordingly, affirms the UK and India's commitment to implement the Montreal Protocol on Substances that Deplete the Ozone Layer including the Kigali Amendment on the phase-down of hydrofluorocarbons.

This Article provides for cooperation with respect to ozone-depleting substances and hydrofluorocarbons.

Article 21.8 Air Quality

This Article recognises that air pollution is a serious threat to public health and ecosystem integrity, the importance of reducing domestic air pollution, and that cooperation can be beneficial in achieving these objectives, taking into account national circumstances. To that end, this Article commits the UK and India to endeavour to reduce air pollution.

This Article provides for cooperation with respect to air quality.

Article 21.9 Protection of the Marine Environment from Ship Pollution

This Article recognises the importance of protecting and preserving the marine environment and the impact of pollution from ships, and to that end, the UK and India affirm their commitments to implement the International Convention for the Prevention of Pollution from Ships to prevent the pollution of the marine environment from ships.

This Article provides for cooperation with respect to pollution of the marine environment from ships.

Article 21.10 Marine Litter

This Article recognises the importance of taking action to prevent and reduce marine litter, which includes plastics and microplastics.

This Article provides for cooperation with respect to combatting marine litter.

Article 21.11 Marine Wild Capture Fisheries

This Article recognises the importance of taking measures aimed at the conservation and sustainable management of fisheries and ecosystems, acknowledging that the fate of marine wild capture fisheries is an urgent resource problem in many parts of the world and the importance of the marine fisheries sector to the UK and India's development and their fishing communities' livelihoods.

It further acknowledges that inadequate fisheries management and illegal, unreported, and unregulated ("IUU") fishing can have significant negative impacts on the environment; and recognises the importance of promoting good fisheries governance and of promoting the long-term conservation of sharks, marine turtles, seabirds, and marine mammals through the implementation of conservation and management measures.

Additionally, it affirms the UK and India's respective commitments to implement the relevant international agreements to which they are party.

This Article provides for cooperation with respect to marine wild capture fisheries.

Article 21.12 Sustainable Forest Management

This Article provides for the UK and India to endeavour to support the conservation and sustainable management of forests, to combat illegal logging and associated trade, and to reduce deforestation and forest degradation.

This Article provides for cooperation with respect to the conservation and sustainable management of forests.

Article 21.13 Conservation of Biological Diversity

This Article recognises the role that territorial and marine biological diversity plays in achieving sustainable development, including through the provision of ecosystem services and genetic resources, and the importance of conservation and sustainable use of biological diversity.

It recognises that threats to terrestrial and marine biological diversity include, poaching and illegal trade, in wild flora and fauna, habitat degradation and destruction, and pollution.

This Article further recognises the particular losses caused to conservation from the illegal trade in ivory, and the importance of appropriate regulation of domestic markets worldwide for ivory as a means of supporting international conservation efforts. Accordingly, this Article commits the UK and India to endeavour to combat the illegal trade in ivory.

This Article provides for cooperation with respect to the conservation of biological diversity.

Article 21.14 Resource Efficient and Circular Economy

This Article obligates the UK and India to endeavour to avoid the generation of waste, including electronic waste, and to reduce the amount of waste sent to landfill.

This Article provides for cooperation with respect to a transition towards a resource-efficient and circular economy.

Article 21.15 Cooperation

This Article sets out the framework by which Parties shall cooperate as provided in this chapter. This cooperation may be on a bilateral or, as appropriate, an international basis. The UK and India further acknowledge that cooperation can be undertaken through various means, such as dialogues, workshops, conferences, collaborative programmes, and joint analysis. The Article provides that all cooperative activities are subject to applicable laws and regulations, and availability of resources, including funds.

Article 21.16 Contact Points

This Article obligates the UK and India to designate respective contact points within 90 days of entry into force of this Agreement to facilitate bilateral communication and to notify each other promptly of any changes to that point of contact.

Article 21.17 Opportunities for Public Participation

This Article commits the UK and India to endeavour, as appropriate, to make environmental information publicly available, to promote public participation with respect to the cooperative activities set out in the Environment Chapter, and to consider and respond to submissions made by their nationals on matters related to this Chapter in accordance with its domestic laws and procedures.

Article 21.18 Environment Consultations

This Article commits the Parties at all times to endeavour to agree on the interpretation and application of the Chapter, and to make every effort through cooperation, dialogue, consultations, and exchange of information to address any matter arising under the Chapter.

The Article also provides that a Party may request a consultation with the other Party regarding any matter arising under the Chapter. Where, however, the matter arising under this Chapter regards compliance with obligations under a MEA to which the Parties are party, the Article provides that the requesting Party shall, where appropriate, address the matter through the consultative or other procedures under that MEA. This Article also sets out a framework for such consultation, including for the UK and India to make every effort to arrive at a mutually agreed solution to any matter raised.

Article 21.19 Joint Committee Consultations

If the Parties fail to resolve a matter under Article 21.18 (Environment Consultations), this Article stipulates that either Party may request the Joint Committee convene to seek to resolve the matter. Where The Joint Committee is convened, the Committee shall seek to resolve the matter including, if appropriate, by gathering relevant technical and scientific information from governmental agencies or sources, or other mutually agreed agencies or sources.

Article 21.20 Ministerial Consultations

If the Parties have failed to resolve the matter under Article 21.19 (Joint Committee Consultations), this Article allows either Party to refer the matter to the relevant Ministers of the Parties who shall seek to resolve the matter.

Other Chapters

Chapter 1: Initial Provisions and General Definitions

Chapter Summary and Conclusion

The Chapter includes a 'Relation to Other International Agreements' article (Article 1.2), which affirms the principle of co-existence between the UK-India CETA and other existing international agreements to which the UK and India are both party. This is relevant to existing agreements to which both the UK and India are party that may impact matters relevant for this report and has the effect of reaffirming the UK's commitment to upholding obligations it has taken elsewhere.

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Chapter 3: Rules of Origin

Chapter Summary and Conclusion

The Chapter provides a single set of rules to determine whether a good is "originating" and is therefore eligible for tariff-free market access and reduced tariffs under the agreement. It also outlines the procedures traders must follow to prove the origin of goods, ensuring that only genuinely UK or Indian goods benefit from the preferential tariff treatment.

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Chapter 5: Customs and Trade Facilitation

Chapter Summary and Conclusion

The Customs and Trade Facilitation chapter provides that the UK and India's customs procedures should be non-discriminatory, transparent and consistent whilst also reinforcing the UK and India's ability to maintain effective customs control.

It builds on the Parties' commitments under the WTO Trade Facilitation Agreement including more ambitious commitments in areas such as Release of Goods, Perishable Goods and Advance Rulings.

The FSA and FSS note that the commitments to release goods promptly is contingent upon all documentation and regulatory requirements being met. They state (section 7.1) that "crucially, this includes completion of sanitary and phytosanitary (SPS) checks."

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Chapter 24: Good Regulatory Practice

Chapter Summary and Conclusion

The Good Regulatory Practice (GRP) chapter promotes economic growth by encouraging good governance and accountability within regulatory processes which helps to provide a stable and predictable regulatory regime.

The UK and India will ensure that their regulations are made accessible. Both countries make commitments to provide a reasonable opportunity for interested persons to comment on proposed major regulatory measures, and to encourage regulatory authorities to cooperate on current and future regulation.

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Chapter 28: General Provisions and Exceptions

Chapter Summary and Conclusion

The UK-India CETA preserves flexibility for the UK Government to protect legitimate domestic priorities by including a number of general exceptions to the commitments in the agreement. Some of the main exceptions relevant to the scope of this report are included by way of the WTO General Exceptions incorporated through Article 28.1. Article XX of the GATT 1994¹⁰ is incorporated for the purposes of a list of chapters affecting trade in goods, and Article XIV of the GATS¹¹ is incorporated for the purposes of a list of chapters affecting trade in services. Subject to the specific conditions stipulated within the chapeaux of the corresponding articles of the WTO Agreement, such as avoiding arbitrary or unjustifiable discrimination, these general exceptions allow the UK to take measures in pursuit of the legitimate policy objectives listed in the corresponding WTO exceptions.

Measures that are within scope of the General Exceptions include measures necessary to protect public morals and those necessary to protect human, animal or plant life or health. GATT XX also covers measures relating to the conservation of exhaustible natural resources, if such measures are made effective in conjunction with restrictions on domestic production or consumption. The inclusion of these exceptions thus contributes to reaffirming the UK's 'right to regulate' domestically on a number of issues, including the environment. This is important considering the UK's international commitments on the environment, nature and biodiversity.

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and support the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

¹⁰ Further information can be found at: https://www.wto.org/english/docs_e/legal_e/gatt47_02_e.htm#ArticleXX

¹¹ Further information can be found at: https://www.wto.org/english/tratop_e/dispu_e/repertory_e/g4_e.htm

Chapter 29: Dispute Settlement

Chapter Summary and Conclusion

The Chapter establishes a robust state-to-state dispute settlement mechanism for resolving certain disputes, should they arise under the agreement.

The Chapter encourages the Parties to exhaust options to reach a mutually agreed solution to any dispute, including through formal consultations. Where a solution cannot be found, the complaining Party may request the formation of an independent arbitration panel, which will consider the dispute in line with the Parties' rights and obligations under the CETA and issue a report with its findings. The Chapter includes robust and proportionate mechanisms regarding how the dispute process is run and to ensure compliance with the agreement.

The dispute settlement mechanism applies in full to the following chapters: Trade in Goods, Rules of Origin, Technical Barriers to Trade, Customs and Trade Facilitation, Telecommunications, Digital Trade, and Intellectual Property.

The dispute settlement mechanism is modified or applies in part to the following chapters: Trade Remedies, Trade in Services, Financial Services, Temporary Movement of Natural Persons, and Government Procurement.

The dispute settlement mechanism does not apply to matters arising out of the other chapters of the Agreement, including Sanitary and Phytosanitary Measures and Environment. The Environment chapter includes a bespoke dispute settlement mechanism.

The Government believes, after seeking independent advice, that the Articles within this Chapter are consistent with and do not affect the UK's ability to maintain its statutory protections in relation to human, animal, or plant life or health, animal welfare, or the environment.

Concerns addressed by the Trade and Agriculture Commission

The TAC's advice engaged with perceived public concerns in relation to Sanitary and Phytosanitary measures, Animal Welfare concerns and Environmental concerns. We address some of the issues raised below.

Animal Welfare Concerns

The TAC addressed a number of stakeholder issues relating to animal welfare, including animal welfare associated with prawn farming, dairy products, and leather (p. 39-45).

The UK-India CETA does not create any new permissions or authorisations for imports from India. As the TAC notes, imports into the UK must comply with our existing import requirements. Products produced to different environmental and animal welfare standards can be placed on the UK market if they comply with these requirements. This has always been the case and includes products from the EU and other longstanding trading partners.

As set out in the UK's Trade Strategy, the Government will not lower food standards and will uphold high animal welfare standards. We recognise concerns about methods of production which are not permitted in the UK. While methods vary in line with different climates, diseases and other contextual reasons, we will always consider whether overseas produce has an unfair advantage and any impact that may have. Where necessary, we will be prepared to use the full range of powers at our disposal to protect our most sensitive sectors including permanent quotas, exclusions and safeguards.

The TAC concludes (p.8) that ultimately, "the India FTA does not otherwise affect the ability of the UK to adopt statutory protections in these areas."

Antimicrobial Resistance

The TAC concludes (p.56) that "the FTA does not limit the UK's rights to protect its people, animals, plants or the wider environment from the entry of antimicrobial resistant bacteria into the UK. It is theoretically possible that antimicrobial resistance in India might increase as a result of increased production to serve the UK market. That is an issue that is for India to address, in line with its recognition, in the FTA, that there is a need to develop and implement a National Action Plan in line with the Global Action Plan on Antimicrobial Resistance, and by cooperating on this issue, as also foreseen in the FTA."

All agri-food products imported into the UK under existing or future FTAs will, as now, have to comply with our import requirements which includes clear controls on limits of veterinary medicine residues in meat and other animal products.

Pesticide Use

The TAC concludes (p.56) that "the FTA does not change the UK's WTO rights to impose restrictions on imports to protect UK plants, animals and environment (e.g., from pesticide residue in feed). The situation is different insofar as the effects of pesticide use in India are concerned. In principle, the UK is not permitted to prohibit imports of products that are produced using pesticides that cause harm solely to plants, animals or the environment (e.g., soil or water) in India. Such risks are fundamentally for India to address, unless there is a substantial connection with the UK or effect on the UK. In this respect, we do not rule out that the use of certain pesticides may become an issue of international concern. It is important to note that the FTA does not change the UK's legal position on this matter under WTO law."

A maximum residue level (MRL) is the highest level of a pesticide residue that is legally tolerated in or on food when a pesticide is applied correctly. All food placed on the market in Great Britain (GB) must meet our pesticide MRLs. MRLs are set following scientific risk assessment by the Health and Safety Executive (HSE). MRLs must be safe for consumers but are not in themselves safety limits. They are set below, and usually well below, the level considered safe for people to eat.

Whether produce has been treated with a pesticide in GB or in another country, the same consumer safety criteria are applied when setting MRLs. GB MRLs can be set to take account of residues arising from pesticide uses and authorisations in other countries – applications for these import tolerance MRLs are considered by the HSE. This approach recognises the diversity of farming practices in other countries reflecting contrasting climatic and environmental conditions and supports international trade and demand from consumers for commodities not grown in the UK for example.



ANNEX to Government Report

Food Standards Agency and Food Standards Scotland Joint Section 42 advice – United Kingdom – India - Free-Trade Agreement

November 2025

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Introduction

1.1 As the UK's statutory authorities responsible for safeguarding food and feed safety and protecting consumer interests—within England, Wales, and Northern Ireland (FSA), and within Scotland (FSS)—**the Food Standards Agency and Food Standards Scotland have been commissioned by the Minister of State for Trade Policy and Economic Security to deliver joint advice regarding the UK's accession to the UK-India Comprehensive Economic and Trade Agreement (CETA)**¹².

1.2 The UK-India CETA originated from the Enhanced Trade Partnership (ETP) agreed in May 2021, which laid the foundation for deeper trade co-operation. Formal negotiations commenced in January 2022, and an agreement was reached in May 2025, with the deal signed on 24th July 2025.

1.3 Before the CETA can take legal effect, it must undergo formal scrutiny in Parliament, as required by the Constitutional Reform and Governance Act 2010¹³. To support this process, the Government will publish a report under Section 42 of the 2020 Agriculture Act — an independent assessment focused specifically on agricultural trade. This report will evaluate whether the CETA's provisions uphold the UK's existing legal standards for protecting human, animal, and plant health, as well as animal welfare and the environment.

1.4 The request from the Minister came under Section 42(4) of the Agriculture Act 2020¹⁴ and focused on whether the provisions in the UK-India CETA affecting human health maintain the UK's statutory protections, specifically within the areas overseen by FSA and FSS. This document presents the FSA and FSS's joint assessment, which will be included as an annex to the Government's Section 42 Report.

1.5 In summary, the FSA/FSS assessment is that:

- No changes to UK food and animal feed laws or standards are needed for the UK-India CETA to take effect.
- The UK-India CETA maintains all current UK rules and statutory protections on food safety and nutrition that fall under the responsibilities of the FSA and FSS.
- Some stakeholders and members of the public have expressed concerns about the agreement with India. Their concerns mostly centre on production standards, specifically the use in India of pesticides and antibiotics prohibited in the UK, and exceeding UK MRL's (maximum residue levels) for pesticide residues. This feedback was shared in response to our Call for Evidence, and we reflect the key points related to FSA and FSS responsibilities later in this report under Section 12.
- The agreement respects the respective powers of the UK Government and the devolved administrations to set rules on sanitary and phytosanitary (SPS) measures within their areas of competence. This means that any future decisions about domestic regulations will remain under UK and devolved government control.
- The agreement with India does not require any changes to UK laws that protect public health in relation to nutrition. This is based on analysis by the FSA and FSS, covering

¹² [India Free Trade Agreement \(FTA\) - request for Food Standards Agency and Food Standards Scotland advice](#)

¹³ [Constitutional Reform and Government Act 2010 \(Legislation.gov.uk\)](#)

¹⁴ [Agriculture Act 2020 \(Legislation.gov.uk\)](#)

areas such as nutrition and health claims, adding vitamins and minerals, food supplements, foods for specific groups, and nutrition labelling.

- This trade agreement does not restrict the UK's ability to negotiate an SPS Agreement with the EU.

Scope of FSA and FSS advice

2.1 In line with their statutory responsibilities and policy roles, the FSA and FSS are providing advice focused on human health, including food safety and nutrition-related protections^{15 16}. For the purposes of this advice, any reference to food safety includes feed safety where it relates to human health, noting that feed safety in relation to animal health falls under the remit of the Trade and Agriculture Commission (TAC), which also contributes to the Section 42 report. Nutrition policy across the UK is led by different bodies: the Department of Health and Social Care in England, the Welsh Government in Wales, Food Standards Scotland in Scotland, and the Food Standards Agency in Northern Ireland—where it operates as part of the UK-wide FSA. For this report, we have sought advice from FSA nutrition specialists in FSA Northern Ireland, and from FSS.

2.2 For the purposes of this assessment, “UK levels of statutory protection” are defined—as set out in the Agriculture Act 2020—as the legal protections in force across any part of the UK at the time this Section 42 report is issued. Because food safety and nutrition are devolved matters, legislation from all four nations is relevant to this analysis. This includes national laws that apply specifically in England, Scotland, Wales, or Northern Ireland. However, existing international obligations—such as those outlined in Article 1.2, which governs the relationship between the UK-India CETA and the Windsor Framework—fall outside the scope of this advice¹⁷. As such, the CETA does not alter the application of laws already governed by those obligations. All references to UK statutory protections in this advice are therefore limited to the domestic legislation described above.

2.3 This advice does not extend to food standards unrelated to human health—such as rules of origin, geographical indications, organic certification, or advertising regulations—which fall outside the scope of this commission and of FSA and FSS remits as food safety authorities. Similarly, issues not directly linked to public health, including tariffs, technical specifications, trade facilitation, and market access rules outside of the scope of SPS measures, are excluded. Matters concerning statutory protections for animal and plant health, animal welfare, and environmental standards are addressed separately by the TAC.

2.4 Official controls apply to all food products imported to the UK and are carried out by competent authorities under the oversight of the FSA, FSS, and the UK and Devolved Governments. For India, these controls will remain in place under the new UK-India CETA, in a dynamic risk-based regime. This means there will still be a requirement for pre-notification of imports from India as well as necessary certification, supported by physical checks. Beyond routine checks, the FSA and FSS can also introduce emergency import restrictions or safeguards when necessary for any imports for any country. Examples of enhanced controls taking place in practice on foods imported from India are provided below in Section 11. The FSA and FSS also continue to work with the Department for Environment, Food and Rural Affairs (Defra) to assess applications for new market access, which is a separate process from Free Trade Agreement (FTA) negotiations. Market access for Products of Animal Origin (POAO) and enhanced checks based on risk for High-Risk Foods not of Animal Origin (HRFNAO) processes are not affected by this trade agreement and will continue to apply for trade with India.

¹⁵ [“Nutrition” means legislation within scope of appendix II of the Nutrition Related Labelling, Composition and Standards Provisional Common Framework.](#)

¹⁶ [The way UK Government and devolved administration work together across the four nations is set out in the Food and Feed Safety and Hygiene \(FFSH\) common framework.](#)

¹⁷ [UK-India CETA – Chapter 1: Initial Provisions and General Definitions](#)

2.5 As the UK's independent food safety competent authorities, the FSA and FSS recognise the importance of upholding the UK's high food safety standards and ensuring that trade agreements are subject to rigorous health impact assessments to safeguard consumers' health. Stakeholder submissions to the Call for Evidence launched by both agencies on 1st August 2025 have received contributions from nine interested parties. In addressing these, our analysis has focused on the relevant provisions of the UK-India CETA and their interactions with the UK's international obligations under the WTO and UK's existing statutory protections for human health, including food and feed safety and nutrition. We also acknowledge that some of the issues raised fall outside our statutory remit and the scope of our contribution to the Section 42 report but are important to the public and will be considered as part this report where relevant.

2.6 In June 2025 and for the past few years, the FSA and FSS have provided retrospective insights into broader food trade issues through their joint publication, *Our Food: An annual review of food standards across the UK*¹⁸. This report offers an evidence-based overview of trends, challenges, and developments in food standards, complementing the advice provided here. The FSA and FSS published research through their UK Food and You 2 Survey¹⁹²⁰ that cited that consumers are concerned about food produced outside the UK having the same hygiene, safety and integrity compared to food produced in the UK.

¹⁸ [Our Food 2024](#)

¹⁹ [Food and You 2: FSS](#)

²⁰ [Food and You 2: FSA](#)

Trade with India

3.1 India is an important trading partner for the UK when it comes to food and agricultural products. While India doesn't send any beef, eggs, or pork to the UK, it is a leading exporter for other food products. For example, rice is a major import; nearly one-third of all rice brought into the UK comes from India, making it our biggest rice supplier.

3.2 From HMRC²¹ UK trade data:

- India is ranked #1 for herbs and spices imports into the UK
- India is also ranked #1 for infant food into the UK, however this is from exporting a large amount of Rusk to the UK. Rusk is a twice baked bread product, or hard bread which is commonly used for teething babies.
- India accounts for 29.6% of all UK rice imports—including husked brown rice, broken rice, and semi-milled rice—highlighting its pivotal role in meeting the UK's rice demand.

3.3 As part of this close trade relationship, the UK maintains ongoing co-operation and engagement with the Indian authorities, which plays an important role in ensuring the safety of imported foods. The FSA and FSS are hoping to finalise a Memorandum of Understanding (MoU) with the Food Safety and Standards Authority of India (FSSAI), to further enhance the UK-India CETA by an increase of both Parties' co-operation during food incidents, communication, information sharing and understanding of one another's SPS regimes. The FSA and FSS are continuing to engage with the Indian authorities when issues such as non-compliances and incidents emerge and look forward to improved cooperation as a result of the FTA and MoU.

²¹ [HMRC UK Imported Food Data](#)

Overview of the provisions in the India FTA

4.1 The UK and Indian Governments recognise in the Preamble of the CETA their sovereign right to regulate and maintain the flexibility to set their own legislative and regulatory priorities²². This includes the ability to safeguard public welfare and uphold legitimate public policy objectives such as the protection of public health, food safety, environmental sustainability, and public morals. These decisions will be supported by transparent, evidence-based advice from the FSA, FSS, and other relevant expert bodies, ensuring that regulatory choices reflect both scientific rigour and the public interest.

4.2 Chapter 1 of the Agreement reaffirms the Parties' existing rights and obligations under international instruments to which they are all signatories, including the WTO Agreements^{23,24}. Within the domain of food safety and nutrition, these international commitments do not constrain the UK Government or devolved administrations from taking proportionate, unilateral action necessary to safeguard consumer health across the UK.

Article 1.4 "General Definitions" clarifies that "SPS Agreement" in the context of the CETA means the Agreement on the Application of Sanitary and Phytosanitary Measures, set out in Annex 1A to the WTO Agreement²⁵. This, along with references within the SPS Chapter, evidences the primacy of the WTO SPS Agreement as the main basis for international trade in foodstuffs.

²² [UK-India CETA Preamble](#)

²³ [UK-India CETA Chapter 1: Initial Provisions and General Definitions](#)

²⁴ [WTO Legal Texts](#)

²⁵ [WTO Agreement on the Application of Sanitary and Phytosanitary Measures](#)

Relevant Chapter analysis

5.1 In assessing the maintenance of existing statutory protections for food safety and nutrition, the following chapters are particularly relevant due to their close links to UK food safety and nutrition legislation safeguarding human health as well as to FSA and FSS operational work:

- Chapter 2 – Trade in Goods
- Chapter 5 – Customs and Trade Facilitation
- Chapter 6 – Sanitary and Phytosanitary Measures
- Chapter 7 – Technical Barriers to Trade
- Chapter 16 – Competition and Consumers Protection

Chapter 2 – Trade in Goods

6.1 Chapter 2 of the UK–India CETA sets out how both countries will treat each other's goods fairly in trade. It ensures that goods imported from India will be treated the same as UK-made goods, and vice versa.

The chapter also includes agreements on tariffs—how much tax is applied to different goods when they cross borders. These tariff commitments are listed in annexes and help make trade more predictable.

Importantly, the chapter includes a safeguard for agricultural goods. This means that once a product qualifies under the agreement, it won't face sudden tariff increases that countries sometimes use to protect domestic producers. This helps ensure stability for UK and Indian exporters and importers and may also support food security and price stability by helping maintain a steady flow of imports during periods of domestic supply pressure.

Chapter 5 – Customs and Trade Facilitation

7.1 This chapter sets out how the UK and India will simplify customs procedures to support smoother trade, while maintaining robust regulatory checks (Article 5.1). It includes commitments to release goods promptly—ideally within 48 hours for non-perishable items (Article 5.5) and as quickly as possible for perishables (Article 5.6)—provided all documentation and regulatory requirements are met. Crucially, this includes completion of sanitary and phytosanitary (SPS) checks.

7.2 The agreement also supports the use of risk management systems to focus border checks on high-risk consignments (Article 5.7). This aligns with the UK's risk-based SPS regime, ensuring that food safety controls remain in place and are proportionate to the level of risk. These provisions help facilitate trade without compromising public health protections.

Chapter 6 – Sanitary and Phytosanitary (SPS) measures

8.1 The SPS chapter text agreed within the UK-India CETA is of fundamental importance as regards to reserving the UK's right to maintain existing laws and regulations to protect human life and health, including food safety and nutrition. It is also important in preventing any limitations in the way food regulation and enforcement is implemented in the UK. The following key Articles outline how the text achieves this.

8.2 Article 6.1 - Definitions:

The Definitions Article in the SPS Chapter aligns with those within Annex A of the WTO SPS Agreement. This is important to ensure consistency in language during dialogue between the parties and for traders.

8.3 Article 6.6: Equivalence:

The article states that Parties agree that recognising the equivalence of sanitary and phytosanitary (SPS) measures is key to facilitating trade. Equivalence can be recognised even if measures differ, provided the exporting Party proves they meet the importing Party's appropriate level of protection, in line with Article 4 of the WTO SPS Agreement²⁶. Final decisions on equivalence rest with the importing Party, in line with its legal framework and international guidance.

No new equivalence decisions for agri-food products were proposed under the UK's agreement with India.

If the UK receives future requests for equivalence, the FSA and FSS would work closely with other government departments to assess them. We would also advise on any specific trade conditions—such as processing or packaging requirements—needed to meet UK food safety standards. This trade deal does not grant any preferential treatment in relation to the outcome of a request.

Any equivalence decision would not prevent the UK from updating its SPS regime in future to protect consumers. If changes are made, existing determinations would be reviewed accordingly.

8.4 Article 6.8 Audit:

The article sets out how one Party may audit the other's regulatory systems to ensure compliance with agreed SPS import requirements. These audits aim to build and maintain trust in the exporting Party's controls and must be based on international standards and WTO guidance. This Article does not prevent the UK from conducting audits were justified to verify India's food safety controls, nor from taking emergency measures to protect food safety when necessary.

8.5 Article 6:10 Import Checks

This article establishes the right of the importing Party to carry out import checks based on the SPS risks associated with goods. This Article does not limit the UK's ability to carry out risk-based import checks or to take enforcement action when non-compliance is found, in accordance with existing UK laws and regulations.

²⁶ [Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems](#)

The emphasis on risk-based checks in this Article is in alignment with the UK's risk-based approach to official controls.

8.6 Article 6.11 Emergency Measures

This article allows a Party to adopt emergency measures to protect human, animal, or plant life or health, and to consult where appropriate with the other party within specific timeframes, adding certainty if a sudden risk to human health linked to food safety emerges.

8.7 Article 6.12 Animal Welfare

The Animal Welfare article states that both Parties acknowledge the important link between good animal welfare and the health of farmed animals. Considerations around the maintenance of statutory protections for Animal Welfare in the UK-India CETA fall under the remit of the TAC advice. Animal Welfare policy is set domestically by Defra for England and by the Devolved Administrations, with FSA and FSS playing a role in the enforcement of domestic controls.

8.8 Article 6.13 Antimicrobial Resistance

The article recognises antimicrobial resistance (AMR) as a serious global threat to both human and animal health, with the parties supporting a One Health approach and the Global Action Plan on AMR and commit to developing national action plans accordingly.

8.9 Article 6.14 Technical Consultations

The article allows either Party to request technical consultations if concerns arise over SPS measures. These consultations should be held promptly, ideally within 30 days of the request and aim to share information and resolve issues efficiently. If other mechanisms have been used without success, consultations under this Article may still be requested to avoid unnecessary duplication.

8.10 Article 6.15 Notification and Information Exchange

This Article requires Parties to respond to information requests within a reasonable timeframe, reflecting current working practices of the FSA and FSS. It also avoids duplication with notification requirements at the WTO.

8.11 Article 6.19 Non-application of Dispute Settlement

This article briefly explains that neither Party shall have to recourse to dispute settlement under Chapter 29 of this agreement for any matter arising from the SPS Chapter.

Chapter 7 - Technical Barriers to Trade (TBT)

9.1 This chapter supports the removal or reduction of technical barriers to trade in goods, while ensuring that products entering the UK market remain safe and of high quality²⁷.

It reflects a shared commitment to advancing the use of international standards, including those shaped by UK contributions. Technical Barriers to Trade are relevant to statutory protection for human health, including food safety and nutrition, as they include areas such as standards, conformity assessments, product labelling and food contact materials, often overlapping SPS measures. The Product Sectors listed in Annex 7A in this Chapter are not relevant to the scope of this advice.

9.2 Article 7.4 - Affirmation of the TBT Agreement

The affirmation of the Parties' rights and obligations under the WTO TBT Agreement reflects a shared understanding that WTO provisions take precedence in the application of technical regulations, standards, and conformity assessment procedures²⁸. The agreed text therefore reinforces the UK's right to adopt technical measures aimed at achieving legitimate public policy goals—such as the protection of human health and food safety—as set out in Article 2.2 of the WTO TBT Agreement and reiterates key provisions of that Agreement.

9.3 Article 7.5 - Standards, Guides and Recommendations

This Article reiterates the WTO principle that TBT measures should, where applicable, be grounded in relevant international standards. This includes, where relevant, standards and guidance set internationally at the Codex Alimentarius Committee in relation to food safety whenever they contain a TBT element. This reaffirmation does not constrain the UK's regulatory autonomy, nor does it necessitate changes to existing statutory protections related to food safety or nutrition. Additionally, the text encourages cooperation between national conformity assessment bodies, supporting mutual understanding and facilitating smoother trade while maintaining high standards of consumer protection.

9.4 Article 7.8 - Marking and Labelling

The Article promotes fair and transparent labelling rules, ensuring imported goods are treated no less favourably than domestic ones. It supports flexible labelling approaches—like post-import corrections and multilingual labels—provided they don't compromise public health or safety, and aligns with WTO TBT principles. All these features are in line with UK legislation on marking and labelling and common practice.

²⁷ [UK-India CETA Chapter 7: Technical Barriers to Trade](#)

²⁸ [WTO Agreement on Technical Barriers to Trade](#)

Chapter 16 – Competition and Consumers Protection

10.1 This chapter sets out commitments by both the UK and India to uphold their respective competition and consumer protection frameworks. Both countries have agreed to apply and enforce competition laws in a non-discriminatory manner, through independent authorities.

Of particular interest to FSA and FSS is Article 16.4 on Consumer Protection, which outlines mutual commitments by the UK and India to uphold and strengthen consumer protection. It emphasizes the importance of safeguarding consumer welfare through effective policy and enforcement. Key provisions include maintaining laws against misleading or unfair commercial practices, ensuring statutory rights for consumers regarding goods and services, and promoting awareness and access to redress mechanisms—especially in cross-border transactions. The article also highlights the value of dispute resolution mechanisms in resolving consumer-related conflicts.

This chapter is consistent with existing consumer protection provisions under the Food Safety Act 1990, specifically Sections 14 and 15²⁹, which require that food offered for sale must meet the expected nature, substance, and quality, and must not be misrepresented or inaccurately described.

²⁹ [Food Safety Act 1990](#)

Current Border Controls for Indian High Risk Food Products

11.1 As with many other agreements the UK has in place, risk-based border controls still continue to be applied to commodities that we identify might be a risk.

The FSA and FSS are responsible for delivering the legal requirements of Regulation 2019/1793³⁰. In its Annexes, it lists higher risk food and feed of non-animal origin (HRFNAO) that are subject to enhanced border controls.

Imports of HRFNAO from specified countries can only enter GB through appropriately designated border control posts (BCP) where official controls are undertaken including documentary, identity and physical examinations including sampling. A list of these imports can be seen in Annex 1 and 2 of Regulation 2019/1793.

A higher risk product is food or feed that is identified as either a known or emerging risk or where there is evidence of widespread serious non-compliance with the GB agri-food chain legislation. This may be due to the presence of pathogens, contaminants and toxins including aflatoxins.

The FSA and FSS carry out a joint review of the lists contained in the Annexes to Regulation 2019/1793 to ensure public health and maintain high food safety standards. This review is delivered through the joint FSA and FSS risk analysis process so that Ministers can make risk management decisions based on the FSA and FSS recommendations.

All recommendations are science and evidence based and are developed and considered through a four-nation expert working group, in accordance with the Food and Feed Safety and Hygiene Common Framework, and proposed by officials in Scotland, Wales, England, and Northern Ireland.

Table 1 below shows a list of Indian products currently under import control from Regulation 2019/1793³¹ as of 18th of December 2024 with the hazard being sampled. Like commodities from many other countries, these goods face stricter import controls in comparison to other Food Not of Animal Origin (FNAO) from India, including mandatory health certificates, pre-notification, and physical inspections.

Commodities listed under Annex 1 of Regulation (EU) 2019/1793 are subject to a temporary increase in official controls due to identified risks. These goods must be pre-notified to a designated BCP and are sampled at the border according to the set frequency. As this shows, the agreement does not prevent the UK from taking appropriate action on imports from India.

In contrast, commodities listed under Annex 2 are subject to special conditions, requiring both pre-notification and submission of laboratory test results prior to entry into Great Britain, to be also accompanied by an export health certificate. These goods are also subject to additional sampling at the border, with checks carried out at a frequency specified in the legislation. The key distinction lies in the requirement for pre-export testing an additional certification required under Annex 2, which is not mandated for Annex 1 commodities.

³⁰ [Regulation 2019/1793](#)

³¹ [Commission Implementing Regulation \(EU\) 2019/1793](#)

Food or Feed Product	Hazard	Frequency of physical and identity checks
Fenugreek leaves	Pesticide residues	Annex 1 10%
Cumin seeds	Pesticide residues	Annex 1 10%
Curry leaves (Bergera/ Murraya koenigii)	Pesticide residues	Annex 1 50%
Okra	Pesticide residues	Annex 1 20%
Drumsticks (Moringa oleifera)	Pesticide residues	Annex 1 20%
Cinnamon and cinnamon-tree flowers	Pesticide residues	Annex1 10%
Cloves (whole fruit, cloves and stems)	Pesticide residues	Annex 1 10%
Nutmeg, mace and cardamoms	Pesticide residues	Annex 1 10%
Nutmeg (Myristica fragrans)	Aflatoxins	Annex 1 50%
Seeds of anise, badian, fennel, coriander, cumin or caraway, juniper berries	Pesticide residues	Annex 1 10%
Guar gum	Pentachlorophenol and dioxins	Annex 1 20%
Ginger, saffron, turmeric (Curcuma), thyme, bay leaves, curry and other spices	Pesticide residues	Annex 1 10%
Rice	Aflatoxins and Ochratoxin A	Annex 1 5%
Rice	Pesticide residues	Annex 1 5%
Yardlong beans (Vigna unguiculata subsp. sesquipedalis)	Pesticide residues	Annex 1 20%
Peppers of the genus Capsicum (sweet or other than sweet)	Aflatoxins	Annex 1 20%
Food containing or consisting of betel leaves (Piper betle)	Salmonella	Annex 2 10%
Groundnuts	Aflatoxins	Annex 2 50%
Peppers of the genus Capsicum (other than sweet)	Pesticide residues	Annex 2 20%
Sesamum seeds	Salmonella	Annex 2 30%
Sesamum seeds	Pesticide residues	Annex 2 30%

In the 2024 update of Regulation 2019/1793 import controls on Guar Gum and Nutmeg have been reduced due to increased compliance at the border.

The FSA and FSS will continue to monitor, review, and provide recommendations to ministers regarding the Annexes to Regulation 2019/1793. This work supports decisions on whether to include additional products or adjust the frequency of checks on specific food and feed items, in line with our statutory duty to safeguard public health.

Evidence from Stakeholders: Key Concerns

12.1 When considering this advice on the UK-India CETA it is helpful to outline the broader context around consumer perspectives and stakeholder concerns. The FSA and FSS, in parallel with the TAC, issued an open Call for Evidence on 1 August 2025, inviting submissions from interested parties regarding statutory protections for food safety and nutrition. This consultation remained open for eight weeks³². We received nine submissions and held multiple discussions before the submission of the advice with stakeholders as part of the FSA's and FSS's ongoing engagement activities. We are grateful to all respondents who took the time to submit their contribution, you can find a summary of these in Annex I of this report. Relevant contributions which involve statutory protections for human health or are of particular interest to the public have been incorporated into our advice and views are summarised below.

12.2 Food Production standards

Stakeholders highlighted significant disparities in production methods, including the use by producers in India of antibiotics, pesticides and intensive farming practices that are banned in the UK. These differences, they argue, give Indian imports an unfair competitive advantage and threaten the viability of UK sectors such as dairy and beef. Other key concerns are that allergen and nutrition labelling are not considered to be as comprehensive as UK labelling.

Fera Science Ltd stressed the need for enhanced UK testing infrastructure to manage the anticipated rise in high-risk imports, particularly spices, processed foods, and aquaculture products, calling for assurances that UK standards will be upheld through robust surveillance and testing capacity.

12.3 Dairy and eggs

Stakeholders expressed concern that India, being the largest producer of milk from cows and buffaloes globally, has the capacity to export significant volumes of dried milk powder and dried egg products to the UK, which could pose a long-term risk to domestic dairy producers. They claim that imports of dairy and egg products may be produced using methods that are not permitted in the UK and are not aligned with UK's animal welfare standards. These include the use of antibiotics for growth promotion.

12.4 Pesticides

Stakeholders including Pesticide Action Network (PAN) UK, warned that the UK-India CETA could pose significant risks to UK food safety due to weaker pesticide standards in India. They highlight that Indian Maximum Residue Levels (MRLs) for pesticides are often far higher than those permitted in Great Britain.

PAN UK also points out that Indian food exports have a history of being rejected due to pesticide contamination, with basmati rice being particularly problematic. They argue that UK border controls and domestic testing capacity are insufficient to detect and prevent contaminated imports, especially given the limited scope of automatic testing and the small number of samples tested annually.

³² [Call for Evidence: UK and India FTA](#).

Furthermore, PAN UK expresses concern over the SPS Chapter of the CETA, which promotes recognition of Indian standards as “equivalent” and encourages reliance on international benchmarks like Codex, which are generally less stringent than UK regulations. They warn that the agreement lacks reference to the precautionary principle and could allow industry pressure to weaken UK protections via the proposed SPS Subcommittee.

12.5 Consumers’ attitudes toward food standards and trade

In addition to consulting stakeholders through our Call for Evidence, FSA and FSS monitor consumers’ preferences and attitudes in relation to food. Consumers are concerned about standards of food coming from outside the UK, and levels of concern have increased since EU Exit,^{33 34}. Research conducted by the FSA has consistently found that consumers are much more concerned about food produced outside the UK being safe and hygienic, and what it says it is, compared to food produced in the UK^{35 36 37}. In line with this, consumers who opposed FTAs with non-EU countries are most likely to cite lower standards of safety and food as their top reason.³⁸

The majority of UK consumers believe maintaining UK food standards is non-negotiable, even if this comes at the expense of international trade deals and higher food prices³⁹. In 2021 Which? research, only 4% of consumers said food produced to lower standards should be allowed into the UK but with a higher tariff/import tax. This view was also supported by consumers who took part in detailed discussions (via a series of public dialogues) though rejecting the idea of having two different tariffs for food produced to different standards. For these consumer groups,⁴⁰ these factors have much higher priority than providing greater choice and competition to UK consumers.⁴¹

As research has found that consumers believe maintaining UK food standards is non-negotiable, it is likely that consumers would have concerns around an FTA with India given the country’s differing food standards. A survey carried out by Red Tractor in 2022 found only 18% of UK consumers trusted food produced in India, versus 73% who trusted food produced in the UK. Of the 20 countries people were asked about, only China has lower consumer trust than India. When asked about preferred sources for importing meat and dairy products, only 2% of UK consumers chose India—making it the least preferred country, even below China, which was selected by 3%.⁴²

It is clear from this evidence that maintaining food safety and health standards in trade deals is important to consumers and stakeholders and that there are widely held concerns about standards of some foods from India as shown in the research above.

³³ [Citizens’ views on the EU and food issues \(March 2021 wave\)](#)

³⁴ [UK Public’s Interests, Needs and Concerns Around Food | Food Standards Agency](#)

³⁵ [Food and You 2: Wave 9 | Food Standards Agency](#)

³⁶ [Consumer Insights Tracker | Food Standards Agency](#)

³⁷ [Food in Scotland Consumer Tracker Survey Wave 19 | Food Standards Scotland](#)

³⁸ [Public attitudes to trade tracker \(PATT\): wave 7 - GOV.UK](#)

³⁹ [Food in a Pandemic | Food Standards Agency](#)

⁴⁰ [Are the UK’s Trade Deals Reflecting Consumer Priorities? - Which? Policy and insight](#)

⁴¹ [2022 Annual Survey of UK Public Opinion on Foreign Policy and Global Britain \(bfpg.co.uk\)](#)

⁴² [The UK’s Trust In Food Index 2022 - Red Tractor Assurance](#)

FSA and FSS assessment of the issues raised by stakeholders

Food Production Standards

12.1 Significant differences exist between UK and Indian standards, particularly in areas such as domestic food production and pesticide use. Some of these relate to broader production practices not specifically linked to food safety and under the remit of the TAC advice. Others directly impact food safety and were raised in responses to our Call for Evidence. Some of these are actively addressed through robust UK border controls, which reject consignments that fail to meet our high safety standards. We continue to monitor these issues closely. Maintaining strong co-ordination and adequate resourcing across departments responsible for border and inland controls is essential to uphold consumer confidence and ensure that only food meeting UK import safety standards enters the country.

The UK is committed to maintaining high food safety standards and protecting public health. Both the UK and India are members of the World Trade Organisation (WTO), which establishes rules to promote fair and international trade. The SPS Agreement has measures which explicitly allow member states to adopt stricter food safety and public health provisions than their trading partners, provided they are scientifically justified, non-discriminatory, and proportionate to the risk. This means that the UK has autonomy to set international food safety standards as they fall into those rules.

Alongside the WTO, the UK has a comprehensive legal framework that ensures trade deals do not compromise food safety or public health on imported food. This includes a number of UK laws such as, the Food Safety Act 1990⁴³, Food Hygiene Regulations England 2013⁴⁴, the Contaminants in Food⁴⁵, additionally retained EU- laws for example Regulation (EC) 178/2002⁴⁶ and Regulation (EC) 2073/2005⁴⁷ ensure that imported food meets the same food safety standards as food produced in the UK.

The FSA and FSS play a key role in ensuring decisions on food safety, including which new products can enter the country are based on science and evidence. Imported food controls are set following an assessment of risk, and new food products of animal origin from any country, (including those we have a bilateral or multilateral agreement with), must submit a market access request. This request must be accompanied by evidence that the food is produced in line with UK requirements, and the FSA and FSS will conduct robust risk assessments and audit of that country to verify the evidence in conjunction with the UK Office.

Regardless of FTAs, all imports to the UK must continue to meet our food safety requirements, and UK official controls at the border. This includes not only the safety of the food or feed product itself, but also the allergen and nutrition labelling. To meet UK standards, all labelling must be in English and all 14 regulated allergens⁴⁸ must be emphasised. If it does not meet UK food standards, Local Authority may decide to re-label a product to comply with UK requirements or raise as a food incident which may result in rejection of the consignment.

⁴³ [Food Safety Act 1990](#)

⁴⁴ [Food Hygiene \(England\) Regulations 2013](#)

⁴⁵ [The Contaminants in Food Regulations 2020](#)

⁴⁶ [Regulation \(EC\) 178/2002](#)

⁴⁷ [Regulation \(EC\) 2073/2005](#)

⁴⁸ [Regulation \(EU\) No 1169/2011](#)

Existing statutory protections, such as the right to regulate for levels of protection appropriate to UK consumers based on science and evidence, and the right to take proportionate action on a provisional basis to protect consumers, will play a crucial role in addressing issues around compliance related to production standards in foods imported from India. FSA and FSS will continue to provide science and evidence-based advice to ministers, taking into account consumers' wider interests in relation to food so that they can have confidence that food is safe and what it says it is.

In addition to official controls carried out by UK authorities, many UK retailers, distributors and food businesses apply their own third-party assurance schemes. These include independent audits of suppliers and production sites, which provide an additional layer of safeguard and help ensure that imported food meets UK standards. While these schemes are not statutory, they play a valuable role in maintaining consumer confidence and complement the UK's regulatory framework.

12.2 Dairy and Eggs

Dairy products are not imported into the UK from India as India does not have an approved veterinary residue plan (AVRP) for dairy, which is a requirement under UK legislation to ensure food safety and animal health standards⁴⁹. As a result, any dairy products or foods containing dairy ingredients originating from India would be considered non-compliant and subject to detention at the border by local authorities^{50,51}. This restriction applies broadly to all items falling under the dairy category, including composite products that contain dairy and dried milk.

In contrast, India does have an AVRP for eggs, so egg-related imports are not subject to the same restrictions. Egg imports must comply with UK hygiene standards, and import conditions are closely monitored through a system of pre-arrival notifications, health certification, and checks at Border Control Posts. Medium-risk consignments must be declared via IPAFFS (the UK's IT platform for Import of Products, Animals, Food and Feed Systems) before arrival, accompanied by a valid health certificate from the exporting country's authority, and are subject to documentary, identity, and physical inspections upon entry. Considerations related to animal welfare fall outside of the scope of the FSA and FSS advice and are under the remit of the Trade and Agriculture Commission.

12.3 Pesticides

The FSA and FSS works to also make sure that food not of animal origin imported from India and other countries is safe to eat and does not contain harmful levels of pesticides, by monitoring food at the border and introducing additional controls where required. The UK has strict legal limits on how much pesticide residue can be left on foods, known as Maximum Residues Levels (MRLs). These are set at international level in the Codex Alimentarius, but the UK often has more stringent standards than other countries which India exports must adhere to.

All imports to GB must meet our MRLs, even where an exporting country's own limits are higher. The MRLs are enforced through Official controls and routine surveillance monitoring at the border, including sampling and testing in accredited laboratories, which are designed to pick up on non-compliances. The FSA and FSS are also part of a national monitoring programme where samples of both UK and imported foods are tested for pesticides, veterinary medicines residues and other hazards.

⁴⁹ [Manual for Official Controls, Chapter 5.1 Residues: Veterinary Medicines Directorate \(VMD\) National Surveillance Scheme](#)

⁵⁰ [VMD Guidance: Residues Surveillance](#)

⁵¹ [Defra Guidance: Submit a residue control plan for exports to Great Britain](#)

If unsafe levels are detected through these monitoring activities, the products can be stopped at the border, recalled from shops, or subject to tighter controls in the future in case of repeated non-compliances. This system of monitoring and evidence-based action allows FSA and FSS to apply additional controls where they are needed and generate further intelligence to inform future review. For example, since December 2024 more stringent controls have been put in place on some products from India using Assimilated Regulation 2019/1793, following the process set out in section 4 of this report, and a new review is expected to enter into force in the new year.

Based on its level of risk assessed by the FSA and FSS all rice from India is considered High Risk Food Not of Animal Origin and has a rate of physical and identity checks of 5% under this regulation. Samples are monitored regularly, and the FSA and FSS review these rates of checks regularly in line with the risk level. In case of repeated non-compliances and high risk to the public, the UK Government can impose emergency measures.

These safeguards are designed to protect the public and ensure that the food consumed by people in the UK is safe and what it says it is.

In relation to specific concerns raised by PAN on the SPS Chapter of the CETA, the ability to recognise equivalence between two SPS measures or set of measures is entirely dependent on the maintenance of appropriate levels of protection as set out by the importing country. This would include meeting UK standards on MRLs for countries wanting to export goods to GB and apply for recognition of equivalence. A country can have a lower MRL for their domestic market however if they want to export to GB they must meet our MRLs.

Conclusions

14.1 We have reviewed the legal text governing the UK-India CETA, focusing specifically on its implications for statutory protections in food safety and nutrition. Based on our analysis, the FSA and FSS conclude the following:

- The agreement respects the UK Government's and devolved administrations' right to make their own decisions on food safety and nutrition.
- Ministers across the UK will remain responsible for food safety regulations, advised by robust, science-based evidence from the FSA and FSS. This approach is essential to maintaining strong protections going forward.
- The agreement aligns with the UK's commitment to protecting public health through nutrition standards as set out in legislation.
- No changes to the UK's food safety legislation are required for the UK-India CETA to take effect, and the UK will continue to uphold its existing food safety laws and protections under UK legislation.
- No new equivalence decisions for agri-food products were made under the UK's agreement with India.
- If the agreement leads to an increase in food imports from India, the Government needs to ensure that all Competent Authorities involved in controlling food at the border and inland are adequately resourced.
- Stakeholders have expressed concerns regarding food production standards in foods imported from India, underscoring the importance of maintaining confidence in regulatory oversight. The UK maintains a robust and responsive border control system designed to manage emerging risks effectively and ensure imported foods meet UK import standards. The provisions within the trade agreement support this approach, enabling the implementation of emergency measures when necessary to safeguard public health and food safety.
- This trade agreement does not restrict the UK's ability to negotiate an SPS Agreement with the EU. The UK retains the right to set its own SPS rules and to negotiate bilateral and multilateral agreements, including with the EU.

Annex I – Summary of Call for Evidence Responses

Alliance to Save Our Antibiotics (ASOA):

ASOA raises serious concerns about the impact of the UK-India FTA on antibiotic resistance, highlighting stark differences in farm antibiotic regulation between the UK and India. The submission notes that India permits widespread use of antibiotics for growth promotion in animals and crops, including substances banned in the UK. ASOA warns that lifting tariffs on Indian dairy imports could undermine UK standards, especially given the high use of critically important antibiotics in Indian dairy herds. The FTA's failure to require minimum standards for antibiotic use in imported products is seen as a major weakness, risking reversal of UK progress in responsible antibiotic use and contributing to the global spread of antimicrobial resistance.

Dairy UK:

Dairy UK expresses concern that the elimination of UK import tariffs on Indian dairy products under the FTA could pose a threat to human health. The Indian dairy sector currently lacks an approved residues monitoring plan, a requirement under retained EU law, and has poor production standards due to its fragmented structure. Dairy UK warns of commercial pressure on India to gain export eligibility and urges close scrutiny of any proposed supply chains. It stresses the importance of defending UK SPS standards and criticises the Indian sector's misuse of antibiotics. The submission calls for robust enforcement of UK SPS rights and rejection of any Indian applications that fail to meet traceability and safety standards.

British Retail Consortium (BRC):

The BRC supports maintaining UK standards under the FTA and emphasises the importance of authenticity, quality, and safety in food imports. It highlights the role of UK retailers in upholding production standards through audits and certifications, beyond government checks. The submission underscores the need for continued surveillance of commonly imported commodities like spices, with collaboration between UK and Indian authorities. While generally supportive of the FTA, the BRC stresses that high standards must be preserved and that retailers are committed to ensuring compliance through their supply chains.

Fera Science Ltd (Fera):

Fera welcomes the FTA for its potential economic benefits but raises serious concerns about food safety and biosecurity risks associated with increased imports from India. It highlights a long-standing pattern of border rejections of Indian food products due to pesticide residues, mycotoxins, and other contaminants. Fera stresses the need for enhanced UK testing infrastructure to manage the anticipated rise in high-risk imports, particularly spices, processed foods, and aquaculture products. It questions the reliability of Indian safety certification systems and calls for assurances that UK standards will be upheld through robust surveillance and testing capacity.

British Egg Industry Council (BEIC):

BEIC warns that the UK–India FTA could undermine the UK's high food safety standards, particularly in relation to eggs and egg products. It emphasises the success of the British Lion scheme in reducing salmonella risk and calls for imports to meet equivalent standards. BEIC expresses concern over the rise in salmonella outbreaks linked to imported eggs from countries like Poland and Ukraine, and fears similar risks from Indian imports. It advocates for clear labelling of origin and production standards, and urges that only products from systems legal in the UK be allowed. The submission calls for robust risk assessments and stakeholder consultation before any regulatory changes.

Farmers' Union of Wales (FUW):

FUW's submission highlights the disparity in production standards between the UK and India, including the use of antibiotics for growth promotion, banned pesticides, and intensive farming practices. It argues that these differences give Indian imports an unfair advantage and pose risks to food safety, animal welfare, and environmental sustainability. FUW criticises the lack of enforceable "red lines" in the FTA and warns that the agreement could undermine UK efforts to reduce agricultural emissions. It calls for statutory protections to be embedded in trade agreements and urges the UK Government to ensure robust border checks and alignment with EU standards to protect domestic producers.

National Farmers' Union (NFU):

The NFU expresses concern that while the UK–India FTA does not directly alter UK food safety legislation, its tariff liberalisation could lead to increased imports produced to lower standards. It criticises the lack of conditionality on market access and warns that this could undermine UK farmers and pressure domestic standards. The NFU highlights disparities in animal welfare, antimicrobial resistance controls, and environmental protections between the UK and India. It notes the absence of an ambitious animal welfare chapter and raises concerns about the potential for Indian dairy and poultry products to enter the UK market despite being produced under less stringent standards. The NFU calls for robust scrutiny of equivalence claims and stronger alignment between trade policy and domestic production standards.

National Sheep Association (NSA):

The NSA raises concerns about inconsistent enforcement of food safety standards in India, despite the existence of the Food Safety and Standards Authority of India (FSSAI). It flags specific risks including the use of banned substances like bromates, formalin, and carbides, and calls for UK testing and certification of Indian food producers. The NSA also highlights issues with cold chain management, antibiotic overuse, and inadequate labelling for nutrition and allergens. The submission urges the UK to ensure Indian imports meet the same high standards as domestic products to protect public health and industry integrity.

Pesticide Action Network UK (PAN UK):

PAN UK warns that food imported from India may contain pesticide residues at levels far exceeding UK limits, including substances banned in the UK. It provides examples of significant discrepancies in Maximum Residue Levels (MRLs) for hazardous pesticides and criticises the UK's limited border and domestic testing capacity. PAN UK argues that Chapter 6 of the FTA undermines UK protections by promoting equivalence with weaker Indian standards and failing to uphold the precautionary principle. It also warns that the SPS Subcommittee could allow pressure from India's agrochemical industry to weaken UK regulations. PAN UK calls for stronger safeguards to prevent contaminated food from entering the UK and protect consumer health.

978-1-5286-6086-0
E03490474